



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, March 2, 2017; 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:

Vice President – Jamie Stull, Present

Secretary/ Treasurer – Kurt Anderson, Present

Board Member – Raymond Ponteri, Present

Others in Attendance:

Executive Director – Jennifer Horton

Legal Counsel – Joshua Smith

Community Members – Nancy Simmons, June Young, Donald Young, Pam Sherry, Mike Slover, Harold Denton, and Barbara Denton

Approval of Agenda

Dr. Anderson moved to approve the agenda for the March 02, 2017 Regular Board Meeting as presented; the motion was seconded by Mr. Stull. The Chair called for discussion of the motion. The Chair called for a vote on the agenda; the motion carried by roll call vote 4-0.

Minutes

Dr. Anderson moved to approve the Regular Board Meeting Minutes of February 16, 2017; Mr. Stull seconded the motion. The Chair called for discussion of the motion. Mr. Ponteri and Mr. Melton updated two grammatical errors under Open Session. Dr. Anderson amended the motion to reflect these updates with a second from Mr. Stull. The Chair called for a vote on the amended motion; the motion carried by roll call vote 4-0.

New Members & New Meters

Dr. Anderson moved to approve the New Members and New Meters list as presented for March 2017; Mr. Stull seconded the motion. The Chair called for discussion of the motion. Executive Director Jennifer Horton advised there are eleven (11) names on the list consisting of six (6) new members, five (5) existing members, and six (6) 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

2. Donald Young advised his mother's water usage began to increase even after reducing the sprinkler systems use and they have not found a leak. He believes the meter change out should warrant a billing adjustment as the water usage has since decreased. Executive Director Jennifer Horton advised the meter did fail the testing procedures, however the meter tested slow; meaning this residence was receiving more water than what was being registered through the meter. The usage actually started to decrease before the meter change out occurred, not after. Mr. Melton advised we have no control over where the water goes once it registers through the meter. Mr. Young advised the third party vendor the Association uses is not a certified tester; he would prefer sending the meter to the manufacturer. Mr. Melton advised there is not a certification requirement for testing procedures and NMED is aware of who our independent vendor is. Mr. Melton

advised the issue is that we have records proving the distribution of water into this home with a meter showing it was actually registering slowly. We have no way of writing this off due to the Anti-donation Clause. Mr. Melton recommends we table this until we can gather additional information with regard to this particular meter with a decision finalized before the next Regular Board Meeting.

3. Pam Sherry and Harold Denton from the PHPOA presented their landscape proposal to the Board. The PHPOA has been working with Dona Ana County in creating the master landscape plan as the landscaping would be on the County Right of Ways. They are also hoping to place shrubbery on property owned by Dona Ana Water. The PHPOA has requested to enter a partnership with the Association by having a meter provided for the landscaping free of charge, however the Association is unable to do so due to the Anti-donation Clause. We cannot claim responsibility for items on our property that do not belong to the Association, such as an irrigation system. We can provide the meter and the membership; however we must abide by the Anti-donation Clause.

Board President Report

Mr. Melton and Dr. Anderson attended Colonias Day. Dr. Anderson reported the attendance was lower this year than prior years, possibly due to the lack of funding this year.

Mr. Melton advised we have a good relationship with the Colonias Infrastructure Board with several entities championing for future funding.

Staff Reports

2. Executive Director: See attachment

Picacho Hills received a special mailing for a notice of high lead and copper violation. The state of New Mexico requires mcl limits to be at a .015. We collected twenty (20) samples, which resulted in an estimated six (6) homes over the allowed limit. These samples then placed the Association at a .030 mcl overall for our lead and copper in this area. We will now complete special sampling at the well and tank sites in order to monitor the issue. If we continue to see these numbers then we will introduce a corrosion inhibitor. Ms. Horton explained that sometimes buildup occurs on the pipes of older homes, and if there is a change in water quality there is potential for leaching from the pipes. The levels we are seeing are still very low and not considered dangerous, however we will continue to abide by state requirements. The problem samples are from one particular area and we will continue to notify the public of our findings.

New Business

No New Business

Unfinished Business

Dr. Anderson moved to approve Item Five (5), approval to accept the Resignation of District 3 Board Member Justin Sparks; Mr. Stull seconded the motion. 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 4-0.

Dr. Anderson moved to approve Item Six (6), approval to Award the Myles Road Pavement Project to A Mountain Construction; Mr. Stull seconded the motion. The Chair called for discussion of the motion. Ms. Horton advised we had a range of bidders with a low bid from A Mountain Construction of \$88,376.10. This is to repave Myles Road, which is what Gallardo Construction could not return to repair to the Dona Ana County

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

Dr. Anderson moved to approve Item Seven (7), approval to Award Contract 6325406 to Souder, Miller, and Associates (SMA); Mr. Stull seconded the motion. The Chair called for discussion of the motion. Ms. Horton explained this is for SMA to bid and complete construction administration for the paving at Dona Ana Road; which is the change order that Smith Co. is getting ready to complete for the installation of water line just short of Dona Ana School Road. This will result in about 3500 square yards of asphalt paving. The overall contract will allow SMA to complete the bid package and bidding, work with the contractor, ensure bonds are in place, and complete the pay application and record drawing. The Chair called for a vote on the motion; the motion carried by roll call vote 4-0.

Dr. Anderson moved to approve Item Eight (8), approval to Award Contract 6323698 to Souder, Miller, and Associates (SMA); Mr. Stull seconded the motion. The Chair called for discussion of the motion. Ms. Horton advised this extends the construction administration for the transmission line project. The original contract allowed for 100 days, but the funding agency has approved the extension of the contract for an additional 30 days. The Chair called for a vote on the motion; the motion carried by roll call vote 4-0.

Open Session


Mr. Ponteri is interested in the zoning requirements for the fence in Picacho Hills, specifically for the Unified Development Code (UDC). Ms. Horton explained we have a Special Use Permit for our properties in Picacho Hills that enables us to do what we need to do on this property, including but not limited, to well housing and the wastewater

treatment plant. We completed this permit before we closed on Picacho Hills. Legal counsel Mr. Smith clarified that the UDC landscape requirements do not apply to political subdivisions of the State of New Mexico.

Dr. Anderson is concerned with the state of New Mexico's water issues. Mr. Smith had a very long meeting with EBID attorneys and engineers. He is going to meet with our Executive Director and will follow up with the Board in a closed session at the next Regular Board Meeting.

Adjournment

Mr. Ponteri moved to adjourn at 10:46 a.m.; Dr. Anderson seconded the motion. The Chair called for a vote on the motion: the motion carried by roll call vote 4-0.



Kurt Anderson
Secretary/ Treasurer



Date