



*Doña Ana Mutual Domestic Water Consumers Association*  
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The following are the minutes of the Regular Board Meeting of the Doña Ana Mutual Domestic Water Consumers Association Board of Directors, January 3, 2019 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 – Dan Hortert, Present

Board Member – Paul Maxwell, Present

A Quorum was declared

### **Others in Attendance:**

Executive Director – Jennifer Horton

Legal Counsel – Josh Smith

Community Members – Russel Stryker, Jim Hayhoe

### **Approval of Agenda**

Dr. Anderson moved to approve the agenda for the January 3, 2019 Regular Board Meeting as presented; the motion was seconded by Dr. Maxwell. The Chair called for discussion of the motion. Ms. Horton requested Item Seven be updated to reflect ‘membership meeting’. Dr. Anderson amended his motion to accept the change; Dr. Maxwell seconded. The Chair called for a vote on the amended motion. The motion carried by roll call vote 5-0.

## **Minutes**

Mr. Hortert moved to approve the Regular Board Meeting Minutes of December 6, 2018 as presented; the motion was seconded by Dr. Anderson. The Chair called for discussion of the motion. None was brought forward. The Chair called for a vote on the motion; the motion carried by roll call vote 5-0.

## **New Members & New Meters**

Dr. Anderson moved to approve the New Members and New Meters list as presented. Dr. Maxwell seconded the motion. The Chair called for discussion of the motion. Ms. Horton advised we have twenty-one (21) names on the list. Thirteen (13) are new members, and we have eight (8) new connections. The Chair called for a vote on the motion; the motion carried by roll call vote 5-0.

## **Customer Issues and Public Input**

Mr. Russell Stryker presented to the Board concerns regarding his meter that has read extremely high usage. Mr. Stryker has potholed every ten feet on his entire property in search of a potential leak, including having his septic tank inspected. No leak has been found at this time, and nothing has changed in his home. The plumber he contacted could also find nothing. Mr. Stryker is at a loss and is requesting his meter be further reviewed for anomalies. He did complete the data logging and meter testing to determine if the meter was faulty. Whereas the meter testing produced results within the variance, his data log came back with variations that will need to be further reviewed. Dr. Maxwell requested clarification as to our meter testing procedures. Ms. Horton explained an interim meter is put in place when we pull the protested meter. The meter testing is completed at NMSU by a third party. The Board and Ms. Horton requested additional time to look into the anomalies.

## **Board President Report**

Mr. Melton advised the change orders from the Via Norte Project in Picacho Hills and the Radium Springs rehab are progressing. The wastewater treatment plant (WWTP) is still in the dirt work phase of construction. Actual construction for the WWTP will not begin until storm water issues and the retaining wall can be addressed. Southeast Collection Phase II construction has not begun. The funding is only available for ninety days, and the delay now moves the project to forty-five days. The project cannot go beyond this as it affects our future funding applications. The vandalism at the tank in Picacho Hills has not led to any discovery of the vandal. The Board proposed beginning research of further surveillance or security monitoring at our tank sites.

Well eleven and fifteen are still pending. The plugging application for well eleven has been approved and well fifteen's documents are at the firm NMED hired in Massachusetts. Well two is still being worked on. All legal matters are pending. The private purchase of a water system is complete. We will be sending a welcome letter to West Mesa as we complete the beginning stages of the transition.

Mr. Melton asked Ms. Horton about current staff. Ernest Armendariz passed his Level III Wastewater Exam. He is now a double three in water and wastewater. We currently have four vacancies for hire in Operations.

## **Staff Reports**

Ms. Horton summarized the reports regarding pumping data and financials. Dr. Anderson inquired about return flow credits with the City of Las Cruces. Ms. Horton will look into this. Our training program for Operations is continuing with four testing on the first of February. We are in the midst of funding applications and subdivisions are being reviewed. Ms. Horton has been reviewing the subdivisions in depth with the impact this growth has, and we need to know how the Board would like to proceed regarding water rights. Do we begin the process of having developers bring water rights to the table? Mr.

Hortert advised in many locations anything over five homes is considered a subdivision and at that point the developer has to bring water rights to the table. The cumulative impact or total plan for development, not phases, is what we need to be aware of and evaluate. The Board agreed we need to have the developer begin bringing water rights with the threshold beginning at ten lots. This would potentially eliminate the water right fee we charge a developer. Mr. Smith will begin drafting the Resolution.

The Annual Membership Meeting is January 30, 2019 at 7:00 p.m.

Mr. Hortert was excused from the meeting at 10:30 a.m. A quorum was maintained.

### **New Business**

None

### **Unfinished Business**

Dr. Anderson moved to approve Resolution 2019-01 Open Meetings Act; the motion was seconded by Dr. Maxwell. The Chair called for discussion of the motion. There are no changes other than the date for this document. The Chair called for a vote on the motion. The motion carried by roll call vote 4-0.

Dr. Anderson moved to approve Resolution 2019-02 Colonias Application for the Dona Ana Village System; the motion was seconded by Dr. Maxwell. The Chair called for discussion of the motion. Ms. Horton advised this application is for planning and design to rehab the wastewater system in the Village; to include the force main and lift station. This system is extremely fragile and has not been rehabbed since the late nineties. The total is for \$225,000 for a ninety percent grant, ten percent loan with a ten percent match. The Chair called for a vote on the motion. The motion carried by roll call vote 4-0.

Dr. Maxwell moved to approve Resolution 2019-03 Colonias Application for the Southeast Collection System; the motion was seconded by Mr. Stull. The Chair called for discussion of the motion. Colonias Infrastructure has a limit of 1.35 million dollars for applications this year that is allowed to be requested in full or split between two applications. This is for the second application that would continue the wastewater for Southeast Collection. This is strictly for construction with the same structure of ninety percent grant, ten percent loan with a ten percent match. The Chair called for a vote on the motion. The motion carried by roll call vote 4-0.

Dr. Maxwell moved to approve the Annual Membership Meeting Agenda; the motion was seconded by Dr. Anderson. The Chair called for discussion of the motion. This is a very standard agenda. The engineering firm is typically who presents the report listed on the agenda however Ms. Horton is listed at this time until we know who our new engineering firm will be. Mr. Hayhoe inquired if the report will include an update on the Radium Springs project and where we are with the fire hydrant testing program. Ms. Horton reassured that the project update will be included in the report and clarified that the Radium Springs Rehab is a three hundred day contract. The Chair called for a vote on the motion. The motion carried by roll call vote 4-0.

Dr. Maxwell moved to approve RFP 2018-04 Field Management for Water and Wastewater Operations; the motion was seconded by Dr. Anderson. The Chair called for discussion of the motion. Ms. Horton reminded the Board of the approval passed in the summer of 2018 for the hire of a second Field Manager. We have struggled to find a double four certified operator to fill this role. Ms. Horton met with New Mexico Rural Water and we have an opportunity to contract with them to hire the new Field Manager. The individual we have found has experience with valve and hydrant exercises. The new position will oversee Picacho Hills, West Mesa, the wastewater system, and the valve and


hydrant program. This will allow each manager to concentrate on each of their designated areas. Ms. Horton does need to advise that she is a member of the Executive Board for NMRWA, but she did not participate in this contract. NMRWA will handle any benefits, taxes, insurance, and appurtenances for this contract. The Chair called for a vote on the motion. The motion carried by roll call vote 4-0.

**Open Discussion**

The Board of Directors requested Ms. Horton begin researching the potential costs of additional security measures at our tank sites. Dr. Anderson is interested in the additional data for Mr. Stryker’s account. Mr. Melton asked about the Fairview wells. Ms. Horton explained they will be plugged. The Board would like to begin looking into the potential of return flow credits.

**Adjournment**

Dr. Maxwell moved to adjourn at 11:10 a.m., with a second from Dr. Anderson. The Chair called for a vote on the motion. The motion carried by roll call vote 4-0.

  
Kurt Anderson  
Secretary/ Treasurer

2/21/2019  
Date