



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, September 15, 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 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

Board Member – Justin Sparks, Excused Absence

Others in Attendance:

Executive Director – Jennifer Horton

Legal Counsel – Joshua Smith

Community Members – Carl Schulz, Jeffy Norwood, Jack Roevens, Tina Roevens,
Bob Crowley

Approval of Agenda

Dr. Anderson moved to approve the agenda for the September 15, 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

Dr. Anderson moved to approve the Regular Board Meeting Minutes of August 18, 2016 as presented; 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 which 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 September 2016; Mr. Stull seconded the motion. The Chair called for discussion of the motion. Executive Director Jennifer Horton advised there are twenty seven (27) names on the list comprising of eighteen (18) new meters and nine (9) sold properties resulting in transfer of services. The Chair called for a vote on the motion; the motion carried by roll call vote 4-0.

Customer Issues and Public Input

2. Mr. Carl Schultz presented to the Board of Directors a request to be grandfathered into the expired rate structure. Mr. Schultz originally paid for his two inch meter and now with the adopted rate structure he has concerns about the cost for the base rates. The Board, confirmed by Legal Counsel Mr. Smith, advised that due to State regulation we are unable to grandfather any meters or services. What the Association does for one Member, we must provide to all Members. Mr. Schultz was presented the opportunities of reducing the size of his meter or keeping his current meter as we cannot adjust the base rate.

3. Mr. and Mrs. Roevens presented to the Board of Directors a protest with regard to the amount of consumption their meter is reading. Mrs. Roevens advised the consumption when they filled the pool was not this high and there is no proof of a leak anywhere.

Executive Director Horton will contact Neptune to see if there are any further we tests we can complete.

Board President Report

President Melton advised it has been a reasonably quiet few weeks. He presented to the Board an article from the Albuquerque Journal highlighting concerns with water, as well as a clipping from the Las Cruces Sun News explaining the City's policies with regard to landlord and tenant billing obligations. The City of Las Cruces' policy is the same as the Association in that landlords are responsible for their property, including bills accrued from tenants.

Staff Reports

Mrs. Horton reminded the Public that with District 5 construction project there is a requirement to test the new system and that there will be water outages once the first tank is ready to be connected. We are working with the Picacho Hills Property Owners Association and the Picacho Hills golf course to ensure we communicate these outages with the residents.

Executive Director

See Attachment A

New Business

No New Business

Unfinished Business

Mr. Ponteri moved to approve Item Five (5), to award the inspection and/or repair of Well 5 and Well 7 to D & J Pump; the motion was seconded by Dr. Anderson. The Chair called

for discussion of the motion. Executive Director Jennifer Horton advised Well 5 is not starting and we suspect that the pump may have separated. Well 7 has also been taken off line because it is currently pumping sand and gravel. In 2011 this Well's casing was found to have a hole which required patching. At this time, we believe that the same issue may be occurring. D & J Pump will send a camera down the Wells in order to determine what kind of repairs are needed to bring them back online, as well as determine the costs of the repairs. Mrs. Horton asked permission to authorize repairs if the repairs are within reason. The inspection itself will cost \$3437.35 to pull and camera the two Wells. Mr. Ponteri asked what such repairs might reasonably cost. Mrs. Horton advised \$15,000 would be considered within reason for this type of issue. Mr. Ponteri amended his motion to award the pulling of Well 5 and Well 7 for the inspection and/or repair to D & J Pump with a maximum repair amount of \$15,000. The amended motion was seconded by Dr. Anderson. The Chair called for further discussion of the modified motion. No further input was brought forward. The Chair called for a vote on the amended motion; the amended motion carried by roll call vote 4-0.

Dr. Anderson moved to approve Item Six (6), to award the vehicle purchase for Operations to Bravo Chevrolet; the motion was seconded by Mr. Ponteri. The Chair called for discussion of the motion. Executive Director Jennifer Horton advised we need to replace one of our most utilized fleet vehicles, the 2008 GMC Sierra, as it continues to need various repairs. This vehicle was part of the wish list items due to the ongoing mechanical issues. With the trade in and rebates final costs for this purchase will be \$22,614.00. The Chair called for a vote on the motion; the motion carried by roll call vote 4-0.

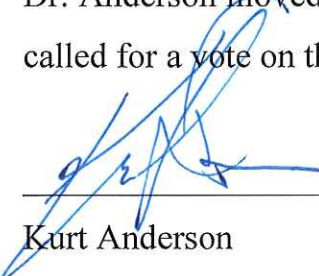
Open Session

Dr. Anderson commented on the article from the Albuquerque Journal with regard to the water concerns, advising scientists are overall upset about the State of New Mexico water

issues with climate change and global warming. The regional water plan update was due early October and the deadline will be missed with a request to reschedule for next year. Mr. Melton confirmed the water issues are extremely concerning and are not looking to get better. Mr. Melton questions on if there are any other options other than waiting until the Supreme Court makes their choices. The entire water right issues are very alarming and bring to light the importance of surface water rights. Dr. Anderson commented that the lawsuit between the State of New Mexico and the State of Texas may result in the re-federalization of the whole Rio Grande Project with major changes to the Rio Grande Compact and the related Operating Agreements. He would like to have more Closed Sessions in order to have more in depth discussions with Legal. Mr. Melton advised that unfortunately we cannot simply conduct or publish a sweeping Closed Session. Per the Attorney General we must itemize the topics of Closed Session in the Agenda in order to properly comply and this must be published 72 hours prior the meeting itself.

Adjournment

Dr. Anderson moved to adjourn at 10:28 a.m.; Mr. Stull 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