

**Tularosa Community Ditch Corporation**

PO Box 925, Tularosa, NM 88352

Office: 512 St. Frances Street

Quarterly Meeting of the Commissioners

September 24, 2018 7 PM

Minutes

A. Call to Order at 7:03 PM

Attending were: Chairman Norval Bookout, Commissioner/Treasurer Maurice Hobson, Commissioner/Secretary Karen Lerner, Bookkeeper Michelle Thomas, Mayor of Tularosa, Margie Trujillo, Joan Price, David Greenwald, Robert Danke, Mayordomo Robert Baca.

B. Pledge

- C. Public Comments: Mayor Trujillo came to the meeting to let us know that the overflow of the water coming down the highway at the intersection of Montezuma Street and the highway is flowing into yards and potentially the house of the Sanchez family on that street. She requested that we do something to control the overflow. Mayordomo Baca told her that the State Highway Department is the place to start to correct that problem and control runoff and that each person must keep their part of the ditch clean so it can flow effectively. When it floods, the runoff gets pushed to the sides of the highway and then seeks the lowest path. Mayor Trujillo would like that the Ditch Association create receptacle overflow paths to help with the problem. Chairman Bookout said that we as a Ditch Association cannot undercut or weaken the sides of the highway. Mayor Trujillo said that the ditch catches the water, fills then overflows and creates the problem. Chairman Bookout told her that we have had that same problem with the Walker property along the highway at the south end of town because it does not get cleaned. The entrance under the highway becomes blocked causing an overflow. The Mayor will be speaking with the Highway Department and would like the Ditch to attend the meeting and present a united front. Mayor Trujillo said the Village cannot go on private property but that each owner can take better care of their area the mosquito problem would automatically diminish and the roads will last longer. Mayordomo Baca did say that if the Ditch receives that overflow, it then creates problems with the overflow at the Western Bank. Maybe it could build up the embankment and go under at Posey Street. The Mayor reiterated that we need a communal meeting with the Highway Department. Joan Price said that flow changed radically when they paved the highway in the 50s because the center of the highway is always higher and that makes the flow on the sides faster. Mayordomo Baca told her that historically the ditches were open ditches. Joan Price mentioned that the water coming down South Bookout flows over the road. Mayordomo Baca added that part of the problem is that the land

owners do not remove branches and buildup along that ditch which then fills and overflows. Mayor Trujillo will take the information and our agreement to meet back to the Trustees so a meeting can be set up with the Highway Department here in Tularosa and will notify Commissioner Lerner when it is set up. Commissioner Hobson said that the Village and the Ditch both have the concerns of the water at the forefront.

D. Approval of Minutes from June 24, 2018 Quarterly Meeting

Commissioner Hobson made the motion to accept the minutes as presented

Commissioner Lerner seconded the motion

Motion carried

E. Approval of Financial Report June, 2018 through August, 2018.

Bookkeeper Thomas asked to correct the final numbers of the profit and loss as she was adding the month of September to the equation rather than closing the books at the end of August. The final number of the profit and loss should have an extra \$1,000 and give a final number of -\$10,424.93 as the net income.

Commissioner Hobson made a motion to accept the financial statement with the corrections mentioned.

Commissioner Lerner seconded the motion

Motion carried

Joan Price questioned the money that is being paid to our legal representative and asked if we are paying for Katherine Tyler in our case against Dávalos and Smith? She also claimed that the Village of Tularosa is also not represented in the defense of the water up in Santa Fe. Commissioner Lerner told her that Katherine Tyler and the Village of Tularosa have their own representatives, Jefferson Rhodes, and that we pay for our own fees and they pay theirs. Nothing goes on with any paperwork that is not shared equally with each person and entity mentioned in the case. The reason Ms Price does not have that information is because the Village represents her.

F. Old Business

1. Metering the water to the Village – Chairman Bookout said we need to measure the water going into the pond not what is going out of the lab as thousands of gallons are not accounted for due to evaporation and processing. Chairman Bookout asked Mayordomo Baca if the Village closes the gates. Mr. Baca said they dump their water before the sand traps before floods. Commissioner Hobson said the water is worse in Mescalero because South Tularosa Canyon is being dug out and that all goes into the water. The other problem is the amount of burned runoff that goes into the river and does not settle in their pond and proceeds into the lab.

G. New Business

1. Tulie Trails on our Easement-This was not addressed in this meeting as no representatives from Tulie Trails was present.

2. Tularosa Arts and Historic Council (TAHC) – Dave Greenwald was at the meeting to inform the board about the review coming up for the Historic District includes the 49 Blocks of Tularosa and the Red Brick Schoolhouse. He did let them know that would have preferred that Jennifer Gruger be the person doing the presentation as she is president of that board. His work as an archaeologist is the area up on the mesa that shows the use of acequias dating back 1,300 years. The water used for irrigation in Tularosa needs to be protected and the TAHC will be engaging with the State Historic Preservation Office and the National Historic Preservation to update the Historic Tularosa District and is encouraging the Tularosa Community Acequia to be part of that update. What Mr. Greenwald told the board is that in all of the reviews submitted for approval that took place 1979 there is not any mention of the acequias nor their importance to the very existence of the Village. He let us know that when the head of the Historic Preservation comes to Tularosa in November, the Acequia System should be nominated as part of the Historic District Review. Commissioner Lerner told him that she is in communication with Phillip Esser, the gentleman working on this project for his masters in Historic Architecture for the Red Brick. He will be part of the review for the Historic District so is the Board agrees, she will also seek to nominate the Acequia. Mr. Greenwald has found the traces of terraced land used to irrigate and farm, a reservoir, and the foundations of houses. The water made all that possible and very few communities can say that they can clearly demonstrate their water use in indigenous populations in dry areas. The Rio Tularosa's flow was greater then. As Mr. Greenwald told the board, it is always about time and money to fund the work.

Joan Price asked about the use of timber that was hauled to Ysleta in El Paso for the churches. Chairman Bookout told her that there are books written about the wheel tracks showing the transportation of logs to that area.

Chairman Bookout told Dave Greenwald that the ditches of Tularosa were dug in the 1860s. Mr. Greenwald has documented the prehistoric evidence of those original ditches and their flow.

#### H. Other Business

1. Ditch repair at the high school-Mayordomo Baca suggested that the ditch at the top of the high school corner with 8<sup>th</sup> Street has continued to erode. The problem is the fence put up by the school does not allow us to fix the problem and it is on our easement. It needs concrete poured to counteract the erosion. There could be a problem with a car falling into the ditch if they cut the curve too close. Chairman Bookout asked if the school would pay for part of the work Commissioner Lerner suggested that we use Lawrence Chavez for the cement work. Mayordomo Baca said we may have to go before the School Board so we need a bid amount before that time.

I. Adjourn

Motion to adjourn the meeting made by Commissioner Lerner

Seconded by Commissioner Hobson

Meeting adjourned at 8:35 pm.