

# *Brazos Mutual Domestic Water Consumer Association*

## *Final Meeting Minutes for October 02, 2022*

**BMDWCA**  
**Regular Board Meeting**  
**Location Brazos Fire Station**  
**Google Meet joining info**  
**Video call link: <https://meet.google.com/vvm-enur-yns>**  
**Date October 02, 2022**  
**Time 9:00 AM MDT**

### **I. CALL MEETING TO ORDER:**

Meeting Called to order at 9:03am. Quorum present

### **II. ROLL CALL**

#### **MEMBERS PRESENT:**

- Bob Cooke
- Chris Dennison
- Dennis Fahs
- Irv Lindemuth
- Karen Adam
- Jim Bannister (via Google Meets)
- Ryan Costanza (via Google Meets)

**MEMBERS ABSENT:** None

#### **PUBLIC Present:**

- Rex Sewell
- Clair Gleason
- Marco Lucero
- Randy Boeglin
- Patsy Boeglin
- Deej Bannister (via Google Meet)
- Martha Bannister (via Google Meet)
- Amanda Urioste ((via Google Meet)
- Arch Wells (via Google Meet)
- Sharon Wells (via Google Meet)
- Angela Costanza (via Google Meet)
- David Oelschlegel (via Google Meet)
- Richard Dramer (via Google Meets)
- William Diaz (via Google Meets) (Came later)
- Scott Eliason (via Google Meets) (Came later)

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### **III. APPROVAL OF AGENDA**

Chris Dennison made a MOTION to approve the agenda as presented. Dennis Fahs SECONDED the motion. Bob Cooke initiated a voice vote.

Motion PASSED by UNANIMOUS APPROVAL.

### **VI. APPROVAL OF MINUTES**

Irv Lindemuth made a MOTION to approve the September 03, 2022 minutes with approved amendments. Karen Adam SECONDED the motion. Bob Cooke initiated a voice vote.

Aye Votes: Irv Lindemuth, Karen Adam, Chris Dennison, Dennis Fahs

Abstentions: Jim Bannister, Ryan Costanza, Bob Cooke

Motion PASSED

### **V. REPORTS**

#### a) President Report

- Water meters and system valves off limits—Levi has reiterated that no one is to get into the water meter cans or adjust any valves unless he gives explicit approval. This goes against NSA regulations and can carry steep fines and/or jail time. We will work on getting signs from the Drinking Water Bureau for posting.
- Insurance issue—We are still working on getting a quote from Alcorn Insurance to obtain the property insurance that lapsed in March 2021. Chris Dennison stated that we should check with other water boards.
- Board Member Resignation—Since Dave Hebertson's resignation in August, Amanda Urioste has submitted her resignation dated September 05, 2022. Chris Dennison did not officially resign.
- New email issues—Not all board directors can access their NAME@upperbrazoswater.org emails. BMDWCA members may need to use the directors' old email addresses.
- Legal—JAlbright Law, LLC has filed a motion in United States District Court to withdraw their representation for BMDWCA in regards to Water Rights Adjudication.

#### b) Vice President Report

- Well depths—Well #1A is 600ft, Well #3 is 720ft, and Well #4 is 240ft. We need to verify that Well #4 was engineered to proper depth.
- Website—The new BMDWCA website at upperbrazoswater.org is up and running.

#### c) Directors Report

- Chris Dennison brought up that Levi Sandoval does both water operator and distribution management positions, going above and beyond. Ryan Costanza added that there are/will be times that emergencies arise that time is of the essence and repairs must be made without first procuring a purchase order.

#### d) Treasurer Report/Full Budget Review and discussion

**BMDWCA, HC 75 Box 105 Chama NM 87520**  
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- Karen Adam reported that Hinkle and Landers are in the process of completing the 2020-21 and the 2021-22 audits. They requested that the Fidelity account not be closed until they complete the audits in case they need to get any information from Fidelity.
- Karen presented the Balance Sheet dated September 25, 2022.

### **VI. NEW BUSINESS (I/A)**

#### A. New Board Members

- No letters of intent submitted

#### B. Elect Secretary

Karen Adam made a MOTION that she take the secretary position for the interim until someone else will become secretary. Irv Lindemuth SECONDED the motion. Bob Cooke initiated a voice vote.

Aye Votes: Irv Lindemuth, Karen Adam, Chris Dennison, Dennis Fahs, Bob Cooke

Abstentions: Jimmy Bannister, Ryan Costanza

Motion PASSED

#### C. Scott Eliason as CPA

- Mr. Eliason discussed that there are options for how BMDWCA can report the 15-month fiscal year.
- Amanda Urioste reiterated that board could not vote to change the fiscal year; the by-laws must be changed at annual meeting (see June 18, 2022 minutes for vote)
- Mr. Eliason will put in bids for future audits.

#### D. Boeglin Appeal

- Mr. and Mrs. Boeglin were in attendance and spoke on their own behalf.
- They were assessed a \$250 for an excessive leak after a leak had been detected in August 2021.

Karen Adam made a MOTION that because there was no letter sent at the time of the infraction, the fine should be withdrawn. Irv Lindemuth SECONDED the motion. Bob Cooke initiated a voice vote.

Motion PASSED by UNANIMOUS APPROVAL.

#### E. Altitude Repair or New

Ryan Costanza made a MOTION that Levi Sandoval repairs the existing valve and that he installs a filter/strainer if possible. Chris Dennison SECONDED the motion. Bob Cooke initiated a voice vote.

Motion PASSED by UNANIMOUS APPROVAL.

### **VII. OLD BUSINESS (I/A)**

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### A. Insurance Quote

- No quotes have been submitted

Chris Dennison left the meeting at 11:10am.

### B. Candidate Selection for Bookkeeper position

- a. Robert Clark
- b. Marla Ulibarri

Irv Lindemuth made a MOTION to accept Marla Ulibarri as bookkeeper. Dennis Fahs SECONDED the motion. Scott Eliason stated that Ms. Ulibarri is a competent bookkeeper. Bob Cooke initiated a voice vote.

Aye Votes: Irv Lindemuth, Karen Adam, Dennis Fahs, Bob Cooke

Nay Votes: Jimmy Banister

Abstentions: Ryan Costanza

Motion PASSED

### C. UBPOA Lease

- No discussion

### D. Runoff issue around Well House #3

- No discussion

### E. Non-user Certificate Appeal

- Mr. William Diaz was in attendance and spoke on his own behalf. He explained that he did not learn about the BMDWCA until August 2022; he purchased his property in September 2021.
- Based on section XII Transfer of Membership #1-member certificate #1144 had been terminated by the secretary and presented at the September 03, 2022 BMDWCA meeting.
- Irv Lindemuth argued that the board violated its rules and regulations, and that the non-user certificate be reinstated and transferred to Mr. Diaz.
- Ryan Costanza stated that the board did not violate any rules or regulations; it was the purchaser, Mr. Diaz, that violated them. Furthermore, there was a conflict of interest in play.

## **VIII. PUBLIC COMMENT**

There was much public participation throughout the meeting as this was a heated, contentious meeting. Five (5) directors of the BMDWCA board verbally resigned from the board. President Bob Cooke said all resignations must be in writing. Those verbally resigning were Irv Lindemuth, Dennis Fahs, Karen Adam, Ryan Costanza, and Bob Cooke.

## **IV. NEXT MEETING DATE & LOCATION**

- a. TBD

**X. ADJOURN**—Meeting adjourned by Bob Cooke at 12:14pm

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