



**MINUTES OF THE REGULAR MEETING
April 01, 2011**

Supervisors Present: Felipe Lovato, Jr. – Chairman
Jerry Melaragno
J. Brian Greene
Richard Shovelin
LeRoy Candelaria
Dan Williams

Absentees: William Caster

Others Present: Dierdre Tarr, District Manager
Louis King, District Conservationist, Natural Resources
Conservation Service (NRCS)
Kenneth Lujan, Soil Conservationist, NRCS
Cheri Lujan, District Manager, East Torrance Soil & Water
Conservation District
Brent Racher, Claunch-Pinto Soil & Water Conservation District

CALL TO ORDER:

The Claunch-Pinto Soil and Water Conservation District (CPSWCD) regular meeting of the Board of Supervisors was called to order by Felipe Lovato, Jr., Chairman, at the Mountainair United Methodist Church, Fellowship Hall, located at the corner of Sunset and Third Street in Mountainair, NM at 8:20 a.m. Chairman Lovato welcomed those present and thanked them for taking the time to attend the meeting.

Welcome Guests:

ABSENTEES: William Caster

APPROVAL/DISAPPROVAL OF AGENDA:

The Board reviewed the agenda. **ACTION TAKEN:** Jerry Melaragno moved to approve the agenda as amended. Add item 1a. Approval/ Disapproval of Minutes. Richard Shovelin seconded the motion. Motion carried. Vote was unanimous.

APPROVAL/DISAPPROVAL OF MINUTES -- REGULAR MEETING:

ACTION TAKEN: Brian Greene moved to approve the minutes. Jerry Melaragno seconded the motion. Motion carried. Vote was unanimous. A copy is attached.

TREASURER'S REPORT AND APPROVAL/DISAPPROVAL OF VOUCHERS:

The District Manager presented the Treasurer's Report for the month of March, 2011 with the accounts payable for March, 2011. **ACTION TAKEN:** Richard Shovelin moved to accept the report and pay the accounts payable. Brian Greene seconded the motion. Motion carried. Vote was unanimous. A copy is attached.

OTHER FINANCIAL MATTERS:

The District Manager reported that the auditor is still working on his report and will be finished around the first of May. He has indicated that the books are in impeccable order.

REPORTS:

New Mexico Department of Agriculture (NMDA) Report:

The District Manager pointed out that mill levy rate resolutions should be passed by Soil and Water Conservation District boards and submitted to the Soil and Water Conservation Commission for approval and that the District may need to hold a special meeting. She mentioned due dates for reports and proposals listed in the report. She pointed out item number 5 that announced the youth ranch management camp at Valles Caldera National Preserve and said that the District might be able to sponsor participation by eligible local youth. **ACTION TAKEN:** Richard Shovelin moved that money be set aside to sponsor a participant if someone can be identified. Brian Greene seconded the motion. Motion carried. Vote was unanimous. Items 6 announces a Lincoln County Renewable Energy Conference and Trade Show and item 7 reports on a new market for no-till wheat in Oklahoma.

(The written report is attached.)

NRCS Field Office Report:

Louis King, District Conservationist, presented the NRCS Field Office report to the Board. He reported that EQIP funds in the amount of \$253,552 had been allocated, allowing for eight new contracts to be awarded.

(The written report is attached.)

District Manager's Report:

The District Manager highlighted the meetings that she had attended.

(The written report is attached.)

CORRESPONDENCE:

The correspondence was reviewed with the Board. The District Manager pointed out

- letters to Interim Director/ Secretary Tom Bagwell, New Mexico Department of Agriculture, regarding RFPs issued by NM Department of Agriculture for the Technical Provider Service program as well as Mr. Bagwell's responses,

- an email publishing NMACD's legislative agenda dated March 6, 2011. The District Manager reported that HB 143 had passed as well as HB 558/ SB 523 and that the Soil and Water Commission sponsored bills were either tabled or not heard. A friendly amendment to HB 143 adding members to the Water Trust Board did not pass. A discussion followed on how well members had supported Soil and Water Conservation Commission,
- the rest of the correspondence was from the ground Water Quality Bureau and the National Association of conservation districts.

PERSONNEL MATTERS:

No report.

UPDATE ON GRANTS:

The District Manager reported on grants listed below, meetings attended, progress on projects, status of proposals to funding agencies, and RFPs issued by funding agencies for 2011.

- **EBWHRM Project– Water Trust Board –**
Brent Racher, Claunch-Pinto representative to the EBWHRM Core Steering Committee gave a report. Mr. Racher asked whether the Board members had questions regarding the Memorandum of Understanding for the Watershed Health and Restoration in the Estancia Underground Water Basin included in the Board packet. He asked for the Board's approval of this memorandum. Discussion followed on changes to the previous MOU that were incorporated into the MOU dated 3/29/11 and of the term "unnatural" in the second Whereas.

ACTION TAKEN: Richard Shovelin moved to approve the draft Memorandum of Understanding dated 3/29/2011. Jerry Melaragno seconded the motion. Motion carried. The vote was unanimous.

The District Manager reported that CPSWCD needs to draw down \$187,000 on 2009 funding by the following week. Inspectors have been called in and paperwork is being completed. If the funds aren't drawn down by the following week, the District will be ineligible for the FY2011 funding from the Water Trust Board. The District Manager is confident that funds can be drawn down to the last penny. The Claunch-Pinto and Edgewood Districts have contracted extra acreage to compensate for contracted acreage where work hasn't been completed. Contractors have "stepped up to the plate" to finish work on the extra acreage. Paperwork is pending that will indicate the work that is complete. Discussion followed on problems that delayed projects until the last moment, hiring contractors to do work versus allowing land owners to do the work, and strengthening contract language. The District Manager said that one land owner would not be paid because he had burned slash, a practice that is not allowed by the New Mexico State Forestry and the EBWHRM Core Steering Committee. The District Manager said that she would assess the status of spending over the weekend and meet with the Edgewood's District Manager and Field Technician early in the following week to submit the necessary paperwork.

- **New Mexico State Forestry Grants**
The District Manager reported on the status of the Non Federal Land and the Wildland Urban Interface funding. The deadline for completion of these projects is November of 2011.
 - **Non Federal Land (NFL) Proposal**
The District has one more NFL grant and she, Brent Racher and the land owner would be meeting at 1:00 p.m. following the Board meeting to plan the project, which is intended for completion by June. A proposal for the southern part of the District is pending.
The District manager reported on the Tajique fire which burned approximately 20 – 30 acres. The District had contributed \$5,000 towards a water catchment system for half of the roof surface for the Torreon Fire Station and all but three loads of water for the fire came from this system, according to Art Swenka. The Torreon Fire Department has not had to use any Torreon municipal water to fight fires since the catchment system was installed 1 ½ years ago.
 - **Wildland Urban Interface (WUI) Proposal**
 - **Greater Rio Grande Watershed Alliance aka Upper Rio Grande Salt Cedar Project –**
A project has been approved. The Steering Committee is working on approving projects.
 - **New Mexico Environment Department (NMED) – River Ecosystem Restoration Initiative**
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SWCA placed the rock on this project in Deer Canyon . The District Manager met with railroad representatives who believe that the double track project will be completed by June. The funding from the railroad for riparian restoration in the project area will be available to the District in the near future. Water is still running in the area. During this meeting, the group saw 17 big horn sheep.
 - **Central New Mexico Cooperative Weed Management Area (CNMCWMA):**
No meetings have been held,
 - **Collaborative Forest Restoration Program**
 - **Ojo Peak Restoration –**
Two workers are ready to begin this project.
 - **Red Canyon Project –**
Workers will continue work on this project beginning on Monday.
- New Proposals:** no report
- Government Service Fund – DFA
 - NM State Forestry – Wildland Urban Interface
 - 2010 Proposals to NM Water Trust Board:
 - FY2011 Appropriations Request to U.S. Senators Bingaman and Udall

UNFINISHED BUSINESS:

GSA Solicitation:

The District Manager reported that she confirmed that building designs had been submitted a year ago and she had responded to a request from Malique Harris of Jones

Lang LaSalle Americas Inc. giving her permission to negotiate on the District's behalf. No further information has come from Mr. Harris regarding the proposal.

Site Preparation Work:

Discussion occurred on the progress of the building site regarding payments by the contractor and cleanup that is needed at the site.

The District has an agreement with the Mountainair School District to design and install simple landscaping at the entrance area to the site.

NEW BUSINESS:

Attorney General Legal Advice Concerning Senator Leavell's Request for an Attorney General Opinion on the Technical Service Provider (TSP) program:

The advice rendered by Elizabeth A. Glenn, Deputy Attorney General on March 17, 2011 in response to questions raised by New Mexico State Senator, Carroll H. Leavell, states that "... we were unable to find statutory authority for a district to administer the TSP Program outside its district." Related correspondence regarding this matter is included in the Board packet. Discussion followed on the NRCS, NMDA, and NMACD's issues regarding the advice and on the effect this opinion would have on funding for districts. If the advice from the Attorney General's office holds up, the Claunch-Pinto District could lose funding for several different projects. Dialogue took place on whether NMACD should submit an proposal for TSP program funding and on whether administering a TSP program was outside the appropriate scope of work for a soil and water conservation district. A draft letter to the Attorney General, Governor Martinez and the State Auditor was presented to the Board for their review. The wording of the draft letter was discussed. **ACTION TAKEN:** Richard Shovelin moved to send a letter to the State Attorney General that incorporates the first three paragraphs of the draft letter presented to the Board. LeRoy Candelaria seconded the motion. Motion carried. The vote was unanimous.

The Board discussed sending separate letters to the Governor and State Auditor requesting an audit of public monies flowing to and through NMACD and also requesting the current slate of members on the New Mexico Soil and Water Conservation Commission be left intact until an audit is completed. The District Manager was asked to add more background and information to these letters.

ACTION TAKEN: Richard Shovelin moved to send three letters addressed separately to the Attorney General, the Governor, and the State Auditor. LeRoy Candelaria seconded the motion. The motion carried with one nay.

Letter of Request from the Estancia Basin Water Planning Committee:

Discussion took place on the request from Ryan Schwebach, Chairman of the Estancia Basin Water Planning Committee, asking for support for a grant proposal being prepared by the East Torrance Soil and Water District on behalf of the Estancia Basin Water Planning Committee. Questions were raised about the source, amount of the funding, and the scope of the work. Cheri Lujan, District Manager for the East Torrance SWCD stated that the RFP was issued by the NM Soil and Water Conservation

Commission and that the amount requested would be less than \$10,000. The letter is included in the Board packet. **ACTION TAKEN:** Brian Greene moved to support the proposal. LeRoy Candelaria seconded the motion. The motion carried with one abstention.

Request from East Torrance SWCD:

The District Manager from the East Torrance SWCD brought a verbal request for Board to co-sponsor a grant to complete the water catchment system for the Torreon Fire Station. No specifics were available yet. Discussion followed. **ACTION TAKEN:** LeRoy Candelaria moved to support the proposal. Brian Greene seconded the motion. Motion carried. The vote was unanimous.

Request from Joan Bybee – Partners for Fish and Wildlife Program Grant

Joan Bybee's request asks the District to co-sponsor the project by providing herbicide, a chemical applicator, trees and technical assistance by the District's Field Technician for the project. A copy of the draft proposal was provided to the Board in their Board packets. **ACTION TAKEN:** Jerry Melaragno moved to approve the request. LeRoy Candelaria seconded the motion. The motion carried. The vote was unanimous.

Partnership with Chavez SWCD on the TSP Proposal

The District Manager described the request for a partnership with Chavez SWCD that the Board previously approved. Details are pending from the Chavez SWCD. Dee explained the Edgewood SWCD may also be involved as a partner. **ACTION TAKEN:** Richard Shovelin moved to enter into a partnership with the Chavez SWCD on the TSP Proposal. LeRoy Candelaria seconded the motion. Motion carried with one nay.

REPORTS:

Hub Resource Conservation & Development (RC&D):

No report.

South Central Mountain RC&D:

Brian Greene reported that South Central Mountain held a meeting the day before the District Board meeting. Most of the discussion centered on the ramifications of the loss of coordinators. The next meeting will occur in April. The main topic will be funding and implementing imminent changes. No new projects will be started for the time being. Brian Greene will bring in two small grant opportunities for information to the Board meeting in May.

Estancia Basin Water Planning Committee (EBWPC):

Brian Greene reported that the Committee reviewed the proposals for the monitoring grants and that HydroResolutions was selected.

ASSOCIATE SUPERVISOR INPUT:

OTHER:

Brent Racher reported that in the Corona area the land owners' association is working with the upper Midwest and a company to provide biomass and is also tied to carbon credit programs. They are in negotiations with land owners. Discussion followed regarding the number of acres involved in EQIP contracts.

Dee explained the Board may need to have a Special Meeting during April. After discussion the Board decided if they needed to have a Special Meeting they would like the meeting to be held on Thursday, April 21, 2011.

MEETINGS ATTENDED:

PLAN FOR NEXT MEETING:

NEXT MEETING SCHEDULED:

The next regular meeting will be held Friday, May 6, 2011 at 8:00 a.m. at the Mountainair United Methodist Church Fellowship Hall, located at the corner of Sunset and Third Street, Mountainair, New Mexico.

ADJOURN:

There being no further business to come before the Board. **ACTION TAKEN:** LeRoy Candelaria moved to adjourn the meeting at 11:30 a.m. Richard Shovelin seconded the motion. Motion carried. The vote was unanimous.

FELIPE LOVATO, JR., CHAIRMAN

RICHARD SHOVELIN, SEC. – TREAS.