



*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, December 19, 2024 convened at 3:00 p.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 3:00 p.m. and called roll:

Vice President – Kenny Morrow, Present

Secretary/Treasurer – Brian Cox, (Excused Absence)

Board Member – Brian Clouse, Present (via Zoom)

Board Member- Ralph Owens, Present

A Quorum was declared.

### **Others in Attendance:**

Legal Counsel- Nan Winters (via Zoom)

Executive Director- Jennifer Horton

Office Manager- Margo Lopez

Executive Assistant- Shelby Morales (Excused Absence)

### **Approval of Agenda**

Mr. Morrow moved to approve the agenda as presented; the motion was seconded by Mr. Owens. There was no further discussion, and the motion passed unanimously by roll call vote 4-0.

### **Minutes**

Mr. Morrow moved to approve the Regular Board Meeting Minutes of November 21, 2024 as presented; Mr. Owens seconded. Ms. Horton stated she would like the minutes to show that Legal Counsel, Nan Winters, is present via Zoom. Mr. Morrow moved to approve the minutes as amended, Mr. Owens seconded. There was no 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 he has not had any issues reported to him.

### **Staff Reports**

Ms. Horton stated she did not have financials for the month of November as the financial software is having some issues, preventing her from generating her reports. Ms. Horton stated once she can get them generated, they will be emailed to the Board of Directors.

Ms. Horton provided a written report for the Project Updates. She stated the Association is still trying to close out the Dona Ana Village Lift Station and Force

Main Project with Spartan Construction, as it is in the hands of the attorney and bonding agency at this time.

Ms. Horton reported on the Southeast Collection Final Phase Project and stated it is progressing at a good pace. She stated they are working on Dona Ana Road up to Lopez, along with some side streets getting the homes connected.

Ms. Horton reported she is currently waiting on quotes from a contractor for the Picacho Hills Sewer Main Protection Project.

Ms. Horton reported the PER for the East Central Collection and will be reviewing it next week.

Ms. Horton stated the Water and Wastewater Master Plan is currently being worked on.

Ms. Horton stated the West Mesa Water System Design Project is starting.

Ms. Horton stated she is hopeful Phase 2 of the Dona Ana Village Lift Station and Force Main Project will be in construction in the next 60 to 90 days.

Ms. Horton stated the 2 funding applications with the Water Trust Board have gone past the first round. She was pleased to share it made the first cut. She further stated they are currently working on the second round of documents to go to the session in January and final decisions will be made in May, for which projects will be funded.

Ms. Horton reported on subdivisions. She stated Desert Oaks Subdivision with 192 residential lots in Picacho Hills have reviewed and returned back to the developer to address the same comments on the 2 prior reviews. She stated there seems to be a struggle to address and provide plans per the design standards.

Ms. Horton reported she is still waiting on the construction plans for 263 lots for the Bueno Suerte Subdivision.

Ms. Horton reported on the 9 lots in the Reyes Westwind Subdivision. She stated she has approved their construction plans, however, the water rights they had to use for this construction got pull from them and their new water rights are under review.

Ms. Horton reported on Other Matters. She stated there were no new operator certifications obtained in November.

Ms. Horton provided a Water Rights update as of the end of November.

Ms. Horton reported 435 completed applications for the Southeast Collection Project.

Ms. Horton provided the following written reports, The Customer Service Report, for the Board of Directors to review.

Ms. Horton stated the Association was broken into again on both Saturday and Sunday. She shared the details of how they got in and shared they stole approximately \$1000.00 in scrap brass and further discussion ensued.

President Melton inquired about Weise Development. Ms. Horton stated that Zach asked that the Association to reconsider and would like a different option rather than going to the City of Las Cruces. Ms. Horton shared she advised she would need a Master Plan to understand what their development is across the interstate to reconsider wastewater service and further discussion ensued.

President Melton inquired about the Thurston Development. Ms. Horton stated she has not heard from them in roughly 4 months.

Ms. Horton stated there are 2 subdivisions with approximately 200 lots each. She stated they are in the works, and she is waiting on construction plans. Ms. Horton stated the development in Picacho Hills does not seem to meet design standards as there have been a number of issues that are not being addressed.

Ms. Horton stated the issues with Casa de Oro seem to be better, however, they still have issues with their force main as it is a 2-inch diameter line with glued fittings and 90-degree angles. Ms. Horton stated upon inspection of their grease traps it appeared it had not been pumped in 5 years. Ms. Horton advised them they must start pumping the grease trap and provide their manifest to be compliant and provided them with a copy of the policy.

Ms. Horton shared the Environment Department has suspended all operational certification testing and renewal of certifications as they went from a staff of 4 to a staff of one, who works from home, until further notice.

President Melton inquired about the situation with the City of Las Cruces and the encroachment of our service area. Ms. Horton stated it is being worked on.

Mr. Owens asked Ms. Horton if West Mesa is considered part of the Picacho Hills area. Ms. Horton clarified that West Mesa is because they are connected to Picacho Hills. She shared that they were a separate water system and when the Association purchased it, they had to shut down their water system and tie them into Picacho Hills as their wells had high uranium. Ms. Horton stated there are approximately 104 connections. She further stated that the Association is looking into doing an expansion and rehabbing their system, upsizing the lines and providing fire protection as they currently have 2-inch and 4-inch water lines. Ms. Horton stated the expansion will include another water well and water tank and further discussion ensued.

Mr. Owens inquired about a 5, 10-year strategic plan. Ms. Horton stated the Board of Directors did a strategic plan in 2012/2013 however, it had not been updated as most of it was fulfilled in that time period. She shared most of the plan was standardizing and merging Radium Springs, Picacho Hills and Fairview with our system.

### **New Business**

None

### **Unfinished Business**

Mr. Morrow motioned to Take Action Re: 424 Appleview Place- Meter Tampering Fee; the motion was seconded by Mr. Owens. The Chair called for discussion of the motion. Ms. Horton stated that Mr. Cox asked Ms. Horton to put something together to show what the cost was to the customer, what she did not have to pay and how much she benefited financially when her meter was not working. Ms. Horton reviewed the month-to-month comparison based on actuals, a 12-month average, and 24-month average as an estimated value for water used but not registered through the meter due to failure. Ms. Horton stated that the meter was not registering as of May of 2023. Per

policy she further stated that the meter was changed on October 9, 2024 and that there was a back billing that occurred for August, September, and October of 2024. Ms. Horton stated that the member is unhappy about the tampering fee of \$350, however, the tampering of that meter is what caused the meter not to register. Ms. Horton stated the member benefited from not paying anywhere from \$700 to \$1,000.00 for water usage. Ms. Horton stated that Mr. Cox wanted to see if the tampering fee was less than the usage charges. As a result of the averages the member came out ahead. President Melton stated the meter tampering fee should stand as the bill reflected there was no water usage. He further stated he understood the meter is several feet away from her home, however, with the policy in place the meters are placed in public right of way to avoid issues with locked gates and such. Should the member wish to relocate the meter within the public right of way that would be more satisfactory to the member, we can do so, at her expense. Mr. Morrow motioned to assess the \$350 meter tampering fee as is, the motion was seconded by Mr. Clouse. Ms. Horton asked if she could have the authority to place her on a payment plan due to the holidays. It was agreed that Ms. Horton had the authority to do so. There was no further discussion, and the motion passed by roll call vote 4-0.

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

Mr. Morrow moved the Approval of the Annual Meeting Agenda; the motion was seconded by Mr. Owens. The Chair called for discussion of the motion. Ms. Horton stated this is the standard agenda and reviewed it. There was no further discussion, and the motion passed by roll call vote 4-0.

### **Board Open Discussion**

Mr. Morrow stated that he has been giving thought to the customers coming in to address the Board of Directors with regards to complaints about their bills. He stated he thought it was good that the members have an avenue to come in and address the board, however, there are already policies in place for the staff to address those issues. Mr. Morrow further stated he felt that members are coming in with false hope that the board will overturn policies and any staff decision, and it is creating a very contentious situation. Mr. Morrow expressed his displeasure with that. He stated he would like to add this to the next agenda and remove the avenue (the Request to Address the Board of Directors form) to avoid members bringing in their bills problems, in hopes to have them overturned and allow the staff to do their job with the policies set in place and allow management to set up payment plans as necessary. Mr. Morrow stated that the members may still address the Board of Directors under Public Input within the allotted 3 minutes and further discussion ensued. Ms. Horton asked Mr. Owens since he would not be present at the next meeting if he had any objections to having the form removed. Mr. Owens stated he did not. It was fine.

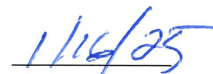
### **Adjournment**

Mr. Morrow motioned to adjourn at 3:57 p.m., with a second from Mr. Owens. The motion passed unanimously 4-0.



Brain Cox

Secretary/Treasurer



Date