



Doña Ana Mutual Domestic Water Consumers Association
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The following are the minutes of the Special Board Meeting of the Doña Ana Mutual Domestic Water Consumers Association Board of Directors, July 8, 2019 convened at 10:30 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 10:30 a.m. and called roll:

Vice President – Jamie Stull, Present

Secretary/Treasurer – Kurt Anderson, Present

Board Member – Paul Maxwell, Excused Absence

A Quorum was declared

Others in Attendance:

Legal Counsel – Josh Smith

Executive Director – Jennifer Horton

Approval of Agenda

Dr. Anderson moved to approve the agenda for the July 8, 2019 Regular Board Meeting as presented; the motion was seconded by Mr. Stull. The Chair called for discussion of the motion. No discussion.

The Chair called for a vote on the motion. The motion carried by roll call vote 3-0.

Minutes

President Melton moved to approve the Regular Board Meeting Minutes of June 20, 2019 as presented; a motion by Mr. Stull and seconded by Dr. Anderson. The Chair called for discussion of the motion. No discussion.

The Chair called for a vote on the minutes; the motion carried by roll call vote 3-0.

New Business

None

Customer Issues and Public Input

None

Consent Agenda

None

Closed Session

President Melton moved to enter closed session at 10:37 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 3-0.

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. Real Property and Water Rights Acquisition
 - a. Discussion of Potential Water Rights Purchase

At 10:48 a.m. Dr. Anderson moved to exit Closed Session and Mr. Stull 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 3-0.

At 10:49 a.m. Dr. Anderson moved to go into Open Session and Mr. Stull 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 3-0.

President Melton at 10:49 a.m. 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. Real Property and Water Rights Acquisition
 - a. Discussion of Potential Water Rights Purchase

Mr. Melton advised as a result of the discussion held in Closed Session, they will proceed to discuss and potentially take action on Water Rights Purchase Agreement as listed under unfinished business.

Unfinished Business

Motion by Dr. Anderson for approval with a seconded motion by Mr. Stull. The Chair called for discussion of the motion. Discussion; by Jennifer Horton, with a recommendation that they approve the contract to purchase 230.51acre feet of ground water rights from Bueno Vista Dairy at a price of \$4,000 per acre foot for public use at a price \$922,061. It is recommended that \$700,000 be funded out of checking account, currently unrestricted and the remaining balance \$222,061 from the restricted funds in

the investment account. The Chair called for a vote on the motion; the motion carried by roll call 3-0.

Board Open Discussion

USDA letter will recommend approval for Southeast Collection project. This project has 1100 homes and project funding includes connections and impact fees for roughly 75 hours. However, there is an additional \$800,000 from the state for construction which will allow more USDA to go toward more connections. USDA no longer does interim financing. The Association will need to seek construction financing through a local bank. While seeking funding from a bank we will need to hold multiple public meetings to get people to sign up. Ms. Horton did not recommend moving forward with the project if there is not a 50% connection ratio.

We continue to have challenges with the wastewater construction project. However, they are getting resolved. The most recent issues involved incorrect elevations mostly due to surveying errors on Souder Miller and Associates part.

Ms. Horton provided an update on year end activity, budgets, ICIP and in-home projects for the new year. Ms. Horton stated that as part of the budget wish list items, it is to include a dump truck. However, it will not be purchased until four (4) CDL Class A drivers are on staff.

Mr. Melton inquired about the current county relations with the engineering department. Ms. Horton stated things have not changed.

Ms. Horton stated there are continuous challenges on Rancho Del Gallo with the contractor and developer following construction procedures, such as not calling for instructions while

performing milestone activities. Ms. Horton brought to the attention of the Board of Directors that while the contractor worked on a force main in Rancho Del Gallo that contractor did not support or protect that force main, causing it to break and leave the public without water. They would not repair it. The Association had its operations team repair the force main and restore water to the public. The Association will be submitting an invoice to the developer for reimbursement of cost.

Ms. Horton brought up the fact that Mr. Wiese has a contract to expire in 2021 with an option for renewal. The Board of Directors will need to decide if they will extend it for five (5) years. Ms. Horton will bring the contract forward for discussion and potential action later this year.

Mr. Melton inquired about our relationship with the new golf course owners. Ms. Horton replied, “fantastic” and she is super pleased with them.

Mr. Melton inquired about the Radium Springs project and current pressure. Ms. Horton advised it is currently in construction and pressure will remain low until the new booster station comes online.

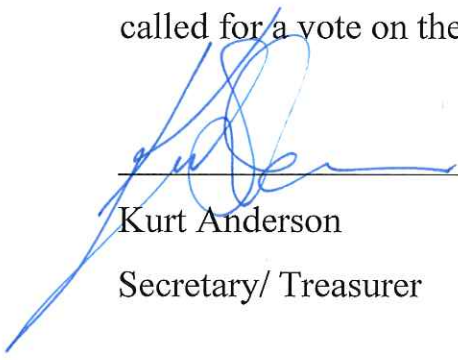
Mr. Melton inquired about Picacho Hills and Coronado Ridge. He asked if everything was resolved. Ms. Horton stated it was not our issue. It is a dispute between a neighbor and developer and that all subdivisions are to connect to their intended stub out for their lot.

Mr. Melton suggested that the Board of Directors review and adjust the water right fee.

Mr. Melton congratulated Ms. Horton on the completion of her Level IV Wastewater. Ms. Horton advised that newly hired, Jerod Madrid passed his Level III Water as well.

Adjournment

Dr. Anderson moved to adjourn at 12:23 p.m., with a second from Mr. Stull. The Chair called for a vote on the motion. The motion carried by roll call vote 3-0.



Kurt Anderson
Secretary/ Treasurer

7/18/19
Date