

## **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**

**November 14, 2012 at 1:30 pm at the Village Hall Meeting Room**

- A. Call to Order - Vice Chairman Dan Rakes called the meeting to order at 1:32 pm.
- B. Pledge of Allegiance - Vice Chairman Dan Rakes called for the Pledge of Allegiance.
- C. Roll Call - Present were Chairman Jim LeBus (by phone), Vice Chairman Dan Rakes, Director Steve Oliver, and Director Chuck Verry (by phone). A quorum was present. Also present were Sally Sollars, District Administrator, and Carl Abrams, HDR.
- D. Approval of Agenda - Director Oliver moved to approve the agenda with no changes. Director Verry seconded. The motion carried 3-0.
- E. Enter into Executive Session - At 1:33 pm Vice Chairman Rakes announced that we will have a closed Executive Session Meeting. Chairman LeBus moved to enter into Executive Session. Director Oliver seconded. Roll call vote: Chairman LeBus; aye, Director Oliver; aye, Director Verry; aye. The motion carried 3-0.

Vice Chairman Rakes returned to the Board Meeting at 2:15 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) and (J) the PID Board held a closed meeting on November 14, 2012 at 1:33 pm 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 November 1, 2012 Minutes - Director Oliver moved to approve the November 1, 2012 minutes. Director Verry seconded. The motion carried 3-0
- G. Requests and Responses from the Audience (Limit to 3 minutes) - None.
- H. Announcements and Proclamations - Ms. Sollars reported that she would be out of the office from November 28<sup>th</sup> to December 4<sup>th</sup>. Director Oliver reported that he would be out Monday and Tuesday next week. Vice Chairman Rakes will be out of the office all of next week. Director Verry will be returning to Angel Fire in December before the next Board Meeting. Chairman LeBus asked that the record show that the Board wishes Director Alan Young a happy birthday.
- I. Old Business
  - 1. Review of Objections - Director Oliver moved to table item I 1. Director Verry seconded. Director Oliver said that we are still waiting recommendation from legal counsel. The motion carried 3-0.
    - a. Discuss and Consider Asher Request for Special Levy Assessment Adjustment
    - b. Discuss and Consider Johnson Request for Special Levy Assessment Adjustment
    - c. Discuss and Consider Trott Request for Special Levy Assessment Adjustment
    - d. Discuss and Consider Howard Request for Special Levy Assessment Adjustment
    - e. Discuss and Consider Ramko Request for Special Levy Assessment Adjustment
  - 2. Consider Reiman Corp. October 29, 2012 Request for Change Order - Director Oliver moved to table item I 2. Director Verry seconded. Director Oliver said that Mr. Abrams will update the Board on this. The motion carried 3-0.
  - 3. Consider HDR Contract Amendment 5 - Director Oliver moved to table item I 3. Chairman LeBus seconded. The motion carried 3-0.
- J. New Business
  - 1. Discuss Wetland Mitigation Monitoring - Ms. Sollars reported that on November 1 Director Oliver, Mr. Abrams and she met with representatives from the Village and Deanna Cummings of the USACE to discuss the new plan for the Wetland Mitigation Area and the monitoring plan going forward. As co-permittees, the District and the Village are obligated to monitor the area for up to five years until the

prescribed vegetation has returned and will be sharing the cost of this monitoring. Ms. Sollars will meet with the Village Administrator, Jay Mitchell to set up a monitoring contract, which should be in place by March 2013.

- K. Consent Agenda – Chairman LeBus moved to accept the Consent Agenda. Director Oliver seconded. Director Oliver said that the Construction Committee has approved a progress payment of \$27,000 to AUI. The motion carried 3-0.

1. HDR Engineering, Inc.; Invoice #00035787-B - \$27,470.77
2. AUI; Pay Application #17 - Progress Payment - \$27,000.00
3. H Excavation; El Vado Materials; Invoice #4415 - \$2,021.70
4. Reiman Corporation; Invoice #3 - \$15,317.49
5. Stelzner, Winter, et al – General Counsel; Invoice #4266 - \$8,158.10
6. Kamm & McConnell; Invoice #33310 - \$462.78
7. Sally Sollars; Invoice #29 - \$8,659.46
8. Sally Sollars; Budget Conference Expenses - \$797.70
9. David Taussig and Associates; Invoice #1209124 - \$3,750.00
10. White + Samaniego + Campbell; Invoice #4207 - \$3,387.04
11. BMWS; Invoice #08-0008 43 - \$355.00
12. CenturyLink; 10/25/12 Invoice - \$168.64
13. Sangre de Cristo Chronicle; Invoice #168 - \$53.50
14. Village of Angel Fire; Conf. Call Expense (September 2012) - \$44.37
15. Petty Cash Report; Balance \$167.75

L. Reports

1. Project Manager Report – Mr. Abrams reported that there is no further progress in resolving the reconciliation of materials delivered vs. money paid to Kit Carson. Vice Chairman Rakes said that he would contact one or two of the Kit Carson Board members to request a meeting with himself, Director Oliver, Mr. Abrams, and Ms. Sollars.

The Chalets 2G punch list is now complete except a concern about the level of rip rap about the shoulder in a few spots. Mr. Abrams met with Rick Tafoya, Village Public Works Director, and Marshal Vickers in the field. Due to the frozen conditions, it was agreed that the rip rap will be observed in the spring after thaw. If there is a correction needed, the work will still be under warranty. The Village Council accepted the Chalets 2G subdivision last night.

Mr. Abrams also reported that the Village Engineer, Tappan Mahoney, looked at the El Vado Place bridge and is compiling concerns in a letter. The base course is down, but not compacted and rolled, the guard rails are not up yet, and the fire hydrant sits too high. Reiman Corporation has not submitted a final substantial completion request yet and this was not an official walk through. It is unknown if the bridge will be finalized this season because the ground is already frozen. The road compaction tests would not pass with frozen ground.

H Excavation is working on the slope failure in Country Club 1B and Mr. Abrams expects that work to be done this week.

The Wetland Mitigation Area has been redone and Mr. Abrams said that the area appears to be functioning appropriately already.

Marshall Vickers reported to Mr. Abrams that in preparing the As Builts several more utility relocations were identified. AUI crews arrived today to work on these utilities. There may be a couple of sewer services that also need located and adjusted.

In Chalets 2G there have been two leaks due to broken pipe in the same area, both now repaired. Mr. Abrams said that he has formally identified the area as a concern. If there is further trouble with pipe in this same area, the needed repair will fall under warranty.



The As Builts are being worked upon. Four submitted were deemed acceptable, but were sent back to BHI to index and organize the electronic format for Village use.

HDR has demobilized from the Angel Fire office.

2. Administrative Report – Ms. Sollars reported that the PID office has received one prepayment and that there are two more expected since the District started accepting prepayments directly. The process is working smoothly.

Ms. Sollars recounted that last year the District has received tax bills for each of the foreclosed properties, which prompted a request to Terry Kamm to make the County Treasurer's Office aware that the District is a political subdivision of the State and, therefore is exempt from paying property taxes. Mr. Kamm did not respond to Ms. Sollars with any action he took, but billed the District \$1,100 for research into the matter. The District just received 2012 tax bills for the same properties. Ms. Sollars has now gathered the statutes stating the above and asked the Board for permission to present these herself to the Treasurer.

Ms. Sollars also reported that she has been working with the auditor to get the financials wrapped up and submitted to the State Auditor's Office. She attended the State Budget Conference last week.

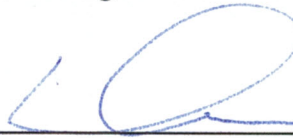
Ms. Sollars informed the Board that the insurance is up for renewal. We have received notice that rates will be 10% higher, but due to construction being almost done the policies will most likely cost less this year.

Ms. Sollars has finished and submitted the first quarterly report to DFA.

3. Construction Committee Report – Director Oliver reported that the Construction Committee met yesterday. The committee chose to pay 50% of the AUI pay app and withhold the rest until the work is completed. He said that Mr. Abrams has now completed about 50% of the remaining action items. The committee recommended tabling the Reiman change order approval until Director Young discusses the District concerns with Ed Wigeon of Reiman Corp. The concern is that the work performed was not needed and Reiman did not discuss the work prior to doing the tasks. Mr. Abrams said that typically if a contractor proceeds with additional work without a change order approval, the cost is the contractor's.
4. Treasurer's Report – Director Verry asked if all received the Treasurer's Report. There were no questions.

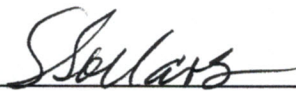
M. Adjournment – Vice Chairman Rakes announced the meeting adjourned at 3:28 pm.

**Next Regular PID Board Meeting will be December 12, 2012**



Dan Rakes, Vice Chairman

ATTEST:



Sally Sollars, District Administrator