

Regular Meeting held on August 01, 2022, at 6:00 pm
Board of Directors of Timberon Water and Sanitation District
1 Bobwhite Circle – “Lodge”
Timberon, NM 88350

Invocation and Pledge of Allegiance

Salute to the New Mexico Flag “I salute the flag of the state of New Mexico, the Zia symbol of perfect friendship among united cultures.”

Roll call of the Board Chairman Michael Gonzalez, Vice Chairman Jules Neal, Treasurer Terri Borzoni and Secretary Sharon Vails. Absent were Director Mark Harding and Director Tod Barker.

Approval of Agenda Vice Chairman motioned to approve the agenda, the Treasurer seconded the motion, the Chairman called for a vote. The Vice Chairman voted yes, the Treasurer voted yes, the Chairman voted yes, and the motion for approval passed.

General Manager’s Report 6 new meters were installed 6 left still to install. There are 30 meters in stock.

13 leaks repaired, all but one using 3” pipe, 1 using 6” pipe.

3 employees are testing to pass for higher levels water operator status.

During the Sanitary Survey, 17 significant deficiencies were identified. The Timberon W and SD water system must submit a written corrective action plan to DWB within 45 days of the sanitary survey cover letter date, indicating how and on what schedule the system will address significant deficiencies noted in the survey.

A copy of the deficiencies will be included as an addendum to the minutes.

Treasurer’s Report

USDA \$853.76 RESERVE \$7,924.80 F & S \$16,789.63 OPERATIONS \$37,199.63 RESTRICTED RESERVE \$77,962.56 STANDBY \$78,640.56 SHORT LIVED ASSETS \$166,490.51

Committee Reports:

Finance Committee

All budget paperwork required for DFA and USDA was approved by the board and turned in on time. As soon as approved by DFA/USDA it will be sent back to the board to be approved.

Water Advisory Committee

No new business this week

New Business:

1. **Discuss/Approve appointing board member(s) to meet with the County to discuss the conditions of the district.**

Vice Chairman motions to appoint Director Harding and Director Barker, with Chairman Mike Gonzalez to act as an alternate, to meet with the County to discuss the conditions of the district, the Treasurer seconded the motion, the Chairman called for a vote. The Vice Chairman voted yes, the Treasurer voted yes, the Chairman voted yes and the motion passed.

- 2. Discuss/Approve estimate and payment for tank inspection and work to be done by D&R Tank for the inspection of the Timberon Water and Sanitation District tank #3.**
The Vice Chairman motions to approve the estimate and payment of \$6000 for tank inspection and work to be done by D&R Tank for the inspection of the Timberon Water and Sanitation District tank #3, the Treasurer seconded the motion, the Chairman called for a vote. The Vice Chairman voted yes, the Treasurer voted yes, the Chairman voted yes, and the motion passed.

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1 Bobwhite Circle – “Lodge”
Timberon, NM 88350**

MEETING AGENDA

Board of Directors of Timberon Water and Sanitation District Remediation of Original Meeting dates: April 04 & 05, 2022 6:00 P.M. April 26, 2022, 12:00 P.M. and May 02, 2022, 6:00 P.M.

This meeting is being held in order to comply with the Attorney General’s determination dated June 8, 2022 and in compliance with Kleinberg v. Bd. Of Educ. of Albuquerque Pub. Sch., 1988-NMCA014, ¶ 30.

Approval of Agenda(s)

The Regular Meeting held on April 04, 2022, Reconvened Meeting held on April 05, 2022, Special Meeting held on April 26, 2022, and the Regular Meeting held on May 02, 2022.

Business from April 04, 2022. These Agenda items below are from the Regular Meeting Agenda held April 04, 2022, 6:00 P.M., and are to be discussed and voted on within this special meeting as a form of remedial action.

April 04, 2022, 6:00 P.M. Meeting:

Roll call of the Board

Approval of Agenda

Meeting to reconvene April 5, 2022, at 6 p.m. due to the fire and folks needed to respond or be near their homes.

Meeting adjourned at 6:10 p.m.

Meeting to reconvene April 5, 2022, at 6 p.m. due to the fire and folks needed to respond or be near their homes.

MEETING RECONVENED APRIL 5, 2022 AT 6 p.m.

Business from April 05, 2022. These Agenda items below are from the Reconvened Meeting Agenda held April 04, 2022, 6:00 P.M., and are to be discussed and voted on within this reconvened meeting as a form of remedial action.

Roll call of the Board Chairman Michael Gonzalez, Vice Chairman Jules Neal, Treasurer Terri Borzoni and Secretary Sharon Vails. Absent were Director Mark Harding and Director Tod Barker.

Motion to reconvene the regular meeting from April 04, 2022

Vice Chairman motions to reopen April 5th meeting per OMA, the Treasurer seconded the motion, the Chairman called for a vote. The Vice Chairman voted yes, the Treasurer voted yes, the Chairman voted yes and the motion passed.

Old Business from April 04, 2022, meeting reconvened on April 05, 2022. These Old Business Agenda items below are from the Regular Meeting Agenda held April 04, 2022. Reconvened on April 05, 2022, 6:00 P.M., and are to be discussed and voted on within this special meeting as a form of remedial action.

Old Business:

1. **Second reading of the amended/revised Timberon Water and Sanitation District Bylaws.**

No vote at this time, changes in the bylaws were read.

2. **Discuss/Approve the findings of new equipment to be used for communications for the public/board if a quorum of the board is not present.**

This item was discussed, no vote.

3. **Discuss/Approve new/old request for residential water line extension(s) with cost structure review.**

Vice-Chairman motions to deny the 1730-foot line extension, the Treasurer seconds the motion, the Chairman calls for votes, the Treasurer votes yes, the Vice-Chairman votes yes, the Chairman votes yes, the request is denied.

On the line extension for Cherokee Way, the Vice-Chairman motions to approve 300 feet on Cherokee way, the Treasurer seconds the motion, the Chairman calls for votes, the Treasurer votes yes, the Vice-Chairman votes yes, the Chairman votes yes, the request is approved.

On the line extension for Pickerel/Mackerel. The Vice-Chairman motions to approve, the Treasurer seconds the motion, the Chairman calls for votes, the

Treasurer votes yes, the Vice-Chairman votes yes, the Chairman votes yes, the request is approved.

New Business from April 04, 2022, 6:00 P.M. Meeting reconvened on April 05, 2022, 6:00 P.M. These New Business Agenda items below are from the Regular Meeting Agenda held April 04, 2022, 6:00 P.M., reconvened on April 05, 2022, 6:00 P.M. and are to be discussed and voted on within this special meeting as a form of remedial action.

New Business:

1. **Approve minutes from March 21, 2022, Regular Meeting.**
the Vice-Chairman motions to approve the minutes from March 21, 2022, Regular Meeting, the Treasurer seconds the motion. The Chairman called for a vote the Treasurer votes yes, the Vice-Chairman votes yes, the Chairman votes yes, the Minutes are approved.
2. **Approve minutes from April 01, 2022, Special Meeting.**
The Vice-Chairman motions to approve the minutes from April 1, 2022, Regular Meeting, the Treasurer seconds the motion. The Chairman called for a vote the Treasurer votes yes, the Vice-Chairman votes yes, the Chairman votes yes, the Minutes are approved.
3. **Board member Tod Barker would like to address the board and the community on prior issues.**
No action was taken at the time.
4. **Discuss/Approve Spec out type of pipe - HDEP on all repairs and new installs.**
Vice Chairman motions to use HDEP piping on the BHI project on the jumper line from the golf course well line to the water treatment plant and on all water line replacement and extensions. the Treasurer seconds the motion and the Chairman called for a vote, the Treasurer votes yes, the Vice-Chairman votes yes, the Chairman votes yes, the motion is approved.
5. **Discuss/Approve days/hours and months the pool will be open for the 2022 season.**
Day May 28 until Labor Day Sept 5th Unless weather nice, then the days extended. Hours 10-6, 5 days a week, closed Tuesdays and Thursdays. Vice Chairman motions to approve Memorial Day weekend until Labor Day weekend with possible changes due to weather with hours 10-6, closed Tuesdays and Thursdays. The Treasurer seconds, and the Chairman called for a vote, the Treasurer votes yes, the Vice-Chairman votes yes, the Chairman votes yes, the motion is approved

6. **Discuss/Approve number of seasonal employees to work at the pool for the 2022 season.**
Vice Chairman motions to approve up to 3 life guards, the Treasurer seconds the motion and the Chairman called for a vote, the Treasurer votes yes, the Vice-Chairman votes yes, the Chairman votes yes. The motion is passed.
7. **Discuss/Approve daily swimming fees/seasonal passes for individual and families.**
\$4.00 a day swim fee per person, per day, no rain checks, no passes. Lifeguards collect monies and turn it in to the office daily.
The Vice Chairman motions to approve the fee, the Treasurer seconds the motion and the Chairman called for a vote, the Treasurer votes yes, the Vice-Chairman votes no, the Chairman votes yes. The motion is passed.
8. **Discuss/Approve possible fees for swimming lessons.**
This item was discussed, no vote.
9. **Discuss/Approve fees for renting the pool.**
Vice Chairman motions to approve setting the Rental fees at \$125 first hour \$75 each hour after that, 2 hour minimum up to pool capacity, no rental during normal pool hours of operation, the Treasurer seconds the motion, the Chairman called for a vote, the Treasurer votes yes, the Vice-Chairman votes yes, the Chairman votes yes. The motion is approved setting the rental fees.

Special Business from April 26, 2022. These Agenda items below are from the Special Meeting Agenda held April 26, 2022, 12:00 P.M., and are to be discussed and voted on within this special meeting as a form of remedial action.

1. **Discuss/Approve Resolution 2022-15, third quarter report(s) to the DFA.**
The resolution was read by the secretary Sharon Vails. Vice Chairman motioned to approve third-quarter resolution 2022 015, the Treasurer seconds the motion. The Chairman called for vote, Treasurer voted yes, the Vice Chairman voted yes and the Chairman voted yes, Resolution approved.
2. **Discuss/Approve Resolution 2022-16, third quarter report(s) to the USDA.**
The resolution was read by the secretary Sharon Vails. Vice Chairman motioned to approve third-quarter resolution 2022-016, the Treasurer seconds the motion. The Chairman called for vote, Treasurer voted yes, the Vice Chairman voted yes and the Chairman voted yes, Resolution approved.
3. **Discuss/Approve accepting the resignation of TWSD General Managers, effective April 20, 2022.**
Vice Chairman motions to not accept resignation with current verbiage, the Treasurer seconds the motion. The Chairman called for a vote, Vice Chairman votes yes, Treasurer votes yes, and the Chairman votes yes to pass the motion to not accept resignation.

4. **Discuss/Approve request from Jesse Duckett to return to his former job prior to becoming the General Manager.**

Without accepting the resignation there was nothing to discuss.

5. **Discuss/Approve plan/procedure for implementing an interim manager for the district.**

A plan was approved and will be implemented providing 2 weeks at a time coverage to be provided by board members should the need arise to cover the general manager's job in the event of his absence due to illness, vacation or his resigning his position. Vice Chairman motioned to accept this proposal, the Treasurer seconded the motion, Chairman called for vote, Treasurer voted yes, the Vice Chairman voted yes and the Chairman voted yes, the motion was passed.

New Business from May 02, 2022, 6:00 P.M. meeting at 6:00 P.M. These New Business Agenda items below are from the Regular Meeting Agenda held May 02, 2022, 6:00 P.M., and are to be discussed and voted on within this special meeting as a form of remedial action.

New Business

1. **Approve minutes from April 18, 2022, Regular Meeting.**

Vice Chairman motions to approve, the Treasurer seconds the motion. The Chairman calls for a vote, the Treasurer votes yes, the Vice Chairman votes yes, the Chairman votes yes, the minutes approved.

2. **Find out the status of the Cemetery fund report.**

No vote, just discussed.

Otero Electric donated a sum of money to be used for the upkeep of the cemetery, plans are for painting of the flagpole, replacement of the pulley and a new rope. Tony McWilliams from the Fire Department has offered equipment to help with accomplishing this task safely. New flags, sprucing up the individual graves will also be done.

3. **Discuss/Approve an alternate board member if needed for Communication Workers of America union contract negotiations.**

The Vice Chairman motions to suggest Vice Chairman Jules Neal as the alternative for union negotiations. The Treasurer seconds the motions, the Chairman calls for a vote, the Treasurer votes yes, the Vice Chairman votes yes, the Chairman votes yes, the motion is approved.

4. **Discuss/Approve engagement letter from Samantha M. Hults Attorney.**

Vice Chairman motions to approve, the Treasurer seconds the motion. The Chairman calls for a vote, the Treasurer votes yes, the Vice Chairman votes yes, the Chairman votes yes, the engagement letter from Samantha M. Hults Attorney is approved.

Closed session:

This section of the original meeting from April 26, 2022 will stand as stated below. The Board couldn't reconsider this closed session as a form of remedial action. The closed session was for the purpose of discussion only. No vote was taken. The closed session has been included in the meeting minutes for the record.

Closed session:

Conference call with Samantha M. Hults Attorney for the discussion of bargaining strategy preliminary for collective bargaining negotiations.

Closed Sessions – Procedures (§ 10-15-1 (I)) To properly close a portion of an open meeting, the following actions must be taken (§ 10-15-1 (I) (1)): **A motion stating the specific provision of law authorizing the closed meeting and a reasonably specific description of the subject to be discussed.**

A roll call vote on the motion to close the meeting in the open session. The vote of each member is recorded in the minutes Only the matters stated in the motion to close are discussed in the closed session.

Generally, action on an item discussed in a closed session must be taken in an open meeting (§ 10-15-1 (H)) After a closed meeting is completed, a statement affirming that the matters discussed in the closed meeting were limited to those stated in the motion to close is recorded in the minutes (§ 10-15-1 (J)). For closed meetings of a public body held separate from an open meeting, the above criteria apply except: Instead of a motion to close, appropriate public notice is provided that includes the specific provision of law authorizing the closed meeting and a reasonably specific description of the subject to be discussed (§ 10-15-1 (I)(2)).

Following completion of the closed meeting, a statement is entered into the minutes of the next open meeting specifying that the matters discussed in the closed meeting were limited to those stated in the notice of the closed meeting (§ 10-15-1 (J)).

Vice Chairman Jules Neal made a motion to go into closed session for:

Conference call with Samantha M. Hults Attorney for the discussion of bargaining strategy preliminary for collective bargaining negotiations.

Director Harding seconded the motion. Chairman Michael Gonzalez called for a roll call vote. Treasurer Terri Borzoni voted yes, Director Harding voted yes, Vice Chairman Jules Neal vote yes, and Chairman Michael Gonzalez voted yes to adjourn into closed session for the conference call with the Attorney Samantha M, Hults.

The board went into closed session at 6:37 pm.

The board returned to the open meeting at 7 pm.

Vice Chairman Jules Neal made a motion to come out of closed session back into an open session meeting. Director Mark Harding seconded the motion. Chairman Michael Gonzalez called for a roll call vote to come out of a closed session meeting into the open session meeting by roll call vote. Treasurer Terri Borzoni voted yes, Mark Harding voted aye, Jules Neal voted yes, and Chairman Michael Gonzalez voted yes. The motion passed by roll call vote to come out of closed session to an open session meeting.

Chairman Michael Gonzalez stated that the matters discussed in the closed meeting were limited to those stated in the notice of the closed meeting.


Conference call with Samantha M. Hults Attorney for the discussion of bargaining strategy preliminary for collective bargaining negotiations.

Directors Remarks Thank everyone for their continuing support of this board

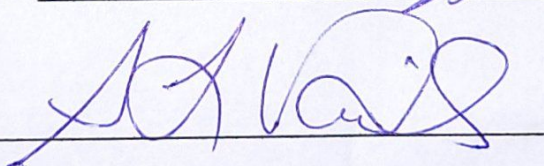
The Treasurer moves to adjourn the meeting, the Vice Chairman seconds the motion, the Chairman calls for a vote, all voted aye. MEETING ADJOURNED AT 7:40 p.m.

Approval of meeting minutes August 18, 2022

Chairman Michael Gonzalez



Secretary Sharon Vails





Sanitary Survey Corrective Action Plan (CAP)

Surface water and GWUDI systems must submit a CAP within 45 days of the issuance of the sanitary survey report

PWSS Name	Timberon W and SD
PWSS ID	NM3546419
Sanitary Survey Date:	June 16, 2022
Date report was issued:	July 27, 2022

Deficiency Listing – Shaded Section is to be filled out by water system representative

Deficiency Code	Description	Choose one and fill in date:	
		Date Deficiency was addressed	Expected date of completion
004D	Inadequate replacement equipment (excessive water loss)		
003M	Inadequate Entry Point		
005P	Inadequate treatment plant failure alarm or auto shut down		
SW26	Lack of calibration documentation		
SW37	Failure to monitor UV lamp		
002U	Inadequate level of distribution operator		
001J	Inadequate security at major facilities		
004Y	Inadequate construction of booster pumps – Storage Tank 2		
004Y	Inadequate construction of booster pumps – Storage Tank 4		
001E	Housekeeping at major facility – Storage Tank 3		
001E	Housekeeping at major facility – Storage Tank 5		
001B	Leaks detected in system – Treatment Plant 1		
001B	Leaks detected in system – Treatment Plant 2		
001B	Leaks detected in system – Storage Tank 2		
002J	Chemicals not approved		
003D	Inaccurate Distribution System Sampling Plan		
006M	No documentation of storage facility inspections		

Comments:

If a deficiency has been addressed, submit documentation to the compliance staff listed below. Submit this form to: Brandi Littleton at brandi.littleton@state.nm.us

Corrective Action Plan submitted by: Signature _____

Printed Name _____

Date _____