MINUTES – REGULAR MEETING
Board of Directors of Timberon Water and Sanitation District
Tuesday, November 10, 2026 at 5:00 PM
Timberon Community Center, "Lodge"
1 Bobwhite Circle, Timberon, NM 88350

Authorized by Derenda Robb, Chairman of the Board of Directors, Timberon Water & Sanitation District.

CALL TO ORDER
The meeting was called to order at 5:00 PM by Chairman Derenda Robb.

Pledge of Allegiance
Salute to the New Mexico Flag *"I salute the flag of the state of New Mexico, the Zia symbol of perfect friendship among united cultures."*

ROLL CALL
Board members present: Chairman Derenda Robb, Treasurer Joshua McCurdy, Director Jesse "JJ" Duckett, Director Sherry Tackett and Director James Wilcox.
Board members absent: None
Staff Present: General Manager Wendy Case and Board Secretary Nanette Thorell

APPROVAL OF AGENDA
MOTION: Treasurer McCurdy moved to approve the agenda. Director Tackett seconded.
VOTE: Chairman Robb, Treasurer McCurdy, Director Duckett, Director Tackett and Director Wilcox voted in favor. None opposed. The motion passed unanimously.

Following approval of the agenda, Chairman Robb asked members of the public to hold their questions until the end of the meeting because of the length of the agenda. The Board will take questions at that time.

MANAGER REPORT
General Manager Case presented her report to the Board.

Water Production and Loss: The main well produced 4,360,200 gallons and the Golf Course well produced 2,574,430 gallons, for a total production of 6,934,630 gallons. Water loss figures are not yet available.

Funding: GM Case reported that the District is at the top of the legislators' list for funding.

Board Training: Some Board members have completed their required training.

Staffing: Interviews for the Meter Reader positions are in progress. GM Case expects to make a hiring decision by the end of the week.

Meter Reads: Meter reads are behind schedule. The District is working with the Public Regulation Commission (PRC) on the best way to resolve this.

IPRA Requests: About 47 Inspection of Public Records Act (IPRA) requests are currently outstanding.

NMED: The District has submitted its first report to the New Mexico Environment Department (NMED) for review. The District also sent the quarterly reports NMED has asked it to begin filing and documentation of the training

Board members have completed. NMED has approved construction of a fence around the plant. The District may ask for community volunteers to help the field crew build it.

Trash Site: GM Case reported that the District must post an address sign at the trash site and a sign listing what kinds of trash may be dumped there. Once the signs are made and installed, the site can be inspected.

TREASURER REPORT
Treasurer McCurdy read the bank balances:
F&S $171,150.78
Operations $55,851.22
USDA accounts: Construction pass-through $2.60; Debt Service $8,993.46; Short Term $175,072.37
Water Restricted Reserves $5,161.63
Standby $75,672.48

DISCUSS / APPROVE MINUTES of the October 13, 2026 Regular Meeting
There was no discussion.

MOTION: Treasurer McCurdy moved to approve the minutes of the October 13, 2026 Regular Meeting. Director Wilcox seconded.
VOTE: Chairman Robb, Treasurer McCurdy, Director Duckett, Director Tackett and Director Wilcox voted in favor. None opposed. The motion passed unanimously.

OLD BUSINESS
1. Discuss/Approve: the contract for the rental of the Lodge Kitchen to the Waldons.
Chairman Robb opened the floor for discussion. Director Tackett noted that, per the handbook, renters are responsible for carrying their own insurance. Chairman Robb asked the Waldons if they agreed to this, and they said they did.

MOTION: Treasurer McCurdy moved to approve the contract for the rental of the Lodge Kitchen to the Waldons. Director Tackett seconded.
VOTE: Chairman Robb, Treasurer McCurdy, Director Duckett, Director Tackett and Director Wilcox voted in favor. None opposed. The motion passed unanimously.

2. Discuss / Approve: the updated TWSD Manual of Policies and Procedures.
There was no discussion.

MOTION: Treasurer McCurdy moved to approve the updated TWSD Manual of Policies and Procedures. Director Tackett seconded.
VOTE: Chairman Robb, Treasurer McCurdy, Director Duckett, Director Tackett and Director Wilcox voted in favor. None opposed. The motion passed unanimously.

3. Discuss/Approve: the purchase and distribution of rock gravel around the tables at the Playground.
GM Case relayed a suggestion from District employee P.J. A pile of old cold patch that is no longer suitable for road use is available at the maintenance facility yard. It could be mixed with dirt and spread under the tables, which would save the District the cost of buying new gravel. Discussion followed. The Board agreed by consensus to try the cold patch and to take the matter up again later if it does not work.

MOTION: Treasurer McCurdy moved to disapprove the purchase of the rock gravel. Director Tackett seconded.
VOTE: Chairman Robb, Treasurer McCurdy, Director Duckett, Director Tackett and Director Wilcox voted in favor. None opposed. The motion passed unanimously.

NEW BUSINESS

1. Discuss / Approve / Disapprove: payment of possible maximum $62,620 in civil penalties assessed by the New Mexico Environment Department (NMED) under Notice of Violation from the 2022 Sanitary Survey #DWB-2548 dated April 9, 2026.

GM Case gave an update. NMED has been vague about how it wants the penalty paid and will not give the District a discounted amount until the District meets NMED's conditions. Director Tackett asked how many conditions have been met. GM Case answered that the District has met eight of the fifteen conditions. Director Duckett asked whether the District's L4 operator, Alex, was involved in the negotiations, since some of the conditions involve the filtration plant. GM Case said he was and that he is also turning in his reports. GM Case gave the Board a document outlining the terms for the Board to sign, indicating its agreement with those terms.

MOTION: Treasurer McCurdy moved to approve payment of a possible maximum of $62,620 in civil penalties assessed by NMED under the Notice of Violation from the 2022 Sanitary Survey #DWB-2548, dated April 9, 2026. Director Wilcox seconded.
VOTE: Chairman Robb, Treasurer McCurdy, Director Duckett, Director Tackett and Director Wilcox voted in favor. None opposed. The motion passed unanimously.

2. Discuss / Approve: TWSD's response to the NM Public Regulation Commission (PRC) Open Monthly Meeting held November 5, 2026, in Docket No. 26-IN THE MATTER OF THE FORMAL COMPLAINT OF Michael Gonzalez AGAINST TIMBERON WATER & SANITATION DISTRICT.

Chairman Robb asked about the incomplete docket number.
[Secretary's Note: The docket number on the agenda was a typographical error. The correct docket number is 26-0000053.]

Discussion followed about the possibility of the District being placed in receivership. Director Duckett explained that the F&S portion of the complaint has been put on hold and that the District is now in a Show Cause proceeding. The Board agreed to call a Special Meeting for the following Monday.

MOTION: Treasurer McCurdy moved to table this agenda item until the Special Meeting. Director Wilcox seconded.
VOTE: Chairman Robb, Treasurer McCurdy, Director Duckett, Director Tackett and Director Wilcox voted in favor. None opposed. The motion passed unanimously.

3. Discuss /Approve: Purchase of an AI tool to use, scan, organize, and eventually make District records searchable for public records requests. Recommended plan: Claude Team (Standard Seats) with the estimated cost for 3 staff members at $720.00 per year for annual billing, or $900.00 per year for monthly billing.

Treasurer McCurdy explained the benefits of using an AI tool to organize the District's public records more efficiently and make them searchable.

MOTION: Treasurer McCurdy moved to approve the purchase of Claude Team at $720.00 per year (annual billing). Director Tackett seconded.
VOTE: Chairman Robb, Treasurer McCurdy, Director Duckett, Director Tackett and Director Wilcox voted in favor. None opposed. The motion passed unanimously.

4. Discuss / Approve / Disapprove: authorizing TWSD legal counsel to pursue negotiations on a possible settlement in David Hunter v. Timberon Water & Sanitation District, Case No. D-1215-CV-2026-00752.

Chairman Robb noted that each month the lawsuits continue, the District pays more in attorney fees. Director Wilcox and Treasurer McCurdy said they were not willing to vote on this item until they had spoken with the District's attorney on the case.

MOTION: Director Wilcox moved to table this item. Director Duckett seconded.
VOTE: Chairman Robb, Treasurer McCurdy, Director Duckett, Director Tackett and Director Wilcox voted in favor. None opposed. The motion passed unanimously.

5. Discuss: Harding/Shockley PRC complaint of 11/2/2026 and TWSD response.
The Harding/Shockley complaint concerned late water billing. GM Case reported that she had already contacted the PRC about the proper way to handle late billing. One option under consideration is to waive the monthly base rate for one month and charge only for water used. GM Case was concerned that, because water is billed on a tiered rate, the larger number of gallons on the late bill could push some customers into a higher tier. However, the waived base rate would more than cover any higher charge for water. No decision has been made, and GM Case is continuing to work with the PRC on the best way to handle the issue.

No action was taken on this item.

6. Discuss / Approve: COMMERCIAL GROUNDS SERVICE PROPOSAL – Cemetery Grounds Maintenance Agreement at $400 per visit.
Director Duckett raised concerns about hiring an outside party to maintain the Cemetery grounds, since District employees have always done this work. Discussion focused on the need to keep the Cemetery in good condition. Board members questioned whether the field crew has time for the work, given the number of line repairs they are handling. The Board discussed contracting out the Cemetery maintenance and having the field crew handle the lawn maintenance at the Lodge.

MOTION: Director Tackett moved to approve the Commercial Grounds Service Proposal for Cemetery grounds maintenance at $400 per visit. Director Wilcox seconded.
VOTE: Chairman Robb, Treasurer McCurdy, Director Tackett and Director Wilcox voted in favor. Director Duckett opposed. The motion passed 4–1.

7. Discuss / Approve: COMMERCIAL GROUNDS SERVICE PROPOSAL - Lawn Maintenance Service Agreement at $250 per visit.
This proposal was for lawn maintenance at the Timberon Community Lodge.

MOTION: Treasurer McCurdy moved to table the Commercial Grounds Service Proposal for lawn maintenance at the Lodge. Director Wilcox seconded.
VOTE: Chairman Robb, Treasurer McCurdy, Director Duckett, Director Tackett and Director Wilcox voted in favor. None opposed. The motion passed unanimously.

8. Discuss: Contracting an electrician to advise on electrical issues going on at the Maintenance Facility.
GM Case described the need for an electrician to evaluate electrical problems at the Maintenance Facility. The problems include safety concerns about questionable wiring, lights flickering throughout the day, and computers losing power and shutting off. The Board agreed that a qualified electrician should be consulted and asked community members for recommendations. GM Case will begin the process.

No action was taken on this item.

9. Discuss: Requiring daily reports to the Board from the office and field.
Director Duckett explained that he wants to improve communication between the Board and the office and field crews. He asked Board members to give the idea some thought.

No action was taken on this item.

PUBLIC QUESTION AND ANSWER SESSION

Kim asked the Board to sign off on its approval of the changes to the Manual of Policies and Procedures. The Board agreed, and Kim brought the paperwork forward for signature.

David expressed disappointment that there were four or five people in the field and none of them could read the meters.

Arden asked whether the altitude valve changes had been completed. GM Case confirmed that they had.

Tim shared his experience with daily time sheets.

Arden said he believes the District should hire a water system manager.

David noted that the knock-ons being used to repair pipes are not meant to be permanent fixes.

Randy asked whether the AI system could be used for daily reports through an audio log. Treasurer McCurdy agreed that was a good possibility.

Mary said she objects to off-grid residents and non-water customers using the District's dumpster without contributing to its cost. Chairman Robb said the Board is working on the issue and that putting a charge in place will take time.

Tim asked whether the contractor for the Cemetery maintenance had to go through a Request for Proposals (RFP) or competitive bid process. Director Tackett answered that this is required only when the amount exceeds $20,000 per year.

Mary asked about the slash pit, which is very full. Chairman Robb said she is trying to get an answer from the fire chief.

DIRECTOR'S REMARKS

There were no Directors' remarks.

MOTION TO ADJOURN

MOTION: Treasurer McCurdy moved to adjourn the meeting. Director Wilcox seconded.
VOTE: Chairman Robb, Treasurer McCurdy, Director Duckett, Director Tackett and Director Wilcox voted in favor. None opposed. The motion passed unanimously, and the meeting adjourned at 6:15 PM.

Approved November 16, 2024

Chairman Derenda Robb Derenda Robb

Secretary Nanette Thorell NThorell

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