

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF WATER AND SEWER COMMISSIONERS HELD ON AUGUST 15, 2013, AT 8:30 A.M. IN THE PLANNING ROOM, #204, AT CITY HALL, 101 N. HALAGUENO STREET, CARLSBAD, NM**

<b>VOTING MEMBERS PRESENT:</b>	<b>Craig Stephens Larry Henderson Larry Sells Steve Massey Gary Perkowski</b>	<b>Chairman Member (Telephonic) Member Member Member</b>
<b>VOTING MEMBERS ABSENT:</b>	<b>None</b>	
<b>EX-OFFICIO MEMBERS PRESENT:</b>	<b>Steve McCutcheon</b>	<b>Ex-Officio/City Administrator/Secretary</b>
<b>EX-OFFICIO MEMBERS ABSENT:</b>	<b>Mayor Dale Janway</b>	<b>Ex-Officio/Member</b>
<b>BOARD SECRETARY PRESENT:</b>	<b>Steve McCutcheon</b>	<b>Ex-Officio/City Administrator/Secretary</b>
<b>OTHER PRESENT:</b>	<b>Monica Harris Tai Etcheverry Luis Camero Eileen Riordan Annette Barrick Joe Harvey Art Sena Richard Aguilar Michael Hernandez Anna Beason Edward T. Rodriguez Leon Wade Mike Norman Dale Vickrey Dean Chumbley</b>	<b>Finance Director Internal Auditor Public Works Director City Attorney City Clerk/Asst. to City Administrator Water Superintendent Waste Water Superintendent Environment Services Asst. Public Works Director Projects Administrator SB Oilfield Citizen Rio Tanks Rio Tanks Citizen</b>

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

**0:00:06                    1. Call to Order (8:26:26 a.m.)**  
 Craig Stephens called the meeting to order.

**0:00:40** Steve McCutcheon contact Larry Henderson telephonically to participate in the meeting.

**0:01:04** **2. Roll Call and Determination of Quorum**

Craig Stephens called Roll and a Quorum was confirmed. Those present were: Craig Stephens, Larry Henderson, Steve Massey, Gary Perkowski, and Larry Sells. Absent: None

**0:01:24** **3. Approval of Agenda**

The motion was made by Gary Perkowski and seconded by Steve Massey to approve the Agenda of the August 15, 2013, Meeting of the Board of Water and Sewer. The vote was as follows, Yes: Stephens, Henderson, Massey, Perkowski, and Sells; No-None; Absent-None. The Motion passed.

**0:01:37** **4. Approval of Minutes of Regular Meeting of the Board of Water and Sewer Commissioners meeting held on July 18, 2013**

The motion was made by Larry Henderson and seconded by Larry Sells to approve the Minutes of the Regular Board of Water and Sewer Commissioners Meeting held on July 18, 2013 with the correction of the spelling of Sells last name on the last page, last motion. The vote was as follows, Yes: Stephens, Henderson, Massey, Perkowski, and Sells; No-None; Absent-None. The Motion passed.

**0:02:10** **5. Check Register and Bills**

Monica Harris explained that on number 90, in the Check Register, it was not OSHA physicals for Fire Department Employees. She said there was a clerical error; it was a jet digger, cleaner. Mr. Stephens questioned the traffic meter lids. Mr. Camero explained that it was over a man hole that will withstand the traffic load.

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

**0:03:39** **6. Operating Reports**

**a. Statistical Reports**

**b. Water and Sewer Monthly Reports**

Larry Sells told the Commission that the Fire Chief attended the Pecos River Committee Meeting. He said the Chief wanted to find a way to keep the beach swimming area closures down to a minimum. He said there was discussion about trenching around the island to help move the water around faster. Mr. McCutcheon said there is concern over draining the river. He said when the water is moved, it cleans quicker. He said the City has moved the water by running the boat around the area and by placing pumps in the area to get the area ready for heavy use holidays. He explained that it has been a particularly bad year. He said the City is looking at longer term strategies. Larry Henderson asked about short term use of Chlorine or Bromine in the area. Mr. Camero said that would require a permit and he is doubtful that would be granted, it could affect the habitat. Mr. Sells said one suggestion was to install fountains.

Steve Massey said the reports indicate that the City is selling less Double Eagle water since the rate increase. He questioned how it affected the revenue. Mr. McCutcheon said the amount we are selling is lower in Double Eagle but it did not have any impact on the revenues the last time he reviewed it.

Larry Sells questioned the amount of water pumped compared to the amount sold. Joe Harvey explained there has always been an anomaly. Monica Harris said one thing that effects the reports are credits for the over-reads on meters.

Larry Henderson questioned the Monthly Report versus the Statistical Report. Monica Harris explained there could be timing differences in pumping and billing. It is more of a Financial Report.

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

**0:14:45            7.    Consider approval of request from Leon Wade**

Mr. Wade told the Commission that he lives at 301 West Riverside Drive. He said last month, a sink hole appeared in the alley between his house and his neighbor, Orlando Garza's house. He said it is straight in line with the drain from his house that was put in almost twenty years ago by Yeager Plumbing. He said the City Crew came out and said they were going to repair it. He said they began sawing the black top up, but then quit. He said a few days later, Mike Hernandez with Public Works came by his house and said the City ran a camera down the pipe and took pictures. The pictures show Mr. Wade's drain is projecting into the City sewer line. He said the City thinks his line broke and slipped into the sewer drain. He said he talked with Roy Crouch of Crouch Plumbing and he said if Mr. Wade's line broke, he would have had some plug ups or stoppage. Mr. Wade said he has not had any problems. He said he requested the City run their camera in his pipe but Mr. Hernandez said the camera is too big for his four inch pipe. Mr. Wade said Mr. Crouch has a camera that will fit and they can run it to see if his pipe has a leak. Mr. Wade said he has not had a plug up the entire time he has lived there. He said he doesn't want to spend the money to pull the pipe out of the sewer main because he hasn't had any problems. He said the sink hole appeared after the hard rains in July. Mr. Camero said the sink hole is a problem and something has to be done. He said there are two facts and they are the sink hole and Mr. Wade's pipe in the sewer line. Mr. Massey said the issues are what is causing the sink hole and is it just sewer pipe. Mr. Stephens said he didn't think the sewer pipe can be left as is. Mr. Sena said there were problems with Orlando Garza sewer. He said improper compaction could have caused the pipe to slip into the City line. Mr. Hernandez said none of the old services in the video showed any problem and were all still in place. Mr. Camero said he thinks there is a break in the line. Mr. Perkowski said it is the City's alley and he questioned whether the alley had been compacted properly, the asphalt was put in recently. He said the City inspects the work done by Contractors. Mr. Camero said he thinks it was faulty from the beginning. Mr. Perkowski said there could be many reasons for a sink hole twenty years later. Mr. Camero said the Ordinance says the homeowner is responsible for the sewer line from the main line to the house. Ms. Harris said the City cannot waive the costs for Mr. Wade because it would be a violation of the Anti-Donation Law. Mr. Massey said he wasn't sure the City didn't have some responsibility. He asked if the City share the costs. Mr. Massey asked when the alley was paved. Mr. Camero said about five years ago. Mr. Camero said for the City to pay any portion would create a new policy, this happens a lot. Mr. Wade said if his pipe doesn't have a break or a hole in it, it shouldn't make the City's pipe leak. Mr. Stephens said he thinks there is no choice but for Mr. Wade to make the repairs.

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

Mr. Stephens told Mr. Wade to return the Commission if he finds any additional evidence once he runs the camera down the line. Mr. Massey and Mr. Sells agreed that he should return at that time.

**0:36:59**                    **8.     Consider approval of Final Booster Pump Policy**

Mr. Massey explained that the Boosters are prohibited unless approved by the City. Mr. McCutcheon said the effective date is the first of September. He said Mr. Masters with Rio Tanks had already complied with the policy as it is written.

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

**0:038:35**     Mr. McCutcheon announced that there have been some staff changes at the Double Eagle. He said Mike Abell is now going to be the City Construction Observer. Mike Hernandez will temporarily be manning the day-to-day operations of the Double Eagle. Joe Harvey remains taking care of the Sheeps Draw and City Water Systems. He said Mr. Hernandez and Mr. Harvey report to Mr. Camero. He said we are in a little bit of a transition. He said Staff is preparing to within the next thirty days issue and publish the request for quotes on Phase II on the Double Eagle Line. He said we have met with Molzen Corbin and the Council has approved. He said this project will consume a lot of our inspection needs by Mike Able.

**0:41:04**     Mr. McCutcheon said Anna Beason is here to give a brief over-view of the Effluent Project. Ms. Beason said HDR is under contract to develop preliminary scoping for the Preliminary Engineering Report and Environmental Document that are required by the Federal Government. She said within the PER, the Effluent will be evaluated and they will develop several options through the PER. The City of Carlsbad received a Grant a couple of years ago. She said the City is required to comply with Federal Mandates. She said HDR did the Preliminary Report so they have good information to go by and she is hoping they will be able to expedite their proposed schedule. She said HDR were the Engineers on the renovation of the Treatment Plant so they are familiar with our current Effluent System. Mr. Sells said his main concern was the funding from Harry Teague. Ms. Beason said upon completion of the PER and the Environmental Status, the City can apply for the funding. She said the City will request use of the funds to pay for the Engineering Report to get the Grant started. Mr. Sells asked if there was still City funding available. Ms. Beason said there is over \$500,000 plus another \$600,000 budgeted for that project. Mr. McCutcheon said there are many requirements with an Environmental Assessment. He said it looks like the City is on schedule. Mr. Sells said that Environmental Study will be used by the City for other projects. Mr. McCutcheon said the Study will have long term impacts for the City.

**0:48:33**                    **9.     Adjourn     (9:15:14AM)**

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

/s/ Gary Perkowski  
Chairman