



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, December 7, 2017 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 – Dr. Kurt Anderson, Present

Board Member – Raymond Ponteri, Present

A Quorum was declared

Others in Attendance:

Executive Director – Jennifer Horton

Legal Counsel – Joshua Smith

Community Member – Jim Hayhoe and Nancy Simmons

Approval of Agenda

Dr. Anderson moved to approve the agenda for the December 7, 2017 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, which carried by roll call vote 4-0.

Minutes

Dr. Anderson moved to approve the Regular Board Meeting Minutes of November 2, 2017 as presented; the motion was seconded by Mr. Stull. The Chair called for discussion of the motion. Mr. Melton provided grammatical corrections. Dr. Anderson amended his motion to include the corrections, which Mr. Stull seconded. The Chair called for a vote on 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; the motion was seconded by Mr. Stull. The Chair called for discussion of the motion. Executive Director Jennifer Horton advised we have twenty-two (22) names on the list; seven (7) are new meters, and eighteen (18) are 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

Mr. Hayhoe inquired if membership can opt in or out of the leak insurance at any time during the year, or is there a strict enrollment period? Ms. Horton advised the services can be added or discontinued at any time during the year.

Board President Report

Mr. Melton congratulated Ms. Horton on her extensive work revamping our new website. A draft of the last Membership Meeting Minutes are posted and he will attempt to review prior to our next meeting. Mr. Melton has followed up on our most recent customer input from Mr. Retana with regard to his wastewater service. The Association has credited Mr. Retana's account as he does not have a wastewater connection. Mr. Melton reminded the public that the Association is governed by statutes, regulations, and policies. We are not owned by an individual or group, and as such cannot grant variances

on an individual basis. Our audit has been completed and once the State Auditor accepts the findings it will be posted on our website.

Mr. Melton summarized a presentation on the Mach 10 meter. See attachment.

Staff Reports

Ms. Horton advised we have been busy with getting the new website up and running as well as organizing our upcoming construction projects. The Association will be hosting a Public Meeting at Fairacres Elementary school in order to discuss the upcoming construction scheduled to begin January 2018 on Via Norte. We are required to place the new waterline in Dona Ana County (DAC) right of way, which does impact front yards and we want to ensure awareness for residents. We did have a successful turn out of contractors interested in this project, however there are concerns from as anything disturbed must be put back to its original form; such as landscaping.

File Construction is getting close to completing Fairview Phase II with an estimated completion time of mid-January. Our steel casing and the truck it was on was stolen which did cause a slight delay in the project. We have called for closing with USDA to begin our Radium Springs project this summer. A representative from the Environment Department called inquiring as to why we have not spent our funds with regard to the award for the wastewater treatment plant upgrades. Ms. Horton explained there have been continuous delays with our discharge permit; the individual she spoke with is looking into getting this moving forward.

New Business

Ms. Horton advised our Annual Meeting is actually scheduled for January 31, 2018. We originally advised January 24th, however in abiding with our bylaws the meeting is to be scheduled for the last Wednesday of the month which is a week later

than we realized. The meeting will be held at 7 p.m. at Dona Ana Elementary School. The agenda will be provided at our January 4th meeting.

Ms. Horton proposed we host three Public Meetings between the 18th through the 20th to receive any additional input for updating our bylaws. The bylaws have been in review for the past two years and a final draft will be presented at our Annual Meeting. The recommendations collected will be presented at the Regular Board Meeting scheduled on January 4th. Mr. Hayhoe expressed concerns with such a short window of time to provide final input during the Holidays. Ms. Horton explained the public has had two years to provide input, this is just the finalization of anything additional; would the Board like us to modify this approach? Mr. Melton advised we committed to getting a set of revisions to the Association by this Annual Meeting. The public has the opportunity to present any and all comments or suggestions. If someone is not able to attend the meetings they are welcome to send in their written recommendations. Legal counsel Mr. Smith reassured all comments that are provided are open for discussion. A work session can be hosted the afternoon of the 4th to formulate the final draft. Mr. Ponteri suggested we not host three public meetings as it seems excessive when few people attend. We can complete one public meeting in the Board Room to allow for the possibility that membership may want to attend. The Board agreed to host one meeting on December 19 in the Board Room. We will then conduct a work session on January 4th and hold a Special Board Meeting on January 9th.

Unfinished Business

Dr. Anderson moved to Approve a Contract with Souder, Miller and Associates for Surveying of the Southeast Collection System, with a second from Mr. Stull. The Chair called for discussion of the motion. Ms. Horton advised due to new requirements from Dona Ana County we must complete additional surveying in order to determine how and

where we are going to place our sewer lines in DAC right of way. The Chair called for a vote on the amended motion. The motion carried by roll call vote 4-0.

Dr. Anderson moved to Approve the Award to A Mountain Construction for a Paving and Repair Project. Mr. Stull seconded the motion. The Chair called for discussion of the motion. Ms. Horton began to summarize the contract when we realized the incorrect construction company has been named. The construction must follow procurement and go to the lowest bidder, which is not A Mountain Construction. The Chair called for a vote on the motion. The motion was defeated by roll call vote 4-0.

Open Discussion

The leak insurance will go into effect on our February billing, and as a reminder there is not a deadline to opt out.

Mr. Ponteri announced he is moving out of District 5. He will resign at the end of his term which expires at our Annual Meeting.

Dr. Anderson has requested an excused absence for the meeting scheduled on December 21, which was granted.

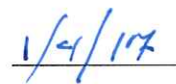
Adjournment

Mr. Melton moved to adjourn at 11:00 a.m. with a second from Dr. Anderson. The Chair called for a vote on the motion. The motion carried by roll call vote 4-0.



Kurt Anderson

Secretary/ Treasurer



Date