

**REGULAR MEETING MINUTES**  
**Board of Directors of Timberon Water and Sanitation District**  
**Tuesday, November 26, 2024, at 4:00 pm**  
**Timberon Community Center, "Lodge"**  
**1 Bobwhite Circle, Timberon, NM 88350**

**CALL TO ORDER**

The meeting was called to order at 4:00 PM by Chairman Cruvey

**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**

The following board members were present: Chairman David Cruvey, Vice Chair Edward Hardesty, and Treasurer Jesse Duckett. Director Allen Burmeister was absent. General Manager Otis Price and Secretary Nanette Thorell were also in attendance.

**APPROVAL OF AGENDA**

Vice Chair Hardesty moved to approve the agenda as written. Treasurer Duckett seconded the motion. A vote was called. Vice Chair Hardesty voted yes; Treasurer Duckett voted yes. The motion to approve the agenda as written passed.

**Manager's Report:**

General Manager Price provided an update on recent activities and ongoing issues:

Work Orders: Roads: 14 work orders were issued, of which 11 have been completed.

F&S (Facilities and Services): 8 work orders were placed, and all have been completed.

Line Breaks: 12 repairs were successfully completed.

Meter Services: 8 meters were reconnected, 27 were disconnected, and 6 meters were replaced.

Meter Data and Usage: There are currently 604 active meters. Residential water usage for the last month totaled 15,477,196 gallons. *incorrect amount*

Water Theft: Ongoing theft of water from meters previously shut off continues to be a concern. An estimated 1 million gallons have been lost to theft over the past 90 days.

Grant Writing: Progress is being made in grant writing efforts, with funds already allocated pending the filing of compliance paperwork.

Collaboration with Otero County Road Department: A productive meeting was held with Otero County Road Department representatives, including Tom Porter and Mark Quick.

Topics discussed included: Access to surplus road materials and unused orange safety barrels for use in Timberon to improve safety and mark work zones.

A request to inform residents that windrow rocks along roadsides belong to the Otero County Road Department and are used for road repairs. Reports of residents removing these rocks with heavy equipment were noted, and a public notice will be issued to address this matter.

Fire Hydrant Improvements: Discussions with Fire Chief Tony McWilliams focused on improving the functionality of fire hydrants to enhance their water flow capacity for fire suppression.

**TREASURER'S REPORT:**

Treasurer Duckett read the bank balances: F&S \$40,972.21; Operations \$41,337.65; USDA pass through \$850.00; USDA debt service \$3,737.46; USDA short term \$167,075.24; Water restricted reserve \$50,102.37; Standby \$13,707.90

**OLD BUSINESS:**

**1. Discuss/Approve minutes to the November 7<sup>th</sup> Special Meeting.**

Vice Chair Hardesty moved to accept the November 7<sup>th</sup> Special Meeting minutes as written. Treasurer Duckett seconded the motion. A vote was called. Vice Chair Hardesty voted yes; Treasurer Duckett voted yes. The motion to accept the minutes of the November 7<sup>th</sup> Special Meeting passed.

**2. Discuss/Approve minutes to the November 12<sup>th</sup> Regular Meeting.**

Vice Chair Hardesty moved to accept the November 12<sup>th</sup> Regular Meeting minutes as written. Treasurer Duckett seconded the motion. A vote was called. Vice Chair Hardesty voted yes; Treasurer Duckett voted yes. The motion to accept the minutes of the November 12<sup>th</sup> Regular Meeting passed.

**3. Discuss/Approve two transfers of \$20,000.00 each, to the General Operations checking account - one in November 2024 and one in January 2025. For payments to Rodey Law Firm.**

Vice Chair Hardesty moved to approve the two transfers of \$20,000.00 each from the restricted reserve account to the general operations checking account, one in November of 2024 and one in January of 2025 to make payments to the Rodey Law Firm. Treasurer Duckett seconded the motion. There was some discussion about prior use of the restricted reserves account.

A vote was called. Vice Chair Hardesty voted yes; Treasurer Duckett voted yes. The motion to accept the two transfers of \$20,000.00 each passed.

**4. Discuss/Approve/Disapprove Water Advisory Committee.**

Statement by Chairman Cruey:

Chairman Cruey addressed disruptions occurring within the TWSD offices, noting that the activity in and out of the premises is causing significant interruptions to daily operations for both office staff and field crews. Vice Chair Hardesty emphasized that the office spaces remain closed to the public. Treasurer Duckett suggested that if committees require reports or files, they should route their requests through Otis. Treasurer Duckett highlighted the importance of having committees that report directly to the board.

Vice Chair Hardesty proposed tabling the Water Advisory Committee's agenda item 4 under Old Business and items 1, 2, 3, and 4 under New Business until ground rules can be established. This postponement would extend to the early part of the following year. Treasurer Duckett seconded the motion. A vote was called. Vice Chair Hardesty voted yes; Treasurer Duckett voted yes. The motion to table Water Advisory Committee agenda item 4 under Old Business and items 1, 2, 3, and 4 under New Business passed.

## **NEW BUSINESS**

### **1. Discuss/Approve/Disapprove reestablishing the By-Laws Committee.**

This agenda was tabled, included in the motion in item number 4 under Old Business.

### **2. Discuss/Approve/Disapprove placing "reports" from both standing committees (By-Laws and Finance) as an agenda item on all future agendas.**

This agenda was tabled, included in the motion in item number 4 under Old Business.

### **3. Discuss/Approve/Disapprove either writing a Security Manual or making the addition of security measures to the existing Office Procedures Manual.**

This agenda was tabled, included in the motion in item number 4 under Old Business.

### **4. Discuss/Approve/Disapprove instructing the By-Laws Committee (Or form a new committee) to review the following documents... NM State Statutes, Open Meetings Act, TWSD By-Laws, CWA Bargaining Agreement, Employee Handbook, Office Procedure Manual, and any other publications of TWSD. Reports will be made to the BOD concerning suggested updates and conflicts between the documents.**

This agenda was tabled, included in the motion in item number 4 under Old Business.

### **5. Treasurer Duckett would like a complete (total) briefing by Kyle (the IT contractor) to the BOD on all security changes done to date, cost, and future expected upkeep/expenses. (May go into closed session).**

Chairman Cruet advised that the board would entertain Public Question and Answer sessions and Directors Remarks prior to going into closed session for agenda item 5.

## **PUBLIC QUESTION AND ANSWER SESSION**

There were no questions from the public.

## **DIRECTOR'S REMARKS**

Chairman Cruet addressed the audience regarding ongoing challenges posed by certain individuals in the community. He expressed concern over "bad actors," some of whom are not water subscribers, who are undermining the board's efforts by filing frivolous complaints at both the Public Regulation Commission (PRC) and state levels.

Chairman Cruey noted that these complaints divert time and resources from office personnel, who are required to respond, and result in additional legal expenses as the board's legal counsel must be engaged to address these issues. He remarked that many of these grievances seem to stem from personal dissatisfaction related to past circumstances or involvement with the water department.

Reaffirming the board's mission, Chairman Cruey stated that their primary focus is to provide high-quality water to the community while avoiding future water rate increases. He contrasted this with the previous board's approach, which included multiple rate hikes and substantial legal fees incurred during those processes.


He urged the community to discourage unnecessary and disruptive actions against the water department and to approach the board with constructive feedback and potential solutions for any valid concerns. Chairman Cruey concluded by emphasizing the importance of supporting the new General Manager in their efforts to improve and strengthen the water department's operations.

Vice Chair Hardesty made a motion to go into closed session. Treasurer Duckett seconded the motion. A vote was called. Vice Chair Hardesty voted yes; Treasurer Duckett voted yes. The motion to go into closed session passed and the board went into closed session at 4:51 PM

Present at the closed session were BOD members Cruey, Hardesty and Duckett, along with IT Contractor Kyle. Discussion was limited to security changes done to date, cost, and future expected upkeep and expenses to TWSD.

Vice Chair Hardesty moved to come out of closed session and adjourn the meeting. Treasurer Duckett seconded the motion. A vote was called. Vice Chair Hardesty voted yes; Treasurer Duckett voted yes. The motion to come out of closed session and adjourn the meeting passed and the meeting adjourned at 5:50 PM

Approved December 12, 2024

Chairman David Cruey 

Secretary Nanette Thorell 