



Doña Ana Mutual Domestic Water Consumers Association
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The following are the minutes of the Regular Meeting of the Doña Ana Mutual Domestic Water Consumers Association Board of Directors, August 19, 2021 convened at 9:00 a.m. in the Doña Ana Mutual Domestic Water Consumers Association Board Room located at 5535 Ledesma Dr., Las Cruces, NM 88007:

Call to Order & Roll Call

President Melton called the meeting to order at 9:00 a.m. and called roll:

Vice President – Jamie Stull, Present

Secretary/Treasurer – Kurt Anderson, Present

Board Member – Paul Maxwell, Present

A Quorum was declared

Others in Attendance:

Legal Counsel- Josh Smith

Executive Director- Jennifer Horton

Office Manager- Margo Lopez

Member- Jim Hayhoe

Member- Ron Moss

Member- Bob Crowley

Approval of Agenda

Dr. Anderson moved to approve the agenda as presented; the motion was seconded by Mr. Stull. Dr. Maxwell noted Unfinished Buisness item # 4; Approval of Resolution 2021 - 14 ICIP- he proposed to replace the word “approval” with “discussion” as he did not have time to review the ICIP. He further requested to move the approval at a later date. There was no further discussion, and the approval of the addressed motion passed by roll call vote 3-1:

President– Melton; Yes

Vice President – Jamie Stull; Yes

Secretary/Treasurer – Kurt Anderson; Yes

Board Member – Paul Maxwell; No

Minutes

Dr. Anderson moved to approve the Regular Board Meeting Minutes of July15, 2021 as presented; Mr. Stull seconded. There was no further discussion, and the motion passed unanimously by roll call vote 4-0.

Dr. Anderson moved to approve the Special Board Meeting Minutes of July 28, 2021 as presented; Mr. Stull seconded. There was no further discussion, and the motion passed unanimously by roll call vote 4-0.

Customer Issues and Public Input

Mr. Hayhoe addressed the board with his concerns regarding the changeover of the ICIP priorities list and requested to have his written statement (Exhibit A -handout provided by Mr. Hayhoe) submitted into the minutes. President Melton granted his request: (refer to attachment Exhibit A).

Board President Report

President Melton stated he, Ms. Horton, and Dr. Anderson attended the State Rural Water Association Conference and gained knowledge as they learned new things on the upcoming technologies. He announced Ms. Horton as the newly elected President of NMRWA. President Melton further reported there have been no issues reported as result of inclement weather.

Staff Reports

Ms. Horton reported on items of the financials as of July 31, 2021. She stated the Bank Transaction Report listed all expenditures paid out to be standard. She further stated this would reflect the start of the fiscal year. Ms. Horton reviewed the Budget Report with \$700,000 in revenue, \$266,000 in expenditures with a net difference \$439,000. She continued with the grant expenses of \$80,000, capital purchases of \$12,000 with a total net difference of \$346,000. She reported the Balance Sheet report is the current cash position as it is currently up from last year and wrapped up the financials with the Income Statement as it ties back to the Budget Report.

Ms. Horton had no COVID related issues to report as there are no staff members quarantined for any COVID related reasons. Ms. Horton did advise as per the Governor's recent mandate all staff will resume wearing a mask regardless of vaccination status.

Ms. Horton provided project updates and reported on Southeast Collection System Phase 3. She stated the replacement of the biofilter is still being worked on and the status of the lava rock for the project has been resolved.

Ms. Horton stated the Water and Wastewater Standards are 85% complete and expect to see a draft mid- September. This project is to ensure all future developments and projects meet our standards and our expectations are clearly defined for developments.

Ms. Horton reported on the Dona Ana Village Lift Station and Force Main. She stated the project is currently 95% complete in the design phase and is pending comments and review from the Environment Department. She further stated plans are expected by the end of the month.

Ms. Horton stated the Southeast Collection System Final Phase has reached 95% completion and are currently addressing final comments from Dona Ana County. She is hopeful to begin bidding and construction in December.

Ms. Horton reported the Parking Lot Improvements final design is complete and currently waiting on permits as they have been submitted and paid for.

Ms. Horton stated West Mesa PER is currently in process and expect a draft at the end of August.

Ms. Horton shared the comments for the Dona Ana Water Tank Rehabilitation were received from NMED Constructions Programs Bureau. She further stated they are being addressed and plans were resubmitted. She is hoping to see a final approval by mid-September.

Ms. Horton reported Picacho Hills Sewer Main Protection has received the signed grant agreement and the project will now move in the queue for our engineers to begin working on the PER.

Ms. Horton stated the Letter of Conditions (LOC) from USDA RD was received and have completed 95% of the items in the LOC. She further stated it will be ready for closing instructions soon.

Ms. Horton reported she received the notice of award and the final Readiness to Proceed List for the Water Trust Board 5415. She continued to share the list should be completed and returned to Water Trust Board by the end of August.

Ms. Horton stated she received the notice of award along with the Readiness to Proceed List and expect to have the list completed and returned to Colonias Infrastructure in late September.

Ms. Horton stated she has submitted 2 applications to New Mexico Finance Authority Planning Grant to begin creating an Asset Management Plan as well as a Water Master Plan. She continued to state they contributed \$25,000 for each plan. She further stated she is in the process to find additional funds to match. Ms. Horton stated the applications are for \$50,000 each and a date for submission has not been identified yet.

Ms. Horton reported on subdivisions. She stated Legends West Phase 3B is currently under construction with 74 lots and should be wrapped up in the next 30 days.

Ms. Horton reported Vista Rancho's first set of plans have been reviewed and have provided comments back to the developer to be addressed.

Ms. Horton stated the Reyes Westwind and Shade Tree / Apple Tree Subdivisions are each beginning the subdivision process and will contain 9 lots each.

Ms. Horton stated the Wiese Development plan set was received and the review process has begun. She further stated more information is needed.

Ms. Horton shared the Flemish Subdivision will contain 87 lots in Picacho Hills. She further stated they have been provided a Will Serve Letter and is currently waiting on plans to review.

Ms. Horton wrapped up subdivisions with Valley Drive / Westwind stating they are beginning the subdivision process and will contain 200 lots.

Ms. Horton reported on other matters and stated the Operator Certification testing has been placed on a temporary hold.

Ms. Horton reported the Admin Department will soon resume working on reminder compliance letters for those who are required to have a backflow preventor device to protect the drinking water system as well as letters for grease traps. The letters for grease traps are for those who are required to have them cleaned on a certain schedule to help protect the collection lines and treatment facility.

Ms. Horton provided the Water Rights table as of July 31, 2021 and reported no changes from last month.

Ms. Horton advised homes in the Southeast Collection System area have been identified and provided information on the upcoming project. She further stated 416 qualified applications have been collected and will continue to collect applications for those who would like to connect to the project.

Ms. Horton reviewed the Customer Service Report. She reported there are 124 accounts up for disconnects which is higher than normal. Ms. Horton reviewed the current schedule, special projects, monthly penalties, and disconnections. She reviewed the Billing Summary Report. She covered the number of bills sent, the water and sewer that was billed, the number of connections and total members. Ms. Horton also reviewed the Service Orders by Area report to include the number of calls and the type of service.

Ms. Horton discussed the Pumping Data. She reported 54 million gallons was pumped for the month of July in Dona Ana, 3.7 million gallons for Ft. Selden and 15.2 million gallons in Picacho Hills.

Ms. Horton reported 73 million pumped and 63 million sold with a net loss of 13% to include flushing and breaks. She further stated the field manager is actively looking into the excess water loss.

Ms. Horton reported on the Well Data Update. She reported 3 wells currently inactive and provided updates on each of the wells: Well 7, Well 15, and Well 11.

Ms. Horton reviewed a report to show funding sources, match, loan, and grant components for each project requested from the last meeting.

Ms. Horton provided a handout on the Vactor truck Dr. Maxwell requested to see from the last meeting.

Mr. Smith stated there were no changes to report with regards to legal updates.

Dr. Maxwell stated he had questions. He asked about fire hydrant inspections and certifications. Ms. Horton stated staff has resumed and currently working in Radium Springs. She further stated Picacho Hills were inspected prior to COVID.

Dr. Maxwell inquired about the reinstatement of masks. Ms. Horton explained she will follow the reinstatement of masks on Friday for all management and staff regardless of vaccination status.

Dr. Maxwell asked Ms. Horton what the criteria will be to determine if we will need to resume split groups. Ms. Horton stated she would look at county numbers and review the restrictions put in place to follow the guidelines as best as she can. She stated she would like to remain at full capacity if at all possible and maintain the 6ft social distancing to avoid work / projects from falling behind.

Dr. Maxwell asked Ms. Horton when the 2 plants in Picacho Hills would be replaced, and Ms. Horton stated before December.

Dr. Anderson would like a vaccine requirement to be considered. He suggested 100% vaccine requirement or weekly testing for those who are not. It was agreed to have additional information available regarding cost, coverage, and legal rights at the next meeting.

New Business

None

Unfinished Business

Dr. Maxwell moved the Approval of July 2021 New Members & New Meters; the motion was seconded by Dr. Anderson. The Chair called for discussion of the motion. Ms. Horton reported 64 names on the list, 62 are new members, 6 new meters and 2 existing members. There was no further discussion. A roll call vote was taken, motion passed unanimously 4-0.

Dr. Anderson moved the Approval of Resolution 2021- 14 ICIP; the motion was seconded by Mr. Stull. The Chair called for discussion of the motion. Discussion was initiated by the public. Mr. Hayhoe introduced Mr. Ron Moss and Bob Crowley. Mr. Hayhoe continued to explain the arroyo is closer to Mr. Moss's house. He further stated Mr. Moss personally provided a large amount of funding to modify the side of the arroyo that impacts his home. Mr. Moss spoke to the board to address his observations and concerns. He stated by neglecting to take action and altering the priority of the ICIP now opens the potential of legal and environmental disasters. Ms. Horton shared her recommendations in detail for each project, in order of priority for the ICIP list and further discussion ensued. There was no further discussion, and the motion passed by roll call vote 3-1:

President– Melton; Yes

Vice President – Jamie Stull; Yes

Secretary/Treasurer – Kurt Anderson; Yes

Board Member – Paul Maxwell; No

Dr. Anderson moved the Approval of Resolution 2021 – 15 SAP 21-F2318-STB; the motion was seconded by Mr. Stull. The Chair called for discussion of the motion. Discussion was initiated by Ms. Horton. Ms. Horton stated this will authorize her as

an agent to sign on the Grant Agreement and Promissory Note for this project. There was no further discussion. A roll call vote was taken, motion passed unanimously 4-0.

Board Open Discussion

President Melton provided an article from the Sun News on a Bill with current projections for NM. He pointed out on the Bill \$355 million for water infrastructure over 5 years (to ensure clean, safe drinking water in every community).

Dr. Maxwell requests to move board meetings remotely as result of the spike in numbers related to COVID and Dr. Anderson agreed. The board agreed to hold the next meeting via Zoom.

Mr. Hayhoe stated he was professionally disappointed in the board today.

Adjournment

Dr. Maxwell motioned to adjourn at 11:08 a.m., with a second from Mr. Stull. The motion passed unanimously 4-0.



Kurt Anderson

Secretary/ Treasurer



Date

At a time when the Federal, State, County & City budgets are swollen with Relief & Recovery Funds (10's and 100's of \$M), it would appear to be the absolutely worst time to be doing a wholesale changeover of the ICIP priorities.

At a time when the Biden Administration is jamming down our throats \$1.1T in Infrastructure with the State of NM getting close to \$300B it would appear to be the absolutely worst time to be doing a wholesale changeover of the ICIP priorities

Why are you not taking a serious effort as a Board to come up with a strategy to maximize these funds for DAW and clean out a lot of the low hanging projects??

You list the Water and Wastewater Master Plan #1:

- It would seem you would want that Master Plan complete before wholesale changeover
- Every org I have been associated with internally funded Strategic/Master Planning
- What has happened to the Big Plan created around 2015/16? No longer valid?

You list West Mesa Service Project as #2:

- Did you know you would have to spend \$10M when you made the acquisition??

You list Asset Management #4:

- You don't have a current Asset Management system?
- It takes \$200K of someone else's funds to have one?

You list Picacho Hills Sewer Line Improvements as #11 from #6:

- I see the cost is now up to \$900,000, what has changed?
- Do you realize it is one of the only 3 projects currently partially funded in the proposed top 10?
- Dropping to #11 kills this project
- I plan to talk directly with Rep Terazza and Senator Steinboof crn about your disdain for the project
- What is the rationale for moving last years #13, #17 and #18 up so high on the list?

This proposed ICIP is poorly thought out, oblivious of current Federal/State resources, has not had any Board discussion up to this point – I strongly recommended that you table this vote to approve and hold a Special Board meeting to get down to brass tacks.

Exhibit A
Written and
Provided by
Mr. Jim Hayhoe