

**TYRONE WATER & WASTEWATER ASSOCIATION**  
**NOVEMBER 20, 2024**  
**MONTHLY BOARD MEETING**  
**FINAL AGENDA**  
**Website: tyronewater.org**

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- 1.** Call to order and declare a quorum – Alan Berg
- 2.** Approval/disapproval of Agenda-Deletions
- 3.** Approval/disapproval of minutes of the October 16, 2024, monthly meeting.
- 4.** Approval/disapproval of minutes of the October 22, 2024 special meeting
- 5.** Old Business
  - a.** CIF-6443 and CIF-6444 awards from the Colonias Infrastructure Fund for water tower rehabilitation and construction of the new waterlines, hydrants, and valves in the townsite (financial approval of the CIFs by New Mexico Finance Authority is pending while our financial history and ability to pay additional loans are being evaluated). The TWWA received a notice from the USDA/RD office in Albuquerque that the TPOA failed to notify the USDA/RD when the TWWA was formed and may result in a six-month delay in our request to ask for approval from the USDA/RD to take on additional debt for the water tower and water system projects.
  - b.** Lift station
    - i. Progress on shed foundation construction
    - ii. Foreign matter in lift station basket-discussion on awareness of community members not to put specific items down toilet
    - iii. Sending a letter to local plumbing companies about roots being discharged into the wastewater system
  - c.** Video investigation of townsite wastewater lines by Southwest Envirotec, a new contractor. Mobilization to Tyrone will occur on December 3, 2024.
  - d.** Progress on collection of delinquent accounts Angelina Duncan and Alan Berg
    - i. Letters sent and responses
    - ii. Next step is turning the water off at the curb after sending a registered letter. Refer to Attachment A for the specific TWWA Rules and Regulations adopted on February 21, 2024.
  - e.** Freeport McMoRan Foundation 2024 \$100,000 award Phase 2 water tower rehabilitation project.

## 6. New Business

- a. Approval/Disapproval of Budget Adjustment Request BAR 2025-01 **Authorization of reallocation of projected expenses during the fiscal year 2025 to accommodate the unanticipated cost of \$32,301.32 for lift station costs due to project engineering discrepancies, field changes, and unanticipated costs for the new lift station project. Fiscal year 2025 original budget line items and changes are attached to this agenda.**
- b. Approval/Disapproval of Resolution 2025-07 **A RESOLUTION AUTHORIZING THE ASSIGNMENT OF AUTHORIZED OFFICERS AND AGENTS FOR PROJECT NUMBER SAP 24-12385-GF. This is a \$100,000 grant from the State of New Mexico** to plan, design, construct, equip and furnish improvements to water and wastewater systems for the Tyrone Water & Wastewater Association.
- c. Approval/Disapproval of Resolution 2025-08 **RESOLUTION OF TYRONE WATER & WASTEWATER ASSOCIATION RATIFYING A CERTAIN AGREEMENT BETWEEN TYRONE WATER & WASTEWATER ASSOCIATION AND THE SOUTHWEST NEW MEXICO COUNCIL OF GOVERNMENTS, DATED NOVEMBER 20, 2024.**
- d. Approval/Disapproval of Resolution 2025-09 **RESOLUTION AUTHORIZING THE TWWA OPERATOR TO CONTRACT WITH A LICENSED PLUMBING COMPANY TO UNPLUG WASTEWATER LINES AFTER EXHAUSTING ALL OTHER ALTERNATIVES OR METHODS.** On occasion, the TWWA will be confronted with a situation where untreated sewage is discharged onto private property with the potential to continue to the public right-of-way. The New Mexico Environment Department and Grant County Emergency Manager will be contacted regarding the situation and if these agencies cannot resolve the issue, the TWWA will manage the spill/release and contract with a private plumbing company to resolve the issue. The property owner will be given 30 days to pay the TWWA and if the property owner does not pay, a lien will be filed on the property.

## 7. Report and Approval of Officers and Committees

- a. President's Report-meeting with Morones & Associates and Carney Foy CPA regarding the Fiscal Year 2024 audit
- b. Vice President's Report-No Vice President
- c. Secretary's Report

- d.** Treasurer's Report-No Treasurer
  - e.** Doug Gorthy-member
  - f.** David Stapp-member
  - g.** Elizabeth Gonzales-member
  - h.** Water Operator - Eddie Mendoza
- 8.** Input from property owners and residents
  - 9.** Adjournment-A. Berg

**STATE OF NEW MEXICO  
TYRONE WATER & WASTEWATER ASSOCIATION  
RESOLUTION 2025-07  
NOVEMBER 20, 2024**

**A RESOLUTION AUTHORIZING THE ASSIGNMENT OF AUTHORIZED OFFICERS AND AGENTS FOR PROJECT NUMBER SAP 24-12385-GF**

**Whereas**, the Board of Directors of the Tyrone Water & Wastewater Association, County of Grant, State of New Mexico, shall enter into a Grant Agreement with the State of New Mexico Environment Department, and

**Whereas**, the Agreement is identified as Project Number SAP 24-12385-GF

**NOW THEREFORE, BE IT RESOLVED** by the Tyrone Water & Wastewater Association, that: Alan G. Berg, President or successor is authorized to sign the Grant Agreement for this project, and Angie Roach, Board Secretary and Elizabeth Gonzales, Board Member at Large, or successor are the OFFICAL REPRESENTATIVES who are authorized to sign all other documents necessary to fulfill the Grant Agreement and the requirements of the water and wastewater projects, disbursements and to act as the project contact, and David Stapp, TWWA Board Member or successor is the Capital Projects Monitoring System (CPMS) contact who is designated to update the CPMS database monthly per Article VIII. A. of the Intergovernmental Grant Agreement.

Angie Roach, Board Secretary and Elizabeth Gonzales, Board Member at Large or successors are the CONTACTS who are designated to receive Notice of Obligations (NOO'S).

PASSED, APPROVED, AND ADOPTED on this 20<sup>TH</sup> Day of November, 2024 by:

\_\_\_\_\_  
Angie Roach Secretary

(seal)

\_\_\_\_\_  
Alan G. Berg President

\_\_\_\_\_  
Doug Gorthy Member

\_\_\_\_\_  
David Stapp Member

\_\_\_\_\_  
Elizabeth Gonzales Member

**STATE OF NEW MEXICO  
SPECIAL DISTRICT OF TYRONE WATER AND WASTEWATER ASSOCIATION  
BUDGET ADJUSTMENT RESOLUTION 2025-01 (BAR 2025-01)  
\$32,301.42 BUDGET ADJUSTMENT  
2025 FISCAL YEAR**

**WHEREAS**, the Governing body in and for Tyrone Water & Wastewater Association, State of New Mexico has identified the need to adjust the approved budget for fiscal year 2025 and transfer \$32,301.42 budgeted revenue from specific line items to pay for unanticipated costs for the final phase of the wastewater lift station; and

**WHEREAS**, the fiscal year 2025 budget was approved in June 2025 based on need and through cooperation with all user departments, elected officials and other department supervisors; and

**WHEREAS**, the official meetings for the review of said documents were duly advertised, in compliance with the State Open Meetings act, and

**WHEREAS**, it is the majority opinion of this Board that the internal movement of expenses as approved in the fiscal year 2025 budget will not negatively impact the duties and responsibilities of the TWWA; and

**NOW**, THEREFORE, BE IT HEREBY RESOLVED that the Governing Body of the Tyrone Water & Wastewater Association, State of New Mexico hereby adopts the budget adjustment hereinabove described and attached.

**RESOLVED:** In session this 20<sup>th</sup> Day of November 2024.

**Tyrone Water and Wastewater Association Board of Directors**

**Tyrone, New Mexico 88065-0570**

**Attest:**

\_\_\_\_\_  
**Angie Roach Secretary**

(seal)

\_\_\_\_\_  
**Alan Berg President**

\_\_\_\_\_  
**Doug Gorthy Member**

\_\_\_\_\_  
**David Stapp Member**

\_\_\_\_\_  
**Elizabeth Gonzales Member**

**STATE OF NEW MEXICO  
TYRONE WATER & WASTEWATER ASSOCIATION  
RESOLUTION 2025-08  
NOVEMBER 20, 2024**

**RESOLUTION OF TYRONE WATER & WASTEWATER ASSOCIATION RATIFYING A CERTAIN AGREEMENT BETWEEN TYRONE WATER & WASTEWATER ASSOCIATION AND THE SOUTHWEST NEW MEXICO COUNCIL OF GOVERNMENTS, DATED NOVEMBER 20, 2024 AND AUTHORIZING THE EXECUTIVE OF SAME BY THE PROPER OFFICIAL OF TYRONE WATER & WASTEWATER ASSOCIATION.**

WHEREAS, Tyrone Water & Wastewater Association is responsible for the operation and maintenance of the water and wastewater system in Tyrone, New Mexico, and

WHEREAS, Occasionally, the Association will be confronted with a situation whereby untreated wastewater is discharging onto the surfaces of private property; and

WHEREAS, it is in the interest of public health and safety, that exhausting alland

WHEREAS, it is the desire of Tyrone Water & Wastewater Association to accomplish these purposes:

NOW THEREFORE BE IT RESOLVED BY TYRONE WATER & WASTEWATER ASSOCIATION THAT:

1. The AGREEMENT referred to in the caption of this Resolution (a copy of which is attached hereto and made a part hereof) expresses the desires and intent of Tyrone Water & Wastewater Association.
2. The AGREEMENT set above is hereby ratified and approved by the authorized representatives of Tyrone Water & Wastewater Association and is hereby authorized and instructed to affix their signature thereto.
3. A Certified copy of this Resolution (together with the Agreement) shall be filed at the Southwest New Mexico Council of Governments.

Done this the \_\_\_\_\_ day of \_\_\_\_\_, 2024 in The Regular monthly Board meeting, at50 Malachite Avenue, Tyrone, New Mexico 88065-0570

\_\_\_\_\_  
Angie Roach Board Secretary

\_\_\_\_\_  
Alan G. Berg President

\_\_\_\_\_  
Doug Gorthy Member

\_\_\_\_\_  
David Stapp Member

(seal)

**RESOLUTION NO. 2025-09**

**RESOLUTION OF TYRONE WATER & WASTEWATER ASSOCIATION AUTHORIZING THE TWWA OPERATOR TO CONTRACT WITH A LICENSED PLUMBING COMPANY TO UNPLUG WASTEWATER LINES AFTER EXHAUSTING ALL OTHER ALTERNATIVES OR METHODS**

WHEREAS, Tyrone Water & Wastewater Association is responsible for the operation and management of the water and wastewater systems in Tyrone; and

WHEREAS, it is occasionally necessary for the wastewater operator to control, contain, and resolve the issue of untreated wastewater emanating from private property with the potential to migrate to the public right-of-way; and

WHEREAS, the operator will contact the Board President or designee, and the property owner, or property manager with the intent that the property owner remedy the situation; and

WHEREAS, if the operator is unable to resolve the uncontrolled release of untreated wastewater emanating from a private residence within 7 calendar days after identifying or being notified of the situation, the operator is authorized to contact a local licensed plumbing company to manage the uncontrolled release by clearing the obstructed sub-grade piping, excavating and replacing damaged sub-grade piping, or other methods necessary to remediate the issue; and

NOW THEREFORE BE IT RESOLVED BY TYRONE WATER & WASTEWATER ASSOCIATION THAT: The TWWA wastewater operator is authorized to contract with a private plumbing company to resolve an issue of uncontrolled discharge of wastewater if the owner, occupant, or property management fails to remedy the situation after 7 calendar days of being notified of the issue.

Done this the \_\_\_\_\_ day of \_\_\_\_\_, 2024 in The Regular monthly Board meeting, at 50 Malachite Avenue, Tyrone, New Mexico 88065-0570

\_\_\_\_\_  
Angie Roach Board Secretary

\_\_\_\_\_  
Alan G. Berg President

\_\_\_\_\_  
Doug Gorthy Member

\_\_\_\_\_  
David Stapp Member

\_\_\_\_\_  
Elizabeth Gonzales Member

(seal)

# **Attachment A to November 20, 2024 TWWA Board Meeting Agenda**

## **ADMINISTRATIVE PROCEDURES EFFECTIVE FEBRUARY 21, 2024**

### FINANCIAL PROCEDURES

#### A. Assessments

Each residential and commercial property will be assessed \$65.00/month to maintain, operate, and finance the water and wastewater infrastructure. There is no monthly fee for undeveloped lots. The accumulated funds collected are most of the financial resources that the Association uses to maintain the water tower, waterlines, valves, fire hydrants. Sewer lines throughout the townsite are maintained by the Association. The service lines or laterals from the sewer main to the individual properties in the townsite are the sole responsibility of the property owner. Costs for sewer line rooting, repairs or replacement are the total responsibility of the property owner.

#### B. Delinquent Accounts

A property owner's account will be considered delinquent if the Association has not received the full \$65.00 payment 90 days after the first of the month three months prior. Partial payments will not be considered on time unless the Association has agreed to partial payments and there is an agreement signed by both the property owner and the President of the Association.

After day 91, the Association will send a certified letter to the property owner informing them of the delinquency. If no response is received by the Association within 14 calendar days, a lien will be filed against the property. A copy of the lien notice will be mailed to the property owner at the address on the Grant County Assessor/Treasurer webpages.

These changes in lien policies will have no effect on liens previously filed by the Association and currently in effect on the adoption of these Rules and Regulations.

There will be a \$100.00 charge added to the delinquent charges at the time the lien is filed and recorded. \$50.00 covers the Recorder's fees for filing and releasing the lien. The other \$50.00 charge is for Association administrative time.

If there has been no correspondence or communications with the Association Board of Directors to resolve the delinquency, the delinquent property owner will be contacted by Association through a certified letter 120 days after the first delinquent period and informed that the water to the property will be shut off in five (5) days from when the letter was postmarked.

The water service will not be restored until payments have been made or a payment plan has been agreed upon between the property owner and the President or Secretary of the Association.

Cutting off the lock on the curb stop (water valve) will be considered damage to public property and a complaint will be filed with the Grant County Sheriff's Department, Grant County District Attorney, or the Silver City Magistrate Court. All court costs, fines and fees will be borne by the property owner.

Delinquent property owners who have been identified and assessed for back fees and assessments and had their water service shut off will also be required to establish an Automated Clearing House



(ACH) account or other automatic deduction and payment to the Association as part of the agreement to settle the delinquent case.

C. Water/Sewer Service to the Seriously Ill. The Authority will not terminate water/sewer service to any residence where a seriously ill person resides provided that:

- i. A letter from a practitioner of the healing arts stating that discontinuance of service will endanger that person's life or health is filed with the Association and such letter is updated and filed with the Association every ninety (90) days thereafter and;
- ii. The Member/Customer enters into a Negotiated Payment Agreement with a monthly payment schedule for the delinquent amount.