

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

March 13, 2014 at 1:30 pm at the PID Board Room

- A. Call to Order – Vice Chairman Rakes called the meeting to order at 1:30 pm.
- B. Pledge of Allegiance – Vice Chairman Rakes called for the Pledge of Allegiance.
- C. Roll Call - Present were Vice Chairman Rakes, Chairman LeBus (by phone), Director Don Borgeson, Director Chuck Verry (by phone), and Director Alan Young (by phone). A quorum was present. Also present were Sally Sollars, District Administrator and Nann Winter, General Counsel (by phone).
- D. Approval of Agenda – Director Borgeson moved to approve the agenda. Chairman LeBus seconded. The motion carried 4-0.
- E. Approve February 13, 2014 Minutes – Director Verry moved to approve the February 13, 2014 minutes. Director Borgeson seconded. The motion carried 4-0.
- F. Requests and Responses from the Audience (Limit to 3 minutes) – None.
- G. Announcements and Proclamations – Ms. Sollars announced that she would be out of the office from March 14 through April 1. However, the phone will be forwarded and she will be working during her absence. She encouraged the directors not to hesitate to call her if needed.
- H. Enter into Executive Session - At 1:34 pm Vice Chairman Rakes 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 Borgeson moved to enter into Executive Session. Director Verry seconded. Roll call vote: Vice Chairman Rakes; aye, Chairman LeBus; aye, Director Verry; aye, Director Young; aye, and Director Borgeson; aye. The motion carried 4-0.

Vice Chairman Rakes returned to the Board Meeting at 1:52 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) on March 13, 2014 at 1:34 p.m. at the PID Board Meeting Room the PID Board held a closed meeting to discuss pending litigation, specifically cases pending in Judge Paternoster’s court and the Mixingale Group deed in lieu request. 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.

I. Business

1. Consider and Approve Henley Deed in Lieu Request – Director Borgeson moved to approve the request. Chairman LeBus seconded. Director Borgeson stated that the Board considers each request on a case by case basis. Chairman LeBus also stated that such requests would not be considered unless all current taxes and assessments are paid. Vice Chairman Rakes confirmed that the Mixingale Group was not current on their assessments. The motion was denied 4-0.
2. Consider and Approve Resolution 2014-1 Authorizing the Administrator to Sign Bank Pledge Documents – Chairman LeBus moved to approve Resolution 2014-1. Director Verry seconded. The motion carried 4-0.
3. Consider and Approve Re-issuing Reiman Corp Final Payment Check – Chairman LeBus moved to approve re-issuing the Reiman Corp final payment check. Director Borgeson seconded. Ms. Sollars reported that the final payment check sent in July 2013 has not been cashed. Because the check is dated over six months ago, it is now null and void. Ms. Sollars has sent three emails and left one voice mail to ask where to send a replacement check. There has been no response to the message nor to the letter sent in September responding to their objections to the charges against the final payment. Ms. Winter recommended that the check be re-issued with note that it is the final payment.

J. Consent Agenda – Director Verry moved to approve the consent agenda without the Stelzner, Winter, et al – Litigation item since that invoice was not presented. Director Borgeson seconded. The motion carried 4-0.

1. Stelzner, Winter, et al – General; Inv. #6357 - \$1,108.79
2. Kamm & McConnell; Inv. #34449 - \$37.78
3. Reiman Corporation; Re-issue Final Payment - \$5,044.80
4. New Mexico Finance Authority/Prepayment Bond Call; Inv. Dated 3/12/14 - \$195,000.00
5. Kit Carson Account Deposit - \$200,000.00
6. Angel Fire Computer Guy/Kevin Robnett, Inv. #1162 - \$25.00
7. Colfax County Clerk Fees; Shepherd, Weaver, Centinel Bank, Freidmann Releases - \$125.00
9. Sally Sollars; Inv. #45 - \$4,822.79
10. BMWS; March Rent; Inv. #08-0008 59 - \$380.00
11. CenturyLink; Invoice dated 2/25/14 - \$214.96
12. AT&T; Inv. Dated 2/1/14 - \$35.79
13. Sangre de Cristo Chronicle; Inv. dated 3/2/14 - \$46.20
14. Petty Cash Report; Balance \$102.68

K. Reports

1. Administrative Report – Ms. Sollars reported that two weeks ago she received the approval from the Construction Committee to resume getting estimates from Kit Carson to complete pulling wire in Village North. There were also several estimates that were due the first week in January that have not been received. Kit Carson has not responded.

Nothing more has been reported on the first year Wetland Mitigation Area monitoring report. It is assumed that the draft is still on the desk to be reviewed at the Army Corps of Engineers.

Ms. Sollars recalled that the website and email server was developed and is being managed by Pat McCarty who has provided this service at no charge. There have been a few problems; most recently with receiving email. Kevin Robnett was consulted to determine if there was a setting that needed adjusted on our computer. The problem was identified to be on the mail server by both Mr. Robnett and also a technician from Go Daddy. However, Mr. McCarty said that the problem was the District's use of Microsoft products. He made some adjustments to the mail server settings, but Ms. Sollars was unhappy with the level of support and general attitude of Mr. McCarty.

Mr. Robnett has suggested that the District could inexpensively migrate the website and email to another solution that would allow more District control. Director Borgeson and Ms. Sollars will meet with Mr. Robnett and report possible solutions to the Board at the next meeting.

The problem with the books has been resolved. The problem was a general journal adjustment as directed by the auditor. However, the Quickbooks program had automatically done the adjustment, so the entry was not necessary and was difficult to pin point as the problem.

\$806K was collected in February. There had been a backlog in the Country Treasurer's office that had caused a delay in posting collections. With this check, the collections are about \$100K under the amount collected in December, January, and February historically. However, the projected cash flow is in good shape. The next large collection will be in May and received in June. Historically that amount is about \$700K. Overall, the collection rate is 87.51% through 2012.

Forty-five "friendly" letters were sent to property owners with 2012 delinquencies. The District will attempt get these letters sent out earlier next year.

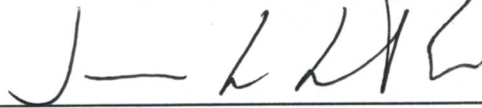
Five prepayments were collected in the month of February. A bond call for \$195K will be made this month.

The audit contract is in process. The contract is at the auditor's office for signature and will then be sent to the Office of the State Auditor.

There will be a court hearing in Judge Paternoster's court in Raton on April 16th for the Glaser/Felts appeal of the administrative hearing adjustments. The mediation in the Glaser et al case will be in Santa Fe before Judge Hall on June 18th.

2. Treasurer's Report – Director Verry asked if everyone had received the Treasurer's report and if there were any questions. There were none.
- L. Adjournment – Vice Chairman Rakes adjourned the meeting at 2:14 pm.

Next Regular PID Board Meeting will be April 10, 2014



Jim LeBus, Chairman

ATTEST:  _____

Sally Sollars, District Administrator