

Proposed Revision to Tesuque MDWCA Bylaws

As a consequence of the Aamodt Agreement, the Members of Tesuque MDWCA (Association) will have the future opportunity to vote either to remain an independent Association or to join the Pojoaque Basin Regional Water System (PBRWS). The following revision to our Bylaw's is being proposed by the Association's Board of Directors to provide for either outcome. By unanimous vote at the March 11, 2015 Board Meeting, the Directors approved submitting this proposed change to the Members and recommend its passage by the Members. The proposed revision to the Bylaws does not commit the Association to either outcome.

To ensure higher Member participation in this important vote, the revision also provides for the ability of Members to vote by mail ballot in addition to the current process of voting in person.

The entirety of the Proposed Revision is highlighted below:

“The Association is designated a political subdivision of the State of New Mexico and a public body in accordance with the 2006 Amendments to the New Mexico Sanitary Projects Act. The Association intends to maintain a perpetual existence. The Association may merge with another Association or political subdivision or the Association may transfer its functions and assets to another political subdivision upon making adequate provisions for the continuation of services to its Members. In the event of a proposed merger, transfer and/or dissolution, the Board shall develop and propose a Plan to be approved by a simple majority of the Members qualified to vote after Notice of a Special Meeting of the Membership, defined as votes equal to or in excess of the ten (10%) of the currently active Memberships as required by Article VI, Section 4 herein, which shall include receipt of votes delivered to the Special Meeting in person or by mail provided they are postmarked prior to the date of the Special Meeting. Consistent with the voting rules, the Association shall provide a ballot that provides for identification of the qualified Member. In the event of a merger, transfer or dissolution, all assets of the Association shall be transferred or disposed of in a manner set forth in a plan approved by the Board and which serves the best interests of the Membership.”

Additional information will be provided in advance of the July 2015 General meeting, where the above proposal to revise our Bylaws will be voted on by the Members.

This communication is part of the Board's ongoing effort to inform our Members on issues related to the potential impacts of the Aamodt Agreement.

Randolph Buckley
President, Tesuque MDWCA