

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 12, 2013 at 1:30 pm at the PID Board 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 Vice Chairman Dan Rakes, Director Don Borgeson, Director Chuck Verry. Chairman LeBus and Director Young were absent. A quorum was present with Vice Chairman Rakes' vote. Also present was Sally Sollars, District Administrator.
- D. Approval of Agenda – Director Verry moved to approve the agenda with the Executive Session moved to the end. Director Borgeson seconded. The motion carried 3-0.
- E. Approve May 29, 2013 Minutes – Director Borgeson moved to approve the May 29, 2013 minutes. Director Verry seconded. The motion carried 3-0.
- F. Requests and Responses from the Audience (Limit to 3 minutes) – None.
- G. Announcements and Proclamations – None.
- H. Business
 - 1. 1st Reading of Preliminary Budget – Vice Chairman Rakes announced, "I open the Public Hearing and 1st Reading of the Preliminary Budget Report at 1:32 pm". He asked, "Are there any comments, protests or objections"? Mr. Ron Glaser asked if the annual report would be done this year and posted on the website. Ms. Sollars responded that the annual report would be posted on the website at the time of the final budget approval. At 1:34 pm Vice Chairman Rakes closed the public hearing and entered into open meeting.
 - 2. Consider and Approve Resolution 2013-13 Open Meeting Act Revisions – Director Verry moved to approve Resolution 2013-13 Open Meeting Act Revisions. Director Borgeson seconded. Ms. Sollars reported that the revisions included the legislative change that there be a 72 hour notice of meetings, the meeting place, and the meeting day. The meetings will now be held on Thursdays at the PID Board Room. The motion carried 3-0.
 - 3. Consider and Approve Resolution 2013-14 Hamilton Special Levy Assessment Adjustment – Director Verry moved to approve Resolution 2013-14 Hamilton Special levy Assessment Adjustment. Director Borgeson seconded. Vice Chairman Rakes mentioned that the adjustment was denied based upon Mr. Hamilton not objecting at the appropriate time and not being specific in his request for relief. The motion carried 3-0.
 - 4. Consider and Approve Resolution 2013-15 Felts Special Levy Assessment Adjustment - Director Verry moved to approve Resolution 2013-15 Felts Special levy Assessment Adjustment. Director Borgeson seconded. Director Verry stated that the resolution grants an adjustment for electricity and telecommunications. Vice Chairman Rakes stated that he did not vote in favor or the adjustment because Mr. Felts was did not

object at the appropriate time with the Village. The motion carried 2-1 with Vice Chairman Rakes dissenting.

5. Consider and Approve Resolution 2013-16 Glaser Special Levy Assessment Adjustment - Director Verry moved to approve Resolution 2013-16 Glaser Special levy Assessment Adjustment. Director Borgeson seconded. Director Verry commented that Mr. Glaser's objection was timely. The adjustment for electricity and telecommunications was based upon the fact that a house with utilities existed at the time of the assessment. The adjustment of the water assessment was denied. The motion carried 3-0.
6. Consider and Approve MOU with Village of Angel Fire to Pay 50% of WMA Monitoring – Ms. Sollars asked that this item be tabled because the MOU was not finished at meeting time. Director Verry so moved. Director Borgeson seconded. The motion carried 3-0.
7. Consider and Approve Reiman Change Order #2 Deducting HDR Costs from August 1, 2012 (note clerical correction from Change Order #1 to #2) – Director Verry moved to approve the Reiman Change Order #2 deducting HDR costs from August 1, 2012. Director Borgeson seconded. Ms. Sollars reported that the final Reiman invoice is \$29,064.36. Per contract Reiman was supposed to have the bridge work completed by July 31, 2012 and is responsible for HDR engineering oversight beyond that date. HDR's costs from August 1, 2012 are \$24,019.56. The Construction Committee is asking that this order be approved and that the committee be allowed to present it and the net balance check to Reiman once the final punch list item is submitted to HDR. If the order is unacceptable to Reiman, the Construction Committee is prepared to negotiate. The motion carried 3-0.
8. Consider and Approve Prepayment Policy and Procedure Revisions – Director Verry moved to approve Prepayment Policy and Procedure revisions. Director Borgeson seconded. Ms. Sollars reported that the prepayment process was changed and these revisions reflect that change. The motion carried 3-0.
9. Consider and Approve New AT&T Account for Teleconferencing – Director Verry moved to approve setting up a new AT&T account for teleconferencing. Director Borgeson seconded. Ms. Sollars reported that the District has been reimbursing the Village of Angel Fire for District teleconferencing charges on the Village's AT&T invoice at \$.14 per minute. Ms. Sollars recommended setting up a District AT&T account at \$.085 per minute. There are no setup charges or monthly fees, but the District would receive a new call in number. The motion carried 3-0.
- I. Consent Agenda – Director Verry moved to approve the Consent Agenda with the appropriate amount for the Reiman check to be determined by the Construction Committee. Director Borgeson seconded. The motion carried 3-0.
 1. HDR Engineering, Inc.; Invoice #00082119-B - \$20,588.63
 2. AUI – Negotiated Costs Final Payment - \$109,681.09
 3. Reiman Corp; Pay Application #4 - \$5,044.80
 4. Stelzner, Winter, et al; Invoices #5055/5118 - \$17,492.19
 5. Sally Sollars; Invoice #36 - \$6,725.59
 6. BMWS; June Rent; Invoice #08-0008 50 - \$380.00

7. CenturyLink; Invoice dated 5/25/13 - \$169.29
8. Village of Angel Fire; Conf. Call Expense; AT&T Invoice dated 5/1/13 - \$69.47
9. Sangre de Cristo Chronicle; Invoice #163 - \$148.56
10. Petty Cash/Debit Account Replenishment - \$340.00
11. Petty Cash Report; Balance \$58.29

J. Reports

1. Administrative Report – Ms. Sollars addressed a concern expressed by Chairman LeBus about how many hours the Administrator is working. He asked for itemized detail of the tasks beyond the categorized detail provided with each invoice. Ms. Sollars presented a time analysis showing all hours worked by category and the percent spent in each category over time. She said that she was making an effort to reduce hours, but that the tasks have taken this much time. She also pointed out that consistently more hours are worked during the financial budget and audit seasons, which are June, July, September, October and November. She offered to produce a report each Friday for the Board to see a list of the tasks on a weekly basis in addition to the monthly administrative report at the Board meetings.

Ms. Sollars reported that Carl Abrams oriented her on site to the items left to be done on the El Vado Bridge. Mr. Abrams was on vacation while Reiman was working on the punch list items at the bridge, but HDR sent an inspector one day. Ms. Sollars visited the bridge every day that week and was able to discuss concerns with the subcontractor as work was being done. There was very little added to the punch list during the substantial completion walk through. Mr. Abrams is waiting for Reiman to address engineering comments on the preliminary as built. Once the as built is final, Mr. Abrams will do the Village acceptance paperwork to present to the Council.

Ms. Sollars mentioned an increase in real estate folks calling and coming into the office for information.

The contract has been finalized with Blue Earth Ecological Consultants. John Pittenger of Blue Earth will begin work on June 20th. There will be a meeting at 8:30 am that day to orient to the job. Ms. Sollars will then go on site with him to get a feel of what is expected. She has informed Mr. Pittenger that the site is on the Angel Fire Resort Golf Course and is aesthetically unpleasing in its current state. Vice Chairman Rakes asked Ms. Sollars to invite John Kitts to the meeting.

Ms. Sollars reported that HDR had decided to continue working with the District on an as needed, minimal basis without a contract amendment.

Ms. Sollars said that in anticipation of HDR phasing out, she and Mr. Abrams went on site where work is pending so that Mr. Abrams could instruct her on what remaining items were left to be done and how she could determine where work had been completed. Of particular concern was that the Administrator needed to know how to

check that Kit Carson was installing wire per station defined sections so that there was not a gap in installation discovered at the end of five years.

The Fiscal Year 2014 preliminary budget was submitted to DFA and was approved. The delinquency list was sent to Counsel to issue 127 demand letters. The sales spreadsheets showing costs were updated and submitted to the Sales Committee.

Director Verry had mentioned previously that he had spoken with Dave Pangrac, who was working with the design team of Kit Carson's fiber optic project. In a conversation with Ms. Sollars this week, Mr. Pangrac said that the design team was aware of the discussion of using the District conduit, but that the team did not have the as builts. Mr. Abrams provided the as builts to Jose Lovato, lead engineer of the fiber optic project, several months ago. Mr. Pangrac's concern was if the fiber optic grid design matched or was adaptable to the conduit design. Ms. Sollars hand delivered the as builts to Mr. Pangrac so that the design team could make a determination.

Related to that, Ms. Sollars had an office visit from Alex Herrera, H Excavation. Mr. Herrera said that his crews were supposed to start digging the trench for the fiber optic on Brazos the next day. Ms. Sollars reported this information to Jay Mitchell, Village Manager. Mr. Mitchell stated that he would have the work halted. He confirmed that the Village does not want Kit Carson to trench the new PID roads where there is conduit.

A letter to Luis Reyes, Kit Carson, is ready for Chairman LeBus' signature. Chairman LeBus had asked Vice Chairman Rakes and Ms. Sollars to write a letter to the State PRC asking advice regarding Kit Carson's lack of documentation justifying about \$33K spent for materials. Vice Chairman Rakes instead preferred to write one more letter to Kit Carson in an effort to resolve the issue. The letter states that the District is a public entity and must have documents substantiating expenditures of public funds. Ms. Sollars had also mentioned this frustration with Kit Carson's lack of documentation standards to Mr. Mitchell and asked if the Village would be interested in also signing a letter of concern to the State if it came to that. He indicated that the Village would be interested.

2. Construction Committee Report – Director Borgeson reported that the committee has been looking at the five year Kit Carson contract to pull wires through sections of conduit at a time. It is estimated that this will cost \$200K per year. With Mr. Abrams recommendation, the plan is to wait each construction season until August to see what Village building permits were issued. Once the wire is pulled in those sections, the Construction Committee will issue work orders to have other chunks of the project done.
3. Sales Committee Report – Director Borgeson reported that the District broker, Stuart Hamilton, had renewed the listings of the District owned properties. Director Borgeson said that the current listing prices are so far out of line that the properties

could not be sold. He said that primarily this is because of the current District policy that all property costs must be recovered. His recommendation is that the lot price should be set at a competitive price to the adjacent lots so that the property could be sold and the District would resume collecting the assessment. Vice Chairman Rakes said that he still has a legal question and wants the opinion of General Counsel before the Board considers action.

4. Treasurer's Report – Director Verry asked if everyone had received the Treasurer's Report and if there were any questions. There were none.
- K. Enter into Executive Session - At 2:21 pm Vice Chairman Rakes announced that we will have a closed Executive Session Meeting. Director Verry moved to enter into Executive Session. Chairman Borgeson seconded. Roll call vote: Vice Chairman Rakes; aye, Director Borgeson; aye, Director Verry; aye. The motion carried 3-0.

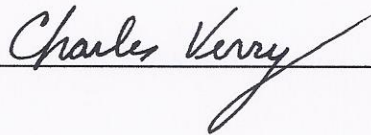
Vice Chairman Rakes returned to the Board Meeting at 2:37 pm by stating "No decisions were made during the Executive Session and the only items discussed were on the agenda".

Let the record show that pursuant to NMSA 1978, Section 10-15-1 (H-8) on June 12, 2013 at 2:21 p.m. at the PID Board Meeting Room the PID Board held a closed meeting to discuss adjustment of prices on PID property. 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.

- L. Adjournment - Vice Chairman Rakes announced the meeting adjourned at 2:37 pm.

The 2nd Hearing of the Preliminary Budget will be June 27, 2013

Next Regular PID Board Meeting will be July 11, 2013



Charles Verry, Chairman Pro Tem

ATTEST: 
Sally Sollars, District Administrator