



Pojoaque Valley Irrigation District
9 Cities of Gold Road
Santa Fe, New Mexico 87506
(505) 455-2693
Email: kathym@pvidnm.org
"Water is Life"



Pojoaque Valley Irrigation District (PVID)
July 20, 2023 Special Meeting
6:00PM to 8:30PM
PVID Office
9 Cities of Gold Rd. Santa Fe NM 87506

Minutes

1. **Call To Order:** Chairman Dave Neal: The meeting was called to order at 6:01PM
2. **Recognition of Quorum:** Present were board members Dave Neal, Meade Martin and Rob Heineman. Others Present: Anthony Garcia, Michael Lujan, Curtis Thompson, Tomas Stockton, Anne Martinez, Scott DeMuth, Geri Towles, Flo Perkins, Spin Dunbar, Ralph Manzanares, Sharon Dogruel and Gary Davis
3. **Announcement from Chairman:** Due to technical difficulties, the July 7, 2023 Regular Quarterly Meeting was cut short. All items on that agenda will be reconsidered at this special meeting.
4. **Approval of the Agenda:**
 - a. **Motion To Approve** – Meade, **SECOND** – Rob. **DISCUSSION** - , **VOTE** – Passed
5. **Disposition of Previous Minutes:**
 - a. Minutes of the June 1, 2023 Special Meeting
 - b. **Motion To Approve** – Meade, **SECOND** – Dave, . **DISCUSSION** – Anthony Garcia advises that he was at the meeting and several others, who were not mentioned as present. We could not come up with any other names, so only Antony Garcia was added, **VOTE** – Passed.
6. **Chairman's Report – Dave Neal:**
 - a. BIA Letter: The BIA has not made full payment of the Pueblo's portion of the annual operating expenses. The cost sharing contract we have is with the Pueblo's, so they are ultimately on the hook for payment. The PVID Board has a meeting with the BOR, BIA and their attorneys July 24th to sort out the issue. Dave stated that non-pueblo irrigators subsidizing the Pueblo's costs was unacceptable. The BIA states that they have no money available, and do not pay for attorney's expenses, which were included in the 2022-2023 Budget. The district maintains that our legal expenses were in defense of water rights in the valley, which are specifically allowed in the contract. The BIA is in arrears



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approximately \$49,000. The district looks forward to participation by the Pueblo's to resolve the issue.

- b. Anthony Garcia asked about water rights on Acequia de Jose G Ortiz. He believes that the acequia is not getting their fair share of water during their rotation. Rob stated that the available water is apportioned to each acequia based on their percentage of total irrigable acres and that the current release model provides the appropriate share of water the Jose G Ortiz. Rob said he would send documentation to Anthony for discussion.

7. Treasurer/Secretary Report – Rob Heineman:

- a. Financial Report for 2022-2023 Fiscal Year Through June 30, 2023 – Rob reports that most accounts were nominal with a few exceptions: BIA payments were only 42% of the budgeted income. The BIA only contributed \$37K to the operation which resulted in the district not completing several deferred maintenance projects in order to have cash available for dam operations. Other categories that were over budget included staff salaries, which were 106% of budgeted amounts, mostly due to efforts to secure funding for the sedimentation removal. Ralph reported that legacy accounts receivables are around \$190,000 or which \$40,000 has been collected or we have made recurring payment arrangements with the parciantes. Dave advised that the Bloomfield Irrigation District near Farmington handles its billing through the County Assessor. The board is not pursuing that strategy currently and would much rather rely on community effort and cooperation. Rob continued that Credit Card fees were 110% of budget. A brief discussion culminated in deciding credit card convenience costs were probably a better liability than collection fees. Rob said we did pay to get the trash rack uncovered an operational, which was the big ticket item for the year. Net, the district lost \$32,119.70 this year, totally at the hand of the BIA, which owes us \$49,485.00
- b. Presentation of DFA Final Budget Adjustments 2022-2023 and resolution for board approval. **Motion To Approve** – Dave, **SECOND** – Meade. **DISCUSSION** - Above, **VOTE** – **Passed**.

8. District Manager/Dam Tender's Report – Ralph Manzanares:

- a. Operations:
 - i. A bathymetric survey of the reservoir to determine the storage capacity will start July 25th. The BOR is picking up the costs and the data will be used to obtain quotes and funding for dredging the reservoir.



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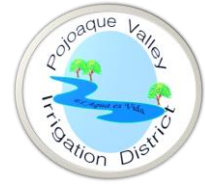
- ii. The yard has been cleaned of legacy OSE equipment, trees, brush and trash and looks great.
- iii. Vegetation mitigation on the earthen dam is on hold pending BOR research. The BOR originally asked the district to cut the brush back and then spray "Tordon" on the root systems. Ralph's research uncovered that the chemical is illegal to use in New Mexico and notified the BOR that they would have to come up with an alternative. Ralph assured all that spraying would not be an option.
- b. Funding requests – Possible Motion on ICIP Submissions – Ralph has submitted 4 requests for funding for Spalling repair, vegetation control, an asset management plan and cleaning the trash rack. Rob stated that the district has made application with Senator Lujan's office for \$5 Million in funding for dredging and controls at the dam. The funding request will be in the 2024 US budget and we hope it will pass.
- c. Accounts Receivable: Ralph has been chipping away at legacy accounts receivable and has collected or received commitments for recurring payments for around \$50K. A policy needs to be developed by the district to effectively pursue past due monies in accordance with State Law. Dave advised that there are irrigation districts within the state that use the County Assessor's Office to bill and manage revenue. The board agreed that the district would like to pursue a more community oriented policy than turn the work over to taxation.
- d. Weather Station: The BIA finally signed off on the new weather station and the district has received a \$90K grant for a fully automated weather data collection system. We expect installation this fall.
- e. Irrigators Meeting: A meeting is scheduled for Tuesday the 25th to discuss current status of the dam releases and address comments and concerns on the schedule. Tomas Stockton from the OSE reported on diversion numbers for each acequia and presented the TBI information from most of the acequias. The following acequias have not submitted TBI information or water plans: Comunidad, Jose G. Ortiz, Cano, Ancon de Jacona, Barranco de Jacona, El Rancho, and San Ildefonso.

9. Old Business:

- a. Amendment No. 1 to Pueblo-PVID Contract of November 2, 19 72 Between BIA and the pueblos of Nambe, Pojoaque, and San Ildefonso: Still in process. Dave reports that our first meeting with the BOR/BIA is Monday July 23rd. We expect this to be a lengthy process.



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- b. Draft Rules and Regulations – Dave advised that we will need to rewrite contracts prior to rules and regs draft.
- c. 2023-24 PVID Budget Review and Approval: Rob presented the 2023-2024 budget. He stated that the proposed budget was predicated on the BIA/Pueblos pay their past due amount and start contributing per the executed contract. He will have a better picture of that participation after the meeting with the BOR/BIA on the 24th. Highlights include a reduced dam repayment amount, no anticipated legal expenses, \$2000 to the savings account and only \$5000 for dam maintenance. Should the BIA pay this year's bill, the monies will be applied towards deferred maintenance. Should the BIA not pay their bill for the upcoming year, the district will have to vote on a special assessment to continue operations. **Motion To Approve** – Meade, **SECOND** – Dave, . **DISCUSSION** - , **VOTE** – Passed.

10. New Business:

- a. Accounts Receivable Collection Policy: Rob made a **motion "To obtain quotes from 2 attorneys to research and draft a delinquent receivables policy that is in compliance with State Law"**. **Motion To Approve** – Meade, **SECOND** – Dave. **DISCUSSION** - Above, **VOTE** – Passed.
- b. Rob introduced Michael Lujan, the new Mayordomo for the Highline Acequia. The district looks forward to working with him!

11. Public Comment:

- a. Tribal Government
 - i. Pueblo of Nambe –
 - ii. Pueblo of Pojoaque –
 - iii. Pueblo of San Ildefonso –
 - iv. BIA -
- b. Individual Acequias -
- c. BOR –
- d. OSE -

12. Adjournment:

- a. **MOTION TO APPROVE:** – Rob, **SECOND** – Meade .

13. Approval: these minutes were approved by a motion of the Board of Directors at a meeting held on October 3, 2023.