



*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 are the minutes of the Regular Meeting of the Doña Ana Mutual Domestic Water Consumers Association Board of Directors, November 18, 2021 convened at 9:00 a.m. via Zoom.

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 – Paul Maxwell, Present

A Quorum was declared

Others in Attendance:

Legal Counsel- Josh Smith

Executive Director- Jennifer Horton

Office Manager- Margo Lopez

Member- Jim Hayhoe

Approval of Agenda

Dr. Maxwell moved to approve the agenda as presented; the motion was seconded by Dr. Anderson. There was no further discussion, and the motion passed unanimously by roll call vote 3-0.

Minutes

Dr. Maxwell moved to approve the Regular Board Meeting Minutes of October 21, 2021 as presented; Dr. Anderson seconded. A minor editorial change was suggested. Dr. Maxwell moved to approve the minutes as amended, Dr. Anderson seconded, there was no further discussion, and the motion passed unanimously by roll call vote 3-0.

Customer Issues and Public Input

None

Board President Report

President Melton stated things have been running relatively smoothly within the Association. He also shared the continual issue with the force main on El Camino Real. He reported there were 2 wastewater main breaks that have occurred in the last 4 weeks. Ms. Horton stated the money to replace it has been secured, however, will not bid until February/March.

Staff Reports

Ms. Horton stated she attended the NM Rural Water Conference and apologized for not having the financials available. She further stated the financials would be provided at the next board meeting to reflect both October and November.

Ms. Horton had no COVID related issues to report as there are no staff members quarantined for any COVID related reasons.

Ms. Horton provided project updates and reported on Southeast Collection System Phase 3. She stated it is currently waiting on materials to arrive as that will complete

the project. She expects to have a final payment ready to issue by the 2nd week of December, assuming the necessary materials arrive timely.

Ms. Horton stated the Water and Wastewater Standards are extremely close to being completed and expect to see a draft by the end of this month. This project is to ensure all future developments and projects meet our standards and our expectations are clearly defined for developments.

Ms. Horton reported on the Dona Ana Village Lift Station and Force Main. She stated the project is complete in the design phase and are waiting on final approval from New Mexico Environment Department Constructions Programs Bureau (NMED CPB) to meet all items for the Readiness to Proceed.

Ms. Horton stated the Southeast Collection System Final Phase has reached 95% completion and are currently addressing all comments. She further stated the title binder has been ordered and is expected to be completed next week.

Ms. Horton reported the Parking Lot Improvements final design is complete and currently waiting on permits as they have been submitted and paid for. She further stated the CID permit has been received and continue to wait on Dona Ana County to issue the driveway permit.

Ms. Horton stated West Mesa PER is currently in process and the final PER is expected to be completed by mid- December.

Ms. Horton shared the Dona Ana Water Tank Rehabilitation has been granted final approval and the funding is expected to close on December 30th. The project is expected to begin advertising in mid-December with bid opening in mid-January.

Ms. Horton reported Bohannon Huston has begun the preliminary work on the Picacho Hills Sewer Main Protection study.

Ms. Horton stated the Letter of Conditions (LOC) from USDA RD was received and have completed 75% of the items in the LOC. She further stated the requirements to request closing instructions have not yet been met but are very close.

Ms. Horton reported the Water Trust Board 5415 is scheduled to close December 30, 2021.

Ms. Horton stated she received the notice of award along with the Readiness to Proceed List and have submitted everything with the exception of the approval from the Constructions Program Bureau. She reported she has requested an extension through the end of the month to complete the Readiness to Proceed. Once completed it will meet the requirements for the final Readiness to Proceed.

Ms. Horton stated she has submitted 2 applications to New Mexico Finance Authority Planning Grant to begin creating an Asset Management Plan as well as a Water Master Plan. She further stated she will continue to hold off until additional funds can be secured for the 2 planning documents.

Ms. Horton reported on subdivisions. She recapped on Legends West Phase 3B as it is currently under construction with 74 lots and should be completed soon.

Ms. Horton reported Vista Rancho's first set of plans have been reviewed and have provided comments back to the developer to be addressed. She further reported she received the addressed comments yesterday and will forward those to Bohannon Houston to review of the revisions. She stated she expects approximately 30 to 45 days to complete the review.

Ms. Horton shared the Flemish Subdivision will contain 87 lots in Picacho Hills. She reported sending comments back on the utility plans and are currently waiting for the comments to be addressed and the utility plans to be resubmitted.

Ms. Horton wrapped up subdivisions with Westland Subdivision stating they request to subdivide 14 acres into 2 small parcels and 1 large parcel. The developer is currently working on securing water rights and finalizing utility plans for review.

Ms. Horton reported there were no operator certifications obtained this month.

Ms. Horton provided the Water Rights table as of October 31, 2021 and reported no changes from last month.

Ms. Horton advised homes in the Southeast Collection System area have been identified and provided information on the upcoming project. She further stated 445 qualified applications have been collected and will continue to collect applications for those who would like to connect to the project.

Ms. Horton reviewed the project budget and stated there were no changes to the report.

Ms. Horton shared the Customer Service Report for the month of October. She reported 7,576 penalties and 111 accounts were disconnected out of 6,220 connections. She reviewed the Billing Summary Report. She covered the number of bills sent, the water and sewer that was billed, the number of connections and total members. Ms. Horton also reviewed the Service Orders by Area report to include the number of calls and the type of service.

Ms. Horton discussed the Pumping Data. She reported 43 million gallons was pumped for the month of October in Dona Ana, 3.9 million gallons for Ft. Selden and 12.4 million gallons in Picacho Hills.

Ms. Horton reported on the Pump vs Sold report. She reported 63 million gallons pumped and 55 million gallons sold with a net loss of 13%. Ms. Horton also stated she did not receive a report from Operations with regards to flushing and breaks to report on the water loss. Ms. Horton further discussed the plans to rectify the unaccounted water loss.

Ms. Horton reported on the Well Data Update. She reported Well 15 is reported not having a communication issue with SCADA. The issue is with a hydraulic valve, as it does not open. She further stated the well driller and a rep from the valve company will meet to resolve this issue the week after Thanksgiving. Ms. Horton stated Well 7 has not yet been approved for blending by the Environment Department and expects with this next round of comments they should see an approval soon. Ms. Horton shared Well 11 should be ready to go as it was a chlorination issue, however, is waiting on more information.

Mr. Smith provided a legal update. He stated there were 2 appeals with no responses and he will continue to wait on those. He commented on Combine and Commingle, stating a motion to dismiss and remand was submitted to the local office with approved set of conditions. He further stated it should be finalized before the end of the year. Mr. Smith stated the Picacho Hills permit protest has stalled. He continued to state he has been in the process to try and dismiss this for some time. He is hopeful it will be dismissed in the near future. Mr. Smith discussed the filed application for 1400-acre water rights from the Seirra County (Santa Teresa to Hillsboro) area for mining purposes. As our water rights in the lower Rio Grande may be affected. To wrap up the legal update Mr. Smith stated several easements for condemnation have made its way to his office and only 1 has refused to talk with him, whereas everyone else has agreed to sign or already signed to execute the easements.

President Melton inquired about redistricting. Ms. Horton stated the draft maps will be available after Thanksgiving to review the final counts. She further stated they may not be ready for final approval until the December or January meeting. It was clarified the maps would not be ready in time for this upcoming election.

New Business

None

Unfinished Business

Dr. Anderson moved the Approval of October 2021 New Members & New Meters; the motion was seconded by Dr. Maxwell. The Chair called for discussion of the motion. There was no discussion as Ms. Horton pointed out the new report reflects all the counts. There was no further discussion. A roll call vote was taken, motion passed unanimously 3-0.

Dr. Maxwell moved the Approval of Resolution 2021- 17 Grant/Loan Agreement for WPF- 5415; the motion was seconded by Dr. Anderson. The Chair called for discussion of the motion. Discussion was initiated by Ms. Horton. Ms. Horton stated the resolution is for the North and South Water Tank Rehab project for \$2.5 million; (\$1.5 million grant and \$1 million loan). She further stated it was a 20 year loan with zero interest. There was no further discussion and a roll call vote was taken, motion passed unanimously 3-0.

Dr. Maxwell moved the Approval of Contract for Task Order #7- North and South Water Storage Tank Rehabilitaion; the motion was seconded by Dr. Anderson. The Chair called for discussion of the motion. Discussion was initiated by Ms. Horton. Ms. Horton stated the contract is with Bohannan Houston to bid and administer construction observation for the construction of the water tank project; for the funding that was approved. Ms. Horton further stated the contract amount is \$133,300 and of that \$69,800 is for the NACE inspection services. There was no further discussion and a roll call vote was taken, motion passed unanimously 3-0.

Dr. Anderson moved the Approval of Contract with Law Office of Joshua L. Smith, LLC; the motion was seconded by Dr. Maxwell. The Chair called for discussion of the motion. Discussion was initiated by Ms. Horton. Ms. Horton stated this is for the same services previously approved, however, Mr. Smith has opened his own practice with a new name which requires a new legal agreement with the current entity. She further stated it was not only for our record but for funding agencies as they require copies of that as well. There was no further discussion and a roll call vote was taken, motion passed unanimously 3-0.

Board Open Discussion

Dr. Anderson inquired about a fire hydrant in his neighborhood that has not been put into service. Ms. Horton stated the valve is broken and needs to be replaced. Dr. Anderson also mentioned a cone sitting on a valve cover on the corner of Amapola / Amarillo del Sol. Ms. Horton stated she would have operations look into it and provide an update.

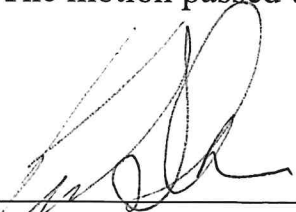
Dr. Anderson expressed his concern for District 3 vacancy and Dr. Maxwell concurred with Dr. Anderson.

Dr. Maxwell requested a copy of the members list for District 3. Ms. Horton stated she is working on getting him the report.

Dr. Maxwell inquired about the board package not being available on the website. President Melton stated the information is available to the public under Inspection of Public Records. After further discussion ensued it was recommended it be placed on the next agenda to be voted on.

Adjournment

Dr. Maxwell motioned to adjourn at 10:12 a.m., with a second from Dr. Anderson. The motion passed unanimously 3-0.



Kurt Anderson
Secretary/ Treasurer

12/14/21
Date