

## **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 13, 2012 at 1:30 pm at the Village Hall Meeting Room**

- A. Call to Order - Chairman Pro Tem Chuck Verry called the meeting to order at 1:30 pm.
- B. Pledge of Allegiance - Chairman Pro Tem Chuck Verry called for the Pledge of Allegiance.
- C. Roll Call - Present were Chairman Pro Tem Chuck Verry, Chairman LeBus (by phone), Vice Chairman Rakes (by phone), and Director Steve Oliver. Director Alan Young was absent. A quorum was present. Also present were Sally Sollars, District Administrator, Nann Winter, General Counsel (by phone), and Carl Abrams, HDR.
- D. Approval of Agenda - Director Oliver moved to move the Executive Session to after the reports. Vice Chairman Rakes seconded. The motion carried 3-0.
- E. Approve May 9, 2012 Minutes - Director Oliver moved to approve the May 9, 2012 meeting minutes. Vice Chairman Rakes seconded. The motion carried 3-0.
- F. Requests and Responses from the Audience (Limit to 3 minutes) – Chairman Pro Tem Verry recognized Mr. Ron Glaser. Mr. Glaser asked when the Administrative Hearings will be held. Director Oliver responded that we are currently taking recommendations from our General Counsel and that the hearings are tentatively to be held in September. Mr. Glaser also stated that there were two lower than grade valve covers and a lateral line with a subsidence in Country Club 1B. Carl Abrams responded that those items were currently on the punch list and will be corrected. Director Oliver added that there is a one year warranty and that any problem identified within the year will be corrected.
- G. Announcements and Proclamations – None.
- H. Business
  - 1. 1<sup>st</sup> Reading of Preliminary Budget – Chairman Pro Tem Verry announced the 1<sup>st</sup> reading of the Preliminary Budget. Sally Sollars reported that the preliminary budget is posted on the PID website. This budget is subject to change and the final is due to DFA at the end of July. Ms. Sollars asked if there were any questions. Chairman Pro Tem opened the discussion for public comment. Mr. Glaser said that he was curious of what the changes would be. Ms. Sollars stated that the 2<sup>nd</sup> hearing of the budget will be on June 27<sup>th</sup>.
  - 2. Consider and Approve McCabe Deed in Lieu and Resolution – Director Oliver advised the Board that there are some concerns with the Resolution and it is not yet ready for approval. He said that these concerns will be discussed with General Counsel. Director Oliver moved to table Item #2. Vice Chairman Rakes seconded the motion. The motion carried 3-0.
  - 3. Consider and Approve Amendment to Brokerage Services Contract – Director Oliver moved to approve the Amendment to Brokerage Services Contract. Vice Chairman Rakes seconded. Ms. Sollars reported that the original contract was with the Power of

Teamwork/Remax. The team has now separated from Remax and affiliated with Keller Williams. There was also a renegotiation of compensation terms to straight 10% commission or \$2,000, whichever is greater. Concerning the listing of the properties, Ms. Sollars said that the five properties were now listed on the MLS and will soon be posted on the PID website. The motion carried 3-0.

J. Consent Agenda

1. HDR Engineering, Inc.; Invoice #00000764-B - \$8,542.96
2. Stelzner, Winter, et al – General Counsel; Invoice #3778 - \$1,562.20
3. Kamm & McConnell; Invoice #32949 - \$385.89
4. Microsoft Corp; Software Upgrade - \$513.94
5. Kit Carson Electric; Valley Road Energization - \$31,129.38
6. H Excavation; Valley Road Energization - \$859.50
7. Sally Sollars; Invoice #24 - \$6,942.07
8. BMWs; Invoice #08-0008 38 - \$355.00
9. CenturyLink; 5/25/12 Invoice - \$144.38
10. Village of Angel Fire; Conf. Call Expense (April 2012) - \$44.65
11. Sangre de Cristo Chronicle; Invoice #157 - \$5.37
12. Petty Cash Report; Balance \$19.32

L. Reports

1. Project Manager Report – Carl Abrams reported that AUI mobilized on May 29<sup>th</sup>. They are working 4 days a week/10 hour days. Until this week, Director Oliver and Mr. Abrams have been overseeing the project together. Starting this week, Mr. Abrams will be here two days a week with Director Oliver working the other two days. The design engineer of record is also here two days per week.

Utility service revisions design plans were reviewed by HDR and sent to the Village on May 22<sup>nd</sup>. Reiman Corporation still has work to do on the El Vado Bridge. Ed Widgeon of Reiman Corporations told Ms. Sollars that is working on the Rio Grande Gorge Bridge and will be moving the equipment here upon completion of that work. There are still outstanding items with Kit Carson that Mr. Abrams, Ms. Sollars, and Director Oliver will be attempting to resolve. These include reconciliation of materials used vs. payments.

AUI submitted a construction schedule last week showing completion of work the first week of August, which includes revisions to the utility service locations, outstanding punch list items, as well as the uncompleted work in Chalets 2G. There was only one crew working the first two weeks, but three crews are here this week. It is too early to determine if the current schedule is reasonable.

As builts were previously submitted, but had to be revised in light of the utility service relocations, except Country Club 1B, which had no service locations revisions. The Country Club 1B as builts were delivered to HDR yesterday. HDR will review and will respond with further comments or submit them to the Village and the PID.



Construction to date this year:

Country Club 1 & 2 – The sewer main relocations are almost done. The last section will be tested this afternoon.

Country Club 1A – Service relocations completed. As built to be submitted.

Chalets 1A (Caballo Lane) - Service relocations completed. As built to be submitted. The bridge (El Vado Place) is in place, but still needs shims. The utility work will then be installed.

Chalets Unit 4 – Service relocations have begun.

Chalets 2G – A water line leak was identified and repaired. AUI is currently working on service relocations. The base course needs to be completed.

Wetland Mitigation – HDR provided photo status to USACE on May 22. Mr. Abrams is waiting USACE determination on if modifications will be necessary. Director Oliver stated that he is currently working on request for cost proposal for annual wetland monitoring, which is required for three to five years, depending on the state of wetland progression.

Chairman LeBus asked Mr. Abrams about a Village concern that the some pipes were not bedded properly. Mr. Abrams said that he did not know of the specific area of concern, but that generally he observed proper bedding. He said that in some areas AUI used suitable native material, and if the Village had expected a color change with the bedding, these areas would not show a color difference. He will discuss this with the Village and AUI at the next Construction Meeting.

2. Administrative Report – Sally Sollars reported that she has attended the Village Public Works Committee meeting. The committee is considering a G.O. Bond to fund further road and infrastructure improvements in the Village. At that meeting Ms. Sollars asked if the PID property owners would be included in a G.O. Bond assessment, should it be voted in. It appeared that the committee members had not considered this. Ms. Sollars will continue to attend these meetings to advocate for the PID property owners who have paid for their infrastructure and will be asking the Village to reconsider a Village wide imposition of assessments.

With general counsel, Ms. Sollars researched the allowable assessment increase for this coming year. She produced a cash flow showing the result of a 2%, 3%, and 4% increase in assessment level for this year. We have also been meeting to plan the upcoming Administrative Hearings.

Ms. Sollars will next be working on the Final Budget, Budget Adjustments, and 4<sup>th</sup> Quarterly Report all due to DFA by July 31.

Director Oliver and Ms. Sollars have been updating the computer software and security on the office machine. They are also researching an external backup system.

3. Construction Committee Report – Director Oliver reported that the Construction Committee met to review and approve HDR's invoice. He pointed out to the Board that the monthly expenditures for HDR are still below expectation.
4. Treasurer's Report – Director Verry asked if the Board Members had received the report and if there were any questions. There were none.

Director Verry, as Treasurer and member of the Finance Committee, reported that the Finance Committee met this week to review the fiscal health of the PID at this point in time. The Committee has decided to increase the assessment this year the maximum 4%. Vice Chairman Rakes added that the increase is necessary to cover the budget and keep a little bit of a cushion. He noted that the cost of the litigation created higher administrative costs. Director Verry also mentioned that the PID has no control over the rate that building permits are issued, which in turn will require Kit Carson to pull wire at a cost to the PID. Replenishment of that dedicated account has to be part of the budget, but the rate of expenditures is unknown.

Ms. Sollars pointed out that the PID statute allows for a 2% increase in maximum assessment after the first two years. The PID Board did not raise the assessment last year. The proposed 4% increase this year is the allowable 2% increase for both last year and this year. She stated that she is hopeful that this increase will get the PID over the current crunch and allow the Board to consider beginning to reduce the assessment below the maximum allowed in the near future.

- K. Enter into Executive Session - At 2:08 pm Chairman Pro Tem Verry announced that we will have a closed Executive Session Meeting. Director Oliver moved to enter into Executive Session. Vice Chairman Rakes seconded. The motion carried 3-0.

Chairman Pro Tem Verry returned to the Board Meeting at 2:53 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 13, 2012 at 2:08 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.

- L. M. Adjournment – Chairman Pro Tem Verry announced the meeting adjourned at 2:53 pm.

**Next Regular PID Board Meeting will be July 11, 2012**

J ~ L L R

James L LeBus, Chairman

ATTEST: Sollars  
Sally Sollars, District Administrator