

**MINUTES OF THE
SPECIAL MEETING
OF THE
BOARD OF DIRECTORS OF THE
MIDDLE RIO GRANDE CONSERVANCY DISTRICT
JANUARY 18, 2019**

Directors having been duly notified, Chairman Duggins called the regular meeting to order at 12:00 pm at the MRGCD General Office. The following Directors and Staff were present:

DIRECTORS

Glen Duggins	Chairman
Joaquín Baca	Director
Karen Dunning	Director
John Kelly	Director
Beverly Romero	Director
Valerie Moore	Director

STAFF

Mike Hamman	Chief Engineer/CEO
Dr. DuMars	Chief Water Counsel
Bruce Wiggins	General Counsel
Lorna Wiggins	General Counsel
David M. Fergeson	Secretary-Treasurer
Jeanette Bustamante	Administrative Officer/CPO
Doug Strech	GIS/Mapping Supervisor

The following names of individuals were interested viewers and/or participants:

Scott Edeal, Self
Richard Barish, Sierra Club

AGENDA ITEM NO. 1 – PLEDGE OF ALLEGIANCE

Jason Casuga, from MRGCD, led the Pledge of Allegiance.

Chairman Duggins welcomed the guests and declared a quorum.

AGENDA ITEM NO. 2 – APPROVAL OF THE MEETING AGENDA

There were comments or changes to the agenda.

Director Dunning made the **MOTION TO APPROVE THE MEETING AGENDA**. Director Baca seconded the motion. The **MOTION CARRIED** unanimously.

AGENDA ITEM NO. 3 – REVIEW AND DISCUSSION OF MID-TERM BOARD VACANCY POLICY AND PROCESS

Lorna Wiggins explained what she and Mike Hamman came up with terms of a "template" for proceeding to fill Director Lente's Board position #7. (Director Lente has been appointed to chair the house committee.) Because there is still two-and-a-half years left for the term, the Board must appoint the position.

They would, first, like to establish a 45-day timeframe to accomplish the task. The first step would then be to give notice of the opportunity to members who are eligible for the position through a Notice of Interest that would be advertised for ten working days that would be shared with the appropriate entities (local government and counties in the area that would be affected). Ms. Wiggins and Mr. Hamman thought it would be helpful to have an application, which they drafted, based on the format one often sees when various Governors solicit interest in boards or commissions. They have tailored it specifically to address all eligibility requirements and issues

that face MRGCD. It should be available on the MRGCD web site or pick up at the District office. The Board would need to set a time for them to be returned for the Board's review. The Board would then review the applications at a board or special meeting. Finally, the Board could determine finalists. The Board could then hold interviews, if desired, and the Board would then formally select the candidate and make the announcement of its appointment to the vacant position.

Director Dunning was concerned about the price of running a ten-day ad in the *Albuquerque Journal* for the position. She believes there are better and more cost-effective ways to reach the public than taking out ads in the *Albuquerque Journal*. Director Baca agreed with this comment. Director Kelly would add that he would like to see the ad listed as a block ad and not listed in the Legal section, running on 1/27/19 and 2/3/19. Director Romero suggested running a press release of Director Lente accepting his new position, which created a vacancy on the Board, which would be free advertising.

Director Dunning also commented that she would like to see the finalists attend a meeting, whether it is a regular board meeting or a special interim meeting, to speak to the public and the board about their ideas and reasons why they would like the position. She felt this gave the process more transparency. Director Baca agreed with this comment and added that he would like the selection period to not take 45 days. Director Romero did not believe that the candidates should need to appear in front of the public.

The Coalition of the Six Middle Rio Grande Pueblos meets on February 7th. Director Kelly would like to notify their secretary and have their input by the 8th. That would then give the MRGCD Board an opportunity on February 11th to short list the candidates. He would really like the Board to have a second look at everything in February. Director agreed with Director Kelly's suggestion on the timeline.

Director Kelly commented on the application. He believes that item number 2 on the application, where it notes "professional licensure" infers that it has more priority than anything else on the application (because it is bolded). He added that if somebody just wants to write in their name and contact information on the application, it should still be considered.

Director Moore commented that she felt since MRGCD represented six pueblos that it was very important to have a person from the pueblos on the Board.

Chairman Duggins commented that since this is an appointed position and not an election, he felt that the Board should replace Derrick, the man, i.e., fill the position with a pueblo person from the Coalition group. He also felt this would be a much quicker route than doing interviews, and he wants the person to be seated quickly so that Sandoval County has a voice on the Board. Director Baca agreed that the position needed to be filled quickly; however, he felt that in the name of democracy, MRGCD should not have another entity, such as the Coalition, choose the person that would sit in the position. He believes there could be three or four other people that could be "another Lente."

Chairman Duggins suggested that February 11th be the day for decision. Mr. Hamman reiterated that February 8th would be the deadline for applications and Board members can discuss and decide at the February 11th meeting. Director Kelly commented that he agrees with that scenario, but should the Board get to the 11th and decide it needs to talk to two or three people to make decision, he is also in agreement to add a special meeting. This would seat somebody in the position to be introduced at the meeting in Socorro on February 25th.

Director Moore asked if someone would do a pre-selection process prior to the applications being presented to the Board. Lorna Wiggins suggested staff vet the applicants for eligibility. Jeanette Bustamante was concerned that if the deadline for applications was February 8th, there would not be enough time to turn everything around for Board packets, which go out on the very same day of the deadline.

After lots of discussion, it was decided that the deadline for applications would be February 7th. Staff will vet the applicants for eligibility, and all will go out in the Board packet by 2 p.m. on Friday, February 8th for the February 11th meeting. The vetted applicants will be invited to talk during public comment of the February 11th Board meeting. The Board could decide on one candidate on February 11th, or the Board could decide to select two or three that would be called to a special meeting to answer questions.

Director Dunning asked Doug if checking the eligibility of candidates could be checked easily. Since all pueblo members would go through their pueblo Governor, those applications would not need to be checked. Other candidates would be checked for the following criteria: own property in the benefitted area, over the age of 18, and they are not a convicted felon.

AGENDA ITEM NO. 4 – ITEMS FROM THE FLOOR (Comments are held to six (6) minutes)

Richard Kirschner

Mr. Kirshner has been a resident of the Conservancy for 60 years. He had questions of the Conservancy boundaries and where his home is located. Director Kelly suggested that they take this topic off-line (right after today's meeting), so that Doug and Director Kelly could take a look at the maps and discuss it with Mr. Kirschner, to which Mr. Kirschner agreed.

AGENDA ITEM NO. 5 – APPROVAL OF MID-TERM BOARD VACANCY POLICY AND PROCESS

The following is the Motion that was made:

1. As soon as it can be published, MRGCD staff will announce to Sandoval County that there is an open position that must be appointed by the MRGCD Board of Directors.
2. The form, recommended by Lorna Wiggins and Mike Hamman, is a requirement to fill out; however, if anything is left blank, that will not preclude eligibility (application will not be rejected for the reason of an incomplete form).
3. The deadline for receiving applications is February 7th, at 2 p.m.
4. Applicants who are deemed eligible are invited to speak during the "Items from the Floor" portion of the February 11th Board meeting (it is not a requirement to speak at the meeting).
5. If the Board is ready, a vote can be taken by the Board members at the February 11th meeting to fill the vacancy. If a vote will not be taken, the Board will decide at that point how to proceed further with expediency.

Director Dunning made the **MOTION TO APPROVE THE MID-TERM BOARD VACANCY POLICY AND PROCESS, AS LISTED ABOVE.** Director Romero seconded the motion. The **MOTION CARRIED.**

With no further comments, questions or concerns, Director Baca made the **MOTION TO ADJOURN THE MEETING**. Director Moore seconded the motion and the **MOTION CARRIED** unanimously.

The meeting was adjourned at 12:55 p.m.

Approved to be the correct Minutes of the Board of Directors of January 18, 2019.

ATTESTED:

David M. Fergeson
Secretary/Treasurer

Glen Duggins, Chairman of the Board
Middle Rio Grande Conservancy District