

## **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, 2013 at 1:30 pm at the PID Board Room**

- A. Call to Order - Chairman Pro Tem Don Borgeson called the meeting to order at 1:30 pm.
- B. Pledge of Allegiance - Chairman Pro Tem Borgeson called for the Pledge of Allegiance.
- C. Roll Call - Present were Director Don Borgeson (Chairman Pro Tem), Director Chuck Verry (by phone), Chairman LeBus (by phone), Vice Chairman Dan Rakes (by phone), and Director Young (by phone). A quorum was present. Also present was Sally Sollars, District Administrator.
- D. Approval of Agenda - Chairman LeBus moved to approve the agenda. Director Verry seconded. The motion carried 4-0.
- E. Approve October 10, 2013 Minutes - Chairman LeBus moved to approve the October 10, 2013 minutes. Director Verry seconded. The motion carried 4-0.
- F. Requests and Responses from the Audience – None.
- G. Announcements and Proclamations – None.
- H. Enter into Executive Session - At 1:32 pm Chairman Pro Tem Borgeson announced that we would have a closed Executive Session Meeting and that no decisions would be made and only items on the agenda would be discussed. Director Verry moved to enter into Executive Session. Chairman LeBus seconded. The motion carried 4-0.

At 1:44 Chariman Pro Tem Borgeson recessed the Executive Session and resumed the open meeting.

#### **I. Business**

- 1. Discuss Kit Carson Energizing Sections – Chairman Pro Tem Borgeson reported that he, Director Young, and Ms. Sollars discussed proceeding with energizing sections. Chairman Pro Tem Borgeson said that it was decided that Angel Fire Village North was the top priority subdivision. He also reported that half the lots sold this year are in Village North. Ms. Sollars said that based upon original estimates, the District could proceed with energizing all of Village North this year and still have \$68K left to begin on the next priority, Country Club 1&2. \$200K is scheduled to be transferred into the Kit Carson account in February to fund pulling more sections of electrical wire.
- J. Consent Agenda – Chairman LeBus moved to approve the consent agenda. Director Verry seconded the motion. Ms. Sollars said that there was a typographical error on the agenda in that the rent expense should read November instead of October. The motion carried 4-0.
  - 1. Stelzner, Winter, et al; Invoice #5722 and #5726 - \$3,286.77
  - 2. White, Samaniego, Campbell, LLP; Invoice #5664 - \$3,387.04
  - 3. David Taussig & Associates; Invoice #1309121 - \$3,750.00
  - 4. Sally Sollars; Invoice #41 - \$5,414.85
  - 5. BMWS; November Rent; Invoice #08 0008 55 - \$380.00

6. CenturyLink; Invoice dated 10/25/13 - \$214.52
7. AT&T; Invoice dated 10/1/13 - \$38.12
8. Sangre de Cristo Chronicle; Invoice dated 11/3/13 - \$42.14
9. Petty Cash Report; Balance \$138.75

K. Reports

1. Administrative Report – Ms. Sollars reported that she had a meeting with Luis Reyes, CEO of Kit Carson. She delivered checks for energizing two sections in Village North and for the final balance due after reconciling previous work order actual costs. She also gave him a checklist of what elements are required on all District invoices. She had recommended that the actual cost reconciliation for each work order be done within 30 days of the completion of the work, but Mr. Reyes said that was done on a quarterly basis. Mr. Reyes asked that all District requests be directed to him. Also, the third rebate check was received from Kit Carson for \$1,727.

With prior approval of the Board to proceed with new computer upgrades on the recommendation of Vice Chairman Rakes and Ms. Sollars, new Dell equipment arrived today. Ms. Sollars will be engaging Kevin Robnett, the Angel Fire Computer Guy, to assist her with getting the machine set up and the files converted.

The 1<sup>st</sup> Quarter Report was submitted to DFA. The audit review is done and the auditor's office will be submitting the report to the State with no findings and an unqualified rating. There is a current problem in the books caused by an auditor's adjusting entry, which has delayed the monthly financials. As soon as the auditor's deadlines are met, she will assist Ms. Sollars to resolve the problem. This does not affect cash reports.

September assessment collections totaled \$3,800. \$7,500 was projected. Next month is historically the first of three months of larger collections as the first half of the tax bills are due in December.

There has been no response to the letter to Reiman addressing its objection to the HDR charges being deducted per contract from final payment. There also has been no further word on the concern that H Excavation had not been paid from Reiman. Ms. Winter, District General Counsel, researched the matter. Her opinion is that H Excavation's ability to lien is beyond the statute of limitations.

No PID properties were purchased at the County tax sale. Vice Chairman Rakes reported that he was present at the sale. He said that even though there were originally 105 properties scheduled for the sale, only about 20 were actually offered, indicating to Vice Chairman Rakes that most people paid their delinquencies prior to the sale.

Ms. Sollars received a request from Isaac Montoya, DFA Budget Analyst, to provide explanation of how a Consumer Protection Complaint filed in May 2009 by Meave



Stevens Dominguez was resolved. The District had no knowledge of this complaint being filed. Ms. Sollars found that the property had changed hands since the filing and that the property taxes were current, which was reported to Mr. Montoya. Vice Chairman Rakes added that he did not believe that a governmental entity is subject to consumer protection complaints.

A new letter was sent to the County Treasurer's Office requesting that they recognize the District's tax exempt status. The office has received some tax bill related calls and Ms. Sollars anticipates more.

Ms. Sollars also said that she believes that District's website is in need of revamping. Director Borgeson has volunteered to critique the site with Ms. Sollars and recommend changes. At present, the website services are provided for free, but the webmaster maintains control over much of the format and posting the content. Chairman Pro Tem Borgeson said that the website could be used to disseminate more current and accurate communication vs. how static it is right now. Chairman LeBus commented that he thought it was a good idea to have more administrative control of the site.

2. Treasurer's Report – Director Verry asked if everyone had received the Treasurer's Report and if there were any questions. There were none.
- I. Resume Executive Session – At 2:08 pm Vice Chairman Rakes moved to resume Executive Session. Chairman LeBus seconded. The motion carried 4-0.

Chairman Pro Tem Borgeson returned to the Board Meeting at 2:09 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-8) on November 14, 2013 at 1:32 p.m. at the PID Board Meeting Room the PID Board held a closed meeting to discuss pending litigation, specifically recent filings in Judge Paternoster's court. 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.

- L. Adjournment – Chairman Pro Tem Borgeson adjourned the meeting at 2:09 pm.

Next Regular PID Board Meeting will be December 12, 2013

  
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Don Borgeson, Chairman Pro Tem

ATTEST:   
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Sally Sollars, District Administrator