

San Juan Water Commission

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MEMBERS:
City of Aztec
City of Bloomfield
City of Farmington
San Juan County
S.J. County Rural Water Users Association

Approved April 8, 2010

SAN JUAN WATER COMMISSION REGULAR MEETING MINUTES MARCH 3, 2010

The San Juan Water Commission met in a Regular Meeting pursuant to due Notice, Wednesday, March 3, 2010 at 9:00 A.M. in the San Juan Water Commission's conference area in the San Juan Water Commission Office Building, 7450 East Main Street, Farmington, New Mexico.

CALL TO ORDER

Chairman Mark Duncan called the regular meeting of the San Juan Water Commission (SJWC) to order at 9:00 A.M.

Members Present

City of Aztec

Mike Arnold - Alternate Commissioner
Robert Oxford - Alternate Commissioner

City of Bloomfield

Lynne Raner - Commissioner
Keith Johnson - Alternate Commissioner

City of Farmington

Cy Cooper - Commissioner
Jay Burnham - Alternate Commissioner

San Juan County

Mark Duncan - Commissioner
Tony Atkinson - Alternate Commissioner

S.J. Rural Water Users Assoc.

Keith Lee - Alternate Commissioner*
- - -

Members Absent

City of Aztec

none

City of Bloomfield

none

City of Farmington

none

San Juan County

none

S.J. Rural Water Users Assoc.

Jim Dunlap - Commissioner

Legal Present

Jim Durrett - San Juan County/SJWC
Liz Taylor

Staff Present

Randy Kirkpatrick - Executive Director
Shaun Bishop
Aaron Chavez

Visitors: (2)

* In the absence of Commissioner J. Dunlap, Alternate Commissioner K. Lee was the voting member

for the SJ Rural Water Users Association.

APPROVAL OF AGENDA

Chairman M. Duncan called for approval of the Final Agenda. Motion was made by C. Cooper, seconded by M. Arnold, to approve the Final Agenda as written, and upon voice vote the motion carried unanimously, (M. Arnold, C. Cooper, M. Duncan, and K. Lee, all voted yes).

CONSIDERATION OF APPROVAL OF THE FEBRUARY 3, 2010 REGULAR MEETING MINUTES

Motion was made by M. Arnold, seconded by K. Lee to approve the February 3, 2010 regular meeting minutes as written, and upon voice vote the motion carried unanimously, (M. Arnold, C. Cooper, M. Duncan, and K. Lee, all voted yes).

COMMENTS FROM THE PUBLIC

There were no comments from the public.

Commissioner L. Raner entered the meeting at 9:10 AM.

R. Kirkpatrick took a moment to introduce Mr. Russell Howard, the newly hired Operations Manager for the Animas-La Plata Project. Mr. Howard greeted the Commission saying he was excited to be working with the Commission and looked forward to operating the ALP for the benefit of all the Project's sponsors.

CONSIDERATION OF DRAFT RESOLUTION 2010-2 ~ "A RESOLUTION ESTABLISHING THE SAN JUAN WATER COMMISSION'S POSITION THAT THE CONCERNS AND INTERESTS OF STATE AND LOCAL COMMUNITIES MUST BE REFLECTED IN THE DECISION MAKING PROCESSES OF THE EXECUTIVE AND LEGISLATIVE BRANCHES OF THE FEDERAL GOVERNMENT"

R. Kirkpatrick said because there was no requirement for Federal legislation to take into account the concerns and interests of State and local communities, that there were a number of Federal initiatives and Executive Orders that could potentially cause problems throughout the State. For example, R. Kirkpatrick said while there is no 'act' that requires communities to meet a 500-year flood plain standard rather than a 100-year flood plain standard for the construction of projects, several agencies are already requesting that construction projects meet a 500-year flood plain standard. Giving another example, R. Kirkpatrick said principles and guidelines required under Executive Order during the Carter Administration prohibited the building of dams on rivers and that caused a great deal of difficulty in getting the Animas-La Plata Project built. R. Kirkpatrick said many of the requirements passed down to the State and local communities are not passed by legislative vote but rather come about through Executive Order, which only needs the President's approval. R. Kirkpatrick said this resolution was to let the current Administration know that the Commission is very concerned about the number of federal initiatives that are occurring with little or no public comment or input from the local communities that are most impacted.

Motion was made by C. Cooper, seconded by L. Raner to approve Resolution 2010-2 "A Resolution Establishing the San Juan Water Commission's Position That The Concerns And Interests Of State and Local Communities Must Be Reflected In The Decision Making Processes of the Executive and Legislative Branches of the Federal Government", and upon voice vote the motion carried unanimously (M. Arnold, C. Cooper, M. Duncan, K. Lee, and L. Raner all voted yes).

CONSIDERATION OF THE PROPOSED 2010-2011 BUDGET

R. Kirkpatrick said because the Commission recognizes that the County is struggling financially due to the economic downturn, that for the second-year in a row, there were no Cost-of-Living increases to staff included in the proposed budget and that for the first time, no scheduled step increases for the staff were included in the proposed budget. R. Kirkpatrick said staff had identified several areas where costs could potentially be reduced, with one of those areas being the Commission's liability insurance coverage. R. Kirkpatrick said the Commission could potentially save approximately \$7,000 by changing carriers for its General Liability and Workmen's Comp insurance coverage. Chairman M. Duncan asked if the Commission would receive equal to or better insurance coverage by changing carriers. Responding, S. Bishop said the new carrier's policy was compared to the old policy item by item and that the new policy was equal to the current

policy or it provided better coverage at lower deductible rates. R. Kirkpatrick said that the Commission had recently paid the La Plata Conservancy District's current capital obligation for the Animas-La Plata Project and that two new Line Items had been added to the budget for the Commission to advance funds to pay the La Plata Conservancy District's future ALP capital construction costs and OM&R costs (re: Agreement Between the San Juan Water Commission and the La Plata Conservancy District dated December 31, 2008). Chairman M. Duncan asked the Commissioners to take the proposed 2010-2011 Budget back to their entity for review. Chairman M. Duncan asked that the proposed 2010-2011 Budget be placed on the April Agenda for consideration of approval.

RETURN FLOW PLAN AND CREDITING PROGRAM

Giving a historical overview, R. Kirkpatrick said the Return Flow Plan and Crediting Program (Plan) was submitted to the State Engineer (OSE) in July 1999. R. Kirkpatrick said the Return Flow Plan was for ALP water only and did not relate to any other water supply. R. Kirkpatrick said the diversion permits that the Commission holds with the entities was for the Animas-La Plata Project water during construction. When the original permits were issued, the ALP water supply had not been reduced. Because the ALP water supply was reduced, the water supply reflected in the permits is more than the actual water supply available under the Project - the available ALP water supply is about 30% less than the water supply in the permits. However, when the original permits were issued, the OSE said you may only divert that quantity of the water that is represented by the depletion portion of the water. Example - if you have 100 af of diversion rights, you would have approximately 50 af in depletion. If you have 1,000 af of ALP water rights in the form of diversion rights you may only divert 500 af. The water supply from the ALP is approximately 50% based on the permits as currently held. After the permits were issued, the Commission developed the Return Flow Plan for each individual entity and each entity's return flow was individualized, depending on location and other factors. R. Kirkpatrick said although the Plan was submitted in 1999, the OSE has yet to take action on it. However, R. Kirkpatrick said recent discussions with the OSE have prompted the OSE to take the Plan under consideration. R. Kirkpatrick said the Plan is not a blanket plan, that each entity has a specific return flow figure, and that the Commission's staff is working with the OSE to get the Plan approved. R. Kirkpatrick said once the OSE has acted on the Plan he will visit with each of the entities to explain how the Plan will affect their particular water supply.

GIS PRESENTATION ~ "NORTH STAR MUTUAL DOMESTIC WATER CONSUMERS ASSOCIATION DEPLOYS GIS TO MODEL WATER DISTRIBUTION"

A. Chavez, the Commission's GIS Coordinator, said the Cielo Report was prepared in 1995 and that the report analyzed the water supply and water demand of each of the Commission's entity members and evaluated how the water demand of one entity might affect another entity. The Cielo Report also projected future water demands and examined water conservation practices. A. Chavez said the Cielo Report had been identified as one of the aging documents that needed to be updated and the Commission's staff was in the work-intensive process of updating the Report. A. Chavez said a major component of the updated Cielo Report would be GIS data.

A. Chavez said G. Miller, the Commission's GIS Technician, was currently collecting data for member entities to assist the entities in mapping and modeling their distribution systems. A. Chavez said North Star was the first participating entity in this mapping project and that the North Star employees had been instrumental in the successful mapping of North Star's system. A. Chavez said every aspect of an entity's distribution system, i.e., meters, mains, laterals, valves, piping, etc., were being mapped and attributed. A. Chavez reported that G. Miller began the field collection for North Star on November 5, 2009 and to date, G. Miller had walked and physically collected 1124 water meter points and about 100 miles of GPS data on mains and laterals. A. Chavez said G. Miller had finished the fieldwork on February 11, 2010 and was currently compiling and editing the data, creating metadata, and preparing a visual and attributed Model of North Star's distribution system for their use.

G. Miller presented a portion of the Water Utility Model for North Star. G. Miller said GIS was a location-based approach that could be utilized to help an entity meet operational challenges. G. Miller explained that a Water Utility Model keeps track of distribution, collection, and drainage networks, which in turn helps with infrastructure and asset management. G. Miller said the model can also be used to track inventory and improve customer service. G. Miller demonstrated how the model could be used by customer service departments to alert customers that may be affected by an outage and to help prepare field workers before they go out in the field to do a repair, etc. G. Miller said the model identifies pipe size, location, connection points, size of valves

etc., which will give repair workers the information they need so they would have the right equipment for the job. G. Miller said the model could be used to update customer and network information, integrate work orders, and prepare inventory reports. G. Miller said with the GIS built-in tools, an entity can identify infrastructure problems and analyze development trends. A. Chavez said a valuable feature in the model were the attributes because they tell a complete story about the system, i.e., what type of valve, the size, and how many 'clicks' it takes to turn off a valve, meter size, pipe type and size, etc. A. Chavez said one of the reasons that the fieldwork for North Star went so smoothly was that North Star provided an individual to worked side-by-side with G. Miller everyday. G. Miller said having an individual that was familiar with the system was invaluable and he thanked North Star for their enthusiastic participation. A. Chavez said that the Commission's staff was available to any entity member that wanted their system mapped.

CLOSED EXECUTIVE SESSION

Motion was made by M. Arnold, seconded by K. Lee, to go into a Closed Executive Session pursuant to Sections 10-15-1-H. (7) and (8), NMSA 1978, under the attorney-client privilege to discuss matters pertaining to the threatened or pending litigation in which the public body is or may become a participant and the acquisition or disposal of water rights; and upon voice vote the motion was carried unanimously (M. Arnold, C. Cooper, M. Duncan, K. Lee, and L. Raner all voted yes).
Chairman M. Duncan closed the meeting at 10:00 A.M.

Motion was made by M. Arnold, seconded by L. Raner to reopen the meeting and upon voice vote the motion carried unanimously (M. Arnold, C. Cooper, M. Duncan, K. Lee, and L. Raner all voted yes).
Chairman M. Duncan reopened the meeting at 10:30 AM.

Chairman M. Duncan stated that no discussion, other than that [discussion] pertaining to the threatened or pending litigation in which the public body is or may become a participant and the acquisition or disposal of water rights took place during the Closed Executive Session.

COMMENTS FROM COMMISSIONERS, ALTERNATES, AND STAFF

A. Chavez distributed copies of the *Water Resources Update* for March 2010 to the Commissioners, Alternates, and the public for their review.

ADJOURNMENT

There being no further business, Chairman M. Duncan adjourned the meeting at 10:32 A.M.

**APPROVED THIS 8TH DAY OF APRIL, 2010
SAN JUAN WATER COMMISSION:**

Signature on File
Mark Duncan, Chairman

Attest:

Signature on File
L. Randy Kirkpatrick, Executive Director

March 3, 2010 Regular Meeting Minutes Approved April 8, 2010

Motion was made by L. Raner, seconded by C. Cooper to approve the March 3, 2010 Regular Meeting Minutes, and upon voice vote the motion carried unanimously (M. Arnold, C. Cooper, M. Duncan, J. Dunlap, and L. Raner all voted yes).