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DOÑA ANA MUTUAL DOMESTIC WATER CONSUMERS ASSOCIATION
ANNUAL MEMBERSHIP MEETING

March 28, 2018

7:04 p.m. to 8:07 p.m.

Doña Ana Elementary School

5551 Camino de Flores

Las Cruces, New Mexico

REPORTED BY: CYNTHIA GONZÁLEZ, RPR

NM CCR 59, TX CSR 8467

Huseby, Inc.

1230 West Morehead Street

Charlotte, NC 28208

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1 P R E S E N T E R S

2 James Melton, Board President

3 Jamie Stull, Vice President

4 Jennifer Horton, Executive Director

5 Kurt Anderson, Secretary/Treasurer

6 Dan Hortert, Member

7 Todd Roberts, Member

8 Lilla Reid of Souder, Miller & Associates

9 Joshua Smith, Esq.

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1 P R O C E E D I N G S

2 MR. MELTON: Ladies and gentlemen, we've

3 got a couple of technical difficulties right now,

4 and we're also still trying to get a head count. So

5 please bear with us for a few more moments. We'll

6 determine whether we've got a quorum or not before

7 we can proceed further. Thank you.

8 (Recess was held from 7:03 p.m. until 7:06 p.m.)

9 MR. MELTON: I'd like to call the annual

10 meeting of the membership of Doña Ana Mutual

11 Domestic Water Consumers Association to order at

12 7:06 p.m. on the 28th of March of 2018.

13 First thing I would like to do is ask

14 anyone who has a cell phone, a tablet, or any other
15 type of noise-making device to please silence them
16 for the remainder of our meeting so as we're not
17 disturbed by them, unless you're on a 24-hour
18 emergency call.

19 Madam Executive Director, do we have proof
20 of notice in a meeting and proof of a quorum?

21 MS. HORTON: Yes, we do.

22 MR. MELTON: And do we have a quorum?

23 MS. HORTON: 45.

24 MR. MELTON: We have 45 members present.

25 I just saw another one come through the door. 43

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1 constitutes a quorum, and I do declare that we have
2 a quorum.

3 The first item on the agenda is the
4 approval of the agenda. And at this particular
5 point in time, I will entertain a motion to that
6 effect.

7 MR. GEERY: I make a motion to approve the
8 agenda.

9 MR. MELTON: Could I ask you to please
10 rise and state your name fully since we don't have a
11 microphone or PA system this evening because we have
12 a court reporter here who is making a transcript of
13 this.

14 MR. GEERY: I, Floyd Geery, G-e-e-r-y,
15 make a motion that we approve.

16 MR. MELTON: Thank you.

17 Do I have a second? Yes, sir?

18 MR. HERBERGER: I'll second it.

19 MR. MELTON: Your name, sir?

20 MR. HERBERGER: David Herberger.

21 MR. MELTON: Thank you, sir.

22 I have a motion by Mr. Geery and a second
23 by Mr. Herberger to approve the agenda. We will
24 move to vote on it, and we will do it by a show of
25 hands.

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1 All in favor?

2 (All say "aye.")

3 MR. MELTON: All opposed?

4 (No response.)

5 MR. MELTON: The motion passes
6 unanimously.

7 Next on the agenda is introduction and
8 acknowledgments. And just a moment. Let me get --
9 okay. Do we have any of our state legislators with
10 us this evening? We do not.

11 Okay. The next individual I would like to
12 introduce is Mr. Oscar Vasquez Butler who is at the
13 back of the room. He is a member of the Colonias
14 Infrastructure Board, a tremendous fan and supporter
15 of Doña Ana Mutual, and he is also a past president

16 of this board of directors.

17 Do we have any of the County Commission
18 present this evening? No.

19 Okay. In looking across the room, I see
20 past presidents, Mr. Charles Huestis, and Dr. Kurt
21 Anderson who is also currently a member of the
22 board.

23 Any other past presidents here? I
24 mentioned Oscar previously; so I omitted him
25 deliberately.

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1 I'm shorting you, Oscar.

2 MR. BUTLER: I'm short enough.

3 MR. MELTON: Okay. On our consulting
4 staff this evening, we have our attorney, our
5 general counsel, Mr. Joshua Smith, and a
6 representative from our engineering firm, Ms. Lilla
7 Reid.

8 Now I'd like to move toward our staff.
9 Down here striving, thrashing, trying to get us
10 video this evening is our executive director,
11 Jennifer Horton. I think in the back of the room
12 probably, if I look hard enough, I'll find our field
13 manager, Abenicio Fernandez. Our lead customer
14 service technician is Cyndi Shelsea; our admin
15 assistant, Margo Lopez.

16 Is Margo here tonight?

17 MS. HORTON: No.

18 MR. MELTON: No. Okay. And the one that
19 gets all of the work done for the board and for the
20 executive director, the administrative assistant to
21 the director, Stephanie Nelson.

22 Stephanie, where are you? There she is.

23 And then of course around the back of the
24 room we have the group that gets all the work done
25 around this bunch. That's our customer service

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1 representatives who helped check you in this
2 evening, as well as our operators who are the guys
3 that are out there in good weather, bad weather.
4 They're knee deep in mud and in those ditches all
5 the time.

6 Now I'll move to the board of directors.
7 To my immediate left is our vice president, Jamie
8 Stull. To his left is our secretary/treasurer and
9 representative from District 2, Kurt Anderson. To
10 Kurt's immediate left is our District 5
11 representative who joined us this year, Todd
12 Roberts.

13 To my immediate right is an individual who
14 came to us and said, you know, I've gotten to --
15 I've learned that you people need some help. You've
16 asked for a representative from District 3. And I'd
17 like to introduce you to Dan Hortert. And of course

18 there's always me. I think most of you know I'm Jim
19 Melton, District 1 representative and president of
20 the board.

21 Jennifer, do you have the staff awards?

22 MS. HORTON: Yes. And they're in order.

23 MR. MELTON: Okay. We have several
24 service awards to pass out this evening, the first
25 of which goes to Mr. Eloy Castillo for twenty years
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1 of service. The second is Mr. Manny Hernandez, ten
2 years of service. Next is Chris Morales, five years
3 of service. Next in order is Mr. Arthur Barela for
4 a year of service. Next is Mr. Sean Lucero, a year
5 of service. And our final award this evening goes
6 to Ms. Stephanie Nelson for a year of service.

7 (Photo being taken.)

8 MR. MELTON: I'd like to congratulate all
9 of you and thank you for your hard work.

10 The next item on the agenda is the
11 approval of the minutes of the meeting that was --
12 we attempted to hold last year initially on the
13 25th of January. We had to recess it, and we
14 reconvened -- I'm not sure I have the date on that.
15 I don't.

16 Anyway, at this particular point in time,
17 I will entertain a motion to approve those minutes.

18 Sandy?

19 MS. TATUM: Sandy Tatum. I move to
20 approve the minutes of the January 25th meeting.

21 MR. PETERS: Lee Peters. I second.

22 MR. MELTON: I have a motion by Sandy
23 Tatum to approve the minutes with a second by
24 Mr. Lee Peters.

25 One minor correction that I noted in
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1 there, if you read through the minutes, it shows
2 that our guests in attendance include legal
3 counselor, retiring Joshua Smith of Watson Smith,
4 LLC. Mr. Peters was in the process of retiring, and
5 Mr. Josh Smith was in the process of transitioning
6 into the position. So that needs to be corrected,
7 and I don't think -- I think that's kind of an
8 administrative correction.

9 MR. PETERS: He's way too young to retire.

10 MR. MELTON: Any further discussion on it?
11 There being none, we'll move to vote.

12 All in favor signify by "aye."

13 (All say "aye.")

14 MR. MELTON: All opposed?

15 (No response.)

16 MR. MELTON: The motion carries
17 unanimously. The minutes are approved as presented
18 with a minor change.

19 Now we move into basically what is more or

20 less the meat of the meeting. In new business we
21 have three resolutions from the board of directors
22 for approval or disapproval by the membership.

23 The first is Resolution 2018-01 which
24 deals with the Open Meetings Act, and it does -- in
25 fact, it is required by statute. We have to approve
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1 it each year, which we set up what we consider to be
2 adequate notice and whatnot in accordance with the
3 Open Meetings Act statute for the State of
4 New Mexico. And basically we follow the guidelines
5 in it. The only change between this resolution and
6 the one the board approved last year is the dates
7 have been changed.

8 At this point in time, I will entertain a
9 motion for approval of that resolution.

10 Oscar?

11 MR. BUTLER: Mr. Chairman, I make a motion
12 that we approve the Amended Resolution 2018-01.

13 MR. MELTON: Thank you, sir.

14 Do I have a second?

15 MR. HUESTIS: I second.

16 MR. MELTON: I have a motion by Mr. Oscar
17 Vasquez Butler to approve the Open Meetings Act
18 Resolution 2018-01 with a second by Mr. Charles
19 Huestis.

20 Is there any further discussion? There
21 being none, we will move to vote.

22 All in favor please signify by "aye."

23 (All say "aye.")

24 MR. MELTON: All opposed?

25 (No response.)
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1 MR. MELTON: I hear no opposed. The
2 motion carries unanimously.

3 I would like to ask the assemblage if they
4 prefer to address these other two items by voice
5 vote, by a show of hands, or we have prepared
6 ballots. And I would like to have some sort of, I
7 guess, show of hands.

8 Who would object -- or who would want to
9 have ballots? I see no one wants ballots.

10 Okay. A show of hands or voice vote?

11 (Members express voice vote.)

12 MR. MELTON: Voice vote? All who would
13 like to have a voice vote signify by saying "aye."

14 (All say "aye.")

15 MR. MELTON: All opposed?

16 (No response.)

17 MR. MELTON: Oh, that silence is ominous.
18 Voice vote it is.

19 Okay. A little bit of background. About
20 four years ago, this organization began a massive
21 expansion of its membership. In April of 2013, they

22 had about 3,300, as I remember, connections. Today
23 we have over 5,600.

24 In acquiring the additional members and
25 things of this nature, some issues arose which were
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1 confusing, were actually in contradiction of one
2 another, and things like that. And a number of
3 people, not only staff and board, but also a number
4 of members have input over that period of time.

5 A few weeks ago or few months ago now, the
6 board got together, and we put together a resolution
7 trying to basically clean these things up. And our
8 proposal is that if we adopt these, they become our
9 Articles of Incorporation and, subsequently, in the
10 next action, our bylaws which we feel have cleaned
11 up a majority of the issues.

12 We do not feel that we are perfect. They
13 are still open to discussion and to potential
14 modification as time goes forward. But we feel like
15 we have taken a major step here, and we have taken
16 bylaws and Articles of Incorporation that began in
17 1974 and have been modified piecemeal. We have
18 actually coalesced them and put them together into
19 two cohesive documents.

20 So that's what we come to you with with
21 these two resolutions, to either adopt the new
22 Articles of Incorporation and, subsequently, the
23 bylaws, the new bylaws, or to try to live with what
24 we've lived with since '74 and all our
25 modifications.

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1 At this particular point in time, I will
2 entertain a motion to approve the resolution of the
3 board of directors for the adoption of the Articles
4 of Incorporation and Resolution 2018-03.

5 Mr. Butler?

6 MR. BUTLER: Mr. Chairman, I will make a
7 motion to approve Resolution 2018-03 for the sake of
8 this session.

9 MR. MELTON: Thank you, sir.

10 Do I have a second?

11 MS. MILES: Michelle Miles. I second.

12 MR. MELTON: Your name again, please?

13 MS. MILES: Michelle Miles.

14 MR. MELTON: Michelle Miles.

15 I have a motion by Mr. Butler with a
16 second by Ms. Miles to approve Resolution 2018-03
17 and adopt the revised and actually what will become
18 our Articles of Incorporation effective immediately.

19 Is there any discussion? Yes, sir.

20 Please rise and state your name.

21 MR. PALMER: Harry Palmer. I noticed that
22 there's a few typographical and grammatical errors
23 in here.

24 MR. MELTON: Yes.

25 MR. PALMER: How do you propose to fix

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1 those?

2 MR. MELTON: Well, if you -- as you note
3 them, if you will let us know about them, we will go
4 in, and we will actually -- as I told you, these are
5 living documents. So we can change them at some
6 time in the future. We're trying to get a basis to
7 work from in which we don't have -- at this point in
8 time, we have a lot of confusion.

9 And you're welcome to come to our board
10 meetings every second -- I'm sorry -- every first
11 and third Thursday of the month and have input to
12 it, you know, with reference to specific areas that
13 you have an issue with.

14 MR. PALMER: Well, for example, if this is
15 approved now, then the next time it's going to be
16 changed, it means you go through the process all
17 over again.

18 MR. MELTON: It's a relatively simple
19 process if we approve it in this manner. But we've
20 got to start somewhere because we can't be perfect.

21 MR. PALMER: I agree with that. But maybe
22 if you can -- just a moment.

23 All right. I have a solution to that. I
24 make a motion that non-substantive changes or
25 corrections can be made by the board to these, and

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1 that will take care of it. That would include
2 typographical errors.

3 MR. MELTON: Okay. So you would like to
4 make a motion that non-substantive changes can be --
5 the board be authorized to make those without
6 further action by the membership.

7 Is that what you're telling me?

8 MR. PALMER: Correct.

9 MR. MELTON: Do we have a second to that
10 motion?

11 Sandy?

12 MS. TATUM: Sandy Tatum. I second that
13 motion.

14 MR. MELTON: Thank you.

15 Okay. The motion is that the board be
16 authorized to make non-substantive changes to the
17 Articles of Incorporation without further action by
18 the membership with a second by Sandy Tatum.

19 MS. DAVIS: Discussion?

20 MR. MELTON: I was going to ask for
21 discussion.

22 MS. DAVIS: Jean Davis. Is that legal in
23 the state of New Mexico?

24 MR. MELTON: State your name, please.

25 MS. DAVIS: Jean Davis.

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1 MR. MELTON: Jean Davis.

2 MR. SMITH: Is that a statement or a
3 question?

4 MR. MELTON: A question.

5 MS. DAVIS: Is that legal?

6 MR. SMITH: Changing anything
7 substantive -- if all we're talking about is
8 spelling errors or misplaced punctuation, then no,
9 as long as it doesn't change anything substantive.

10 MS. DAVIS: If it doesn't change the
11 meaning, then it's okay?

12 MR. SMITH: Right.

13 MS. DAVIS: Okay.

14 MR. MELTON: Any further discussion?
15 There being no further discussion, we'll move to
16 vote on the motion to authorize the board to make
17 non-substantive changes in the Articles of
18 Incorporation without further action by the
19 membership.

20 All in favor signify by "aye."

21 (Members say "aye.")

22 MR. MELTON: All opposed?

23 MR. PETERS: No.

24 MR. MELTON: How many no's do we have? I
25 have a hand. We have 46 or 45 with 1 objection.

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1 We'll have to take the count at the completion of
2 the meeting if that's permissible.

3 Now we will vote on the original motion to
4 adopt Resolution 2018-03, adoption of the Articles
5 of Incorporation.

6 All in favor?

7 (All say "aye.")

8 MR. MELTON: All opposed?

9 (No response.)

10 MR. MELTON: The motion carries
11 unanimously. The Articles are adopted.

12 The third issue under new business is
13 approval of Resolution 2018-04, the bylaws of the
14 Association. Basically everything in here is pretty
15 much the same. The board worked on both the bylaws
16 and the Articles at the same time.

17 So I will now entertain a motion to adopt
18 those. I need a motion.

19 Sandy?

20 MS. TATUM: I studied them; so I'm ready
21 to make a motion.

22 MR. MELTON: Okay.

23 MS. TATUM: I move that we accept and
24 approve the amended bylaws, Resolution 2018-04.

25 MR. MELTON: Thank you.

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1 Do I have a second?

2 MR. GEERY: I, Floyd Geery, second it.

3 MR. MELTON: Say again, sir.

4 MR. GEERY: I, Floyd Geery, second it.

5 MR. MELTON: Oh, okay. I'm sorry. I
6 thought he was over here. I don't hear too good.

7 Okay. I have a motion by Sandy Tatum with
8 a second by Floyd Geery to adopt Resolution 2018-04,
9 the amended bylaws of the Association.

10 Is there any discussion? There being
11 none, we'll move to vote.

12 All in favor?

13 (All say "aye.")

14 MR. MELTON: All opposed?

15 (No response.)

16 MR. MELTON: The motion carries
17 unanimously.

18 We will now move to report. I guess I'm
19 the first man in the barrel.

20 For the board of directors, I'd like to
21 report that we have successfully accomplished what
22 we set out to do a couple of years ago in finalizing
23 the transfer of ownership of the wastewater
24 collection system for the Village of Doña Ana from
25 the ownership of the County to the ownership of the
0019

1 Association.

2 We are in the process of seeking sources
3 of funding to improve and expand that system to
4 begin basically the construction of a regional
5 wastewater collection facility just as we have
6 currently in hand a regional water distribution
7 system that basically stretches from Interstate 25
8 to Interstate 10 and from the northern city
9 boundaries of the City of Las Cruces to north of
10 Radium Springs. We have a few small entities that
11 serve water in that area other than us. But
12 basically that's our service area.

13 District 5, I'm certain, is happy that we
14 have two new tanks capable of storing
15 900,000 gallons of water apiece completed. We
16 have -- along with that, there was installed an
17 upgraded booster station, numerous new
18 pressure-reducing valves. And all of this has been
19 completed. Unfortunately, we still have some minor
20 issues with pressure and whatnot which we are
21 working on on a case-by-case basis as we speak.

22 From the intersection of Picacho Avenue
23 and Bamert Road in Fairacres, which is where
24 currently we serve our little system in the Fairview
25 colonia to the Picacho Hills area, we have completed
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1 installation of a main line which gives us the
2 capability to be able to support Fairview from
3 either direction.

4 That's rather important to us because the
5 line that was feeding them comes across the river on
6 the bridge, and we only had a single feed. We don't
7 have any storage capability there. So it gives us a
8 backup for that one system.

9 Additionally, it accomplishes a long-term
10 goal of finalizing the tie of all our transmission
11 systems from Radium Springs down through the valley
12 and across Picacho Hills. We do have a tie line
13 that runs all the way, which over a period of time
14 we intend to improve to the point that we can
15 utilize whatever source of water we need to to
16 provide sources of water in case we lose wells, we
17 lose -- you know, we run out of water in a well or
18 whatnot. And it definitely improves the
19 sustainability of our system.

20 We continue to await issuance of a permit
21 by the New Mexico Environment Department to complete
22 the connection of a new well, Number -- I believe
23 it's 11, up in the Radium Springs/Fort Selden area
24 which replaces a well we lost about three years ago
25 as well as to connect a new well, No. 15, in the
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1 Picacho Hills area, which is a very high-production
2 well that has been in existence for a long time but
3 had never been connected to the system.

4 So once again, we're trying to improve our
5 capability to serve. And one of the things that I
6 am very, very proud of is the fact that we are in
7 the process of finalizing the review and permission
8 to proceed with the rehabilitation of the water
9 system in the Fort Selden/Radium Springs area.

10 We were successful through the efforts
11 primarily of our executive director in taking, I
12 believe it was, \$125,000 in colonias infrastructure
13 money, and that has eventually been parlayed into a
14 loan/grant capability through the United States
15 Department of Agriculture to give us \$4.3 million to
16 go into the Radium Springs/Fort Selden area, replace
17 2- and 4-inch mains, to install tie lines between
18 our well field and our tanks, to install a new
19 booster station, pressure-reducing valves, and a
20 minor little matter of installing 50 some-odd fire
21 hydrants because I think there must be 8 up there
22 now. So, you know, this is a great improvement for
23 the folks up in that area.

24 And last but not least, we continue to
25 work, and we continue to strive and gather data,
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1 developing a comprehensive database such that,
2 instead of performing maintenance in a panic mode
3 when something breaks, we can actually perform
4 scheduled periodic maintenance and improve the
5 reliability of our equipment, improve the life cycle

6 of it, and things of this nature in an attempt to
7 become better business people.

8 And with that, I will turn the meeting
9 over to our secretary/treasurer Dr. Kurt Anderson,
10 and he'll tell us about the dollars.

11 DR. ANDERSON: Is that slide up there with
12 all the fine print?

13 MS. HORTON: Yeah.

14 DR. ANDERSON: If it's the same as what I
15 have in front of me, then this is our -- the first
16 sheet is our balance sheet income statement. This
17 is for the fiscal year which ended last June 30.
18 And the numbers are all from our audit report.

19 The first column over here basically lists
20 all our assets and minus our liabilities. And down
21 at the bottom you can see the total number assets
22 minus liabilities is sitting here at a little over
23 \$21 million.

24 The second column gives at the bottom an
25 indication of how that changed over that particular
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1 fiscal year. The total position at the end of the
2 year is at \$21 million. At the end of the -- or at
3 the beginning of that fiscal year, it was just over
4 \$20 million, the difference being a net improvement
5 in our position.

6 The second sheet, the 2017 budget, again
7 that was for the year that ended last June 30. This
8 gives our sources of income. I'm trying to avoid
9 the fine print.

10 Up at the -- the first total up at the top
11 is our total revenues from all sources. Down at the
12 bottom are our total expenses, what it took to us
13 run the place. There's a net change in our cash
14 balance, and at the bottom is our cash balance at
15 the end of the year.

16 I might point out that there are -- the
17 difference between some of the estimates in our
18 original budget and what it actually turned out to
19 be are the fact that we basically run on -- in terms
20 of a major capital improvement sort of thing, we
21 basically run on grants and such. And if we don't
22 get as many grants as we thought we were going to
23 get, you know, we -- that's essentially a net loss.
24 Some of the projects for which we do have money, the
25 money hasn't been spent yet.

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1 Probably the most important sheet is the
2 third one, which is the audit result. We are
3 required by state law to undergo the ordeal of an
4 outside audit once a year. And it's very unusual
5 for an organization of any size to survive without
6 any findings at all, a finding being something --
7 "Well, you need to fix this," or "This is a very bad

8 thing you've done."

9 In this case, there are no findings at
10 all, which is the second year which we've
11 accomplished this. And the credit for that -- I
12 think we can give a lot of credit to our executive
13 director who keeps a very mean eye on the budget.

14 So that's where we were, and we were in
15 very, very good shape. And I think it will stay
16 that way.

17 And the next one is the budget for the
18 current fiscal year, the current year being July 1
19 of last year to June 30 of this year. Our operating
20 revenues in the budget are a little over
21 4 1/2 million dollars. Our expenditures are a
22 little over \$4 million. These two items are up
23 14 percent and 11 percent respectively from last
24 year, reflecting both some ambitious things and the
25 fact that we've grown.

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1 We are in the early stages of preparing
2 our budget for the next fiscal year that commences
3 July 1 of this year. And there's a ritual we have
4 to perform. We put together a proposed budget, an
5 interim budget. We submit it to the powers that be
6 up in Santa Fe, and they scratch their heads and
7 say, "Yeah, that looks okay." And then we review
8 it, and we finally have a final budget which will be
9 due in July of 2018.

10 Okay. Projects. As I said, we live on
11 grants and contracts -- or grants and actually loans
12 for doing our major project work. At the moment, as
13 of the time this was put together, we had about
14 \$2.7 million in funding from the New Mexico
15 Environment Department mainly for wastewater
16 treatment plants, upgrades, and things of that sort.
17 Colonias money, there seems to be a typo there.

18 MS. HORTON: Yeah, it's missing a digit.

19 DR. ANDERSON: But it's a little over half
20 a million dollars for the water line improvement in
21 the Fairview area and about a little over three
22 quarters of a million dollars of colonias money,
23 again, for the wastewater collection system being
24 put together in the San Ysidro area.

25 And finally, we have some federal funding.

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1 The biggest item at the moment is the drinking water
2 revolving loan fund just under \$2 million for water
3 line improvements to the Picacho Hills area.

4 That's all I have. And if there are any
5 questions, I'll try to avoid them. There being
6 none, thank you.

7 MR. MELTON: Next individual we'll ask to
8 address you will be our attorney, Mr. Smith.

9 MR. SMITH: I'll just do it from here, if

10 that's all right.

11 I'm giving the litigation report, and
12 luckily for the Association, my report is very
13 short. The Association is currently involved in two
14 lawsuits that were both filed in 2013. The first is
15 Moongate Water Company versus Doña Ana Mutual
16 Domestic, and the second is Doña Ana Mutual Domestic
17 versus The Estate of Forrest Westmoreland and Joyce
18 Westmoreland.

19 Both of these lawsuits arose out of a 2002
20 contract that was entered into by the Association
21 with the Westmorelands. The Westmoreland case was
22 taken to trial here in the District Court in 2014.
23 Moongate was taken to trial in 2015. The Court
24 rendered decisions in both of those cases in October
25 and November of last year.

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1 We filed an appeal in the Moongate case
2 questioning some of the legal reasoning of the Court
3 in its ruling, and the Moongate Water Company did
4 not. And that case is currently pending on appeal.
5 It has not yet been calendared.

6 And then the Westmoreland case, we have
7 cross appeals, meaning we filed an appeal and the
8 Westmorelands filed an appeal, also questioning the
9 ruling of the Court. And that has been assigned to
10 the general calendar, which means we'll be briefing
11 that this year and hopefully finding some
12 resolution.

13 Other than those two cases, legally
14 everything is running smoothly with the Association.
15 So those are the only two cases I'm dealing with at
16 the moment. Thank you.

17 MR. MELTON: And next will be our
18 representative from Souder, Miller & Associates,
19 Lilla Reid.

20 MS. REID: All right. You think you guys
21 can hear me?

22 ("Not well" expressed by the members.)

23 MS. REID: Okay. I'll stand up and see if
24 I can project better. All right. We'll try again.

25 Does that sound a little better?

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1 ("Yes" expressed by the members.)

2 MS. REID: Awesome. Thank you. So I get
3 to present projects, which I always get excited to
4 do.

5 So in 2017, we actually had a really
6 exciting productive year. We completed two planning
7 reports, two designs, and five construction
8 projects. So there was a lot of orange barrels in a
9 number of different districts. And even though I
10 don't like having to drive through orange barrels, I
11 always like to see them when we're doing water

12 projects.

13 So the two planning projects was a 40-year
14 water plan and your conservation plan, and those
15 were completed. And then in 2018, we actually have
16 the Southeast Collections PER, which is a wastewater
17 PER that is currently in review.

18 And the idea of planning reports is to
19 help get you funding. So the big deal here is every
20 time we have a planning report, that actually
21 helps -- not every time. But PERs definitely help
22 with the funding agencies to get you --

23 MS. DAVIS: You dropped your voice. I
24 don't know what you were hoping.

25 MS. REID: We're hoping for more funding.

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1 So with every planning report, the idea is to get
2 additional funding. Okay?

3 So the design -- we completed two designs
4 in 2017, two in 2018, and we have one in the process
5 right now that we're anticipating to be completed as
6 well. So the first design that was completed was
7 the Fairview II project which we've already somewhat
8 discussed. It was 1.2 miles of 12-inch water line
9 that basically connected District 5 to District 4
10 and allows for a backup water system to go to, in
11 this case, the Fairview area.

12 The next one is a design that was
13 completed. It's actually in District 5, and it's
14 called the Via Norte Project. It's about 1 mile of
15 water line. It includes six PRVs, which is
16 basically pressure-reducing valves. The idea there
17 is to help regulate all of District 5's system so
18 that everybody can run off of those two tanks that
19 we have up there.

20 The next project that's currently in
21 review, which is the one for Radium Springs, is
22 7 1/2 miles of water line. And as we said, it's
23 going to be a really good improvement for the
24 district: fifty new fire hydrants, a new booster
25 station, all the things that we already discussed.

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1 And we have new water storage tanks.

2 Now, the one that's in progress right now
3 is the San Ysidro one for wastewater collection.
4 And the good thing about this is, with a vacuum
5 station going in and the force main going in, we can
6 basically really look at expanding that collection
7 system every time you get new funding. So you have
8 the basis there to continue doing collection in that
9 area. So we're very excited about that.

10 If anybody does want service in their
11 area, any way you can let the Association know will
12 be beneficial in helping to move all those designs
13 and determining where the best place is to move

14 collection to next.

15 So for construction projects, we've
16 completed the five projects that we talked about.
17 One of them was the Blue Hawk, and it was a 4-inch
18 water line extension, about a 1 mile, an EBID
19 crossing easement. So it was a nice project because
20 they needed some water in that area.

21 And then the construction completed in
22 Picacho Hills, 2 miles of 8-, 10-, 12-inch water
23 line, the booster station, the valves, the PRVs, all
24 of that was completed. It was \$1.9 million in
25 construction. And I think having that storage up

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1 there is going to be very beneficial in all of the
2 improvements that Doña Ana is doing in that area.

3 The transmission line project that we did,
4 this one was Valley Drive, West Taylor Road, Doña
5 Ana Road, and this one included two phases that were
6 merged together to fit it. But it was 3.2 miles in
7 the first phase of 18-inch and then 1.2 miles of
8 18-inch. This was all Water Trust Board funding.
9 When we bid it together, it was \$2.3 million.

10 But basically this is one of those big
11 backbones of the water system that we look for to
12 make sure that we're getting plenty of flow
13 throughout your system. And that was Water Trust
14 Board funding.

15 And then the vacuum station, this is
16 where, you know, we always really enjoy when
17 colonias infrastructure helps us out and hopefully
18 continues to this year. But this is wastewater, and
19 it's hard to get wastewater funding.

20 So we had two phases. One was the vacuum
21 station followed by the force main. It included the
22 building, the vacuum station, and then about
23 2000 linear feet of 8-inch force main. And we had
24 the lift station there so that we were ready to get
25 flow to that vacuum station, and then, you know, we

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1 could turn it all on. And that was a combination of
2 colonias and other funding. And it was around a
3 \$1 million project.

4 So the other one that was really good and
5 we completed design and construction in 2018, it was
6 that Fairview II project. It was around half a
7 million dollars, and we were all very concerned, the
8 Association engineers. It's such a crowded corridor
9 that we knew that there was just going to be so many
10 other utilities we were going to run into.

11 It has probably been one of the smoothest
12 projects we have had in probably two years. So
13 everything went really well. Everything got
14 connected, and we're very excited about that.

15 So right now we're currently working on

16 construction commencement of about four projects in
17 the second quarter of 2018. The first one will
18 actually start April 2, and that's at Via Norte I --
19 that's the date of construction commencement -- the
20 wastewater treatment improvement project in
21 District 5, the Radium Springs project with USDA
22 funding, and the Southeast Collection which we
23 consider the third phase but will be the first
24 actual collection phase.

25 And that's -- we're hoping for a very busy
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1 construction schedule for the second quarter. But,
2 you know, thanks to the funding agencies, thanks to
3 this board, thanks to Jennifer and her team, it
4 really makes all these projects possible and helps
5 to improve this water system and the wastewater
6 system that you guys have.

7 So I don't know if we're doing any
8 questions or if you have anything, but that's all I
9 have. Thank you, guys.

10 MR. MELTON: Thank you, Lilla.

11 According to the agenda, I believe the
12 next item is a report by our executive director.
13 However, in speaking with her earlier, she indicated
14 that the rest of us had stolen her thunder and she
15 has nothing to say.

16 So that being the case, we will move to a
17 session in which we will throw the floor open to
18 anyone who wishes to address the board, any public
19 input that they wish to have, and things of that
20 nature.

21 Please come forward, sir, and state your
22 name.

23 MR. VALDEZ: My name is Narciso Valdez. I
24 own some property at 121 Taylor Road. And you
25 people have been charging me since 2017,

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1 approximately for two years. The meter has been
2 shut off. I always ask why you don't remove the
3 meter.

4 They tell me it costs me approximately
5 \$200 to remove it and over a thousand dollars to
6 install it back. On one of those regulations you
7 people have around there it says that. And I'd like
8 to have a breakdown on the charges.

9 Right now I'm paying \$20.22 per month just
10 for the meter. The company started with \$17.96.
11 Now it went up to \$20.22. It's approximately about
12 \$240 per year. I'd like to know if I have to bring
13 it up right now or if I have to go to one of your
14 sessions. I'd like to have a breakdown why.

15 MR. MELTON: If you will visit with us at
16 one of our regular board meetings, sir, we will try
17 to do that. We have one scheduled for the first

18 Tuesday of next month, which is I believe the -- I'm
19 sorry -- Thursday, the 5th, isn't it? At 9:00 a.m.

20 MR. VALDEZ: Okay. What day? The 5th?

21 MR. MELTON: The 5th of April at 9:00 a.m.
22 in our office. And we will give you a breakdown
23 blow by blow for that.

24 MR. VALDEZ: Yes. Because a thousand
25 dollars just to put it back, that's ridiculous.

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1 MR. MELTON: I think you and I have
2 already talked about this once, but we'll definitely
3 try to answer your questions for you.

4 MR. VALDEZ: Thank you for listening to
5 me.

6 MR. MELTON: You're welcome, sir.

7 Anyone else? Mr. Butler.

8 MR. BUTLER: Mr. Chairman, members of the
9 board, I'm Oscar Vasquez Butler. Actually, I want
10 to compliment the board and your executive director
11 for the projects you've undertaken. I think that
12 the membership should know that if you've applied
13 and were awarded over \$5 million from USDA and the
14 colonias fund and Water Trust Board, that's really a
15 good thing. I mean it's saving us money. And
16 they're looping lines and tying in lines.

17 Not only that, in Radium Springs where
18 you're putting up 150 hydrants --

19 MR. MELTON: No, 50 I believe it is.

20 MR. BUTLER: -- 50 hydrants, regardless
21 where they're at, that really reduces their fire
22 rating, and the membership should find out from
23 their insurance companies as to -- and I brought
24 this up before. If you have fire hydrants, your
25 insurance should drop. Because they give you a

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1 higher rating when you don't have hydrants. So look
2 into that. And I think that's where I compliment
3 the board in pursuing projects that are going to be
4 cost saving to the membership.

5 And then, lastly, I just want to say that,
6 you know, being on the Colonias Infrastructure
7 Board, we really approve projects that are regional.
8 And I want to suggest something to you because so
9 far we haven't had a hit on the aquifer, you know,
10 whether it's for chloroethylene in the city or a
11 medical prescription in the county or it's an
12 agricultural fertilizer chemical, regardless of what
13 it is -- it may even be a terrorist attack -- we
14 have to be prepared for that.

15 So I'm suggesting that you may want to
16 consider a tie-in with the city, an emergency tie-in
17 in the event of -- the event that you should be, you
18 know, prospectively thinking about so that we can
19 regionalize the whole community, the whole north

20 valley up to Radium Springs so that there won't be a
21 downside to water.

22 We currently have a collection system in
23 the counties of -- Doña Ana Water is taking their
24 effluent into the city; right?

25 MR. MELTON: Correct.

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1 MR. BUTLER: Because they have the
2 capacity. But we should be looking at an emergency
3 tie-in with the city that vice versa would help one
4 another.

5 As you know, I'm big into regional
6 projects. And maybe I'll put in a plug here. In
7 the event I am elected for the county commission
8 seat, I will propose a regional infrastructure
9 project for the entire county so that we'll be
10 prepared.

11 And in the event our president's proposed
12 infrastructure project comes into place, we will
13 have a regional project that we would qualify for so
14 that we would be first in the nation with a regional
15 county project that may qualify for federal funds.

16 Thank you, Mr. Chairman.

17 MR. MELTON: Thank you, Mr. Butler.

18 I would like to add to Mr. Butler's
19 comments that with regard to regionalization and
20 with regard to our forward planning and whatnot, one
21 of the comments that has been passed to me a number
22 of times is that we have taken our planning -- we
23 plan ahead. We try to have projects that are
24 already in basic design on the shelf.

25 And when we find bucks, then we have what

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1 they call shovel-ready projects, and dollars are a
2 lot easier to shake loose when you do have
3 shovel-ready projects as opposed to having
4 pie-in-the-sky things that, well, you know, we would
5 like to do this.

6 But if you can actually say we're going to
7 put this here and this here, then it's something
8 that goes a long way when you go talking to people
9 about trying to get money from them.

10 Anybody else? Mr. Geery?

11 MR. GEERY: Floyd Geery. I've had several
12 people in my area ask me if -- I understand that the
13 lines -- and I don't know quite how to say this --
14 stop at the intersection of where Fort Selden Road
15 hits old Highway 85, or 185 I guess it is now.

16 How much further north do you go up from
17 there?

18 MR. MELTON: We don't at this particular
19 point in time.

20 MR. GEERY: Because they're asking when
21 they can get water too.

22 MR. MELTON: Have they come to us and
23 asked for service?

24 MR. GEERY: I didn't ask them that. They
25 asked me to ask you. I mean if they care, they
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1 would be here tonight to add to our count, but
2 they're not here.

3 MR. MELTON: I would suggest that the
4 first step is they have to ask for service, at which
5 point in time we will start looking at providing
6 service.

7 MR. GEERY: But it does stop there?

8 MR. MELTON: It does stop there at this
9 time.

10 MR. GEERY: And there are no shovel-ready
11 project to go north of there?

12 MR. MELTON: Now, we may get into some
13 issues as well -- and I don't know. And we'll have
14 to look into it when we find out where they are
15 specifically and whatnot because I don't know what
16 Leasburg's area is up there either.

17 We do have -- see, west of 85 or old 85
18 from Lopez Hill Road -- no, Lujan Hill Road, from
19 there on, the west side is served by Leasburg,
20 Leasburg Mutual Domestic. And there's some even on
21 the east side of 85, isn't there? There's a block.

22 MR. GEERY: Do they go north of the
23 bridge?

24 MR. MELTON: I have no idea. I can't
25 address that. But, you know, my suggestion would be
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1 have those people drop by the office, you know, talk
2 to our staff, give us a letter requesting service,
3 and we'll start looking at it.

4 MR. GEERY: I can't get them to come to a
5 meeting for free cookies for heaven's sake.

6 Thank you for your time and consideration.

7 MR. MELTON: Do we have any other public
8 input? The silence is deafening. I personally at
9 this point in time would welcome someone saying "I
10 make a motion that we adjourn."

11 MR. OWEN: I make a motion that we
12 adjourn.

13 MR. MELTON: Your name?

14 MR. OWEN: I'm Robert Owen, and I make a
15 motion that we adjourn.

16 MR. MELTON: Do I have a second?

17 MR. PALMER: Second.

18 MR. MELTON: Who seconded?

19 MR. PALMER: Harry Palmer.

20 MR. MELTON: I have a motion and a second
21 to adjourn.

22 All in favor?

23 (All say "aye.")

24 MR. MELTON: All opposed?
25 (No response.)

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1 MR. MELTON: The meeting is adjourned at
2 8:07.
3 (The proceedings concluded at 8:07 p.m.)

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1 DOÑA ANA MUTUAL DOMESTIC WATER CONSUMERS ASSOCIATION
ANNUAL MEMBERSHIP MEETING

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5 I, Cynthia Gonzalez, RPR, NM CCR 59, TX CSR
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7 Proceedings in the above-captioned matter were taken
8 before me, that I did report in stenographic
9 shorthand the Proceedings set forth herein, and that
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