



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, May 12, 2015, convened at 9:00 A.M. at 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

Secretary/ Treasurer, Agnes Balizan, Present

Board Member, Kay Trujillo, Present

Board Member, Kurt Anderson, Present

Others in Attendance:

Executive Director, Jennifer Horton, Present

Projects Manager, Abenicio Fernandez, Present

Administrative Assistant, Edward B. Salomón, Present

Approval of Agenda

Mr. Anderson moved to approve the agenda as presented; the motion was seconded by Mrs. Balizan. 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.

Minutes

Mr. Anderson moved to approve the Regular Board Meeting Minutes of April 28, 2015 as presented; the motion was seconded by Mrs. Balizan. 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.

Mr. Anderson moved to approve the Special Board Meeting Minutes of May 4, 2015 as presented; the motion was seconded by Mrs. Balizan. 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.

New Members & New Meters

Mrs. Balizan moved to approve the New Members and New Meters list as presented; the motion was seconded by Mr. Anderson. 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.

Customer Issues & Public Input

Mr. Hayhoe asked Mrs. Horton if the Regular Board Meeting Minutes for April 17, 2015 were available on the Doña Ana MDWCA website. Mrs. Horton replied that she would update the website as soon as she possibly could.

Board President Report

Mr. Melton reports:

Mr. Melton expressed his condolences on behalf of the Board of Directors and himself for the passing of Mrs. Emma Garcia who was a long time Association Member and

- Board Member for Doña Ana MDWCA. Mr. Melton mentioned that he was unable to attend the services for Mrs. Garcia due to the fact that he was out of town.

Staff Reports

Administration Department

Mrs. Calhoun reports:

Expenditures- Expenditure Report from April 5, 2015 to May 5, 2015. All expenditures are normal overhead.

Accounts Receivables- Doña Ana County billing was \$960.00 for 320 Waste Water Users; they currently owe this amount for April 2015.

- **Accounting-** General Ledger (GL) account reconciling has begun in preparation for end of year.

Current Open Positions- Currently Operations has (1) vacancy for Water and/or Waste Water Operator. A current listing of open positions can be obtained on the DAMDWCA website www.dawater.org. In addition to the listing are the job descriptions and job requirements for all vacant positions.

Staff Trainings- In house All-Staff training for April 2015 consisted of two trainings.

- **Bullying in the Workplace** – This training consisted of step by step instructions on how to handle bullying from a co-worker or manager. The most important aspects of this video are examining your own behavior, knowing when to speak up and getting help from a Manager or Human Resources. The main point of this video was that bullying is

not acceptable and will not to be tolerated. This tool will be very effective in our work place. Testing was administered following the video.

Work Ethics – This training consisted of examples of unethical behaviors in the workplace. It also pointed out ways to create an ethical environment. The main points of this video were identifying unethical behaviors, who these behaviors hurt and when to do something about it. This tool will be highly effective in our workplace as it identified common core values to have in the workplace. Testing was also administered following this video.

Customer Service Department

Mrs. Shelsea reports:

Billing- Billing statements were submitted to Go Direct on April 27, 2015.

Penalties- Penalties for April totaled \$ 8,441.54

Penalties are schedules for May 15, 2015.

Disconnections- Total Disconnections for April 21, 2015: were 39

Doña Ana: 29

Ft. Selden: 2

Picacho Hills: 5

Fairview: 3

Total reconnections for April 2015: 33 accounts were restored. Disconnection is scheduled for May 21, 2015.

Operations Report

Mrs. Horton reports:

Doña Ana MDWCA System- 36,726.453 gallons of water pumped for the month of April 2015 and reported to the New Mexico Office of the State Engineer. Water Conservation Fee in the amount of \$1,101.79 was submitted for the month of April 2015. Routine disinfection and bacteriological monitoring of the system were conducted throughout the month. Nine (9) samples were taken throughout the month at random alternate sites as per “Approved Sampling Plan” through New Mexico Environment Department-Drinking Water Bureau. Doña Ana water meters were read on 4/16/15 – Re-reads also completed. There were four (4) new water services installed within the Doña Ana MDWCA System. There are 4,086 water service connections within this system. Vehicle and Equipment maintenance were conducted throughout the month. Maintenance is on-going on all wells, booster stations, and well houses. Operations repaired four (4) service leaks in the D.A. service area. Static and drawdowns were taken at all the wells. Wells #2, #5, and #7 are on-line. Wells #6 and #8 are off and ready when needed. Operations installed emergency water service at 164 Budway Lane. The Owners well had quit working. Installed re-built chlorine pump at well #8. Took in old pump for estimate on repairs (seals leaking). Operations hooked up air conditioner units at wells #2 and #8 booster stations and shop building. Mr. Parra turned in price quotes for a valve exerciser for Dona Ana system.

Ft. Selden System- 3,874,341 gallons of water pumped for the month of April 2015 and submitted to the New Mexico Office of the State Engineer. Water Conservation Fee in the amount of \$116.23 was submitted for the month of April 2015. Routine disinfection and bacteriological monitoring of the system were conducted throughout the month. One (1) sample was taken for the month at random alternate sites as per “Approved Sampling Plan” through New Mexico Environment Department-Drinking Water Bureau. All water

meters were read on 4/15/15. All re-reads completed. No new water services were installed within the Ft. Selden Water System. There are 401 water service connections within this system. Operations conducted inspections at well and tank sites (weed control). Static and drawdown levels recorded at both wells. Wells #9 and #10 are cycling and on line. ICS Solution repaired Supervisory Control and Data Acquisition (SCADA) system which quit working over the week-end (On call controlled it manually). Operations replaced a relay at the remote terminal unit (RTU) control panel. Operations hung notices and had three (3) water outages for installation of new valves. Operations replaced 4" valve on Tres Amigo Road. Operations replaced 4" valve on Blazing Trails Road. Operations replaced 2" valve on Ft. Selden Road. (front of fire station) Replaced dirt and gravel on a Southtrack Rd. driveway after main line break.

Picacho Hills System-10,213,292 gallons of water pumped for the month of April 2015 and submitted to the New Mexico Office of the State Engineer. Water Conservation Fee in the amount of \$306.40 was submitted for the month of April 2015. Routine disinfection and bacteriological monitoring of the system were conducted throughout the month. Two (2) samples were taken throughout the month at random alternate sites as per "Approved Sampling Plan" through New Mexico Environment Department-Drinking Water Bureau. All water meters were read the 4/16/15. All re-reads completed. There was two (2) new service installed in Picacho Hills. Operations Installed 1" water service and 200 feet of 2" PVC line to wastewater treatment plant and new maintenance Building. There are 912 water service connections within this system. Repaired two (2) service leaks/angle valves. Inspections were conducted at well and tank sites (weed control). Static and drawdowns were taken at all the wells. Fire hydrant maintenance is on-going. 182 completed to date (198 total hydrants in system). Operations repaired 8" main and valve on Via Emma/Via Norte. A new force-main flow meter was installed at the Fairacres Elementary School's sewage system. Pure Ops Technical Support programmed

meter and is now registering flow. Price quotes for street valve exerciser for Picacho Hills/Ft. Selden have been turned in.

Fairview Water System- 541,400 gallons were pumped for the month of April 2015. Water Conservation Fee in the amount of \$16.24 was submitted for the month of April 2015. Routine disinfection and bacteriological monitoring of the system were conducted throughout the month. One (1) sample was taken for the month at alternate sites as per “Approved Sampling Plan” through New Mexico Environment Department-Drinking Water Bureau. All water meters were read on 4/16/15. There was no new water service installed within the Fairview Estates Water System. There are 53 water service connections within this system. Inspections were conducted at wells and pressure tank site. Static and drawdowns were taken at all the wells. Wells currently set to operate on auto-cycle. Working on city approved parts list and permit for emergency 2” water service hook-up (Back flow preventer and pressure reducing valve).

Projects Manager Report

Mr. Fernandez reports:

Under Construction

PICACHO HILLS

Tank at Picacho Hills- Souder Miller & Associates (SMA) is planning on submitting construction plans and contract documents to New Mexico Environmental Department (NMED), Construction Projects Bureau (CPB) and NMED Drinking Water Bureau (DWB) this week addressing comments received from both agencies.

District 5 Headworks- Steve Deal with NMED CPB and Environmental Protection Agency (EPA) are currently reviewing the environmental clearance.

District 5 Building- Construction commenced April 6, 2015. The Contractor has completed the plumbing and the foundation. They plan to start erecting the building on May 18, 2015 to allow for the concrete to set and cure.

Fairview Water- Plans and technical specifications have been submitted to the following agencies: City of Las Cruces (CLC), Dona Ana County (DAC), Elephant Butte Irrigation District (EBID), International Boundary Water Commission (IBWC), New Mexico Department of Transportation (NMDOT), NMED CPB and NMED DWB. Project has received approval from NMED DWB and is currently working on addressing comments from DAC and NMED CPB. SMA has met with plan reviewers from EBID, DAC and NMDOT to discuss comments and have made modifications to address their comments. SMA has received a verbal agreement from IBWC but has not received a written approval. SMA is currently working on gathering additional data collection to address owner's comments to move the waterline into a proposed easement.

District 5 Wastewater PER- Preliminary Engineering Report (PER) was submitted to NMED Ground Water Quality Bureau (GWQB) and NMED CPB on October 28, 2014. Comments were received from NMED-CPB and SMA is currently waiting on formal comments from NMED GWQB. Doña Ana MDWCA and SMA have made numerous inquiries, but have received no documented comments from NMED GWQB to date.

SCADA Implementation Project- The buildings for the wells in District 5 were moved to the Supervisory Control and Data Acquisition (SCADA) design project and new well house buildings were added to the scope for Wells #9 and #10 in Radium Springs. NMED provided comments on the design and SMA will submit revised plans and a cost estimate to NMED and Dona Ana MDWCA this week.

○ **GIS Mapping-** We ordered the valve exerciser. As soon as it comes in we will start the GIS (Geographic Information System) mapping.

SW Transmission Ph II, Armstrong Ph II, Elks IV- Gallardo construction has been working on asphalt repairs and punch list items for the past couple of weeks. The first attempt at a repair on Elks Drive did not meet CLC requirements, therefore had to be redone. Gallardo removed and replaced the repair which did not comply with acceptable standards, but SMA has not received written confirmation from the CLC as to whether or not the workmanship is acceptable. Gallardo has also starting working on the repairs on Lujan Hill Road. The valve has been removed and the waterline has been reconnected. They did not have time to start working on the patch, so they filled the area with base course. Gallardo was not clear about when they are going to return to finish the work. The crew that was working out there has been removed from this project and they are not working May 11, 2015.

Doña Ana Road & Doña Ana School Road- Construction has been completed. SMA has completed the record drawings and has delivered two (2) copies to Doña Ana MDWCA.

Paseo Del Oro Apartments- The summary of the proposed water service for the apartments will be completed and delivered on or before May 13, 2015

Railroad Crossings- SMA is currently preparing all the drawings, contract documents and technical specifications to submit to Dona Ana MDWCA and NMED CPB for review on or before May 22, 2015.

○ **New Trucks-** An advertisement went in the Las Cruces Sun News Paper May 7, 2015. Doña Ana MDWCA is having a non-mandatory pre-bid meeting May 19, 2015 at 10:00A.M.; sealed bid opening May 22, 2015 at 2:00 P.M.

Executive Director Report

Mrs. Horton reports:

Mrs. Horton met with the Burke sisters to discuss the tank site in Picacho Hills. The Burke sisters agreed to sign the Deed to the transfer of the property to Doña Ana MDWCA. The Burke sisters had two conditions one of which the Association can meet and the other we cannot. Mrs. Horton does not foresee any issues with the Burke Sisters signing the deed once she can fully explain why Doña Ana MDWCA cannot meet the second condition. Mrs. Horton and Mr. Fernandez met with the village of Hatch New Mexico to show the Board of Trustees plans for the easements. Mrs. Horton does not believe there will be any problems getting the Village of Hatch to sign the agreements for the easements and waterlines in Picacho Hills. Mrs. Horton is waiting to secure the funding so we can begin work on the projects in Picacho Hills. Mrs. Horton mentioned the city agreement that the Board of Directors approved to provide backup water connection for Fairview in case the Doña Ana MDWCA wells fail or have issues. Mrs. Horton is waiting for all the paper work to get approved by the CLC in order for Doña Ana MDWCA to begin working on connecting to the CLC main. Mrs. Horton commented on a number of subdivisions that are being built in Paseo Del Oro, The Willows in Picacho Hills, and Rancho De Gallo which is showing potential growth for Doña Ana MDWCA. Mrs. Horton mentioned that Doña Ana MDWCA submitted a pending request to USDA for funding for line upgrades in Radium Springs. Mrs. Horton also mentioned that she sent out the application for the RIP Loan and should be hearing more information about it soon, which will fund the tank and water lines in Picacho Hills. Mrs. Horton mentioned Colonias Infrastructure gave Doña Ana MDWCA more time for

the Audit to be made public. At this point Doña Ana MDWCA is waiting to see if we will get approved for funding. Mrs. Horton is preparing to start the Fiscal Year 2016 budget. Mrs. Horton Notified the Board of Directors that she would be holding a budget workshop sometime before June 1, 2015 so that Doña Ana MDWCA can send in the budget for FY2016.

Unfinished Business

Mr. Anderson moved to approve award audit contract for FY2015 to De'Aun Willoughby Certified Public Accountant (CPA) as presented; the motion was seconded by Mrs. Balizan. The Chair called for discussion on the motion. The Chair called for a vote on the motion; the motion carried by roll call vote 5-0.

Mr. Anderson moved to approve award paving bid to A Mountain Construction as presented; the motion was seconded by Mrs. Balizan. 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.

Closed Session

Mr. Anderson moved to go into closed session at 10:13 A.M; the motion was seconded by Mrs. Balizan. The Chair called for discussion of the motion. The Chair called for a vote of the motion; the motion was carried by roll call vote 5-0.

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

Mrs. Balizan moved to go back to open session at 11:28 A.M.; the motion was seconded by Mr. Anderson. The Chair called for discussion of the motion. The Chair called for a vote of the motion; the motion was carried by roll call vote 5-0.

Mr. Anderson moved to not appeal the findings of the secretary of Workforce Solutions in the matter of Rosanna Balderrama; the motion was seconded by Mrs. Balizan. 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.

Legal Update

The Westmoreland case is still awaiting a decision from Judge Arrieta.

The Moongate case Moongate has to file this week its reply on its summary judgment request and respond to our motion for summary judgment; Doña Ana's reply will be filed in early June and then the Judge decides whether to grant one of the party's summary judgment. If not, the case goes to trial in December.

The Zepeda case was tried on May 1 and Judge Arrieta ruled from the bench, granting Doña Ana a permanent injunction and rejecting the Zepedas' defenses; a final written ruling should be made soon.

Any appeal of the Department of Workforce Solutions' decision in the Balderrama case must be filed by May 27.

Open Discussion

Mr. Melton talked about the motions that were tabled in the April 28, 2015 Regular Board Meeting that had to do with agreements and rate structures that have been set up or are obligating Doña Ana MDWCA to accept rate structures and agreements that have been set up by the County. Mr. Melton asked Mr. Peters if Doña Ana MDWCA was obligated to be bound by those agreements or if Doña Ana MDWCA can object and negotiate the agreements. Mr. Peters mentioned to Mr. Melton that he is in the middle of modifying the agreements and that they should be ready to present to the Board of Directors in the May 26, 2015 Regular Board Meeting.


Mr. Anderson asked if it would be possible to update the Doña Ana MDWCA website with the current IPIC and 40 year Plan.

Mrs. Horton scheduled a budget workshop with the Board of Directors in the month of June so that the Board of Directors will have a month to make adjustments to the budget if there is any to be made.

Mrs. Horton mentioned that the last week of September is the National Rural Water Convention, and she believes it would be a good event for the Board of Directors to attend since the Board had not attended the conference in a couple of years. She asked which Board Members would be able to attend so that she can book lodging, flights and conference registration. The conference will be held in Oklahoma City.

Adjournment

Mrs. Balizan moved to adjourn the May 12, 2015 Regular Board Meeting at 11:52 A.M.; the motion was seconded by Mr. Anderson. 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.



Secretary/Treasurer

Mrs. Agnes Balizan


Date