

**MINUTES OF THE JULY 21, 2012 MEETING
OF THE TWSD BOARD OF DIRECTORS**

Attending in person were Chairman Burt Rubinowitz, Directors Arden Schug, Edward "Mike" Bovey, and Director Charlie Ross. Director Joe Mainello attended telephonically. There being a quorum present, the meeting was called to order by Chairman Rubinowitz at 10:00 am.

Pledge of Allegiance and Salute to New Mexico Flag.

Approval of Agenda: Director Bovey moved to approve the agenda and Director Ross seconded. There being no discussion, Chairman Rubinowitz called for a vote. Directors Schug, Bovey, Ross, and Mainello voted aye. The motion carried.

Adoption of the minutes of July 17, 2012 work session. Director Bovey moved to adopt minutes without reading and Director Ross seconded. Chairman Rubinowitz called for a vote. Directors Schug, Bovey, Ross and Mainello voted aye and the minutes were adopted.

Treasurer's Report. Director Schug stated that the final numbers from FY12 were available and stated what the balances were in each account. He thanked Marilyn Hatfield for all her hard work. He also stated that the budget will be in Quickbooks by next month.

General Manager's Report (copy included with these minutes):

General Manager Ron Wyatt went over his report. There was a question from an audience member, B.F. Adams, concerning what happened to the old SCADA system. Chairman Rubinowitz stated that the audience would be allowed to discuss topics. The General Manager stated that the old system was broken and could not be repaired. Chairman Schug thanked the General Manager for all his hard work.

Committee Reports.

Budget Committee. Director Schug stated that there was no budget report and that the Budget Committee will meet next Thursday. Chairman Rubinowitz asked if we were waiting on numbers. Director Schug stated that the numbers are fairly close and it's just a draft budget that has been sent in for FY13. He also stated that actuals for FY12 are pending. ***Action item for Director Schug.**

Golf Course Committee. Director Ross stated that we still need volunteers. The General Manager stated that he would be putting together a golf course report and that more information was to follow. ***Action item for the General Manager.**

Bylaws Committee. No report.

Swimming Pool Committee. Director Schug stated that the pool was getting lots of use. He also stated that we should look into getting some financial help from Cloudcroft since they don't have a pool and are exclusively using ours. ***Action item for Director Schug.**

Water Rules Committee. Director Schug stated that one board member should take the lead and put together a committee. Chairman Rubinowitz asked if there were any volunteers. None came forward. Chairman Rubinowitz stated that the water rules dovetail with the PRC. Director Bovey volunteered to put together a committee when he returns in November. Director Bovey will get with the General Manager to review rules. Director Schug stated that there have been resolutions and decisions made during board meetings that effect the rules. The General Manager stated that he would start the ball rolling by having the office personnel compare the current rules with the minutes and resolutions. Director Bovey cautioned to use the one with twenty-two rules and not six rules. That's the current rules the PRC has. ***Action item for Director Bovey and the General Manager.**

Unfinished Business. RFP for collection services. Director Schug explained the RFP particulars and stated that we only received one proposal. Director Schug made a motion to postpone until we can negotiate with the company, ARS. Director Bovey seconded the motion. The General Manager stated that he had a long discussion with ARS on Thursday and that he's setting up a meeting for mid-August between ARS and the board. Chairman Rubinowitz called for a motion to postpone voting on collection services. Directors Schug, Bovey, Ross, and Mainello voted aye and the motion to postpone carried. ***Action item for the General Manager. *Agenda item for next meeting.**

New Business.

Maintenance of Web Site. Chairman Rubinowitz explained the status of the web site. Director Ross volunteered to maintain the web site. He stated that he prefers documents to be submitted in "Word" and "pdf" formats, but that he will accept documents and pictures in any format. There was much discussion about there being rules concerning the website that needs to be reviewed. Audience member B.F. Adams stated that TDC had a person who was going to update their web site and that this person might be willing to update ours. The General Manager will contact Gwen Adams to get the name of the person and, in turn, contact him/her. The secretary will send the final minutes to Director Ross to get them on the web site. There was also discussion to send the minutes to the local newspaper. ***Action item for General Manager to contact web site person and to get minutes into the local newspaper. *Action item for secretary to forward adopted minutes to Director Ross.**

Resolution to transfer money. Director Schug read the resolution to transfer funds from water (505) to general fund (101). (copy of resolution attached) Director Bovey made a motion to approve resolution and Director Ross seconded. There was much discussion. Chairman Rubinowitz pointed out that, in reviewing the PRC emergency rate order, it stated that water funds received could only be used for water; and he didn't want to violate the terms of the PRC order. Director Schug stated that we could transfer money from the cemetery fund (510) and that the board would need a resolution. Chairman Rubinowitz entertained a motion to amend resolution. Director Bovey withdrew his original motion and Director Ross seconded. Director Schug made pen and ink changes to the resolution to transfer money from the cemetery fund (510) to the general fund (101). Director Ross motioned to adopt the resolution as amended and Director Bovey seconded. Chairman Rubinowitz called for a vote. Directors Schug, Bovey, and Ross voted aye and the resolution was adopted. It is believed that Director Mainello's phone call was dropped at this time. Chairman Rubinowitz will contact the PRC about adoption of permanent

water rates. Audience member, B.F. Adams, wanted it on the record that Virgil Beagles sent out letters on TWSD letterhead with protest forms and the DeWayne Beagles had been making phone calls to TWSD customers. Chairman Rubinowitz stated that the attorney has all this information. ***Action item for Chairman Rubinowitz.**

Sell Old Sand Filter System. Chairman Rubinowitz will contact DFA concerning sale of property. The General Manager discussed this with the engineer. It's an old system that we don't need and it's not worth keeping. The Rural Water Association representative said that there is interest from other systems to buy it. Chairman Rubinowitz read statute concerning transfer of property. If private, it has to go out for bid/auction. If it's government, a negotiated sale can be agreed upon. Director Bovey moved to have the General Manager pursue this option and Director Schug seconded. Directors Schug, Bovey, and Ross voted aye. ***Action item for General Manager.**

Director Remarks.

Director Ross thanked everyone for being here.

Director Schug thanked everyone for being here and assured everyone that a Treasurers Report would be available next month.

Director Bovey thanked everyone and stated that he will see us in December.

Chairman Rubinowitz stated that he had attended that status meeting with Judge Reynolds in Truth or Consequences and that the judge was updated on the activities of the district. The Facilities and Services Charge resolution was read in court. DeWayne Beagles challenged that. The attorney is looking into it. The PRC protests have been submitted, but only fourteen were valid. Audience member B.F. Adams asked if the PRC knows that some protests are invalid and Chairman Rubinowitz stated that he did not know, but that it didn't matter because not enough protests were received. He also thanked everyone for attending this meeting.

Audience member Dick Dysart thanked the board for their hard work.

Director Bovey moved to adjourn and Director Schug seconded. Chairman Rubinowitz voted aye, Directors Schug, Bovey, and Ross voted aye and the motion to adjourn passed unanimously.

The meeting was adjourned.

Minutes Approved August 14, 2012:

Secretary Linda Martin_____

Chairman Burt Rubinowitz_____

