

MINUTES OF THE REGULAR MEETING OF THE BOARD OF WATER AND SEWER COMMISSIONERS HELD ON APRIL 18, 2013, AT 8:30 A.M. IN THE PLANNING ROOM, #204, AT CITY HALL, 101 N. HALAGUENO STREET, CARLSBAD, NM

VOTING MEMBERS PRESENT:	Craig Stephens Steve Massey Larry Henderson Larry Sells	Chairman Member Member Member
VOTING MEMBERS ABSENT:	Gary Perkowski	Member
EX-OFFICIO MEMBERS PRESENT:	Jon R. Tully	Ex-Officio/City Administrator/Secretary
EX-OFFICIO MEMBERS ABSENT:	Mayor Dale Janway	Ex-Officio Member
BOARD SECRETARY PRESENT:	Jon R. Tully	Ex-Officio/City Administrator/Secretary
OTHER PRESENT:	Steve McCutcheon Monica Harris Tai Etcheverry Luis Camero Eileen Riordan Richard Aguilar Art Sena Jeannie Thompson Donna Davis Mark Comer George Dunagan Edward T. Rodriquez	Deputy City Administrator Finance Director City Internal Auditor Public Works Director City Attorney Environment Officer Waste Water Superintendent Exec. Asssistant Applicant Applicant Citizen SB Oilfield

Time Stamps and headings below correspond to recording of meeting and the recording is hereby made a part of the official record.

0:00:21 1. Call to Order
Craig Stephens called the meeting to Order

0:00:21 2. Roll Call and Determination of Quorum
Craig Stephens called Roll and a Quorum was confirmed. Those present were: Craig Stephens, Larry Henderson, Larry Sells. Absent: Gary Perkowski.

0:01:03 3. Approval of Agenda

The motion was made by Steve Massey and seconded by Larry Henderson to approve the April 18, 2013, Agenda of the Meeting of the Board of Water and Sewer Commissioners. The vote was as follows: Yes- Stephens, Henderson, Massey, and Sells; No-None; Absent- Perkowski. The Motion passed.

0:01:05 4. Approval of Minutes of Special Meeting of the Board of Water and Sewer Commissioners meeting held on April 4, 2013

The motion was made by Larry Henderson and seconded by Steve Massey to approve the Minutes of the Special Meeting of the Board of Water and Sewer Commissioners held on April 4, 2013. The vote was as follows: Yes- Stephens, Henderson, Massey, and Sells; No-None; Absent- Perkowski. The Motion passed.

0:01:23 5. Check Register and Bills

Monica Harris explained the Statistical Reports to the Members. There were questions regarding the Water Conservation Fee. Monica Harris said the City pays .03 cents to the State for every 1,000 gallons of water pumped. The City charges the Customers the .03 cents and sends it to the State.

The motion was made by Steve Massey and seconded by Larry Henderson to approve the Check Register and Bills. The vote was as follows: Yes- Stephens, Henderson, Massey, and Sells; No-None; Absent- Perkowski. The Motion passed.

0:02:38 6. Operating Reports

- a. Statistical Reports**
- b. Water and Sewer Monthly Reports**

The motion was made by Larry Henderson and seconded by Larry Sells to approve the Operating Reports. The vote was as follows: Yes- Stephens, Henderson, Massey, and Sells; No-None; Absent- Perkowski. The Motion passed.

0:03:30 7. Consider approval of C-76 Water Rights Pumping Order

Jon Tully presented the Board with a corrected C-76 Pumping Order Table. He said if approved by the Board it will be submitted to the State Engineer. He said he wanted to have a methodology in place that minimizes the City's return flow requirement for as long as possible. He said there are a number of Rights that have no return flow requirement. He explained that the City has over 1,400 acre feet measured at the river. The value of doing this is that we don't have any return flow requirement until we have pumped 5,153 acre feet. He said in the future, we may be able to import as much as 5,000 acre feet from Double Eagle, which will have no return flow requirement; and we are staying at the 10,000 acre feet per year, pumping 5,100 or less per year from Sheeps Draw; we would have no return flow requirement. However, we would still have the Effluent. Steve Massey said the Effluent could be used anywhere. Mr. Tully said this is a plan for the future, we don't have a return flow requirement; we don't currently have a way to utilize all the Effluent. He added that this will put our return flow requirement to the second half of our annual diversions out of Sheeps Draw. Mr. Tully said we are in the process of an Effluent Re-use PER and Staff will be meeting with the Engineers next week.

The motion was made by Steve Massey and seconded by Larry Henderson to approve the revised C-76 Water Rights Pumping Order. The vote was as follows: Yes- Stephens, Henderson, Massey, and Sells; No-None; Absent- Perkowski. The Motion passed.

0:12:24 8. Consider approval of request from Donna Davis for installation of a waterline to property located at 2018 N. Mission Avenue

A. Remove from Table

The motion was made by Larry Henderson and seconded by Steve Massey to approve the remove from the Table the request from Donna Davis for Water Service Outside the City Limits, 2018 N. Mission Avenue. The vote was as follows: Yes- Stephens, Henderson, Massey, and Sells; No-None; Absent- Perkowski. The Motion passed.

B. Consider Request

Donna Davis told the Board that she has been told by Mr. Jones on Peppertree that there is no longer room for her meter. She said she is requesting to move her water meter to a location in front of the Storage Unit. She said it would be easier for expansion and service at that location. Mr. Camero recommended the second option which is the installation of a new 6" line from Peppertree Circle along 202 Peppertree Circle west property line to the north side of Mission Avenue, a distance of approximately 300 feet and the relocation of the existing fire hydrant. Mr. Massey confirmed that it will require Ms. Davis to obtain an easement. Ms. Davis said she is willing to get an easement if the other property owners will participate.

The motion was made by Steve Massey and seconded by Larry Sells to approve the request from Donna Davis for Water Service Outside the City Limits, 2018 N. Mission Avenue, Option No. 2; as recommended by Luis Camero. The vote was as follows: Yes- Stephens, Henderson, Massey, and Sells; No-None; Absent- Perkowski. The Motion passed

0:19:40 9. Consider approval of request from Mark Comer of MEC Services, LLC, to transfer the Water Service to the residence located at 606 Weleka Lane

Mr. Mark Comer told the Board that he recently purchased a home at 606 Weleka Lane. When he applied for water, the Water Department informed him that he had to sign an Agreement for Water Service Outside the City Limits. Luis Camero said the previous owners had an Agreement with the City. He said he did not know of any changes in use. Monica Harris explained to Mr. Comer that the rates are at 2.5 times the rate of service inside the City. Mr. Comer said he was aware of the charges.

The motion was made by Steve Massey and seconded by Larry Sells to approve the request from Mark Comer of MEC Services, LLC for Water Service Outside the City Limits. The vote was as follows: Yes- Stephens, Henderson, Massey, and Sells; No-None; Absent- Perkowski. The Motion passed

0:21:59 Craig Stephens said the Board should schedule discussion regarding the topics of the Special Meeting held on April 4, 2013. Mr. Massey and Larry Henderson agreed that it should be on the next regular meeting Agenda.

0:23:07 Craig Stephens asked Mr. Tully to provide the Board with the City Revenues from the City's Water Budget.

0:37:20 10. Adjourn (9:06:58 AM)

The motion was made by Steve Massey and seconded by Larry Henderson to Adjourn. The vote was as follows: Yes- Stephens, Henderson, Massey, and Sells; No-None; Absent- Perkowski. The Motion passed.

/s/ Craig Stephens

Chairman