



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, January 16, 2025 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, Present

Board Member – Brian Clouse, (Excused Absence)

Board Member- Ralph Owens, (Excused Absence)

A Quorum was declared.

Others in Attendance:

Legal Counsel- Nan Winters (Excused Absence)

Executive Director- Jennifer Horton

Office Manager- Margo Lopez

Executive Assistant- Shelby Morales (Excused Absence)

Approval of Agenda

Mr. Cox moved to approve the agenda as presented; the motion was seconded by Mr. Morrow. 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 December 19, 2024 as presented; Mr. Morrow seconded. There was no further discussion, and the motion passed unanimously by roll call vote 3- 0.

Customer Issues and Public Input

Ms. Horton shared that Mr. Garneau requested to address the Board of Directors with regards to his high-water bill with the use of 130,000 gallons, as he felt he could not have used that amount of water during the time period from October 17th – November 1st. She stated that he requested to have his meter tested. The results returned with 99.0- 99.9 % accuracy for a good meter and reported that the meter testing is done by a 3rd party and reported it to be one of the new AMI meters. She further stated that he provided and had the data from that testing review with him. Ms. Horton stated the member is not satisfied with the results. President Melton stated if it goes through the meter it needs to be paid for. She stated the member is aware of his leak insurance but does not believe he used that water. She stated the results were provided and reviewed with the member and although he understood how the data made sense, he doesn't believe he used that many gallons. The Board of Directors agreed there is no action to be taken on this matter as it has been managed per policy.

Board President Report

President Melton stated that things have been quite in the North Valley.

Staff Reports

Ms. Horton stated financials for the month of December have been provided. Ms. Horton began to review the Bank Transaction Report and stated everything was standard as it was a quiet month. She stated the Budget Report is as of the end of December 31st and stated there was revenue of \$3.9 million and expenditures of \$3.3 million, with a net difference in the operating fund of \$600,000. Ms. Horton shared there is a receivable being carried in the amount of \$255,000 in fund 200 with a net surplus of \$450,000 as of today. Ms. Horton stated the account looks good for halfway through the year. Ms. Horton provided the Balance Sheet stating it is a current cash position and shared the Association is up about \$300,00 in the General account, \$1.6 million in the Investment account and \$200,000 in the Restricted funds account and wrapped up the financials with the Income Statements as it ties back to the Budget Reports.

Ms. Horton provided a Water Rights update as of the end of December with no changes.

Ms. Horton provided a written report for the Project Updates. She stated the Association had received the last check from the funding agency for \$255,000 on January 2nd for the Dona Ana Village Lift Station and Force Main Project with Spartan Construction. She further stated that it did close out the funding for that project, however, it does not close out the project. Ms. Horton stated that there is still a final change order, which they are claiming \$360,000 in claims and the Association is claiming \$750,000 in liquidated damages. Ms. Horton stated she expects to end up in District Court.

Ms. Horton reported on the Southeast Collection Final Phase Project and stated it is progressing and going smoothly considering the size and complexity.

Ms. Horton reported she has not received any bids for the Picacho Hills Sewer Main Protection Project. She stated she will continue to seek bids.

Ms. Horton reported on the PER for the East Central Collection and stated a final draft is waiting for her review.

Ms. Horton stated the Development Standards are at a final draft and will meet in 2-weeks to have it finalized and ready for the February meeting for the Board of Director's review and potentially approve. Ms. Horton stated that both the Water and Wastewater Master Plans are in the works and should be done in late February or early March.

Ms. Horton stated the West Mesa Water System Design Project has started and is currently working with the hydrologist and engineers to get things going.

Ms. Horton stated the 2 funding applications with the Water Trust Board have gone past the first round and has submitted all readiness to receive as part of the next step. Ms. Horton stated final decisions will be made in May, for which projects will be funded.

Ms. Horton stated the Phase 2 of the Dona Ana Village Lift Station and Force Main Project has been awarded \$446,755 additional grant funds to complete the project's base bid. Ms. Horton stated that the award of funds will go to New Mexico Finance

Authority (NMFA) for final approval on the 30th. Ms. Horton stated she fully expects that they will approve it. Once approved, the Association will award the base bid.

Ms. Horton stated the window to Colonias Infrastructure opens January 27, 2025 and she will submit 3-4 applications for that process. She further stated at least one Wastewater to complete the Dona Ana Village Lift Station project that did not get awarded with the base bid this round, one for another Water Well, and for the start of the First Phase of the West Mesa Construction project.

Ms. Horton reported on subdivisions. She stated Desert Oaks Subdivision with 192 residential lots in Picacho Hills has yet to move.

Ms. Horton reported that the new additional water rights are pending review for 263 lots for the Bueno Suerte Subdivision. Ms. Horton stated the subdivision is waiting on the Association, as she has hired a new Water Rights Attorney to move forward with the review.

Ms. Horton reported on the 9 lots in the Reyes Westwind Subdivision. She stated this subdivision is waiting for the water rights to be reviewed as well.

Ms. Horton stated the Villas in Picacho Hills have come back around. She reminded the Board of Directors that this was the Flemish Subdivision that started building. Ms. Horton stated the construction plans were approved and then it was sold. Since then, the property was sold and there was a redesign and will now have to undergo a review.

Ms. Horton stated that the Bosque Subdivision is off Burke Road in District 4, just North of Throat Punch. She stated that they now want to subdivide the parcel into 3

lots, whereas before the agreement was to serve one lot. The developers are not pleased that this property will need to go through a subdivision process.

Ms. Horton reminded the Board of Directors that Well 8 is slowly going down and that was one of the applications she submitted to Water Trust Board for the million dollars to attempt to replace it and why the land purchased across the interstate by the South Tanks was made. Ms. Horton further stated that her plan is to drill that well and close down Well 8 due to the loss of the water table there and the well. Ms. Horton advised that Well 8 is down again and under repair. Ms. Horton further shared that Well 7 was pumping sand and had it pulled. She reported 20 feet of sand was pulled and was put it back online. She stated the next day they pulled 20feet more of sand. Ms. Horton reminded the Board of Directors that this is a new well and there are no issues with the casing and screens and have no idea where it is coming from, but now it is pulling rocks and less sand. Ms. Horton stated that she is unsure if this well will go back online. She stated that they are going to attempt to put it online and see if they can slow it down to stop the sand and rocks. Ms. Horton advised that Well 5 is down and will need to be redrilled. Ms. Horton shared that she found a small parcel behind one of our property's that she would like to buy. She stated that she will ask the Board of Directors for roughly half a million dollars to redrill a well there. She stated it needs to be where there is existing infrastructure to avoid having to build a new building and pulling in power to save a ton of money and further discussion ensued.

Ms. Horton advised that there was another break in at the yard across from the office and shared they cut the fence and stole scrap metal. She shared her need to properly secure the premises with metal stat fencing to help reduce the chances of getting broken into, and electric gates to ensure they are closed at all times. Ms. Horton stated

that the repairs are running anywhere from \$500- \$600 each time they are called out to repair them.

Ms. Horton reported that 563 AMI meters have been installed and are actively getting hourly readings and usage.

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

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.

New Business

None

Unfinished Business

Mr. Cox moved the Approval of New Members New Meters; the motion was seconded by Mr. Morrow. The Chair called for discussion of the motion. There was no further discussion, and the motion passed by roll call vote 3-0.

Mr. Morrow moved to Discontinue Request to Address the Board of Directors Form; the motion was seconded by Mr. Cox. The Chair called for discussion of the motion. Ms. Horton stated this came up at the last board meeting, where Mr. Morrow suggested to stop allowing the members to come in to request the Board of Directors to overturn policy and staff decisions when there are already policies in place for the

staff to address those issues. She stated that Mr. Morrow felt this gives members false hope and it is creating a very contentious situation. Ms. Horton clarified that Mr. Morrow stated that members can still come in as they are allotted 3 minutes under the Customer Issues and Public Input to express their concern(s), however, there should be no action taken. There was no further discussion, and the motion passed by roll call vote 3-0.

Mr. Cox moved to Approve Resolution 2025-01 Open Meetings Act; the motion was seconded by Mr. Morrow. The Chair called for discussion of the motion. Ms. Horton pointed out some changes to be made. She stated the date needed to be changed to reflect the 16th, the time to needed to be changed to 3:00 pm, and to remove the “electronically via Zoom video conferencing” from the top of the page. Mr. Cox moved to approve Resolution 2025-01 as amended, Mr. Morrow seconded. Ms. Horton stated this resolution tells the public how meetings are conducted and that the current Open Meetings Act law is followed. She expressed this is formality and is done annually. There was no further discussion, and the motion passed by roll call vote 3-0.

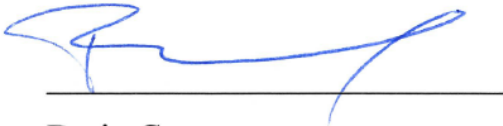
Mr. Cox moved to Approve Resolution 2025-02 Disposal of Assets; the motion was seconded by Mr. Morrow. The Chair called for discussion of the motion. Ms. Horton stated this is for items under \$5,000 to be posted for auction and scrap metal to be taken to the highest bidder. She stated this is the process of the state to dispose of assets. If approved today, it will be sent to the stated and the state will review it. In 30 days, it can go to auction. There was no further discussion, and the motion passed by roll call vote 3-0.

Board Open Discussion

None

Adjournment

Mr. Cox motioned to adjourn at 4:07 p.m., with a second from Mr. Morrow. The motion passed unanimously 3-0.



Brian Cox

Secretary/Treasurer



Date