



*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, May 21, 2020 convened at 9:05 a.m. telephonically.

### **Call to Order & Roll Call**

President Melton called the meeting to order at 9:05 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

### **Approval of Agenda**

Dr. Anderson moved to approve the agenda as presented; the motion was seconded by Dr. Maxwell. The Chair called for discussion of the motion. There was no discussion. The Chair called for a vote on the motion. The motion carried by roll call vote 4-0.

### **Minutes**

Dr. Maxwell moved to approve the Regular Board Meeting Minutes of May 7, 2020 as presented; the motion was seconded by Dr. Anderson. The Chair called for

discussion of the motion. Discussion was made by Dr. Maxwell. Dr. Maxwell noted minor editorial changes to be made. In Open Discussion, page 8; last sentence, “address” should be changed to “addressed.” Page 10 last paragraph; 3<sup>rd</sup> line “He ask” should reflect “He asked” and on page 11, second paragraph; first line “Rudy Martinez” should be “State Representative Rudy Martinez.” President Melton also addressed page 10 second paragraph; 3<sup>rd</sup> line from the bottom, “Legal Council” to correct the spelling of “Counsel.” Dr. Anderson stated on the last paragraph; 5<sup>th</sup> line “solely” to be corrected to “solely.” President Melton stated page 6, last paragraph; first line “congressional delegation” should be capitalized; “Congressional Delegation.” There was no further discussion. Dr. Maxwell moved to approve the notes as amended with a second by Dr. Anderson. The Chair called for a vote on the minutes; the motion carried by roll call vote 4-0.

### **Approval of New Members & New Meters**

Dr. Maxwell moved to approve the New Members and New Meters as presented; the motion was seconded by Dr. Anderson. The Chair called for discussion of the motion. Discussion was made by Ms. Horton as she stated there were 8 names on the list, 7 were new members, 1 existing member and no new meters. Ms. Horton was asked what the total membership was. Ms. Horton stated as of end the April the total membership reflected 4,645. President Melton asked why Ms. Abeyta on the list had no charges. Ms. Horton stated Ms. Abeyta was the existing member on the list. There was no further discussion. The Chair called for a vote on the motion. The motion carried by roll call vote 4-0.

### **Customer Issues and Public Input**

Niel Campbell, Vice President for Hakes Brothers Home Builders in the Rio Grande Division asked the board to consider changing the current policy during the COVID-

19 pandemic of no new meter installations. He proceeded to share his understanding in the Association wishing to keep their technicians safe and ensures they too encourage social distancing and safe practices for their team. He further expressed the economic implication's the virus has placed and the compounding effect it would have on the thousands of businesses in the Dona Ana County. He asked they consider single technicians to install meters in the Rancho Del Gallo subdivision. He further stated in a rare case that a second technician be needed, distancing protocols should be implemented. He continued to state our current situation could last for up to a year and did not feel comfortable building homes that would be useless without connection to a water service. He asked to work together to find a viable solution to this problem as other entities they work with can provide water meters in a safe manner during our current crisis. Mr. Stull asked if there were water stub-outs in Rancho Del Gallo. Mr. Campbell advised there were stub-outs within each lot, with 100 lots ready for homes to be built on. Ms. Horton stated she would consider Rancho Del Gallo, Legends West and Elks View Estates a defined subdivision, that have the infrastructure in for water, sewer, gas and electricity. She further stated in those cases a single technician should be able to complete the meter installation. However, in other cases where the service line may be old or faulty and may need to be redone, it will require multiple people to complete the install as they would have to cut pavement, have heavy equipment on site and re-tap. Ms. Horton shared her full support with Hakes Brothers. In cases where a meter install can be performed by a single technician she recommends moving forward with the installations and handling them on a case by case basis. The board came to the consensus they would allow meter installations with the understanding they can be done by a single technician while practicing social distancing and safe practices and all others handled on a case by case basis at the discretion of the Executive Director.

### **Board President Report**

President Melton discussed the document received by New Mexico Environment Department (NMED) on the COVID-19 Safe Practices and the board asked for it to be forwarded.

President Melton advised there should be an alert to staff regarding sanitizing materials; such as hand sanitizer and wipes being left in vehicles. He stated with extremely warm weather it can accelerate the evaporation of the alcohol and stated they would not be sanitizing with the proper protection should the alcohol be evaporated.

### **Staff Reports**

Ms. Horton discussed the Pumping Data Report. She stated the report is for the Dona Ana, Ft. Selden and Picacho Hills system and discussed where it relates to those months and prior years. She continued to state Ft. Selden is a little high due to the flushing with the current project.

Ms. Horton moved on to the Pump vs Sold Report. She stated there is an average of 11% loss for the year and does not include flushing or any breaks. She continued to state there has been an excessive amount of flushing in the month of April due to a disturbance in the Dona Ana system which took several days to get it settled.

Ms. Horton reviewed the Monthly Penalties Report and pointed out March and April have been trending up as members are not paying their bill during the COVID-19 crisis. She reminded the board although there are no disconnections at this time, the penalties will still apply.

Ms. Horton discussed the Disconnections Report and stated March and April reflect zero, as this was due to COVID-19 and the suspension of disconnections at this time.

Ms. Horton reviewed the Billing Summary Report. She stated 5,849 bills were sent out at \$255,326 for water and \$52,136 for sewer, with a total of 5,799 active accounts and 4,645 members. Ms. Horton advised there is a total of 6,001 meters in the ground however, several of them are not currently active.

Ms. Horton held discussion on the Check Reporting and stated \$852,000 were in expenditures and stated approximately ½ of it is current projects in construction waiting on reimbursements. She pointed out supplies were lower, due to the hold on new service installations there were no supplies needed.

Ms. Horton reviewed the Budget Report. She stated year to date as of 4/30/2020 there was \$4.4 million in revenue and \$4.45 million in expenditures. She advised at this point the Association is not covering the expenditures, as this was to be expected during the current crisis. She stated she is not too concerned at this point but does expect to finish the year with a deficit for the operation budget. Ms. Horton did advise the funds will be recovered; however, it may be several months later.

Ms. Horton discussed the Balance Sheet Report. She stated it is a snapshot as of 4/30/2020 showing the cash position of the Association. Ms. Horton stated the Association is in a good cash position to cover what is current in losses right now.

Ms. Horton reviewed the Income Statement Report. She stated it matched back to the budget showing a deficit of \$45,000.

Ms. Horton discussed the progression of current projects. She stated Radium Springs is ready to start the cut and caps and will post notices regarding the scheduled outages once a schedule is received.

Ms. Horton advised she is waiting on confirmation for Well 11 from El Paso Electric to ensure it is the right size transformer before starting up the well again. Once it is confirmed Well 9 and 10 will be cut over.

Ms. Horton stated Southeast Collection is back in construction with materials that have arrived. Pipe is being installed and as easements get signed, we will continue to issue change orders for the side roads to get them installed. Ms. Horton advised she hopes to have that phase of the project completed in 120 days.

Ms. Horton mentioned the Wastewater Treatment Plant is working on by-pass pumping while conducting the rehab to the basins. She stated the plant and effluent have been continuously monitored to ensure permit conditions are met, which at this time they are.

Dr. Anderson asked about Well 7. Ms. Horton stated materials are expected to arrive at the end of the month and then drilling should begin.

Dr. Maxwell asked Ms. Horton if she was aware of any issues with Picacho Hills Country Club involving Dona Ana MDWCA. Ms. Horton stated she was not and asked Dr. Maxwell if he was aware of any issues. He stated he was aware there were issues through different sources. Ms. Horton asked if he would like to share those issues at that time and Dr. Maxwell stated he would not.

Dr. Maxwell asked Ms. Horton if she was going to discuss policies and changes. Ms. Horton stated as previously addressed in the last meeting she would discuss them in June. Ms. Horton stated she did not have any revisions at this time. Dr. Maxwell stated it would be helpful for him to see the policies in advance and asked if she would send them next week. Ms. Horton stated she would try. President Melton asked if Ms. Horton anticipated any significant changes to propose for the policies. Ms. Horton stated the customer handbook has minimal revisions, however there would be a few things to the employee handbook, such as social media and things that are employee related that do not impact the customers. Dr. Maxwell addressed matters related to the Annual Meeting and policies related to the Election Procedures, should be considered. Ms. Horton stated those matters are not in the customer handbook. President Melton advised Dr. Maxwell his topics to be considered are not customer policies. Ms. Horton briefly explained the customer policies and shared the current revisions; such as to update the Water Rights Fee from \$1,750 to \$2,000 and including payment options through the IVR system and Text to Pay.

President Melton advised Dr. Maxwell to submit a proposal to the general board discussion to include the matters related to the Annual Meeting and Election Procedures. Dr. Maxwell referenced the Customer Policies and Procedures; Board of Directors Election Procedures stating it is found on the last page of the customer policy book. Ms. Horton asked Legal Counsel, Mr. Smith for clarification. Mr. Smith stated the election process is defined by the By-Laws. He further stated it is placed in the policy manual to provide customers that information. Mr. Smith stated he would look further into it. Dr. Maxwell suggested to proceed with changes in the handbook and consider moving Election Procedures somewhere where it is more evident. He suggested under By-Laws instead of placing them in the Customer Policies and Procedures Handbook.

President Melton inquired about the success of obtaining the remainder of the easements. Ms. Horton stated most have signed the easements and 2 of the private roads, the owners are not interested in sewer service.

Ms. Horton had discussion on several projects in design. She stated the Dona Ana Village System PER is being done and then it will move on to design. She mentioned the design of the rehab for the 4 Dona Ana tanks are in progress. Ms. Horton stated the remainder of the Southeast Collection System has approximately \$15 million for funding and is about 40% through design. She also discussed the plans for the design of the parking lot / covered storage. Ms. Horton stated plans were received and were at 60%. She stated she will be meeting with the engineering company next week to discuss any changes and comments then they will proceed to final design. Once final design is complete, she will decide if they will move into construction or wait and let the economic situation recover.

Ms. Horton reported there are no positive cases of COVID-19 and no one is on quarantine. Ms. Horton advised she is staying on top of the Governor's response and phase planning to reopen. She further stated she has reviewed the guide the Governor's team has released on May 15, 2020 and stated the suggested practices have been put into place prior to the release. After review, Ms. Horton stated she has revised our current Emergency Response Plan to include her recommendations (all topics in red are either modified, new or has been changed) as follows: #2) Drive-thru operations, #3) Overtime pay, #5) Payment options (drop box location), #7) New connection installations, #9) Non-essential travel, #10) Face masks, #11) Staff screening questionnaire (COVID-19-Safe Practices for All Employers), #12) Temperature readings, #13) Ridesharing, #14) Disinfection of tools/equipment and #17) Board Meetings to resume. Dr. Maxwell suggested language to clarify Ms. Horton has the



authority to consider other new meter installs on a case by case basis in reference to #7 in the revised Emergency Response Plan. Dr. Maxwell also addressed #14 in the plan. He suggested to add the word “vehicle” to “always sanitize items in the vehicle after use, especially before and after any shift change.” President Melton recommended on #11 to add the word “shift” instead of “every day” to “Beginning Tuesday May 26, 2020, we will begin screening our staff every shift.” He continued to point out a typographical error and suggested to add a second “L” to “All Employers” at the end of the sentence.

President Melton inquired about establishing a policy scanning anyone who enters the premises where we conduct our business, this to include but not limited to deliveries and vendors giving the Association the ability to deny access to those with 100.4 temperature or more. Ms. Horton advised we are currently working on a no-contact delivery. She further stated contractors will be asked to follow the same protocols staff has to follow. Their employers will need to provide the Association results of their employee screenings. Ms. Horton stated she had a discussion with the employers, they are aware of the expectations and have no issue to comply.

**New Business**

None

**Consent Agenda**

None

**Unfinished Business**

None

**Open Discussion**

Dr. Maxwell stated he wanted to apologize to Mr. Stull as he interjected during his discussion at the last meeting.

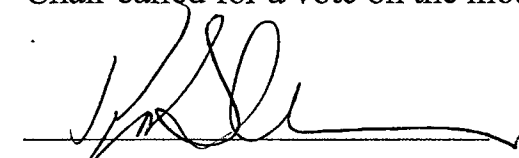
Dr. Maxwell stated he would like the board to consider video conferencing.

Dr. Maxwell discussed the article received by Mr. Hayhoe with regards to the wastewater treatment analysis on the spread of the Coronavirus. He stated they found the virus is finding its way into the sewage. He believed it would be an opportunity for the Association to provide information to the state and partnership with state agencies. As most of our sewage is taken by the City of Las Cruces, Mr. Stull asked Dr. Maxwell if the City of Las Cruces did the testing. Dr. Maxwell stated he did not know. President Melton stated the only treatment process for wastewater is in the Picacho Hills area. He further stated the plant is currently under a major rehab and now is not a good time.

Dr. Maxwell inquired about the District 3 Roster. Ms. Horton advised the roster was sent out by email that morning.

**Adjournment**

Dr. Maxwell motioned to adjourn at 10:48 a.m., with a second from Mr. Stull. The Chair called for a vote on the motion. The motion carried by roll call vote 4-0.

  
Kurt Anderson  
Secretary/ Treasurer

  
Date