

*Doña Ana Mutual Domestic Water Consumers Association
Mailing Address: P.O. Box 866 • Doña Ana, NM • 88032
Physical Address: 5535 Ledesma Dr • Las Cruces, NM 88007
(575) 526-3491 Office • (575) 526-9306 Fax*

The following are the minutes of the Special Meeting of the Doña Ana Mutual Domestic Water Consumers Association Membership on November 7, 2013, convening at 7:14 p.m. at the Doña Ana Elementary School located at 5551 Camino De Flores Las Cruces, NM 88007:

Call to Order

Mr. David Jacquez called the meeting to order at 7:14 p.m. Mr. Jacquez called the meeting to order after verifying quorum. There were 39 members of the Association present.

Approval of Agenda

Mr. David Jacquez called a motion to accept the Agenda as presented. Mr. Jim Melton made a motion to accept the agenda as presented; the motion was seconded by Mr. Bill Crouch. Motion carried to accept the agenda as presented.

Mr. David Jacquez introduced the Board of Directors, Staff and Guests.

Mr. Charles Huestis stated the Special Meeting held by the Association was not in compliance with the Open Meetings Act, specifically Section G, due to Minutes of the preceding meeting of quorum had not been approved, amended or disapproved. Mr. Lee Peters stated it did not affect the validity of the current meeting.

Ms. Reinhold made a motion to continue with the meeting, the motion was seconded by Mr. Jim Melton. Mr. David Jacquez called for voice vote, majority vote was to continue meeting, Mr. Charles Huestis opposed, and the motion was passed by voice vote.

Approval of the Open Meetings Act Resolution 2013-17

Mr. David Jacquez asked for a motion to approve the Open Meetings Act Resolution 2013-17. Ms. Sandra Tatum made a motion to approve the Open Meetings Act Resolution 2013-17. Ms. Mary Jane Garcia seconded the motion. The motion was passed by voice vote.

Approval of Amended Articles of Incorporation V and Bylaws IV and VI

Mr. David Jacquez asked for a motion to approve the Amended Articles of Incorporation V and Bylaws IV and VI together. Ms. Kathy Jackson made a motion to approve Amended Articles of Incorporation V and Bylaws IV and VI together. Mr. Bob Raider seconded the motion.

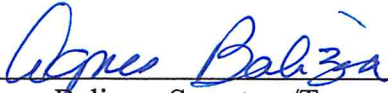
Mr. David Jacquez opened the floor for public discussion. After public input, ballots were passed out.

Mr. Bob Raider stated the count for Amended Articles of Incorporation V and Bylaws IV and VI was 38 in favor and 1 opposed.

Adjournment

Mr. David Jacquez asked for a motion to adjourn the meeting. Ms. Shawna Reinhold motioned to adjourn and Ms. Marcia Anderson seconded the motion. Mr. David Jacquez declared the meeting adjourned at 8:05pm.

Minutes respectfully submitted:




Agnes Balizan, Secretary/Treasurer
Doña Ana Mutual Domestic Water Consumers Association

Approved on April 29, 2014


**AFFIDAVIT OF ADOPTION
OF AMENDMENT TO BYLAWS
OF DOÑA ANA MUTUAL
DOMESTIC WATER CONSUMERS ASSOCIATION**

The undersigned David Jacquez, President of the Board of Directors of Doña Ana Mutual Domestic Water Consumers Association and Agnes Balizan, Secretary of the Board of Directors, being first duly sworn, hereby state and affirm that the attached amendments to the Bylaws of Doña Ana Mutual Domestic Water Consumers Association were duly adopted by resolution of the membership of the Association by majority vote of a quorum, in compliance with Section 3-29-19, NMSA 1978, of the New Mexico Sanitary Projects Act, at a special membership meeting of the Association held on November 7, 2013. Notice of said meeting was properly given to all Association members by mail and by posting in accordance with the Association's Open Meetings Act Compliance Resolution # 2013-17. The vote by secret ballot was 38 in favor and 1 against adoption of the amendments.


DOÑA ANA MUTUAL DOMESTIC WATER CONSUMERS ASSOCIATION



David Jacquez, President
Board of Directors



Agnes Balizan, Secretary
Board of Directors


COUNTY OF DONA ANA) AFFIDAVIT
STATE OF NEW MEXICO) ss PAGES: 4

I Hereby Certify That This Instrument Was Filed for
Record On JAN 17, 2014 03:19:39 PM
And Was Duly Recorded as Instrument # 1401196
Of The Records Of Dona Ana County



Witness My Hand And Seal Of Office,
Lynn J. Ellins, County Clerk, Dona Ana, NM

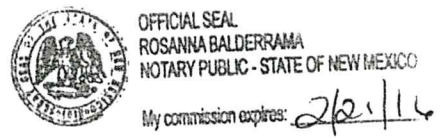
Deputy Alma Arroyo

STATE OF NEW MEXICO)
) ss.
COUNTY OF DOÑA ANA)

SUBSCRIBED AND SWORN TO before me this 17 day of January, 2014,
by David Jacquez, President, Board of Directors, Doña Ana Mutual Domestic Water
Consumers Association.

Rosanna Balderrama
Notary Public

My Commission Expires:
2/21/16

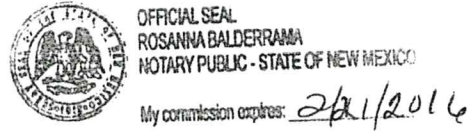


STATE OF NEW MEXICO)
) ss.
COUNTY OF DOÑA ANA)

SUBSCRIBED AND SWORN TO before me this 17 day of January, 2014.
by Agnes Balizan, Secretary, Board of Directors, Doña Ana Mutual Domestic Water
Consumers Association.

Rosanna Balderrama
Notary Public

My Commission Expires:
2/21/2016



Doña Ana Mutual Domestic Water Consumers Association

BYLAWS

Article IV – Membership

Section 5. Voting.

Each member shall be entitled to one vote only. Voting by proxy or by mail will not be permitted, except that absentee voting by mail is permitted in elections for the board of directors under Article VII of the Articles of Incorporation.

BYLAWS

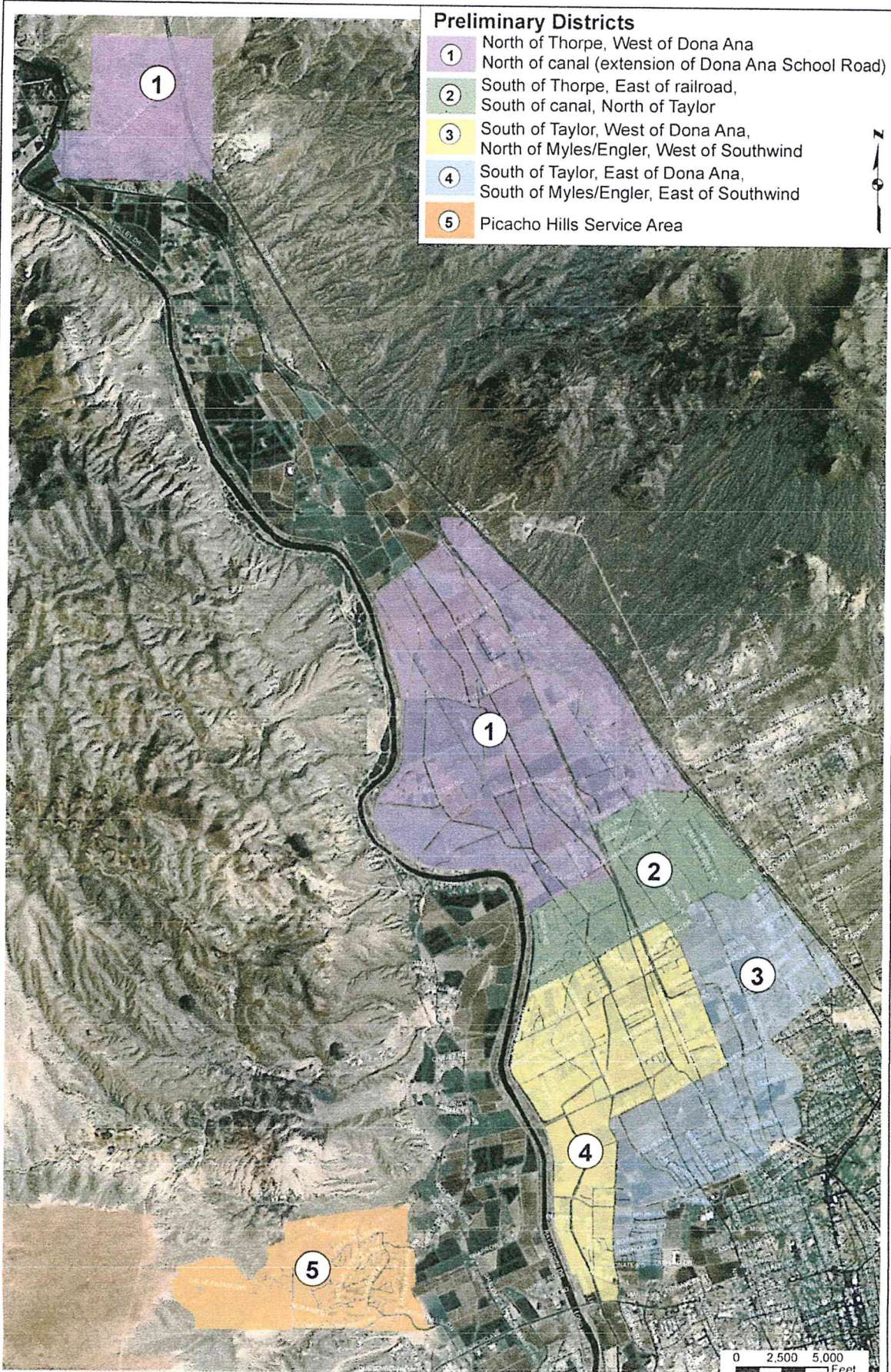
Article VI – Directors

Section 7. Vacancies.

If the office of any director becomes vacant by reason of death, resignation, retirement, disqualification or otherwise, except by removal from office, a majority of the remaining directors, though less than a quorum, shall by a majority vote choose a successor who shall hold office until the next regularly scheduled election. At that election, the members shall elect a director for the unexpired term.

Section 9. Board Districts.

Each member of the board of directors shall represent a geographical district of the association's service area. The membership address of the board member shall be located within the district that the board member represents. Each district shall be reasonably contiguous and include approximately one-fifth of the association's total membership. The initial districts and their boundaries shall be in accordance with the attached map and description. Subsequent adjustments to district boundaries shall be made by written policy of the board of directors. The board of directors shall by written policy adopt election procedures regarding the election of board members, which procedures are to be consistent with the Articles of Incorporation and these Bylaws.



- Preliminary Districts**
- ① North of Thorpe, West of Dona Ana
North of canal (extension of Dona Ana School Road)
 - ② South of Thorpe, East of railroad,
South of canal, North of Taylor
 - ③ South of Taylor, West of Dona Ana,
North of Myles/Engler, West of Southwind
 - ④ South of Taylor, East of Dona Ana,
South of Myles/Engler, East of Southwind
 - ⑤ Picacho Hills Service Area

Document: P:\GDM\DNCA WD Support\011 0830752\CAD\GIS\Distriking - 4m Plt.mxd
 Date Saved: 2/19/2013
 Copyright 2013 Souder, Miller & Associates - All Rights Reserved



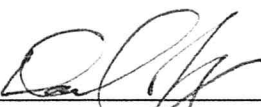
401 North Seventeenth Street, Suite 4
 Las Cruces, New Mexico 88005 8131
 (505) 647-0799 / 647-0680 (Fax)
www.soudermiller.com
 Setting the Southwest & Rocky Mountains

Picacho Hills Service Area
 Doña Ana Mutual Domestic Water Consumers Association
 Las Cruces, New Mexico


**AFFIDAVIT OF ADOPTION
OF AMENDMENT TO ARTICLES
OF INCORPORATION OF DOÑA ANA
MUTUAL DOMESTIC WATER CONSUMERS ASSOCIATION**

The undersigned David Jacquez, President of the Board of Directors of Doña Ana Mutual Domestic Water Consumers Association and Agnes Balizan, Secretary of the Board of Directors, being first duly sworn, hereby state and affirm that the attached amendment to Article V of the Articles of Incorporation of Doña Ana Mutual Domestic Water Consumers Association was duly adopted by resolution of the membership of the Association by majority vote of a quorum, in compliance with Section 3-29-19, NMSA 1978, of the New Mexico Sanitary Projects Act, at a special membership meeting of the Association held on November 7, 2013. Notice of said meeting was properly given to all Association members by mail and by posting in accordance with the Association's Open Meetings Act Compliance Resolution # 2013-17. The vote by secret ballot was 38 in favor and 1 against adoption of the amendment.

DOÑA ANA MUTUAL DOMESTIC WATER CONSUMERS ASSOCIATION



David Jacquez, President
Board of Directors



Agnes Balizan, Secretary
Board of Directors



COUNTY OF DONA ANA) AFFIDAVIT
STATE OF NEW MEXICO) ss PAGES: 3

I Hereby Certify That This Instrument Was Filed for
Record On JAN 17, 2014 03:19:38 PM
And Was Duly Recorded as Instrument # 1401195
Of The Records Of Dona Ana County



Witness My Hand And Seal Of Office,
Lynn J. Ellins, County Clerk, Dona Ana, NM

Deputy Alma Arroyo

Doña Ana Mutual Domestic Water Consumers Association

ARTICLES OF INCORPORATION

Article V

The business and affairs of the association shall be conducted and managed by a board of directors consisting of five members, each of whom shall be a member of the association. The members of the board of directors shall be elected biennially from the membership of the association, for staggered terms of four years each. Two directors shall be elected in one year and three directors shall be elected two years later. The board of directors shall adopt by policy appropriate election procedures.

Each member of the board of directors shall represent a geographical district of the association's service area. The membership address of the board member shall be located within the district that the board member represents. Each district shall be reasonably contiguous and shall include approximately one-fifth of the association's total membership. The association membership shall through adoption of an association bylaw establish the boundaries of the five original districts. Subsequent adjustments to the district boundaries shall be made by written policy adopted by the board of directors. The board of directors may change any district boundary when the number of members in any district exceeds the number of members in any other district by ten percent or more, and the board shall adjust district boundaries no later than every five years.