



*Doña Ana Mutual Domestic Water Consumers Association*  
*Mailing Address: P.O. Box 866 • Doña Ana, NM • 88032*  
*Physical Address: 5535 Ledesma Dr. • Las Cruces, NM 88007*  
*(575) 526-3491 Office • (575) 526-9306 Fax*

The following minutes are from the Regular Board Meeting of Doña Ana Mutual Domestic Water Consumers Association Board of Directors, October 06, 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, Excused Absence

Board Member – Raymond Ponteri, Present

Board Member – Justin Sparks, Telephone Conference

### **Others in Attendance:**

Executive Director – Jennifer Horton

Legal Counsel – Joshua Smith

Community Members – Jim Hayhoe, Felipe Salcido

### **Approval of Agenda**

Mr. Ponteri moved to approve the agenda for the October 06, 2016 Regular Board Meeting as presented; the motion was seconded by Mr. Stull. The Chair called for discussion of the motion. Executive Director Jennifer Horton recommended removing Item 2 under Customer Issues as Mr. Gamboa is unable to attend today's meeting. Mrs. Horton also proposed to remove Item 6 under Unfinished Business as we are not ready to move forward with this award. Mr. Ponteri amended his motion to modify the Agenda as recommended to remove Item's Two (2) and Six (6). The Chair called for a vote on the motion; the motion carried by roll call vote 4-0.

## **Minutes**

Mr. Ponteri moved to approve the Regular Board Meeting Minutes of September 15, 2016 as presented; Mr. Stull seconded the motion. The Chair called for discussion of the motion. President Melton requested the notice of construction be reworded for better clarification under the Executive Director's report. Mr. Melton also requested further transparency with regard to the Well 5 and Well 7 issues, the new fleet vehicle purchase, and the Open Session discussion. Mr. Ponteri recommended we table the September 15, 2016 meeting minutes until the next Regular Board Meeting on October 20<sup>th</sup> so that these updates can be revised. The Chair called for a vote to table the September 15, 2016 meeting minutes which carried by roll call vote 4-0.

## **New Members & New Meters**

Mr. Ponteri 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. Mrs. Horton advised there are sixteen (16) names on the list for the end of September consisting of five (5) new meters and twelve (12) new members. The Chair called for a vote on the motion; the motion carried by roll call vote 4-0.

## **Customer Issues and Public Input**

3. Mr. Felipe Salcido presented concerns about meter charges to the Board of Directors on behalf of the Plaza in Picacho Hills. Customer Service Lead Cynthia Shelsea explained the charges. Mr. Melton advised he will meet with Mrs. Horton and have a written resolution complete by the first meeting in November.

## **Board President Report**

President Melton has been researching how water meters operate as we continue to experience claims of malfunctioning meters. He has especially been looking into Neptune

positive displacement meters for better understanding as these are the meters the Association utilizes. If a digital meter fails it simply fails, meters do not repair themselves. Our meters have an onboard battery where if it starts to weaken we receive an error message or the meter will cease to register; it will not give high readings. When we receive a request to change a meter out for testing, our operators physically disconnect the meter, lift it out, and take it directly to be tested. The meter stays exactly as it was when it came out of the ground; the battery is not turned off. Mr. Melton is going to further his education of these meters at the upcoming infrastructure conference. The Association is experiencing a problem with regard to inaccurate comments of faulty meters when customers experience a high bill. Mr. Melton's suggestion is to leave a meter for an additional 30 days in order to complete data logging as meters do not just fix themselves. This would allow time to confirm a leak and/or complete the data logging. We are not questioning the veracity of our membership with regard to leaks; however there are many ways water can be consumed over a period of time. Automatic systems within a home can result in higher usage than membership is aware. It is not incumbent upon us to explain or find where the water went. We do attempt to offer guidance on how to determine if a customer has a leak in their system. It is time we took positive action with regard to this situation of excessive bills and only looking at the meters. He will bring his reports after the infrastructure conference and continue his education. Mr. Hayhoe emailed articles to Mr. Melton with regard to positive displacement meters to assist in finding any information possible. Mrs. Horton has advised we have ordered the equipment in order to complete more efficient data logging of our meters.

### **Staff Reports**

#### **Executive Director**

See Attachment A

Mr. Melton called for a ten (10) minute recess at 10:11 am. At 10:18 am Mr. Melton called the meeting back to order.

### **New Business**

No New Business

### **Unfinished Business**

Mr. Ponteri moved to approve Item Five (5), to award the construction contract 6325406 for Valley/Taylor Transmission Line Project to Smith Co.; the motion was seconded by Mr. Stull. The Chair called for discussion of the motion. Executive Director Horton advised the apparent low bidder for this project is Smith Co. at \$2,611,164.00; however we are recommending a modification to not award Deduction #1 as there are several unknown factors with construction we need to consider. With the removal of Deduct #1 the total proposed award is \$2,168,937.00. Mr. Ponteri amended his motion to award contract 6325406 with the modification to execute Deduct #1. The amended motion was seconded by Mr. Stull. The Chair called for a vote on the amended motion which carried by roll call vote 4-0.

Mr. Ponteri moved to approve Item Seven (7), approval of Contract 6324372, Fairview II Water System Improvement Project to Souder, Miller, and Associates; the motion was seconded by Mr. Stull. The Chair called for discussion of the motion. Executive Director Horton advised this is for the construction phase for 1.2 miles of waterline between the intersection of Shalem Colony Trail and West Picacho Ave to the intersection of Picacho Hills Drive and Pueblo Gardens Court. This phase is broken down into bid administration, construction administration, project observation, construction staking, and closeout and record drawings for a total cost of \$168,461.68, and is paid through our

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

### **Closed Session**

At 10:30 a.m., Mr. Ponteri moved to enter into Closed Session; the motion was seconded by Mr. Stull. 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 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 Closed Session:

1. Litigation and Threatened Litigation
  - a. Status of Gallardo Construction Contract

At 10:55 a.m. Mr. Ponteri moved to exit Closed Session and enter back into Open Session; Mr. Stull seconded the motion. The Chair called for discussion of the motion. The Chair called for a vote on the motion; the motion carried by roll call 4-0.

Mr. Melton stated as authorized by the Open Meetings Act, New Mexico Statutes Annotated, Section 10-15-1, Subsection H (7) the portion of the Board Meeting conducted in Closed Session concerning the status of the Gallardo Construction Contract requires no action in Open Session and was the only topic discussed in Closed Session.

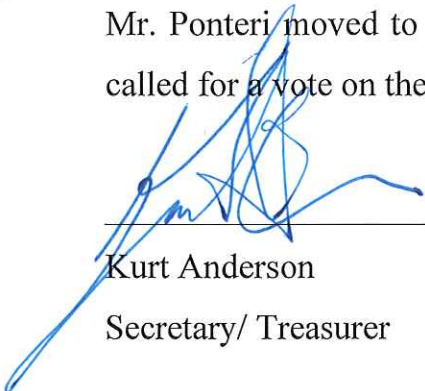
### **Open Session**

President Melton called the Open Session to order at 10:57 a.m.

No items were brought to Open Session.

### **Adjournment**

Mr. Ponteri moved to adjourn at 10:58 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.



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Kurt Anderson

Secretary/ Treasurer

11/03/16  
Date