

PID Board Meeting Minutes
January 12, 2011 at 1:30 pm at the Village Hall Meeting Room

- A. Call to Order – Director Verry called the meeting to order at 1:30 pm.
- B. Pledge of Allegiance – Directory Verry called for the Pledge of Allegiance.
- C. Roll Call - Present were, Director Chuck Verry, presiding, and Director Steve Oliver. Also, Chairman Jim LeBus, Vice Chairman Dan Rakes, and Director Alan Young were present by telephone. Director Young joined the meeting at 1:36 pm. We have a quorum. Also present were Sally Sollars, District Administrator, Gerald White, Project Director, Nann Winter, General Counsel (by telephone), Carl Abrams, HDR, and Marshall Vickers, AUI (by telephone).
- D. Approval of Agenda - Director Oliver moved to approve the agenda. Chairman LeBus seconded. The motion carried 3-0.
- E. Enter into Executive Session - At 1:32 pm Director Verry announced that we will have a closed Executive Session Meeting. Director Oliver moved to enter into Executive Session. Chairman LeBus seconded. The motion carried 3-0. Director Verry stated “No decisions will be made during the Executive Session and that only items covered on the agenda will be discussed, and that is status of current legal issues”.

Director Verry returned to the Board Meeting agenda at 2:06 pm by stating
Let the record show that pursuant to NMSA 1978, Section 10-15-1 (H) and (J) the PID Board held a closed meeting on January 12, 2011 at 1:32 pm at the Village Hall Meeting room to discuss the status of 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 Minutes – December 8, 2010 Board Meeting – Director Oliver moved to approve the December 8, 2010 minutes. Director Young seconded. The minutes were approved 4-0.
- G. Requests and Responses from the Audience (Limit to 3 minutes) – None.
- H. Announcements and Proclamations – None.
- I. Consent Agenda – Director Oliver moved to approve the consent agenda. Chairman LeBus seconded. The motion carried 3-0. Vice Chairman Rakes abstained from the vote.
 - 1. HDR Engineering, Inc.; Invoice #00257775-H - \$26,784.91
 - 2. Stelzner, Winter, et al – general counsel; Invoices #968 - \$3,124.40
 - 3. Stelzner, Winter, et al – litigation counsel; Invoice #967 - \$5,101.34
 - 4. Kamm & McConnell – foreclosure counsel; Invoice #31579-31600 - \$11,994.16
 - 5. Angel Fire Resort; Invoice #HDRNOV10 - \$1,014.09
 - 6. Gerald White; Invoice #16 - \$7,778.29
 - 7. Gerald White; Invoice #17 - \$1,632.97

8. Sally Sollars; Invoice #7 (12/4/10-1/7/10) - \$5,402.28
9. United Management Services, Inc.; Jan 15 to Feb 14 Rent - \$330.00
10. Qwest; Account No. 575-377-3483-459B; 1/25/10 Invoice - \$234.93
11. Sangre de Cristo Chronicle; Invoice #249 - \$85.95
12. Village of Angel Fire; Conf. Call Expense (November) - \$46.71
13. Petty Cash Report; Balance \$87.10

J. Business

1. New

- a. Consider and Approve Resolution 2011-1, Open Meetings Act – This is an update to the current Resolution, extending the expiration date two years. Director Oliver moved to approve Resolution 2011-1. Chairman LeBus seconded. The motion carried 4-0.
- b. Consider and Approve Reiman Corp El Vado Bridge Proposal – Gerald White reported that the Reiman Bridge Proposal of \$246,000 was solicited to get a comparison to the bridge proposal from AUI, which was \$360,000. After a meeting with Mr. White and Carl Abrams of HDR clarifying the specifications, Reiman prepared a second proposal, which came in at \$186,000. This quote is for the fabrication and installation of the bridge with a guard rail. AUI's proposal was for the same work. This does not include base course nor the dry utilities to be strung under the bridge. Mr. White is still investigating the standards for the guard rail, and if the standard requires an upgrade, there will be \$7,000 in additional cost. AUI is recommending that all El Vado work be taken out of their contract because they are concerned with their risk interfacing with the bridge. We will be negotiating with Reiman about the possibility of taking all the El Vado work. They had proposed an additional \$90,000 to do all the work. We would get a reduction from AUI of approximately \$50,000. Mr. White requested Board approval to enter into a contract with Reiman for the bridge and to continue to negotiate the associated dirt work. Director Oliver moved to approve Mr. White's request. Chairman LeBus seconded the motion. The motion carried 4-0.
- c. Consider and Approve Change Orders – Carl Abrams reported that Change Order #20 relates to final conduit material AUI purchase from Kit Carson Electric. Change Order #21 is for the last of the Qwest conduit material needed to complete the dry utilities.
 - 1) Consider and Approve Change Order #20 – Kit Carson Electric Conduit Material – Mr. Abrams reported that the cost is \$9,127.96. Director Oliver moved to approve Change Order #20. Chairman LeBus seconded. The motion carried 4-0.
 - 2) Consider and Approve Change Order #21 - Qwest Conduit Material (4-in) - Remainder - Additional Material – Mr. Abrams reported that the cost is \$3,384.85. Director Oliver moved to approve Change Order #21. Chairman LeBus seconded. The motion carried 4-0.
- d. Consider and Approve Accounting Consultation Services – Sally Sollars reported that switching the books to fund accounting has proven to be a daunting task. Isaac Montoya of DFA and Cathy Coppy of the Village of Eagle

Nest have recommended Uvaldo Mondragon as a consultant to guide Ms. Sollars in the process. Mr. Mondragon has over 30 years experience in fund accounting and charges \$75 per hour. Ms. Sollars requested that the Board approve Mr. Mondragon's consulting services. Director Oliver moved to allow Ms. Sollars to negotiate a letter agreement with Mr. Mondragon limited to 10 hours at \$75 per hour. Chairman LeBus seconded. The motion carried 4-0.

K. Reports

1. Project Director Report – Gerald White reported ongoing negotiations with AUI. First is the reconciliation of interfaces. The contract identified 30 some interfaces of connections to water and sewer outside of the PID boundary as provided by the Village of Angel Fire. Each interface was defined in the contract with a lump sum payment for each one. The issue of where the Qwest and Kit Carson connections were was more difficult because Qwest and Kit Carson were not able to provide the required information. The result is that any connection outside of the PID boundary is an additional cost to the contract. The contract contained unit prices for extending the utilities beyond the PID boundary. PID requested AUI to provide its estimate of the total cost impact of the interface overages. AUI's first approach to this was to add about \$375,000 to the contract.

This was reviewed yesterday in a meeting with AUI. Several areas were discovered that will require adjustment. Mr. White will report the bottom line adjustments at the next Board Meeting.

Second, the spill over of construction and associated costs into 2011. AUI has requested \$612,000 to pay for this extension. Fifty percent of this figure was Bohannon Huston, Inc. related and fifty percent for AUI. Mr. White said that he would agree to any differential to what it would have cost to do the work in 2010 compared to what it will cost in 2011; for example, diesel fuel. Bringing up equipment from Albuquerque for a third season is also a cost Mr. White is willing to recommend to the Board. Mr. White is continuing negotiations to reduce this cost. AUI is committed to returning at the end of May or the beginning of June and Mr. White's concern is that they will be able to do so with the equipment necessary to efficiently finish the job.

The contract with AUI expired at the end of 2010. Mr. White will be bringing an amendment before the Board next meeting to extend the contract to September 2011.

2. Administrator Report – Sally Sollars reported on the process of moving the books into fund accounting, a separate data file was saved with the books exactly as they were at the time of the Fiscal Year 08, 09, and 2010 because these cannot be changed after the audit is filed with the State. A new data file was created that still contains all transactions, including those of FY 08, 09, and 2010 so that reporting would include historical data. Therefore, the Board needs to be aware

that there are two sets of books, one an archival copy and one a working copy. The independent auditor has also been so informed.

Our independent auditor is also researching the manner in which we account for the foreclosed properties on our books. The goal is to have expense reports by property so that we may keep close track of the expenses that we would like to recoup at the time of sale.

The snowplowing contract with Piedre Lumbré is going very smoothly. The residents we are serving have been very cooperative in giving advance notice of access needed and Henry Martinez, Piedre Lumbré, has promptly responded to all requests.

3. Committee Reports

- a. Construction Committee – Director Oliver reported that the construction committee met on Monday. They reviewed and approved this month's HDR invoice be put on the Consent Agenda.
- b. Finance Committee – None.

4. Treasurer Report – There were no questions about the Treasurer's Report.

- L. Adjournment – Director Oliver moved to adjourn the meeting. Director Young seconded. The motion carried 4-0. The meeting adjourned at 2:43 pm.

Next Regular PID Board Meeting will be February 9th, 2011



James LeBus, Chairman

ATTEST:



Sally Sollars, District Administrator