

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

**Public Notice**  
**PID Board Meeting Minutes**  
**October 12, 2011 at 10:30 am at the Village Hall Meeting Room**

- A. Call to Order - Chairman Jim LeBus called the meeting to order at 10:32 am.
- B. Pledge of Allegiance - Chairman LeBus called for the Pledge of Allegiance.
- C. Roll Call - Present were Chairman LeBus, Director Steve Oliver, Director Chuck Verry (by phone) and Director Alan Young (by phone). A quorum was present. Also present were Gerald White, Project Director, Sally Sollars, District Administrator, Carl Abrams, HDR, and Nann Winter, Litigation Counsel (by phone).
- D. Approval of Agenda – Director Oliver moved to approve the agenda. Director Young seconded. The motion carried 3-0.
- E. Enter into Executive Session - At 10:33 am Chairman LeBus announced that we will have a closed Executive Session Meeting. Director Oliver moved to enter into Executive Session. Director Verry seconded. The motion carried 3-0.

Chairman LeBus returned to the Board Meeting at 11:12 am 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 October 12, 2011 at 10:33 am at the Village Hall Meeting room to 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 – Director Oliver moved to approve the October 5, 2011 minutes. Director Young seconded. The motion carried 3-0.
- G. Requests and Responses from the Audience (Limit to 3 minutes) – None.
- H. Announcements and Proclamations – Sally Sollars announced that she would be taking one week out of the office after the next regular Board Meeting.
  - 1. Acknowledge Gerald White for Energetic Service to the PID – Chairman LeBus stated that, although this now seems premature, we acknowledge Gerald White’s service of the last three years. He said that the PID would not be anywhere close to this point with budget or construction were it not for Mr. White’s invaluable help. Director Oliver moved that an official resolution of thanks be prepared for Mr. White. Director Young seconded. The motion carried 3-0.

## I. Business

### 1. New Business

- a. Discuss Angel Fire Resort Membership Fees on Foreclosed Properties – Chairman LeBus reported that the County is not required to pay Angel Fire Resort Membership Fees when it forecloses on properties. Since the PID is a public entity Chairman LeBus felt that same should hold true. He further stated that it is not fair for the property owners to pay for Resort fees on foreclosed properties. Director Oliver moved that the PID establish a procedure to not pay Angel Fire Resort fees and let the resort pursue collection when the property sells. Director Young seconded. The motion carried 3-0.
- b. Discuss possible errors in AUI location of services and review and approve Carl Nelson emergency work order – Carl Abrams reported that the services, water, sewer, telephone, and electric, in one area in Country Club 1&2 have been identified as not having been stubbed out at the property lines as the construction plans indicate. When this was brought to light last week, the PID had Carl Nelson, Surveyor, locate and flag some of the property lines in that area. In the area observed the stub outs were from 20 to 40 feet from the property line. This means that what was designed to be dual service so that two properties would hook up at the lot line now has one property with service in front of the property and the other property without service at the property. There were some areas that appear to have been constructed properly.

Gerald White reported that he saw this situation as an emergency and authorized Mr. Nelson, to sample survey the area in question on Torrey Pines and Colonial Trail. The discrepancy was reported yesterday to AUI in a meeting with AUI, Larry Leahy, Village Administrator, and the PID. The plan forward for the immediate future is that AUI will examine the lot corner stakes and compare them with where the stub outs are now located. Carl Nelson will be providing a report on his method for determining those results. The PID is waiting for AUI's response.

Chairman LeBus called for a motion to authorize Carl Nelson to continue his work to determine the extent of the problem. Director Verry expressed a concern about the cost to survey the whole project to which Mr. White said that the scope would be limited. Director Oliver moved to authorize Carl Nelson's work as needed. Director Young seconded. The motion carried 3-0.

### 2. Final Action Items

- a. Change Order #31 – Kit Carson Conduit Installation Quantity Adjustment – Gerald White reported that in the beginning AUI was paid on an estimated amount of conduit. The actual amount was less and this Change Order is to recover about \$20,000. Director Oliver moved to approve Change Order #31. Director Verry seconded. The motion carried 3-0.

J. Consent Agenda – Director Oliver moved to approve the Consent Agenda with two additions: Kit Carson – Torrey Pines; Invoice #1010 and Stelzner, Winter, etal – General Counsel; Invoice #2901. Director Verry seconded. The motion carried 3-0.

1. HDR Engineering, Inc.; Invoice #00326252-H -\$34,431.60
2. AUI; Invoice #Phase IIB; 8/25-9/25/11 Invoice - \$132,148.13
3. Kit Carson Electric – Colonial Trail; Invoice 1008 - \$10,994.30
4. Kit Carson – Torrey Pines; Invoice #1010 – \$24,861.26
5. Kamm & McConnell; Invoice #32352-32353 - \$210.74
6. Stelzner, Winter, etal – Litigation Counsel; Invoice #2902 – 7,516.36
7. Stelzner, Winter, etal – General Counsel; Invoice #2901 – 474.28
8. White + Samaniego + Campbell, LLP; Invoice #2622 - \$3,082.22
9. Gerald White; Invoice #26 - \$2,234.70
10. Sally Sollars; Invoice #16 (9/10 – 10/7/11) - \$4,354.72
11. Sangre de Cristo Chronicle; Invoice #205 – \$64.63
12. CenturyLink; 9/25/11 Invoice - \$166.11
13. Angel Fire Resort – Rodey Reimbursement; Invoice #168080 - \$673.03
14. Village of Angel Fire; Conf. Call Expense (August 2011) - \$58.24
15. BMWs; Invoice #08-0008-30 - \$330.00
16. Colfax County Clerk; Filing Fee - \$25.00
17. Petty Cash Report; Balance \$84.96

K. Reports

1. Project Director Report – Gerald White reported that Country Club 1B acceptance presentation to the Village Council has been postponed until October 25 due to the Village canceling this week's meeting. Work in Chalets 2G was interrupted by the snow, but has resumed this morning. All utilities are installed and the water testing is done. About one third base course is complete and another one third of sub grading is complete on the roads.

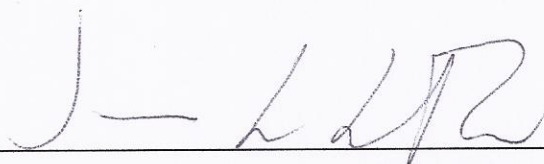
Reiman Corp has not done much work since the bridge was set in place. There is no exact schedule of when Reiman will be complete.

Gerald White reported that the Construction Committee discussed withholding the AUI check for this month until there is some resolution with AUI concerning the positioning of the stub outs. However, much of that check is owed by AUI to H Excavation. Director Oliver agreed that the check should be withheld until the magnitude of the services locations is determined, but that he does not want H Excavation to be penalized for something that is not its concern. Chairman LeBus did not see a problem with withholding the check until AUI reports its intentions.

2. Administrator Report – None.
3. Committee Reports
  - a. Construction Committee – None.
  - b. Finance Committee – Director Verry said that he did not have anything to report.

- c. Sales Committee – Sally Sollars reported that the contract for Brokerage Services has been delivered to Power-of-Teamwork at RE/MAX Bella Tierra and it is expected to be signed today. Once that is done, the property information will be delivered and listings will proceed.
- 4. Treasurer Report – None.
- L. Adjournment – Chairman LeBus announce the meeting adjourned at 11:41 am.

Next Regular PID Board Meeting will be November 9, 2011

A handwritten signature in dark ink, appearing to read 'J. LeBus', is written over a horizontal line.

James LeBus, Chairman

ATTEST:   
Sally Sollars, District Administrator