

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

October 10, 2013 at 1:30 pm at the PID Board Room

- A. Call to Order – Chairman LeBus called the meeting to order at 1:30 pm.
- B. Pledge of Allegiance – Chairman LeBus called for the Pledge of Allegiance.
- C. Roll Call - Present were Chairman LeBus, Vice Chairman Dan Rakes, Director Don Borgeson, and Director Chuck Verry (by phone). Director Young was absent. A quorum was present. Also present were Sally Sollars, District Administrator and Nann Winter, General Counsel.
- D. Approval of Agenda – Vice Chairman Rakes moved to approve the agenda. Director Verry seconded. The motion carried 3-0.
- E. Approve September 26, 2013 Minutes – Vice Chairman Rakes moved to approve the September 26, 2013 minutes. Director Verry seconded. The motion carried 3-0.
- F. Requests and Responses from the Audience (Limit to 3 minutes) – None.
- G. Announcements and Proclamations – None.
- I. Business

- 1. Discuss Communication Conduit – Ms. Sollars reported that she and Chairman LeBus attended a Kit Carson Fiber Optic construction meeting last week to discuss Kit Carson using the District installed conduit instead of trenching the new roads. There were several issues discussed that indicated that the conduit could not be used for this project including: RUS grant parameters, the use of some the conduit by CenturyLink for telephone service, and CenturyLink direct bury cable used for road crossings.

Ms. Sollars also met with Richard Morgan of CenturyLink last week. There had been no communication with CenturyLink since 2011. Mr. Morgan said that CenturyLink had pulled wire in four sections and would inform the District office when and where wire will be installed. There is no formal agreement with CenturyLink, but in the beginning stages of the project CenturyLink had requested \$200 per lot for telephone installation. When it was decided to use conduit for electrical and telephone installation so that those utilities did not impede contractor progress, CenturyLink agreed to waive the charge.

At this point Director Verry lost his phone connection. A quorum was maintained with Chairman LeBus' vote.

- 2. Discuss Check Signature Alternatives – Ms. Sollars reported that the auditors had asked about a couple of small checks written to the County Clerk's office that were dated in October, but cleared the bank in January. She explained to the auditors that each check is required to have two signatures and that often in the winter there are not two Board Members readily available. In the case of these checks that were to pay the fees for releases filed in January, Director Verry signed them in October before leaving the state for most of the winter.

The auditors suggested alternatives. One was that only one signature be required on checks for \$5,000 or less. Another alternative would be giving Ms. Sollars check signing privileges.

Director Verry also suggested that he could sign a couple of emergency checks prior to leaving for the winter. That would include a couple of Kit Carson account checks to pay for pulling wire over the winter and also a couple of other account checks for miscellaneous expenses. Chairman LeBus said that he would be comfortable with an emergency check procedure only if the anticipated recipient of the check was printed in the "pay to the order of" space. He asked that this item be on the next agenda as an action item.

- J. Consent Agenda – Vice Chairman Rakes moved to remove item #2 (Stelzner, Winter, et al invoice) from the consent agenda because the invoice was not yet received. Director Borgeson seconded. The motion carried 3-0. Director Borgeson moved to approve the consent agenda as amended. Vice Chairman Rakes seconded. The motion carried 3-0.

1. HDR Engineering, Inc.; Invoice #00107071-B - \$1,076.48
2. New Mexico Finance Authority; November Debt Service - \$1,063,990.14
3. New Mexico Finance Authority; Bond Call - \$200,000.00
4. Kit Carson Electric; Invoice #1310 - \$18,688.90
5. Kit Carson Electric; Reconciliation Balance Due - \$16,945.72
6. Angel Fire Computer Guy; Invoice #1086 - \$50.00
7. Sally Sollars; Invoice #40 - \$7,276.80
8. BMWs; October Rent; Invoice #08-0008 54 - \$380.00
9. CenturyLink; Invoice dated 9/25/13 - \$214.20
10. AT&T; Invoice dated 9/1/13 - \$34.51
11. Village of Angel Fire; Invoices dated 10/1/13 - \$104.04
12. Sangre de Cristo Chronicle; Invoice dated 9/1/13 - \$142.19
13. Petty Cash Report; Balance \$164.40

K. Reports

1. Administrative Report – Ms. Sollars reported that control panel on Mr. McCracken's property had been moved. Mr. McCracken kindly sent an email saying that he was happy with the work.

The letter response to Reiman's objections to HDR charges subtracted from the final payment was sent from Ms. Winter's office on September 16. Rick Tafoya, Village Public Works Director, reported that H Excavation told him that they had not been paid by Reiman and that they were considering putting a lien on the El Vado Way bridge. This concerned Mr. Tafoya who was unhappy that the District had not yet communicated this problem to the Village. Ms. Winter said that she was unsure that a lien could be put on public property and that the statute of limitations for H Excavation may have already expired. She will investigate.

Ms. Sollars reported that Ms. Armstrong, attorney representing Mr. Glaser, had not delivered the paperwork to Nann's office indicating that Mr. Felts is also appealing the administrative hearing decision, along with Mr. Glaser. She had filed timely at the court, but she did not serve the District.

Ms. Sollars said that a Kit Carson work order to pull wire on Snowbird Lane and Taos Place now has the required information after being passed back and forth for almost four weeks. She will be delivering that check for estimated cost tomorrow. She also reported that the reconciliation of the estimated costs vs. actual costs on previous work orders is now complete. The problem was discussed with the auditors who reviewed the most current Kit Carson actual cost invoices and found there was enough information contained there to issue payment. With this payment, the District now has a clean account balance with no outstanding reconciliation issues. Tomorrow Ms. Sollars will meet with Luis Reyes, CEO of Kit Carson, to discuss the process and give him a checklist of what information is required on District invoices going forward.

HDR has closed out the PID contract. Carl Abrams is still available for general information without charge, unless research is required.

The assessment collections for last month were less than projected on the cash flow, which is an average of historical collections. Because of the large debt service payment due November 1st of each year, November is the critical month for the District cash flow. This year there is about \$100K left, but Ms. Sollars warned that the projected balance through to November 2014 is very tight. However, projecting out twelve months in advance is based only on assumptions.

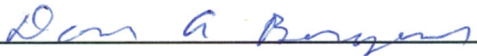
Ms. Sollars mentioned that Terry Kamm requested a prepayment calculation for one of the foreclosure cases. A bank had contacted him for the information. She also reported that another property owner on Mr. Kamm's case load had called about making payments to save his properties. The owner said that he had called Mr. Kamm's office four times without a response. Ms. Winter said that Mr. Kamm told her that he was concerned that several cases that were filed in court were at risk of being thrown out due to inactivity. Although the District stands to lose the money spent on legal expenses, Vice Chairman Rakes voiced a concern about taking more properties only to continue paying the holding costs and adding even more expenses. The State/County is holding a tax sale at the end of the month, which may include some of these properties.

Blue Earth Ecological Consultants evaluated the Wetland Mitigation Area this month. Mr. Pittenger was very pleased with the revegetation progress. He spread more seed and checked the monitoring equipment. He said that the area may need only three years to target growth. He will reset the testing equipment in the spring.

Ms. Sollars told the Board that she had been asked to be on the Village Public Works Committee. She asked if anyone had any objections. Vice Chairman Rakes said that he did not see a conflict of interest.

2. Construction Committee Report – Ms. Sollars reported that the Construction Committee approved the HDR closeout invoice and also the Kit Carson work order and reconciliation checks.
 3. Treasurer's Report – Ms. Sollars asked if everyone had received the Treasurer's Report and if there were any questions. There were none.
- L. Adjournment – Chairman LeBus adjourned the meeting at 2:13 pm.

Next Regular PID Board Meeting will be November 14, 2013



Don Borgeson, Chairman Pro Tem

ATTEST: 

Sally Sollars, District Administrator