

**REGULAR MEETING MINUTES**  
**Board of Directors of Timberon Water and Sanitation District**  
**Tuesday, May 14, 2024 at 4:00 pm**  
**Timberon Community Center, "Lodge"**  
**1 Bobwhite Circle, Timberon, NM 88350**

Chairman David Cruvey called the meeting to order at 4:00 PM.

**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**

Chairman David Cruvey, Vice Chair Mark Harding, Treasurer Edward Hardesty, Director Terri Borzoni and General Manager Renee Hamilton were all present. Director Allen Burmeister attended via telephone.

**APPROVAL OF AGENDA**

Vice Chair Harding made a motion to approve the agenda as written. Treasurer Hardesty seconded the motion. A vote was called. All voted in favor, none opposed. The motion to approve the agenda carried.

**MANAGER'S REPORT**

General Manager Renee Hamilton gave her report:

Water production was 4,308,818 gallons. We sold 1,542,524 gallons. The water loss was 2,766,294 gallons for a 64% water loss.

The crew has fixed 9 distribution water leaks. The major leak on Trout caused a loss of 1,500,000 gallons over a period of 6 months. The crew installed 3 new meters and have completed 51 work orders.

The pool has been filled and the new pump installed. Test kits needed to operate the pool have been ordered.

We are working on getting the bathrooms functioning for this season. Leo cleaned them very thoroughly and is working to re plumb everything.

The road crew worked on Rocky Trail, Surcingle, Mountaineire, Cedar and Spur.

*At this point, GM Hamilton had to leave the meeting to go to the site of a large leak the operators were dealing with.*

**TREASURER'S REPORT**

Treasurer Hardesty gave his report:

Bank balances: USDA accounts (3) \$166,949.30; \$7,924.80; \$888.14. Standby \$17,374.15; F&S \$54,927.69; Emergency fund \$86,020.92; General Operations \$25,006.69 actual, with \$13,000. Pending transfer of \$20,000.00 for payroll and other bills that have not been paid yet.

## **OLD BUSINESS**

### **1. Discuss/Approve Regular Meeting Minutes of April 23, 2024.**

There was no discussion. Treasurer Hardesty made a motion to approve the minutes as written. Vice Chair Harding seconded the motion. A vote was called. All voted in favor, none opposed. The motion to approve the minutes of April 23, 2024 meeting carried.

### **2. Approve the TDC (Timberon Development Council) proposal to manage the Timberon Community Swimming Pool as a joint effort with the TWSD.**

Vice Chair Harding spoke on the NM Anti-Donations laws where there might be a possible conflict, and recommended that we get a legal opinion to assure we were doing everything according to the state. Treasurer Hardesty recommended that we have a closed session meeting with our attorneys as soon as it could be arranged, to get advice on how to go forward legally.

Treasurer Hardesty made a motion to table agenda item number 2. Vice Chair Harding seconded the motion. A vote was called. All voted in favor, none opposed. The motion to table agenda item number 2 carried.

### **3. Timberon Development Council, Inc. (TDC) address to the Board concerning negotiations with Discover Timberon Inc. (DTI).**

Chairman Cruey expressed his disappointment with the negative rhetoric that had been going around regarding the High Country and the impending changes. He reminded the audience that the board and several community members have been working very hard on a solution and a pathway forward to the situation, one that would benefit both the High Country and the community of Timberon. He then introduced TDC President Herman Daniell, who read aloud the **Proposal to TWSD Board Regarding the Golf Course and Bar** (proposal copy attached).

Chairman David Cruey thanked the TDC and expressed his appreciation to the TDC for stepping up and offering to take on the pool, the golf course and the High Country so TWSD could concentrate more fully on providing water service to the community which is the prime focus of the District.

### **4. Update and Discuss Lease Negotiations with DTI Management for the High Country Lounge & Grill property.**

Chairman Cruey noted that the lease for the High Country runs out June 1<sup>st</sup>, and they would like to complete the negotiations with DTI management for transfer of the property as soon as possible assuring compliance with the laws of the state of New Mexico. They could extend it if needed, providing everything is in order and moving forward. He went on to inform the audience that the original deed was issued as a recreational use land, and they are not really changing the purpose of the deed, but simply putting it into the hands of an organization that can really do something with it.

DTI Vice President Tony McWilliams expressed his appreciation to Chairman Cruey for coming forward with this idea, and confirmed that DTI stands in favor of this proposal. He went on to remind everybody that the water that is used for the golf course is not treated

water, it is spring water which does not go through the treatment plant. It is used for fire suppression and golf course irrigation only. He also requested that the equipment that was purchased for the golf course, and is used for the golf course, remain with the golf course.

An audience member had a question about the TWSD bylaws regarding facilities maintenance. Vice Chair Harding addressed her concerns and explained the legal definitions of what TWSD is required to do (“SHALL”), and what TWSD can do (“MAY”). These are funded by F&S fees. In the last 5 years, the district has only collected an average of \$215,000.00 a year to maintain all the non-water stuff – the roads, the golf course, swimming pool etc. So far, year-to-date, the district has only collected \$32,290.00 in F&S fees of which \$20,000.00 has been budgeted to the pool.

An audience member asked about the history of how it developed that the TWSD started taking care of the facilities. Chairman Cruey explained that it was deeded over to the TWSD by a company that no longer exists.

An audience member expressed concern about the time limit with regards to the expiration of the DTI lease for the High Country Lounge. Chairman Cruey allowed that the board might grant a short extension, but it would have to be a board decision.

**5. Discuss, approve, alternate pathways for lease responsibility of the High Country Lounge & Grill and the Golf Course.**

After a short discussion, Director Burmeister made a motion to approve agenda item number 5. Vice Chair Harding seconded the motion. A vote was called. Directors Harding, Hardesty, and Burmeister voted in favor. Director Borzoni voted against it. The motion to approve agenda item number 5 carried.

**NEW**

**1. Discuss/Approve/Disapprove Robert Baird request permission for use of TWSD property at 160 Pawhuska as a parking area on Memorial Day weekend.**

There was some discussion pertaining to the protection of the well-head on the property. Barricades will be put up, so nobody runs over it. Vice Chair Harding made a motion to approve the use of the lot at 160 Pawhuska for use as a parking area on Memorial Day weekend. Treasurer Hardesty seconded the motion. A vote was taken, all voted in favor, none opposed.

An audience member voiced their concern about the issue of ATV drivers speeding up and down the roads and cutting across properties. As the APD and Otero County Sheriff office were present for the meeting, Officer Schoolcraft assured the audience that there would be a police presence during the Memorial Day weekend, and they would be handing out citations for violations. The audience expressed their thanks and applauded.

DTI President Valarie Dwight reached out to the community with any craftsmen skills, requesting help with the minor repairs that are needed for the High Country Lounge.

Pool Committee spokesperson Peggy Tedford thanked the community for the approximately 80 volunteer hours put in by 17 people to help get the pool ready for opening on the Memorial Day weekend.

**DIRECTORS REMARKS**

Chairman Cruvey thanked everyone for their attendance and reminded the audience that the Board was here for the betterment of the community, and everyone on this board wants to see Timberon thrive and do well.

Director Burmeister expressed his thanks to the community for the volunteer work and for the support during the recent fire.

Treasurer Hardesty made a motion to adjourn. Vice Chair Harding seconded the motion. A vote was called. All voted in favor, none opposed. The motion to adjourn carried and the meeting was adjourned at 4:46 PM.

Approved May 28, 2024

Chairman David Cruvey 

Secretary Nanette Thorell NThorell

{SEAL}

## **Timberon Development Council Proposal to TWSD Board Regarding the Golf Course and Bar**

TWSD has no desire to further own or manage the Golf Course or building housing the High Country Lounge. As a result of a meeting held on Friday 5/10/2024, the Timberon Development Council Board voted to provide ownership of the Golf Course and the building housing the High Country Lounge. Attending the meeting were two TWSD Board members, two DTI board members, and the entire TDC Board. However, several criteria must be met in order for the transfer of ownership to become a reality.

- 1) TWSD would deed the Golf Course and bar building to TDC at no cost to TDC.
- 2) Insurance requirements for the building would need to be determined.
- 3) Improvements to the building to meet building codes would need to be disclosed by TWSD.
- 4) Aid from the community will be needed to bring the building up to code.
- 5) TWSD must continue to provide water for the golf course at no cost.
- 6) Community aid will be needed for golf course improvement.

Timberon Development Council is definitely interested in continued employment for the seven employees of High Country Lounge. TDC also recognizes the value of High Country Lounge as to the events sponsored such as the Barbecue Cook off, Valentines Day, Marde Gras, etc. which benefits not only the Lounge but also the other businesses in Timberon through the funds spent in the community. DTI will continue to own and operate the Lounge and will rent the building from TDC under a mutually agreeable lease agreement. In addition, DTI will actively solicit volunteer donations to improve the bar building. TDC does not have the funds available for the improvements. These donations will be managed by Charlet Daniel, TDC Treasurer and Board Member, and will qualify for a charitable donation through the 501 C3 of TDC.

The goal of TDC will be to improve the Golf Course back to its former condition making it something of which to be proud. The Golf Committee which is part of TDC will manage the Golf Course and help with the improvement. As with the Lounge, tax deductible community donations will be required to improve the course and will be managed by Charlet Daniel. One idea of sponsoring a hole by individuals has already been proposed and will need to be investigated further.

In order for all of these ideas to work, cooperation will be required of TWSD, DTI, and TDC. Each entity will need to have the goal of making the above a reality and help remove roadblocks to success.