



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, November 03, 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, Excused Absence

Secretary/ Treasurer – Kurt Anderson, Present

Board Member – Raymond Ponteri, Present

Board Member – Justin Sparks, Telephone Conference

Others in Attendance:

Executive Director – Jennifer Horton

Legal Counsel – Joshua Smith and Lee Peters

Community Members – Jim Hayhoe, Nancy Simmons, Bob Crowley, Irene Wharton

Approval of Agenda

Dr. Anderson moved to approve the agenda for the November 03, 2016 Regular Board Meeting as presented; the motion was seconded by Mr. Ponteri. The Chair called for discussion of the motion. Executive Director Jennifer Horton requested Item Five (5) be moved after Closed Session as there are items under Closed Session that need to be discussed with regard to this application. Mrs. Horton also requested we remove Item Three (3) as Mr. Tellez is not able to attend this meeting. Dr. Anderson amended his motion to modify the Agenda as recommended to remove Item Three (3) and move Item

Five (5) to after Closed Session, before Open Session. The Chair called for a vote on the modified motion; the motion carried by roll call vote 4-0.

Minutes

Dr. Anderson moved to approve the Regular Board Meeting Minutes of October 20, 2016; Mr. Ponteri seconded the motion. The Chair called for discussion of the motion. Dr. Anderson updated a grammatical error. The Chair called for a vote on the modified motion for the amended minutes; 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 November 2016; Mr. Ponteri seconded the motion. The Chair called for discussion of the motion. Mrs. Horton advised there are six (6) names on this list consisting of two (2) new meters, one (1) existing member, and five (5) 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

2. Irene Wharton presented to the Board of Directors, contesting her meter reading results from August to October. The Board Requested two weeks to review the information presented before finalizing a decision.

Mr. Jim Hayhoe from the Picacho Hills Property Association (PHPOA) advised the project for the installation of pressure reducing valves (PRV) in the Village of Picacho Hills is ongoing. Mr. Hayhoe has requested to meet with Mrs. Horton to try to find a solution with regard to the Las Casitas area due to concerns with meters running through concrete driveways.

Board President Report

President Melton reported three Board Members and Executive Director Jennifer Horton attended the Infrastructure Conference. Presentations emphasized the process for obtaining funding support through Capital Outlay Funding, the potential for utilizing multiple funding sources, and rate structures. Also included were topics on water protection, conservation, auditing, sustainability, and asset management; as well as the utilization of Qualification Base Selection (QBS) process for procuring professional services compared to competitive bidding. Mr. Bob Hudson, a retired U.S.A.F Colonel, gave a presentation of the principals of "Survival Through Adversity, Training, and Faith".

Mr. Melton has also spoken extensively with the area's Neptune representative with regard to furthering his education on meters, as well as representatives of other manufacturers and individuals with many years of experience in this industry. These conversations indicate that the probability of a digitally recording positive displacement meter of the nature of the Neptune T-10 registering within the specifications for some period of time, then in an unexplained manner incorrectly registering abnormally high, and subsequently testing within specifications is not probable. The Neptune representative further indicated that any inaccuracy in a positive displacement meter such as the T-10 which develops over a period of time is to fail in the mode of reading slow, not reading fast. The meter system consists of two components: the meter itself and the digital register which is sealed with epoxy and then mounted. The register is further secured by a security pin which will be visibly damaged if the devices are tampered with. The representative also confirmed the meter system positioning has no effect upon the accuracy of the measurement of the volume flowing through the system. When a meter is tested it is taken to an independent company exactly as it came out of the ground. Mr. Hayhoe and Mr. Crowley requested further clarification as to how the meters are tested.

New Business

No New Business

Closed Session

At 9:58 a.m., Dr. Anderson moved to enter into Closed Session; the motion was seconded by Mr. Sparks. 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. Real property and water right acquisition
 - a. New application for Hope Road groundwater transfer
 - b. Discussion of new Fairview water permit
 - c. Status of Radium Springs permit appeal
 - d. Status of Picacho Hills permit appeal
 - e. Status of combine and commingle application
2. Litigation and threatened litigation
 - a. Issues pertaining to acquisition of Picacho Hills Utility Company assets
 - b. Issues regarding dispute with Gallardo Construction and with bonding company
 - c. Issues pertaining to City acquisition of Jornada Water Company

Take action, if any on closed session items

At 11:02 a.m. Mr. Ponteri moved to exit Closed Session and enter back into Open Session; Dr. Anderson 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 following requires no action in Open Session and were the only topics discussed in Closed Session.

1. Real property and water right acquisition
 - a. New application for Hope Road groundwater transfer
 - b. Discussion of new Fairview water permit
 - c. Status of Radium Springs permit appeal
 - d. Status of Picacho Hills permit appeal
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Unfinished Business

President Melton called the Open Session to order at 11:03 a.m.

Dr. Anderson moved to approve Item Five (5), approval of filing the application to transfer Hope Road ground water rights to Dona Ana system and withdraw the current permit for use at Hope Road site; 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.

Open Session

Executive Director Jennifer Horton distributed the tentative schedule for the upcoming Fall Conference scheduled for November 14th through the 16th to the Board of Directors. At this time Members of the Board will not be attending on an official basis.

Adjournment

Dr. Anderson moved to adjourn at 11:07 a.m.; Mr. Ponteri 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

11/17/2016
Date