

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

PID Board Meeting Minutes
December 9, 2009 at 1:30 p.m. at the Village Hall Meeting Room

- I. Call to Order – Director Verry called the meeting to order at 1:30
Director Verry read the following: 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 12, 2009 at 10:00 a.m. at the PID Conference 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 – Director Verry called for the Pledge of Allegiance
- III. Roll Call - Present were Directors' Charles Verry and Steve Oliver. Chairman James LeBus and Director Alan Young, via telephone. Also, present were Gerald White, Project Director, Nann Winter, General Counsel via telephone and Penni Davey, District Administrator. Vice Chairman Daniel Rakes was absent. A quorum was present.
- IV. Approval of Agenda – Director Oliver made a motion to approve the agenda excluding items #6 & 7 and delete item b. under new business. Chairman LeBus seconded the motion. The motion carried 3-0.
- V. Approve Minutes from the November 10, 2009 Board Meeting – Director Oliver made a motion to approve the agenda excluding items #6 & 7. Chairman LeBus seconded the motion. The motion carried 3-0.
- VI. Requests and Responses from the Audience (Limit to 3 minutes) – There being None
- VII. Announcements and Proclamations – There being None
- VIII. Consent Agenda - Director Oliver made a motion to approve the consent agenda removing items #6 & 7 to New Business. Chairman LeBus seconded the motion. The motion carried 3-0.
 1. HDR Engineering, Inc. invoice \$58,602.62
 2. AUI invoice Phase IIA 10/25-11/25 \$786,809.19
 3. Gerald White; Invoice # 04 \$4,936.37
 4. Gerald White; Invoice GWW016 travel expense 11/3 \$420.17
 5. Larry Leahy; Invoice 11/5/09 travel expense \$100.99
 6. Sheehan, Sheehan & Stelzner, General Legal; Invoice \$8,622.41> OMIT
 7. Sheehan, Sheehan & Stelzner, Litigation; Invoice \$12,311.72> OMIT
 8. Rodey, Dickason, Sloan; Invoice 150366, Legal \$3,796.20
 9. Qwest Account No.: 575-377-3483-459B \$193.74
 10. Penni Davey; Invoice #29 (11/1-11/30/09) \$3,204.89
 11. Penni Davey; Quill Supplies reimbursement \$325.84
 12. Donna Holman, CPA, Invoice 2009-002 \$442.66
 13. Chuck Verry; Travel expense 11/6/09 \$90.90
 14. Petty Cash Rept. (Ending Balance \$45.67) Expenses \$154.33

IX. Business

1) New

a. Presentation of Gerald White, Project Director –

- AUI is picking up and moving out. We've asked that they take photographs of the entrance and exit areas within their jurisdiction. We have asked that they have all trenches are back filled, signed and fenced off all areas in preparation of next year.
- 404 Permit was approved on 12/08/09.
- Design is complete accept for Chalet 2G & Chalet 1A, Tracts D2 and F at El Vado Place – We have been holding Chalet 1A because they are delinquent in their special levy assessment payments. We have sent demand letters to the owners of these properties. Therefore, we may need to foreclose on these properties.
- Audit contract has been approved by the State Auditor with White, Samaniego & Campbell. They will begin on December 15, 2009.
- Baptist Church at Via Grande Trail & South AF Road will be fully dedicated at the AAFPO meeting this evening. Carl Abrams stated that he met with Carl Nelson of Line of Sight regarding the additional survey work needed at these locations. He will have a draft at for the AAFP meeting. For only the southerly greenbelt crossing.
- The NMFA loan issue has been put on the December 17, 2009 agenda so we may amend the loan agreement shortly. We are working with Paul Cassidy and Nann Winter regarding the amended loan agreement.
- Carl Abrams stated that he has talked with Luis Ruiz at Kit Carson regarding the license agreement. He should have it completed by the end of the week. Gerald stated that we are still reviewing the issue regarding installation of conduit, but because of the amended loan agreement the cost will be an issue. Therefore, discussing this matter with AUI, we will need to go with the cheapest option. Luis stated that Alex is the contact for the South AF Road junction box. The junction box must be installed by Kit Carson.
- Gerald indicated that the Sheehan invoices (#6 & 7 on the consent agenda) will be changed because 1.9 hours (approximately \$900.00 reduction) will be moved from one invoice to the other. Director Oliver made a motion to approve the invoices once the new invoices are submitted. Chairman LeBus seconded the motion. Motion carried 3-0.

b. Consider and Approve Resolution 2009-15 Revised Loan Agreements > Omit

X. Reports

1) Committee Reports

1. Construction Committee - Director Steve Oliver stated that the invoices for HDR and AUI were submitted to committee and recommended to the Board for payment.
 - Carl Abrams stated that AUI is demobilizing due to weather conditions. They have graded the roads and are good for winter. Manhole covers have been fenced. Emergency equipment will be able to have access.
 - Design plans are complete for 7 of the 9 sub-divisions. Design packages for the water tanks are pending.
 - AUI is 60% complete for the sewer. The last construction meeting will be next week.
 - 404 Permit received yesterday.

2. Grants Committee – Carl Abrams stated that the USDA grants was put on hold until the 404 permit was obtained and we will follow-up on the RUS application to pursue additional funding.
3. Finance Committee - Director Verry stated that Dan Rakes, Gerald White and Chuck Verry will be attending the NMFA December 17, 2009 meeting. Nann Winter stated that NMFA is willing to lend to the amounts in the Formation documents.
We have collected an additional \$140,000 after the first delinquency letters had gone out.

Treasurer Report –

Account balances as of October 30, 2009
The First National bank of New Mexico
Regular Checking Account..... \$77,420.87
Pre-Payment Interest Account...\$20,173.44
Interest Bearing Account..... \$8,604.96
Special Assessment Account.....\$322,839.97
NMFA Loan #1 Account..... \$2,976.96

Bank of Albuquerque NMFA Loan #1..... \$71,132.71
Bank of Albuquerque NMFA Loan #2..... \$24,361,939.34
Ten checks cleared the regular checking account for a total of \$280,655.19
One outstanding check on the regular checking account for a total of \$10,982.15
Special Assessment Account reflects one deposit made during August - \$98,884.54
Two requisitions cleared the NMFA Loan #2 account for a total of \$147,922.30

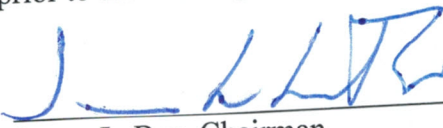
Please note that the two NMFA Loan #1 and Loan #2 have been transferred from Bank of Albuquerque to Bank of New York Mellon

XI. Adjournment - 2:19

Next Regular PID Board Meeting will be January 13, 2010

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