



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, June 20, 2024 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:

Secretary/Treasurer – Kurt Anderson, (Excused Absence)

Board Member – Brian Clouse, Present

Board Member – Clayton Berryman, Present

Board Member – Brian Cox, Present

A Quorum was declared.

Others in Attendance:

Legal Counsel- Josh Smith,

Executive Director- Jennifer Horton

Office Manager- Margo Lopez

Executive Assistant- Shelby Morales

Member- Ronald Pharr

Zach Libbin- Weise Development

Approval of Agenda

Mr. Clouse moved to approve the agenda as presented; the motion was seconded by Mr. Cox. The chair called for discussion of the motion. Ms. Horton requested to move the Closed Session before the Unfinished Business on the agenda. Mr. Clouse moved to approve the agenda as amended, Mr. Cox seconded, there was no further discussion, and the motion passed unanimously by roll call vote 4-0.

Minutes

Mr. Berryman moved to approve the Regular Board Meeting Minutes of April 18, 2024 as presented; Mr. Cox seconded. There was no further discussion, and the motion passed unanimously by roll call vote 4-0.

Mr. Clouse moved to approve the Special Board Meeting Minutes of June 13, 2024 as presented; Mr. Berryman seconded. There was no further discussion, and the motion passed unanimously by roll call vote 4-0.

Customer Issues and Public Input

Mr. Roland Pharr addressed the Board of Directors regarding the high-water bill he received from April to May. He stated that his bill was \$251.00 and that he only paid \$30.00, which is what he normally pays. Mr. Pharr stated that operations have been out to check the meter flow and verified there were no leaks and wanted to inquire about someone investigating it. President Melton suggested a Data Log would provide the last 90 days of usage, hour by hour. Ms. Horton clarified that Mr. Pharr did not wish to pay for it. President Melton stated it would provide the necessary information. Ms. Horton explained the Data Log fee is a one-time fee of \$50 to gather the last 90 days of usage. Then if he still did not agree with the results, he could then choose to

have the meter tested by a third party. She further stated that should the meter be faulty he would be reimbursed the Data Log fee, however, should the test show there are no issues the balance on the account will stand. Mr. Pharr agreed to have the Data Log performed. Ms. Horton stated the results would be available next week.

President Melton asked if Mr. Libbin wished to address the Board of Directors. Mr. Libbin stated he did not. Ms. Horton advised Mr. Libbin that the board meeting was cancelled last month and that his matter would be discussed in today's Closed Session.

Board President Report

President Melton reported this is the end of our fiscal year and this is the time of year to review Rates, Handbooks, and the Budget.

Staff Reports

Ms. Horton stated she has provided a written report for the Financials, Project Updates, and the Customer Service Report for their review.

Ms. Horton stated the Dona Ana Village Lift Station and Force Main Project is still in construction and is approximately 258 days past contract time and into liquidated damages with no date for completion.

Ms. Horton reported the Southeast Collection Final Phase project is progressing very well. She continued to state that alternate 2 has not been awarded as of yet as she is waiting to close on the \$6 million, she received from the State.

New Business

None

Closed Session

Mr. Berryman 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: Litigation and Threatened Litigation as presented; the motion was seconded by Mr. Cox. A roll call vote was taken, motion carried unanimously 4-0, and at 9:21 a.m. the Board of Directors went into Closed Session.

Mr. Cox moved to exit Closed Session and enter back into Open Session; the motion was seconded by Mr. Berryman, a roll call vote was taken, motion carried unanimously 4-0, and the Board of Directors at 9:55 a.m. went back into Open Session.

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): (A.) Litigation and Threatened Litigation. Under the Open Meetings Act, the only items that were discussed during Closed Session were the items on the agenda and no action was taken during Closed Session.

Ms. Horton addressed Mr. Libbin sharing that his matter was discussed and as result the Board of Directors decided to waive service to the City of Las Cruces to avoid holding up their project. She stated this is to allow Weise Development to seek sewer service from them, for the 2 lots/contracts that have been requested at this time. Ms. Horton further stated the Association is not in a place with our current infrastructure to provide sewer service at this time with all the potential development that may take place. Ms. Horton advised she would have a letter this week for them to take to the

City of Las Cruces and will also follow-up with Adrienne Widmer to advise her of this waiver.

Mr. Clouse moved the Approval to waive service to the City of Las Cruces for 2 lots/contracts proposed by Weise Development for wastewater service East of Interstate 25; the motion was seconded by Mr. Cox. The Chair called for discussion of the motion. There was no further discussion, and the motion passed by roll call vote 4-0.

Unfinished Business

Mr. Cox moved the Approval of the April and May New Members New Meters; the motion was seconded by Mr. Clouse. The Chair called for discussion of the motion. There was no further discussion, and the motion passed by roll call vote 4-0.

Mr. Cox moved the Approval of Resolution 2024 – 04 Rate Increase; the motion was seconded by Mr. Berryman. The Chair called for discussion of the motion. Ms. Horton provided 2 different options and stated she would be open to any other suggestions. She stated Option #1 is her recommendation of a 6% increase for both water and wastewater with a flat meter size and usage rate, to be in line with the State average. Option #2 is based off Mr. Brown's rate study. She stated his charge per thousand gallons went up significantly to 25% - 26% increase for water usage and 50% – 60% increase for wastewater usage and further discussion ensued. The Board of Directors agreed with Ms. Horton's recommendation of a 6% increase for water and wastewater usage. There was no further discussion, and the motion passed by roll call vote 4-0.

Mr. Cox moved the Approval of Resolution 2024 – 05 FY 2025 Customer Handbook; the motion was seconded by Mr. Berryman. The Chair called for discussion of the

motion. Ms. Horton reviewed the changes as they were minimal. There was no further discussion, and the motion passed by roll call vote 4-0.

Mr. Cox moved the Approval of Resolution 2024 – 06 FY 2025 Employee Handbook; the motion was seconded by Mr. Berryman. The Chair called for discussion of the motion. Ms. Horton reviewed the changes, advising there were a handful of updates made. She shared the vacation policy for time accrued and payouts were updated to include clarification that it is based on a prorated basis. She shared the resignation policy was also updated to include if a member of staff does not provide and fully complete their 2 weeks' notice they would not be eligible for rehire. Ms. Horton stated per the auditor's request PERA needed to be added to the handbook to show it is offered and that the state statute is followed. Ms. Horton shared the other updates included the uniform allowance, clarification to On-Call and Standby with a flat weekly pay rate, and the meal period with a designated eating area. There was no further discussion, and the motion passed by roll call vote 4-0.

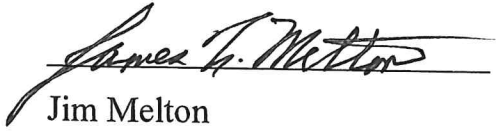
Mr. Berryman moved the Approval of Resolution 2024 – 07 FY 2025 Final Budget; the motion was seconded by Mr. Clouse. The Chair called for discussion of the motion. Ms. Horton reviewed the Final Budget and led a thorough discussion on 3 funds (Operating, Grants and Loans, & Restricted Funds) for each budget associated. She further reviewed the expenses to include personnel, revenue, and wrapped it up with her projections for Fiscal Year 2025. There was no further discussion, and the motion passed by roll call vote 4-0.

Board Open Discussion


None

Adjournment

Mr. Clouse motioned to adjourn at 10:56 a.m., with a second from Mr. Berryman. The motion passed unanimously 4-0.


Jim Melton

Board President


Date