



Doña Ana Mutual Domestic Water Consumers Association
Mailing Address: P.O. Box 866 • Doña Ana, NM • 88032
Physical Address: 5535 Ledesma Dr • Las Cruces, NM 88007
(575) 526-3491 Office • (575) 526-9306 Fax

The following are the minutes of the Regular Meeting of the Doña Ana Mutual Domestic Water Consumers Association Board of Directors, February 18, 2021 convened at 9:00 a.m. via Zoom.

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 (Zoom)

Secretary/Treasurer – Kurt Anderson, Present (Zoom)

Board Member – Paul Maxwell, Present (Zoom)

A Quorum was declared.

Others in Attendance:

Legal Counsel- Josh Smith (Zoom)

Executive Director- Jennifer Horton (Zoom)

Office Manager- Margo Lopez (Zoom)

Member- Jim Hayhoe (Zoom)

Approval of Agenda

Dr. Anderson moved to approve the agenda as presented; the motion was seconded by Dr. Maxwell. President Melton led discussion on his concerns with the security

utilizing Zoom while conducting a Closed Session, and the motion passed by roll call vote 3 Yes; 1 No- President Melton.

Minutes

Dr. Maxwell moved to approve the Regular Board Meeting Minutes of February 4, 2021 as presented; Mr. Stull seconded. There were editorial changes suggested. Dr. Maxwell moved to approve the minutes as amended, 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. Jim Hayhoe stated he would like to request a public input task, not to exceed \$3,000.00 and include a task for water flow mitigation techniques in the Bohannon Houston Picacho Hills Sanitary Sewer System Scour Mitigation Study.

Board President Report

President Melton stated the drive thru window has reopened.

President Melton reported there have been issues contacting the member who was unable to utilize Zoom to address the board at the last meeting on his water usage. He advised the staff would continue to follow up with him.

Staff Reports

Ms. Horton reported on items of the financials and included both December 2020 and January 2021.

Ms. Horton reviewed a spreadsheet that reflects the impact of the current pandemic on revenues.

Ms. Horton reported there were currently no staff members quarantined for any COVID related reasons and further stated staff was provided information on where to register for the COVID vaccine if they were interested. Ms. Horton stated with the recent decline in positive cases the drive thru window will reopen.

Ms. Horton provided project updates and stated Picacho Hills Wastewater Plant is complete and final payment has been issued. She further stated it is waiting on a reimbursement from the funding agency.

Ms. Horton stated Radium Springs Water System is 99% complete and is currently waiting on final close out paperwork before issuing final payment. However, all work is complete.

Ms. Horton reported Southeast Collection System Phase 3 is scheduled to begin February 8th and should be complete by March 5th.

Ms. Horton stated the Water and Wastewater Standards are currently being developed to ensure all future developments / projects meet the standards and are clearly defined for developments to understand the expectations.

Ms. Horton discussed the Dona Ana Village Lift Station and Force Main PER. She stated it has been sent to NMED for review and approval. Once approved the project will move into the design phase.

Ms. Horton stated Southeast Collection System Final Phase design has reached 95% completion and submitted to USDA for review.

Ms. Horton reported the Parking Lot Improvements final design is complete and pending review, and final permits before moving into construction.

Ms. Horton stated the Dona Water Tank Rehabilitation final design is complete and has been approved by NMED Drinking Water Bureau. It is currently pending approval by NMED Construction Programs Bureau.

Ms. Horton reported on the current funding applications. She stated the Letter of Conditions (LOC) for USDA RD was received July 31, 2019 and have completed 70% of the items within the (LOC) and will be ready to request closing instructions in April.

Ms. Horton stated all the required Readiness to Proceed items have been submitted to the Water Trust Board on January 12, 2021 and hope to be awarded \$2,500,000 for the Dona Ana Tank Rehabilitation Project.

Ms. Horton reported she would be applying for construction funds in the amount of \$2,944,340 for the Dona Ana Village Lift Station and Force Main Project on March 3, 2021.

Ms. Horton stated she will submit an application to begin creating an Asset Management Plan through New Mexico Finance Authority Planning Grant. She further stated the application is for \$50,000.

Ms. Horton reported on subdivisions. She stated Legends West Phase 3A has been completed and final documents were submitted February 9, 2021 with 62 lots added to the subdivision.

Ms. Horton stated Legends West Phase 3B has 74 lots and is currently under construction.

Ms. Horton reported Vista Rancho has submitted 40% construction plans for their first review with 385 lots.

Ms. Horton wrapped up the subdivisions with Legends West Phase 3C. She stated it is expected to submit final construction plans for review and approval in the next 30 days.

Ms. Horton reported there is currently one opening in Operations and shared the Operator Certification Program has stated testing may now resume in smaller groups after previously being suspended due to the current pandemic.

Ms. Horton stated we are currently working on reminder compliance letters for those who are required to have a backflow preventor device to protect the drinking water system as well as letters for grease traps. The letters for grease traps are for those who are required to have them cleaned on a certain schedule to help protect the collection lines and treatment facility.

Ms. Horton discussed the Water Rights table as of January 31, 2021.

Ms. Horton advised homes in the Southeast Collection System area will be identified to provide information on the upcoming project. She further stated we would be collecting applications for those who would like to connect to the project.

New Business

None

Unfinished Business

Dr. Anderson moved the Approval of January New Members & New Meters; the motion was seconded by Mr. Stull. The Chair called for discussion of the motion. Dr. Maxwell suggested a minor editorial change. There was no further discussion. A roll call vote was taken, motion passed unanimously 4-0.

Dr. Anderson moved the Approval of FY2020 Annual Audit; the motion was seconded by Dr. Maxwell. The Chair called for discussion of the motion. Discussion was initiated by Ms. Horton. She stated the FY20 Annual Audit was submitted, released, and was accepted and approved by the State auditors. Further discussion ensued on the PERA pension liability. There was no further discussion, and the motion passed unanimously 4-0.

Dr. Anderson moved the Approval of Contract 2018-03 Task #3- Arroyo PER Contract- Bohannan Huston; the motion was seconded by Mr. Stull. The Chair called for discussion of the motion. Discussion was initiated by Mr. Jim Hayhoe with a question about the map and the area of study and Ms. Horton clarified. Further discussion ensued with regards to the request to add public input to the contract. Ms. Horton suggested collecting written public input to submit to Bohannan Houston for review. There was no further discussion, and the motion passed unanimously 4-0.

Dr. Anderson moved the Approval of Resolution 2021-03 Colonias Infrastructure Application; the motion was seconded by Dr. Maxwell. The Chair called for discussion of the motion. Discussion was initiated by Ms. Horton. Ms. Horton stated

this authorizes the Association to submit the application for the Colonias Infrastructure funding cycle that is currently open. This would fund the next phase of construction of the Dona Ana Village Lift Station and Force Main project. There was no further discussion, and the motion passed unanimously 4-0.

Dr. Anderson moved the Approval of Contract for Water and Wastewater Services-New Mexico Rural Water; the motion was seconded by Mr. Stull. The Chair called for discussion of the motion. Discussion was initiated by Ms. Horton. Ms. Horton stated this is a 1-year extension on the current contract for the management position on the wastewater side. There was no further discussion, and the motion passed unanimously 4-0.

Closed Session

Dr. Anderson moved to enter Closed Session 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 Right Acquisition
 - a. Hope Road Property
 - b. Combine and Commingle Application
 - c. Picacho Hills Permit
 - d. Well 7 Permit
2. Litigation and Threatened Litigation
 - a. Westmoreland Case
 - b. Moongate Case

as presented; the motion was seconded by Dr. Maxwell. A roll call vote was taken, motion passed 3 yes; 1 abstained, and at 10:27 a.m. the Board of Directors went into Closed Session.

Dr. Maxwell moved to exit Closed Session; the motion was seconded by Mr. Stull, a roll call vote was taken, motion carried unanimously 4-0. Dr. Anderson moved to enter Open Session; the motion was seconded by Dr. Maxwell, a roll call vote was taken, motion carried unanimously 4-0 and the Board of Directors went back into Open Session at 10:55 a.m.

President 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): 1. Real Property and Water Right Acquisition- (a) Hope Road Property, (b) Combine and Commingle, (c) Picacho Hills Permit, (d) Well 7 Permit 2. Litigation and Threatened Litigation- (a) Westmoreland and (b) Moongate, there is one action to address. The acceptance to sell Hope Road property for the appraised price of \$181,400.00 which will include surface water rights and exclude all ground water rights. Dr. Maxwell moved to approve that action; the motion was seconded by Mr. Stull. There was no further discussion, and the motion passed unanimously 4-0.

Open Discussion

Dr. Maxwell inquired about the Capital Outlay request for the Picacho Hills Arroyos Project and Ms. Horton stated it has been submitted.

Dr. Maxwell asked if Ms. Horton had the opportunity to look at last years agendas posted to the website. Ms. Horton stated she would address them as time is permitted.

Adjournment

Dr. Maxwell motioned to adjourn at 11:03 a.m., with a second from Mr. Stull. The motion passed unanimously 4-0.



Kurt Anderson

Secretary/ Treasurer

3/18/21
Date