

**TOWN OF COCHITI LAKE
MINUTES OF ASSEMBLY MEETING
MONDAY, SEPTEMBER 25, 2006
FIRE STATION**

I. CALL TO ORDER

Mayor Donica called the meeting to order at 7:00 p.m. All five Assembly members were present for this meeting. (Frank Hart, Tony Da Silva, Mary Ann Closson, Marge Knightly and Freda Donica).

Agenda:

Frank Hart made a motion to approve the agenda as printed.

Tony Da Silva seconded the motion. The motion passed with a five to zero vote. Mayor Donica stated at this time that the Assembly meeting scheduled for October 23 had been rescheduled for October 30.

Minutes of 08-28-06 meeting:

Marge Knightly made a motion to approve the minutes of the 08-28-06 meeting as presented.

Frank Hart seconded the motion. The motion passed with a five to zero vote.

II. NEW BUSINESS

1. Approval of August Financials:

Frank Hart made a motion to approve the August Financials.

Mary Ann Closson seconded the motion. Frank Hart stated that the Admin, Library and PW all came in under budget. The LCAA Grant of \$123,800 arrived September 14, and has been deposited in the Raymond James Fund. The 2006-2007 Budget was given final approval by DFA on August 28, 2006. The motion passed with a five to zero vote.

2. Appointment of New Library Board Members:

Mary Ann Closson made a motion to accept the recommendation of the Library Board and appoint Dorothy

McDonald and Cindy Eakin to serve a two-year term on the Library Board effective immediately.

Marge Knightly seconded the motion. The motion passed with a five to zero vote.

3. Emergency Ordinance 2006-3, Cochiti Lake Improvement Trust Fund:

Frank Hart made a motion to approve Emergency Ordinance 2006-3, Representative to the Cochiti Lake Improvement Trust Fund

Mary Ann Closson seconded the motion. Mayor Donica gave a brief overview of the events that lead to the introduction of this ordinance. Mary Wheeler had stated at a previous meeting that the Trustee of the Improvement Trust Fund was instructed by CCDC not to provide the town with copies of the quarterly statements. If the town wanted any information they should contact CCDC and they were in the process of rewriting their documents. Dixie Edwards stated to Mayor Donica that this was a revocable trust and the tribe was revoking the trust and they could do anything they wanted with the money. Mayor Donica then delivered to the Trustee a letter indicating that the town believed this was a violation of the trust agreement and no funds should be disbursed. Ms. Edwards indicated that Wells Fargo's in house legal department had looked over the agreement and stated that this was a revocable trust. Mayor Donica also stated that she had talked with several law firms because the Modrall law firm, which represents the town also represents Wells Fargo and they could not represent either client on this issue. Mayor Donica stated that there are two hurdles the town has to get over, they are (1) The agreement is a revocable trust, (2) Jurisdiction, it will have to go to Leasehold Disputes court. Mayor Donica asked the Trustee if approval from the BIA had been obtained. The Trustee stated that Wayne Bladh attorney for CCDC had informed her that he had taken care of that and Wells Fargo did not have to worry about it.

The ITF Agreement calls for a Town official to be selected, by Ordinance, a representative of the town in matters concerning the Improvement Trust Fund. The Mayor called for a vote on the motion and it passed with a five to zero vote.

4. 2006-4 Town of Cochiti Lake Election Ordinance, Freda Donica - Action

Mary Ann Closson made a motion to approve Ordinance 2006-4, Town of Cochiti Lake Election Ordinance.

Marge Knightly seconded the motion.

Frank Hart made a motion to waive the reading of Ordinance 2006-4, stating "it has been posted for some time already".

Mary Ann Closson seconded the motion. This motion passed with a five to zero vote.

Copies of the revised Election Ordinance are available in the office, and are posted in the mailroom. Mayor Donica stated that the Election Board worked on revising the Ordinance. The motion to approve Ordinance 2006-4 passed with a five to zero vote.

III. ANNOUNCEMENTS

The Assembly meeting scheduled for October 23 has been moved to October 30.

IV. FOR THE GOOD OF THE ORDER

V. ADJOURNMENT

Mary Ann Closson made a motion to adjourn the meeting.

Marge Knightly seconded the motion. The motion passed with a five to zero vote. The meeting adjourned at 8:15 p.m.


Ronald Herrera, Town Clerk


Freda Donica, Mayor