**RIO COSTILLA COOPERATIVE LIVESTOCK ASSOCIATION**

***Special Board Meeting Minutes***

**August 28th, 2020**

1. **Call to Order @ *5:00 p.m.***
2. **Roll Call**

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| --- |
|  **Board Of Directors: Staff:** |
| **President: Leonard Arguello**  | **Present** | **Financial Manager: Sherrie Bice** | **Present** |
| **Vice-President: Arthur Sanchez** | **Present** | **Administrative Secretary: N/A**  |  |
| **Secretary/Treasurer: Leslie Maes** | **Present** | **Ranger: Steven Rivera** | **Absent** |
| **Director: Marty Martinez Jr** | **Present** |  |  |
| **Director: Chris Lucero** | **Present** |  |  |
|  **Quorum Established: 5 Members Present** |

1. **Approval of Agenda**

**Leslie Maes made a motion, second by Arthur Sanchez to approve the agenda as presented. MOTION CARRIED.**

1. **Leni Brechner- Property for Sale-Located in Ventero/Costilla Meadows**

Leni Brechner and Justin Gentile would like to sell their 158-acre property located in Ventero, N.M. to the RCCLA. Leni Brechner stated that she is willing to sell her property for $125,000.00 to the RCCLA. The property boarders the Thunderbolt Ranch and possibly a piece of the RCCLA property. Earlier in the month Sherrie Bice received a phone call stating that the RCCLA needed to provide a key to the property owners. Steven Rivera took Leni Brechner and Justin Gentile to their property on Thursday, August 27th, 2020 to find out exactly where the property was located and if they needed access through RCCLA property. Steven Rivera stated that there is a separate road that they can get to their property. The board of directors discussed the area and pricing with Leni Brechner and Justin Gentile, the board advised them that they will have to present the offer to the membership because the Board of Directors can only approve a certain amount of money without the full membership approval. Leni Brechner and Justin Gentile were very pleased with the board’s decision and would like to hear back with an offer that the board of directors will discuss and present to the property owners, before presenting it to the membership.

After Leni Brechner and Justin Gentile left the meeting, Leonard Arguello that the RCCLA needs to figure out if the property boarders RCCLA. Chris Lucero stated that it would be a great investment and suggested checking out the property. Leonard Arguello also stated that the highest amount per acre he would personally see being worth would be $500.00 per acre. Putting the offer amount at $79,000.00. Sherrie Bice will be contacting Leni Brechner to inform her of the board of directors’ offer. If Leni Brechner agrees with the offer the board of directors will proceed to present the information to the RCCLA membership.

1. **PCW Industries Dos Hermanos Ranch-Earl Valdez- Sawmill Building Rental**

Earl Valdez has requested renting the sawmill building located in Ventero, N.M. to dry hemp for PCW Industries/The Dos Hermanos Ranch, owned by Phillip Williamson. The project will require a month of building use. Steven Rivera met with Phillip Williamson and Earl Valdez on August 18th, 2020 to inspect the building to make sure the building was up to their standards. Earl Valdez stated that they would not require RCCLA to do anything except provide access to the building. PCW Industries/The Dos Hermanos Ranch is willing to rent the building for $400.00 for one month ($100.00 a week). Earl Valdez will provide his own lock and a camper trailer for his employee to stay on patrol in the evenings. Earl Valdez also stated that they would not need any electricity because he will be providing a generator as well. If the board of directors agree to allow Dos Hermanos to rent the building the main office will be contacted for the start date.

Leslie Maes was concerned about the licensing of the hemp. Leslie Maes asked Earl Valdez about the transportation laws of different states. Earl Valdez stated that he was not completely aware of the laws, but would find out and get back the board of as soon as he can provide documentation.

Sherrie Bice will be drafting a release of liability for PCW Industries to use the sawmill building after receiving all proper documentation.

***Consensus of the board to allow PCW Industries, LLC. to rent the sawmill building for one month for $400.00 ($100.00 per week). The board of directors have requested documentation stating the project will be legal for all parties involved. Also, a liability release form needs be signed when the building is rented.***

**VI. Dennis Maes**

Dennis Maes has submitted a proposal as follows:

**US Forest Road 1950 Project Proposal**

**Introduction**

The purpose for this project is to ensure that there is an implementation of an efficient and effective comprehensive project plan for US Forest Road 1950 (US 1950) that will meet the objectives of the Rio Costilla Cooperative Livestock Association (RCCLA). In 1984 the RCCLA entered into an agreement with the USDA Forest Service to convey the right-of-way for the Costilla Road as a major access route to the Valle Vidal Unit of the Carson National Forest. Part of this agreement was to reconstruct and maintain the road with the emphasis of “when funds are available.” The problem set forth is the US Forest Service inability to fulfill their agreement or to provide the RCCLA with justifiable reasoning as to why the elements set forth in the agreement are not being met. There is a possible solution through effective collaboration with the US Forest Service, Congressman Ben Ray Lujan, New Mexico State Highway Department, and Taos County. This solution will be elaborated on further in the proposal.

**1. Motivation**

* The agreement between the US Forest Service and the RCCLA consists of 7 paragraphs, with paragraphs 6 and 7 containing sub-paragraphs.
* The problems commenced when the conditions within paragraphs 1-3 were not being met (see attached letter to Congressman Lujan in Appendices).
* The utilization of US 1950 is essential to the US Forest Service, New Mexico Game and Fish, the Cattleman’s Association, the RCCLA, and tourists who come to utilize the Valle Vidal and the RCCLA for recreational purposes; therefore, it is imperative that this road be effectively maintained.
* The road is heavily traveled during the spring and summer seasons and there is much wear and tear being done to the road. There are other areas along the road that require attention and are a matter of public safety.
* A matter of public safety that is identified and not resolved presents a risk and liability to the RCCLA and the US Forest Service; therefore, requires prompt attention. The problem with this road occurs primarily during the summer season as that is the time of year when the road has the most traffic.
* The current problem requiring resolution pertains to maintenance of the road, the parties responsible for the road, and the cost that the RCCLA has incurred without the financial assistance of the US Forest Service.
* At this point the RCCLA has been part of a solution through:
1. The continuance of maintaining the road at their own expense and the utilization of their staff and equipment.
2. A Congressional Inquiry has been sent to Congressman Ben Ray Lujan for assistance and resolution.
3. Communication with Congressman Ben Ray Lujan’s office through I (Dennis Maes)
4. Communication with Congressman Ben Ray Lujan and the US Forest Service
5. Communication with members of the RCCLA Board and the US Forest Service
* The following are solution-based alternatives that have the potential to provide an effective resolution that meets the criteria of the RCCLA and their concerns:
1. Continue to work with Congressman Ben Ray Lujan as he has the knowledge as to when and how funds are being allocated to the US Forest Service.
2. Allow Stephan Salas of Congressman Ben Ray Lujan’s Office to continue communications with the US Forest Service.
3. Mr. Salas has already spoken with the Forest Service, and the Forest Service has agreed to have a meeting with the RCCLA Board of Directors and all essential agencies that could be part of the solution.

**2. Project Details**

* The environment set forth in this project proposal is the beginning of US Forest Rd 1950 beginning where the pavement ends on County Road B-060 through the Costilla Box Canyon and terminating at the fence line and cattle guard at the Valle Vidal Boarder.
* The technology utilized for this project are as follows:
1. Digital Cameras and or cell phones to obtain photographs of the road and areas of concern. This includes areas where the RCCLA has repeatedly worked on.
2. Computer software to provide Power Point Presentations if necessary, initiate platforms for online meetings due to COVID-19 if necessary, and to communicate via email with all parties involved with the resolution.
* **Issues and challenges**

There are issues and challenges within this project that need to be met. The primary issue is the US Forest Service claims that the roads have not been maintained on their part due to lack of funding and has not compensated the RCCLA for the maintenance of the road. Secondary issue is that the RCCLA has had to utilize their budget, staff, time, and equipment to grade the roads so that they can remain safe for traveling. Furthermore, if the Road is not maintained accordingly an issue of public safety can arise; therefore, placing a possible liability to the RCCLA and the US Forest Service. Other issues and challenges that may present themselves pertain to taxpayers who reside along US Forest Road 1950 and the utilization of county resources to respond to emergencies within the Taos County Boundaries. The RCCLA is in Taos County and several tourists come to enjoy the recreation within the RCCLA. Emergencies do and have happened in the past; therefore, it is imperative that the roads be maintained for emergency personnel to gain access. One of the greater challenges faced within this project is budget constraints from the US Forest Service, Taos County, and the RCCLA. A secondary challenge would be lack of cooperation from the US Forest Service and Taos County.

* **Deliverables**

The comprehensive project plan will need to be developed in phases. These phases will be determined based the outcome of communication with the US Forest Service, Congressman Ben Ray Lujan, the RCCLA Board of Directors, Taos County and I. The project has the potential to succeed through effective research, analysis, and collaboration with all parties involved within the project.

The initial phase should commence with a meeting between the RCCLA and me to determine the exact objectives the RCCLA is seeking to fulfill. Then the project should proceed with the research and analysis phase before negotiations can commence with the US Forest Service. The research and analysis phase will allow the opportunity to provide evidence-based solutions based on the research gathered. This project had initially commenced when a Congressional inquiry was sent to Congressman Ben Ray Lujan in 2018. The project then seized temporarily; however, negotiations have reoccurred and that is a vital step to a successful resolution.

The greatest feature this project contains is the assistance of Congressman Ben Ray Lujan and the resources that his administration may be able to provide. This includes the opportunity for grant money that will assist the RCCLA in proceeding forward should there be a justification of “when funds are available”. A successful completion will minimize the risk of public safety, it will attract more revenue as more tourists will want to arrive once they hear how well the road is maintained and will allow efficient access for emergency personnel to respond to emergencies.

* **Timeline**

The timeline for completion is to be determined. An initial timeline can commence once I have met with the RCCLA Board of Directors to finalize the objective set forth in the project that will fulfill the RCCLA’s vision. Furthermore, a meeting with the US Forest Service, Congressman Ben Ray Lujan, Taos County, and I would need to be set to discuss the possible solutions for a successful resolution. My goal would be to commence with the project by no later than the spring of 2021. I believe this is a realistic timeline as it would allow time to research extensively and apply for any grants necessary before the 2021 deadline. This would also allow time for a comprehensive plan to be developed.

1. **Conclusion**

Based on the evidence gathered thus far through research and communication with Congressman Ben Ray Lujan, the RCCLA has the potential to successfully complete a comprehensive plan. In the past there have been attempts to negotiate with the US Forest Service pertaining to US 1950 and has had minimum, if any success with obtaining a positive resolution. At this point the US Forest Service is willing to negotiate with the RCCLA and all parties involved identifying possible solutions that will enable a successful resolution. This project will require time and effort to succeed. The amount of time to successfully complete this project is undetermined at this point; however, it is my personal objective to commence immediately and hope to have a resolution to proceed with the projects in the spring of 2021. Through effective communication, collaboration, dedication, and motivation, this project has the potential to succeed.

1. **APPENDICES**
2. **Letter to Congressman Ben Ray Lujan**

November 7, 2018

Congressman Ben Ray Lujan

Attn: Stephen Salas

P.O. Box 1368

Las Vegas, NM 87701

Dennis D. Maes

P.O. Box 111

Costilla, NM 87524

Dear Honorable Lujan,

This letter is being written on behalf of the Board of Directors of the Rio Costilla Cooperative Livestock Association (RCCLA) seeking assistance and resolution for U.S Forest Service Road 1950.

Enclosed you will find the Principles of Understanding between the RCCLA and the USDA Forest Service concerning the construction and use of the Costilla Road Access to the Valle Vidal Unit. Here is a brief elaboration on paragraphs 1-3, as they express the concern the Board has regarding resolution:

* Paragraph 1- The Forest Service indicates their project plans are to re-construct the Costilla Road to a double-lane and other projects specified within this paragraph (see agreement). The Forest Service has been unable to successfully provide an exact timetable when these projects will be completed and utilize the availability of funds as means to determine completion. This agreement was entered upon in 1984 and yet there appears to be a continued issue with funding. It has been thirty-four (34) years and the Forest Service has made minimum progress with the justification that there is no funding available.

* Paragraph 2- The only closure that would be taking place would be short term if needed for safety, maintenance, or reconstruction; the roads have not been successfully maintained and present a hazard in some areas.
* Paragraph 3- There is a great emphasis on this paragraph. **The proposed road has been designated as a Forest Highway by joint agreement of the New Mexico Highway Department, the Federal Highway Administration, and the Forest Service. This agreement specifies that in order for a project to eventually gain priority for financing from the three agencies , a public road agency such as the State or County Highway Department must assume maintenance responsibility and jurisdiction of the road before Forest Highway funds can be used to upgrade the road.** It appears that there are other agencies that have the potential to be a part of the solution and the Forest Service has not utilized them.

The above paragraphs are an indication of the unresolved issues the RCCLA is having with the Forest Service. The Congressional Inquiry and resolution the RCCLA seek is as follows:

1. Why the U.S. Forest Service has not kept up with their end of the agreement.
2. The solution the U.S. Forest Service is willing to provide to obtain sufficient funding in order to improve and maintain the road outlined in the agreement.
3. An answer set forth indicating why they have not been able to obtain funding.
4. If there are other agencies involved, will the Forest Service work with them to provide a solution to the problem.
5. A comprehensive plan outlining an exact timetable as to when they plan to start working on the roads or provide another alternative to include obtaining funding that will pay the RCCLA to maintain the road.

In conclusion, there is no place in the agreement indicating an exact time table in the amount of years the RCCLA has to uphold the agreement; therefore, if the Forest Service has not kept up with their end of the agreement, then the RCCLA should be able to seek a breach of this specific agreement. The RCCLA has been and is willing to work with the U.S. Forest Service. There are many motorists who travel on U.S. Forest Service Road 1950, specifically during the summer season; therefore, this becomes a matter of public safety and it is imperative that the roads and their surroundings are maintained to safety standards.

Honorable Lujan, the RCCLA attracts many tourists throughout the year and so does the Valle Vidal. These tourists look forward to spending time and enjoying our beautiful mountains. Many have been returning for years with the same complaints specifying that there could be a better job done with the roads. These tourists generate revenue to the RCCLA and to the surrounding communities. It’s vital to the RCCLA that their experience is first and foremost a safe and enjoyable one. Our hope is that your office will be able to assist in obtaining a positive resolution that will benefit all.

Thank you for your time and consideration with this matter and we look forward to hearing from and working with you in this matter. We know that you have and will continue to work hard for the citizens of the United States and for your constituents in the State of New Mexico. We believe that your inquiry will be a significant part of the solution. If you have any questions please contact the office at 575-586-0542 or send an email to rccla42@aol.com.

Sincerely,

Dennis Maes

Dennis Maes is willing to help with the project at a negotiable rate of $15.00 per hour. Dennis Maes would like to come into the office to utilize the time clock. Also, Dennis Maes has applied for the administrative secretary position available at this time. If for any reason Dennis Maes is offered the position Dennis Maes stated that he would renegotiate his hourly rate with the board of directors.

**VII. Domingo Torres**

 **Reviewer’s General Information**

**1. External financial review.** Reviewer will familiarize themselves with any policies and procedures set forth by RCCLA in accordance with their finances. The review of finances does not constitute a valid external financial audit that may be required for tax purposes set forth by the state and or federal government. All opinions and recommendations made by the reviewer are for informational purposes only.

**2. Corrections.** RCCLA has the right to edit or modify any part of this proposal if discussed and agreed upon by both parties.

**3. Price is All Inclusive.** The proposal price shall be the delivered price. Any additional costs associated with the review will be covered at the cost of the reviewer.

**4. Pricing Duration.** Responses, including proposal prices, will be considered firm for one hundred twenty (120) days after which a new proposal would need to be issued.

**5. Cancellations.** RCCLA has the right to cancel or reject the proposal in whole, or in part at their discretion before review has commenced. If proposal is accepted, and once the review begins, the RCCLA will be unable to cancel in full. Review can be cancelled with no opinion and recommendations given at 50% of total cost.

**6. Definitions.** Definitions of Terminology. This section contains definitions that are used throughout this proposal, including appropriate abbreviations.

“Reviewer” shall refer to Doming Torres

“RCCLA” shall refer to Rio Costilla Cooperative Livestock Association

“Opinion” refers to reviewers best and most reasonable understanding of the internal policies and how they relate to the everyday financial operations.

“Recommendations” refers to the reviewers own personal experience with finances and should not be considered law.

“Finding” refers to any funds not being accounted for or any policies that do not comply with RCCLA’s internal policies.

**Scope of Work**

**Overview**

The reviewer will require access to old audits as well as financial software (no log in or password information will be provided to reviewer only access for reports) which can be provided by RCCLA personnel.

**1.** Reviewer will review 1 years’ worth of financial information (see rate chart) which can include but not be limited to;

 a. paid invoices

 b. cash receipts

 c. bank transactions

 d. checks and or payments

**2.** Reviewer will compile a spread sheet to provide an accurate opinion and or recommendation which will include at minimum;

 a. Opening and closing balances of accounts

 b. Report on current procedures being used

**3.** Any errors or findings will be presented to the RCCLA Board in a final report either in person or through any other means.

 a. It is solely at RCCLA’s discretion as to who receives the final report.

**Rates**

|  |  |
| --- | --- |
| **Work Reviewed** | **Rate** |
| 1 years’ worth | $1,500.00 |
| Additional months | $125.00 per month rate\* |

RCCLA can determine how many months they would like reviewed after a minimum of a 1-year period at $125.00 per month.

\*No review will be made on financial records prior to the last official audit.

Ronald Martinez would like to meet with Domingo Torres and Sherrie Bice at the RCCLA office to discuss and review the Hinkle and Lander documents and would like to help in any way with the requested audit.

***Consensus of the board to approve Domingo Torres’s proposal for the requested audit for the RCCLA financials. Sherrie Bice will be contacting both Domingo Torres and Ronald Martinez to schedule a date and time to meet.***

**VIII. Payables**

Louie Lucero and the Mastercard was reviewed, approved, and signed by

 the board of directors.

**IX. Board Meeting Minutes for August 14th, 2020.**

 **TABLED.**

**X. Executive Session**

 **Marty Martinez made a motion, second by Arthur Sanchez to go into executive**

 **session. MOTION CARRIED.**

 **Executive Session: 6:05 p.m.**

 **Back from Executive Session: 6:48 p.m.**

 **No decisions were made.**

**XI. Employee lay off after Labor Day**

There are two employees Bridgett Rael and Don Ted Trujillo that have completed the

 summer season at the Rio Costilla Park. Due the Park closing the RCCLA board

 directors will decide to lay them off for the season.

 ***Consensus of the board to lay off the summer employees for the season.***

**XII. Outside of Park open for camping/ Date Closed**

 **The board of directors have decided to keep the river camping areas open for**

 **camping on a first come first serve basis until otherwise posted. The portable**

 **restrooms and dump station will no longer be available as of September 8th, 2020.**

**XIII. Wood cutting Schedule during Hunting Season 2020**

The Wood cutting schedule is as follows:

 September 17th

 September 24th-30th

 October 6th

 October 20th-22nd

 October 29th-November 2nd

 November 9th-12th

 November 19th

 December 1st- 31st

**XIV. Resignation for Michael Vargas/ New Member Johnny Vargas**

Resignation of membership for Michael Vargas is up for review. Acceptance of

 honorary membership up for review.

 Application for new membership Johnny Vargas is up for review.

 **Chris Lucero noticed an error on the designation form provided.**

 **Tabled until correct paperwork is proved.**

**XV. Review applications for Administrative Secretary**

Applications are up for the board of directors’ review.

**XVI. Hire Administrative Secretary**

 **Marty Martinez Jr. made a motion, second by Arthur Sanchez to hire Dennis Maes**

 **as Administrative Secretary at $14.00 an hour starting on September 8th, 2020.**

 **MOTION CARRIED.**

**XVII. Hinkle and Lander**

Leonard Arguello would like to discuss the Hinkle and Lander with the board of

 directors and Ronald Martinez. Ronald Martinez and Sherrie Bice will be meeting with

 Domingo Torres for the financial and Hinkle and Lander. Sherrie Bice will be providing

 an update at the next regular board meeting.

**XVIII. Jeremy Trujillo- Prairie dog poison in pastures**

The board of directors would like to schedule a date to do the prairie dog poison in the

 Ventero pastures. Sherrie Bice will get with Jeremy Trujillo to get a supply list together.

 The board of directors would like a letter sent out to all the cattle growers, letting

 them know the date and time of the project. The board of directors have agreed to start

 this project on September 18th, 2020. Sherrie Bice will be sending memos on Monday

 August 31st, 2020 after approval.

**XIV. Other**

1. Ronald Martinez has requested the policies and procedures to defend and have answers to questions about the compilation report.
2. Ronald Martinez would like to see a document from Lorenzo Lucero specifying who is on the bonding insurance and how much is covered.
3. Chris Lucero stated that the pump at the north well was making noises. Leonard Arguello will check the pump to make sure everything is working properly.
4. The board of directors requested Sherrie Bice to draft a notice to the membership informing them that the quarterly meeting in October will be cancelled do to COVID-19.
5. The board of directors have agreed to keep the Visitor Center/Gate Keeper position open in the park until further notice. Catalina Lucero will be patrolling the river and be available at the Visitor Center until further notice as well.
6. Leonard Arguello stated that the meeting minutes need to be corrected on Monday August 31st, 2020 after the meeting.

**XV. Adjournment**

 **Leslie Maes made a motion, second by Arthur Sanchez to adjourn meeting.**

 **MOTION CARRIED.**

Meeting adjourned at 7:45 p.m.

 MINUTES APPRROVED ON\_\_\_\_\_\_/\_\_\_\_\_\_/\_\_\_\_\_\_

RCCLA BOARD PRESIDENT: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 STAFF: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_