

**MINUTES OF THE  
TWO THOUSAND EIGHTIETH REGULAR MEETING  
OF THE  
BOARD OF DIRECTORS OF THE  
MIDDLE RIO GRANDE CONSERVANCY DISTRICT  
January 11, 2016**

Directors having been duly notified, Chairman Lente called the regular meeting to order at 3:02 pm at the MRGCD General Office. The following Directors and Staff were present:

**DIRECTORS:**

Derrick J. Lente	Chair
Adrian Oglesby	Vice-Chair
Glen Duggins	Director
Karen Dunning	Director
John P. Kelly	Director
Chris Sichler	Director
Beverly Romero	Director

**STAFF:**

Michael A. Hamman	Chief Engineer/CEO
Dr. Charles T. DuMars	Chief Water Counsel
Bruce & Lorna Wiggins	General Legal Counsel
David Fergeson	Secretary/Treasurer
Jeanette Bustamante	Administrative Officer
Mary D'Ornellas	HR Director
David Gensler	Water Operations Manager
Tom Thorpe	Public Information Officer
Daniel Arquero	Cochiti Division Manager

The following individual(s) were interested viewers and/or participants:

Pat McCraw, South Valley Ink David Bradley John Thompson, MRGCD Lobbyist Peggy Norton, North Valley Coalition Keith Candelaria, Bureau of Indian Affairs Jeff Willis, AMAFCA Yvette McKenna, Bureau of Reclamation-Manager, Water Operations	Frank Chaves, Pueblo of Sandia Jessica Tracy, Pueblo of Sandia Jorge Garcia, South Valley Regional Acequia Assn. Bridget Condon, Staff Representative- Congressman Steve Pearce Katie Babuska, Babuska Consulting
---	--

**AGENDA ITEM NO. 1 – PLEDGE OF ALLEGIANCE**

Chairman Lente requested that Director Dunning lead the Pledge of Allegiance.

Chairman Lente welcomed the guests and declared a quorum.

**AGENDA ITEM NO. 2 – APPROVAL OF THE AGENDA**

Chairman Lente called for approval of the agenda. Director Kelly said it has been requested to add in David Gensler, MRGCD Hydrologist give the full Water Availability report as agenda item 7e. Mr. Hamman requested an operational item as agenda item 7f relative to the emergency work plan for the Corrales Siphon.

Director Sichler said he would like to acknowledge Bridget Condon who is a representative from Congressman Pearce's office and Chairman Lente welcomed her and said she is welcome to address the Board if she chooses.

Director Dunning made the **MOTION TO APPROVE THE AGENDA AS REVISED**. Director Oglesby seconded the motion. The **MOTION CARRIED** unanimously.

**AGENDA ITEM NO. 3 – APPROVAL BILLS & PAYROLL RATIFICATION & ATTORNEY INVOICES**

- a. Consideration/Approval of Payment Ratification – January 11, 2016

Chairman Lente called for approval of the Bills and Payroll Ratification for January 11, 2016. Director Dunning had one regarding an AMAFCA invoice and Director Kelly answered the question. Director Kelly had a comment on the Bank of America charges. Director Sichler said there is a State Statute that allows government entities to add an additional percentage for accepting credit cards and does the MRGCD do this? Mr. Fergeson, MRGCD Secretary/Treasurer said no the MRGCD does not currently collect this fee, it is called a convenience fee and he will research.

Director Oglesby **MADE THE MOTION TO APPROVE THE BILLS AND PAYROLL RATIFICATION FOR JANUARY 11, 2016 AS PRESENTED.** Director Romero seconded the motion. The **MOTION CARRIED** unanimously.

**AGENDA ITEM NO. 4 – APPROVAL OF THE MINUTES**

- a. Consideration/Approval of Minutes for Regular Board Meeting – December 14, 2015

Chairman Lente called for approval of the minutes for the Regular Board Meeting December 14, 2015.

Director Kelly made the **MOTION TO APPROVE THE MINUTES OF THE REGULAR BOARD MEETING DECEMBER 14, 2015 AS PRESENTED.** Director Romero seconded the motion. The **MOTION CARRIED** unanimously.

**AGENDA ITEM NO. 5 – ITEMS FROM THE FLOOR (Comments are limited to three (3) minutes)**

Peggy Norton said she is President of the North Valley Coalition and attended the Bosque meeting last Thursday and she saw that Mr. Hamman will be speaking to this later on the agenda. She said she was at the meeting about a month ago and she doesn't need to go into the details of the Trail, but what she does want to mention is there were over 150-175 people at that meeting and she appreciates MRGCD staff for attending the meeting. She said she wants the take away from this meeting to be how important this issue is to the people who are concerned about the project. Ms. Norton said the comments were all over the chart as far as personal views, wildlife views, concerns about the Bosque and what does the public want the Bosque to be. She said about three years ago she wrote a letter when she first heard about the Rio Grande mission plan and this meeting was three years of efforts from a lot of people and to have a single issue still drawing that many people to come out and willing to speak shows how charged this issue is. Ms. Norton said the Bosque Action Team has been very active for three years and seeing what does and does not need to happen. She said she hopes the MRGCD takes all of this into consideration when they meet with the City of Albuquerque on this project.

Jorge Garcia said he is with the South Valley Regional Acequia Association and he is bringing in their concerns regarding the Albuquerque & Bernalillo County Vision plan. He said the SVRAA is getting involved because of the map of the plan shows all the different urban centers and grocery centers and doesn't include the ditches that are being managed by the MRGCD. He said they think this is a serious problem and they are submitting comments and getting involved in the process and feels the MRGCD should get involved as well. Director Oglesby said Yasmeen Najmi, MRGCD Planner has been involved with this project and is keeping the Board aware and he appreciates Mr. Garcia for bringing this to the Board.

**AGENDA ITEM NO. 6 – REPORT(S) FROM THE DEPARTMENT OF THE INTERIOR**

- a. Bureau of Reclamation – Jennifer Faler, Area Manager was not present at the meeting and the following report was received electronically. Yvette McKenna, Manager, Water Operations attended the meeting to answer questions the Board may have on the water summary reports.

## 1. Heron Summary

Content = 68,723 ac-ft. (01/07)  
 Azotea Tunnel: 5-10 cfs  
 Total SJ-C inflow year-to-date: 60 ac-ft.  
 Currently releasing: 0 cfs  
 Current MRGCD storage: 0 ac-ft.

## 2. El Vado Summary

- A. Total storage (all contractors and natural) in El Vado as of 01/07:  
36,148 ac-ft.
- B. Native in El Vado  
10,875 ac-ft.
- C. MRGCD SJ-C storage in El Vado  
17,653 ac-ft.
- D. USBR EDWA:  
1,206 ac-ft.
- E. P&P:  
0 ac-ft.
- F. All other SJ-C contractors:  
6,414 ac-ft.

Current release is 100 cfs      RG Inflow is 50-100 cfs

## 3. Storage in Abiquiu

Content = 130,832 ac-ft. (01/07)  
 MRGCD SJ-C storage = 1,911 ac-ft.

Total supplemental water released to date for minnow in 2015:      0 ac-ft.

Snowpack Data  
As of 12/07/15 (%of median)

Rio Chama Basin	122%
Upper Rio Grande Basin	119%
Sangre de Cristo Basin	150%
Jemez Basin	145%
San Juan River Basin	114%

January Streamflow Forecast

Rio Grande @ Del Norte CO	580,000 ac-ft. (113%)
El Vado Reservoir Inflow (Mar-Jul)	240,000 ac-ft. (107%)

Rio Grande @ Otowi	755,000 ac-ft. (105%)
Jemez R. Below Dam	43,000 ac-ft. (126%)
Rio Grande @ San Marcial	565,000 ac-ft. (111%)

b. Bureau of Indian Affairs – Keith Candelaria, Acting Designated Engineer

Mr. Candelaria reported the final payment for the current OM&B agreement will be made on February 29, 2016; which is also when the agreement expires. He said a report listing O&M activities accomplished and planned on Pueblo lands for December 2015 and January 2016 was received from the MRGCD Division Managers and forwarded to the Pueblos last week. He said the next quarterly meeting is scheduled for January 20<sup>th</sup> and at this meeting they will be discussing O&M activities from the previous quarter. Mr. Candelaria said their meeting to discuss the new OM&B agreement on January 4<sup>th</sup> was postponed to January 15<sup>th</sup>. He said he is relaying a friendly reminder that comments on the Condition Assessment are due by January 29, 2016 and if there are any issues, please let him know as soon as possible. Mr. Candelaria reported that work is proceeding on the winter projects lists.

Director Kelly asked about the status of MRGCD review of the Condition Assessment and Mr. Hamman responded that sections of the assessment have been distributed to staff and he hopes to meet the January 29<sup>th</sup> deadline.

**AGENDA ITEM NO. 7 – REPORT(S) FROM THE CHIEF ENGINEER (Michael A. Hamman, MRGCD CEO/CE)**

a. Consideration/Approval of 2016 Open Meetings Act Resolution BD-01-11-16-38.10

Director Kelly said at the last Board meeting he requested this agenda item be tabled because Directors Duggins and Sichler were not in attendance and he wanted to ensure they had input. He said he would like the Board to discuss the rationale for having two meetings a month or maybe the rationale to go to one meeting a month with special meetings scheduled; as needed. Discussion followed. Director Sichler asked if the resolution should be tabled again and Mr. Wiggins said the resolution is easy enough to change in the future. He said the Board could take action on this resolution today as it stands and should the Board want to change the resolution at a later date, it can be done quite easily.

Chairman Lente opened up the conversation to the public and Tom Thorpe, MRGCD PIO and Pat McCraw gave their input.

Director Oglesby said he feels there is additional discussion needed on this agenda item and would make the **MOTION TO APPROVE THE PRESENT RESOLUTION AND DISCUSS THE MATTER FURTHER AT A FUTURE MEETING.** Director Sichler seconded the motion. The **MOTION CARRIED** unanimously.

THE MIDDLE RIO GRANDE CONSERVANCY DISTRICT  
BOARD OF DIRECTORS

OPEN MEETINGS ACT RESOLUTION

BD-01-11-16-38.10

WHEREAS, the Board of Directors ("Board") of the Middle Rio Grande Conservancy District ("District") met in regular session at 1931 Second Street, SW, Albuquerque, NM 87102 at 3:00 p.m. on January 11, 2016 as required by law; and

WHEREAS, the Open Meetings Act (NMSA 1978, Sections 10-15-1 to 10-15-4) states "all meetings of a quorum of members of any board, commission, administrative adjudicatory body or other policymaking body of any state agency, any agency or authority of any county, municipality, district or any political subdivision, held for the purpose of formulating public policy, including the development of personnel policy, rules, regulations or ordinances, discussing public business or for the purpose of taking any action within the authority of or the delegated authority of any board, commission or other policymaking body are declared to be public meetings open to the public at all times, except as otherwise provided in the constitution of New Mexico or the Open Meetings Act." (NMSA 1978, § 10-15-1); and

WHEREAS, any meetings subject to the Open Meetings Act, at which the discussion or adoption of any proposed resolution, rule, regulation or formal action occurs shall be held only after reasonable notice to the public; and

WHEREAS, Section 10-15-1(D) of the Open Meetings Act requires the District Board to determine annually what constitutes reasonable notice of its public meetings.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors that:

1. Except as set forth in this resolution, all District Board meetings shall be held at the MRGCD General Office, 1931 Second Street SW, Albuquerque, NM 87102 at 3:00 p.m. Mountain Standard Time/Mountain Daylight Time as otherwise indicated in the meeting notice. Unless otherwise specified by resolution of the District Board, regular meetings shall be held each month on the second and fourth Monday. One District Board meeting per year shall be held in each county in the District in accordance with a separate resolution or resolutions of the District Board establishing the place and time for such meetings.
2. The agenda will be available at least seventy-two (72) hours prior to the meeting from the Administrative Secretary, whose office is located at 1931 Second Street SW, Albuquerque, NM 87102. Notice of any other regular meetings will be given ten (10) days in advance of the meeting date. The notice shall indicate how a copy of the agenda may be obtained.
3. Special meetings may be called by the Chairman of the Board or a majority of the members of the Board upon three (3) days notice. The notice shall include an agenda for the meeting or information on how members of the public may obtain a copy of the agenda. The agenda shall be available to the public at least twenty-four (24) hours before any special meeting.
4. Emergency meetings will be called only under unforeseen circumstances that demand immediate action to protect the health, safety and property of citizens or to protect the public body from substantial financial loss. The Board will avoid emergency meetings whenever possible. Emergency meetings may be called by the Chairman of the Board or a majority of the Board members upon twenty-four (24) hours' notice, unless threat of personal injury or property damage requires less notice. The notice for all emergency meetings shall include an agenda for the meeting or information on how the public may obtain a copy of the agenda.
5. For the purposes of this Resolution, the term "meeting" does not include the gathering of a quorum of the Board at a social function unrelated to the public business that is conducted by the MRGCD, or the attendance by a quorum of the Board at a regional, state, or national convention or workshop, ceremonial event, or press conference, if formal action is not taken

Page 1 of 2

and any discussion of public business is incidental to the social function, convention, workshop, ceremonial event, or press conference.

6. For the purposes of regular meetings described in Paragraph 2 of this resolution, notice requirements are met if notice of the date, time, and place is published in newspapers of general circulation in the state, along with the agenda posted at MRGCD Division offices and the MRGCD website [www.mrgcd.us](http://www.mrgcd.us). Copies of the written notice shall also be sent by facsimile, mailed by U.S. Mail and/or electronic mail to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made a written request for notice of public meetings.
7. For the purposes of special meetings and emergency meetings described in paragraph (3) and (4) of this resolution, notice requirements are met if notice of the date, time, place and agenda is provided by telephone, facsimile, and/or electronic mail to newspapers of general circulation in the state and posted in the offices of the MRGCD. Telephone, facsimile, and/or electronic mail notice also shall be given to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made a written request for notice of public meetings.
8. In addition to the information specified above, all notices shall include the following language: *If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the Administrative Secretary at (505) 247-0234 at least one week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes can be provided in various accessible formats. Please contact the Administrative Secretary at (505) 247-0234 if a summary or other type of accessible format is needed.*
9. The Chairman of the Board may close a meeting to the public only if the subject matter of such discussion or action is excepted from the open meeting requirement under Section 10-15-1(H) of the Open Meetings Act.
  - a) If any meeting is closed during an open meeting, such closure shall be approved by a majority vote of a quorum of the Board taken during the open meeting. The authority for the closed meeting and subjects to be discussed shall be stated with reasonable specificity in the motion to close and the vote of each individual member on the motion to close shall be recorded in the minutes. Only those subjects specified in the motion may be discussed in the closed meeting.
  - b) If a closed meeting is conducted when the Board is not in an open meeting, the closed meeting shall not be held until public notice, appropriate under the circumstances, stating the specific provision of law authorizing the closed meeting and the subjects to be discussed with reasonable specificity is given to the members and to the general public.
  - c) Following completion of any closed meeting, the minutes of the open meeting that was closed, or the minutes of the next open meeting if the closed meeting was separately scheduled, shall state whether the matters discussed in the closed meeting were limited only to those specified in the motion or notice for closure.
  - d) Except as provided in Section 10-15-1(H) of the Open Meetings Act, any action taken as a result of discussions in a closed meeting shall be made by vote of the Board of Directors in an open public meeting.

Passed by the District Board this 11th day of January, 2016.

MIDDLE RIO GRANDE CONSERVANCY DISTRICT

Derrick J. Lente, Chairman

ATTEST

David M. Ferguson, Secretary/Treasurer

Page 2 of 2

b. Set Date/Time/Location for Socorro County Meeting in February 2016

After discussion, it was agreed that the Socorro County Meeting would be scheduled for the fourth Monday which is February 22, 2016 at 3:00 pm. Director Duggins gave his suggestions for the meeting and said he would like to have the meeting at the Garcia Opera House for a fee of \$450. The Board was in consensus for the date/time/location of the meeting.

c. Report – City of Albuquerque Bosque Trail Phase II Public Meeting – January 7, 2016

Mr. Hamman said this meeting was put together by the City of Albuquerque in order to follow a public review process for a second phase of the trail they are proposing to construct. He said on one section of the trail, there is pending construction over-bridge structure that the MRGCD is heavily involved in and he and Yasmeeen Najmi, MRGCD Planner have been involved with Phase I and some of the processes that ensued during the rapid construction of the trail. Mr. Hamman said the MRGCD, going forward, has been working with the City of Albuquerque and is involved with a group called the Bosque Working Group to develop an action plan. He then gave some background on the beginning of the Bosque Trail project. Mr. Hamman said that MRGCD staff has been actively involved in the second phase of the Bosque Trail Project.

Mr. Hamman said the City of Albuquerque sponsored a public meeting on January 7<sup>th</sup>, and it was a standing room only crowd. He said it is a project that is very important to a lot of people that live in the area and recreate in the area. He gave a brief outline of the agenda and he was asked to give comments regarding MRGCD involvement, concerns and commitment in the process. He said one concern of the MRGCD is the possible construction of trails and other facilities for recreational purposes that might hinder the ability of the MRGCD to manage their facilities. He said the MRGCD is at the table to strike a balance for its constituents to enjoy the Bosque and also to protect MRGCD interests in terms of maintenance, etc. Mr. Hamman said there was a lot of public comment concerned about how quickly this project moved ahead, concerns about wildlife in the area and there was also support for management of the area in terms of maintenance on the trails and the hazards

that are currently there. He said he feels the majority consensus of the attendees was that the City of Albuquerque should take its time and do a more appropriate evaluation of the kinds of facilities they are proposing. Mr. Hamman then detailed some of the issues that will be reviewed going forward on the project; i.e. Alternative Three and environmental issues.

Director Sichler said he has always supported the MRGCD in participating in these types of projects. He said he does want to reiterate his concerns about the drainage ditches and their need to be maintained so they function properly so they can be efficient in getting the water down the system. Director Dunning said this whole process has been contentious from its inception and from the MRGCD perspective, the process has opened up considerably and the MRGCD has a seat at the table. Director Oglesby said he would like to give comments on the portions of this trail that might be going through some areas that might be considered for restoration as part of the Collaborative Program in the future and staff should be aware of this process. He said the comments in the meeting were varied and one comment that questioned Dr. Matt Schmader's integrity in this process and he would like to state as an MRGCD Board member that Dr. Schmader has been a shining light of integrity in this process and he wanted to voice his support of Dr. Schmader's work. Director Kelly said this has been an adventure, first going through the Mayor's Rio Grande Vision and that plan has been put on the shelf and now they are looking at trail connections. He said he thinks with the modified approach to their Alternative Three, they will be able to address the existing restoration sites as well as those that are planned and he went on to give details. He said he also feels there was an unfair attack on Matt Schmader; he has done more in the way of Bosque Restoration and Management over his career than anyone in this community.

d. Approved Licenses for December 2015 (For Informational Purposes Only)

Mr. Wiggins requested the Board go back to agenda item 7b and said there was not a vote taken on holding one of the February meetings in Socorro. Director Sichler made the **MOTION TO HOLD THE FEBRUARY 22, 2016 IN SOCORRO COUNTY AT 3:00 PM AT THE GARCIA OPERA HOUSE, IF AVAILABLE.** Director Romero seconded the motion. The **MOTION CARRIED** unanimously.

e. Water Availability Report – David Gensler, MRGCD Hydrologist

Mr. Gensler reported the MRGCD is beginning 2016 with approximately 30,000 ac-ft. in storage and that represents about 19,500 ac-ft. of San Juan Chama water with the remainder being Rio Grande water and he is feeling pretty comfortable with this number. He said the big news is New Mexico's Rio Grande Compact delivery. He said the MRGCD released quite a bit of water out of El Vado and he feels it was a fairly successful operation involving a lot of coordination between the MRGCD, the Corps, the BOR and the ISC. He said the preliminary estimate is that NM has a 42 ac-ft. credit, it worked out well and will be a model for the future.

Mr. Gensler said the storage at El Vado is not as much or as fast as he had hoped. He requested the BOR begin storing 100% of the Rio Grande flow after the first of the year and they are only storing about 50% of that now. He said one of the primary commitments in the Biological Assessment is to shift the impacts of storage away from the Rio Grande Silvery Minnow spawning periods. Mr. Gensler said the early storage has long been a practice of the MRGCD and it was only in the mid 80's-90's the BOR started bypassing winter flows on the Chama so that river is not completely dried. He said it is anyone's guess as to how much storage the MRGCD gets, the snowpack numbers look good now and there are some pretty big numbers in the Basin, however, that could change. He said he is hoping to get somewhere between 20-60,000 ac-ft. in storage this year. Mr. Gensler said there is a possibility that as soon as the second week of February, the MRGCD could be out of Article VII restrictions and he thinks the MRGCD will get the full allocation of San Juan Chama water.

Mr. Gensler said the mention of San Juan-Chama brings up the subject of debt; the MRGCD still owes the ABCWUA 49,000 ac-ft. of San Juan-Chama water. He said in a recent meeting with the

ABCWUA, they were adamant that they do expect this water to be repaid and time is running out. He said given the optimistic forecast and expectation of storage, he would like to recommend the MRGCD make an installment on this debt; he is suggesting about 4,000 ac-ft. Discussion followed with input from the Board and how this process would be accomplished.

f. Report – Emergency Work Plan for Corrales Siphon

Mr. Hamman said the Corrales Siphon has a minor structural issue that has to be addressed and that is to replace the wood stave out of one of the pipe sections. He said they are continuing to notice, particularly with sustained flows at about 1,500 cfs and this caused hydraulic erosion on the west side of the bank where the siphon is exposed. He said there was a Reclamation plan for a bank stabilization project in 2007 and then it was placed on hold. Mr. Hamman and MRGCD Assistant Engineer, Ray Gomez, has been looking at this project and has identified some rock that was left-over from an AMAFCA project and it decided to stockpile the rock nearby. Reclamation is looking at their contribution to the bank stabilization and he went on to give details of the different steps of how they plan to resolve the erosion on west side of the river bank for the short term. Discussion followed with input and concerns from the Board. Mr. Hamman said he just wanted to inform the Board of the situation and he will go to the Corrales Village Council and the Pueblo of Sandia once details are worked out.

**AGENDA ITEM NO. 8 – REPORT(S) FROM THE ATTORNEY (Chief Water Counsel and/or General Counsel)**

a. Discussion of WildEarth Guardians Letter to Department of Interior Regarding 2015 Release of P&P Water to Elephant Butte Reservoir – Dr. Charles T. DuMars, MRGCD Chief Water Counsel

Dr. DuMars said he has two items and he just wanted to give the Board a sense of what is happening in litigation. He said the MRGCD was successful in agreement with the Bureau and Federal agencies for not controlling the discretion of the MRGCD, and that was dismissed. He said this letter is an appeal from the administrative agency under the procedure act and it's on the record. He said the "record has been lodged" and an associate in his office has been preparing an index which is now 76 pages, single spaced. Dr. DuMars said there is a standard procedure that happens when everything that is wanted is not entered into the record and he went on to give additional details.

Dr. DuMars said a letter dated January 6, 2016 was received from Jan Pelz, Wild Rivers Program Director for the WEG in which she goes through everything and there are numerous inaccuracies in the letter, however, she has raised an interesting issue that, heretofore, hasn't really been addressed and probably needs to be addressed. He said that question is what is the effect of releasing the Tribe's Prior & Paramount water to satisfy New Mexico's obligation under the Rio Grande Compact? He said this is a decision that is made every year to comply with the Compact and the Compact does exempt Tribes from its operations. Dr. DuMars said there are numerous answers to what is being stated here and it is his recommendation that the MRGCD prepare a response explaining the facts.

Dr. DuMars said the MRGCD is certainly partners with the Pueblos in this process and the MRGCD will respect that and work with them. Director Oglesby said from Dr. DuMar's description, it doesn't necessarily make a decision on the question of whether the Pueblos should have carryover storage and he is curious if this could become an issue. Dr. DuMars said he doesn't think that it has ever come up directly and what he is proposing is to simply describe what the rules are for carryover storage at El Vado. Dr. DuMars said he will draft the letter and bring to the Board's Executive Session for review.

### AGENDA ITEM NO. 13 – REPORT(S) FROM THE BOARD

a. Discussion on Reformatted MRGCD Policies, Rules & Regulations Document – Director Sichler

Ms. Wiggins, MRGCD General Counsel distributed a memo to the Board and said this agenda item came about from questions that were asked from Director Sichler. Director Sichler said this all came about because he had a constituent call him on an issue and he wanted to direct him to where the policies reside on the website and he couldn't find it. He asked Tom Thorpe, MRGCD PIO why this information wasn't on the website and Mr. Thorpe reviewed the history on removing MRGCD policies from the State site and he didn't know where this stood as far as re-submitting. He asked that Ms. Wiggins review the background and she did. She said her firm took the available MRGCD policy information and compiled it into the document the Board has now. Ms. Wiggins said her firm and MRGCD staff will give the document one final review and get it into a format that can be placed on the website. Ms. Wiggins said there are questions regarding definitions for a resolution, a policy, a rule and a regulation. She said the memo that her office prepared has attempted to answer those questions and she went on to give brief examples of each. She said if there is a desire by the Board to have her firm get a set of definitions in working order that can be used going forward, they can do that. Director Sichler asked if they can put this on the next meeting agenda, read the memo and then discuss again. Mr. Wiggins offered additional input into the memo and the definitions. Director Sichler asked if once the policy document is revised, the Board will approve it? Ms. Wiggins said the contents have already been approved and it would just be approving the formatting of the document.

David Ferguson, MRGCD Secretary/Treasurer said that staff would also like the opportunity to review the document because looking at some of the enclosures, there are documents that need to be updated. Director Oglesby said some of the documents that need to be revised for consistency, but feels this is a great start. Jeanette Bustamante, MRGCD Administrative Officer asked about the new numbering system that was created for the Rules do not correspond with the old Rules and will there be a cross reference. Ms. Wiggins said the index should be sufficient to make it user friendly. Director Sichler said he would be concerned about changing the numbers on the Rules because extra documents/agreements/contracts have the old numbers and would create extra work for staff.

Director Dunning asked if this could be placed on the website as it is and Ms. Wiggins said perhaps they could place the index, but not the contents until they are reviewed.

Mr. Ferguson said he would have a revised document for the February 8, 2016 Board meeting.

b. Report – MRGCD Legislative Committee Meeting – December 30, 2015 – Chairman Lente, Directors, Dunning & Duggins

Director Duggins said the committee discussed the fact that this would be a thirty day session and that it would be tough for the Board to get anything through in this short time period. He said they requested that John Thompson, MRGCD Lobbyist keep in touch with the Board to alert them to any/all bills that affect the MRGCD. Mr. Thompson addressed the Board and said he will keep in contact during the legislative session to bring any/all information to the Board. Director Dunning said she would like the committee to be the eyes of the Board. She said she would like to see some kind of event in the near future to educate the legislators about the MRGCD and she said that Mr. Hamman will certainly be doing that during the next few weeks. Chairman Lente said Mr. Thompson will be in touch with the committee on the issues and he and Mr. Hamman will invite Board members to attend if needed.

Director Kelly made the **MOTION TO APPROVED THE MRGCD LEGISLATIVE COMMITTEE MEETING ON DECEMBER 30, 2015 BY CHAIRMAN LENTE, DIRECTORS DUNNING & DUGGINS.** Director Oglesby seconded the motion. The **MOTION CARRIED** unanimously.

- c. Report – MRGCD Irrigation/Water Bank/Illegal Irrigators Committee Meeting – January 8, 2016 – Chairman Lente, Directors Sichler & Duggins

Chairman Lente said a report on this meeting was given earlier in the meeting.

**AGENDA ITEM NO. 10 – EXECUTIVE SESSION**

- a. NMSA 1978 Open Meetings Act, (Section 10-15-1(H)2)
  - 1. Limited Personnel Matters
- b. NMSA 1978 Open Meetings Act, (Section 10-15-1(H)7)
  - 1. Threatened or Pending Litigation

Chairman Lente requested a motion to move into Executive Session.

Director Oglesby **MADE THE MOTION TO MOVE INTO EXECUTIVE SESSION PURSUANT TO NMSA 1978 OPEN MEETINGS ACT, (SECTION 10-15-1(H)2) & NMSA 1978 OPEN MEETINGS ACT, (SECTION 10-15-1(H)7)** . Director Dunning seconded the motion.

Chairman Lente requested a roll call vote:

Director Duggins	Yes	Director Dunning	Yes
Vice Chairman Oglesby	Yes	Chairman Lente	Yes
Director Kelly	Yes	Director Sichler	Yes
Director Romero	Yes		

The **MOTION CARRIED** unanimously.

Chairman Lente adjourned the meeting at 5:15 pm.

Chairman Lente reconvened the meeting at 5:30 pm.

Chairman Lente requested a motion to move back into the regular Board meeting. Director Oglesby made the **MOTION TO MOVE BACK INTO REGULAR SESSION**. Director Duggins seconded the motion.

Chairman Lente requested a roll call vote:

Director Duggins	Yes	Director Dunning	Yes
Vice Chairman Oglesby	Yes	Chairman Lente	Yes
Director Kelly	Yes	Director Sichler	Yes
Director Romero	Yes		

The **MOTION CARRIED** unanimously.

Chairman Lente said discussion was had and there were no decisions made.

With no further comments, questions or concerns, Vice Chairman Oglesby made the **MOTION TO ADJOURN THE MEETING**. Director Dunning seconded the motion and the **MOTION CARRIED** unanimously.

The meeting was adjourned at 5:32 pm.

Approved to be the correct Minutes of the Board of Directors of January 11, 2016.

**Attested:**

\_\_\_\_\_  
David M. Ferguson  
Secretary/Treasurer

\_\_\_\_\_  
Derrick J. Lente, Chairman  
MRGCD Board of Directors