

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

April 10, 2013 at 1:30 pm at the Village Hall Meeting Room

- A. Call to Order – Vice Chairman Dan Rakes called the meeting to order at 1:30 pm.
- B. Pledge of Allegiance – Vice Chairman Rakes called for the Pledge of Allegiance.
- C. Roll Call - Present were Chairman LeBus (by phone), Vice Chairman Dan Rakes, 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 – Chairman LeBus moved to approve the agenda with no changes. Director Verry seconded. The motion carried 4-0.
- E. Approve March 13, 2013 Minutes - Chairman LeBus moved to approve the March 13, 2013 minutes. Director Verry 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 April 24-30.
- H. Enter into Executive Session - At 1:32 pm Vice Chairman Rakes announced that we will have a closed Executive Session Meeting. Director Verry moved to enter into Executive Session. Chairman LeBus seconded. Roll call vote: Chairman LeBus; aye, Director Young; aye, Director Borgeson; aye, Director Verry; aye. The motion carried 4-0.

Vice Chairman Rakes returned to the Board Meeting at 1:58 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 April 10, 2013 at 1:32 pm at the Village Hall Meeting room to status of the Trott/Howard appeal and confer with Counsel on Kit Carson's failure to provide adequate supporting documentation of costs. 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 Letter to Reiman Corp Rejecting Change Order Request – Director Verry moved to approve the letter rejecting the Reiman Corp change order request. Director Borgeson seconded. The motion carried 4-0.
- 2. Consider and Approve HDR Amendment 6 – Chairman LeBus moved to approve HDR Amendment 6. Director Verry seconded. Ms. Sollars stated that there was an error in the calculation of costs on Amendment 6 and that she had not received the revised document. The motion was denied 4-0.

3. Consider and Approve Blue Earth Ecological Consultants, Inc. Contract – Chairman LeBus moved to approve the Blue Earth Ecological Consultants, Inc. contract to do the monitoring for the wetland mitigation area. Director Verry seconded. Ms. Sollars reported that the contract had not yet been drafted because John Pittenger at Blue Earth is on vacation and information could not be gathered in time for this meeting. The motion was denied 4-0.
4. Discuss and Determine New Committee Member Assignments – Chairman LeBus confirmed that the committee assignments were his to appoint, to which the Board agreed. There are vacancies on the Sales and Construction Committees due to Director Oliver's resignation. Chairman LeBus asked if any one objected to Director Borgeson filling those positions. No one objected and Chairman LeBus thereby appointed Director Borgeson to the Sales Committee and the Construction Committee.

J. Consent Agenda – Chairman LeBus moved to approve the consent agenda. Director Verry seconded. Ms. Sollars pointed out that the payment to Angel Fire Resort is for membership on the Chalets 3 property owned by the District for about six months in 2009, which was to be the site of a water tank. The bill remained unpaid since 2010 and accumulated interest and late fees. A waiver of the fees was requested and approved. The check will be for the original amount. The motion carried 4-0 with Vice Chairman Rakes abstaining from the vote.

1. HDR Engineering, Inc.; Invoice #00068876-B - \$9,201.95
2. Stelzner, Winter, et al; Invoice #4898 - \$1,689.26
3. NMFA Debt Service; 5/1/13 Debt Service - \$508,761.39
4. Sally Sollars; Invoice #34 - \$6,510.71
5. BMWs; April Rent; Invoice #08-0008 48 - \$355.00
6. Angel Fire Resort; Membership Fee; Membership 31811 - \$325.43
7. CenturyLink – Invoice dated 3/25/13 - \$169.72
8. Village of Angel Fire; Conf. Call Expense – Invoice date 3/1/13 - \$82.76
9. Village of Angel Fire; Water Fees – Invoices #90-7617-01, 90-7624-00 - \$97.10
10. Sangre de Cristo Chronicle – Invoice #145 - \$136.14
11. Petty Cash Report; Balance \$89.05

K. Reports

1. Administrative Report – Ms. Winter reported that the changes to the PID Act have two items that apply to this District. The first is that the Village Council may now continue to appoint the District Board. Ms. Winter said that she had a call in to the Village attorney to discuss this. Second, sellers of District property must now notice the County Clerk's office twice a year. Ms. Winter will draft a summary of the law as it pertains to this District.

Ms. Winter also reported that there is now a 72 hour requirement for posting agendas for public meetings. This will require the posting to move forward or the meeting to be pushed back. The agenda cannot be amended after it is posted.

Ms. Sollars suggested that the Board meetings move from the second Wednesday of each month to the second Thursday of each month. She said that there will have to be a resolution making these changes by June 21. Because of the current schedule, she said that the resolution would be presented for approval at the June 12 meeting.

Ms. Sollars reminded the Board that the Administrative Hearings are scheduled for May 9. Ms. Sollars said that there are six property owners due a hearing, but that one person, for whom the District has already rescheduled a hearing date, said that he would be out of the country. Ms. Sollars suggested that he be asked to conference call into the hearing. Director Borgeson recommended that he have someone present on his behalf. Ms. Sollars said that there was another participant that has asked someone to present on their behalf.

Ms. Sollars continued that she had investigated other means of teleconferencing the Board meetings due to less than desired quality that appears to stem from the phone line provided at Village Hall. The telecommunication apparatus works fine on the District office phone line, but the office conference room is inappropriate for public attendance. Additionally, the Village Clerk has asked that the Board meeting in the very back room of Village Hall, which is equally inappropriate for public attendance. She suggested moving into an office space that has enough public space to hold the meetings. The current office management proposed \$100/month to rent an adjoining office for the purpose. Chairman LeBus asked that Ms. Sollars counteroffer with \$25/meeting and continue the search other possibilities.

Ms. Sollars and Director Borgeson had a meeting with Jay Mitchell, Village Manager. The WMA monitoring contract was first topic. Mr. Mitchell agreed to have the District enter into a contract directly with Blue Earth and also draft a contract with the Village to pay one half of the cost as co-permittee on the USACE 404 permit. Ms. Winter is in process of drafting the contract. Ms. Sollars also spoke with Deanna Cummings at the USACE and updated her on our progress.

The Chalets 2G SWPPP was also discussed with Mr. Mitchell. This is the storm water pollution protection monitoring that is to continue for three years or until there is 70% revegetation. This will be Village responsibility and the details were given to Mr. Mitchell.

Also discussed was the status of the Kit Carson fiber optic project using the conduit in 17.2 miles of road vs. tearing up the new roads for laying new conduit. Mr. Mitchell asked to be informed as to when the RUS representative will be making a site visit with Jose Lovato, Project Engineer.

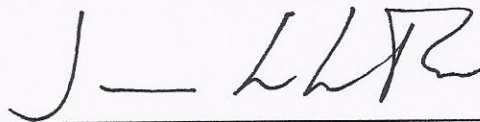
Ms. Sollars reported that every three years the District is obligated to get a three year proposal for audit services. The District's current auditors submitted a proposal for

the same price, at \$4,900. The audit contract has been signed and sent to the State Auditor for approval.

The preliminary budget numbers were sent to the Finance Committee today. The Finance Committee will meet next to determine the recommendations to the Board. Ms. Sollars said that a 2% increase is likely. The preliminary budget will be up for Board approval at the next meeting.

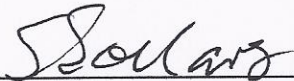
2. Construction Committee Report – Ms. Sollars reported that the Construction Committee met yesterday with Carl Abrams to review and approve HDR's April invoice and to look over the preliminary Contract Amendment 6. Also discussed were the HDR costs to provide Reiman Corp oversight. The Reiman contract expired July 31, 2012 and the contract clearly states that Reiman will be responsible for those costs after expiration. That adds up to about \$7,300 to date with about that much more expense expected next month when the Reiman crews are scheduled to finish the work.
3. Treasurer's Report - 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 announced the meeting adjourned at 2:37 pm.

Next Regular PID Board Meeting will be May 8, 2013



James LeBus, Chairman

ATTEST: _____



Sally Sollars, District Administrator