



*Doña Ana Mutual Domestic Water Consumers Association*  
*Mailing Address: P.O. Box 866 • Doña Ana, NM • 88042*  
*Physical Address: 5545 Ledesma Dr. • Las Cruces, NM 88007*  
*(575) 526-4491 Office • (575) 526-9406 Fax*

The following are the minutes of the Regular Board Meeting of the Doña Ana Mutual Domestic Water Consumers Association Board of Directors, May 17, 2018 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 – Dr. Kurt Anderson, Present

Board Member – Dan Hortert, Present

Board Member – Tod Roberts, Present

A Quorum was declared

### **Others in Attendance:**

Executive Director – Jennifer Horton

Legal Counsel – Joshua Smith

Community Member – Jim Hayhoe

### **Approval of Agenda**

Dr. Anderson moved to approve the agenda for the May 17, 2018 Regular Board Meeting as presented; the motion was seconded by Mr. Roberts. The Chair called for discussion of the motion. The Chair called for a vote on the motion. The motion carried by roll call vote 5-0.

## **Minutes**

Dr. Anderson moved to approve the Regular Board Meeting Minutes of May 3, 2018 as presented; the motion was seconded by Mr. Hortert. The Chair called for discussion of the motion. Mr. Melton requested that the training discussion under Open Discussion be updated to reflect the Association agreed to a portion of two days for training, not two full days. Dr. Anderson amended his motion which was seconded by Mr. Hortert. The Chair called for a vote on the amended motion; the motion carried by roll call vote 5-0.

## **New Members & New Meters**

Mr. Stull moved to approve the New Members and New Meters list as presented; the motion was seconded by Dr. Anderson. The Chair called for discussion of the motion. Ms. Horton advised we have thirty-three names on the list; twenty-eight are new members and we have 7 new meters. The Chair called for a vote on the motion; the motion carried by roll call vote 5-0.

## **Customer Issues and Public Input**

None

## **Board President Report**

Mr. Melton reported things have been fairly calm around the Association.

## **Staff Reports**

Ms. Horton advised our staff has been out in Radium Springs completing locates to prepare for our upcoming water improvement project. Radium Springs and the Picacho Hills Wastewater Treatment Plant (WWTP) are being advertised for bids. Both bids are scheduled to open in June. We should know who our apparent low bidders are by the end of June, however we do not have a time frame on how long it will take USDA to approve

the contractor to begin construction in Radium Springs. The WWTP will move faster toward construction as this is funded through New Mexico State and their process is fairly cut and dry. We should have the notice of award prepared to announce in early July. Via Norte has officially begun construction in Picacho Hills and pipe will begin being installed. This does involve milling into a few intersections in order to connect to existing lines. We only know the vicinity of the existing line, not an exact location at this time. There have been some challenges involving the requirement for American iron and steel products, which are very hard to obtain and now have a very long order time. In the process from the time we opened the bid to the time we awarded the bid the waiver for bolts expired. The contract was bid with the waiver in place and now the bolts must be American iron and steel, which results in a very large price difference of thirty (30) thousand dollars. NMED and EPA have a very firm stance in this expiration date. An alternative bolt submittal may be an option that is currently being reviewed. We will continue to experience these situations over the next few construction projects involving Federal funds. As waivers expire, EPA is not renewing them and at this time the reasons are unknown, but this does drive costs and time frames up. We will continue to resolve these issues as they arise.

We have two different contracts on the agenda today. The first one involves the Radium Springs project. In April, Ms. Horton visited with the program director for the State of New Mexico and our local loan specialist regarding this project. The original plan for Radium Springs was to pull the pumps and upsize them at well 9 and well 10 in order to have enough pressure to not utilize the current booster station. The only way to complete this was to replace the pumps. Both wells have now started to pump sand and it is not ideal to spend significant funds on nice new pumps when they are pumping sand that could tear them up. We have attempted to fix these wells multiple times. USDA has agreed to accept a change order or addendum before we open the bid to allow us to drill two replacement drills as long as there is sufficient funding. We will not know if this is



possible until we receive the bids. It all depends to prices we receive compared to the amount of funding we have. The tanks are currently in good condition. This project is about 44,000 feet of water line.

The WWTP is also under bid, but at this time we do not expect any modifications between now and the bid opening on June 19<sup>th</sup>. We have spent a lot of time on this design. There are potential additions if funding is available.

The second contract on the agenda today involves the Southeast Collection environmental assessment. We are currently putting in an application to USDA for funding to complete this sewer system. We have been advised the funds are available to complete the project, however we must update our environmental assessment and bring it into compliance with the current format to complete the application. We will know if we are awarded this within about 90 days after the submittal, with a potential for 9 million dollars in funding. USDA has changed the way they complete their funding. Should this be awarded, we will have to go to a local bank for interim financing for the construction portion. Once construction is completed USDA will step in to pay off the loan.

Four of our staff went to Espanola to test for their next level certifications. Three of the four did not pass, but only missed the next level by a few points. This is still an improvement in our program. NMED has rejected well 11 connecting to our system and once we receive the letter providing the reasons we will review to attempt to correct the issues in order to resubmit. Ms. Horton also presented the well data chart to the Board with the information we have been able to collect thus far.

### **New Business**

None

## Closed Session

Mr. Hortert moved to enter closed session at 9:25 a.m.; the motion was seconded by Dr. Anderson. The Chair called for a vote on the motion; the motion carried by roll call vote 5-0.

As authorized by the Open Meetings Act, New Mexico Statutes Annotated, Section 10-15-1, Subsections H (2), H (7) and H (8), the following portion of the Board Meeting will be conducted in Closed Session:

1. Personnel Matters – Pay Increase for Jennifer Horton

Take action, if any, on Closed Session Items

At 9:40 a.m. Dr. Anderson moved to exit Closed Session; Mr. Roberts seconded the motion. The Chair called for discussion of the motion. The Chair called for a vote on the motion; the motion carried by roll call 5-0.

A recess was called from 9:40 a.m. to 9:45 a.m.

At 9:45 a.m. Dr. Anderson moved to exit Closed Session and enter back into Open Session; Mr. Roberts seconded the motion. The Chair called for discussion of the motion. The Chair called for a vote on the motion; the motion carried by roll call 5-0.

At 9:45 a.m. Mr. Melton stated as authorized by the Open Meetings Act, New Mexico Statutes Annotated, Section 10-15-1, Subsections H (2), H (7) and H (8), the following portion of the Board Meeting was conducted in closed session:

1. Personnel Matters – Pay Increase for Jennifer Horton

Mr. Melton advised as a result of the discussion held in Closed Session we do need to take action. Mr. Hortert moved to approve the incremental wage increase in accordance with the established staff policy for Ms. Horton due to successfully passing her Level II Wastewater Certification. The motion was seconded by Dr. Anderson. The Chair called for discussion of the motion. The Chair called for a vote on the motion; the motion carried by roll call vote 5-0.

### **Unfinished Business**

Dr. Anderson moved to approve contract 6323822 Radium Springs Water System Improvement Project; the motion was seconded by Mr. Roberts. The Chair called for discussion of the motion. Ms. Horton advised this is the contract discussed in her earlier report that will allow Souder, Miller, and Associates to design the wells and authorize them to complete the bidding and construction observation. They will also file the required permits. The Chair called for a vote on the motion; the motion carried by roll call vote 5-0.

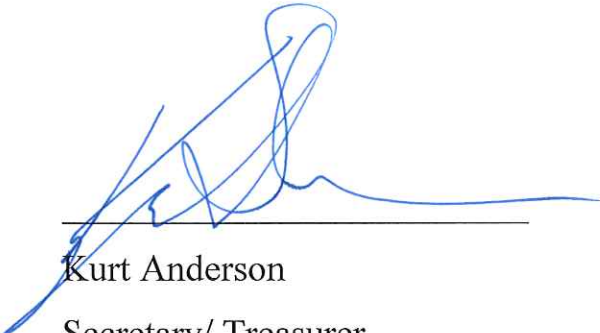
Dr. Anderson moved to approve contract 6326344; the motion was seconded by Mr. Hortert. The Chair called for discussion of the motion. Mr. Hortert inquired about the regulations requirements. Ms. Horton clarified that when the new program director for the State of New Mexico was appointed she changed the process for the entire State on how E.A.'s and P.E.R.'s are completed. This does not follow what other agencies do so if there are multiple entities involved there have to be separate versions. The Chair called for a vote on the motion; the motion carried by roll call vote 5-0.

Open Discussion

Dr. Anderson expressed gratitude in having the well data presented.

Adjournment

Mr. Stull moved to adjourn at 9:54 a.m., with a second from Mr. Hortert. The Chair called for a vote on the motion. The motion carried by roll call vote 5-0.



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Kurt Anderson  
Secretary/ Treasurer

6/7/2018  
Date