

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**  
**June 8, 2011 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 Dan Rakes, Director Chuck Verry, and Director Steve Oliver. Director Alan Young was absent. We have a quorum. Also present were Gerald White, Project Director, Sally Sollars, District Administrator, Nann Winter, General Counsel (by phone), and Carl Abrams, HDR.
- D. Approval of Agenda – Vice Chairman Rakes moved to approve the agenda and Director Verry seconded. The motion carried 3-0.
- E. Enter into Executive Session - At 1:35 pm Chairman LeBus announced that we will have a closed Executive Session Meeting. Director Verry moved to enter into Executive Session. Vice Chairman Rakes seconded. The motion carried 3-0.

Chairman LeBus 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) the PID Board held a closed meeting on June 8, 2011 at 1:35 pm at the Village Hall Meeting room to discuss threatened litigation. 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.

- F. Approve May 11, 2011 Board Meeting Minutes – Director Verry moved to approve the May 11, 2011 Minutes. Vice Chairman Rakes seconded. The motion carried 3-0.
- G. Requests and Responses from the Audience (Limit to 3 minutes) – None.
- H. Announcements and Proclamations – Chairman LeBus announced that starting with the July Regular Meeting and through the summer, meetings will be held at 10:30 am on the second Wednesday of the month.
- I. Business
  - 1. New Business
    - a. Consider and Approve Preliminary Budget and Resolution – Vice Chairman Rakes moved to approve the preliminary budget and resolution. Director Verry seconded. The motion carried 3-0.
    - b. 1<sup>st</sup> Reading of Preliminary Budget
  - 2. Final Action Items

- a. Consider and Approve Change Order #23 – El Vado Bridge Site Preliminary Design – Gerald White reported that this addresses the final negotiation giving AUI credit for the design work that had been done on the El Vado Bridge area, surveying the site, and developing estimates. The amount is \$29,000, which is less than originally requested. Mr. White recommended approval. Director Verry moved to approve Change Order #23. Vice Chairman Rakes seconded. The motion carried 3-0.
  - b. Consider and Approve 2<sup>nd</sup> Amendment to HDR Contract – Gerald White reported that this amendment is related to the extension of work into the 2011 season, to the end of October. The HDR contract expired at the end of last year. HDR is currently under its original budget of \$1.903 million. The amendment includes an additional allowance of \$250k to complete the work. Director Oliver moved to approve the Amendment. Director Verry seconded. The motion carried 3-0.
  - c. Consider and Approve Fiscal Year 2012 Administrator Contract – Gerald White recommended a 10% increase in hourly pay for the Administrator based upon work performance over the last year. Director Oliver moved to approve the Fiscal Year 2012 Administrator Contract. Vice Chairman Rakes seconded. The motion carried 3-0.
- J. Consent Agenda – Director Verry moved to approve the Consent Agenda as written. Vice Chairman Rakes seconded. The motion carried 3-0.
1. HDR Engineering, Inc.; Invoice #00296994-H - \$44,139.75
  2. AUI; Invoice #Phase IIB; 4/26-6/3/11 - \$496,347.15
  3. Kamm & McConnell; Inv. #32026-32037 - \$2,769.01
  4. Stelzner, White, etal; Inv. #2343 - \$2,361.49
  5. Goodwin/Procter; Inv. #908950 - \$4,042.30
  6. Gerald White; Invoice #22 - \$4,641.24
  7. Sally Sollars; Invoice #12 (5/7/11-6/3/11) - \$3,209.70
  8. Qwest; Account No. 575-377-3483-459B; 5/25/10 Invoice - \$160.33
  9. Village of Angel Fire; Conf. Call Expense (April 2011) - \$72.68
  10. BMWS; Invoice #08-0008-26 - \$330.00
  11. Sangre de Cristo Chronicle; Invoice dated 5/29/11 - \$88.53
  12. Petty Cash Report; Balance \$132.95
- K. Reports
1. Project Director Report – Gerald White reported that he and Carl Abrams had another meeting with Kit Carson regarding reducing electrical service installation from three phase to single phase on Brazos. Kit Carson has now agreed. This will reduce costs by two mile by two conductor cable costs and approximately \$100,000 in labor costs. Mr. White will develop an amendment to the contract stating this, and also that the six year contract for future installations has been reset to begin in 2011 instead of 2010.

Mr. White reported that AUI has billed only about 50% of its Schedule of Values so far this year. There is concern that they are falling behind schedule. Carl Abrams said that AUI is still planning on bringing up more crews. Mr. White is particularly



concerned about hauling materials to Chalets 2G, and Country Club 1B. He explained that last year AUI had determined that it would take three months of daily hauling to get enough road base delivered to complete the roads. At the moment the roads are not prepared to receive road base, but their crew, H Excavation, is busy in Chalet 2G installing utilities and putting the finishing touches to roads elsewhere. The PID and HDR have no authority to direct AUI's schedule. The Board directed that Nann Winter, General Counsel, write a letter to AUI for Board signature expressing our concerns.

Carl Abrams reported that he and Mr. White met with AUI in May to negotiate rates for dry utility extension and also 2011 extension claims. He and Marshall Vickers, AUI, measured the length of the extensions and the parties have resolved a price for the trenching.

The Reiman Corporation contracted to do the El Vado Bridge and related earth work sent its surveyors here last week staking and submitted its initial shop drawings. We do not have a schedule, but Reiman plans to be here at the end of the month doing earth work and getting the piers set. It will take about three weeks to get the bridge in place once that is done. Work should be close to completion by the end of July. H Excavation will perform the dirt work.

AUI still has a few issues with Kit Carson concerning the conduit stubouts on the steep slopes in Country Club 1B. Kit Carson needs more clearance around the stubouts.

All final design construction plans are complete now. There was a walk-through yesterday with the Village in preparation for requesting partial acceptance for Caballo Lane in Chalets 1A. With Reiman Corp responsible for the remaining work in Chalets 1A, AUI has completed its work in this subdivision.

AUI's current work schedule shows them working up to October 28<sup>th</sup>, however their schedule of values (pay schedule) ends in August.

To date, the majority of AUI work has been testing sewer lines and manholes. They have begun dry utility work in Country Club 1&2, with Torrey Pines and Colonial Trail complete. AUI is now caught up on repair issues and is moving on.

Mr. Abrams reported on status of each subdivision. See attached Progress Status Report 33.

2. Administrator Report – Sally Sollars reported that she is beginning preparation for Fiscal Year 2011 audit and dealing with outstanding accounting issues.

Ms. Sollars reported that NMFA has consolidated all client accounts and will be issuing our account statements instead of Bank of New York Mellon.

We have had no response to our request for waiver of membership fees sent to Angel Fire Resort in February. Ms. Sollars contacted Mike Woolley, AAFPO President, who did not recall getting the letter. Ms. Sollars sent him a copy of the letter and he said the matter would be placed on the June 16<sup>th</sup> AAFPO meeting agenda.

Ms. Sollars reported has not gotten a response from Foreclosure Counsel regarding our property tax exemption on the foreclosed properties. However, the current invoice listed several charges related to the matter, including a 5/20 entry that an email was drafted for Ms. Sollars. The matter is still pending.

Next week Ms. Sollars and Mr. White will meet with the new Colfax County Assessor and with the Treasurer and Deputy Treasurer in Raton. The PID will request the Treasurer to investigate the possibility of the PID office having remote access to the Treasurer's PID electronic records to facilitate timely information exchange.

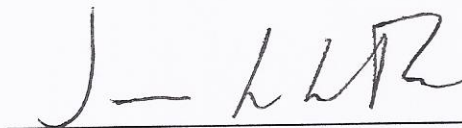
3. Committee Reports

- a. Construction Committee – Director Oliver reported that the Construction Committee met on Monday. The meeting was amply covered in the Project Director's Report.
- b. Finance Committee – Nothing to report.

4. Treasurer Report – There were no questions.

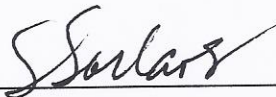
- L. Adjournment - Chairman LeBus announced the meeting adjourned at 2:29 pm.

Next Regular PID Board Meeting will be July 13, 2011



James LeBus, Chairman

ATTEST:



Sally Sollars, District Administrator