

REGULAR MEETING MINUTES
Board of Directors of Timberon Water and Sanitation District
June 13, 2023 at 4:00 P.M.
Timberon Community Center, "Lodge"
1 Bobwhite Circle, Timberon, NM 88350

Invocation and 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

APPROVAL OF AGENDA

GENERAL MANAGER'S REPORT

TREASURERS REPORT

NEW BUSINESS

1. Discuss/approve minutes from special meeting, May 30, 2023.

2. Discuss/appoint a secretary

***Secretary note: the recordings of these minutes from Invocation to Item 2 are not available.*

Transcript of the recordings for this meeting begins at item 3.

3. Discuss/appoint a Vice-Chair

Director Hagemann nominated Director Harding for Vice Chair. Director Harding accepted the nomination. Director Hagemann made a motion to appoint Director Harding as Vice Chair. Director Borzoni seconded the motion. A vote was called. Director Borzoni voted yes, Director Hagemann voted yes, Director Vails abstained, Director Ratley voted yes. The motion carried.

4. Discuss and vote for a chairperson per the TWSD by-laws.

Director Hagemann made a motion to keep the current chairman. Seconded by Director Vails. A vote was called. Director Borzoni voted yes, Director Harding voted no, Director Hagemann voted yes, Director Vails voted yes, the motion carried, Chairman Ratley will remain as Chairman.

(At this point, Director Vails left the meeting due to a medical issue. As a quorum was present with the 4 remaining directors, the meeting continued.)

5. Discuss PRC ruling – memorandum June 8, 2023, from Mr. Jeff Allbright, our water attorney.

There was some discussion about the conditions put on us by the PRC and how to meet those conditions. Considerations included making a separate budget for Water funds and one for F&S funds.

6. Discuss/approve TWSD funds are not allocated to pay personal legal fees of TWSD board chairperson resulting from AG, IPRA, or other government entities complaints.

Director Harding reviewed several issues concerning the burden put on the District from the actions of a former Chairman whose personal agenda and actions caused multiple complaints to the AG, and multiple IPRA request by the community. This resulted in a cost to the district of tens of thousands of dollars in attorney fees to resolve the issues created by a board member. Director Harding does not feel that the Timberon community should have to bear the burden of the cost of these frivolous actions, and that District funds should not be used for attorney fees to resolve actions of any BOD member that acts unilaterally without the full support of the entire board.

Director Harding made a motion that, in the future, the TWSD Board of Directors must approve each individual request for the TWSD attorneys to represent the District. Director Hagemann seconded. A

vote was taken, Director Borzoni voted yes, Director Hagemann voted yes, Director Harding voted yes, The motion passed.

7. Discuss/Approve/disapprove any board director not being able to make unilateral decisions regarding any items being placed on the TWSD BOD meeting agendas.

Director Ratley made a statement that she agreed that any board member and the general public should be able to request agenda items. Director Harding reviewed more issues regarding unilateral actions by the current board, and the fact that he had been requesting to get [the above item 6] added to the agenda for the last 4 meetings and had been denied. Director Ratley reiterated that any board member or community member can send a request for an addition to the agenda to the Secretary of the Board.

8. Review/approve/disapprove 39 Standby liens.

Director Borzoni asked for the total dollar amount of these Standby liens. Director Harding stated the amount totaled \$31,280.97. Director Hagemann made a motion to approve the 39 liens. Director Borzoni seconded. A vote was taken. Director Borzoni voted yes, Director Harding voted yes, Director Hagemann voted yes, the motion to approve the 39 Standby liens passed.

9. Discuss and pursue what needs to be done in order to become a village and form a community based committee of at least 4 community members to investigate doing so.

Director Borzoni noted that this issue comes around every couple years, and it is out of the scope of what the Timberon Water & Sanitation District was formed to do. She would like the District to focus on the water and the water issues. Audience member Leo Macatee spoke on the legalities and ramifications of making a radical change to the district. The board agreed that it was not within the jurisdiction of the TWSD board. The board unanimously agreed to table this discussion indefinitely.

Directors Remarks:

After some discussion about insurance and communications between the board members, Director Borzoni made a motion to adjourn. Director Hagemann seconded. A vote was taken, all were in favor and the meeting was adjourned at approximately 5:30 PM.

Acting Chairman Terri Ratley
Acting Secretary Patricia Menefee
Transcribed by Nanette Thorell

Approved 9-12-2023

Chairman [Signature]

Secretary [Signature]

