

## **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, 2014 at 2:00 pm at the PID Board Room**

- A. Call to Order – Chairman LeBus called the meeting to order at 2:00 pm.
- B. Pledge of Allegiance – Chairman LeBus called for the Pledge of Allegiance.
- C. Roll Call - Present were Chairman Jim LeBus, Vice Chairman Dan Rakes, Director Don Borgeson, Director Chuck Verry, and Director Alan Young (by phone). A quorum was present. Sally Sollars, District Administrator, was also present.
- D. Approval of Agenda – Director Borgeson moved to amend the agenda to remove item 2 under Business. Director Verry seconded. Resolution 2014-3 was not yet finalized. The motion carried 4-0.
- E. Approve May 8, 2014 Minutes – Director Verry moved to approve the May 8, 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 – None
- H. Enter into Executive Session – Chairman LeBus announced that the Executive Session would be moved to the end of the meeting in hopes that Nann Winter, General Counsel, could call into the meeting by that time.
- I. Business
  - 1. 1<sup>st</sup> Reading of Preliminary Budget – Chairman LeBus announced, “I open the Public Hearing and 1<sup>st</sup> Reading of the Preliminary Budget Report at 2:04 pm”. He asked, “Are there any comments, protests or objections”? There were none. Ms. Sollars said that the Preliminary Budget reports the projected Fiscal Year 2014 numbers, which will be changed to actual numbers. The 2<sup>nd</sup> Reading will be on June 26. The Finance Committee will then review and present the Final Budget for Board approval at the July 17<sup>th</sup> Meeting. At 2:06 pm Chairman LeBus closed the public hearing and entered into open meeting.
  - 3. Consider and Approve Resolution 2014-4 Open Meeting Act Renewal – Vice Chairman Rakes moved to approve Resolution 2014-4 Open Meeting Act Renewal. Director Verry seconded. Ms. Sollars reported that meetings will now be held at 2:00 pm unless otherwise posted. The motion carried 4-0.
  - 4. Consider and Approve Mediation Settlement Authority to Chairman LeBus and Vice Chairman Rakes – Director Borgeson moved to give settlement authority to the Chairman and the Vice Chairman. Director Verry seconded. Vice Chairman Rakes said that the he and Chairman LeBus would be able to preliminarily approve a settlement, but that the Board will have final approval of any settlement action. The motion carried 3-0 with Vice Chairman Rakes abstaining.
- J. Consent Agenda – Director Verry to approve Consent Agenda. Director Borgeson seconded. The motion carried 4-0.

1. Stelzner, Winter, et al – General; Invoice #6584 - \$1,995.34
2. Stelzner, Winter, et al – Litigation; Invoice #6582 - \$5,789.14
3. Kit Carson; Invoice #s 1314, 1315, 1316, 1317, 1319 - \$52,233.31
4. Angel Fire Computer Guy; Kevin Robnett; Invoice #1215 - \$300.00
5. Sally Sollars; Invoice #48 - \$6,317.33
6. BMWs; June Rent; Invoice #08-0008 62 - \$380.00
7. CenturyLink; Invoice dated 5/25/14 - \$203.02
8. AT&T; Invoice dated 5/1/14 - \$29.88
9. Sangre de Cristo Chronicle; Invoice dated 6/1/14 - \$50.26
10. Colfax County Clerk Filing Fee; Filippone/Hartnig Release - \$25.00
11. Petty Cash Report; Balance \$48.32

K. Reports

1. Administrative Report – Ms. Sollars reported that there will be a USACE compliance inspection of the Wetland Mitigation Area at 10:00 on June 19<sup>th</sup>. She has invited a Village representative to attend also.

Ms. Sollars will be delivering a check to Kit Carson tomorrow for the next phase of pulling wire through conduits in Village North. The first phase of work was not scheduled until Ms. Sollars pointed out that per the contract the work is to be complete within 30 days of receiving a check. The last of that round of work is now scheduled to be complete on June 20, more than two months after Kit Carson was paid for the work. Ms. Sollars is delivering this check with the request to timely schedule and complete the work.

The District has received a demand letter from the County for delinquent taxes on the five foreclosed properties, which stated that the property would be turned over to the State for a tax sale. There has been no response to the April 30<sup>th</sup> letter to the County attorney requesting that the County recognize that the District is a political subdivision of the state and, as such, is tax exempt. Ms. Sollars recommended talking with the State Attorney General to get this resolved. We will wait one more month to see if there is an appropriate response from the County. This is the third request to resolve this in three years.

The website and email transfer to a new platform is going very slowly. Ms. Sollars is trying to spend at least a couple of hours a day transferring documents from the old site. About 50% of the documents have been transferred. She said that there is a pretty big learning curve, but that when the site is done it will be very easy to maintain.

Next week Ms. Sollars will meet and introduce the District to our new DFA Budget Analyst, Larry Marshall. The April collections were \$67,650, which was \$6K less than projected. May collections should arrive next week and have historically been about \$700K. Next Ms. Sollars will next be beginning the end of year financials, budget adjustments, final Fiscal Year 2014 report, and audit preparation.



The request to the Village for the Board member reappointments did not go as smoothly as expected. The Village appeared to be very defensive, thinking that the District was requesting to be dissolved into the Village structure. There appeared to be confusion between governance vs. dissolution of the District as stated in the PID Act, which wasn't totally resolved. The Act states that the Village Council, named as the governing body in the Act, has the option of becoming the District Board, of appointing their designees to the Board, or holding an election. The Village Manager stated that he did not want the Village to have anything to do with the District. However, the mayor agreed to reappoint Jim LeBus, Dan Rakes, and Alan Young, and the Council approved the reappointments on May 27<sup>th</sup>.

The list of the 2012 delinquencies will be sent to Ms. Winter this month in preparation to send out demand letters.

Many of the callers to the District office continue to mention that real estate agents have refused to list PID properties. Cathe Moon, who is on the Board of the local real estate association, has suggested that the association sponsor an informational meeting to attempt to improve understanding. Ms. Sollars is drafting informational points to consider presenting.

Ms. Sollars negotiated a settlement with Mr. Filippone and Mr. Hartnig to credit overpayments and reduce their assessment by applying the amount to a prepayment as approved at the last Board Meeting. She has received one check and should receive the other check this week. A resolution will be presented to the Board at the next meeting.

The Glaser damages case will be in mediation on June 18<sup>th</sup> in Santa Fe.

The Fiscal Year 2014 Audit contract has been approved by the Office of State Auditor.

2. Treasurer's Report – Director Verry asked if everyone had received the Treasurer's Report and if there were any questions. There were none.
- I. Enter into Executive Session - At 2:22 pm Chairman LeBus announced that we will have a closed Executive Session Meeting. Director Borgeson moved to enter into Executive Session. Director Verry seconded. Roll call vote: Vice Chairman Rakes; aye, Director Borgeson; aye, Director Verry; aye, Director Young; aye. The motion carried 4-0.

Chairman LeBus returned to the Board Meeting at 2:39 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) the PID Board held a closed meeting on June 12, 2014 at 2:22 pm at the PID Board Meeting room to discuss


pending litigation, specifically mediation of the Glaser case. 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 – Chairman LeBus adjourned the meeting at 2:40 pm.

A Special Board Meeting and 2<sup>nd</sup> Hearing of the Preliminary Budget will be June 26, 2014  
Next Regular PID Board Meeting will be July 17, 2014



Dan Rakes, Vice Chairman



ATTEST:

Sally Sollars, District Administrator