

Angel Fire Public Improvement District 2007-1
3465 Mountain View Blvd. Suite 14
P.O. Box 1046
Angel Fire, NM 87710
575-377-3483

Amended PID Board Meeting Minutes

January 13, 2010 at 1:30 p.m. at the Village Hall Meeting Room

- I. Call to Order – Vice Chairman Daniel Rakes called the meeting to order at 1:30.
Vice Chairman Rakes read the following: *“Let the record show that pursuant to NMSA 1978, Section 10-15-1 (H) and (J) the PID Board will hold a closed meeting immediately following the Board Meeting today, at the Village Hall Meeting Room to discuss pending litigation. Let the minutes also reflect that the matters discussed in the closed meeting were limited only to those specified in the notice of the separate closed meeting”.*
- II. Pledge of Allegiance – Vice Chairman Rakes called for the Pledge of Allegiance
- III. Roll Call – Present were Vice Chairman Rakes, Directors’ Charles Verry and Steve Oliver. Also present by telephone were Gerald White, Project Director, Nann Winter, General Counsel and Christine Breault. Absent were Chairman James LeBus, Director Alan Young and Penni Davey, District Administrator.
- IV. Approval of Agenda – Director Verry made a motion to approve the agenda. Director Oliver seconded the motion. The motion carried 3-0.
- V. Approve Minutes from the December 9, 2009 Board Meeting – Director Oliver made a motion to approve the minutes of the December 9, 2009 Board Meeting. Director Verry seconded the motion. The motion carried 3-0.
- VI. Requests and Responses from the Audience (Limit to 3 minutes) –
- Keith Hillegonds who owns property located at Country Club 1 & 2, Lot 1285 had a question relating to the design of sewer placement of manhole covers. It was his understanding that they would be 200 feet apart but that they are 400 feet apart. He will meet off line with Carl Abrams, HDR Engineering, Inc.
- VII. Announcements and Proclamations – There being none.
- VIII. Consent Agenda – Director Verry made a motion that we approve the consent agenda. Director Oliver seconded the motion. The motion carried 3-0.
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| 1. HDR Engineering, Inc. invoice | \$45,699.24 |
| 2. AUI invoice Phase IIA 10/25-11/25 | \$449,432.43 |
| 3. Line of Sight Surveying | \$4,393.71 |
| 4. Gerald White; Invoice # 05 | \$4,930.35 |
| 5. Village of Angel Fire ~ litigation legal fee reimbursement | \$9,633.42 |
| 6. Angel Fire Resort ~ litigation legal fee reimbursement | \$10,704.31 |
| 7. David Taussig & Associates | \$4,028.99 |
| 8. NMFA Pre-payment Payment was \$110,649.31 in lieu of | \$113,291.76 |
| 9. Village of Angel Fire ~ conference system cost | \$51.67 |
| 10. White Samaniego & Campbell, LLP 2009 Audit (70%) | \$2,940.00 |
| 11. White Samaniego & Campbell, LLP 2008 Audit (70%) | \$2,352.00 |
| 12. Daniels Insurance, Inc. – General Liability Insurance | \$5,897.00 |

13. Daniels Insurance, Inc. – Directors and Officers Insurance	\$5,908.00
14. Qwest Account No.: 575-377-3483-459B	\$191.49
15. Penni Davey; Invoice #30 (12/1-12/31/09)	\$2,726.81
16. Donna Holman, CPA, Invoice 2009-002	\$330.16
17. Petty Cash Rept. (Ending Balance \$77.34)	Expenses \$122.66
IX. Business	

1) New

a. Presentation of Gerald White, Project Director –

- AUI has demobilized for the winter, and will remobilize in March or April depending on weather conditions.
- We received notification from NMFA that all funds will be released and are available up to the limit requested.
- We will amend the AUI contract via Amendment 4, which will give a Notice to Proceed to complete the work as scoped. This week we received the Schedule of Values for the balance of work. Change orders to reflect extra work because of relocation of the Qwest and Kit Carson underground utility lines at South Angel Fire Road Extension. Value engineering and other issues will be addressed separately.
- Now that we have received the NMFA funds, we have developed a cash flow projection based on the schedule of values, AUI's projection of build out, HDR's budget and our budget. We have asked Paul Cassidy to complete a cash flow analysis over the next 12 months based on the above factors.
- Carl Abrams has done a remarkable job working with Kit Carson which has agreed to install two junction boxes in lieu of requiring a permit from the Corp of Engineers to trench 200' in the wet-land area at South Angel Fire Road. This solution results in a cost and time savings.
- Vice Chairman Rakes asked Carl if Kit Carson had agreed to put in conduit rather than buried cable. At this time Kit Carson has not agreed to put conduit in because of cost. Kit Carson has still to execute the third party agreement.
- The AUI contract Amendment 4 will be ready for the February 10th Board Meeting for approval.
- The 2008 & 2009 audits are in their final stages. There were three audit finding: 1. we were late with our 2008 audit. 2. Not collateralized at 50% - we have send bank pledges sheets that should resolve that finding. 3. The District was not insured during the 2008 fiscal year – that was resolved early in the 2009 fiscal year.
- Carl Abrams reported that designs for the last two sub-divisions Chalet 2G & IA have been submitted by Bohannon Houston (BHI) at 90% to HDR for approval. HDR has accepted Chalet 2G and returned to BHI and will review the last sub-division this week. The water tanks and booster stations are all that are left for BHI to design. 7 of the 9 sub-division have been submitted to the Village for approval.

- Carl and Marshall Vickers (AUI) physically reviewed the construction areas for any downed signs and because we have received the 404 permit, AUI will begin in those areas as soon as they re-mobilize.
 - The Line of Sight Surveying has been on site at South Angel Fire Road and greenbelt easements. BHI asked for electronic version of the sites.
- b. Consider and Approve Line of Sight Survey proposal for additional surveying services. – Director Oliver made a motion to approval the Line of Sight proposal. Director Verry seconded the motion. The motion carried 3-0.
 - c. Consider and Approve Resolution 2010-1 Petree Agreement – Nann Winter stated that Petree had combined two lots to one single lot in early 2006. This was not picked up by the County or Taussig. Therefore he received two assessments. Petree's have agreed that they will use access to one lot and will not sub-divide. The County has required that a Resolution be written and approved to record the agreement. Director Verry made a motion to approve Resolution 2010-1. Director Oliver seconded the motion. The motion carried 3-0.
 - d. Consider and Approve Terry Kamm proposal for foreclosure counsel and give authority to Vice-Chairman Rakes to negotiate and execute a contract for the services. Vice Chairman Rakes stated that the proposal is for \$1,000-\$1,500 per foreclosure. Terry Kamm does not have a paralegal to help with the foreclosure. Director Verry made a motion to authorize Vice-Chairman Rakes to negotiate and execute a contract with Terry Kamm for the services. Director Oliver seconded the motion. The motion carried 3-0.

X. Reports

1) Committee Reports

- Construction Committee – Director Oliver reported for the construction committee. Nothing further to report.
 - Grants Committee – Carl reported that we have the 404 permit and it can be submitted with funding applications to RUS. Vice Chairman Rakes reported that we are at the top of the list for the next \$9.8 million awarded by the State.
 - Finance Committee – audit submitted to the State Auditor's office.
1. Audit – previously reported by Gerald White.
 2. Treasurer Report – Reported by Director Chuck Verry
 - Account balances as of December 31, 2009

The First National Bank of New Mexico

• Regular Checking Account.....	\$51,327.91
• Pre-Payment Interest Account...	\$113,380.60
• Interest Bearing Account.....	\$3,282,684.96
• Special Assessment Account.....	\$351,964.63
• NMFA Loan #1 Account.....	\$2,979.48
Mellon Bank of New York NMFA Loan #2.....	\$16,998,307.43 (01/08/2010)

Eight checks cleared the regular checking account for a total of \$5,881.58

Four requisitions cleared NMFA Loan #2 account for a total of \$849,628.18

Special Assessment Account reflects one transfer of \$93,159.42 into the Pre-Payment Interest

Account

XI. Adjournment – 2:08

The Public is welcome and Invited to Attend

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the meeting, please contact the Public Improvement District 2007-1 a week prior to the meeting or as soon as possible.


James LeBus, Chairman

ATTEST:


Penni Davey, District Administrator
