

TYRONE WATER & WASTEWATER ASSOCIATION BOARD MEETING
October 15, 2025 – 6:30 P.M. – TYRONE COMMUNITY CENTER
DRAFT MINUTES
Website: tyronewater.org

1. Call to order and declare a quorum – Alan Berg-President- Austin King and Doug Gorthy in attendance at 50 Malachite Avenue. Alan Berg and Elizabeth Gonzales on Zoom. Berg declared a quorum was present. Eddie Mendoza, water and wastewater operator present and Jennifer Klotz on Zoom.
2. Approval/disapproval of Agenda-Elizabeth Gonzales made a motion to approve the agenda with the deletion of Item 4, seconded by Austin King, hearing no further discussion, Berg called for the question. The modified agenda was approved by unanimous voice vote.
3. Approval/disapproval of minutes of August 20, 2025, Board Meeting- Elizabeth Gonzales made a motion to approve the minutes, seconded by Austin King. Hearing no comments, Berg called for the question, and the motion to approve was passed unanimously by voice vote.
4. ~~June 2025 Financial report~~-Deleted as part of the agenda to be approved as modified by the elimination of Item 4.
5. July, August, and September Fiscal Year 2026 financial reports- Report by Jennifer Klotz Silver BookkeepingLLC. Residential assessments for July 2025 were \$20,225.30; August 2025 were \$24,930.43; and September 2025 \$29,348.27. Eddie Mendoza reported on the efforts to identify the reasons that the \$10.00 per meter per month was not coming to TWWA from the Town of Silver City. Berg asked Jennifer to explain what was unapplied cash revenues. She responded that they were prepayments that can't be applied to the assessments at this time. They will be applied each month as the month occurs. Doug Gorthy asked if the \$10.00 was being collected by the Town of Silver City (TOSC) since July 2025 and how much was in arrears. Berg stated that it was around \$6,400. Berg suggested that the TWWA may have to file a IPRA request to see where the faults were in the process. We would rather work this out personally rather than be confrontational. Austin commented on the assessments. The July \$20,000 revenue prompted us to take actions. We should collect \$24,000 per month. In August a letter went out to everyone, and we saw considerable increase in

assessments. The September revenue of \$29,348.27. This was over our monthly assessment, so the aggressive approach is working. Berg requested a motion to accept the statement of financial condition. Elizabeth Gonzales made the motion, seconded by Austin King. The motion passed verbally by a unanimous vote.

6. Property owners' opportunity to discuss pending increase in assessments for those who do not use ACH or pay annually with checks. Berg welcomed property owners to discuss the increase in fees for those property owners who do not pay annually by check or use ACH payment methods. Considerable input was received by the Board from 6 owners. These perspectives will be considered by the Board and acted on at the November 19, 2025 regular Board meeting. Berg also stated that there were five hardship requests from property owners who stated that they could not repay their back payments within the confines of the one and two year repayment plan.

7. Old Business

- a. Water tower and water system replacement projects CIF-6443 and CIF-6444 were funded on September 12, 2025. Bohannon Huston Inc. (BHI) is preparing bidding documents for distribution. Berg reported that BHI is finalizing the bidding documents which will likely go out on November 8, 2025.
- b. 31-day demand letters sent out. Austin, Eddie, and Jennifer
- c. 60-day demand letters and 10-day door hangers and letters delayed as of Sunday October 12, 2025. Berg reported that the 60 day letter will go out on Wednesday October 29, 2025.
- d. Administrative support funded through the SWNMCOG. The agreement to provide support is between SWNMCOG and Silver Bookkeeping LLC. Silver Bookkeeping will provide 800 hours of accounting assistance under this agreement. Berg reported that we are in the second month of this arrangement and the extra support was helpful in getting the letters out for late assessments as well as day-to-day interaction with property owners who have been recently incentivized to pay back assessments.
- e. Insurance requirements for Southwest H2O LLC related to water and wastewater coverage for Environmental, GL & Professional Liability coverage. Discussion on liability insurance for SouthwestH2O LLC. Multiple agencies have been contacted by SouthwestH2O LLC and

they either do not provide liability insurance for water operators or the rates are unreasonable. Berg stated that we may need to reassess the risk/reward costs and benefits for the water operator to carry insurance. This will be brought up at a subsequent Board meeting.

8. New Business

- a. Approval/disapproval of Resolution 2026-10 An agreement between the Board of Directors for the Tyrone Water & Wastewater Association of Grant County of the State of New Mexico and the State of New Mexico Environment Department. This resolution allows TWWA to enter into a grant agreement for a utility truck, and water and wastewater tools and equipment. Berg introduced the potential resolution and explained that this is one additional step in the funding of the utility truck and equipment. Berg asked for a motion to approve the Resolution 2026-10. Austin King made the motion and it was seconded by Doug Gorthy, hearing no further discussion, Berg called for the question and the motion was approved unanimously. The Resolution was signed by those in attendance at 50 Malachite Avenue. Berg and Gonzales signed at a later date. The signed Resolution was sent to the State of New Mexico Environment Department.

- b. Approval/disapproval of a motion to enter into an agreement with the New Mexico Finance Authority **Technical Assistance Program**

- i. **Types of assistance available**

1. **Engineering, Technical, or Hydrological Services**
 2. **Geospatial Mapping Services**
 3. **Accounting, Legal, or Facilitator Services**

The Water Project Fund/Technical Assistance Program (TAP) has **free professional assistance** available for water and wastewater systems in need of planning that do not have the financial means to pay for these services on their own.

- c. TAP focuses its efforts on **facilitating regionalization and individual system planning**. The main objective is to help water and wastewater utilities become more **cost efficient while making necessary improvements** to water infrastructure by **supporting regionalization, individual system planning, and technical**

support of the execution of water projects. A key priority of this \$3.5 million program is to ensure that small and disadvantaged communities benefit equitably. Funds are awarded on a first-come, first-served basis.

- d. **The assistance provided by TAP is free, and the process is designed to be simple and streamlined** for water and wastewater systems. NMFA will provide oversight and manage the respective contracts, develop scopes of work and deliverables, establish contract amounts and timelines, and pay contractors directly based upon completed deliverables.

Berg explained the details of the program and stated that he had talked with the State as well as their contractor DBS&A. This program will provide engineering services for no cost to the TWWA and result in Technical Memorandums or Preliminary Engineering Reports. Some of the potential projects are: solar panels on the parcels where the lift station is located; water well in the townsite for backup water; new water meters and connections coordinated with the new water system. Berg entertained a motion which was made by Doug Gorthy and seconded by Austin King. Berg asked if there was any discussion, seeing none, he called for the vote which was unanimously approved.

9. Doug Gorthy moved and Austin King seconded the motion to move into executive session. Motion carried on an unanimous roll-call vote. Motion Approval/disapproval of motion moving into executive session in accordance with 2024 New Mexico Statutes Chapter 10 - Public Officers and Employees Article 15 - Open Meetings Section 10-15-1 H (6) and (7) Formation of public policy; procedures for open meetings; exceptions and procedures for executive session.
 - a. Reconvene in open session after executive session
 - b. Any action taken in executive session-No action taken in executive session.
10. Report and Approval of Officers and Committees
 - a. President's Report-Spreadsheet to dissect water bill on webpage-no report
 - b. Doug Gorthy-member-no report
 - c. Elizabeth Gonzales-member-no report
 - d. Austin King-member-no report

- e. Water Operator - Eddie Mendoza-no report
- f. Public Input (limited to 3 minutes/person)

Berg entertained a motion to adjourn. Doug Gorthy made a motion to adjourn and Austin King seconded the motion. Motion passed unanimously with a voice vote.