

**COUNCIL OF THE VILLAGE OF BOSQUE FARMS, NM
MINUTES OF THE WORKSHOP
OCTOBER 14, 2014**

1. CALL TO ORDER

Mayor Robert G. Knowlton called the meeting to order at 6:02 p.m.

2. ROLL CALL

Present were Mayor Robert Knowlton, Councilors Russ Walkup, Bill Kennedy and Wayne Ake, Clerk/Administrator Gayle Jones and Mark Jarmie. Councilor Dolly Wallace arrived at 6:06 p.m.

3. DISCUSSION OF IGA AND WASTEWATER RATES FOR THE TOWN OF PERALTA

Mayor Knowlton recapped the last joint meeting with the Town of Peralta. He stated that Peralta was tasked with coming up with an agreement. Mayor Knowlton presented Peralta's draft IGA to the councilors with his changes and suggested going through the proposed agreement section by section.

Mayor Knowlton stated that Bosque Farms needed to go with a metered flow and not a per grinder pump charge as Peralta has proposed. He stated that language needs to be added in the event of a default by Peralta.

Mayor Knowlton suggested a cost of \$0.473 per hundred gallons which included the debt service and 15% working capital.

Mr. Jarmie pointed out that if Bosque Farms charged Peralta less than what Bosque Farms residents paid, it could be considered an anti-donation issue.

It was suggested to remove "Services" from Intergovernmental Services Agreement.

The proposed IGA was reviewed and the following changes were noted:

Changes under Recitals

Change to read "Whereas, Bosque Farms supplies potable water and wastewater services to its residents. The Bosque Farms Wastewater Treatment Plant (WWTP) has a **permitted** capacity of 0.5 MGD.

Workshop Meeting Minutes
10/14/14 Page 2

Add:

Bosque Farms is seeking grant funding to improve the WWTP with a second clarifier and an alternative means of processing sludge. With the need for improvements to the WWTP and a need to reserve capacity for commercial development in the Village, Bosque Farms will limit Peralta's contribution to the WWTP inflows.

Changes under "Peralta will:"

Add language to include **an alternative sludge process.**

Add that Peralta will evaluate, design and construct a sewer collection and transmission system... **at its own expense.**

Add **performance bond, adjusted annually.** Mark Jarmie will craft language for payment bond.

Change monthly charge from per unit to **per one hundred gallons of metered effluent.**

Remove **Peralta shall retain discharge return credits for 75% of all metered gallons going into the WWTP.**

Under "Bosque Farms will:"

Add that Bosque Farms will operate and maintain sewer transmission infrastructure within the boundaries of Bosque Farms **past the point of connection for the Peralta collection system.**

Change **Request Funding for the needed improvements to the WWTP.**

Add Upon funding availability, **and at the discretion of the Village, implement the improvements to the WWTP.**

Change Agree to accept additional **effluent** beyond phase 1 when **the improvements become operational and all permitting with the EPA and NMED is approved.**

Change to **Review non-residential effluents and prescribe appropriate** pretreatment requirements **for said entities.**

Change Provide to Peralta a monthly **statement for wastewater treatment services** payable within 30 days of receipt of **statement.**

Workshop Meeting Minutes
10/14/14 Page 3

Under “General Provisions:”

Change This AGREEMENT is based on certain unknowns; the Parties agree that they shall review all of the provisions of this AGREEMENT **six (6) months** after the **start of the effluent delivery from Peralta to Bosque Farms** (within Phase 1). The purpose of the review is to determine if modifications to the AGREEMENT may be appropriate at that time. **Subsequent reviews will occur at one (1) year from the start of effluent delivery and each year thereafter.**

Remove “Should Peralta default on any invoiced payments, they will make every effort to make amends in a timely manner. If Peralta remains in arrears for a period of ninety (90) days Bosque Farms reserves the right to discontinue treatment of Peralta’s effluent.

Under Rate and Fee Schedule Agreement

2. **Wastewater Treatment Service Fees**

Both the Village of Bosque Farms and Town of Peralta agree to monthly sewer **charges based on metered effluent amounts** to be paid to Bosque Farms **by** Peralta. **The charge rate is \$0.473 per 100 gallons of metered effluent delivered to Bosque Farms. A two (2) percent increase will automatically be added to this rate at the beginning of each fiscal year after the startup of the system.**

Add cap of monthly flow is at 1.2 million gallons.

3. **Terms of this Agreement**

Agreement will remain in effect until modified or terminated by the appropriate signatories to this Agreement.

4. **Metering of Flow**

Remove Upon completion of 12 consecutive months of metered flow data, an evaluation of the flow rates will be conducted, and both parties agree to discuss, and consider whether it is mutually beneficial to continue the flat fee per connection, or to amend the Agreement to a wholesale treatment contract, based on a price per unit (per 100 gallons) of wastewater going through the meter into the wastewater treatment plant.

Remove 7.

Workshop Meeting Minutes
10/14/14 Page 4

4. ADJOURNMENT

Mayor Knowlton adjourned the meeting at 7:11 P.M.

PASSED, APPROVED AND ADOPTED THIS 20TH DAY OF NOVEMBER 2014.

Robert G. Knowlton, Mayor

(SEAL)

ATTEST:

Gayle A. Jones, Clerk/Administrator