



*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, October 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 – Paul Maxwell, Present

A Quorum was declared

### **Others in Attendance:**

Executive Director – Jennifer Horton

### **Approval of Agenda**

Dr. Maxwell moved to approve the agenda as presented; the motion was seconded by Dr. Anderson. The Chair called for discussion of the motion. Discussion was made by Mrs. Horton to remove item number 5 on the agenda; Approval of NMED RIP Loan Documents. The Chair called for discussion. There was no further 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 September 5, 2019 as presented; the motion was seconded by Dr. Anderson. The Chair called for discussion of the motion. Discussion was made by Dr. Maxwell and Dr. Anderson with regards to page 6; Dr. Anderson asked to remove the word “personal” in the statement as follows; “Dr. Anderson inquired about the personal challenges.” Dr. Maxwell requested the board to annex the water conservation presentation he provided in either electronic or print copy to the meeting minutes of September 5, 2019. The board had no objections to Dr. Maxwell’s request to add the presentation. Dr. Maxwell also asked to revise the following statement on page 10 in the board meeting minutes of September 5, 2019; “Dr. Maxwell asked the board revisit the idea of water conservation this December and expressed he would like to work with Jennifer on a redesign of the website” to “Dr. Maxwell asked to create a plan for implementing a water conservation policy and that board revisit the issue this December. He also expressed he would like to work with Jennifer on a redesign of the website.” There was no further discussion and with the agreement to editorial changes, 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. Anderson moved to approve the New Members and New Meters as presented; the motion was seconded by Dr. Maxwell. The Chair called for discussion of the motion. Discussion was made by Ms. Horton. Ms. Horton referred to the New Members and New Meters list. She pointed out there were 36 names on the list. She stated those 36 were new customers, 26 of them are new members and 10 of them are existing members with other properties. Mrs. Horton also advised the board 12 out of the 36 customers have new meters. 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**

Mr. Alfredo Salazar, owner of Evergreen Mobile Homes came to address his concerns with the policy and procedures taken for past due accounts; more specifically 6345 Dona Ana Road #8. His concern is his property was left with a balance of \$322.93 when the tenant left. Mr. Salazar expressed other concerns that were not related to his initial request to address the board. Dr. Maxwell asked Mr. Salazar to address his specific concern that lead his request to address the Board of Directors. Mr. Salazar proceeded that his tenant left him with a balance and did not understand why the tenant was not disconnected prior to the bill becoming excessive. Ms. Horton explained the account was placed in a suspended status while a claim had been filed with Serve Line for a water leak. She further explained the account can remain in a suspended status for up to 90 days while the claim is being resolved. Ms. Horton stated the Association would not disconnect a member while there is a pending claim. Dr. Maxwell explained to Mr. Salazar the leak protection plan applied \$1,000 toward the account leaving a balance of \$322.93 instead of \$1,322.93. Mr. Salazar stated he was unaware of the excessive bill until the tenant left. Mr. Salazar was advised copies of each bill is sent to the tenant and the owner. Mr. Salazar stated he did not receive any copies. Mr. Salazar's copies were sent to the address he had on file with the Association. It was mentioned to the Board of Directors that Mr. Salazar put in a change of address on September 20, 2019 by Ms. Horton. The Board of Directors explained any outstanding balance is the responsibility of the owner. It is also the responsibility of the owner to keep the address on file with the Association updated. Mr. Salazar was further advised the billing sent out should be received by the 10<sup>th</sup> of each month. Should he not receive a copy of the bill by then it would be his responsibility to contact the office. It was further explained that Mr. Salazar had received a letter on August 29, 2019 showing the balance on his property of \$322.93, while providing the option to pay in full or giving him the option to make 3 monthly payments of \$107.64 by Ms. Horton.

President Melton stated there will not be any exceptions to the outstanding balance.

### **Board President Report**

President Melton shared a letter sent to him by a member of the Association who had expressed concern with his occasional yet excessive water log readings. He was happy to share his experience and admitted he was wrong, through his determination to resolve his occasional, however, extraordinary water log readings. His conclusion was his irrigation system. Although his system was turned off it continued to use 4 gallons per minute. He came to the realization he needed to turn off the water and the power to his irrigation system to stop the flow. He could not be happier to share his discovery and advised President Melton to share his email with others who may have encountered a similar problem.

### **Staff Reports**

Ms. Horton discussed the reports.

Ms. Horton referred to the Customer Service Department Report which reflects on the penalties and disconnections for August 2019. Ms. Horton stated there were 71 accounts up for disconnection, a total of 55 were disconnected and 47 of them were reconnected.

Ms. Horton continued with the Monthly Penalties Chart. This showed in the month of July there were 6,005 penalties and for the month of August it reflected 7,724.

Ms. Horton continued with the Monthly Disconnections Report. She referred to the graph showing a decrease in August with 55 disconnections compared to 66 in July.

Ms. Horton moved on to the 2019 Billing Summary. This report is water and sewer billed for active accounts vs members. She did advise the board there were challenges with



running the information for this report. However, she did state that she believes the issues have been corrected. Ms. Horton asked if there were any questions. There were no questions.

Ms. Horton referred to the Pump Data Reports addressing the Dona Ana, Ft. Selden and Picacho Hills area. She stated for the month of August in the Dona Ana area there were 56,062,200 gallons pumped. In the Ft. Selden area there were 3,274,354 gallons pumped and Picacho Hills area had pumped 15,434,000 gallons for the month of August.

Ms. Horton reviewed the Gallons Pumped vs Gallons Sold Report. She stated the Association is averaging for the first three months of the fiscal year at an 8% loss which is under the 10% national average. She expressed she is pleased with that average. Ms. Horton asked if there were any questions to the reports discussed. There were no questions.

Ms. Horton proceeded to tell the board there is a new vacancy in operations. She stated the vacancy became available a few weeks ago and there was some restructuring of the position. To ensure there would be consistency with the purchasing procedures, purchasing will now be centralized. All purchasing functions regardless of the department has been moved to Stephanie Suggs, who also performs accounting and payroll functions. The new position will now become an administrative role vs one that was specific to operations. The position is a Support Specialist, who will prepare documentation in accordance with specific Association procedures. They will track and maintain inventory and supplies for all departments and will also serve as an administrative assistant for Operations, Administration and Executive departments. Ms. Horton further explained this will help with the segregation of duties; the person doing the inventory will not be the person making the purchase to fill the inventory. Ms. Horton expressed she likes internal controls and

separation of duties to keep check and balances in order. Dr. Maxwell requested an Organizational Chart. Ms. Horton stated she could have it for the board at the next meeting.

Ms. Horton stated the operations department had two operators test in September. Joey Self passed his Wastewater II state certification and Pete Ortiz, a senior operator missed his Wastewater III by minimal points. Ms. Horton stated that Pete was excited to sign up to retest and she could not be more pleased with his efforts and enthusiasm. She also mentioned there will be two more operators testing in October for Wastewater III. She expressed they have shown promising scores with the practice tests provided through the program set by the Association and believe they should do very well. Ms. Horton stated she is very please with the direction the program is going.

Ms. Horton discussed the progress of the fire hydrant maintenance program. She mentioned it is moving along quite well. Dr. Maxwell asked how far along the project is from start to finish. Ms. Horton replied, it has only been 3 to 4 weeks in with over 700 fire hydrants in Dona Ana and over 200 in Picacho Hills. She stated they are about a quarter of the way through Picacho Hills.

West Mesa is undergoing a meter change out. Operations are changing out old meters and with the installations they are moving a bit slower, however, Ms. Horton stated it is going well.

Ms. Horton discussed the progression with the sewer plant. She stated it is moving right along and running smoothly.

She mentioned Radium Springs has finished drilling one well and moving on to the second well. Ms. Horton stated the project is progressing and are still waiting on El Paso Electric.



Southeast Collections Phase III construction is scheduled to start October 12<sup>th</sup>. She stated in late November they will start change ordering in some of the alternatives. President Melton inquired if this project was being designed and or managed by Souder Miller & Associates. Ms. Horton stated acknowledged it was. President Melton asked if they have been checked for overlap with city service. Ms. Horton stated it had been checked and resolved.

Ms. Horton discussed issue with the City of Las Cruces with regards to who owns the line from Pedro Madrid to Los Venados subdivision; an 18-inch force main, a large interceptor. It is reported to be from the 5<sup>th</sup> manhole in to El Camino Real city limits, the intersection of El Camino Real and Armstrong. Ms. Horton did not think it was owned by the Association since the easements has shown to stop and the 18-inch interceptor runs into city limits. There are no documents to show who owns the line. The City of Las Cruces will not assume responsibility for it. Ms. Horton stated she advised them she would not locate or maintain the infrastructure. She stated the county would need to provide documents to show ownership. Dr. Anderson asked what the distance of the line was. Ms. Horton stated about a mile to a mile and a half. Ms. Horton stated it needs to be resolved and it needs to be done quickly. She stated the city claims it was paid for by USDA federal money, which the city is not eligible for, therefore, they claim they cannot own the infrastructure. Ms. Horton stated if that was the case, so long as the loans are paid off and everything is finalized it should be able to be transferred to the city, if it was originally funded by USDA. Ms. Horton stated if the loans reached their maturity perhaps, they could reach some sort of transfer agreement with the city for maintenance, connection and locate purposes.

Ms. Horton discussed the Resident Concern attachment; Status of Infrastructure Capital Improvement Plan (ICIP) with the board. She stated a resident has concerns with the manhole and infrastructure shown in the picture of the attachment and further advised the resident filed a complaint with the New Mexico Environment Department against Dona Ana MDWCA. Jennifer received a call from the environment department and explained to them, this issue has dropped in the priority of rankings due to other concerns that take precedence. Those other issues included the quality of water and a sewer main with more serious issues. She ensured the project is important to the Association, but other projects have taken priority. She further mentioned there were two wastewater projects ahead of this one. Ms. Horton advised the board, the agencies she has spoken with believe the Association is not in any violation on a regulatory stand point nor is the Association in any violation of endangering public health. Dr. Maxwell expressed this issue is hazardous with the manholes being exposed and further expressed it was a problem not only for the Association but for the community of Picacho Hills. Dr. Maxwell stated he believes there is a way of dealing with this problem, using the concept of berms. He further stated it was roughly \$20,000.00 each, then allowing the sediment to recover the 7 manholes and sewer lines. He continued to state the cost would be about \$150,000.00. Ms. Horton stated with State or Federal money the cost is driven up with the consideration of wage rates. She stated it would cost approximately \$800,000.00 to fix this issue. She continued with the need to acquire specialty permits; such as EPA, EA and a PER. Ms. Horton continued with the need for design plans and mentioned BLM is up stream. This will also require the federal government to be brought in. Ms. Horton advised this project is not just putting in concrete, she stated there would be a lot more to go into this project. Dr. Maxwell discussed alternate sources of funds. He believes with organizing, acting in unity he would like to get funding put together. He explained the community is exploring options and is prepared to put together some funding to help and is also looking for solutions. Mr. Dr. Maxwell stated the community is not trying to put it all on the Association. Dr. Maxwell did state although



it was not an emergency today, it is hazardous. President Melton stated he personally has walked up the arroyos and has not seen property owners provide any sort of attempt to try to stabilize the bottom of the arroyo. President Melton does agree they will do what is necessary to protect the infrastructure.

President Melton inquired of the status on Wells 7 and 15. Ms. Horton stated she is currently waiting on SCADA. Ms. Horton advised the permitting is good however, there are some SCADA challenges with the technical issues; starters.

President Melton asked about the erosion along Taylor Rd. Ms. Horton stated the arroyo resited itself naturally and seemed to have stabilized things better and Smith Co. did help along with the right of way.

### **New Business**

None

### **Unfinished Business**

Dr. Maxwell motioned to approve the Contract for Task Order #6- Parking Lot Improvements as presented; the motion was seconded by Dr. Anderson. The Chair called for discussion of the motion. Discussion was made by Ms. Horton. Ms. Horton addressed the board with the concerns and issues over the last 3 years with regards to the parking lot. This year Ms. Horton stated from a budget stand point she believes these concerns can be addressed. This will get the design started and covered storage for all parts and equipment to get them out of the sun, to prevent dry rotting and further damage. This will also provide adequate parking across the street. The contract fees were shared by Ms. Horton. Since construction bidding and construction management exceeded the amount budgeted Ms.

Horton asked only for a design contract and will save about \$20,000. Ms. Horton reviewed line by line the design contract and stated the construction phase services subtotaled \$56,425 pending if items were required. Ms. Horton stated the design phase needed to be addressed before getting quotes from contractors. Ms. Horton reminded the board it was just the design contract and that they did not need to move forward with both projects, and it could be rescaled to stay in line with a budget. Dr. Maxwell asked about cost. Ms. Horton stated it was budgeted for \$200,000.00 for both projects. Dr. Maxwell asked for a timeline. Ms. Horton stated it 120 days (4 months) for the design and 90 days on the construction. Mr. Stull asked why there would be a need for paving if it was for storage. Ms. Horton stated the paving would be for the parking lot. The Association currently does not have good parking and it is very limited. Ms. Horton further stated she has had numerous complaints over the years of how difficult it is to get in and out of the existing parking lot. Ms. Horton also address with the new parking lot improvement it will meet ADA requirements.

The Chair called for a vote on the motion; the motion carried by roll call vote 4-0.

### **Open Discussion**

Dr. Anderson recalled several years ago there was a rather large accumulation of unpaid bills that had been written off. He currently wondered where the Association stood with that. Ms. Horton advised it was dealt with years ago. She further stated there are currently minimal and are written off at a 6-month mark if unable to collect them and assured him a majority of them are collected. It was explained a new owner will need to pick it up, property liens are put into place and are dealt with through the tile company to satisfy the any out-standings.

Dr. Anderson asked if the minutes could be placed on the website once signed. Ms. Horton stated the minutes will be posted to the website once signed.



**Adjournment**

Dr. Maxwell motioned to adjourn at 10:46 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.

  
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Kurt Anderson

Secretary/ Treasurer

10/17/19

Date