



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, January 26, 2016, 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- Mr. Melton called the meeting to order at 9:00 A.M. and called roll:

Vice President- Jamie Stull, Present

Board Member- Kay Trujillo, Present

Board Member- Kurt Anderson, Present

Others in Attendance:

Executive Director- Jennifer Horton, Present

Legal Counsel- Lee E. Peters, Present

Administrative Assistant- Edward B. Salomón, Present

Approval of Agenda

Mr. Anderson moved to approve the agenda for the January 26, 2016 regular Board Meeting as presented; the motion was seconded by Mrs. Trujillo. The Chair called for discussion of the motion. The Chair called for a vote on the motion; the motion carried by roll call vote 4-0.

Minutes

Mr. Anderson moved to approve the Special Board Meeting Minutes of January 12, 2016 as presented; the motion was seconded by Mrs. Trujillo. The Chair called for discussion of the motion. The Chair called for a vote on the motion; the motion carried by roll call vote 4-0.

New Members & New Meters

Mr. Anderson moved to approve the New Members and New Meters list as presented; the motion was seconded by Mrs. Trujillo. The Chair called for discussion of the motion: Mr. Anderson stated that there were four (4) new members and eight (8) new meters. The Chair called for a vote on the motion; the motion carried by roll call vote 4-0.

Customer Issues and Public Input

None

Board President Report

Mr. Melton reports:

Mr. Melton reported that Mr. Anderson, Mrs. Horton and himself attended the Extra Territorial Zoning (ETZ) meeting on January 21, 2016. An application by Mr. Thurstin for a zoning change was not approved by the Commission.

Staff Reports

Executive Director

Mrs. Horton reports- see attachment A

Mrs. Horton reported on current loans and current available funding as of January 20, 2016. Mrs. Horton stated that two (2) funding items are still pending which is a loan with New Mexico Finance Authority (NMFA) for the southeast collection which is new

vacuum station. We have received all of the loan documents for legal and staff review and then it will go before the Board of Directors on February 9, 2016 so they can review the loan agreements. The loan amount is for \$677,643. The other pending loan is from the United States Department of Agriculture (USDA) for the Radium Springs Project which has been moved forward with the recommendation of an 80/20 split with \$4,033,469 as the grant and \$806,693.80 as the loan. We also have a second pending USDA loan which will fund the remainder of the Southeast collection phase 1 which is split into four (4) sections because it is such a large project. USDA is starting to review our application and they are trying to secure funding for the project. Mrs. Horton stated that we have filled the position in operations with Ernest Armendariz who is a level 2 operator. We also hired Julie Martinez who is our new Customer Service Representative 1. We are now fully staffed in the customer service department. We still have one (1) more pending position in the accounting department and we are currently reviewing resumes and hope to interview candidates sometime next week.

Unfinished Business

Mr. Anderson moved to approve Resolution 2016-02 Authorizing Matching Funds for CIF-3349 as presented; the motion was seconded by Mrs. Trujillo. The Chair called for discussion of the motion. The Chair called for a vote on the motion; the motion carried by roll call vote 4-0.

Mr. Anderson moved to approve Policy 1027.0 Wastewater Connection Fee as presented; the motion was seconded by Mrs. Trujillo. The Chair called for discussion of the motion. The Chair called for a vote on the motion; the motion carried by roll call vote 4-0.

Mr. Anderson moved approval to Award Construction Contract for the Railroad Crossings to Burns Construction as presented; the motion was seconded by Mrs. Trujillo.

The Chair called for discussion of the motion. The Chair called for a vote on the motion; the motion carried by roll call vote 4-0.

Mr. Anderson moved approval to Award the Well Drilling Contract for Well 11 to D&J Pump Well Service as presented; the motion was seconded by Mrs. Trujillo. The Chair called for discussion of the motion. The Chair called for a vote on the motion; the motion carried by roll call vote 4-0.

Mr. Anderson moved to approve the Contract for General Service with Fox Consulting as presented; the motion was seconded by Mrs. Trujillo. The Chair called for discussion of the motion. The Chair called for a vote on the motion; the motion carried by roll call vote 4-0.

Mr. Anderson moved approval to change 2016 Board Meeting Days to the first and third Thursday of the month as presented; the motion was seconded by Mrs. Trujillo. The Chair called for discussion of the motion. The Chair called for a vote on the motion; the motion carried by roll call vote 4-0.

Mr. Anderson moved to approve Certification of 2016 Election Results as presented; the motion was seconded by Mrs. Trujillo. The Chair called for discussion of the motion. The Chair called for a vote on the motion; the motion carried by roll call vote 4-0.

Closed Session

Mr. Anderson moved to go into closed session at 9:45 A.M.; the motion was seconded by Mrs. Trujillo. The Chair called for a vote on the motion; the motion carried by roll call vote 4-0.

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 close session:

1. Real Property and Water Right Acquisition
2. Litigation and Threatened Litigation
3. Limited Personnel Matters

Mr. Anderson moved to go into Open Session at 10:48 A.M.; the motion was seconded by Mrs. Trujillo. The Chair called for a vote on the motion; the motion carried by roll call vote 3-0.

Mr. Melton reported that only the items on the agenda were discussed in closed session and that there were no items requiring action as a result of the closed session.

Legal Update

Westmoreland Case- There is no Change in status.

Moongate Case- There is no Change in status.

General Legal Update- We have received emergency authorization from the State Engineer to drill and use the replacement well at Fort Selden. We are publishing notice of that application which is required by law, but in the meantime we are able to drill and use the well under the conditions set forth in the emergency authorization. Mr. Peters stated that there may be a Bill introduced in the Legislature that could affect Doña Ana MDWCA. The Regional Utility Authority Act has been reintroduced and Mr. Peters has reviewed House Bill 196 but it seems to be the same as last year's bill.

Open Discussion

The Board of Directors discussed holding a workshop to revise the Bylaws and Articles of Incorporation. They also discussed holding a public meeting to get input on the revised Bylaws and Articles of Incorporation.

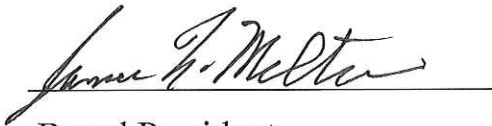
Mr. Melton discussed the Annual Meeting and how he wanted to recognize Mrs. Balizan for all of her years of service.

Mr. Melton suggested to declare that the seat for District 3 vacant so that we can begin the process to appoint a new Board Member.

Mr. Anderson mentioned that he was still doing some homework on solar energy and was meeting with different vendors to request information. Mrs. Horton stated that we need to follow the procurement process and put out a Request for Information (RFI) so that everyone has a fair chance to get the same information that we are requesting.

Adjournment

Mr. Anderson moved to adjourn at 11:37 P.M.; the motion was seconded by Mrs. Trujillo. The Chair called for a vote on the motion: and the motion carried by roll call vote 4-0.



Board President

James F. Melton



Date

Current Loans as of January 20, 2016

Funding Agency	Loan Purpose	Original Amount	Term	Balance	Interest Rae	Annual Payment
RUS/USDA	North Tank #1 & Well	\$ 509,800	40	\$ 423,029	4.75%	\$ 28,512
RUS/USDA	Fort Selden Water Company Asset Purchase	\$ 2,119,317	40	\$ 998,317	2.75%	\$ 87,492
NMFA/WTB 55	W/WW Reclamation, Collection & Surface Water	\$ 38,000	20	\$ 27,265	0.25%	\$ 1,911
NMFA/WTB 83	W/WW Reclamation, Collection & Surface Water	\$ 380,000	20	\$ 272,650	0.25%	\$ 19,841
NMFA/WTB105	Reclamation Design & Planning*	\$ 14,000	20	\$ 1,020	0.25%	\$ 702
NMFA/WTB 243	Surface Water Transmission Line	\$ 1,404,000	20	\$ 1,231,202	0.25%	\$ 74,064
NMFA/WTB 271	Surface Water Transmission Line	\$ 1,600,000	20	\$ 1,072,042	0.25%	\$ 82,160
NMFA/CI 2770	Water Distribution Armstrong/Enlger	\$ 35,706	20	\$ 31,491	0.00%	\$ 1,853
NMFA/CI 2797	Water Distribution DA Road/DA School Road	\$ 153,360	20	\$ 145,692	0.00%	\$ 7,668
NMFA/CI 3184	Design Radium Springs Water Distribution	\$ 10,200	20	\$ -	0.00%	\$ 510
NMFA/CI 3177	Design Fairview Water Distribution	\$ 18,800	20	\$ -	0.00%	\$ 940
NMFA/DW 2868	AMR System & Phase II SCADA	\$ 1,527,750	20	\$ 1,527,750	2.00%	\$ 92,206
NMED RIP 2013 -01	Picacho Hills Utility Company Asset Purchase**	\$ 2,000,000	20	\$ 1,920,766	2.38%	\$ 126,784
NMED RIP 2014 -01	PHUC Asset Purchase & Water/Wastewater Upgrades*	\$ 2,000,000	20	\$ 275,000	2.38%	\$ 126,784
NMED RIP 00002	Water/Wastewater Upgrades*	\$ 2,000,000	20	\$ -	2.38%	\$ 126,784
NMFA/DW 3227	Water Distribution Fairview/Picacho Hills Water Tanks	\$ 2,062,500.00	20	\$ -	2.00%	\$ 126,136
NMFA/DW 3382	Water Distribution and Tanks Picacho Hills	\$ 2,250,000.00	20	\$ -	2.00%	\$ 137,602.62
TOTAL		\$ 15,873,433		\$ 7,926,224		\$ 1,041,950

Pending Loans as of January 20, 2016

NMFA/CI 3349	SE Collection	\$ 67,600.00	20	\$ -	0.00%	\$3,380.00
USDA	Radium Springs	\$ 806,693.80	40	\$ -	4.75%	\$45,414.24
TOTAL		\$ 18,997,727		\$ 7,926,224		\$ 1,090,744

Current Available Funding as of January 20, 2016

Funding Agency	Grant Purpose	Original Amount	Loan %	Grant %	Remaining Balance
EPA/XP-96639501	Wastewater Headworks	\$ 120,500	0%	100%	\$ 99,448
NMFA/WTB 271	Surface Water Transmission Line	\$ 4,000,000	40%	60%	\$ 2,929,787
NMFA/CI 3184	Design Radium Springs Water Distribution	\$ 100,200	10%	90%	\$ 58,390
NMFA/CI 3177	Design Fairview Water Distribution	\$ 188,000	10%	90%	\$ 46,043
NMFA/DW 2868	AMR System & Phase II SCADA	\$ 2,039,000	75%	25%	\$ 1,067,231
NMED RIP 2014 -01	PHUC Asset Purchase & Water/Wastewater Upgrades*	\$ 2,000,000	100%	0%	\$ 1,611,731
NMED RIP 00002	Water/Wastewater Upgrades*	\$ 2,000,000	100%	0%	\$ 2,000,000
NMFA/DW 3227	Water Distribution Fairview/Picacho Hills Water Tanks	\$ 3,000,000.00	75	25%	\$ 2,718,833
NMFA/DW 3382	Water Distribution and Tanks Picacho Hills	\$ 2,250,000.00	75%	25%	\$ 2,250,000
TOTAL		\$ 13,447,700			\$ 12,781,463.10

Pending Grants as of January 20, 2016

Funding Agency	Grant Purpose	Original Amount	Loan %	Grant %	Application Status
NMFA/CI 3349	SE Collection	\$ 676,000.00	90%	10%	Awarded
USDA	Radium Springs	\$ 4,033,469.00	20%	80%	Pending
USDA	SE Collection	\$ 3,500,000.00	??	??	Pending
TOTAL		\$ 23,907,169			