

Angel Fire Public Improvement District 2007-1

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PID Board Meeting Minutes

January 9, 2014 at 1:30 pm at the PID Board Room

- A. Call to Order - Chairman Pro Tem Chuck Verry called the meeting to order at 1:30 pm.
- B. Pledge of Allegiance - Chairman Pro Tem Verry called for the Pledge of Allegiance.
- C. Roll Call - Present were Director Verry (Chairman Pro Tem), Director Don Borgeson, Chairman LeBus (by phone), and Director Alan Young (by phone). Vice Chairman Dan Rakes joined the meeting at 1:53 pm by phone. A quorum was present. Also present were Sally Sollars, District Administrator and Nann Winter, Counsel (by phone).
- D. Approval of Agenda - Chairman LeBus moved to approve the agenda. Director Borgeson seconded. The motion carried 3-0.
- E. Approve December 12, 2013 Minutes - Chairman LeBus moved to approve the December 12, 2013 minutes. Director Borgeson seconded. The motion carried 3-0.
- F. Requests and Responses from the Audience (Limit to 3 minutes) – None.
- G. Announcements and Proclamations – Chairman LeBus thanked Director Borgeson and Ms. Sollars for meeting with the Sangre de Christo Chronicle editor for today's article in the Taos News.
- H. Enter into Executive Session - At 1:31 pm Chairman Pro Tem Verry announced that we would have a closed Executive Session Meeting and that no decisions would be made and only items on the agenda would be discussed. Chairman LeBus moved to enter into Executive Session. Director Borgeson seconded. Roll call vote: Chairman LeBus; aye, Director Borgeson; aye, Director Young; aye. The motion carried 3-0.

Chairman Pro Tem Verry returned to the Board Meeting at 2:14 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-8) on January 9, 2014 at 1:31 p.m. at the PID Board Meeting Room the PID Board held a closed meeting to discuss pending litigation, specifically the Sherwin request to vacate and a deed in lieu request. 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.

I. Business

- 1. Approve Fiscal Year 2013 Audit Report – Chairman LeBus moved to approve the Fiscal Year 2013 Audit Report. Vice Chairman Rakes seconded. Ms. Sollars reported that the Office of the State Auditor approved the audit report on December 17, 2013, which is the earliest approval in the history of District audits. The report contained no findings. The motion carried 4-0.
- 2. Discuss Ute Meadows request to Village to Vacate the Right of Way at El Vado Place – Vice Chairman Rakes recommended that the District General Counsel write a letter in opposition to vacation of the El Vado Place right of way.

3. Consider and Approve Henley Deed in Lieu Request – Chairman LeBus moved to table this item and to inform the owners that the Board will not consider this request until all dues, taxes, and assessments are paid. Vice Chairman Rakes seconded the motion. The motion carried 4-0.

J. Consent Agenda – Director Borgeson moved to approve the consent agenda without agenda items 1 or 2 because the invoices have not been received. Chairman LeBus seconded. The motion carried 4-0.

1. White + Samaniego + Campbell; Invoice #5729 - \$1,416.71
2. Blue Earth Ecological Consultants; Invoice #1157 - \$10,338.78
3. NMFA Debt Service; Feb Debt Service - \$23,022.16
6. Sally Sollars; Invoice #43 - \$4,684.28
7. BMWS; December Rent; Invoice #08-0008 57 - \$380.00
8. CenturyLink; Invoice dated 12/25/13 - \$214.52
9. AT&T; Invoice dated 2/1/13 - \$23.78
10. Sangre de Cristo Chronicle; Invoice dated 12/29/13 - \$46.20
11. Village of Angel Fire; Utility Fees; Invoices dated 1/1/14 - \$255.63
12. Petty Cash Debit Card - \$375.00
13. Petty Cash Report; Balance \$129.79

K. Reports

1. Administrative Report – Ms. Sollars recalled that the Construction Committee had approved pulling the remaining electrical wire in Village North and estimates were requested six weeks ago. On December 31, seven of the thirteen estimates were received. Of the seven, two of the estimated invoices listed incorrect station numbers, two were close to the original estimates, and three were much higher than original estimates. The original estimates are used for planning purposes and, if these estimates are typical going forward, may not be an accurate indicator for final costs.

The first year Wetland Mitigation Area monitoring report has been submitted to the USACE, but has not yet been reviewed. Blue Earth Ecological Consultants presented the first year invoice, which is about \$3K less than the budgeted amount. Half of the cost will be invoiced to the Village.

As mentioned, the audit was approved. The 1099s and 1096 are complete and sent. The second quarterly report will be due to DFA at the end of the month. Ms. Sollars will also be trying to resolve a problem relating to last fiscal year auditor's adjustments.

The November assessment collections were \$59,209. \$135K was projected in the cash flow report. December's collections are projected at \$485K. There has not been much prepayment activity this fiscal year until this month. Ms. Sollars anticipates five prepayments by the end of February.

A request for public records was received from Jesse Chaney, editor for the Sangre de Cristo Chronicle. Ms. Sollars and Director Borgeson met with him on December 30th

to deliver the requested documents and answer questions. The resultant article is in today's Taos News and will probably be in the Sangre de Cristo Chronicle next week.

There has been no response from Reiman regarding the letter addressing their objections to the deduction from the final payment per contract. The final payment check has not been cashed. The check is now over six months old and is void. Ms. Sollars had considered calling Reiman to ask if the check should be reissued, but will wait a few weeks to see if the 1099 sent to them will jog interest in resolving the issue from that end.

There has been no response from the County Treasurer regarding the District tax exempt status. Ms. Sollars recommended that Ms. Winter and she visit with the Treasurer while in Raton for a court appearance scheduled next week.

The website revamping is still not begun due to conflicts in Mr. Borgeson and Ms. Sollars schedules.

Ms. Sollars spoke with the three directors whose terms expire in April. Chairman LeBus and Vice Chairman Rakes stated that they wish to be considered for reappointment. Director Young is still considering.

2. Construction Committee Report – Ms. Sollars reported the construction committee met on December 30th. The committee recommended that the plan to pull the remaining wire in Village North be delayed until the December and January collections are known.
 3. Finance Committee Report – Chairman Pro Tem Verry reported that the finance committee also met on December 30th. The committee is concerned about the lag in collections this year, but it is too soon to know if the collections will fall short in the end. The committee also looked at the delinquency report. It was determined that 68 property owners have not paid their assessments for four to five years. The likelihood of these folks paying is slim. These people represent 38% of the total delinquency.
 4. Treasurer's Report – Chairman Pro Tem Verry asked if everyone received the Treasurer's report and if there were any questions. There were none.
- L. Adjournment – Chairman Pro Tem Verry adjourned the meeting at 2:35 pm.

Next Regular PID Board Meeting will be February 13, 2014



Don Borgeson, Chairman Pro Tem

ATTEST: 
Sally Sollars, District Administrator