

Minutes of the September 17, 2011 Meeting of TWSD Board of Directors

Attending in person were Directors Arden Schug, Joe Mainello and Burt Rubinowitz and attending via teleconference were Directors Virgil Beagles and Edward "Mike" Bovey. There being a quorum present the meeting was called to order by Chairman Rubinowitz at 10:00 AM.

Pledge of Allegiance

Salute to New Mexico Flag

Approval of Agenda: Joe Mainello moved to approve the agenda for the meeting. Arden Schug seconded and there was no discussion. Directors Schug, Bovey, Mainello, and Rubinowitz voted Aye. There were no negative votes and the agenda was approved.

Adoption of the minutes of August 20, 2011 meeting. Chairman Rubinowitz did not read the minutes of the July 16, 2011 Meeting and entertained a motion to approve the minutes. Arden Schug moved to approve the minutes. Joe Mainello seconded and there was no discussion. Directors Schug, Bovey, Mainello, and Rubinowitz voted Aye. There were no negative votes and the minutes were approved.

Treasurer's Report: Arden Schug reported on ongoing efforts to finalize the budget for this fiscal year. ?????

Interim General Manager's Report: Ron McCormick was reassigned to his previous position as Water Operator by the Receiver effective August 31, 2011???. Ron was not at the meeting and there was no report given.

Committee Reports:

Swimming Pool: There was nothing new to report. The swimming pool is now closed and has been winterized

Budget Committee: Richard Dysart reported that the budget committee continues to work on balancing the budget for this year.

Unfinished Business

Status of RFP for General Manager Position: Burt Rubinowitz reported that after a review of the previous RFP, it was determined that the same RFP could be used again. Arden Schug made a motion that the RFP include language indicating that the position would not be full time. Discussion centered on not giving prospective applicants the impression that they would have full time employment with the TWSD. Joe Mainello seconded the motion. Directors Schug, Bovey, Mainello, and Rubinowitz voted Aye. There were no negative votes and the motion passed.

Status of Resolution/Notification to County of Next Years Tax Levy Rate: Burt Rubinowitz reported on the mill levy rate process that is in affect for New Mexico municipalities. He stated that Timberon is actually at the maximum rate of 10 mills. However, the State Treasures office applies a Yield Control Formula that is used to calculate actual rates; and when this formula was applied to Timberon, it resulted in a rate of 9.679 mills. The application of the Yield Control Formula to Timberon in 2011 results in a rate of 9.363 mills. Since Timberon is already at the maximum mill rate prior to the application of the formula, there is no need at this time to submit a resolution to the State Treasure's Office. The Treasure's office did recommend that we start addressing the tax year 2012 and submit our requirements along with our interim budget for 2013 which is due June 1st, 2012. Discussion ensued concerning the unfair nature of the Yield Control Formula and its application.

New Business:

Establish Swimming Pool as Enterprise Fund: Arden Schug explained that the swimming pool and fishing lakes have not been handled in the budget as separate funds. Any activity that collects revenue should be set up as an enterprise fund. Arden said that the next iteration of the budget will reflect these areas as General Fund enterprise funds.

Establish Golf Course Committee and Investigate Leasing the Golf Course: Arden Schug made a motion to establish a temporary Golf Course Committee to bring a proposal for contract to operate the gold course or lease the gold course to the Board. Joe Mainello seconded the motion. Arden Schug provided additional background concerning the gold course and the value added to the Timberon community if the golf course is in good operating condition. Further discussion centered on past experiences with golf course operations. Directors Schug, Bovey, Mainello, and Rubinowitz voted Aye. There were no negative votes and the motion passed. The Board representative for this committee will be Arden Schug.

Non-Binding Resolutions: None

Memorials: None

Status of the District: None

Revised Infrastructure Capital Improvement Plan (ICIP): The ICIP is filed with the Department of Finance and Administration and is used as justification when we apply for grants for capital improvements. Arden Schug is working on the ICIP and using last years as a baseline. The ICIP is due on the 30th of September, 2011. A Special Meeting of the Board will be held to review the ICIP prior to the submission date.

Directors' Remarks:

Mike Bovey remarked that the Board will need to appoint an alternate person to oversee the January 2012 election in accordance with the TWSD Bylaws. Burt Rubinowitz stated that this issue would be on the October agenda.

Joe Mainello reminded the audience that four of the five TWSD Board positions are up for election in January 2012 – Burt Rubinowitz is the only Director who will not stand for election. Joe thanked the Timberon community for the strong showing at the hearing held in the Timberon Lodge on the 16th of September as well as strong support during this trying

time. Joe added his comments concerning the value of the gold course to the Timberon community and solicited help for the new Golf Course Committee.

Arden Schug added his thanks to the community for the strong support of the TWSD and the community as a whole.

Burt Rubinowitz requested that we discuss meter reading errors at the next meeting and come up with a resolution to this issue. This will be added to the agenda for next months meeting.

Public Invited to Be Heard:

Suzie Simms thanked the community for support of the TWSD Board meeting today and requested everyone bring the neighbors for the next meeting.

Darrel May asked about the status of Timberon's water rights. Burt Rubinowitz stated that our water rights (2005 acre feet) have been extended. The previous receiver did forward the paperwork and payment on time.

BF Adams commented about hunting in Timberon and the need to have written permission from the land owner to hunt on private property. He requested that an agenda items be added for the next meeting to discuss with the county the possibility of turning Timberon into a preserve with no hunting at all.

Bill Wasson commented that people should be able to hunt in the uninhabited areas of Timberon with permission of landowner.

Mike Bovey moved to adjourn and it was seconded by Arden Schug. The vote was unanimous and the meeting was adjourned at 10:54 AM by Chairman Rubinowitz.

Minutes Approved October 15, 2011: Secretary Mike Bovey_____

Chairman Burt Rubinowitz_____