

Board Meeting Notice and Agenda

Sambrito Mutual Domestic Water Consumers Association
Meeting of 3/3/24, 11:30 AM, Allison Grange

1. Call meeting to order. Roll call and certification of Board Quorum.
2. Members and Guests present (please sign the attendance sheet):
3. Agenda (posted on website and bulletin board) approval.
4. Minutes of last Board meeting (posted on website) and Board vote to approve.
5. President's report
 - A. NMPRC actions since last Board meeting.
 - B. Action on delinquencies.
6. Treasurer's report and Board approval.
 - A. Income and expense since last Board meeting.
 - B. Current cash position.
 - C. Delinquencies summary.
7. Report from Counsel- Germaine Chappelle
 - A. History and update of 2023-24 mediation efforts with RJV.
 - B. Review of recent NMPRC activity and recommendations.
 - C. Update on effort to secure a legislative grant.
 - D. Possible closed session to discuss pending litigation (discussion to be limited exclusively to this subject). Possible Board vote in open session.
8. Vote to approve 2024 Open Meeting Resolution.
9. Vote to approve Rules & Regulations minor corrections and changes.
10. Vote on 2024 draft Budget.
11. New business suggestions: for Member dissemination and future Board consideration:
12. Oral communications from Members and the Public (3 minute time limitation/person):
13. Next meeting.
14. Adjournment.

Sambrito MDWCA's website is found at <https://sambrito.myruralwater.com>. Board postings are found under "news and board matters". The bulletin board is found by the mailbox complex on Road 4025 near the state line.

Sambrito Mutual Domestic Water Consumers Association

Open Meetings Resolution for 2024

WHEREAS Section 10-15-1(B) of the Open Meetings Act (NMSA1978 10-15-1 through 4) states that , except as may be otherwise provided in the Constitution or in the Open Meetings Act, all meetings of a quorum of members of any board, council, commission, administrative adjudicatory body or other policy-making body of any state or local public agency held for the purpose of formulating public policy, discussing public business or for the purpose of taking action within the authority of such body, are declared to be public meetings open to the public at all times; and

WHEREAS any meetings subject to the Open Meetings Act at which the discussion or adoption of any proposed resolution, rule, regulation or formal action occurs shall be held only after reasonable notice to the public; and

WHEREAS Section 10-15-1(D) of the Open Meetings Act requires the Board to determine annually what constitutes reasonable notice of its public meetings:

NOW THEREFORE be it resolved by the Board of Sambrito MDWCA that:

- 1) The Sambrito Board shall meet in public session no fewer than four times annually, which may be held contemporaneously with membership meetings at the Board's discretion. In each such event, a meeting notice and agenda will be publicized in a manner consistent with the Open Meetings Act, with the Notice provided at least 10 days in advance, with the respective Agendas provided at least 72 hours in advance. Such publicizing of meeting notices/agendas shall consist, at a minimum, of notices placed on the Sambrito MDWCA website, and posting a notice on the bulletin board located near the mailboxes.
- 2) Sambrito MDWCA does not have a physical location suitable for meetings. Additionally, some members of the Sambrito service area have illnesses or physical conditions which seriously curtail their ability to attend public meetings. Accordingly, Board and Membership meetings may be conducted by publicly accessible electronic means, which have been disclosed in advance in a manner consistent with the Open Meetings Act. Meetings may from time to time be held by arrangement at reasonably accessible

outside locations, provided that attendance by functional electronic means is also accessible.

- 3) The annual Membership meeting, at which vacant Director positions may be filled by duly conducted elections, shall be held from 30 days before to 30 days after the first Saturday in November, at the direction of the Board. The annual Membership meeting will be noticed in the same manner as Board meetings.
- 4) Special meetings may be called by the Chair, or by the Members in accordance with the Sambrito MDWCA's Bylaws, upon at least three days' notice. An agenda for any such special meeting shall be publicly accessible at least 72 hours before the meeting.
- 5) The Board of Directors may close a public meeting only if the subject matter to be discussed or acted upon is exempted from the open meeting requirement under Section 10-15-1HH) of the Open Meetings Act. All Board votes must be conducted in open session.

This resolution is passed by the Board of Directors of Sambrito Mutual Domestic Water

Consumers Association on _____.

Attesting Officer:

_____.

Sambrito MDWCA Draft 2024 Budget

Revenue

Water sales	60,000
Billable consumer services	1,200
Reinstatements, fines & related	1,200
Lien payoffs & related	<u>3,000</u>
Subtotal	65,400
Less: Uncollectible billings	<u>(16,350)</u>
Total	49,050

Operating Expenses (A)

Meter reading @ \$2/meter/month	1,968
Billing & bookkeeping	7,380
Wells, building & equipment repairs & maintenance	7,200
Certified operator costs	4,200
Property taxes	500
Insurance	800
Postage & mailbox	720
Electricity & other utilities	4,560
Office supplies	450
Infrastructure supplies	2,460
Gross receipts tax	3,000
Water conservation fees	69
Meeting expense	150
Water purchases	<u>13,200</u>
Total	(46,657)

Net Operating Income (to Reserves)	2,393
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(A) Presumes that title and operating authority passes to Sambrito from RJV.

CHANGES TO RULES AND REGULATIONS (HIGHLIGHTED)

Conservation and Progressive Water Rate. In order to provide water to the most residents possible, the Association discourages the use of water provided by the Association for any purpose other than domestic use. The Association will adopt progressive water rate and shall determine the allocation of water to Members in the event of a water shortage.

Connection of Service Requirements. Subject to the inspection and approval of the Association, the Member shall install and maintain at his/her own expense a service line that shall begin at the meter and extend to the dwelling or place of use. The Member agrees to disconnect his place of use from his current water supply before switching and connecting to the Association's system, and agrees that no other existing or future source of water will be connected to any of the Association's water lines. The Association will penalize and may shut off water and cancel membership of a Member who allows a connection or extension to be made by another individual for the purpose of supplying water to that person.

Temporary Deactivation and Reactivation. Members in good standing who will be out of their residence for a month or longer may choose to have the water services disconnected without the liability for the minimum monthly fees during their absence, provided they give advance written notice to the Association disclosing when they are leaving and when they are returning. The member is responsible for any direct costs incurred by the Association for this privilege.

Payment. Water service charges (base rate only) to the Member shall commence on the date the membership is approved by the Board, whether or not the Member connects to the system.

The failure of a Member/customer to pay water service charges duly imposed shall result in the automatic imposition of the penalties established in the Rules and Regulations of this Association, including:

1. Nonpayment within the due date will be subject to a penalty.
2. Nonpayment and/or non-payment arrangements within a time specified in the Rules and Regulations will result in the water being shut off to the Member's property or a loss of membership privileges.
3. In the event that it becomes necessary for the Association to shut off the water to a Member's property, a fee will be charged for reconnection of the service.

Compliance. The Member agrees to comply with and be bound by the Articles, Bylaws and Rules and Regulations of the Association, now in force, or as hereafter duly and legally supplemented, amended or changed. The Member also agrees to pay for water service at such rates, time and place as shall be determined by the Association, and agrees to the imposition of such penalties for noncompliance as stated above, or as set out in the Association's Bylaws and/or Rules and Regulations, or which may be hereafter adopted and imposed by the Association.

This document is your **Certificate of Membership** into this Association. To be valid it must be signed by the member(s) and an authorized association official/Board member. The original will be kept by the Association as a permanent record, and a copy of the original will be

charged:

Non-Refundable Membership Fees:

Membership: \$ 30.00

New Hookup fees: \$ 150.00 for a standard meter and simple installation;
includes parts and installation by a certified operator.
Oversize meters are not encouraged, but will be considered
individually and the fee determined by the Board.

Other Fee/Fines:

Disconnect and Reconnection fee due to noncompliance: \$ 30.00 each

Bounced Check fee: \$ 25.00

Service Deactivation and Activation fee: \$ 20.00 each

Membership Ownership transfer fee: \$ 30.00

Fine for illegal connection: \$ 250.00

Fine for non-approved use- filling stock tanks, etc. \$ 250.00

Water Rates: The beginning rates for water, which are subject to change by the Board, are as follows:

Base monthly charge per property, including 1000 gallons:	\$12.00
1001 to 3000 gallons:	2.4 cents per gallon
Over 3000 gallons:	5.0 cents per gallon

RULES AND REGULATIONS
OF

Sambrito Mutual Domestic Water Consumers Association

COMPLIANCE WITH THESE RULES AND REGULATIONS

Each employee, agent, contractor of this association is expected to fully enforce these Rules and Regulations without further approval of the board.

Board authority to approve and enforce these Rules and Regulations comes from the provisions of the State of New Mexico Sanitary Projects Act [3-29-1 to 3-29-19 NMSA 1978].

These Rules and Regulations were adopted by resolution of the board on 2/28/23.