

## **Angel Fire Public Improvement District 2007-1**

3465 Mountain View Blvd., Suite 14 PO Box 1046, Angel Fire, NM 87710 575-377-3483

### **PID Board Meeting Minutes**

**January 9, 2013 at 1:30 pm at the Village Hall Meeting Room**

- A. Call to Order - Vice Chairman Dan Rakes called the meeting to order at 1:30 pm.
- B. Pledge of Allegiance - Vice Chairman Dan Rakes called for the Pledge of Allegiance.
- C. Roll Call Call - Present were Vice Chairman Dan Rakes, Director Steve Oliver, Director Chuck Verry, and Director Alan Young (by phone). A quorum was present. Also present were Sally Sollars, District Administrator, and Nann Winter, General Counsel.
- D. Approval of Agenda - Director Verry moved to approve the agenda with no changes. Director Oliver seconded. The motion carried 3-0.
- E. Enter into Executive Session - At 1:31 pm Vice Chairman Rakes announced that we will have a closed Executive Session Meeting. Director Verry moved to enter into Executive Session. Director Oliver seconded. Roll call vote: Director Young; aye, Director Oliver; aye, Director Verry; aye. The motion carried 3-0.

Vice Chairman Rakes returned to the Board Meeting at 1:45 pm by stating "No decisions were made during the Executive Session and the only items discussed were on the agenda".

Let the record show that pursuant to NMSA 1978, Section 10-15-1 (H) and (J) the PID Board held a closed meeting on December 12, 2012 at 1:32 pm at the Village Hall Meeting room to discuss current legal issues. Let the minutes reflect that the matters discussed in the closed meeting were limited only to those specified in the notice of the separate closed meeting.

- F. Approve December 12, 2012 Minutes - Director Verry moved to approve the December 12, 2012 minutes. Director Oliver seconded. The motion carried 3-0.
- G. Requests and Responses from the Audience (Limit to 3 minutes) - None.
- H. Announcements and Proclamations - Ms. Sollars announced that she would be out of the office from January 23 through January 29.
- I. Old Business
  - 1. Consider and Approve Resolutions for Administrative Hearing Decisions - Resolution numbering and order were corrected on record in the meeting.
    - a. Resolution 2013-1 Asher Special Levy Assessment Adjustment - Director Verry moved to approve Resolution 2013-1. Director Oliver seconded. Roll call vote: Director Verry; aye, Director Oliver; aye, Director Young; aye. The motion carried 3-0.
    - b. Resolution 2013-2 Trott Levy Assessment Adjustment - Director Verry moved to approve Resolution 2013-2. Director Oliver seconded. Roll call vote: Director Verry; aye, Director Oliver; aye, Director Young; aye. The motion carried 3-0.
    - c. Resolution 2013-3 Howard Special Levy Assessment Adjustment - Director Verry moved to approve Resolution 2013-3. Director Oliver seconded. Roll call vote: Director Verry; aye, Director Oliver; aye, Director Young; aye. The motion carried 3-0.
    - d. Resolution 2013-4 Ramko Denial of Special Levy Assessment Adjustment - Director Verry moved to approve Resolution 2013-4. Director Oliver seconded. Roll call vote: Director Verry; aye, Director Oliver; aye, Director Young; aye. The motion carried 3-0.
    - e. Resolution 2013-5 Johnson Denial of Special Levy Assessment Adjustment - Director Verry moved to approve Resolution 2013-5. Director Oliver seconded. Roll call vote: Director Verry; aye, Director Oliver; aye, Director Young; aye. The motion carried 3-0.
  - 2. Consider and Approve HDR Contract Amendment 5 - Director Oliver moved to approve HDR Contract Amendment 5. Director Verry seconded. Director Oliver reported that this is the same contact



amendment presented before with the bonuses removed. This amendment is good through December 31, 2012 and includes all outstanding invoices to date. There will be another amendment to come for work continuing past December 31. The motion carried 3-0.

J. New Business

1. Consider and Approve Resolution 2013-6 Adopting Annual Open Meetings Act Policy – Director Verry moved to approve Resolution 2013-6. Director Oliver seconded. Director Oliver asked what changes were included in the policy. Ms. Sollars reported that there were no changes except the date this policy is good through. This policy requires a yearly update. The motion carried 3-0.
2. Discuss Date for Administrative Hearings for the Remainder of the Reserved Objections – Ms. Sollars reported that the remaining reserved cases are yet to be heard. It is recommended that the hearings be scheduled the day after a regularly scheduled Board meeting to increase the likelihood of the Directors being present. She suggested May 9. All present Board members are tentatively available that day.
3. Review and Consider Letter from Director Oliver – Director Oliver submitted a letter to the Board tendering his resignation upon approval of his replacement. He recommended Don Borgeson for the position. Vice Chairman Rakes thanked Director Oliver for his service to the District. The process for replacement was discussed and will be to nominate a new director and submit his/her resume to the Village Council for appointment to the end of Director Oliver's term, May 2016. Ms. Sollars disclosed that Mr. Borgeson is her partner and landlord. Vice Chairman Rakes recommended that the District give public notice of the vacancy and request resumes of any interested parties for Board consideration. Ms. Sollars will place an ad in the paper soliciting interested parties.

K. Consent Agenda - Director Oliver moved to approve the consent agenda. Director Verry seconded. The motion carried 3-0.

1. HDR Engineering, Inc.; Invoice #00048672-B - \$5,491.30
2. AUI; Pay Application #17 – Final Payment on Contract - \$26,383.37
3. NMFA; 2/1/13 Debt Service - \$23,078.66
4. White, Samaniego, Campbell, LLP; Invoice #4367 - \$1,049.98
5. Stelzner, Winter, et al – General Counsel; Invoice #4577 - \$1,443.87
6. Daniels Insurance; Directors and Officers Insurance - \$6,001.00
7. Daniels Insurance; General Liability Insurance - \$5,017.00
8. Colfax County Filing Fees - \$75.00
9. Sally Sollars; Invoice #31 – \$4,576.84
10. BMWs; Invoice #08-0008 45 - \$355.00
11. CenturyLink; 12/25/12 Invoice - \$208.05
12. Sangre de Cristo Chronicle; Invoice #144 - \$86.51
13. Village of Angel Fire; Conf. Call Expense (November 2012) - \$125.08
14. Village of Angel Fire; Water Availability Fees - \$134.33  
VN, Lot 135; WV, Lot 120; CC1&2, Lot 1213
15. Petty Cash/Debit Card Account Replenishment - \$450.00
16. Petty Cash Report; Balance \$152.72

L. Reports

1. Administrative Report – Ms. Sollars reported that the November collections, received in December, were \$229K vs. the \$156K projected in the cash flow. December's average collections are \$468K.


Ms. Sollars will be working on the 2<sup>nd</sup> Quarterly Report due to DFA at the end of the month. The State Auditor's Office had given the District the OK to release the audit. There is a five day hold before the audit may be released to the public, which will be Monday. The audit will be presented to the Board for approval at the next meeting.

There was a meeting this morning with Kit Carson's fiber optic project manager, Jose Lovato, concerning use of the communications conduit. We will be meeting again with Mr. Lovato at the end of the month after he has had a chance to as-built.

Ms. Sollars also reported that one of the District properties, AFVN, Lot 135, is under contract. It appears that buyer will be assuming the annual assessment. The closing date is tentatively scheduled for February 14.

2. Finance Committee Report – Director Verry reported that the Finance Committee met today. Present were Vice Chairman Rakes, Ms. Sollars, and himself. At that meeting, Ms. Sollars reported that the quarterly report was soon due, that the 2011 delinquencies have not been compiled yet, and that the audit will be release on Monday with no findings. The 1099s have been produced and the 1096 was signed by the Treasurer. The cash flow and the Taussig adjustment numbers were reviewed.
  3. Construction Committee Report – Director Oliver reported that this morning's meeting with Kit Carson's Jose Lovato went very well. The HDR invoice, as well as the final contract payment to AUI was approved at the Construction Committee meeting held last Friday.
  4. Treasurer's Report - Director Verry asked if everyone received the Treasurer's Report and if there were any questions. There were none.
- M. Adjournment - Vice Chairman Rakes announced the meeting adjourned at 2:15 pm.

**Next Regular PID Board Meeting will be February 13, 2013**



James L. LeBus, Chairman

ATTEST:   
Sally Sollars, District Administrator