

BRAZOS MUTUAL DOMESTIC WATER COMMUNITY ASSOCIATION (FINAL)

BOARD MEETING HELD NOVEMBER 9, 2019 AT THE HOFFMAN CABIN/BRAZOS, NM

Board Members in attendance: John Hoffman Chairman, Marco Lucero Acting Secretary, Richard Dramer Director, Arch Wells Director, Jim Walker Via Teleconference Vice Chairman, Clay Kilmer Via-Teleconference Director.

Board Members absent: David Oelschlegel Secretary, Curtis Goodfellow Director and Jay Mason Treasurer.

Minutes taken by Marco Lucero

Members in attendance: Sharon Wells and Deej Banister

The meeting was called to order by Mr. Hoffman at 11:04AM

-Mr. Wells presented a motion to approve the agenda-Second Mr. Lucero-Motion Carried Unanimously

-Mr. Lucero presented a motion to approve the minutes of the October 19, 2019 Board Meeting-Second by Mr. Wells-Motion Carried Unanimously

- Mr. Wells presented a motion to approve the minutes of the October 28, 2019 Board Meeting-Second by Mr. Dramer-Motion Carried Unanimously

Mr. Kilmer presented a status report regarding the "Exploratory Well." He advised that the permit has been applied for, and that he does not expect any difficulty in having it be approved. He then spoke of the supplemental well application for permit. He noted that Mr. Albright will review the application prior to submission.

Mr. Kilmer made note that weather may be an issue in getting things done sooner rather than later. He has been in communication with "Stuart Brother Drilling".

There was further discussion regarding the recently improve road to the "Upper Tank" and the concerns of ruts once moisture and heavy equipment are taken through it. It was mentioned that repairs by the contractor would be by them at the completion of the project at no cost to the BMDCWA. It was noted to ensure that this was included in the contract with "Stuart Brothers Drilling."

Ms. Banister made a comment that "Corkin's Lodge" has no water in its aquifer, and that they are now channeling water from the upper stream to supplement.

-Mr. Walker presented a motion to proceed with the "Exploratory Well" process and having it reviewed by Mr. Albright-Second by Mr. Wells-Mr. Hoffman called for an individual vote count-Mr. Lucero: Yea, Mr. Wells: Yea, Mr. Dramer: Yea, Mr. Hoffman: Yea and Mr. Kilmer: Abstained-Motion Carried

Mr. Hoffman made mention that the Silva and the Serna properties were still delinquent and past due. He added that they have been given notice.

-Mr. Lucero presented a motion to lock the meters to the delinquent account properties until the accounts have been settled-Second by Mr. Wells-Motion Carried Unanimously

Mr. Wells gave a status update regarding the "Budget Committee." He advised that Mr. Mason and Mr. Kilmer had provided templates. He then asked Mr. Kilmer to get the committee some estimated costs for the well project, so that they could include that into the budget. The budget is in the works and is an ongoing process.

Mr. Hoffman moved onto "Rules and Regulations/Bylaws". Ms. Banister mentioned that under the description of "Duties of Officers" that changes need to be made regarding the duties of the secretary. She mentioned that currently, the Secretary is responsible for paying bills and making monetary deposits. This was noted for future amendment to the by-laws.

-Mr. Walker presented a motion to have the association move forward and acquiring "Pay-Pal"-Second by Mr. Wells-Motion Carried Unanimously

-Mr. Wells presented a motion to look into acquiring Teleconference communications capabilities for the board-Second by Mr. Dramer-Motion Carried Unanimously

Mr. Hoffman then moved onto Correspondences:

There was discussion regarding the "Questions and Answers" to Mr. Lindermuth's inquiry Dated 09/27/2019. (Refer to Answers below)

Q1. Is the Board aware that the firm of Lewis Roca Rothberger Christie (LRRC) billed the Association more than \$6,000.00 for preparation and attendance at this meeting?

Yes.

Q2. When did the Board budget money for this amount and when was the actual amount billed for compliance with the budget?

The process and timing was associated with the water rights adjudication.

Q3. Why did the board pay so much for a briefing on a 4-year-old document?

That document is still ongoing in order to comply with the Bateman Act and other requirements in the stipulation.

Q4. How much longer and how much more money will be required before the water rights process is ended?

It is a 40 year plan and will take continuous monitoring as well as compliance reports to the OSE.

Q5. Why is LRRC briefing the Board on non-legal matters?

Stipulation with the OSE was intertwined with and part of the agreement submitted with the adjudication.

Q6. Is the Board aware that Mr. Clay Kilmer was paid \$1,425 to contribute to the LRRC briefing?

Mr. Kilmer was hired by LRRC as an independent consultant.

Q7. Did the Board pay for drawings that have existed for several years?

No.

Q8. What is the current relationship between Mr. Kilmer and LRRC?

None, since rejoining the board.

Q9. Why is LRRC involved in the new well process?

LRRC was not involved in the new well process.

-Mr. Walker presented a motion to approve the answers by the board in response to Mr. Lindermath's request-Second by Mr. Wells-Mr. Hoffman called for an individual vote count-Mr. Walker: Yea, Mr. Wells: Yea, Mr. Lucero: Yea, Mr. Dramer: Yea, Mr. Hoffman: Yea and Mr. Kilmer: Abstained-Motion Carried

Mr. Hoffman advised that he would look into potential grants for Domestic Water Associations.

It was mentioned that Randy Terrazas would no longer be doing the snow plowing for the Brazos. Mr. Hoffman asked Mr. Lucero to look into hiring Mr. Mike Lopez to take over this task.

The next Board Meeting will be held on December 22, 2019 at 11:00AM at Mr. Hoffman's residence in Albuquerque, NM.

Mr. Dramer presented a motion to adjourn-Second by Mr. Walker-Motion Carried Unanimously-Meeting Adjourned at 12:36PM