

REGULAR MEETING MINUTES
Board of Directors of Timberon Water and Sanitation District
Tuesday, August 27, 2024, at 4:00 pm
Timberon Community Center, "Lodge"
1 Bobwhite Circle, Timberon, NM 88350

The meeting was called to order at 4:00 PM by Vice Chair Mark Harding.

Pledge of Allegiance

Salute to the New Mexico Flag *"I salute the flag of the state of New Mexico, the Zia symbol of perfect friendship among united cultures."*

ROLL CALL

Vice Chair Mark Harding, Director Terri Borzoni, Director Edward Hardesty and Director Allen Burmeister were all present.

APPROVAL OF AGENDA

Director Hardesty made a motion to approve the agenda as written. Director Burmeister seconded the motion. A vote was taken. Director Borzoni voted yes, Director Burmeister voted yes, Director Hardesty voted yes. The motion to approve the agenda passed.

MANAGER'S REPORT:

Director Hardesty made an objection regarding the GM having been instructed by a board member to sit in the audience instead of her normal seat at the directors table. The objection was noted, and the meeting continued.

General Manager Renee Hamilton gave her report (exhibit A, attached)

TREASURER'S REPORT:

A new treasurer has not been appointed yet. There was no Treasurers report.

NEW BUSINESS:

1. Discuss/Approve Regular Meeting Minutes of August 13, 2024

There was no discussion. Director Hardesty made a motion to approve the Regular Meeting Minutes of August 13, 2024 as written. Director Burmeister seconded the motion. A vote was taken. Director Borzoni voted yes, Director Burmeister voted yes, Director Hardesty voted yes. The motion to approve the Regular Meeting Minutes of August 13, 2024 passed.

2. Discuss/Approve Special Meeting Minutes of August 19, 2024

It was discussed and determined that this agenda item is invalid because the Special Meeting of August 19, did not go forward due to a failure to approve the agenda.

3. SUBMISSION FOR RECORD: Written resignation of Edward Hardesty as Treasurer of the Board.

Director Hardesty had previously submitted his resignation as Treasurer of the Board on August 16, 2024 (exhibit B, attached).

Audience member Tiffany Harter had submitted a request to address the board at this point and was given the floor. Ms. Harter read into the record from a prepared statement (exhibit C attached).

4. Discuss/Appoint a new Treasurer of the Board.

There was some discussion, and an inquiry if there were any volunteers. No appointment was made. Director Hardesty made a motion to table agenda item 4. Director Burmeister seconded the motion. A vote was called. Director Borzoni voted yes, Director Burmeister voted yes, Director Hardesty voted yes. The motion to table agenda item 4 passed.

5. Discuss/Approve/Disapprove Resolution for Grant Application to the New Mexico Water Trust Board.

There was no resolution available. Director Hardesty made a motion to table agenda item 5. Director Burmeister seconded the motion. A vote was called. Director Borzoni voted yes, Director Burmeister voted yes, Director Hardesty voted yes. The motion to table agenda item 5 passed.

6. Discuss new information regarding Renee's investigation on internal affairs.

General Manager Hamilton reported that there was nothing to report, as she is waiting to hear back on all the information she had submitted to the Feds.

7. Discuss/Approve/Disapprove request from property owner Charlie Kilgor requesting permission for an easement from TWSD for the purpose of an electrical pole or underground line across TWSD property at Torrey Pines/London Hunt roads.

The protocol for this agenda item was discussed. Director Hardesty made a motion to table agenda item 7. Director Burmeister seconded the motion. A vote was called. Director Borzoni voted yes, Director Burmeister voted yes, Director Hardesty voted yes. The motion to table agenda item 7 passed.

OLD BUSINESS

1. Approve transfer of TWSD Emergency Account funds and other accounts funds to the Operating Account for payment of outstanding unpaid invoices due to the Rodey Law Firm and NewGen Strategies.

The agenda item was discussed, and a payment plan was proposed. Director Hardesty made a motion to table agenda item 1 in Old Business. Director Burmeister seconded the motion. A vote was called. Director Borzoni voted no, Director Burmeister voted yes, Director Hardesty voted yes. The motion to table agenda item 1 in Old Business passed.

2. Discuss/Approve options for moving forward with the petition to 12th District Court to appoint vacant director positions of the TWSD Board of Directors.

There was some discussion regarding a local attorney handling the petition. Director Hardesty made a motion to approve \$3,000.00 to pay the local attorney a retainer to get this moving forward. Director Burmeister seconded the motion. A vote was called.

Director Borzoni voted no. Director Burmeister voted yes. Director Hardesty voted yes. The motion to approve \$3,000.00 to retain the local attorney to handle the petition to the 12th District Court to appoint the vacant director position(s) of the TWSD Board of Directors passed.

PUBLIC QUESTION AND ANSWER SESSION

Audience member Rick McMullen asked for all the emails of anybody who would like to step up and be on the finance committee (previously discussed).

DIRECTOR'S REMARKS

Director Borzoni thanked everyone.
Director Hardesty asked when we could expect a resignation.

MOTION TO ADJOURN

Director Borzoni made a motion to adjourn. Director Burmeister seconded. A vote was called. All voted in favor, none opposed, and the meeting adjourned at 5:20 PM

Approved September 10, 2024

Director [Signature]

Secretary W. Harrell

{SEAL}



August 27, 2024

General Managers Report

Water

Produced 5,154,970

Issues with communications again that we are trying to resolve.

Work Orders

37 total work orders since last board meeting

31 closed work orders

6 open work orders

6 water main breaks

1 Meter box install

4 locates

3 road gradings. 1st Norwood, 2nd Norwood and pleasant valley,

2 meter replacements

9 miscellaneous

Banking

Would like to see a resolution to see two signatures on the checks not just one.

The bank will not change it unless we have a resolution.

19 lpra's

5 Mark Harding

14 Terry Barzoni

Edward G. Hardesty

August 16, 2024

In February, 2024, after the untimely death of then Treasurer Paul Hageman, the TWSD Board of Directors voted to install me as Treasurer, a position that I **did not want** nor believe I was qualified to fill. When I took on the role of Treasurer, I found the administrative offices and the QuickBooks system to be in total disarray and immediately began asking questions. I quickly learned that the financial situation we found ourselves in had been in the making for the past several years and was attributable to the apparent misfeasance, or nonfeasance, of several individuals working in the TWSD administrative offices.

At the August 14th, 2024, open meeting of the TWSD Board of Directors, it became apparent to me, through comments made by Director Harding and Director Borzoni, that I was being blamed for our state of affairs. I defended myself by pointing out that the discrepancies in our financial books began on their watch and were years in the making, long before I was appointed to fill a Director's position (26 Dec 2023).

Unilateral actions taken by some Board members, specifically Director Harding, continue to obligate or encumber the TWSD and our debt continues to grow beyond what we can reasonably expect to pay. Director Harding proposed at the August 14th, 2024, open meeting that we transfer funds from the emergency account and the USDA account to make payments to the Rodey Law Firm and NewGen Strategies. It's always been my understanding that these accounts could not be used for this purpose and as Treasurer, I **WILL NOT** be a party to this. Therefore, this is to serve notice to the TWSD Board of Directors that I resign the position of Treasurer effective immediately. I do, however, retain my position as a Director of the BOD until such time as I may notify the Board differently.

REC 8-27-24 4:20pm

exhibit c

Mr Chairman, the board, & The people of timberon

I'm addressing this board and the people of timberon hereby give notice of a letter of intent on Aug 27, 2024.

Many community members have layed witness to a whole host of bad behavior when conducting our meetings. Thus giving the belief that many people in our township have lost confidence in a few board members.

I myself have layed witness to a litney of items of concern. Two of which examples were the ~~cancelation~~ cancellation of the last two meetings due to the lack of having "no" second vote on the agenda. Also when asking questions about our finances, we get partial ~~answers~~ answers of which are glossed over or blamed the the previous administration with accountability.

I feel that the Director "Mark Harding" has become ruinous and quit dejected to other board members. This makes things very destructive, unproductive and the wasting of valuable time. I & many members ^{ask} ~~like~~ to have Mark Harding volunteer to step down. Respectively 