



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 16, 2023 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:

Secretary/Treasurer – Kurt Anderson, Present (arrived at 9:15 am)

Board Member – Brian Clouse, Present (Excused Absence)

Board Member – Clayton Berryman, Present

Board Member – Brian Cox, Present

A Quorum was declared.

Others in Attendance:

Legal Counsel- Josh Smith

Executive Director- Jennifer Horton

Office Manager- Margo Lopez

Executive Assistant- Shelby Morales

Approval of Agenda

Mr. Cox moved to approve the agenda as presented; the motion was seconded by Mr. Berryman. The chair called for discussion of the motion. There was no further discussion, and the motion passed unanimously by roll call vote 3-0.

Minutes

Mr. Cox moved to approve the Regular Board Meeting Minutes of October 19, 2023 as presented; Mr. Berryman seconded. There was no further discussion, and the motion passed unanimously by roll call vote 3-0.

Customer Issues and Public Input

None.

Ms. Horton shared there was an outstanding item: Mr. Juan Colquitt and stated a decision would need to be made.

Board President Report

President Melton stated he had nothing to report.

Staff Reports

Ms. Horton stated financials have been provided for the month of October for their review and should they have any questions regarding the checks she is happy to answer them. Ms. Horton reviewed the Budget Report as of the end of October with \$2.6 million in revenue, \$2 million in expenditures, for a net difference of \$600,000. Ms. Horton reported \$1.2 million from USDA has yet to be closed. Ms. Horton further stated there was a net surplus of \$743,000. Ms. Horton stated there was not much to report on for the financials.

Ms. Horton shared the new auditors were in house last week and everything is going well. She stated she has not seen a final audit as it is still progressing. She further stated they should be done by December 1st and the audit will be submitted to the State by December 15th.

Ms. Horton provided a written report for the Project Updates. She reported on the projects with changes. Ms. Horton shared Dona Ana Village Lift Station and Force Main Project has had the most changes. She stated the project was scheduled to hit substantial completion on September 21st and it was not complete. She was advised the boring company will not be available until November 27th, further extending the completion of that project into January. Ms. Horton reported the engineering firm has sent them a letter putting them on notice that they are beyond contract time and liquidated damages are now put into place. She further stated there are approximately 45 as of now in liquidated damages. She stated the liquidated damages are up to \$2,500.00 per day (every day beyond contract time) and further discussion ensued.

Ms. Horton shared the Southeast Collection Final Phase project was expected to start on November 13th. She reported they were waiting on permits from the City of Las Cruces and there were issues with the customer list. Ms. Horton reported most of the customer issues have been worked through and the permits have been obtained. She stated they are expected to begin connections onsite November 27th.

Ms. Horton reported on the Dona Ana Tank Rehab Project. She shared it is going well as they are progressing with sandblasting and recoating the 2-million-gallon tank at the North tank site.

Ms. Horton reported on funding applications. She stated she was scheduled to close November 9th on the USDA funds. She explained she is now waiting on the signed copies from USDA to forward to the environment department for their concurrence and expects a closing date the first week in December.

Ms. Horton reported on Colonias Infrastructure. She stated the \$910,000 is on the agenda today for approval on the loan and grant agreement from USDA. Ms. Horton further stated it is scheduled to close December 29th for the construction funding application for the Dona Ana Village Lift Station and Force Main project that has been approved. Ms. Horton shared the bid will be at the same time, during the 30-day hold. She stated she will bid the remaining portion which will be scheduled to open the 1st week of January.

Ms. Horton stated there are no other movements on any of the other funding applications.

Ms. Horton stated there were no updates or movements on any of the subdivisions to report.

Ms. Horton shared there were no new certifications obtained to report on for Other Matters.

*At 9:15 a.m. Dr. Anderson arrived.

Ms. Horton provided a Water Rights update as well as a Project Funding Report.

Ms. Horton provided a written Customer Service Report, Operations Report, and a Well Data Table for review.

New Business

None

Unfinished Business

Dr. Anderson moved the Approval of New Members New Meters; the motion was seconded by Mr. Berryman. The Chair called for discussion of the motion. There was no further discussion, and the motion passed by roll call vote 4-0.

Dr. Anderson moved the Approval of Resolution 2023 – 22 CIF 5765; the motion was seconded by Mr. Berryman. The Chair called for discussion of the motion. Discussion was initiated by Ms. Horton. Ms. Horton stated this is for the loan / grant agreement for the FY22 NM Colonias Infrastructure Program. She reminded the Board of Directors that this has been sitting in DC for a year waiting on approval. It has now been approved and it is ready to be closed. She stated this is for an \$819,000 grant, \$91,000 loan with a 10% match of \$91,000 (a 90/10 split). This project was bid several years ago. She state it is part of the project Spartan Construction is working on but did not have sufficient funds to award the entire project. She further stated this is the remaining project that will go to bid. Ms. Horton stated it will be for the replacement of the force main that runs through Cristo Rey, just passed the church back to Pedro Madrid, through the Village of Dona Ana and further discussion ensued. There was no further discussion, and the motion passed unanimously by roll call vote 4-0.

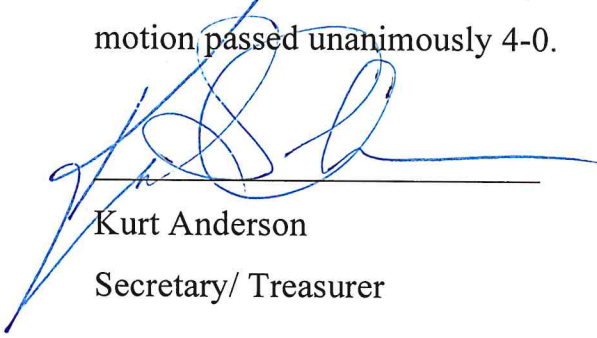
Board Open Discussion

Mr. Cox thanked Ms. Horton for the tour of the system as it provided him with a better understanding of how things are operated within the Association.

President Melton inquired about the status of the Rate Study. Ms. Horton stated she has scheduled a call with Mr. Brown next week to discuss her questions.

Adjournment

Dr. Anderson motioned to adjourn at 9:26 a.m., with a second from Mr. Cox. The motion passed unanimously 4-0.



Kurt Anderson
Secretary/ Treasurer

1/18/24
Date