EAWSD
Louis Martinez
General Manager

ELDORADO AREA WATER & SANITATION DISTRICT
2 North Chamisa Drive, Suite A • Santa Fe, NM 87508 • (505) 466-2411

John Calzada, President
Gregory Hart, Vice President
David W. Yard, Secretary
Elizabeth Roghair, Treasurer
David Burling, Director

Final Meeting Minutes - Regular Board Meeting
17 January 2024 – EAWSD Conference Room – 5:30 PM

MEETING CALLED TO ORDER by President Calzada at 5:30 PM.

ROLL CALL by Debra Sanderson. Those present were President Calzada, Vice-President Hart, Secretary Yard, Treasurer Roghair, and Director Burling. All Directors were present.

ALSO IN ATTENDANCE: Louis Martinez, General Manager; Steve King, Deputy General Manager; Anthony Marino, JACOBS Operations Manager; Anna Mondragon-Metzger; Administrative Project Manager; Debra Sanderson; Administrative Assistant and (3) guests.

APPROVAL OF AGENDA: 17 January 2024

- President Calzada asked if there were any additions or corrections to the agenda of 17 January 2024.

MOTION: Director Burling moved to approve the agenda for 17 January 2024. Secretary Yard seconded the motion.

- No further discussion.
- Vote was 5 to 0 in favor of the motion to approve the agenda for 17 January 2024.

APPROVAL OF MEETING MINUTES: 20 December 2023

- President Calzada asked if there were any additions or corrections to the meeting minutes of 20 December 2023.

MOTION: Director Burling moved to approve the meeting minutes for 20 December 2023. Secretary Yard seconded the motion.

- No further discussion.
- Vote was 5 to 0 in favor of the motion to approve the meeting minutes for 20 December 2023.

SPECIAL AGENDA:

A Certification of 2023 Election results to Board & Declaration of Results by Board Motion *D. Yard*

- President Calzada asked Secretary Yard to present the November 2023 Regular Election results that were certified by the NM Secretary of State for the three (3) Board members that were on the ballot. Secretary Yard read aloud the number of votes that each re-elected Board member received. President Calzada asked for a motion to accept the election certification results as presented.

MOTION: Secretary Yard made a motion that the Board accept Special Agenda Item A, as presented. Director Burling seconded the motion.

- No further discussion.
- Vote was 5 to 0 in favor of approving Special Agenda Item A, as presented.

B Swearing-In of elected individuals to the Board *A.M. Metzger*

- As witnessed by others in attendance at the Board meeting, the Oath of Office was administered individually to each of the three (3) re-elected Board members by Ms. Mondragon-Metzger, a registered Notary Public in the State of NM. The three re-elected members sworn into their respective positions were the following: Position # 1: David Yard, Position # 2: John Calzada, Position #4: David Burling. Ms. Mondragon-Metzger asked each Director to stand, raise their right hand and repeat the Oath of Office.
  - The signed and notarized Oath of Office forms will be delivered to the NM Secretary of State for proper recording. The newly sworn-in Directors proceeded to take their seats and the meeting resumed.
- No further discussion.

C Election of Officers *J. Calzada*

- President Calzada opened the floor for nominations for President of the Board.

MOTION: Director Burling made a motion to nominate John Calzada for President of the Board. Secretary Yard seconded the nomination.

  - President Calzada inquired if there were any other nominations for President of the Board.
  - There were no other nominations.

- President Calzada opened the floor for nominations for Vice-President of the Board.

MOTION: Secretary Yard made a motion to nominate Gregory Hart for Vice-President of the Board. President Calzada seconded the nomination.

  - President Calzada inquired if there were any other nominations for Vice-President of the Board.
  - There were no other nominations.

- President Calzada opened the floor for the nominations of SECRETARY OF THE BOARD.

MOTION: Director Burling made a motion to nominate David Yard for SECRETARY OF THE BOARD. Vice-President Hart seconded the nomination.

- President Calzada inquired if there were any other nominations for SECRETARY OF THE BOARD.
- There were no other nominations.

- President Calzada opened the floor for nominations of TREASURER OF THE BOARD.

MOTION: Director Burling made a motion to nominate Elizabeth Roghair for TREASURER OF THE BOARD. Secretary Yard seconded the nomination.

- President Calzada inquired if there were any other nominations for TREASURER OF THE BOARD.
- There were no other nominations.

- President Calzada asked for collective approval of the slate of officers that were nominated and seconded.
- Vote was unanimous, 5 to 0, to approve the slate of officers as nominated and seconded.

CONSENT AGENDA:

A Appointment of District Committee Members and Chairs for 2024 *J. Calzada*

B Appointment of District Treasurer for 2024 *J. Calzada*

- President Calzada asked if there were any additions or corrections to the Consent Agenda items A and B, as presented.

MOTION: Secretary Yard moved to approve the Consent Agenda items A and B as presented. Director Burling seconded the motion.

- No further discussion.
- Vote was 5 to 0 in favor of the motion to approve Consent Agenda items A and B, as presented.

REPORTS:

Management Report: *S. King*

- Mr. King reported that Well 9's water depth dropped below the required pumping level, so the well was taken offline as of December 23rd; however, while it was active, 122-acre feet of water was pumped. At recent meetings of the CAPITAL PLANNING AND ADVISORY COMMITTEE (CPAC), the consensus of the committee was to consider developing a second Galisteo Creek well. Taking into consideration that in the years when water is abundantly available, it is possible to pump as much as 200-acre feet. This was the highest reported amount Well 9 pumped in years past. The challenge will be to obtain new funding for the project. Mr. King added that it is more cost effective for EAWSD to drill a second new well than to reoutfit an existing one and its location in the immediate vicinity of the existing well line will reduce the cost of interconnecting piping.
- Mr. King stated that he will remove some of the completed projects from the Management Report while other newer projects will be added, for example the interior coating at Tank 3 and the new Solar Canopy installations planned at the Administration Building and Field Workshop (Tank 2) site.

Operations Report: *A. Marino*

- Mr. Marino reported that Attachment E (Tier Breakdown) is incorrectly displaying the Commercial tiers in this month's report. Mr. Marino addressed Secretary Yard's questions regarding the outsourced contractor (Michels) working on behalf of PNM. Mr. Marino said that while no recent communication was made with Michels, they did communicate with the District when questions arose about waterlines, and they took time to do locates.
- Treasurer Roghair requested that Mr. Marino speak about the recent incident in which the fencing contractors for the Tank 2 site accidentally ran across a waterline in December that the District did not know existed. Mr. Marino stated that one waterline was incorrectly marked and that was the one the fence contractor hit. In repairing this line, a second, buried water line, was discovered. Jacobs is currently investigating both lines. Additional discussion continued regarding the implications of having a second line and its potential benefits to the connections between some of the tanks and wells.

Treasurer's Report: *E. Roghair*

- No financial statements were available to review this month because the FINANCE AND AUDIT ADVISORY COMMITTEE (FAAC) did not meet in December. Treasurer Roghair shared a recent discussion with staff members from the Billing and Administration office about the prospect of changing online billing vendors. She highlighted benefits to the District, as well as the lower customer transaction fees and overall anticipated improvement of the level of customer service.

Legal Update: None *T. Scott*

PUBLIC COMMENTS:

- Three volunteer members of the ELDORADO TREE SAMARITANS, (John Gervers, a resident at 6 Cayuse Place, Darrel Owen, a resident at 6 Mariano Road, and Paul Fink, a resident at 10 Redondo Ct.), attended the Board meeting to express their appreciation to the District and Steve King for supporting their cause and cooperating with their team to maintain the integrity of trees planted along paved roads in Eldorado, particularly when District waterlines are being replaced. They also strongly recommended that the District continue to hire contractors that promote the use of HORIZONTAL DIRECTIONAL DRILLING (HDD) instead of open trenching for future projects. The effectiveness and efficiency of the HDD technology was clearly demonstrated in the recent SF County Pipeline Extension and Verano Conchas Loop Service lateral replacement project and saved many trees from being damaged or removed.

- A written statement was submitted by JOE LOEWY, a resident at 6 Monterey Road, prior to the meeting and read aloud by President Calzada stating that Mr. Loewy wholeheartedly offered his support and his congratulations to the reappointment of Elizabeth Roghair as District Treasurer for 2024. He also recommended that the Board approve Agenda topics 2 and 3 to appoint a Hearing Officer to conduct the District's upcoming Public Rate Hearing to consider the Board's intention to adjust rates, tolls, fees, and charges.

AGENDA

1. **Approval of the Open Meetings Act (OMA) by Resolution N°. 24-01-01** *J. Calzada*

MOTION: Director Burling made a motion that the Board approve Resolution N°. 24-01-01 approving the 2024 OPEN MEETINGS ACT (OMA). Treasurer Roghair seconded.

- No further discussion.
- Vote was 5 to 0 in favor of approving the aforementioned motion.

2. **Consideration and adoption of Resolution N°. 24-01-02 appointing a Hearing Officer and authorizing execution of a professional services agreement with the appointed Hearing Officer to conduct a Public Hearing to consider the Board's intention to adjust rates, tolls, fees, and charges** *S. King*

- Mr. King reminded the Board that Peter Gould had served as the District's Hearing Officer for both the 2015 and 2019 Public Rate Hearings and that everyone had been pleased with the services he had provided. Mr. King confirmed Mr. Gould's availability and cost of service and noted that he was on the NM PRC's (NM PUBLIC REGULATION COMMISSION'S) list of recommended Hearing Officers authorized to conduct a Public Hearing, which is a requirement.

MOTION: Director Burling made a motion that the Board approve Resolution N°. 24-01-02 appointing a Hearing Officer and authorizing execution of a professional services agreement with the appointed Hearing Officer to conduct a Public Hearing to consider the Board's intention to adjust rates, tolls, fees, and charges. Secretary Yard seconded.

- No further discussion.
- Vote was 5 to 0 in favor of approving the aforementioned motion.

3. **Consideration and approval of Resolution No. 24-01-03 authorizing a Public Hearing to consider a proposed resolution to adjust rates, tolls, fees, and charges** *S. King*

MOTION: Director Burling made a motion that the Board approve Resolution N°. 24-01-03 authorizing a Public Hearing to consider a proposed resolution to adjust rates, tolls, fees, and charges. Secretary Yard seconded.

- No further discussion.
- Vote was 5 to 0 in favor of approving the aforementioned motion.

4. **Consideration and approval of proposed conditions for the settlement of delinquent accounts at 6 and 7 Cosmic Way and the release of liens for both properties** *S. King*

- Mr. King explained that property liens were placed on both vacant properties in 2010, with modest outstanding balances at the time. By the time the meters were pulled in 2021, the balances had reached a combined balance due totaling over ~$90,000. Recently, Mr. King was approached by an attorney representing the property owners to settle the two accounts. The District and property owner's attorney reached a settlement amount of $35,409. Because the meters were removed, a future property owner will be required to pay the new water service fees on both properties to re-establish service.

MOTION: Director Burling made a motion that the Board approve the proposed conditions for the settlement of the accounts and the release of liens for 6 and 7 Cosmic Way. Treasurer Roghair seconded.

- No further discussion.
- Vote was 5 to 0 in favor of approving the aforementioned motion.

BOARD COMMENTS:

- Vice-President Hart congratulated newly sworn-in re-elected Board members for resuming their service on the Board.
- Director Burling looks forward to continuing to work with a familiar Board team and to getting to know the District's newly hired General Manager, Mr. Martinez. Director Burling reiterated the idea of holding a Board retreat in the spring.
- Treasurer Roghair congratulated the GM search committee on selecting Mr. Martinez to succeed Mr. King as General Manager. She has enjoyed getting to know Mr. Martinez.
- Secretary Yard welcomed Mr. Martinez. He commended the EAWSD Administrative Staff, for the professional appearance and informative newsletters generated each month and the positive customer service provided to the community. Secretary Yard commented that he will miss Mr. King and appreciates the numerous projects he's completed during his tenure as well as his open communication with the public.
- President Calzada echoed his fellow board members' comments and stated that he is confident the District will continue to move in a positive direction given Mr. King's past leadership combined with Mr. Marino and Mr. Martinez's current leadership and reiterated everyone's unified vision to see the District progress and succeed.

ADJOURNMENT:

- President Calzada adjourned the meeting at 6:38 PM.