



*Doña Ana Mutual Domestic Water Consumers Association*  
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The following are the minutes of the Regular Meeting of the Doña Ana Mutual Domestic Water Consumers Association Board of Directors, October 21, 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, Present

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 4-0.

## **Minutes**

Mr. Stull moved to approve the Regular Board Meeting Minutes of September 16, 2021 as presented; Dr. Anderson seconded. There was not further discussion, and the motion passed unanimously by roll call vote 4-0.

## **Customer Issues and Public Input**

None

## **Board President Report**

President Melton stated things have been running relatively smoothly. He cautioned the board regarding a fictitious email he received from what appeared to have come from the Executive Director, Ms. Horton. President Melton clarified the email was not sent by Ms. Horton nor was it from her email address.

## **Staff Reports**

Ms. Horton reported on items of the financials as of September 30, 2021. She stated the Bank Transaction Report listed all expenditures paid out to be standard. Ms. Horton clarified the larger checks paid to Bohanan Houston; for projects, New Mexico Environment Department; for the annual debt payment for the sewer plant rehab and the purchase of Picacho Hills. Ms. Horton reviewed the Budget Report with \$2 million in revenue, \$1.3 million in expenditures with a net difference \$482,000 in operating funds. She reported the Balance Sheet report is the current cash position as it is currently up. She further stated the funds will be utilized for all projects that will be going into construction while waiting on reimbursements and wrapped up the financials with the Income Statement as it ties back to the Budget Report.

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.

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 permits to be signed.

Ms. Horton stated the Southeast Collection System Final Phase has reached 95% completion and have addressed all comments.

Ms. Horton reported the Parking Lot Improvements final design is complete and currently waiting on permits as they have been submitted and paid for.

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 30<sup>th</sup>.

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 95% of the items in the LOC. She further stated the title policy has been ordered and is within 6 months of closing. Ms. Horton shared it is close to being ready to submit to DC for the final.

Ms. Horton reported she submitted the Readiness to Proceed for the Water Trust Board 5415 and it will be ready to close December 30, 2021.

Ms. Horton stated she received the notice of award along with the Readiness to Proceed List and expect to have the list completed and returned to Colonias Infrastructure by October 26<sup>th</sup>. She is hopeful for a closing sometime in January.

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.

Ms. Horton stated there were no new changes to report for 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 has not received any revised plans.

Ms. Horton stated the Reyes Westwind and Shade Tree / Apple Tree Subdivisions are each beginning the subdivision process and will contain 9 lots each. She further stated she has not seen any utility reviews for either of them.

Ms. Horton stated the Wiese Development plan set was received and have submitted comments back to them.

Ms. Horton shared the Flemish Subdivision will contain 87 lots in Picacho Hills. She expects to get final comments back to them late next week as there should be few modifications made.

Ms. Horton wrapped up subdivisions with Valley Drive / Westwind stating they are beginning the subdivision process and will contain 200 lots. However, Ms. Horton stated she has not heard from them in 45 days.

Ms. Horton reported on other matters and stated the Operator Certification testing has resumed and shared some of the testing restrictions imposed by the Environment Department for level 3 and 4 operators.

Ms. Horton provided the Water Rights table as of September 30, 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 reported on the Well Data Update. She reported all wells are up and running with the exception of Well 15. Well 15 is reported having issues with the valves on the automation side. She further stated it appears to be a communication or electrical issue. Ms. Horton stated Well 7 is still on hold pending permission to blend from the Environment Department and expects a response from them next month.

### **New Business**

None

### **Unfinished Business**

Dr. Anderson moved the Approval of September 2021 New Members & New Meters; the motion was seconded by Mr. Stull. The Chair called for discussion of the motion. Ms. Horton reported 83 names on the list, 42 are new members, 41 existing members and 36 new meters. There was no further discussion. A roll call vote was taken, motion passed unanimously 4-0.

Dr. Maxwell moved the Approval of Resolution 2021- 16 COVID Vaccine or Testing Mandate; the motion was seconded by Dr. Anderson. The Chair called for discussion of the motion. Discussion was initiated by Mr. Stull. Mr. Stull shared his concerns regarding the potential loss of staff, lack of being able to perform the required duties and the ability to provide the necessary service to the membership. Dr. Anderson and Dr. Maxwell shared their support of the resolution. Ms. Horton shared the challenges she will face. President Melton stated the Association has been successful following the CDC and the Safe Department of Health guidelines under the Executive Director's protocols and further discussion ensued. Dr. Maxwell motioned to table Resolution 2021-16 COVID Vaccine or Testing Mandate indefinitely or to be brought up at the

call of a member of the board; the motion was seconded by Dr. Anderson. There was no further discussion, and the motion did not carry by roll call vote 2-2:

President– Melton; No

Vice President – Jamie Stull; No

Secretary/Treasurer – Kurt Anderson; Yes

Board Member – Paul Maxwell; Yes

There was no further discussion on the original motion. A roll call vote was taken, motion defeated unanimously 4-0.

Discussion of the Legislative Funding Request was initiated by President Melton. He stated the committee would like for Dr. Anderson and Dr. Maxwell to review the recommendations for Capital Outlay 2022, as the letter is to be sent for this upcoming legislative session. Dr. Anderson suggested minor editorial changes and further discussion ensued. The consensus of the board is to move forward with the letter as it stands with the minor editorial changes. Dr. Maxwell stated he did not support the letter that was written.

### **Board Open Discussion**

Dr. Maxwell addressed the board vacancy. President Melton stated the vacancy is posted to the website, newsletters, and billing to generate interest.

### **Adjournment**

Mr. Stull motioned to adjourn at 11:02 a.m., with a second from Dr. Maxwell. The motion passed unanimously 4-0.



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Kurt Anderson  
Secretary/ Treasurer

11/19/21  
Date