

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF WATER AND
SEWER COMMISSIONERS DECEMBER 19, 2019, AT 8:30 A.M., IN THE
PLANNING ROOM AT THE MUNICIPAL BUILDING, 101 N. HALAGUENO
STREET, CARLSBAD, NM**

VOTING MEMBERS PRESENT:	Craig Stephens	Chairman
	Fred Beard	Member
	Larry Henderson	Member
	Dennis Miehl	Member
VOTING MEMBERS ABSENT:	Gary Perkowski	Member
EX-OFFICIO MEMBERS PRESENT:	Michael A. Hernandez	Ex-Officio/City Administrator/Secretary
	Eddie Rodriguez	Ex-Officio/Mayor Pro-Tem/ Member
EX-OFFICIO MEMBERS ABSENT:		
OTHERS PRESENT:	Eileen Riordan	City Attorney
	LaVelta Jenkins	Assistant City Treasurer
	Ron Myers	Director of Utilities
	Wes Nichols	Utilities Deputy Director
	Joe Harvey	WWTP Superintendent
	Richard Aguilar	Environmental Services Superintendent
	Angela Hernandez	Executive Secretary
	Danny Berry	Berry Ranch
	Glen Beal	Ellipse Global
	Bianca Borunda	

C. Stephens called roll and it was determined that there was a quorum of voting members.

1. Approval of Agenda

The motion was made by L. Henderson and seconded by F. Beard to Approve the Agenda. The vote was as follows, Yes: C. Stephens, D. Miehl, L. Henderson, F. Beard No: None Absent: G. Perkowski. The Motion passed.

2. Approval of Minutes of the Board of Water and Sewer Commissioners Regular Meeting held November 21, 2019

The motion was made by L. Henderson and seconded by D. Miehl to Approve the Minutes of the Board of Water and Sewer Commissioners Regular Meeting held November 21, 2019. The vote was as follows, Yes: C. Stephens, D. Miehl, L. Henderson, F. Beard No: None Absent: G. Perkowski. The Motion passed.

3. Consider request from Danny Berry regarding a billing adjustment to the Berry Ranch Water Bill

Danny Berry stated he has a ranch off the WIPP road, they use the water for their cattle. He has three watering's, two of them come off of Intrepid and the other from the city. He stated they hardly have any problems, in the past there have been just a few times where the meters didn't work. D. Berry distributed a list showing his water usage for the past two years. D. Berry said something is out of the ordinary, \$1300 is not normal. He stated everything is working on his side, they don't have any leaks, it's in good working condition, and it doesn't appear that someone could be stealing water off it.

L. Henderson asked R. Myers if he had an explanation. R. Myers stated about a year and a half to two years ago they changed the style of meters, the new meter have no moving parts, and it's just an open chamber. He said they pulled the meter to test it. R. Myers said they had a plastic feed line that broke, that cause water to go through the meter and register use. He said they feel a credit is due because that's a problem on the city side. R. Myers stated he really can't say if the water went through the meter, he really doesn't have an explanation.

D. Miehl asked if the meter is tested at the city or if it is sent off. R. Myers replied it's tested here but they can send it off and have another facility test it. L. Henderson asked if maybe someone may have tapped onto the line. R. Myers said that is certainly a possibility, they usually have someone checking up by the Double Eagle area about once a week or so, but they don't have the crew or resources to check it more often.

D. Berry mentioned they are there all the time, they have no minor leaks, and he really doesn't have an answer to what happened. He stated his last bill was \$98. F. Beard asked how big the drinkers were and how close are they to the main road. G. Berry said it's about 100 feet off the WIPP road.

M. Hernandez mentioned that it does happen from time to time where the city cannot come up with a valid explanation of why a meter indicates high usage. F. Beard stated with that much water a leak would be obvious. C. Stephens asked if the city checks for leaks. R. Myers said they have in the past right now they don't have the manpower. D. Miehl asked if this was the second or third meter replacement. R. Myers said this has been changed several times maybe about 7 or 8 times.

F. Beard asked what Ron's opinion on the situation was. He said he sent someone to check it and there was water on the ground but it didn't look like 76,000 gallons of water. F. Beard asked what kind of line it was and how much line was between the drinker and the meter. R. Myers stated about 100 to 150 feet. M. Hernandez asked if there was any obvious explanation they could see headed towards the tank? D. Berry said the lines have been replaced to the meter within the last 2 to 3 years.

Councilor Rodriguez asked the location of the trough. D. Berry stated it was on bare ground. Councilor Rodriguez asked if there was any visible sinkage of the trough around the spill. D. Berry stated no. Councilor Rodriguez recommended to get the average of the month after and

prior to that billing and make that the charge for the month, if Mr. Berry agrees to pay the average and forgive the difference.

The motion was made by D. Miehl to take add the previous month and past month and get the average for the bill total, F. Beard seconded the motion. The vote was as follows, Yes: F. Beard, L. Henderson, D. Miehl, C. Stephens No: None, Absent: G. Perkowski The Motion passed.

4. Consider Approval of Request for a new tap and water service from the Double Eagle water system from Jimmy Vasquez for property located at 634 Angel Ranch Road

Mr. Vasquez was not present. R. Myers briefly discussed the location of the proposed tap and water service with the board. R. Myers said he is not comfortable with this request, it's to give water service to a house, this is non-potable water, he said there is about five or six meters in the Double Eagle system that service water to houses. He is still uncomfortable with the request. R. Myers stated we are a municipal water system, we are supposed to supply potable water to use for domestic purposes. The water at Double Eagle is non-potable, it's not treated and it's not chlorinated. E. Riordan mentioned that domestic water falls under a different set of regulations.

C. Stephens asked what would happen if the city found e-coli or something in his water? R. Myers stated they would be forced to test all their water wells within 24 hours to try to determine the source. C. Stephens asked what the costs to test all the wells within the 24 hour period would be. R. Myers stated about \$500 - \$600 that does not include labor. Councilor Rodriguez asked if they do any routine sampling. R. Myers replied there are no routine sampling at Double Eagle. R. Myers said if the city is supplying water and there's a problem it falls back on the city.

The motion was made by L. Henderson to deny the request and seconded by D. Miehl. The vote was as follows, Yes: F. Beard, L. Henderson, D. Miehl, C. Stephens No: None, Absent: G. Perkowski The Motion passed.

5. Consider Approval of Request to transfer outside city limits water service from A. Duenez to Bianca Borunda for property located at 1915 Connie Road

B. Borunda stated to the board her, her husband and father had purchased this property about six years ago. They intended to share the property, about a year or two ago they decided that she and her husband would keep the property. They transferred all the paperwork to their name, except the water. Initially her father, A. Duenez had put the water only in his name. It stayed that way for a few months, when she came to the city to change the name she was told she had to present it to the Water Board since it's outside the city limits.

E. Riordan stated outside city limits service have restrictions, so they are required to come before the board. C. Stephens asked if they were already receiving water. B. Borunda stated yes and clarified to the board that Arnoldo Duenez is her father. C. Stephens asked if they were living on the property. B. Borunda replied they just moved out a few weeks ago but someone would be moving in. E. Riordan asked if there would be a tenant or if they were selling the house. B. Borunda she stated she was letting someone borrow the house. C. Stephens asked

how long she anticipated the house to be loaned out. B. Borunda responded she doesn't have a definite time frame.

M. Hernandez mentioned to the board this service is off the chlorinated part of Double Eagle. L. Henderson asked her if she was aware that she was responsible for whatever happens to the system. Councilor Rodriguez verified that if she decides to sell the property the agreement would terminate on that date.

The motion was made by F. Beard to approve the request seconded by L. Henderson. The vote was as follows, Yes: F. Beard, L. Henderson, D. Miehl, C. Stephens No: None, Absent: G. Perkowski The Motion passed.

6. Consider Approval of Request for outside city limits water service from Ellipse Global for a man camp/workforce housing located at 26 Quahada Road

G. Beal stated they had approached the board before to tap into Double Eagle line. For various reasons that was not a viable solution. They would like to tap into the city's potable water line which is about 2.5 miles from their location site. He said they would be responsible for all the pipeline work, easements, everything associated with that to get the water to their site. They have wells they just don't have significant water rights to supply their total needs. They need about 6 million gallons annually. He stated they have been in operation since January of this year.

G. Beal mentioned that Ellipse Global is the largest response team in the United States, they are a very well established company. C. Stephens asked how many people they had living on their site. G. Beal said the Lodge can hold about 184 and they have about 123 RV spots, they are about 98% full. With XTO being a client it's pretty successful.

R. Myers told the board it's about 11,000 feet to get from the city's existing line to get to the Ellipse property. He said there are some concerns out there. There's some capacity issues, they have denied other requests in that area for water service at least until some upgrades are put in place. L. Henderson asked where they were getting their water currently. G. Beal said they have 3 wells. D. Miehl asked if they received city water would they expand. G. Beal replied no, right now they have rights to 2 million gallons and they need 6 million gallons. M. Hernandez clarified the wells are capable of producing that much, they just don't have the water rights. G. Beal said they have been working with Atkins Engineering exploring the option to have some water rights transferred.

C. Stephens asked R. Myers what kind of enhancements they would need and an approximate cost. R. Myers said they're working on getting a cost, but they need to upsize some of those lines and they are some long lines. He said multi-millions of dollars to upgrade. R. Myers said they are going to try to get money next budget to start the design work, they just don't have the resources right now. C. Stephens suggested asking Ellipse or XTO if they would be willing to help with that cost. G. Beal said he didn't think XTO would be a candidate, Ellipse could possibly participate but not for multi-millions. M. Hernandez asked if they have reached out to Select Energy or anyone else in the area. G. Beal responded they have not.

The motion was made by L. Henderson to deny the request for outside city limits water service D. Miehl's seconded the motion. The vote was as follows, Yes: F. Beard, L. Henderson, D. Miehl's, C. Stephens No: None, Absent: G. Perkowski The Motion passed.

7. Utilities Department November Monthly Reports and Project Updates presented by Ron Myers

R. Myers reported they are pumping a little less water than last year. He stated everybody knows there's a lot more people living here it's a question of where they are living. Most are living in RV parks and man camps where there is little to no outdoor watering.

J. Harvey stated some other sites have opened up for the septage haulers and their revenue was going down but now it's leveled off a bit. He said there's a couple of sites near Hobbs that are accepting haulers and that's where they are going. Councilor Rodriguez asked why they would be hauling to Carlsbad instead of Hobbs. He stated it cost more to take it to the cities in the area than here, at .10 cents, we are the cheapest. He said the board might look at increasing the price to .12 cents.

R. Myers reported on Double Eagle Phase III project. He said they are still ahead of schedule, they may be projected to finish early summer. He said the line does come in and connect at Grassburr now.

R. Myers said Well 9 is still down, they visited with a well driller, and they hope to schedule some time in early January to see if they can open it up. He said they are hopeful they will get it up and back on line early February. He said Well 4 was down, they pulled the pump and replaced it and its back on-line. They are still working on installing a generator on Well 6 that should be completed sometime in January.

8. Adjourn

The motion was made by F. Beard and seconded by L. Henderson to adjourn. The vote was as follows, Yes: F. Beard, L. Henderson, D. Miehl's, C. Stephens No: None, Absent: G. Perkowski The Motion passed.



Chairman