



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 19, 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

Secretary/ Treasurer- Kurt Anderson, Present

Board Member- Raymond Ponteri, Present

Others in Attendance:

Executive Director- Jennifer Horton, Present

Community members - Nancy Simmons, Jim Hayhoe, Bob Crowley, and Juanita Riddle, Present

Approval of Agenda

Mr. Anderson moved to approve the agenda for the May 19, 2016 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 motion; the motion carried by roll call vote 4-0.

Minutes

Mr. Anderson moved to approve the Regular Board Meeting Minutes of May 5, 2016 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 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 for May 2016; the motion was seconded by Mr. Stull. The Chair called for discussion of the motion: Mrs. Horton advised there are twenty-six (26) names on the list comprised of twenty (20) new members and five (5) new meters. Chair called for a vote on the motion; the motion carried by roll call vote 4-0.

Customer Issues and Public Input

Juanita Riddle introduced herself to clarify her application for ten (10) recreational vehicle (RV) spaces. Ms. Riddle explained she is not applying for ten (10) new meters, but in fact one meter large enough to facilitate the temporary travels of tourists for up to ten (10) spaces at any given time. Ms. Riddle would like a new evaluation of the fees associated with this in regards to the clarification of the RV spaces. Ms. Riddle advised the housing of each space is case by case. Mr. Melton asked if these spaces would at any point be long term housing. Ms. Riddle stated these spaces are for temporary stay only. Executive Director Horton questioned whether Ms. Riddle had discussed the issue of our ability to provide adequate fire protection utilizing the four (4) inch water mains currently servicing the property in question. Mrs. Horton advised a line this small will not allow DAMDWCA to provide "Fire Flow". Ms. Riddle advised she has spoken with the Fire Marshall. Per Ms. Riddle she does not need to maintain fire flow lines at this time as there is a fire hydrant within four hundred (400) feet that could provide assistance. Mr.

Melton inquired if we are obligated to provide notice of fire flow. Mrs. Horton confirmed Dona Ana County does require a letter, which we cannot provide due to the size of the current water line. We are working with USDA on upgrades; however this is up to two years out in finalizing. Mrs. Horton requested Ms. Riddle have her engineer contact DAMDWCA to refine the details of the development plan in order to provide an accurate estimate.

Jim Hayhoe announced his displeasure with the new chain link fence and barbed wire recently erected in Picacho Hills.

Board President Report

Mr. Melton reported he is aware of the discontent in the Picacho Hills community with regard to the new fence. Mr. Melton asked if the fence meets the requirements of securing the property of Well #15. Executive Director Jennifer Horton clarified Mr. Melton's question for the public: We are obligated to have our system undergo a "vulnerability assessment". With this assessment comes the responsibility to ensure not only the safety of the property, but the safety of the community we serve. This fence is compliant with planning and zoning, nor does this break any covenants or statutes. Mr. Hayhoe mentioned he understands the need for security, but there are thirty-one (31) Home Owner Associations within Picacho Hills that have specifications as to what types of fencing and landscaping are allowed. Mr. Melton advised we are not bound by HOA requirements, but he has visited the site in question. The fencing is clean and professional. Discontent with this structure is understandable however the reports he has received in regards to the treatment of the Executive Director and her staff are not appropriate. If the community has concerns they would like to address they are more than welcome to contact the Board Members. The Executive Director and her staff are to be contacted during business hours only, barring emergencies, and treated respectfully. Mr.

Melton reminds the community the Board of Directors has a fiduciary responsibility to be cost effective with long lasting life cycles. We also have a responsibility to treat all Districts equally; if exceptions are made in one District, then we must honor exceptions in all Districts.

Staff Reports

Executive Director

See Attachment A

Mrs. Horton brought to the public's attention the mistreatment the staff at DAMDWCA has received since the erection of our fence. We have removed signs, as well as dealt with trespassing, disruptive calls to our staff, and harassment of our contractors. Trespassers will be asked to leave the premises or police will be called. We are trying to determine if there is a compromise; until such time calls are acceptable to the Executive Director, but not to the staff.

New Business

No New Business

Unfinished Business

Mr. Anderson moved to approve Item Four (4) Approval of Resolution 2016-05 Budget Adjustment for FY 2015 - 2016; the motion was seconded by Mr. Stull. The Chair called for discussion of the motion. Executive Director Horton advised three (3) line item increases are proposed in order to comply with State Regulation for proper budgeting in Revenue and Expenditure Projections:

\$32,000 increase in Water Sales Income

\$5,000 increase for Installation Charges

\$4,000 increase for Interest and Dividends

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

Mr. Anderson moved to approve Item Five (5) Approval of Resolution 2016-06 Amendment to WTB 271; the motion was seconded by Mr. Stull. The Chair called for discussion of the motion. Executive Director Jennifer Horton advised this Resolution is to approve the funding for the Taylor Road Project where we will run eighteen (18) inch water lines going up Valley, East on Taylor Road; between Valley and Elks at Dona Ana Road; and North of Taylor Road all the way to Dona Ana School Road. The design has previously been approved. This Resolution is to fund the actual construction. This is a sixty (60) – forty (40) split where sixty percent is Grant Funding, forty percent is Loan Funding where the loan must be expended first. The Chair called for a vote on the motion; the motion carried by roll call vote:

Jaime Stull – Yes

Kurt Anderson – Yes

Jim Melton – Yes

Ray Ponteri - Abstained

Legal Update

No Legal Update

Closed Session

No Closed Session

Open Discussion

Mr. Melton displayed a Notice of Public Meetings sign he developed in order to encourage member attendance for the upcoming rate study seminars. These meetings will be conducted for clarification of the new rate study completed by Carl Brown. Mr.


Ponteri has notified the District Five Home Owner Associations. Mr. Hayhoe agreed to send an email to his community encouraging participation. Mrs. Horton advised an advertisement is also posted online, in the Sun News, and through email for those who are signed up to receive such announcements. The Board of Directors has a workshop scheduled prior to the public meetings to ensure full clarity of the rate study.

Mr. Melton expressed serious concerns in regards to the fencing discontent in District Five. If we allow accommodations to be made, whether financed by the Association or the District itself, precedents are now set; as well as violating the basic tenets in regards to approval authority. We are a commercial entity that owes a responsibility to protect our assets and the resources we provide our community. At this time we are not aware of a less expensive life cycle cost for continual upkeep for ease of maintaining, or deliberate destruction from vandals. We would like to work with our Districts to find harmony and compromise. Mr. Melton expressed major concern with regard to the Board of Directors maintaining a fundamental awareness of their fiduciary responsibility to the entire 4,300+ members of the Association in the expenditure of the funds with which they are entrusted. Mrs. Horton advised we will not move away from fencing our properties. We have looked at the possibilities of a compromise; each of which would require an assessment in District Five's billing. The assessment would have to be presented in ballot form. This is also something we would have to make available to all Districts. Mrs. Horton did confirm a rock wall would be close to (if not more) three (3) times the cost of the chain link fence. Landscaping is also a possibility, but with each of these prospects comes maintenance from vandals or funding for watering the shrubbery. Either option has its own concerns. The maintenance of a rock wall from vandals has costs. Landscaping can be blown over through chain link, and has several upkeep elements. Mr. Hayhoe clarified the community does understand the need for security, it's the amount of fencing currently apportioned and the lack of community discussion in regards to this

footprint. Mr. Stull also brought to attention that using landscaping or a rock wall hides vandals and thieves. Mr. Crowley confirmed the security portion of the fence is necessary; however the aesthetics are the concern. The most cost effective answer is not always the best and feels the same standard should be applied in all Districts. Mrs. Horton advised we are extremely over budget on this project, and this fence does match all fencing in our Districts. Mr. Anderson reminded the public all government entities have chain link fences. Mr. Melton also brought to attention that we are projected to fence all of our properties due to constant intrusion. Mr. Hayhoe has put forward in the last ICIP session a motion to enhance all DAMDWCA fencing; not only for Picacho Hills, but in all of the Districts. He agrees the same precedents should be made in all Districts. Executive Director Horton acknowledged more communication is necessary and we endeavor to improve this for our Districts.

Adjournment

Mr. Anderson moved to adjourn at 10:30 A.M.; the motion was seconded by Mr. Stull. The Chair called for a vote on the motion: and the motion carried by roll call vote 4-0.



Kurt Anderson
Secretary/ Treasurer

4/22/16
Date