

**BRAZOS MUTUAL DOMESTIC WATER CONSUMERS ASSOCIATION, INC (FINAL)**

BOARD MEETING WAS HELD VIA CONFERENCE CALL ON SUNDAY, JANUARY 23, 2022 AT 2:00PM

Board Members Present: Richard Dramer, David Oelschlegel, Arch Wells, Jim Walker, Marco Lucero, Curtis Goodfellow, Jay Mason, and Eddie Kilmer.

Members Absent: None

Minutes taken by David Oelschlegel

Visitors: Jeff Albright and Clay Kilmer

Mr. Walker called the meeting to order at 2.05pm

A moment of silence was held in John Hoffman's honor.

Mr. Wells made a motion, 2<sup>nd</sup> by Mr. Goodfellow to approve the agenda. Motion Carried Unanimously

Mr. Goodfellow made a motion, 2<sup>nd</sup> By Mr. Wells, to approve the 12/19/2022 minutes. Motion Carried Unanimously

Mr. Wells made a motion, 2<sup>nd</sup> by Mr. Kilmer to approve the December Treasurers report. Motion Carried Unanimously.

Mr. Albright prepared a draft for our 40-year water plan and presented. Once complete it will be submitted to the State OSE for issuing our final permits on Well 1a and the New Supplemental Well. Included in the plan are all the attachments and amendments prepared by Mr. Albright. Included is the stipulation agreement from 97-acre feet to 40-acre feet, Emergency Authorization Permits, maps, and memo from John Romero, membership, growth projections, and conservation efforts. Since 1999 we submitted a WCP and WDP. Mr. Albright is collecting additional material from the board to complete the final plan and get it submitted to the State OSE. Tyler Lystash from the OSE is aware of the work in progress.

There was a leak reported south of 512 next to the Café. Levi tested and found no Chlorine in the water. He felt it was either runoff or a leak from a personal well. Levi will continue to monitor.

Pay Pal has been updated with the new water bill rates for those who choose to utilize this service.

Levi's contract was retro 'ed from July 2018 to July 2023. There were no changes to his compensation, just the term.

Short discussion on Free conference call line donation. It goes to charity.

Mr. Mason made a motion, 2<sup>nd</sup> by Mr. Goodfellow to make an annual donation to Free Conference Call in the amount \$60.00. Motion Carried Unanimously.

Since the dead of winter is still on, we will defer TLC activity around well house 3 until early Spring.

Drinking Water Bureau has told us that to request Grant money we need to put in place an Open Meetings Resolution. That Resolution was drafted, voted on, and passed on 1/23/2022.

Mr. Mason made a motion, 2<sup>nd</sup> by Mr. Goodfellow to pass and adopt the Open Meetings Resolution effective 1/23/22. Motion Carried Unanimously.

NORA Power Line: We got our final easement done with an agreement drawn up by Mr. Albright called an Easement of Necessity. NORA approved it along with the BMDWCA providing a letter to be responsible for any changes should the owner request a relocate on the line. That easement was completed and recorded in Rio Arriba County on 1/24/2022. This allows NORA to order materials, and complete the line installation from Falls Creek Rd to the Upper Tank New Supplement Well as soon as weather permits. In addition, Mr. Oelschlegel is continuing to assist Vicki Kirkpatrick, (owner) to get her deceased parents deed transferred and in her name. At that time, we will do a final NORA easement agreement, record it with the County, and make it permanent.

Wellhouse 3 Rebuild: Since Levi still feels there are issue under Wellhouse 3, we got an estimate quote from Sierra Engineering to rebuild the site. It will require an engineered stamp approval. The estimate was for \$150K and that amount has been submitted to the Capital Outlay Legislative program. Depending upon that outcome, we will also submit the same request to the SBOF for Grant Money through the Emergency Funds program via Drinking Water Bureau.

Mr. Walker took us through the request process on the Capital Outlay request. This request covers our Representatives, Senators, and Governor for Grant money. That request was sent prior to the deadline and we are waiting for a response.

Mr. Walker also presented the SBOF process via Drinking Water Bureau Emergency Water Fund for \$150K Grant as well.

Mr. Mason made a motion, 2<sup>nd</sup> by Mr. Wells, to issue a Resolution to see if the Capital Outlay gets approved to not submit to the SBOF for the backup plan. If The Capital Outlay request fails, we will go back to the SBOF, since there is no deadline, and request for the same \$150K Grant. Motion Carried Unanimously.

Well Permitting: Both Well 1a and the New Supplemental Well has been approved for the Emergency Use Authorization permits until April 2022. Proper advertisement has been completed and the State OSE has agreed to issue our final permits once the 40-year water plan is submitted. That should occur in the next couple of weeks, with permits being issued within 30-60 days.

Jose Jaramillo has been doing most of our backhoe work. He has decided to leave the BMDWCA since he does not want a 1099, even though we are required to send him one, for tax reporting. So, he is no longer working for us. Randy Terrazas is no longer doing any work for the BMDWCA and Mike Lopez is tied up with other projects. So, we do not currently have a backhoe operator. Mr. Wells, Mr. Dramer, and Mr. Lucero will be doing a labor search for a new excavation operator. They will report back at the next meeting.

Sierra Engineering Report: They are about 50-60% complete on the New Well Infrastructure. Once we get power to the site and the weather allows construction to resume, we hope to have the New Well done within a couple weeks. We are still projecting early summer to be safe.

Mr. Mason made a motion, 2<sup>nd</sup> by Mr. Lucero to accept the transfer of membership from Martha Allard, #11 Cielo Azul (Cynthia Lynn Wright Trustee) to Guy Husakow. Lots 6, 7 and 8, Brazos Lodge Estates, Unit 1. All paperwork was completed. Motion Carried Unanimously.

Discussion on fiscal year change. Based on information from Mr. Mason and Nick Loftus, there is no statute to support this change, therefore the BMDWCA will retain its current fiscal year.

Gretchen was able to finalize the Budgets and Quarterly reports. The reports were approved and will be submitted to the State OSA.

The Drinking Water Bureau wants us to change our Bylaws. There changes are minor regarding subject titles and adding a conflict-of-interest clause. Since this requires a vote at the Annual meeting to pass, we will send a copy of the edited draft Bylaws to the board members for review and action at the next regularly scheduled meeting.

We have tentatively selected a date for the Annual meeting as May 28<sup>th</sup>, 2022 in the Brazos. This is not set in stone and is subject to be changed based on any new COVID restrictions from the State. It probably will not be any later, however the date could move up. The annual letter that goes out along with the election ballots will define the final date, place and time. We may have to do a Virtual Annual Meeting so stay tuned. If we stay with 5/28 in the Brazos, the last day for board nominations will be March 29<sup>th</sup>, 2022, a 60 day window.

A motion was made by Mr. Mason, 2<sup>nd</sup> by Mr. Lucero to set the Annual Meeting on May 28, 2022 in the Brazos providing Covid is not an issue. Motion Carried Unanimously.

Other Business:

In order to request funding from the SBOF for Grant money, the board needed to provide a formal Resolution Request 1 to the Drinking Water Bureau SBOF.

Mr. Kilmer made a motion, 2<sup>nd</sup> by Mr. Wells to adopt and pass Resolution 1 Grant Request per the SBOF effective 1/23/2022. Motion Carried Unanimously.

Next meeting is set for Sunday, February 27, 2022 at 2:00pm. Location to be determined but most likely via a conference call due to Covid.

Mr. Oelschlegel made a motion, 2<sup>nd</sup> by Mr. Lucero to adjourn the meeting. Motion Carried Unanimously.

Meeting Adjourned at 4:25pm