



Doña Ana Mutual Domestic Water Consumers Association
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The following are the minutes of the Regular Meeting of the Doña Ana Mutual Domestic Water Consumers Association Board of Directors, December 15, 2022 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 (via Zoom)

Board Member – Brian Clouse, Present (via Zoom)

Board Member – Clayton Berryman, (Excused Absence)

A Quorum was declared

Others in Attendance:

Legal Counsel- Josh Smith

Executive Director- Jennifer Horton

Office Manager- Margo Lopez

Executive Assistant- Shelby Sandoval

Member- Mr. George W. Kleck

Approval of Agenda

Dr. Anderson moved to approve the agenda as presented; the motion was seconded by Mr. Stull. The chair called for discussion of the motion. There was no further discussion, and the motion passed unanimously by roll call vote 4-0.

Minutes

Dr. Anderson moved to approve the Regular Board Meeting Minutes of November 17, 2022 as presented; Mr. Stull seconded. There was no further discussion, and the motion passed unanimously by roll call vote 4-0.

Customer Issues and Public Input

Mr. Kleck shared his understanding with regards to a previous policy addressed, and asked Legal Counsel, Mr. Smith if it was legal to put a lien on someone else's property after receiving a title policy that stated there were no liens on that property. Mr. Smith stated yes and clarified. He stated there is an affidavit signed at closing. He continued to state there are instances where during the closing there are repairs to be made per the request of the purchaser- those are typically paid at closing. He further stated title companies will also call the utility to see if there are any outstanding balances to get paid at closing out of the sellers' proceeds. Mr. Kleck stated even if it was legal, it is unethical and morally wrong.

Mr. Kleck addressed the board with a new concern regarding the policy of shutting off the valve during a leak, the lack of communication (coordination / timing), and the continual threats of fines for not following the policies. He stated there is a way to collaborate with people and it is not to threaten with fines or cut-off one's water. Mr. Smith stated there is a difference when one is being made aware of something vs being threatened with something, it is subject to interpretation. President Melton apologized

for the breakdown in communication. He did explain the Government Assets to include the angle valve on the entrance to the meter and the signed contract by Mr. Kleck stating the exclusive use is for the Association. President Melton sympathized with the coordination of timing as there are 16 people who are trying to cover approximately 125 square miles of service area, the minute-to-minute scheduling is not possible. He further clarified when fines are applied, such as meter tampering. President Melton advised Mr. Kleck the next time there is an issue to ask the staff to have President Melton call Mr. Kleck to communicate one on one, as the common goal is to have a better communication. Mr. Kleck stated he felt that was fair as he believed he could communicate with President Melton.

Board President Report

President Melton encouraged Ms. Horton to take care of herself as she has been feeling ill and assisted with the Staff Reports.

Staff Reports

President Melton stated Ms. Horton has provided a written Staff Report, a Customer Service and Operations Report for review, as she has lost her voice, he did not ask her to review the report.

President Melton asked Ms. Horton if there was anything with a sense of urgency to report on for Project Updates, Funding Applications, Subdivisions, and Other Matters.

Ms. Horton stated there was a new subdivision on Valley with 200 lots and will have further discussion on it for the January meeting. President Melton mentioned Dr. Anderson addressed his concern for water rights at the last meeting, and it was to President Melton's understanding the Association has the right to refuse service to

anyone if the Association does not have the capacity to serve them, as the current water rights have been committed. Ms. Horton further stated there was a new subdivision development of 188 lots in Picacho Hills, and now 1300 lots from the Thurston Subdivision totaling up to 1688 lots. Ms. Horton reminded the Board of Directors only 385 lots of the Thurston Subdivision were agreed to provide service to, and further discussion ensued.

President Melton inquired about the wells and Ms. Horton confirmed the wells were online and had no issues to report. President Melton reported the South tank should be complete by the first of the year and Ms. Horton agreed.

Unfinished Business

Dr. Anderson moved the Approval of November New Members & Meters as presented; the motion was seconded by Mr. Stull. The Chair called for discussion of the motion. There was no further discussion, and the motion passed unanimously by roll call vote 4-0.

Mr. Stull moved the Approval of Annual Membership Meeting Agenda as presented; the motion was seconded by Dr. Anderson. The Chair called for discussion of the motion. There was no further discussion, and the motion passed unanimously by roll call vote 4-0.

Dr. Anderson moved the Approval of Purchase for Payment Kiosk as presented; the motion was seconded by Mr. Stull. The Chair called for discussion of the motion. Discussion was led by Ms. Horton. Ms. Horton stated she was requesting 2- Payment Kiosks. One to replace the drop box and the other to put in the drive thru lane to replace the drive thru window. She further stated these are open 24 hours / 7 days a

week, they offer both English and Spanish options, and they accept cash, check and credit card payments. She shared the member can look up the account by simply scanning the barcode on the bill, enter an account number, or enter the service address. Ms. Horton stated staff would train those needing assistance and would be available for person-to-person payment transactions. Further discussion ensued. There was no further discussion, and the motion passed unanimously by roll call vote 4-0.

Board Open Discussion

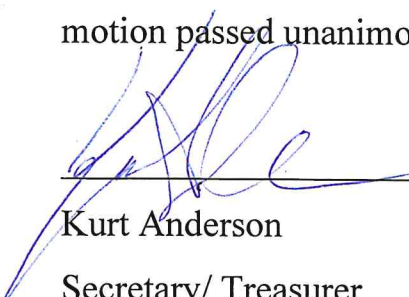
Mr. Stull announced his resignation, terminating his service with the Association effective January 15, 2023. President Melton shared his appreciation for the many years of service Mr. Stull provided.

Dr. Anderson inquired about ways to generate attendance for the Annual Membership Meeting and Ms. Horton clarified.

President Melton expressed his concern with water rights and developers. Further discussion ensued.

Adjournment

Mr. Stull motioned to adjourn at 10:05 a.m., with a second from Dr. Anderson. The motion passed unanimously 4-0.



Kurt Anderson
Secretary/ Treasurer

2/11/23
Date