



*Doña Ana Mutual Domestic Water Consumers Association*  
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The following are the condensed minutes of the Annual Membership Meeting of the Doña Ana Mutual Domestic Water Consumers Association scheduled for January 30, 2019 at 7:00 P.M. at the Dona Ana Elementary School located at 5551 Camino De Flores Las Cruces, NM 88007.

**Call to Order:**

President James Melton called the meeting to order at 7:05 P.M. after verifying that a quorum was present.

**Proof of Notice of Meeting & Proof of Quorum:**

President Melton confirmed we have Proof of Notice and Proof of Quorum.

**Approval of Agenda:**

Mr. Dan Hortert moved to approve the 2019 Annual Membership Meeting Agenda as presented; the motion was seconded by Mr. Bob Pofault. No discussion was brought forward. The Chair called for a vote on the motion; the motion was approved unanimously by the Association.

**Introductions, Acknowledgements, & Procedures:**

Secretary/Treasurer – Kurt Anderson, District 2

Vice President – Jamie Stull, District 4

Board Member – Dan Hortert, District 3

Board Member – Paul Maxwell, District 5

**Guests in Attendance:**

Executive Director – Jennifer Horton

Legal Counsel – Joshua Smith, Watson Smith, LLC

Engineering Firm – Lilla Reid; Souder, Miller, & Associates (SMA)

Colonias Infrastructure Board Member – Oscar Vasquez Butler

Past Association Presidents – Oscar Vasquez Butler, Charles Huestis, Dr. Kurt Anderson

Field Manager – Abenicio Fernandez

Lead Customer Service Representative – Cyndi Shelsea

**Service Awards:**

Ines Herrera – 5 years

Joseph Self – 1 year

Cynthia Ormseth – 1 year

Margo Lopez (excused absence) – 1 year

**Minutes:**

Mr. David Best presented an amendment to the Board of Directors regarding the minutes. The heading states “Board of Directors Meeting” when in fact it is a “Reconvened Membership Meeting”. The proposed amendment would read as follows:

*“The following are the condensed minutes of the Annual Membership Meeting of the Doña Ana Mutual Domestic Water Consumers Association scheduled for January 31, 2018, reconvened on March 28, 2018, at 7:00 P.M. at the Dona Ana Elementary School located at 5551 Camino De Flores Las Cruces, NM 88007.”*

Mr. Melton confirmed with Legal Counsel Mr. Smith if this was acceptable. Mr. Smith advised this is acceptable. Ms. Earlene Brookshire moved to approve the Meeting Minutes of the 2018 Annual Membership Meeting as amended; the motion was seconded

by Ms. Sandy Tatum. No further discussion was brought forward. The Chair called for a vote to approve the minutes as amended; the motion carried unanimously.

### **New Business:**

President Melton called for a motion for the approval of the Open Meetings Act Resolution 2019-01. Mr. Butler moved to approve Resolution 2019-01, with a second from Mr. Huestis. The Chair called for discussion of the motion. None was brought forward. The Chair called for a vote on the motion; the motion was approved unanimously by the Association.

### **Reports:**

#### **Board of Directors:**

President Melton advised we have had a fairly basic year at the Association with day to day operations. Our new website is a reference for information that is regularly updated with new material to include projects, the policy handbook, and annual audits. The Association has established a new training program for our operations staff that has received national attention. The program provides study material that assists operators with obtaining their next level certifications.

#### **Litigation Report:**

Mr. Smith advised the legal report is similar to last year. The Association is currently involved in two lawsuits, both filed in 2013. He summarized the cases of Dona Ana Mutual Domestic versus the Estate of Forrest Westmoreland and Joyce Westmoreland, and Moongate Water Company versus Dona Ana Mutual Domestic. Both cases are currently in the appeal phase. Other than these two cases, we do not have any additional litigation.

## **Engineering Report:**

Ms. Reid summarized the projects from 2018. In total SMA completed one planning document and four design documents. This means that the planning documents from 2017 have moved to construction which is always exciting. Two of the construction projects are complete, one water and one wastewater, with an additional four projects in current construction.

We were able to complete the Fairview project which connected District Five in Picacho Hills to District Four. This means Picacho Hills is now connected to the core system for Dona Ana Water, and was made possible through funding from Colonias Infrastructure. The second project that was completed last year was Southeast Collection Phase I. This consisted of constructing a building to house a force main and vacuum station with all of the instrumentation to allow for the collection of wastewater.

One of the design documents that moved to construction is for the improvements to the water system in Radium Springs. This is seven and a half miles of waterline improvements, over fifty hydrants, new pressure reducing valves, and a new booster station. The construction will take at least one year to complete. The project was awarded funding through USDA and includes the re-drilling of the wells in this area.

Several projects were completed in District Five to include over one mile of new water lines along Via Norte, new pressure reducing valves, the removal of the damaged storage tank, new fire hydrants, and upgrades to the wastewater treatment plant.

The construction for Southeast Collection will continue in phases. Ms. Reid thanked Mr. Butler and Colonias Infrastructure for their instrumental role in funding availability to complete these phases.

Mr. Sample requested to discuss previous construction completed off of Elks Drive and concerns he has regarding the arroyo. Mr. Melton requested all questions be held until public input. Mr. Jim Hayhoe called point of order, questioning that public input is for items not on the agenda. Mr. Hayhoe stated he has a specific question regarding a

specific project. Mr. Melton advised the Membership Meeting is not the correct forum to discuss problem areas. That would be something for a Regular Board Meeting. Ms. Reid is not aware of the concerns regarding the arroyo that Mr. Sample voiced. Ms. Tatum would like to remind those in attendance that we have legal requirements in the membership for this annual meeting and the reports.

### **Financial Report:**

Dr. Anderson summarized the income statement and budget report for the fiscal year ending June 30, 2018. The Association is a nonprofit, meaning anything that comes in goes directly back into the Association. Our projects are completed through a variety of grants and loans from NMED, Colonias Infrastructure, and USDA funding.

### **Executive Director:**

Ms. Horton advised the items she had to report have already been addressed. Mr. Melton opened the floor for Public Input.

### **Public Input:**

Mr. Hayhoe advised he has two questions. He would like to know to what degree the new fire hydrants are being tested for as far as capacity and capability. The second question is when will fire flow testing begin for all of the fire hydrants throughout the entire system. Mr. Melton advised we are in the process of establishing a structured testing program once every member of the Association has adequate access to fire flow. Ms. Horton advised not all of our system has fire hydrants. A large portion of our system still consists of two- and four-inch mains and this does not allow for fire protection. You must have a six-inch main or larger to provide adequate fire flow and pressure. We are working diligently through our projects, and we work with the local fire department on their ISO ratings by providing data out of our hydraulic model. On a regular basis we

receive requests from developers and commercial buildings that require we complete fire flow testing in order for the fire department to be aware of fire flow in that area. Our engineers then review the data against our hydraulic model. While we may not have a standard testing system at this time, we do touch all parts of our system throughout the year. Our goal is to have a fully developed fire flow program; however, this takes a significant amount of resources, staff, and time. This is not something we can just rush out and do tomorrow.

Mr. Steve Becker has concerns regarding his meter logging extraordinary amounts of water usage for anywhere between six and fourteen hours. He has completed a meter log, however, was not able to find conclusions. He is requesting if anyone else has experienced this to speak with him.

**Adjournment:**

Mr. Geery moved to adjourn at 7:55 P.M.; the motion was seconded by Mr. Beason. The Chair called for a vote on the motion; the motion carried unanimously.

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Dr. Kurt Anderson    Date  
Secretary/Treasurer