

**MINUTES OF THE AUGUST 18, 2018 REGULAR MEETING
OF THE TWSD BOARD OF DIRECTORS**

NOTE: Seventy-six members of the community attended this meeting.

Attending the meeting were Chairman Joseph Mainello, Vice Chairman Richard McMullen, Directors Lester "Brent" Henderson and Michael Gonzalez. Treasurer Edward "Mike" Bovey was absent. There being a quorum present, the meeting was called to order by Chairman Joseph Mainello at approximately 10:00 AM.

Saluting of the flags was accomplished.

Chairman Mainello stated that he was very pleased to see such a huge audience.

Approval of Agenda: Director McMullen moved to approve the agenda as written. Director Henderson seconded. There being no discussion, the vote was called. Directors McMullen, Henderson, and Gonzalez voted aye. The motion passed.

Old Business.

General Manager's Report. The General Manager, Ronald Wyatt, gave his report.

The GM began by stating "Great Crowd!"

The GM met with USDA representatives in Roswell to discuss a two million dollar grant for water pipe replacement.

Employee Terry Montoya spent time yesterday fixing the fire alarm system.

Th GM explained the Sanitary Survey and stated that it was almost complete.

The GM stated that we are still working on getting the Water Filtration System completed.

The GM stated that the yellow paint stripes on the walkway was mostly complete. An additional handicap ramp with parking will be placed outside and in front of the annex.

Director Gonzalez stated that the fire alarm system was not working and that it still showed an error. The GM replied that is was not completely repaired, but that it did work. Director Gonzalez stated that we should contact someone who is qualified. The GM stated that he will contact an electrician.

Audience member Michael Lyon asked why the pool was not fixed yet. The GM replied that he will check.

Audience member John Weaver stated that the fire alarm wasn't working, exit signs were not working, and fire extinguishers were needed in the annex. The GM replied that he will look in to it.

Audience member Bea Huml asked why the office was not open on Friday. The GM asked the audience how many people would be interested in that. The audience response was approximately seven out of seventy-six.

Audience member Marcie Montoya asked about the office answering machine. The GM replied that there is an answering machine in the office.

Treasurer's Report. The secretary read the reconciled bank balances as of July 31, 2018: Checking Account \$17,150.42; Water Standby Savings Account \$95,218.26; Water Restricted Reserve Account \$34,909.93; Facilities and Services Savings Account \$87,239.15; USDA Debt Service Savings Account \$4,380.00; USDA Short Term Assed Repl Savings Account \$68,423.48; USDA Construction Loan Account \$847.90; First National Construction \$50.00. The secretary stated that she had received an email from Treasurer Bovey and he wanted her to announce the Annual Budget Conference in November. His email stated that the new treasurer should attend.

Committee Reports.

Safety Committee. John Weaver stated that there was a safety committee meeting on Monday at 9:00 am. They discussed on the job issues from the previous month. Future meetings will be at 8:00 am before the workers head out to the field.

New Business.

Approval of the August 14, 2018 Work Session Minutes. Director McMullen moved to approve the minutes as written and dispense with the reading. Director Henderson seconded. Directors McMullen, Henderson and Gonzalez voted aye. The motion passed.

Discuss fire alarm disposition. This was already discussed.

Acknowledge approval of the budget. The secretary explained that our FY 19 budget was approved by the Local Government Division of the State of New Mexico, Department of Finance and Administration and that this was just a formality acknowledging that fact. Director McMullen moved to acknowledge receipt of the budget approval from the Local Government Division and Director Henderson seconded. Directors McMullen, Henderson, and Gonzalez voted aye and the motion passed.

Discuss ICIP wish list. The GM explained what the ICIP is and things that were on our wish list, for example, a water storage pond. There was much discussion with the board, the GM and many audience members.

Discuss Road Maintenance. There was much discussion. Chairman Mainello thanked employee Jesse Duckett for all his hard work on the roads.

Discuss High Country Lounge insurance coverage. The lounge manager, Neeneh Kearns provided the insurance certificate.

Discuss High Country Lounge lease. The secretary stated that the GM and lounge manager signed a new lease. Director Gonzalez had objections saying that it should be a board decision. The secretary will send copies to the board and this will be on the agenda for next month. There was much discussion.

Discuss Standby fees. The GM answered audience member Noreen Gonzalez's questions. There was much discussion.

Discuss/approve board travel to Open Meetings training in October. Director McMullen moved to approve funds for board members to attend training. Director Gonzalez seconded. Chairman Mainello, Directors McMullen, Henderson, and Gonzalez voted aye and the motion passed.

Discuss Oversight Committee for Master Plan. Director Henderson explained that they had an RFP committee to make recommendations to the board and they would like to continue the committee as the engineer creates the Master Plan. Director Henderson moved to continue RFP committee for oversight of Master Plan. Director Gonzalez seconded. Directors McMullen, Henderson, and Gonzalez voted aye and the motion passed. Chairman Mainello reminded the committee that they have no decision-making authority; that would fall under the purview of the board.

Discuss/approve 4-H sign for Lodge. Tabled.

Discuss ADA ramp. Tabled.

Discuss moving trash dumpster to Maintenance shop. The GM stated that the dumpster will stay where it is because it would be too difficult for SW Disposal to get to the maintenance shop. There was much discussion concerning signs for the dumpster area and the slash pits.

Discuss reserves. There was some discussion. The secretary suggested that we look at how much money is in Standby before the next billing in December and then decide about transferring some funds into the reserves.

Discuss lawsuits. Chairman Mainello gave an extensive explanation concerning the history of lawsuits. He stated that there are two pending. Audience member Arden Schug also gave some background information. There was some discussion.

Discuss Manager's review. The secretary stated that the last review was September 2017, so one is not due until next month.

First reading of the By-Laws changes. Tabled.

Directors' Remarks.

Director Henderson noticed some Viet Nam veterans in the audience and wanted to thank them for their service. He said it was a great turn out with great discussions. Additional transcripts added to these minutes by Director Henderson.

Director Gonzalez stated that Director Henderson summed it up quite well. He said there's been improvement during the year, but other problems/things need to change. He thanked all for coming. Additional transcripts added to these minutes by Director Gonzalez.

Director McMullen thanked all service members. He thanked the audience for coming. He stated that agenda items were set at the Tuesday work session and people should contact the secretary to get items on the agenda for Saturday.

Chairman Mainello thanked all for their patience. He thanked the board and staff.

Director McMullen moved to adjourn the meeting and Director Henderson seconded. Chairman Mainello, Directors McMullen, Henderson, and Gonzalez voted aye, and the meeting was adjourned. at approximately 1:30 PM

Minutes Approved September 11, 2018:

Secretary Linda Martin_____

Chairman Joseph Mainello_____



Timberon Water & Sanitation District <twsd10@gmail.com>

Re: Minutes

1 message

Lester Henderson <lb4sl007@gmail.com>

Tue, Sep 4, 2018 at 2:30 PM

To: Timberon Water & Sanitation District <twsd10@gmail.com>

Cc: Joe Mainello <jkmainello@gmail.com>, Michael Gonzalez <1john215@hush.com>, Mike & Dale Bovey <MDBovey@gmail.com>, Rick McMullen <rmcmullen@dellcity.com>, Ron & Sharon Wyatt <rmwyatt@dellcity.com>

Recommended changes/additions:
(Add to discussion in GM report)

Burr H suggests shortening work days by 1 hour to make four hours possible for friday. Harvey E. Suggests splitting coverage in half so that people are here to cover fridays. G. Kincade suggests making it mondays off to match up with the school schedule and allows part timers to be here on friday to pay their bill.

(Add to discussion in Safety committee report)

John W. asked where does electrical work at maint shop stand? GM - hadn't had time to get to it yet.

During discussion of ICIP, GM last estimate was \$300K to redo the lodge building. GM asked audience if they want him to try to have the Lodge building refurbished? Several yes's.

In discussion of water storage pond, Sid B requested GM to contact Forest Service about the spring storage tank/pond since it could be a firefighting resource i.e. for helicopters. Burr H - have we had the study to support additional spring sources? GM - that has been done or will be done soon by Engineering Inc.

Tony M. Fire chief suggests putting fire hydrants on the line from the new storage pond. Arden S. Says that the master plan will include fire hydrants.

Road maintenance discussion:

John M. Suggested TWSD put more rock on roads where it is muddy. Chairman suggested that people can call in if there is something they need for your roads.

Question from resident: how many properties have been foreclosed on? Answer from GM was 5. Resident asked "Do we have a policy or procedure for foreclosures?" Answer was no.

(Add to trash discussion:)

Non-Timberon people that use the trash dumpster don't have to pay, i.e. nearby businesses and Bug Scuffle residents. Question was asked How can this be addressed since the County has stopped providing funds, it's all on the District.

G. Kincade suggested putting a locked gate with a key pad and a camera to prevent non-Timberon entities from dumping there.

9/4/2018

Gmail - Re: Minutes

Sid Benson suggested providing bins and using empty pickups leaving Timberon to take waste items to recycle centers in Alamo or other areas.



Timberon Water & Sanitation District <twsd10@gmail.com>

RE: Meeting Minutes

1 message

1john215@hush.com <1john215@hush.com>

Wed, Sep 5, 2018 at 5:03 AM

To: Timberon Water & Sanitation District <twsd10@gmail.com>

Cc: Brent Henderson <lb4sl007@gmail.com>, Rick McMullen <rmcmullen@dellcity.com>, Ron & Sharon Wyatt <rmwyatt@dellcity.com>, Joe Mainello <jkmainello@gmail.com>, 1john215@hush.com

Information requested to be added to the written minutes for the August 18th 2018 Regular meeting:

General Manger Report***TWSD Lodge Fire Alarm System***

The General Manager stated the following: "I have been up here 15 years and anybody who has been here anytime knows of certain things have been broke the whole time or not working or ignored. Well, we have a Fire System Alarm here that whatever the powers may be, have never been fixed. We have our top-notch maintenance man on it; he fixed it yesterday. So its all back in service here. Real good! Real real good!"

Director Gonzalez leaves the board meeting after the general managers fire alarm system status report and returns approximately 4 minutes later.

The Chairman opened questions from the board for the General Manager.

Director Gonzalez "Ronnie you indicated that the Fire Alarm System has been repaired"?

General Manager "Yes".

Director Gonzalez "The Fire Alarm System is still showing a Trouble Code".

General Manager "Yes".

Director Gonzalez "So its not fully working"?

General Manager "I was up here yesterday, this side of the building is hot, apparently there is a weak signal somewhere on this side, so a he will start hunting again Monday".

Director Gonzalez "So it's not repaired"?

General Manger "We can use it", "Believe me we used it yesterday evening".

Director Gonzalez "The system is showing a System Trouble Alarm, that indicates the Fire Alarm System is not working properly". "Who in the organization is working on it"?

General Manager "This is our maintenance man, electrician, and all-around maintenance Terry Montoya".

Director Gonzalez "Okay, this equipment requires the assistance of someone who works on Fire Alarm Systems".

General Manager "Okay".

Director Gonzalez "My suggestion is that we contact someone who is qualified in doing Fire Alarm System repair and to have him assess the system".

General Manager "We can do that".

Director Gonzalez "Because it is still not working".

General Manager "Okay".

Director Gonzalez "That's all I have".

Discuss ICIP wish list.

Director Gonzalez indicated that the ICIP (Infrastructure Capital Improvement Plan) is a 5 year plan and the 2020-24 deadline for "Special Districts" is July 16th 2018. As per the New Mexico Department of Finance and Administration website for ICIP information.
<http://nmdfa.state.nm.us/icip.aspx>

Director Gonzalez inquires of the General Manager if we have completed the ICIP and where can we obtain a copy of it?

General Manager "No, it has not been completed and your date is wrong"!

Director Gonzalez " We are required to submit it on a 5 year basis. So the one that is under review now is required as of July, for the 2020-24 ICIP and that does not appear to have been done yet." "Is that correct?"

General Manager "As Far as I know that is correct"

Director Gonzalez "The Deadline that I mention is off of the New Mexico DFA website which has authority over the ICIP, and again it states the deadline is July 16th 2018. So, if we have not done so we need to submit it. If you need help from the board to do so, let us know."

Discuss High Country Lounge lease.

Chairman Mainello "Down to the High Country Lease".

Recording Secretary Linda Martin "That's been updated also".

Chairman Mainello "Huh"?

Linda Martin "Yes".

Chairman Mainello "The High Country Lease"?

Director Gonzalez "Do you have something to share about that Linda"?

Linda Martin "It's been updated, I have it in the office".

Director Gonzalez "Updated, the contract"? "The contract has been updated"?

Linda Martin "Renewed".

Director Gonzalez "Okay, its on the list (Agenda) because its an item in which the Board of Directors must approve contracts for the district. So I don't know how it could be updated."

Vice Chair Rick McMullen "Is this a lease or a contract"?

Linda Martin "Its a lease".

Director Gonzalez "Its a contract"

Linda Martin "It says a lease".

Audience Member "A lease is a contract".

Chairman Mainello "Lets go one step further, is there a problem I am not aware of"?

Director Gonzalez "It has been expired for a year and a half, it could be a problem".

Chairman Mainello "Okay, that's been put out here in the public, I would like to explore that maybe, Brent do have anything on this"?

Director Henderson "I don't have any additional information, but I think we need to check the requirements to see if the Board needs to review the contract and approve renewal to make sure we are in compliance with all the regulations. But, I honestly don't know exactly what they say".

Chairman Mainello "Okay, something further"? "I have people in the audience that would like to say something, but I want the board to go ahead and complete the thought process here".

Director Gonzalez "It is listed as a commercial lease agreement, but it falls under the legal definition of a contract. So, contracts are negotiated, either delegated or by the Board; according to the General Powers of the State Statute in regard to special districts which we are one. So, any renewal of the contract needs to be approved by the Board for that contract negotiation. My understanding is the Board has to review it and has to make a decision on it (Lease Agreement with DTI - High Country Lounge)."

Chairman Mainello "Okay".

Director Gonzalez "I also have the prior minutes of the deliberations that brought us to the contract that we are discussing now, which is now expired". The Board asked for an RFP to be sent out, and published in the papers. And then based on the interests in those proposals they then drill down into the process of identifying DTI as the party to negotiate with the bar prospect of the High Country there. So a contract was negotiated from that process, and that is how we arrived at the current contract that we have now."

Chairman Mainello "Okay, and what is the time frame on that? That particular piece of business."

Director Gonzalez "Yes Sir, it was effective the 1st day of March 2013 and ran concurrently for 48 months; beginning on the 1st day of March 2013 and it concluded on the 28th day of February 2017."

Chairman Mainello "Sounds like we have some business that needs to be done. Mr. McMullen, you have something to add to this?"

Vice Chair McMullen "Just trying to get wrapped around it, if we need to renegotiate it or look at it, or whatever we need to do with it. Linda you said it has been renewed"?

Linda Martin "I updated the paperwork, Neenah as the manager of the bar signed it and Ronnie signed it".

Vice Chair McMullen "How many pages does it involve"?

Linda Martin "Neenah here"?

Neenah Kearns "5 or 6".

Linda Martin "5 or 6".

Vice Chair McMullen "Can you send that out to the board members, so we can do whatever we need to do in September work session

Linda Martin "Sure, Its the same as the old one. Its the date that changed".

Director Gonzalez "It needs to be understood that we do not have a contract right now."