

DONA ANA MUTUAL DOMESTIC WATER CONSUMERS ASSOCIATION
Meeting on 01/30/2019

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7 DONA ANA MUTUAL DOMESTIC WATER CONSUMERS ASSOCIATION

8 ANNUAL MEMBERSHIP MEETING

9 HELD ON

10 JANUARY 30, 2019

11 7:05 p.m. to 7:55 p.m.

12 HELD AT

13 DONA ANA ELEMENTARY SCHOOL

14 5551 CAMINO DE FLORES

15 LAS CRUCES, NEW MEXICO 88007

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20 BOARD OF DIRECTORS:

21 Mr. Jim Melton, President

22 Mr. Jamie Stull, Vice President

23 Dr. Kurt Anderson, Secretary/Treasurer

24 Mr. Daniel Hortert

25 Dr. Paul Maxwell

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| 1 | INDEX | | 1 | wait until you get a portable mike, then please speak | |
| 2 | ITEM | PAGE | 2 | into it. Speak loudly enough that you can be heard | |
| 3 | Call Meeting to Order | 3 | 3 | through the PA system and speak plain- -- enounce | |
| 4 | Proof of Notice of Meeting and Proof of Quorum | 3 | 4 | plainly enough that you can be understood because we | |
| 5 | Approval of Agenda | 4 | 5 | have a young lady over here that is recording what we're | |
| 6 | Introductions, Acknowledgements, and Procedures | | 6 | doing, and there will be a formal transcript made of | |
| 7 | Minutes: Approval of the Minutes of 3-28-2018 Annual Membership Meeting | 8 | 7 | this meeting. | |
| 8 | | | 8 | The next item of business is to approve the | |
| 9 | New Business: Approval of Open Meetings Act | 10 | 9 | agenda for the meeting. And at this time, I will | |
| 10 | Resolution #2019-01 | | 10 | entertain a motion to approve the agenda as presented. | |
| 11 | Reports: | 11 | 11 | MR. HORTERT: So move. | |
| 12 | Board of Directors | 11 | 12 | MR. HUESTIS: I move the agenda be approved | |
| 13 | Litigation Report | 15 | 13 | as presented. | |
| 14 | Engineering | 16 | 14 | MR. MELTON: Mr. Huestis moves that the | |
| 15 | Financial Report | 29 | 15 | agenda be approved as presented. Do I have a second? | |
| 16 | Executive Director | 32 | 16 | MR. POFALT: I'll second. | |
| 17 | | | 17 | MR. MELTON: Your name, please? | |
| 18 | Public Input: All Discussions Under This Item Must be Limited to Items not on the Agenda | 32 | 18 | MR. POFALT: Bob Pofalt. | |
| 19 | Adjournment | 36 | 19 | MR. MELTON: Bob Pofalt seconds it. I | |
| 20 | Certificate of Court Reporter | 38 | 20 | have a motion by Mr. Huestis with a second by | |
| 21 | | | 21 | Mr. Pofalt to approve the agenda as presented. I would | |
| 22 | | | 22 | like to pass this on a voice vote if no one has an | |
| 23 | | | 23 | objection. All in favor, please say "aye." | |
| 24 | | | 24 | THE AUDIENCE: "Aye." | |
| 25 | | | 25 | MR. MELTON: Any opposed? Motion carries | |
| | | Page 3 | | | Page 5 |
| 1 | MR. MELTON: I'd like to call the annual | | 1 | unanimously. | |
| 2 | meeting of the Doña Ana Mutual Domestic Water Consumers | | 2 | The second item of the agenda -- of the | |
| 3 | Association -- I'd like to call the annual meeting of | | 3 | agenda is the introductions, acknowledgements, and | |
| 4 | the Doña Ana Mutual Domestic Water Consumers Association | | 4 | procedures. First of all, I'd like to introduce the | |
| 5 | to order at five minutes after 7:00, on this, the 30th | | 5 | board of directors up here with me. On my left is Jamie | |
| 6 | of January in the lunchroom of the Doña Ana Elementary | | 6 | Stull, our vice president. Beside him is -- on the end | |
| 7 | School. | | 7 | down there is Dr. Kurt Anderson, our | |
| 8 | First of all, Madam Executive Director -- | | 8 | secretary/treasurer. Over on this side, immediately to | |
| 9 | there you are. Do we have proof of notice of the | | 9 | my right, is our District 3 representative, Dan Hortert. | |
| 10 | meeting? | | 10 | Hortert? | |
| 11 | MS. HORTON: Yes, we do. | | 11 | MR. HORTERT: Hortert. | |
| 12 | MR. MELTON: Okay. And secondly, do we | | 12 | MR. MELTON: Hortert. I'm sorry, Dan. | |
| 13 | have a quorum? | | 13 | And immediately to his right is Dr. Paul | |
| 14 | MS. HORTON: Yes, we do. | | 14 | Maxwell, our new District 5 representative who was | |
| 15 | MR. MELTON: We do have a quorum. Okay. I | | 15 | elected just this past December. He's made one meeting | |
| 16 | will declare that we have a quorum based on that. | | 16 | with us, and he is pleading with us not to sink him yet. | |
| 17 | Next, I would like to ask that anyone who | | 17 | Do we have any members of the legislature | |
| 18 | has a cell phone, tablet, or anything that would create | | 18 | with us this evening? I kind of doubt it, but I was | |
| 19 | a noise and disturb our meeting, to please turn it off | | 19 | going to ask anyway. I don't see any of them. | |
| 20 | at this time. If I can get mine turned off. There it | | 20 | So then next I would like to introduce a | |
| 21 | goes. | | 21 | past president of the association, county commissioner | |
| 22 | The next item of business is, if you wish | | 22 | member, and officer of the Colonias Infrastructure | |
| 23 | to address the assembly, please either stand or raise | | 23 | Conferen- -- or Infrastructure Finance Committee, | |
| 24 | your hand. We are going to have some staff members in | | 24 | Mr. Oscar Butler. Oscar is a tremendous friend to | |
| 25 | the audience circulating with these portable mikes. And | | 25 | Doña Ana Water. | |

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| <p>1 And sitting there in close proximity with 2 him is another individual who is a past president of the 3 organization, Mr. Charles Huestis. Charles, would you 4 stand up? Thank you, sir.</p> <p>5 Do we have any other -- oh, yes. We also 6 have Dr. Kurt Anderson over here who -- who is a past 7 president. I won't make Kurt stand up. He's going to 8 have to stand up shortly.</p> <p>9 DR. ANDERSON: At least I wasn't 10 impeached.</p> <p>11 MR. MELTON: That's true. Yet. 12 Do we have any other past presidents? 13 Do we have a representative from the county 14 commission here this evening? We don't. Okay.</p> <p>15 Now we'll move to our regular guests. One 16 is our executive director who is sitting down here in 17 front taking care of running our slide show. 18 Additionally, we have our legal counsel, Mr. Josh Smith, 19 in the middle there between Jamie and Kurt. We have 20 Lilla Reid, and there's Lilla over -- way over on my far 21 right, our engineering firm representative.</p> <p>22 Last, as far as introductions are 23 concerned, is our admin staff who's back here, been 24 helping, trying to get everybody registered in and -- 25 and certified as membership, and whatnot, in the back.</p> | <p>1 The next item is the approval -- 2 BOARD MEMBER: Good shot, Jim. 3 MR. MELTON: It's not a gavel, really, but 4 it's pretty sturdy.</p> <p>5 The next item is new business. Or no. I'm 6 sorry. The next item is approval of the minutes of the 7 2018 annual membership meeting. And at this time, I 8 will entertain a motion to approve those minutes as 9 presented.</p> <p>10 MR. BEST: Hi. I'm Dave Best, and I would 11 like to recommend a couple small corrections to just the 12 preamble of the minutes.</p> <p>13 MR. MELTON: All right, sir. 14 MR. BEST: It was not a board of directors 15 meeting. It was an annual membership meeting, as the 16 first part states. And it might be good to add that it 17 was originally scheduled in January and then reconvened 18 in March. I can read a recommended change, if you would 19 like, for the notes.</p> <p>20 MR. MELTON: I would certainly appreciate 21 that, sir.</p> <p>22 MR. BEST: Okay. It should read as 23 follows, I think: "The following are the condensed 24 minutes of the annual membership meeting of the Doña Ana 25 Mutual Domestic Water Consumers Association scheduled</p> |
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| <p>1 Plus we have our operations crew over there. And 2 without our staff, we couldn't operate this business, so 3 I'd like to ask everyone to give the staff a big round 4 of applause.</p> <p>5 Additionally, we have some awards for our 6 staff that we have to -- like to pass out at this point 7 in time. The first one being for Ines Herrera, and Ines 8 is five -- receiving a five-year service award with us.</p> <p>9 Thank you very much, Ines. 10 The second one is a one-year service award 11 for Joseph Self. He's just a puppy with us. And the 12 final is to Cynthia Ormseth for a one-year service 13 award.</p> <p>14 MS. ORMSETH: It's Ormseth. Ormseth. 15 Thank you.</p> <p>16 MR. MELTON: I'll try to remember that. 17 MS. ORMSETH: That's okay. 18 MR. MELTON: And I'll say "tires" instead 19 of "tires." 20 MS. ORMSETH: Okay. 21 MR. MELTON: And we also have a one-year 22 service award for Margo Lopez, who is not here this 23 evening, and I'm sure that our executive director will 24 be sure that she gets that certificate. That concludes 25 our fourth item.</p> | <p>1 for January 31st, 2018, and reconvened on March 28th, 2 2018, at 7:00 p.m. at the Doña Ana Elementary School 3 located at 5551 Camino de Flores, Las Cruces, New Mexico 4 88007." That's my proposal, sir.</p> <p>5 MR. MELTON: Okay, sir. 6 Is there anyone who has a problem with 7 making that modification, since it is purely editorial 8 in nature? 9 Do we have any problem with doing that, as 10 our legal counsel? 11 MR. SMITH: No. 12 MR. MELTON: All right. In that case, I 13 will entertain a motion to approve the minutes as they 14 have been -- as they've been suggested to be modified.</p> <p>15 MS. BROOKSHIRE: Earlene Brookshire. I 16 move that the minutes be -- thank you. My name is 17 Earlene Brookshire. I move that the minutes be accepted 18 as amended.</p> <p>19 MR. MELTON: Thank you. 20 MS. BROOKSHIRE: Is that accurate enough? 21 MR. MELTON: Do I have a second? 22 UNIDENTIFIED SPEAKER: I'll second the 23 motion. 24 MR. MELTON: Sandy, you second? 25 MS. TATUM: Sandy Tatum.</p> |

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| <p style="text-align: right;">Page 10</p> <p>1 MR. MELTON: Sandra, Sandy Tatum. 2 MS. TATUM: I move to second -- Sandy 3 Tatum. I move to second the acceptance and approval of 4 the minutes from -- 5 MR. MELTON: I have a motion to -- from 6 Earlene Brookshire and a second from Sandra Tatum to 7 approve the minutes as the recommended amendment was 8 stated. By voice vote, all in favor, please signify by 9 "aye." 10 THE AUDIENCE: Aye. 11 MR. MELTON: Opposed, nay. Ayes carry 12 unanimously. Minutes are approved. 13 Okay. The next item is new business, which 14 is the approval of the resolution 2019-01, Open Meetings 15 Act. This is a resolution that we have to pass by 16 statute annually in which we define the -- what we 17 consider to be reasonable notice. The only thing that 18 has changed from the previous 2018-01 are the dates. 19 And at this time, I will entertain a motion to approve 20 that resolution. 21 MR. BUTLER: Oscar Vasquez Butler. I make 22 a motion to move to approve that resolution. 23 MR. MELTON: Thank you, sir. 24 Have I got a second? I have a motion by 25 Oscar Vasquez Butler.</p> | <p style="text-align: right;">Page 12</p> <p>1 If you have any issues with it, I'm sure, 2 if you contacted our admin staff in the office, they 3 will give you some detailed instructions as to how to 4 find them. Additionally, that website contains dates 5 for payment due dates, contains information concerning 6 planned service outages. 7 And unfortunately, we in this business have 8 these unplanned outages, and believe it or not, we don't 9 have anybody on our staff that wakes up in the morning 10 and says, you know, I think Joe Blow's neighborhood 11 needs to be out of water this morning, so I'm just going 12 to go over and turn it off, you know. We really don't 13 do that. The only time we have an outage is when we 14 have something that needs to be -- have maintenance 15 pulled on it or has to be repaired. 16 Something that I'm kind of impressed 17 with -- and I hope that it brings a little puff of pride 18 to you -- is that the National Rural Water Association 19 announced at its annual conference in Fort Worth, at the 20 WaterPro Conference, that the -- that national 21 recognition has been obtained for the establishment of a 22 training program for apprentices in water operations. 23 And so what that does is that establishes an 24 apprenticeship program that is like a lot of the other 25 skilled worker programs, masons, carpenters,</p> |
| <p style="text-align: right;">Page 11</p> <p>1 MR. HUESTIS: I second the motion to 2 approve the resolution of an Open Meetings Act. 3 MR. MELTON: Thank you, sir. 4 And I have a second by Charles Huestis. At 5 this point in time, is there any discussion? If there's 6 not, we will move to vote. All in favor, please signify 7 by "aye." 8 THE AUDIENCE: Aye. 9 MR. MELTON: Opposed, nay. Ayes carry 10 unanimously. Motion carries. 11 The next item is the reports. And 12 unfortunately, you didn't get rid of me yet. Basically, 13 we've had normal activities around the association this 14 year with the administrative and operations staff 15 handling our day-to-day efforts in a very efficient, 16 effective, professional manner. 17 Most questions which arise can be answered 18 by reference to the association website, 19 www.dawater.org. All of that information is available. 20 Such information that we have is planned projects, to 21 include the priorities. That's on our website. The 22 quality of the water that is produced in the three 23 portions of our system, the approved -- the currently 24 approved audit data, policies of the association. And 25 by merely looking on our website, you can find these.</p> | <p style="text-align: right;">Page 13</p> <p>1 electricians, and things like this. 2 Through the New Mexico Rural Water 3 Association, of which we're a member, we, Doña Ana 4 Mutual, have been invited to participate in their pilot 5 program, and I believe that's quite a compliment to us, 6 a tremendous compliment to our staff because they're the 7 ones that are going to have to put this thing together 8 and make it work. But it gives us an opportunity to 9 obtain additional -- to be better known in the 10 community, in the water community. 11 Along with that, considerable progress has 12 been made by our staff in improving the success ratio of 13 our workers -- particularly, our field operations 14 personnel -- in obtaining upgrades and -- and passing 15 and receiving higher certifi- -- level of certifications. 16 So we've actually this past year had better than a 50 17 percent ratio of individuals who have taken the test and 18 passed it to individuals who have taken the test. And 19 heretofore, that was definitely not the case. A lot of 20 this goes to the two primary instructors that have 21 worked with these individuals, Margo Lopez, our HR 22 person; and our executive director, Jennifer Horton. 23 Additionally, we are looking into trying to 24 establish some sort of a training pro- -- and 25 certification program for our administrative-type folks</p> |

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| <p style="text-align: right;">Page 14</p> <p>1 so that we can provide them with a ladder for upward 2 mobility as well. We're trying to keep these people 3 that got one-year certificates. We'd like to have them 4 back here for 20 years.</p> <p>5 I'll pass discussion of financial matters 6 on to Dr. Anderson in a few moments. And the only thing 7 that I will note is that we always worry about our 8 annual audit. It was completed and submitted on time. 9 We have not received notification as yet from the state 10 auditor's office as to the outcome. And as soon as that 11 becomes available, it will be posted on our website.</p> <p>12 A couple of major projects have been 13 completed in the past year with two more major projects 14 finally beginning construction, or as some individuals 15 in the water community say, we're putting pipes in the 16 ground. And you will be provided more details about 17 these and other projects in the engineer's report.</p> <p>18 Mr. Smith will bring you up to speed on our 19 legal status following this report, and Mrs. Reid will 20 provide information concerning recently completed, 21 ongoing, and projected future projects which are in the 22 hopper for the association. Finally, we'll get back to 23 Dr. Anderson, and he gets to have his time up here. And 24 lastly, we'll ask Mrs. Horton if she has anything to 25 present for us.</p> | <p style="text-align: right;">Page 16</p> <p>1 Moongate appeal will be taken up, and we'll address the 2 issues raised in that case.</p> <p>3 Other than that, we have no litigation with 4 the Doña Ana Mutual Domestic, which is good news for the 5 association, and it's in good shape.</p> <p>6 MR. MELTON: Next, we will hear from Lilla 7 Reid with our engineering report.</p> <p>8 MS. REID: I don't know if you want me up 9 here or over there, but wherever works out. Okay. 10 Great.</p> <p>11 So we had an exciting year this year. 12 We've -- I think I stood up here about four years ago, 13 and we had about five planning documents that were 14 completed. And so right now, we've moved into only one 15 planning document that's been completed this last year, 16 but we actually had four design projects that were 17 completed. So that's actually really exciting when we 18 move into construction. It may not always be the most 19 exciting part for all the people who have to deal with 20 the construction in front of their house, but it is -- 21 it is the part that helps really improve your system.</p> <p>22 So we -- we did complete two projects last 23 year, two construction projects. One was water, and one 24 was wastewater. And then we actually have four 25 construction projects going on right now. And so</p> |
| <p style="text-align: right;">Page 15</p> <p>1 Other than that, I would say that it's 2 about time to call our next speaker, and that will be 3 Mr. Smith.</p> <p>4 MR. SMITH: Good evening. My name is Josh 5 Smith. I was introduced earlier. I'm counsel for the 6 association.</p> <p>7 And the litigation report is much the same 8 as it was last year. The association has been involved 9 in two lawsuits that began in 2013. The first being 10 Doña Ana Mutual Domestic versus the Westmorelands, and 11 the second being Moongate Water versus Doña Ana Mutual 12 Domestic. Both of those cases were decided in 2017 by 13 Judge Arrieta, and both of them have been appealed to 14 the New Mexico Court of Appeals.</p> <p>15 The Westmoreland case has been briefed, and 16 it's currently pending before the New Mexico Court of 17 Appeals. Hopefully, we'll receive a decision from them 18 in the not too distant future. And the Moongate case -- 19 they're, in a sense, companion cases because they dealt 20 with similar issues.</p> <p>21 The Moongate case is stayed, meaning no 22 action has been taken on it, pending the result from the 23 Westmoreland case. So if the Westmoreland case goes 24 well for the association, the Moongate case will most 25 likely be dismissed. And if it goes poorly, the</p> | <p style="text-align: right;">Page 17</p> <p>1 anytime there's a line break, I'm sure you might find 2 that there might be construction close by in a couple 3 areas. So it's not always Doña Ana Mutual. A lot of 4 times it's other items getting in the way.</p> <p>5 So the Fairview project we completed at the 6 very end of -- the very beginning of last year, and it 7 was one we were very worried about. We had talked about 8 it during the design phase and the planning phase. And 9 it's really important because we got to actually connect 10 District 5 to District 4, which basically connected 11 Picacho down into what we kind of call the core system 12 sometimes.</p> <p>13 We used Colonias Infrastructure funding. 14 And this project, like I said, we went through 15 everything. We went through planning, engineering, the 16 design, all the way through closeout. These kind of 17 projects you really like when we actually complete a 18 project on schedule. Ahead of schedule in this case. 19 And the final cost ended up being below the original bid 20 price. So we're always excited when we -- when we have 21 those projects.</p> <p>22 And the other project we completed -- and I 23 think there are some photos down there, too -- I don't 24 know -- of the construction. So there were some good 25 bores on that one, some good-size bores, so it was a fun</p> |

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1 project.

2 And then on the Southeast Phase I, this is

3 actually the project that started pulling in some

4 collection in the southeast area. And in this case, the

5 first phase was the vacuum building, all the

6 instrumentation, all the equipment inside of the

7 building, a force main that basically takes everything

8 from the vacuum station to an existing -- existing force

9 main that goes to the City of Las Cruces. And this had

10 Colonias Infrastructure Fund and Rural Infrastructure

11 Fund to complete that project.

12 And this, again, started everything, from

13 assisting with funding, planning documents, design, and

14 construction, and so it was -- it was completed last

15 year. And unlike a lot of things that you do in

16 utilities, there's actually a building to show for it.

17 Most of the time, all our stuff goes -- gets buried.

18 It's underground.

19 So the next one that we are currently -- we

20 finished design last year is in construction. This is

21 the one that's up in District 1. It's the Radium

22 Springs water system improvement. It's seven and a half

23 miles of waterline improvements, over 50 hydrants. It's

24 separating the systems by some pressure-reducing valves,

25 and there's a booster station added.

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1 We're really hoping with that, there's

2 going to be a huge improvement in that area. You know,

3 just the fire hydrants alone I think are going to be a

4 big plus for everybody up there. It is a year-long

5 project, so they're just not out of -- out of that area

6 yet. So the good thing is all four of our projects that

7 are in construction right now should be completed in

8 2019. We're hoping there will be more to come, but at

9 least those four should be completed.

10 The Radium Springs project did include

11 getting funding. They had some USDA funding. So when

12 there's furloughs with the federal government, it

13 actually does trickle all the way down to a project

14 being constructed in -- in Radium Springs. So you

15 guys -- but, yes, we are -- which we are redrilling well

16 numbers 9 and 10 in that area. And so all of that is

17 just, I think, going to make everything very dependable

18 in that area, so we're excited.

19 The Via Norte project, that is in

20 District 5. And this one -- District 5 has had

21 construction the last couple of years. And this is the

22 Via Norte project. And it was over a mile of waterline.

23 All of District 5 up there, all of that -- that relief

24 means that there is actually a lot of pressure-reducing

25 valves needed, and sometimes that can complicate a

Page 20

1 system.

2 And in this case, there was a number of

3 those that were actually replaced. That is actually

4 very important because you definitely don't want to

5 increase the pressure too high for the -- for the

6 community. So the idea is to get everything regulated

7 and everybody still have the pressure they need.

8 And so there was a removal of a storage

9 tank, which doesn't necessarily happen very often.

10 There's a new one going in, so you'll get to see that

11 construction happening. There was new fire hydrants.

12 And then that project also connected to the West Mesa

13 project up there, the system, so their -- that will

14 actually really improve the West Mesa water system, so

15 we're excited to do that.

16 And this one, again, had everything from

17 planning to the construction phases, and that project

18 should be done probably in April. And that was Drinking

19 Water State Revolving Fund, and in that case, with

20 federal funding like that, you end up with the Buy

21 American, and that kind of item is tied to federal

22 funding.

23 So construction in District 5 also has a

24 wastewater treatment plant. This one you guys may not

25 notice as much, except that you might drive by it, but

Page 21

1 it is actually not in your street, so -- but, yes, the

2 entire wastewater treatment system was evaluated.

3 There's still quite a bit of growth up there, so the

4 idea is to make sure that this treatment plant is going

5 to be able to handle that, and those upgrades should be

6 done by the end of 2019.

7 And so the second phase of the southeast

8 collection system, which in this case is -- is,

9 basically, the vacuum lines, so we are actually

10 connecting in -- in probably phase III or IV a number of

11 people who've actually requested connections. But in

12 this case, we are actually going to get some of the core

13 main lines installed so that later we can actually

14 connect in as many people as want to connect.

15 So that one actually had Colonias

16 Infrastructure Fund. I think you'll notice on a number

17 of these there was Colonias Infrastructure funds

18 included in those. So Mr. Butler, we always thank him

19 because he's very instrumental in helping us. And of

20 course, your executive director, Jennifer Horton, does

21 the majority of your guys' funding application and just

22 gets a great amount of money for Doña Ana Mutual, so

23 that's always exciting.

24 We did presentations for -- for Doña Ana

25 Mutual I guess this month, and we were actually looking

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| <p>1 through it. And since Souder, Miller started with 2 Doña Ana Mutual, we've done over 150 projects, and that 3 was actually really exciting to see. And I think over 4 65 miles of waterline installed. 5 And so this -- this last map that's in here 6 is basically just kind of trying to illustrate where all 7 the different waterlines are and sewer lines that are 8 actually going in or going to be going in, so there's 9 definitely multiple phases of other projects coming. 10 And Doña Ana Mutual keeps using all their resources to 11 make sure that everybody has the water and then, 12 hopefully, some sewer in some areas in the near future. 13 That's all I have. 14 MR. SAMPLE: Are you -- 15 MR. MELTON: Thank you, Lilla. 16 MR. SAMPLE: Are you in charge of the 17 construction of all the places? 18 MS. REID: If it's a complaint, no, sir. 19 Yes, our engineering company at this point is in 20 char- -- involved with the majority of the projects that 21 Doña Ana Mutual has in construction, the four projects 22 at this point. 23 MR. SAMPLE: Okay. Off of Elks Road, do 24 you know anything about the construction of the -- when 25 they put waterlines down to the public on Elks Road down</p> | <p>1 road -- 2 MR. MELTON: -- please allow -- 3 MR. SAMPLE: -- and people get stuck in 4 there. 5 MR. MELTON: -- us to continue our 6 meeting -- 7 MR. SAMPLE: That's what I'm trying to find 8 out. 9 MR. MELTON: -- without you interrupting 10 us. 11 MR. SAMPLE: No, I'm not interrupting. I'm 12 trying to explain to you what happened. 13 MR. MELTON: Please wait until public 14 input, and at that time we will permit you to speak. So 15 please have a seat and do not interrupt our meeting. 16 MR. SAMPLE: Mr. Melton, but I have some 17 questions. 18 MR. MELTON: Please do not interrupt our 19 meeting further. If you do, I will have to ask you to 20 leave. 21 MR. SAMPLE: I was asking her if she was in 22 charge of that. 23 MR. MELTON: Sir, would you please sit down 24 and not disturb our meeting further? 25 MR. SAMPLE: Well --</p> |
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| <p>1 to different housing areas in -- off Elks Road? 2 MS. REID: I'm actually being told just 3 beside me that if we can wait for the question and 4 answers, or I'm more than happy to talk to you about it 5 after the meeting. 6 MR. SAMPLE: Well, why not talk about it 7 now? 8 MS. REID: I guess my time is over, and I 9 want to make sure we -- we finish the meeting. 10 MR. SAMPLE: Why not talk about it now? 11 When they -- when they cut off the line off -- off of 12 Elk and run it down through the road that I live off of, 13 all the houses on that property that -- 14 MR. MELTON: Sir -- 15 MR. SAMPLE: -- the property that goes to 16 the center of the road -- 17 MR. MELTON: Sir, could we hold this until 18 the public input? 19 MR. SAMPLE: -- and until they get that off 20 the center there and -- 21 MR. MELTON: Sir -- 22 MR. SAMPLE: -- and every time it rains, it 23 makes an arroyo -- 24 MR. MELTON: Sir -- 25 MR. SAMPLE: -- coming down through that</p> | <p>1 MR. MELTON: You will get your question 2 answered at the end of this meeting, not now. 3 MR. SAMPLE: All I asked her, if she was in 4 charge of that. 5 MR. MELTON: Please have a seat. 6 Can we -- Jennifer, can we have him removed 7 from the meeting? 8 MR. SAMPLE: She can say, no, she's not in 9 charge of that. Can't she say, no, that she's not in 10 charge of that? 11 MS. HORTON: Sir, if you will wait until 12 the public input and let him finish, and you will get 13 your question answered. 14 MR. SAMPLE: Well, she has to tell me, no, 15 she's not in charge of that. 16 MS. HORTON: If you give us a few minutes, 17 we'll -- 18 MR. SAMPLE: If she don't know anything 19 about it, all she has to say is no. I'm not -- I 20 don't -- 21 MR. MELTON: Sir, no, she knows nothing 22 about that. 23 MR. SAMPLE: I'm very liberal. 24 MR. MELTON: No, she knows nothing about 25 that.</p> |

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1 MS. HORTON: Sit down, or you need to
2 leave.
3 MR. HAYHOE: Mr. Melton, point of order.
4 MR. SAMPLE: If she can't say no, there's
5 something wrong. This is the -- this is the meeting
6 with --
7 MR. MELTON: State your point, please.
8 MR. SAMPLE: -- the people in Doña Ana
9 County here. All she had to do was say no. That's all
10 there is to it. I think I'm a very liberal person, and
11 I asked her a question, and that's all she had to do is
12 say, "No, I don't know nothing about it."
13 MR. HAYHOE: Mr. Melton, point of order.
14 MR. MELTON: Yes.
15 MR. HAYHOE: I believe that it's been
16 stated that the public input is only for those items not
17 on the agenda. Is that correct?
18 MR. MELTON: That is correct.
19 MR. HAYHOE: I have a question about an
20 item that's on the agenda. This is the only time that
21 we can address the engineering questions.
22 MR. MELTON: No, it's not.
23 MR. HAYHOE: I cannot ask something that's
24 on the agenda during public input.
25 MR. MELTON: The -- you can address the

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1 engineering questions anytime at all at the -- at any
2 one of the board meetings.
3 MR. HAYHOE: I'm not entitled to ask a
4 question regards an item that's on the agenda during the
5 agenda; is that correct?
6 MR. MELTON: Depending upon how you -- what
7 the question is. I mean, if you're asking a general
8 engineering question, that's one thing. If you're
9 referring to specific projects and things of this
10 nature, it's another.
11 MR. HAYHOE: I have a very specific
12 question about a very specific project.
13 MR. MELTON: Okay. Then that needs to be
14 taken up with the board in a regular board meeting.
15 MR. SAMPLE: Why?
16 MR. HAYHOE: Why is that?
17 MR. MELTON: Because this is not -- this
18 meeting is the meeting of the association for the board
19 to report to the association the status of the
20 association and things of that nature.
21 MR. HAYHOE: But you have no engineering
22 represen- --
23 MR. MELTON: This is not a meeting to solve
24 problems.
25 MR. HAYHOE: Then I'm not about to create a

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1 problem.
2 MR. MELTON: Okay.
3 MR. HAYHOE: But you do not have
4 engineering representation at the board meeting.
5 MR. MELTON: Let's -- let's hold this until
6 the public input, and then we'll talk about this, and
7 we'll try to be as liberal as possible.
8 MR. HAYHOE: All right. Thank you.
9 MR. MELTON: Is that fair enough?
10 MR. SAMPLE: Yes or no --
11 MR. MELTON: Let us --
12 MR. SAMPLE: It's a yes or no answer.
13 MR. MELTON: No, she does not know anything
14 about it.
15 MR. SAMPLE: Well --
16 MR. MELTON: Does that answer your
17 question?
18 MR. SAMPLE: You answered it for me.
19 MR. MELTON: All right.
20 MR. SAMPLE: No.
21 MR. MELTON: Please have a seat.
22 MS. TATUM: I would just like -- my name is
23 Sandra Tatum. I am a member, a long-time member, and I
24 would like to state that -- to remind us all that we
25 have legal requirements in the membership for this

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1 annual meeting and the reports. All the trouble to get
2 a quorum, that's a legal requirement for our association
3 to continue its business and be able to address. So
4 some things, some information comes in reports, in
5 pieces, and focus on that at a time when it can be
6 addressed in a satisfying, comprehensive way.
7 So nobody in this legal requirement annual
8 report meeting is trying to obscure anything or miss
9 their responsibility to have your opportunity to ask
10 questions on specifics. There is legal requirements for
11 this meeting. And personally, because I'm here, I want
12 to get on with hearing the reports. Thank you.
13 MR. MELTON: Thank you.
14 Okay. Our next speaker will be Dr. Kurt
15 Anderson with our financial report.
16 DR. ANDERSON: Nothing controversial here.
17 This will be brief. Is the first slide up? The first
18 column there, it gives the -- what we actually spent and
19 made during the fiscal year '18, which ended last -- at
20 the end of last June. We had revenues of a little over
21 4 and a half -- almost \$4 and a half million,
22 expenditures of a little over 3 and a half, and the net
23 difference between the two, about \$891,000.
24 So we are -- we were in good shape
25 financially last year. We actually took in a little bit

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| <p>1 more than we paid out. We are a nonprofit, so what -- 2 the excess winds up, basically, being in reserve funds 3 which we -- we need to maintain in order to get grants 4 and loans underwritten and, of course, it's also 5 opportunity money. 6 The budget for fiscal year '19, 2019, which 7 will begin next July 1, is slightly larger. We're 8 expecting to have revenues of just a tad over 9 \$5 million, expenditures of just over a tad of 10 \$5 million, and very little net gain in that -- that 11 particular year. That's -- that's the budget year that 12 we're in right now. The -- right -- as of the end of 13 December, we're halfway through that year, and the third 14 column there gives us what we've expended or earned so 15 far roughly halfway through the -- well, exactly halfway 16 through the fiscal year. 17 For the upcoming fiscal year, which begins 18 next July 1, we're in the process of preparing the 19 budget for that year. This is a process that goes on 20 for a while. We won't have that budget fully prepared 21 until April. What we then have to do is we submit that 22 tentative budget to the state, which hopefully gives us 23 their blessing, and then review it again and finally put 24 together a final budget. 25 We're -- we -- we grow, basically, with</p> | <p>1 we will be able to get in the next funding cycle. 2 Okay. 3 MR. MELTON: Okay. I think that pretty 4 well covers everything except our executive director. 5 Do you have anything for us -- 6 MS. HORTON: No, sir. 7 MR. MELTON: -- ma'am? 8 MS. HORTON: No, sir. 9 MR. MELTON: She has nothing. Therefore, 10 we will move along to public input. I believe we had a 11 couple of gentlemen who had issues for public input. 12 Let's see. 13 MR. HAYHOE: My name is Jim Hayhoe. I'm a 14 resident of Picacho Hills. First of all, I do want to 15 thank the Doña Ana Water and its board for the projects 16 that have taken place up in Picacho Hills. Every one of 17 them has benefited us. 18 I have two questions. One is specific 19 engineering and regards the Via Norte project. I just 20 would like to know to what degree that the new fire 21 hydrants were tested as far as capacity and capability. 22 My bigger question -- and the same question 23 I've asked in the last three annual meetings -- is that 24 when do we plan on doing flow testing for all of the 25 fire hydrants in the system? I'm assuming, after the</p> |
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| <p>1 grants, okay? Our -- our revenue from payments, and 2 whatnot, is not -- does not cover all the -- all the 3 additional projects that we're involved in in terms of 4 expansion of our system. Right now, there are state 5 funding from the New Mexico Environment Department of 6 about \$4 and a half million. That's mainly going into 7 the wastewater treatment plant and upgrades of the 8 system. We have almost \$2 million in Colonias money, 9 1.880 million, which is, again, going into the 10 wastewater collection system in the San Ysidro area. 11 And finally, we have some federal funding 12 that's -- most of that comes through the state, but the 13 Drinking Water Revolving Loan Fund, about three-quarters 14 of a million dollars. Again, that's waterline 15 improvements up in the Picacho Hills area. Somebody has 16 to pay for it. And finally, the biggest project ongoing 17 is the Radium Springs improvements, about \$3 and a 18 quarter million. That's also ongoing. 19 The funding generally comes in in -- in the 20 way of a -- partly a grant and partly a low-interest 21 loan and, generally, it's required some sort of matching 22 fund on our part, which is what the -- what our extra 23 funds are used for, and that keeps us going and keeps us 24 growing. And so far, things are looking good for the 25 upcoming year, but we -- we're not sure yet what exactly</p> | <p>1 Radium Springs project gets done with 50 brand-new fire 2 hydrants, that we'll start looking at what the real flow 3 capabilities are of our fire hydrants in the system. 4 Thank you. 5 MR. MELTON: Let me get back to you on both 6 of those issues, if I could, sir. Because at this point 7 in time, I think we've answered at least one of them in 8 the fact that when we will begin -- or when we will flow 9 test is we will begin trying to establish some sort of a 10 structured testing program once every member of this 11 association has an opportunity and has access to 12 adequate fire flow -- to adequate fire protection. 13 Yes, Radium Springs is getting a tremendous 14 boost with over 50 fire hydrants being installed. I'm 15 not arguing that point. But we still -- even with that, 16 we still have some areas that are probably -- in fact, I 17 know of one in which an individual identified to me and, 18 you know, there's probably going to be a long time 19 before he gets it because there's no service that 20 justifies installation of a line long enough to give him 21 fire flow protection. 22 MR. HAYHOE: So does that mean it's a long 23 time before we can expect any kind of flow-type testing, 24 is all 100 percent of the customers have to have it 25 first?</p> |

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| <p>1 MR. MELTON: Do you want to address that? 2 MS. HORTON: So let me take a minute to 3 address how we do fire hydrants. Not all of our system 4 has fire hydrants. There's a big portion of our system 5 that still is off of two- or four-inch water mains, and 6 you cannot provide water protection, fire protection off 7 of two- or four-inch main. You have to have a six-inch 8 main or larger to provide adequate fire flow and 9 pressure. 10 So we are working diligently on our 11 projects to get those areas that do not currently have 12 six-inch lines or larger upsized lines and fire 13 protection, and as you see with the Radium Springs 14 project. However, in the process, we do work with the 15 local fire department -- typically, that's Doña Ana 16 County -- on their ISO ratings, which they are currently 17 doing an ISO rating review right now. 18 And we have been working with them, 19 providing them data out of our hydraulic model. We have 20 our entire system hydraulically modeled to know what our 21 pressure and flow should be in any given spot. We do 22 still verify some of those, and we do on a regular basis 23 have requests from developers and commercial buildings 24 that require we go out and do some fire flow testing in 25 order for the fire department to know what the flows are</p> | <p>1 favor to ask of the membership. Over the past five 2 months, or so, I've had at least four incidents where my 3 water meter has gone off to the races at widely 4 different times of day and raced away, logging 5 extraordinary amounts of water usage for anywhere 6 between 6 and 14 hours. We've done a meter log on it, 7 and it does not -- that does not provide any conclusive 8 information. 9 So my request is that if anyone else here 10 has had an experience like that anytime in the past, I'd 11 appreciate the opportunity to talk with you for a few 12 minutes after. I'll wander over there, and I'd be happy 13 to chat with you and appreciate your help. Thank you. 14 MR. MELTON: Anyone else? 15 Well, I'd like to thank everyone for taking 16 the time to be with us this evening. I'd like to thank, 17 particularly, our staff for coming out to help support 18 us tonight. I'll ask everyone to please give them 19 another round of applause because I feel they deserve 20 it. They -- they are out there daily. 21 And with that, I will entertain a motion to 22 adjourn. 23 MR. GEERY: I'd like to entertain a motion 24 and adjourn. I'm Floyd Geery. 25 MR. MELTON: Floyd Geery made the motion to</p> |
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| <p>1 in that area. That area then is given back to our 2 engineers to check against our hydraulic modeling. 3 So while we do not have a standard we go 4 out and flow test every hydrant every year, we do touch 5 all parts of our system throughout the time. Our goal 6 is to get to a full-fledged fire flow program. That 7 does take a lot of resources, a lot of time, and it 8 takes a lot of staff to do that. 9 Every time we open up a hydrant to flow 10 test it, we stir up your water and create a lot of dirty 11 water, and that in itself creates different issues for 12 other residents. And so we have to do them little by 13 little and strategically so that we can flush downstream 14 or upstream to get that water cleared. 15 So it's not something we can just rush out 16 and do tomorrow and just open up all the hydrants and 17 see what all the pressures are. It does take time, and 18 we are slowly working on that. And as we become closer 19 and closer to being fully staffed, that does allow us to 20 get closer to that goal. 21 Does that answer your question, Jim? 22 MR. HAYHOE: Yes, Ms. Horton. 23 MS. HORTON: Thank you. 24 MR. MELTON: Anything further? Yes, sir. 25 MR. BECKER: I'm Steve Becker, and I have a</p> | <p>1 adjourn. Do I have a second? 2 MR. BEASON: I'll second. 3 MR. MELTON: Oh, okay. I have a motion and 4 a second to adjourn. All in favor? 5 THE AUDIENCE: Aye. 6 MR. MELTON: All opposed? Me. No. Motion 7 carries unanimously. Meeting's adjourned at 7:55. 8 (Meeting concluded at 7:55 p.m.) 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p> |

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C E R T I F I C A T E

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COUNTY OF DONA ANA)

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DONA ANA MUTUAL DOMESTIC WATER CONSUMERS ASSOCIATION

Meeting on 01/30/2019

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