



*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, July 18, 2019 convened at 9:01 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 9:01 a.m. and called roll:

Vice President – Jamie Stull, Excused Absence

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. Maxwell moved to approve the agenda for the July 18, 2019 Special Board Meeting as presented; the motion was seconded by Dr. Anderson. The Chair called for discussion of the motion. Discussion was made by Ms. Horton to remove items #6 and #7. Dr. Anderson motioned to approve the agenda with the omission of items #6 and #7; Dr. Maxwell seconded the motion. The Chair called for discussion. No further discussion.

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

### **Minutes**

Dr. Maxwell moved to approve the Special Board Meeting Minutes of July 8, 2019 as presented; the motion was seconded by Dr. Anderson. The Chair called for discussion of the motion. Discussion was made by Dr. Anderson with regards to page 2 to clarify that the motion was made by Mr. Stull and seconded by Dr. Anderson. No further discussion. The Chair called for a vote on the minutes; the motion carried by roll call vote 3-0.

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

Robert and Patricia Kirkpatrick have returned with a sewer analysis from an engineer they retained, to explain the problematic issues and request for exemption to connect to the existing sewer service. This situation is unique due to the size of land, topography and the deed restriction which shows the land cannot be subdivided or additional structures cannot be built for 29 years. The result of having routine maintenance through rodding or jet vectoring the sewer system would be costly to the homeowner and may only reduce the chance of failure not resolve the problem of the force main sewer system. The engineer did not recommend the construction of a long force main sewer system due to the problematic nature of the system in this unique case. Motion by Dr. Maxwell for approval and seconded by Dr. Anderson to provide exemption to the policy and grant an exception to Mr. and Mrs. Kirkpatrick for their sewer variance request, based upon the unique topography and length of the sewer line required. The Chair called for discussion. No further discussion. The Chair called for a vote on the motion. The motion carried by roll call vote 2-1: Dr. Maxwell; yes, Dr. Anderson; yes and Mr. Melton; no.

## **Board President Report**

Mr. Melton deferred to the Executive Director for Staff Reports

## **Staff Reports**

Ms. Horton discussed the reports.

The Board of Directors requested to see sewer connections for residential and commercial on the next report. Ms. Horton stated she would work on getting that information for them going forward. She reported that there were 1,351 residential and 54 commercial sewer connections.

The Board of Directors mentioned they would like to have flushing and breaks included in the gallons pumped vs gallons sold report. Ms. Horton stated she would try to include that information in the report.

Ms. Horton mentioned the 10-day bid pavement replacement was submitted.

Ms. Horton confirmed with the Board of Directors on scheduling a Special Board Meeting for July 29, 2019.

Ms. Horton stated the IVR system is live and ready to go. Ms. Horton will make it live to the public August 1, 2019 in the newsletter.

Ms. Horton advised the Board of Directors that Well 11 was approved by NMED.



Ms. Horton stated Well 15 documents were lost after they confirmed they had received it 45 days ago. Ms. Horton stated it has been resubmitted.

Ms. Horton mentioned to the Board of Directors that the booster station is not online and are currently waiting on power from El Paso Electric.

Ms. Horton confirmed the sewer plant project is back on track with the raising of the elevation.

Ms. Horton stated the Southeast Collection Phase III has been awarded and is waiting the approval of Mr. Deal.

Ms. Horton mentioned there have been a number of water main breaks, which is normal during this time of year.

Ms. Horton consulted with the Board of Directors on the requests from staff regarding hours of operation. The Board of Directors agreed they did not want to weigh in on the matter, allowing Ms. Horton to make decisions on what is best for the day to day operations of the Association.

### **New Business**

None

### **Consent Agenda**

None

### **Unfinished Business**

Dr. Maxwell moved to approve the Resolution Adopting the Increase in Water Right Fee; Resolution 2019 – 13; Dr. Anderson seconded the motion. The Chair called for discussion. Discussion was made by Ms. Horton to item #1. It was to be corrected: The Water Right Fee will be increased to \$2,000 per ½ acre foot dwelling unit will be the approved and will be effective October 1, 2019 for Dona Ana Mutual Domestic Water Consumers Association. Changes to the Resolution 2019 - 13 will be made. Dr. Anderson discussed the typographical error to Item #3. It will be corrected to fix the error.

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

Mr. Melton called the next item on the agenda. Dr. Maxwell moved to approve the Participation in the Program of the South Central Council of Government, Inc. for Fiscal Year 2019 - 2020; Resolution 2019 – 14; Dr. Anderson seconded the motion. The Chair called for discussion. No discussion. The Chair called for a vote on the motion. The motion carried by roll call vote 3-0.

Dr. Maxwell moved to approve the Resolution Adopting An Infrastructure Capital Improvement Plan (ICIP) for FYI 2021 - 2025; Resolution 2019 – 15; Dr. Anderson seconded the motion. The Chair called for discussion. Ms. Horton began discussion addressing the project summary sheet FY19-20 and 21-25. Item #1 of last year has dropped off and everything has shifted up in its current place. Most critical issue would be the lift station and force main. There is money for planning and design. The next phase we will need to go to a funding source for the construction phase. She will go back to Water Trust Board this year. She mentioned that items #1, #2 and #3 will most likely get funded by one of the funding sources but does not think anything beyond item 3 will get funded. Further discussion was made by Mr. Hayhoe (public input) regarding item #6, it runs through his

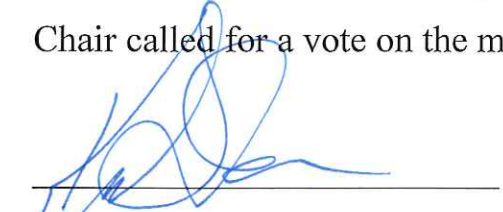
property and he wondered why it has slipped in ranking and priority. About 2 or 3 years ago it was in a higher ranking. He wondered if having the repair cost and splitting it into phases of design would help move it up in priority. Ms. Horton told Mr. Hayhoe there is no funding source that will accept this with all of the issues in place. She further explained he would not qualify for colonias funding and that USDA would not fund this due to the income levels of Picacho Hills. Mr. Hayhoe expressed his concerns for health issues that may result should those lines break. Ms. Horton stated that part of the funding application asks if it is for a viable stand-alone project. She did not believe she could answer that. She felt that although one part of the arroyo may be fixed it may make the other part worse. Ms. Horton further mentioned with all of necessary agencies involvement it may further complicate things. Mr. Hayhoe mentioned he would drop his concerns if there could be some time to set aside in the future to make an assessment. Ms. Horton stated she could not make promises to find a funding source but would move in the direction the board directs her. Mr. Melton stated he would like to support the request of Mr. Hayhoe on the basis as time is available and Dr. Maxwell agreed it should be at Ms. Horton's discretion. Ms. Horton stated January or February would be a time she could meet with engineers to get measurements and to discuss options. There was no further discussion. The Chair called for a vote on the motion. The motion carried by roll call vote 3-0.

### **Open Discussion**

None

**Adjournment**

Dr. Anderson motioned to adjourn at 10:17 a.m., with a second from Dr. Maxwell. The Chair called for a vote on the motion. The motion carried by roll call vote 3-0.



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Kurt Anderson  
Secretary/ Treasurer

10/5/19  
Date