

MINUTES – REGULAR MEETING
Board of Directors of Timberon Water and Sanitation District
Tuesday September 8, 2026 at 5:00 pm
Timberon Community Center, “Lodge”
1 Bobwhite Circle, Timberon, NM 88350

Authorized by Derenda Robb, Chairman of the Board of Directors, Timberon Water & Sanitation District.

CALL TO ORDER

The meeting was called to order at 5:00 PM by Chairman Derenda Robb.

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

Directors present: Chairman Derenda Robb, Treasurer Josh McCurdy, Director Jesse “JJ” Duckett, Director Sherry Tackett and Director James Wilcox.

A quorum was achieved.

Staff present: General Manager Wendy Case and Board Secretary Nanette Thorell.

APPROVAL OF AGENDA

Treasurer McCurdy moved to approve the agenda. Director Wilcox seconded the motion. A vote was called. Chairman Robb, Treasurer McCurdy, Director Duckett, Director Tackett and Director Wilcox all voted in favor and the motion passed unanimously.

MANAGER REPORT

GM Case presented her report:

- **Water production (August):** Well #1 (plant) produced 3,571,200 gallons; Well #2 (golf course) produced 3,099,600 gallons; total production was 6,670,800 gallons. Gallons sold were not yet available, so water loss could not be calculated at this time.
- **Personnel:** Meter reader Jerry has given notice, with his last day this Friday; the District will begin hiring for a replacement meter reader/field crew position. A replacement for Leo has also been hired.
- **Contracts:** Copies of the contracts requested by the Board were included in the packets, with the exception of PJ's (roads) contract, which GM Case located after packets were distributed and will provide to each Board member separately.
- **Budget:** The Q4 FY26 budget has been approved. The FY27 budget is under review and is expected to come before the Board for approval at the next meeting.
- **Operator Alex update (via emailed report, read by GM Case):**
 - Plans to finish dosage calculations and submit equipment purchase requests for a two-pump chlorination system.
 - Will be on-site the week of September 20 to collect system-wide pressure data, assess throttling opportunities, and evaluate PRV stations in connection with recent main breaks; will compile a materials list for PRV rebuild/replacement and develop an SOP and standard verbiage for a work-order system.
 - Continuing work with the surface plant's original design/construction engineer, with a follow-up meeting scheduled next month to review calculation data.

TREASURER REPORT

Treasurer McCurdy read the bank balances:

F&S \$90,375.47

Water Operations \$128,430.78

USDA accounts: Pass-through \$2.30; Debt Service \$5,993.46; Short-term asset replacement \$167,648.01

Water Restricted Reserve \$5,158.38

Water Standby \$72,353.24

DISCUSS / APPROVE MINUTES of the August 24, 2026 Special Meeting.

Treasurer McCurdy moved to approve the minutes of August 24, 2026 Special Meeting. Director Duckett seconded the motion. A vote was called. Chairman Robb, Treasurer McCurdy, Director Duckett, Director Tackett and Director Wilcox voted in favor and the motion passed unanimously.

OLD BUSINESS

1. Discussion and Review of all active contracts with TWSD.

GM Case referred the Board back to her report, noting that a folder containing copies of all active TWSD contracts had been provided to each Board member, with the exception of the Roads (PJ) contract, which she will send to Board members following the meeting.

2. Update on the Jessica Roberts litigation.

Chairman Robb reported that the matter has been resolved through settlement, as approved by the Board in open session at the August 24, 2026 Special Meeting following closed-session discussion with District counsel. Ms. Roberts will not be returning to employment with the District. In response to a question from a community member regarding the cost of the settlement to the District, Chairman Robb stated that the settlement amount could not be disclosed at this time.

NEW BUSINESS

1. Action item: Re-establish the Budget Committee per TWSD Bylaws, Article 11 Committees and appoint the Treasurer and GM as committee members and authorize recruitment of community volunteers to fill remaining committee positions.

11.01 (excerpt) *The committees do not have statutory power; they are formed as a research and advisory capacity to the BOD.*

11.03 Standing Committees > Budget: (excerpt) *The committee will consist of the Treasurer of the BOD and GM and members of the community.*

Director Duckett noted that, per Bylaws Article 11.03, the Budget Committee is a Standing Committee and does not need to be re-established; GM Case and Treasurer McCurdy already serve as members. He noted the committee's chairman, Richard McMullen, is no longer available, so a new chairman will need to be assigned. Director Duckett added that the committee process allows ideas to be developed outside of regular Board meetings before a proposal comes to the Board for a vote, which helps keep regular meetings focused on other business.

Treasurer McCurdy moved to table this agenda item. Director Tackett seconded the motion. A vote was called. Chairman Robb, Treasurer McCurdy, Director Duckett, Director Tackett and Director Wilcox all voted in favor and the motion to table passed unanimously.

2. Discuss dumpster situation, review cost vs revenue by residences and business. (possible) vote on raising the dumpster station fees.

Chairman Robb reviewed the challenges the District is facing with the dumpster situation. She noted that Director Tackett had been researching options. Community members Tim and Steve suggested renting a trash compactor as an interim measure to reduce the number of dump-and-return trips up and down the mountain; Director Tackett agreed to look into that option. Following extended discussion, Chairman Robb proposed forming a dumpster committee and asked for volunteers. Director Tackett and GM Case, already involved in the issue, along with

community members Tim, Steve, and Paul, expressed willingness to serve, with Steve volunteering to chair. No formal motion was made or vote taken on the matter.

3. Discuss / Approve action on the Aug. 12, 2026 proposal letter from Water Operator Shields.

Treasurer McCurdy read aloud a letter from Water Operator Shields outlining a plan to install a dedicated water line from the Treatment Plant to Storage Tank #2 to relieve stress on the water distribution system. Director Duckett spoke in support of the plan's benefit to the system as a whole and noted the need for an engineering firm to estimate costs and for grant funding to cover them. Director Tackett stressed the need for a written plan going forward.

Treasurer McCurdy moved to make the dedicated line to Tank #2 a priority, including pursuing funding options. Director Wilcox seconded the motion. A vote was called. Chairman Robb, Treasurer McCurdy, Director Duckett, Director Tackett and Director Wilcox all voted in favor and the motion passed unanimously.

4. Discuss / Approve instructing the Water Operators to adjust the altitude valve at Tank 6 to 25 seconds closing time, and 20 seconds opening time.

Community member Schug reviewed the steps for adjusting the valve at a slower rate to reduce hammering in the system. Director Duckett commented that L4 Operator Alex would typically be informed of such a change as a matter of standard procedure among the water operators.

Director Duckett moved to instruct the GM to have the L1 and L2 water operators change the altitude valve at Tank 6 to a 25-second closing time and 20-second opening time. Treasurer McCurdy seconded the motion. A vote was called. Chairman Robb, Treasurer McCurdy, Director Duckett, Director Tackett and Director Wilcox all voted in favor and the motion passed unanimously.

5. Discuss and acknowledge receipt of two (2) new lawsuits filed against TWSD; brief description of each lawsuit to be provided.

Chairman Robb informed those present that two new lawsuits have been filed against the District, each represented by separate counsel, brought by former employees Brad Howard and David Hunter, both related to their prior separation from employment with the District. GM Case is providing information to counsel as needed. Discussion among Board members focused primarily on the two attorneys representing the respective plaintiffs; case specifics were not discussed in open session. Chairman Robb noted the information was already publicly available on social media.

6. Discuss and consider approval of retaining legal counsel to represent TWSD in the two (2) new lawsuits referenced in Item 5.

Director Duckett moved to retain Tom Martin of Martin, Dugan & Martin as legal counsel to represent TWSD in Case No. D-1215-CV-2026-00752. Director Wilcox seconded the motion. A vote was called. Chairman Robb, Treasurer McCurdy, Director Duckett, Director Tackett and Director Wilcox all voted in favor and the motion passed unanimously.

For the second matter, TWSD's attorney on retainer, Matt Wade, will represent the District against Brad Howard; no additional action was required for this case, as Mr. Wade is already retained counsel for the District.

7. Discuss/Approve requiring all employees to submit daily reports electronically, to be stored in a searchable database accessible 24/7 to employees and the BOD; this requirement will be added to the Employee Handbook.

Director Duckett suggested tabling the item until a plan is developed and volunteered to lead the project himself, so as not to add to office staff workload. GM Case noted that daily reports of this kind will be available through the District's new billing software, prompting brief discussion of that software.

Treasurer McCurdy moved to table the item. Director Tackett seconded the motion. A vote was called. Chairman Robb, Treasurer McCurdy, Director Duckett, Director Tackett and Director Wilcox all voted in favor and the motion to table passed unanimously.

8. Discuss/Approve organizing a nominating committee for BOD replacements and putting it in the TWSD Bylaws.

Following discussion on the merits of a nominating committee, Director Duckett moved to authorize organizing a nominating committee for BOD replacements and to incorporate it into the TWSD Bylaws. Treasurer McCurdy seconded Chairman Robb, Treasurer McCurdy, Director Duckett, Director Tackett and Director Wilcox all voted in favor and the motion to table passed unanimously.

Note: Per Bylaws Article 12.01, amendments to the Bylaws require the proposed language to be read at two separate meetings before adoption. Tonight's vote authorizes the formation of the nominating committee; the Bylaws amendment itself will require a first reading of the specific proposed language at a future meeting, followed by a vote at the subsequent meeting.

9. Discuss last year's P&L vs Budget (2025-2026) and review this year's P&L vs Budget (2026-2027) in 2 forms: Total Transactions and Water Only transactions.

After discussion, the board agreed to add this item to the BOD Action Items list.

10. Discuss equipment/vehicle list w/current condition, repairs needed and estimated cost of any needed repairs.

Director Duckett referenced the vehicle and equipment list provided by GM Case. The Board agreed that Director Duckett would accompany GM Case to the maintenance yard to review the condition of the listed items, with results to be reported back at a future meeting.

11. Discuss progress being made on SCADA viewing and leak detection team.

Director Duckett reviewed the current status of the SCADA system. Environmental Department representative Tim Willy advised that view-only remote access is not prohibited by rule but is not considered best practice and is strongly discouraged. Preston, of I&C Solutions, noted that his company has set up firewalls and VPNs for other customers without issue. L4 Operator Alex is not in favor of any outside access to SCADA. On leak detection, Director Duckett reported no feedback yet and noted the effort needs more structure. Tim Willy also advised that valve exercising must be performed by, or under the direct supervision of, a certified Water Operator; L4 Operator Alex has not yet weighed in on that issue. Both the SCADA access and leak detection projects are part of the water loss reduction plan the Environmental Department has requested in order to reduce violations and fines; progress is currently stalled pending further coordination between Director Duckett and L4 Operator Alex.

Community member Randy raised the possibility of using AI to monitor and report on the system; prompting further discussion on the merits and available options for SCADA systems.

12. Discuss current condition and future plans/disposition of the pool and the slash pits.

Director Duckett reviewed the current status of the pool and the slash pits. Members of the Timberon Volunteer Fire Department (TVFD) were present and shared that they had requested Fire Chief McWilliams' authorization to push the slash pits weekly but had received no response; TVFD members came before the Board seeking approval for the arrangement directly.

Following discussion, it was noted that TWSD has historically pushed slash into the pits for the TVFD to burn. Because the field crew's time is currently occupied with ongoing leak repairs around the mountain, TVFD volunteers offered to handle the pushing themselves; volunteers will be required to sign a volunteer form including a release of liability.

Representatives from the Timberon Development Council, Inc. (TDC) were also present and reported they are working toward reopening the pool for the 2027 season. Discussion covered lifeguard availability, fundraising, and the possibility of securing sponsors to offset costs.

13. Discuss / Approve rental of the kitchen space in the Timberon Lodge to the Waldon's.

Annamarie and Randy Waldon presented their request to rent the Lodge kitchen space for classes on canning and pickling, noting they are covered under the Cottage Food Law and hold current food handler certificates. The Board agreed to a rental fee of \$100/month, utilities included, with access through the TDC storage room area; an inventory sheet of the room's contents will be compiled.

Treasurer McCurdy moved to approve the rental of the Lodge kitchen space to the Waldons. Director Wilcox seconded the motion. A vote was called. Chairman Robb, Treasurer McCurdy, Director Duckett, Director Tackett and Director Wilcox all voted in favor and the motion passed unanimously.

PUBLIC QUESTION AND ANSWER SESSION

Community member Clark asked about the progress on the foreclosures. GM Case answered she had no new information.

DIRECTOR'S REMARKS

Chairman Robb commented that this board strives to be as transparent as possible, so everyone is on the same page.

MOTION TO ADJOURN

Treasurer McCurdy moved to adjourn the meeting. Director Wilcox seconded the motion. A vote was called. Chairman Robb, Treasurer McCurdy, Director Duckett, Director Tackett and Director Wilcox all voted in favor and the meeting adjourned at 7:00 PM.

Approved October 13, 2024

Chairman Derenda Robb 

Secretary Nanette Thorell 

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