



Doña Ana Mutual Domestic Water Consumers Association
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The following minutes are from the Regular Board Meeting of Doña Ana Mutual Domestic Water Consumers Association Board of Directors, January 5, 2017; convened at 9:00 A.M. in the Doña Ana Mutual Domestic Water Consumers Association Board Room located at 5535 Ledesma Mr., 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, Present

Secretary/ Treasurer – Kurt Anderson, Present

Board Member – Raymond Ponteri, Present

Board Member – Justin Sparks, Phone Conference

Others in Attendance:

Executive Director – Jennifer Horton

Legal Counsel – Joshua Smith

Community Member – Nancy Simmons

Approval of Agenda

Dr. Anderson moved to approve the agenda for the January 5, 2017 Regular Board Meeting as presented; the motion was seconded by Mr. Stull. The Chair called for discussion of the motion. Executive Director Jennifer Horton advised there is a spelling error under item four (4); it should state “Grant”. Dr. Anderson amended his motion; Mr. Stull seconded. The Chair called for a vote on the modified motion; the motion carried by roll call vote 5-0.

Minutes

Dr. Anderson moved to approve the minutes for the December 15, 2016 Regular Board Meeting as presented; the motion was seconded by Mr. Stull. The Chair called for discussion of the motion. No discussion was brought forward. The Chair called for a vote on the motion; the motion carried by roll call vote 5-0.

New Members & New Meters

Dr. Anderson moved to approve the New Members and New Meters list as presented for January 2017; Mr. Stull seconded the motion. The Chair called for discussion of the motion. Mrs. Horton advised there are fifteen (15) names on the list, nine (9) of which are new members and six (6) are existing members. Dr. Anderson realized there is a typo on the list as a member was listed twice as being a new member. This updated the count of existing members to seven (7), with eight (8) new members. Dr. Anderson amended his motion to reflect this update. The Chair called for a vote on the modified motion; the motion carried by roll call vote 5-0.

Customer Issues and Public Input

No input was brought forward

Board President Report

President Melton reported he was contacted by a member with regard to the drop box being locked for a certain period of time. On the last business day at closing, prior to cutoff day, the drop box is locked and remains locked through cut off day. The drop box is reopened after cut off day. When the Board extended the date for payment penalties from the 15th to the 25th, the last day to pay fell on holidays. We extended the date for payments until after Christmas; however we still followed procedure with locking the drop box. We do not cutoff prior to a holiday or long weekend which is why the drop box

is locked for an extended period of time. The Association posted a notice on the box and on our website, but someone ripped the sign down. The member came in on the 28th to pay her bill and felt she should not be charged the penalty due to the drop box being locked. Bills by policy are due to be paid on or before the 25th of the month; this is a written policy. If someone misses the 25th we cannot make adjustments; particularly as members are used to having to pay by the 15th from the old policy. Mr. Melton was able to provide explanations to this customer and reassured we will add a note to our billing statements. We will continue to post on the website and post a notice on the drop box.

Mr. Melton also received an email requesting our articles of incorporation and bylaws revision be added to the annual meeting. He will be addressing this in his board report; however the revision is ongoing due to unforeseeable circumstances. We are continuing to work on this with a future plan to have the Board come up with a draft of revisions and then hold three (3) meetings for public input. The Board will take the input and go into a work session to incorporate what is pertinent to finalize the revision. This will then be presented to the membership for adoption at next year's annual meeting. Mr. Ponteri requested a copy of the notes from the committee formed two years ago that Mr. Melton has compiled as it was before his time on the Board. Mrs. Horton advised she will get him a copy. We are trying to bring all of this current as there is a lot of information that is extremely outdated. The one item we cannot change is the utilization of membership certificates; however we are prohibited by the S.P.A. from doing this.

Staff Reports

Executive Director Jennifer Horton advised it has been fairly quiet with the holidays. Projects are progressing and we have made progress with USDA, which we will discuss under unfinished business.

New Business

No New Business

Unfinished Business

Dr. Anderson moved to approve Item Three (3), approval of Resolution 2017-01 Open Meetings Act; the motion was seconded by Mr. Stull. The Chair called for discussion of the motion. Dr. Anderson asked if there are any changes. Mrs. Horton advised per the discussion at our last meeting the Act has been updated to reflect two meetings per month under paragraph two for the first and third Thursday of each month. The Chair called for a vote on the motion; the motion carried by roll call vote 5-0.

Dr. Anderson moved to approve Item Four (4), approval of USDA Grant Agreement; the motion was seconded by Mr. Stull. Executive Director Jennifer Horton advised this is our long awaited agreement to finalize our transfer of the County wastewater. We have begun to prepare for the transfer with regard to billing and operations. The Chair called for discussion of the motion. The Chair called for a vote on the motion; the motion carried by roll call vote 5-0.

Dr. Anderson moved to approve Item Five (5), approval of the Annual Membership Agenda; the motion was seconded by Mr. Stull. The Chair called for discussion of the motion. Executive Director Jennifer Horton advised this is our standard agenda. Dr. Anderson inquired if copies of last year's meeting will be available? Yes they will. Mr. Ponteri asked if there is a way to itemize each presentation so that the public is aware of what they are not allowed to present for public input in order to avoid any contention. Legal counsel Joshua Smith reassured this is not necessary as discussion will not be limited except on items specifically stated on the agenda. Mr. Melton advised we utilize this statement in order to encourage our membership to discuss matters under the proper item. We will

not go back to discuss items that have already been addressed. The Chair called for a vote on the motion; the motion carried by roll call vote 5-0.

Open Session

Mr. Stull noticed there is a lot of pipe left for our Valley and Taylor Rd. project. When is this due to be completed? Mrs. Horton advised in April. Dr. Anderson asked if we are going to be doing anything off of Dona Ana School Road as he has seen a lot of activity. Mr. Horton explained that is not our project. Dr. Anderson asked if the list he has of water rights from Mr. Peters is still current. Mrs. Horton reviewed the list and advised what he has is current. Mr. Ponteri asked if there is a requirement for the Board to see an entire contract before approval. Some of these contracts are very lengthy; a synopsis of the contract would be great. Mr. Melton advised he will only sign a contract after reading it in its entirety, however if the rest of the Board would like a synopsis he is not opposed. Mrs. Horton is requesting a Special Meeting for Monday January 9, 2017 to review a Colonias Infrastructure application that we have had funding come available for the Southeast Collection System. Three of the five Board Members are able attend in order to meet quorum.

Adjournment

Dr. Anderson moved to adjourn at 10:01 a.m.; Mr. Stull seconded the motion. The Chair called for a vote on the motion: the motion carried by roll call vote 5-0.


Kurt Anderson

Secretary/ Treasurer


Date