



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 21, 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, Excused Absence

Board Member – Raymond Ponteri, Present

A Quorum was declared

Others in Attendance:

Executive Director – Jennifer Horton

Legal Counsel – Joshua Smith

Community Member – Jim Hayhoe

Approval of Agenda

Mr. Stull moved to approve the agenda for the December 21, 2017 Regular Board Meeting as presented; the motion was seconded by Mr. Ponteri. The Chair called for discussion of the motion. The Chair called for a vote on the motion, which carried by roll call vote 3-0.

Minutes

Mr. Stull moved to approve the Regular Board Meeting Minutes of December 7, 2017 as presented; the motion was seconded by Mr. Ponteri. The Chair called for discussion of the motion. Mr. Melton requested transparency with regard to public input for any suggestions or commentary to our upcoming bylaws review. Mr. Stull amended his motion to include the corrections, which Mr. Ponteri seconded. The Chair called for a vote on the amended minutes; the motion carried by roll call vote 3-0.

New Members & New Meters

Mr. Stull moved to approve the New Members and New Meters list as presented; the motion was seconded by Mr. Ponteri. The Chair called for discussion of the motion. Executive Director Jennifer Horton advised we have sixteen (16) names on the list; fifteen (15) are new members, and three (3) are new meters. The Chair called for a vote on the motion; the motion carried by roll call vote 3-0.

Customer Issues and Public Input

No Customer Issues or Public Input was brought forward

Board President Report

Mr. Melton reported that we held our Public Meeting on December 19th for input on the Articles of Incorporation and Bylaws; to which only two members of the public attended. There was no public input brought forward. At this time we have a work session scheduled on January 4th following our Regular Board Meeting to finalize the review of the Articles of Incorporation and Bylaws with a Special Board Meeting scheduled for January 9th to establish the Resolution that will be brought to our membership at the Annual Membership Meeting scheduled for January 31, 2018.

Staff Reports

Ms. Horton summarized reports provided by the Customer Service and Operations Departments. File Construction is completing the final stages of Fairview Phase II in the Picacho Hills area. The bid opening for our upcoming Via Norte Project is scheduled for this afternoon.

Mr. Ponteri inquired as to the status of the fence project around the wastewater treatment plant and landscaping. Ms. Horton advised the UDC has been updated to read that security fencing is not considered an expansion of use, which no longer triggers landscaping requirements. Our fence is truly security fencing and will not require the landscaping provision.

New Business

None

Unfinished Business

Mr. Stull moved to Approve the Award to A Mountain Construction for a Paving and Repair Project. Mr. Ponteri seconded the motion. The Chair called for discussion of the motion. This is the corrected contract that was presented at our last Regular Board Meeting for various repairs of pavement throughout Dona Ana County. The Chair called for a vote on the motion; the motion carried by roll call vote 3-0.

Closed Session

Mr. Stull moved to enter closed session at 9:19 a.m.; the motion was seconded by Mr. Ponteri. The Chair called for a vote on the motion; the motion carried by roll call vote 3-0.

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. D-307-CV-2013-01480, Moongate Water Company, Inc. v. Dona Ana Mutual Domestic Water Consumers Association
- b. D-307-CV-2013-01595, Dona Ana Mutual Domestic Water Consumers Association v. Forrest & Joyce Westmoreland

Take action, if any, on Closed Session Items

At 9:30 a.m. Mr. Stull moved to exit Closed Session and enter back into Open Session; Mr. Ponteri 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 3-0.

At 9:31 a.m. Mr. Melton stated 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 was conducted in closed session:

1. Litigation and Threatened Litigation

- a. D-307-CV-2013-01480, Moongate Water Company, Inc. v. Dona Ana Mutual Domestic Water Consumers Association
- b. D-307-CV-2013-01595, Dona Ana Mutual Domestic Water Consumers Association v. Forrest & Joyce Westmoreland

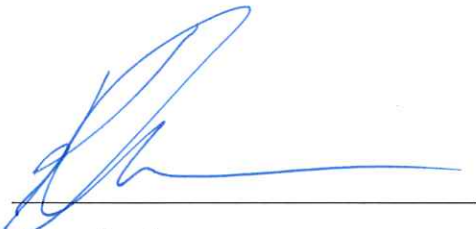
Mr. Melton advised a result of the discussion held in closed session we do not need to take action.

Open Discussion

There was no Open Discussion brought forward.

Adjournment

Mr. Stull moved to adjourn at 9:33 a.m. with a second from Mr. Ponteri. The Chair called for a vote on the motion. The motion carried by roll call vote 3-0.



Kurt Anderson

Secretary/ Treasurer

1/4/17
Date