

**MINUTES - REGULAR MEETING**  
**Board of Directors of Timberon Water and Sanitation District**  
**Tuesday October 14, 2025 at 4:00 pm**  
**Timberon Community Center, "Lodge"**  
**1 Bobwhite Circle, Timberon, NM 88350**

**CALL TO ORDER**

The meeting was called to order at 4:00 PM by Vice Chair Edward Hardesty.

**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**

Board members present: Vice Chair Edward Hardesty, Treasurer Jesse "JJ" Duckett, Director Allen Burmeister, Director Derenda Robb.

A quorum was achieved.

Board members absent: Chairman David Cruet

Staff present: General Manager Wendy Case, Board Secretary Nanette Thorell

**APPROVAL OF AGENDA**

Director Robb moved that the agenda be approved with the following changes: A brief closed session will be necessary for the agenda item under New Business (the Massey v Hanson case in which TWSD is named as a party) as it falls under Attorney Client Privilege. And the agenda item for the Cloudcroft School bond presentation to be moved to the beginning of New Business. Director Burmeister seconded the motion. A vote was called. All voted in favor, none opposed. The motion carried.

**MANAGER REPORT**

General Manager Wendy Case presented her report. Water production at the plant totaled 2,556,700 gallons, and Well #2 (golf course) produced 1,862,312 gallons, for a combined total of 4,419,012 gallons. Total water sold was 1,337,674 gallons, resulting in an estimated 70% water loss. One new meter was installed since the last report, with ten installations remaining. A total of twelve (12) line breaks were repaired. Twenty-eight (28) IPRA requests were received. The recent Sanitary Survey identified eleven (11) findings. Several of these items have already been addressed, and staff are currently working to complete the remaining corrections. Documentation will be submitted to the State, with the goal of completion by next week. GM Case expressed appreciation to the volunteers who have been assisting in the office with organization and administrative support.

**TREASURER REPORT**

*Secretary note: The bank balances report was unavailable before the meeting, but Treasurer Duckett was able to obtain them during the meeting and gave them to the Secretary for this publication.*

Current Balances for the accounts follow.

F&S \$96,064.49

Operations \$39,235.76

USDA accounts: Construction Loan pass-thru \$845.26; Debt Service Account \$993.46; Short Term Asset Replacement \$164,304.60  
Water Asset Management Restrictive Reserve \$10,151.75  
Water Standby \$27,023.05

### **BUDGET COMMITTEE REPORT**

Budget Committee Chair Rick McMullen gave a short report stating that the formal budget has been approved and everything is moving forward. The General Manager and the Treasurer both monitor it religiously.

### **OLD BUSINESS:**

#### **1. Discuss/Approve minutes of the September 9<sup>th</sup> Regular Meeting.**

Director Burmeister moved to approve the minutes of the September 9<sup>th</sup> meeting. Treasurer Duckett seconded. A vote was called. All voted in favor, none opposed. The motion carried unanimously.

#### **2. Discuss/Approve minutes of the September 25<sup>th</sup> Special Meeting.**

Treasurer Duckett moved to approve the minutes of the September 25<sup>th</sup> meeting. Director Burmeister seconded. A vote was called. All voted in favor, none opposed. The motion carried unanimously.

#### **3. Discussion on the water meter for Mary Glover Park (approved at the March 11, 2025 meeting).**

Director Robb introduced Neighborhood Watch Vice President Terri Ratley for a presentation regarding the water meter at Mary Glover Park. Ms. Ratley expressed concern that the water meter, which had been approved by the Board in March, had not yet been installed. She noted that the absence of the meter has delayed several planned projects at the park. Discussion followed regarding the applicability of the Anti-Donation Clause and clarification of the ownership of record for parks within Timberon. As the Mary Glover Park meter is now third on the list to be installed it was decided to leave it as is, which will allow time to clarify ownership.

### **NEW BUSINESS**

#### **1. Cloudcroft School Board President Lance Wright, to speak on the upcoming Bond Election.**

Three representatives from the Cloudcroft School District, including School Board President Lance Wright, provided a presentation outlining the General Obligation (GO) Bond that will appear on the ballot for the November 4th election. The representatives emphasized that approval of the bond will not result in a tax increase. They explained that the GO Bond provides critical funding necessary to maintain, safeguard, and improve the facilities within the school district.

#### **2. Discuss/Approve 46 liens on Standby properties.**

Vice Chair Hardesty noted that the 46 liens were prepared, and the amount totaled \$12,988.34. There was no discussion. Treasurer Duckett moved to approve the 46 liens on Standby properties. Director Burmeister seconded the motion. A vote was called. All voted in favor, none opposed. The motion carried unanimously.

#### **3. Discuss/Approve a change to the TWSD office hours.**

General Manager Wendy Case proposed a change to the District's office hours, recommending that the office be closed to the public one day each week to allow staff time to complete administrative

tasks without interruption. Under the proposed schedule, the office would be open to the public Monday, Tuesday, Thursday, and Friday from 8:00 a.m. to 5:00 p.m., and closed to the public on Wednesdays, with staff continuing to work regular hours. Director Robb moved to approve the proposed change, establishing Wednesdays as a closed administrative day and confirming the open office hours of 8:00 a.m. to 5:00 p.m. Treasurer Duckett seconded the motion. A vote was called. All voted in favor, none opposed. The motion carried unanimously.

**4. Discuss/Approve moving forward with correcting a previous error by Otero County Assessors that resulted in lowering the mill levy assigned to TWSD.**

Audience member Arden Schug provided background information regarding the District's mill levy, explaining that a clerical error made by the Otero County Assessor's Office several years ago resulted in a reduced mill levy for the Timberon Water and Sanitation District, and that the error has not yet been corrected. Following discussion, Vice Chair Hardesty suggested that Treasurer Duckett take the lead in pursuing a correction to the error. Treasurer Duckett agreed to work with Mr. Schug on the matter.

**5. Discuss/Approve use of poly water tank(s) to replace Tank #3, upon approval of NM Environmental.**

Audience member Arden Schug addressed the Board regarding the poly tanks, noting that the tank currently in use belongs to the Timberon Volunteer Fire Department (TVFD) and that the department would like it returned. Treasurer Duckett commented that poly tanks are significantly less expensive than metal tanks and, if approved by the State, the District could install two or three tanks within the existing grant funding allocated for the project. Director Burmeister moved to pursue the use of poly tanks for the project. Director Robb seconded the motion. A vote was called. All voted in favor, none opposed. The motion carried unanimously.

**6. Discuss the current status and progress being made on activating the Water Filtration Plant and taking care of the current (NOVs) Notices of Violation.**

The Board discussed the status of the water filtration plant and progress toward resolving the current Notices of Violation (NOVs). Following discussion, Vice Chair Hardesty recommended placing this item on the agenda for the next Regular Meeting, at which time the Level 4 Operator could be available by phone to provide an update on both the violations and the operational status of the water plant.

**7. Discuss/Approve the purchase of a cell phone for use by the office and field workers.**

General Manager Wendy Case explained the need for an office cell phone, noting that it would be used for two-step verification during purchasing transactions and as a means of communication for field workers when on call after hours. Treasurer Duckett moved to approve the purchase of a cell phone for office and field use as described. Director Robb seconded the motion. A vote was called. All voted in favor, none opposed. The motion carried unanimously.

**8. Discussion on how the Board would like to proceed with the District 12 Court case of Massey v Hanson in which TWSD was named as a party and vote accordingly.**

Vice Chair Hardesty provided an update to the audience regarding the District 12 Court case of Massey v. Hanson, and the reason that the Timberon Water and Sanitation District is listed as a party. He explained that the case involves a court-ordered settlement awarded to Mr. Massey, and that certain properties owned by Mr. Hanson are being considered for sale to satisfy the judgment.

It was noted that TWSD currently holds liens on three of the affected properties. The Board will be presented with options on how to proceed; however, those options fall under Attorney-Client Privilege and will be discussed accordingly. Director Burmeister moved to go into Closed Session. Treasurer Duckett seconded the motion. A vote was called. All voted in favor, none opposed. The motion carried unanimously, and the board entered into Closed Session as authorized by NM Statute 10-15-1 (I).

**-Closed Session-**

Treasurer Duckett moved to return to Open Session. Director Robb seconded the motion. A vote was called. All voted in favor, none opposed. The motion carried unanimously. Vice Chair Hardesty made the following statement: *The matters discussed in the closed session were limited to those stated in the notice of the closed session. No action was taken.* Treasurer Duckett made a motion that the board take no action on this legal matter. Director Burmeister seconded. A vote was called. All voted in favor, none opposed. The motion carried unanimously.

**PUBLIC QUESTION AND ANSWER SESSION**

Vice Chair Hardesty addressed the audience with a reminder from the Open Meetings Act, noting that disruptions during public meetings are unlawful and that the presiding officer has the authority to remove anyone who causes one.

Audience member and TDC President Chance Guiles, who had asked to speak earlier, came forward with a list of questions about the upcoming event at the Lodge. He wanted to know why insurance was discussed during a recent safety meeting, who contacted the insurance agent, when and why the rental requirements changed, what steps are needed to hold the event, and whether the District planned to break the lease agreement.

Vice Chair Hardesty explained that he had reached out to insurance agent Patty Stone to get clarification about liability coverage for events where alcohol is sold or served. Ms. Stone confirmed that the District's current policy doesn't cover those types of events but said she has already sent General Manager Wendy Case some alternative coverage options.

High Country manager Penny Hunter also spoke up, saying that their group could apply for a "Picnic License", which includes its own liability insurance. All they need now is official permission from the District to hold the event at the Lodge.

**DIRECTOR'S REMARKS**

There were no directors remarks.

**MOTION TO ADJOURN**

Vice Chair Hardesty called for an adjournment and the meeting was adjourned at 5:30 PM.

Approved November 11, 2025

Chairman David Cruvey 

Secretary Nanette Thorell 

{SEAL}

