

Angel Fire Public Improvement District 2007-1

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575-377-3483

PID Board Meeting Minutes

May 9, 2012 at 1:30 pm at the Village Hall Meeting Room

- A. Call to Order - Chairman Jim LeBus called the meeting to order at 1:30 pm.
- B. Pledge of Allegiance - Chairman LeBus called for the Pledge of Allegiance.
- C. Roll Call - Present were Chairman LeBus, Vice Chairman Rakes, Director Steve Oliver, Director Chuck Verry and Director Alan Young (by phone). A quorum was present. Also present were Sally Sollars, District Administrator, Nann Winter, General Counsel (by phone), and Carl Abrams, HDR (by phone).
- D. Approval of Agenda - Director Verry moved to approve the agenda with no changes. Director Oliver seconded. The motion carried 4-0.
- E. Approve April 11, 2012 Minutes - Director Verry moved to approve the April 11, 2012 meeting minutes. Director Oliver seconded. The motion carried 4-0.
- F. Requests and Responses from the Audience (Limit to 3 minutes) – None.
- G. Announcements and Proclamations – Sally Sollars announced that she would be out of the office May 14-16 to attend Excel training in Santa Fe.
- H. Business
 - 1. Tomas Benavidez, Village of Angel Fire Administrator, Address to the Board – Administrator Benavidez introduced himself, Rick Tafoya, Wastewater/Water Director, and Butch Steinman, Streets Department Head. Mr. Benavidez presented a list of concerns.
 - a. Signage – Mr. Benavidez said that new signage will be needed. There are new reflectivity standards in 2016 and these will have to comply with that standard. He said Mr. Steinman has estimated \$18,000 for 50 stop signs, 100 name signs, and miscellaneous traffic signs. Chairman LeBus asked if the Village position was that the signage was the responsibility of the PID, to which Mr. Benavidez said yes because the Village does not have enough money in the budget to provide signage. Chairman LeBus asked if signage was specifically stated in the contract. Mr. Benavidez said he did not know, but felt that the General Plan covered the Village. Director Oliver stated that contract states that those signs that are salvageable will be replaced by the Contractor. The Contractor has reported 6 or 7 deteriorated signs that need to be replaced, but most streets did not have signage.
 - b. Lift Stations and Booster Stations – Mr. Benavidez said that apparently there are three lift stations and two booster stations that have problems. He said that he believes that these are warranty items, but that the Village asks for extended warranties because they were not turned on for nine months. Director Oliver said that as long as the Contractor is notified within one year, the Contractor is required to repair the problem. Chairman Rakes asked Carl Abrams to clarify. Mr. Abrams said that the warranty is granted at substantial completion. Mr. Abrams continued that anything identified in the first year has to be repaired by the Contractor, but typically there is not the need to extend the warranty unless the equipment is defective and needed to be replaced. Mr. Benavidez said that the concern the Village has is that the

systems be proven for one year through all seasons. Mr. Tafoya exampled the Chalet 4 Lift Station. It froze last October and the Contractor was notified, but could not fix it until thaw. He felt that the warranty ought to be extended for to offset the period of time the pump was inoperable. Mr. Abrams said that there could be some merit to this request, but that the need to be verified with the contract. He said that the flip side is that there may be others not in operation because there are not enough residents yet to run the system during that one year warranty. Mr. Tafoya said that at acceptance all lines were energized, so there should be no question of whether the systems were in operation. Mr. Tafoya said that the Contractor has been cooperative with the lift stations, but there is a question of who is responsible for repairing the booster stations. The Contractor is consulting with the manufacturer to determine if there is a defect.

- c. Inspection of the utility relocations – Mr. Benavidez said that there were Councilors concerned with inspection of the utility relocations that there are properly placed. Director Oliver said that it would be inspected. Our inspectors will take pictures and send the information to HDR.
- d. Safety on Camino Real in Chalets 2G
- e. Rockslide on Brazos in Country Club 1B. Director Oliver said that the Contractor knows about this situation.
- f. A shoulder on Brazos has disappeared.
- g. On Buena Vista, Brazos, Sierra Blanca, and Alcalde are reported sink holes.

Director Young reported that AUI will be back on site on May 29th. They will be starting the repair of the utility location and plan on finishing by the end of July. He said that while AUI is in Angel Fire we will provided it with a punch list. Mr. Benavidez was given a spreadsheet showing acceptance dates and warranty expiration dates.

- 2. Consider and Approve Preliminary Budget and Resolution – Sally Sollars reported that Finance Committee has reviewed the preliminary budget. Ms. Sollars has the DFA Budget forms completed and ready to submit with Board approval. This budget may be revised until approval of the final budget due at the end of July. Ms. Sollars is recommending a 2% increase in assessments because the budget is very slim, but since the PID did not increase the assessment last year, a 3% or 4% increase may be possible if the Board were to choose. Ms. Winter will check on this.

Taussig has done the budget in an Annual Report format in the past. This format is not required by DFA. However, the budget is published on the website and the DFA forms are not as readable as an Annual Report. In Taussig's format, the report included exhibits showing assessments per group and assessments per lot. This is information used by Real Estate professionals and property owners and is somewhat buried on the website. Ms. Sollars suggested that at the time the budget is published on the website, an additional navigational button labeled "Assessment per Lot" be added to the home page which would open lists containing this information. Ms. Sollars will check with the webmaster to see if it possible to make the list searchable. Vice Chairman Rakes said that he would

prefer that an Annual Report be published on the website. Ms. Sollars will ask Taussig to assist her in this task.

Director Verry moved to approve the Preliminary Budget. Director Oliver seconded. The motion carried 4-0.

Ms. Sollars reported that there will be two Public Hearings on the budget before final approval. The first Hearing will be on June 13, 2012, the second Hearing will be on June 27, 2012, which will be a Special Board Meeting, and the final approval is slated for July 11, 2012.

Director Verry moved to approve Resolution 2012-1 approving the Preliminary Budget with Public Hearings to follow. Director Oliver seconded. The motion carried 4-0.

J. Consent Agenda - Director Verry moved to approve the consent agenda. Director Oliver seconded. The motion carried 4-0.

1. HDR Engineering, Inc.; Invoice #00379581-H - \$7,181.66
2. Stelzner, Winter, et al – General Counsel; Invoice #3607 - \$885.96
3. David Taussig & Associates; Invoice #1203144 - \$3,750.00
4. Sally Sollars; Invoice #23 - \$4,946.15
5. BMWs; Invoice #08-0008 37 - \$330.00
6. CenturyLink; 4/25/12 Invoice - \$156.84
7. Village of Angel Fire; Conf. Call Expense (March 2012) - \$77.51
8. Village of Angel Fire; Various Kit Carson Invoice Reimbursements - \$1,304.13
9. Sangre de Cristo Chronicle; Invoice #149 - \$49.38
10. Steve Oliver; Travel Reimbursement 4/23/12 - \$50.33
11. USPO; Mail Box Fee due 5/31/12 – \$100.00
12. Petty Cash Report; Balance \$19.32

K. Reports

1. Administrative Report – Sally Sollars reported a correction was made to the recommendation for audit contract and was resubmitted to OSA. The Reiman Contract Amendment including the language required for the PID Liability Insurance was sent to the insurance office and this issue is now resolved. The DFA 3rd Quarterly Report was completed and submitted to DFA.

Ms. Sollars continued to report that a deal concerning the \$10K the Village owes the PID was worked out with Rick Tafoya at the Water Department. The Village will pay the amount in \$2,500 increments to be paid in full by the end of October 2012.

Ms. Sollars has been working heavily on the budget. She will be in Excel training next week. Ms. Sollars also reported that Stuart Hamilton, Broker for the PID properties, still has to do an addendum to the existing contract changing the firm name. He is also questioning the commission terms. Ms. Sollars suggested a meeting with the Sales Committee on May 23rd to resolve his questions. The PID properties are not yet listed on the MLS.

Lastly, Ms. Sollars reported that office is running out of space. There are records that need archiving, but currently there is no space to put archives. The office management has agreed to lease the space next to the office to be used for storage for \$20 additional per month on the contingency that if someone wanted to lease the space for market price, the PID would be given notice to vacate the space.

2. Construction Committee Report – Director Oliver reported that the Construction Committee met to review and approve HDR's invoice. Vice Chairman Rakes asked if Director Oliver would be investigating the sink holes reported by Mr. Benavidez. Director Oliver said that he would and that he was previously unaware of them. Director Oliver also reported that he has observed some snow plow damage to the roads.
 3. Treasurer's Report - Director Verry asked if the Board Members had received the report and if there were any questions. There were none. He added that the Interest Bearing Account now has about \$150. Closing the account was considered, but it was decided to keep the account open as a deposit account for any monies received that are not Special Levy collections.
- L. Enter into Executive Session - At 2:24 pm Chairman LeBus announced that we will have a closed Executive Session Meeting. Director Verry moved to enter into Executive Session. Director Oliver seconded. The motion carried 4-0.

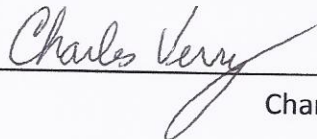
At 3:00, Chairman LeBus excused himself from the meeting and Vice Chairman Rakes assumed presiding over the meeting.

Vice Chairman Rakes returned to the Board Meeting at 3:17 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 May 9, 2012 at 2:24 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.

- M. Adjournment - Vice Chairman Rakes announced the meeting adjourned at 3:17 pm.

Next Regular PID Board Meeting will be June 13, 2012



Charles Verry, Director/Chairman Pro Tem

ATTEST:



Sally Sollars, District Administrator