

REGULAR MEETING MINUTES
Board of Directors of Timberon Water and Sanitation District
Tuesday, October 22, 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 David Cruey.

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 Cruey, Vice Chair Edward Hardesty, Treasurer Jesse Duckett and Director Allen Burmeister were all present.

APPROVAL OF AGENDA

Vice Chair Hardesty made a motion to approve the agenda as written. Director Burmeister seconded the motion. A vote was called. Vice Chair Hardesty voted yes, Treasurer Duckett voted yes, Director Burmeister voted yes. The motion to approve the agenda passed.

MANAGER'S REPORT:

There was no manager's report.

TREASURER'S REPORT:

Treasurer Duckett read the bank account balances: F&S \$10,026.35; Operations \$82,501.90; USDA Construction Loan Pass-through \$788.49; USDA Debt Service \$4,642.97; USDA Short-term asset replacement \$167,054.02; Water Restricted Reserves \$50,102.37; Water Standby \$3,552.85.

OLD BUSINESS:

1. Discuss/Approve minutes of the October 8 Regular Meeting

Vice Chair Hardesty made a motion to approve the minutes of the October 8 Regular Meeting as written. Director Burmeister seconded the motion. There was no discussion. A vote was called. Treasurer Duckett voted yes, Vice Chair Hardesty voted yes, Director Burmeister voted yes. The motion to approve the minutes of October 8 Regular Meeting passed.

2. Discuss/Approve minutes of the October 12 Special Meeting

Vice Chair Hardesty made a motion to approve the minutes of the October 12 Special Meeting as written. Treasurer Duckett seconded the motion. There was no discussion. A vote was called. Treasurer Duckett voted yes, Vice Chair Hardesty voted yes, Director

Burmeister voted yes. The motion to approve the minutes of October 12 Special Meeting passed.

3. Discuss/Approve/Disapprove the Kilgore easement over TWSD property at Torrey Pines and Eldorado (tabled from the August 27th meeting).

There was some discussion about the placement of the electrical lines – overhead vs underground. Vice Chair Hardesty made a motion to approve the request for an easement over TWSD property at Torrey Pines and Eldorado with the stipulation that it be an overhead easement. Director Burmeister seconded the motion. A vote was called. Vice Chair Hardesty voted yes, Treasurer Duckett voted yes, Director Burmeister voted yes. The motion to approve the request for an easement over TWSD property at Torrey Pines and Eldorado with the stipulation that it be an overhead easement passed.

NEW BUSINESS

1. Discuss/Approve 20 Standby liens in the amount of \$5,637.00 (cost to file will be \$500.00).

The lien paperwork was presented for review. There was some discussion. Vice Chair Hardesty made a motion to approve the 20 Standby liens in the amount of \$5,637.00 with the cost to file being \$500.00. Director Burmeister seconded the motion. A vote was called. Vice Chair Hardesty voted yes, Treasurer Duckett voted yes, Director Burmeister voted yes. The motion to approve the 20 Standby liens in the amount of \$5,637.00 passed.

2. Discuss/Approve paying local attorney retainer for court motions that were filed by Rodey Law Firm.

Vice Chair Hardesty reviewed the plan going forward with the new attorney, explaining that TWSD would put a retainer of \$3,000.00 in a trust fund for the attorney to draw from, and the TWSD would replenish it as needed. There was some discussion. Vice Chair Hardesty made a motion to approve paying Matthew Wade doing business with the Truitt Law Firm in Ruidoso, a \$3,000.00 retainer for court motions that were filed by the Rodey Law Firm, and to bring him on as our general council. Director Burmeister seconded the motion. A vote was called. Vice Chair Hardesty voted yes, Treasurer Duckett voted yes, Director Burmeister voted yes. The motion to approve the \$3,000.00 retainer to attorney Matthew Wade passed.

PUBLIC QUESTION AND ANSWER SESSION

Questions were asked and answered about the reasons for putting liens on Timberon properties, the broke-down pickup truck on Sacramento Road, maintenance plans for Pleasant Valley Road, and the status of the purchase of the leak detector.

DIRECTOR'S REMARKS

Vice Chair Hardesty gave an update on our new Level 4 Operator, Aaron Foster. He reviewed some of the invoices that are being paid down, and water system parts that were

purchased. Vice Chair Hardesty made a point to thank the employees and volunteers who are stepping up to help during this difficult time with limited personnel, the absence of a general manager, and various issues that are surfacing that need to be addressed.

MOTION TO ADJOURN

Vice Chair Hardesty made a motion to adjourn the meeting. Director Burmeister seconded the motion. A vote was called. Vice Chair Hardesty voted yes, Treasurer Duckett voted yes, Director Burmeister voted yes. The motion to adjourn passed and the meeting adjourned at 4:45 PM.

Approved November 12, 2024

Chairman David Cruely 

Secretary Nanette Thorell 

