



*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 Board of Directors, March 28, 2018, convened 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 7:06 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. There were 45 Association Members in attendance.

Approval of Agenda:

Mr. Floyd Geery moved to approve the 2018 Annual Membership Meeting Agenda as presented; the motion was seconded by Mr. David Herberger. 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 – Dr. Kurt Anderson, District 2

Board Member – Tod Roberts, District 5

Vice President – Jamie Stull, District 4

Board Member – Dan Hortert, District 3

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:

Eloy Castillo – 20 years

Manny Hernandez – 10 years

Chris Morales – 5 years

Arthur Barela – 1 year

Sean Lucero – 1 year

Stephanie Nelson – 1 year

Minutes:

Ms. Sandy Tatum moved to approve the Meeting Minutes of the January 25, 2017 Annual Membership Meeting as presented; the motion was seconded by Mr. Lee Peters. The Chair called for a minor correction under the introductions. Mr. Josh Smith is our new legal counsel and only Mr. Peters was retiring. No further discussion was brought forward. The Chair called for a vote to approve the minutes with the minor correction; the motion carried unanimously.

New Business:

President Melton called for a motion for the approval of the Open Meetings Act Resolution 2018-01. Mr. Butler moved to approve Resolution 2018-01, 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.

President Melton asked the assemblage if they prefer to address the additional new business by voice vote, by show of hands, or by ballot. Voice vote was approved unanimously by the Association.

President Melton called for a motion for the approval to adopt the Articles of Incorporation Resolution 2018-03. Mr. Butler moved to approve Resolution 2018-03. Ms. Michelle Miles seconded the motion. The Chair called for discussion of the motion. Mr. Harry Palmer expressed concerns regarding typographical and grammatical errors.

Mr. Palmer made a motion that non-substantive changes or corrections can be made by the Board to include typographical errors without further action from the membership. The motion was seconded by Ms. Tatum. The Chair called for discussion. Ms. Jean Davis voiced concerns regarding the legality of the motion. Mr. Smith confirmed that as long as the corrections are only spelling errors or punctuation, nothing substantive, then corrections can be made. The Chair called for a vote on the motion to authorize the Board to make non-substantive changes in the Articles of Incorporation without further action by the membership. The Chair asked for those who opposed; there was one. The motion carried 44-1.

The Chair called for a vote on the original motion to approve Resolution 2018-03, adoption of the Articles of Incorporation. The motion was approved unanimously by the Association.

President Melton called for a motion for the approval of Resolution 2018-04, bylaws of the Association. Ms. Tatum moved to approve the amended bylaws, Resolution 2018-04. The motion was seconded by Mr. Geery. 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 opened his report with the announcement of the successful transfer of the wastewater system in the Village of Dona Ana from Dona Ana County to the Association. We are in the process of seeking funding sources to improve and expand the system. In District Five we have successfully completed the construction of two new tanks capable of storing 900,000 gallons of water, upgrades to the booster station, and we began the installation of new pressure reducing valves. The Fairview Colonia received a new main line connection which allows us to provide support from any direction. We continue to await on our permits from NMED for the connection of well 11 in Radium Springs and well 15 in Picacho Hills.

We are proud to announce that we are in the process of finalizing the items needed to be able to proceed with the rehabilitation of the Radium Springs water system. Our Executive Director was successful in converting awarded funds from Colonias Infrastructure into an award from the United States Department of Agriculture. The award is a loan, grant combination for 4.3 million dollars to replace the water system and provide much needed fire hydrants.

Financial Report:

Dr. Anderson summarized the income statement, budget report, and the audit results for the fiscal year ending June 30, 2017. By state law, each year the Association completes an audit by an outside firm. There were no findings in this year's audit.

The Association projects are completed through a variety of grants and loans. We were awarded about two point seven million dollars in funding from NMED for the improvement of our wastewater treatment plant. Colonias Infrastructure awarded a little over half a million dollars for water line improvements in the Fairview area, and an additional three quarters of a million dollars for the wastewater system in the San Ysidro area. The last of our funding is from the Drinking Water Bureau with a revolving loan fund of just under two million dollars for improvements in Picacho Hills.

Litigation Report:

Mr. Smith advised the legal report is short. The Association is currently involved in two lawsuits, both filed in 2013. He summarized the cases of Moongate Water Company versus Dona Ana Mutual Domestic and Dona Ana Mutual Domestic versus the Estate of Forrest Westmoreland and Joyce Westmoreland. Other than these two cases, everything is running smoothly at the Association.

Engineering Report:

Ms. Reid summarized the projects from 2017. In total SMA completed two planning reports, two designs, and five construction projects. The two planning projects implemented the 40 year water plan and the conservation plan. Planning reports assist with obtaining funding for the Association. The two projects in the design phase are the Via Norte Project and the Radium Springs Rehabilitation. The Via Norte Project will replace the oldest part of the water system in District Five and add pressure reducing valves to allow for better regulation. The Radium Springs Rehabilitation consists of

seven and a half miles of new water lines and at least fifty new fire hydrants. Additional projects designed were the Fairview Phase II line extension and the San Ysidro wastewater collection system. The five construction projects include the Blue Hawk line extension, two miles of new water lines in Picacho Hills, the waterline project from Valley to Taylor Road, and the vacuum station with two phases for the force main.

Executive Director:

Ms. Jennifer Horton presented service awards for employees earlier in the meeting. President Melton advised Ms. Horton informed him the items she had to report have already been addressed. Mr. Melton opened the floor for Public Input.

Public Input:

Mr. Narciso Valdez approached the Board to express displeasure with the charges for having a meter on a vacant property. He asked the Board if this is something to address at the Membership Meeting or at a Regular Board Meeting. Mr Melton explained this is an item for a Regular Board Meeting and provided April 5th as the next scheduled meeting.

Mr. Butler wished to compliment the Board and Executive Director for the projects the Association has undertaken. He educated the membership that the Association has been awarded over five million dollars from USDA, the Colonias Fund, and Water Trust Board. This is a very good thing that is saving the membership money. Mr. Butler suggested the possibility of a tie-in with the City of Las Cruces in the event of an emergency.

Mr. Geery asked the Board how far north the Association water lines will run. Mr. Melton advised we do not know at this time. Mr. Melton encouraged anyone who may

wish to connect to contact the office, but we are not going further north than Radium Springs at this time.

Adjournment:

Mr. Robert Owen moved to adjourn at 8:07 P.M.; the motion was seconded by Mr. Palmer. The Chair called for a vote on the motion; the motion carried unanimously.

Dr. Kurt Anderson
Secretary/Treasurer

Date

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