



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, February 21, 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 9:15 a.m. and called roll:

Vice President – Jamie Stull, Absent

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

Approval of Agenda

Dr. Anderson moved to approve the agenda for the February 21, 2019 Regular Board Meeting as presented; the motion was seconded by Mr. Hortert. The Chair called for discussion of the motion. None was brought forward. The motion carried by roll call vote 4-0.

Minutes

Dr. Anderson moved to approve the Regular Board Meeting Minutes of February 7, 2019 as presented; the motion was seconded by Dr. Maxwell. The Chair called for

discussion of the motion. Dr. Anderson requested the minutes reflect who administered the oath of office. Mr. Melton requested Dr. Maxwell's name be corrected from 'Mr.' to 'Dr.' The Chair called for a vote on the amended minutes; the motion carried by roll call vote 4-0.

New Members & New Meters

Dr. Maxwell moved to approve the New Members and New Meters list as presented. Dr. Anderson seconded the motion. The Chair called for discussion of the motion. Ms. Horton advised we have three names on the list as Mr. Diaz is a duplicate. All are new members and meters. The Chair called for a vote on the motion; the motion carried by roll call vote 4-0.

Customer Issues and Public Input

None

Board President Report

Mr. Melton opened the floor to the three Board Members who attended Colonias Day in Santa Fe. Dr. Anderson advised this year was fairly standard. All noted the event is not well organized. Dr. Maxwell noted Dr. Anderson represented the Association well with the Governor. The Board agreed to be proactive and put together a check list for the next Colonias Day to attempt to be more productive.

Mr. Melton reported the projects continue and Radium Springs continues to experience line breaks throughout the construction. Well two's repairs continue, and wells eleven and fifteen remain under review in Massachusetts through NMED. All legal items are pending. We will be hosting a public meeting for the new members in West Mesa on March 20th at Fairacres Elementary. We have sent the second notice to the new

customers reminding them of their deadline on April 24th to complete their membership forms. We have 112 possible new connections.

Staff Reports

Ms. Horton summarized the reports from customer service, operations, and financials.

Projects are a consuming dynamic at this time. Via Norte is going well, with the tank construction set to begin any day. We do anticipate a finish date for end of March. Radium Springs has begun drilling the first well and the progress is good. We do have many line breaks on this project, but it was to be expected with the fragility of that system. File Construction is ahead of schedule; however we are experiencing an issue with a granted easement. The individual who agreed and signed the contract is now upset with the location of the pipe. A plat of survey was provided with the easement when signed. The equipment for the wastewater treatment plant (WWTP) has been ordered and may create a stop of work until it arrives.

Southeast Collection Phase II has been a major challenge. The contractor's substantial completion date should have been Tuesday February 4th, and SmithCo is not close to being finished. The contractor has been put on notice for liquidated damages until they reach substantial completion of the project. We are now on change order fourteen for forty-five days' worth of work. The contractor has been pushing for additional time, however the contract was only for ninety days and they did not begin work until forty-five days into the contract. The job needs to be completed based off their bid. While there are always unknowns in the field, this contractor did not complete due diligence in the field prior to beginning construction. The amount of time and resources that go into a contractor of this nature is very consuming. Our engineering firm, SMA, is tasked with reviewing the change orders and presenting their recommendations to the

Association. As we are not licensed P.E.'s we will follow the design recommendations from SMA.

Ms. Horton is reviewing additional security measures for all of our tanks. Columbia Elementary School is going to be torn down. We are their service provider so we should be expecting to see their future plans as the new school is scheduled to be built close to the existing structure. Ms. Horton advised subdivision plan set reviews continue. The developer of Rancho Del Gallo and the owner of Casa De Oro have partnered to continue their sewer services. There are challenges with this as SMA was hired by Casa De Oro to complete a design for a lift station and connection, and then we reviewed those plans and approved that plan set with a letter of conditions. The original plan set review occurred in May of 2018. In October the contractor for Casa De Oro called as they were ready to begin construction. We had not received anything from the letter of conditions at that time. When Ms. Horton spoke with SMA she was advised Casa De Oro had changed their plan set. The changes were never communicated to Dona Ana Water, and all parties were informed that we needed the new plan set to review for approval before connection to our service would be allowed. In December 2018 the contractor called requesting to tie into our system as their construction was complete and they were denied as we do not know what the contractor has done. Ms. Horton called the owner of Casa De Oro asking where the plan sets were. The plan set for Casa De Oro arrived yesterday, February 20, 2019. They do want to own their lines. There are issues with this subdivision that have not been addressed by the developer and will not be approved until all of the conditions are met. As a reminder, everything we review and would do on our own projects is the standard we hold for developers as we ultimately will own this infrastructure. Our plan set reviews function on a first in basis for the order received. Mr. Weise's contract will expire in 2021 for potential sewer services, however the plans that have been submitted are not approved and the permits they had have expired. This project is a long way out.

New Business

None

Unfinished Business

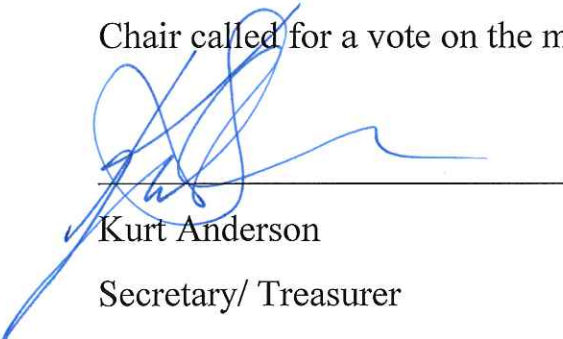
Dr. Maxwell moved to approve Resolution 2019-04; the motion was seconded by Mr. Hortert. The Chair called for discussion of the motion. Ms. Horton advised this is the resolution that will begin the process of having developers bring water rights to the table for ten lots or more in lieu of us charging a water right fee. The Chair called for a vote on the motion. The motion carried by roll call vote 4-0.

Open Discussion

Mr. Melton inquired as to when we would need to begin researching a new rate study. Ms. Horton advised this would begin possibly around the five year mark.

Adjournment

Mr. Hortert moved to adjourn at 11:08 a.m., with a second from Dr. Maxwell. The Chair called for a vote on the motion. The motion carried by roll call vote 4-0.



Kurt Anderson
Secretary/ Treasurer



Date