

Pinos Altos Mutual Domestic Water Consumer Association

**Regular Board Meeting
Wednesday May 19, 2021
Pinos Altos Fire Station**

Meeting was called to order at 7:09 pm by Tom Gedgaudas, President.

Board members in attendance were: Tom Gedgaudas, President; Allan Phillips, Vice President; Becky Dinwiddie, Treasurer; Gary Geisler, Secretary and Shay Stark-Lane, Member at Large.

April Matthews, Bookkeeper and Linda Davilla, Meter Reader were also in attendance.

A quorum was proven.

The agenda was approved unanimously with an amendment to enter into a closed session, to discuss the pending lawsuit, after the Vice President's report.

The minutes from the March Regular Meeting were approved unanimously after some typographical errors were corrected.

Public Input:

Gabriel Preusch, Carley Preusch and Guadalupe Luis Sanchez had some questions concerning joining the association and getting water to a specific piece of property, but their questions were answered prior to the meeting being called to order.

New Business:

Tom discussed the Member Accountability Report and what is involved. It is due to the NMED on or before July 1 of each year. It includes the current year's budget, the prior year's year ending Balance sheet and Profit & Loss Statement. It also includes the prior year's OMA resolution and current year's OMA resolution. They ask for an affidavit signed by the entire board attesting to the accuracy of the enclosed reports and resolutions. Tom and Gary will work together to pull the necessary materials together and arrange for everyone to sign and notarize the affidavit. Tom then discussed the inaccuracy for the location of Pinos Altos on the association's website. After a discussion the board unanimously approved using the Main Street and Norton Street intersection as the latitude and longitude of record on the website. The board also approved listing the elevation in feet instead of meters, as was used in the past.

President's Report:

Tom spoke about the last hearing concerning the current lawsuit the board is facing. The hearing was held on April 14, 2021 at 1:30 pm. The hearing addressed our request for summary judgement of the case. That motion was approved and the judge would respond with his verdict in the future. We still haven't received a response from the judge. There were three motions that the plaintiff, Mark Johnson asked to be addressed at the hearing. One to compel discovery of the three individual board members named in the lawsuit, which was denied as the judge ruled that he can't

name individual board members in the lawsuit at a previous hearing. In response to the judge's ruling, the plaintiff presented an amended complaint only naming the entire board and the association. The judge approved the amended complaint. The third motion was for declaratory judgement, which wasn't ruled on as the summary judgement we requested takes precedence.

Bookkeeper's Report:

April reported that she sent out 15 late notices and one shut off notice. She also did 6 courtesy calls to customers with high usage for possible leaks. She brought up that her job, which is suppose to be only part time, has increased in the time necessary to perform her duties. Much of her time is spent dealing with payment issues, late payments, no payments etc. The board asked her to report back with a detail of the amount of extra time she is working at the next meeting. She sent out financials for March and April to the board prior to the meeting. There were a couple of questions concerning water purchased and water payments. April received a lot of payments on the 30th of March which weren't recorded as being deposited until April P&L. This resulted in a low water income number for March's P&L. April finally received payment from the US Forest Service for water used in last summer's fire. They paid the \$360 owed and it has been deposited and recorded in the P&L. April has sent in the CCR's and waiting to see if they were approved. Tom has requested a map added to the MOA as under the realtor's section of the website it references the map attached to the MOA. There is no map attached to the MOA, so April is going to create a map section on the website and reference that map in the realtor's section.

Treasurer's Report:

Becky has made some additions to her retention policy proposal, that she has been working diligently on, and she will send a copy to the entire board to look over. It was decided that after everyone looks over her retention policy proposal, the board will discuss at the next board meeting in July.

Secretary's Report:

Gary will send out the annual letter to Robert Esqueda, Silver City's Utilities Director concerning the number of new connections. The letter is due July 1st of every year per the MOA with Silver City. At this time, we have only one new connection but Gary will double check with April before sending the letter.

Certified Water Operator's Report:

Water samples for February and March were submitted and were fine. Shay received the packet for the HAA5 test and has passed it on to Manny, who will conduct the test in June, when it is due. Shay reported that she applied for an asbestos test waiver due to Silver City having to perform this test on some abandoned lines and the water we purchase comes from a clean water source of theirs.

Vice President/Operations Report:

Alan discussed a leak Linda found at Main and 15. It was due to the water pressure and age of the water line in that area. The plumbers replaced with a wire reinforced section of tubing to hopefully prevent any issues in the future. Alan discussed the new meter we now have so we can record water pulled from the Fire House Hydrant by the US Forest Service in the future. This will help us get a more

accurate water usage and will make things a little easier for the fire fighters. There was some concern regarding the meter attached to the fire hydrant with possible theft. When Alan hooks the meter up, he will chain and lock it to the hydrant. Alan then brought up an issue with an upset association member who approached Alan concerning a meter that was removed from an account months ago due to a major leak in the house, which had no one residing in it for a long period of time. There was also an issue with this account and past due bills. Alan was brought up to speed with the history of this account and to have them contact April to get the meter reinstalled and the past due bills paid.

Closed Session:

The board decided against a closed session, at this time, but will place the closed session on the next meeting's agenda, in case it will be necessary in the future.

Next Regular Board meeting will be July 21, 2021 at 7:00 pm at the PA Fire Station.

Meeting was adjourned at 8:11 pm.

**Minutes prepared by Gary Geisler on May 22, 2021. E Mailed to board on May 23, 2021
Draft minutes posted to website for public viewing on May 26, 2021.**