

## **Angel Fire Public Improvement District 2007-1**

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### **PID Board Meeting Minutes**

**July 11, 2013 at 3:30 pm at the PID Board 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 Verry called for the Pledge of Allegiance.
- C. Roll Call - Present were Director Chuck Verry (Chairman Pro Tem), Director Don Borgeson, and Vice Chairman Dan Rakes (by phone). Chairman LeBus and Director Young were absent. A quorum was present with Director Verry's vote. Also present were Sally Sollars, District Administrator and Nann Winter, Counsel.
- D. Approval of Agenda – Director Borgeson moved to approve the agenda. Vice Chairman Rakes seconded. The motion carried 3-0.
- E. Approve June 27, 2013 Minutes – Director Borgeson moved to approve the June 27, 2013 minutes. Vice Chairman Rakes seconded. The motion carried 3-0.
- F. Requests and Responses from the Audience (Limit to 3 minutes) – Mr. Alex Herrera, H Excavation, requested a copy of the contract between the District and Reiman Corporation SW. Director Borgeson said that it was public information. Vice Chairman Rakes concurred. Secondly, Mr. Herrera said that the PID was supposed to supply all the materials for the bridge. He said he purchased 4" conduit to span the bridge and requested permission to submit an invoice for that material. Vice Chairman Rakes said that the contract with Reiman would have to be reviewed.
- G. Announcements and Proclamations – Chairman Pro Tem Verry announced the news that former Director Steve Oliver passed away yesterday. He commented that without Steve the District would not have been able to complete the project without significant more cost. Chairman Rakes agreed saying that his passing is a big loss for the entire community.
- I. Business
  - 1. Consider and Approve Final Budget and Resolution 2013-17 – Director Borgeson moved to approve the final budget and Resolution 2013-17. Vice Chairman Rakes seconded. Roll call vote: Director Borgeson; aye, Vice Chairman Rakes; aye, Chairman Pro Tem Verry; aye. The motion carried 3-0.
  - 2. Consider and Approve Fiscal Year 2012-2013 Budget Adjustment and Resolution 2013-18 - Director Borgeson moved to approve the fiscal year 2012-2013 budget adjustment and Resolution 2013-18. Vice Chairman Rakes seconded. Ms. Sollars reported that the adjustment is an over budget amount in the Debt Service Fund due to prepayments. Roll call vote: Director Borgeson; aye, Vice Chairman Rakes; aye, Chairman Pro Tem Verry; aye. The motion carried 3-0.
  - 3. Consider and Approve Fiscal Year 2012-2013 4<sup>th</sup> Quarter Report and Resolution 2013-19 - Director Borgeson moved to approve the fiscal year 2012-2013 4<sup>th</sup> quarter report and Resolution 2013-19. Vice Chairman Rakes seconded. Roll call vote: Director Borgeson; aye, Vice Chairman Rakes; aye, Chairman Pro Tem Verry; aye. The motion carried 3-0.
  - 4. Consider and Approve CenturyLink Internet Services – Ms. Sollars reported that Bob Kowalski, who was co-owner of the office building at the time the District leased space, has been supplying internet for free. He is moving his business to his home and will no longer be supplying internet. CenturyLink offers internet month to month for \$35 per month. With a one year term, the cost is \$20; two year term, \$10; three year term, \$7 per month more



than the District's current charges. The service is transferrable to a new physical address, but there is a penalty to cancel prior to end of term. Director Borgeson moved to contract with CenturyLink for no more than one year for internet services. Vice Chairman Rakes seconded. The motion carried 3-0.

5. Discuss Quarterly Board Meetings – Vice Chairman Rakes said that the question of whether the Board can meet quarterly instead of monthly starts with legal opinion. Ms. Winter said that the Open Meetings Act Resolution would need to be revised. Vice Chairman Rakes asked Ms. Sollars if she thought quarterly meetings would be feasible. Ms. Sollars referred to a list of tasks/compliance obligations that she compiled. She said that some months skipping a meeting looked possible, but that other months require two board meetings. Without monthly board meetings, the procedure for approving payments would have to be revised. Chairman Pro Tem Verry asked if approving payments could be done by email, which Vice Chairman Rakes thought might violate the Open Meetings Act. Ms. Winter said that most organizations do not require board level approval of day to day operational payments, instead giving the administrator the authority. However, Ms. Sollars said that she prefers at least two sets of eyes on financial items. Ms. Winter suggested that the Finance Committee could approve expenses on a monthly basis and then send the report to the Board on a quarterly basis for whole Board approval. Director Borgeson agreed concerning regular, periodic, and routine expenses and approvals, but said that property sales contracts require a mechanism to take immediate action. Ms. Sollars said this was also true of checks to Kit Carson for pulling wire as needed. It was agreed that more consideration was needed prior to making a decision.

- J. Consent Agenda - Director Borgeson moved to approve the consent agenda. Vice Chairman Rakes seconded. The motion carried 3-0.

1. NMFA August Debt Service Payment - \$43,454.80
2. HDR Engineering, Inc. - \$10,506.74
3. Stelzner, Winter, et al - \$3,309.05
4. Sally Sollars - \$5,522.29
5. BMWS; July Rent - \$380.00
6. CenturyLink - \$171.00
7. Village of Angel Fire; Final Reimbursement May Conf. Call Expense – \$75.44
8. AT&T – \$5.07
9. Sangre de Cristo Chronicle - \$78.20
10. Village of Angel Fire; Water Fees - \$106.48
11. Colfax County Clerk Filing Fees - \$75.00
12. Petty Cash Report; Balance \$40.81

- K. Reports

1. Administrative Report – Ms. Sollars reported Blue Earth Ecological Consultants has begun Wetland Mitigation Area (WMA) monitoring. The minutes of the first meeting were sent to the Village, Resort, and AAFPO so that all parties concerned would know what to expect. She is hearing reports that the area is looking better due to the growth height of the sprouts.

The MOU between the District and the Village to share the costs of the WMA monitoring has been delivered to the Village for approval by the Council. It is on the July 23<sup>rd</sup> Council agenda. Also on that agenda is the acceptance of the El Vado bridge.

On July 2<sup>nd</sup> there was a teleconference with Kit Carson's Luis Reyes and staff and Ms. Sollars and Carl Abrams, HDR concerning the reconciliation of materials delivered to AUI vs. the



monies advanced. The discrepancy is now about \$12K. The result of the meeting was a plan to resolve the issue by the end of July. Progress reports were promised, but not yet received. Ms. Sollars will contact Mr. Reyes to request a report. As soon as this problem is resolved, Ms. Sollars said that the actual costs for work orders vs. estimated costs needed to be reconciled.

Ms. Sollars prepared a report comparing administrative costs per year since fiscal year 2010. The report includes an analysis of what percent each administrative category comprises of the total administrative cost and what percent of the overall budgeted revenues. For fiscal year 2013 the administrative costs were \$195K; down from the budgeted \$300K. Part of her strategy was to build in some buffer to deal with unexpected expenses, which worked well for fiscal year 2013. For fiscal year 2014, the administrative costs are budgeted at \$215K.

Ms. Sollars continued that Rick Tafoya of the Village Public Works Department stopped by the office to talk about a reoccurring water leak in Chalets 2G. Mr. Tafoya said that he was going to contact H Excavation to fix the problem. Ms. Sollars told Mr. Tafoya that the proper procedure for warranty work was to contact AUI directly.

At Director Verry's request, Ms. Sollars compiled a list of about 25 property owners that have contacted the District office over time about wanting to give their property away. Director Verry passed that list on to Eric Hoffmann, Mammoth Mills, who is considering building some spec houses. Director Borgeson also received a copy.

2. Construction Committee Report – Ms. Sollars reported that the Construction Committee reviewed the HDR invoice. Acceptance paperwork for the El Vado bridge is on the July 23<sup>rd</sup> Village Council agenda. The final Reiman check is being released today, which is the final pay application minus HDR's oversight costs since August 1, 2012.
3. Sales Committee Report – Director Borgeson reported that Stuart Hamilton asked him if the District would be changing the listing prices on the District properties. He said that the District really needs to do this because, in at least one case, the District property is priced twice that of the surrounding lots. He said that the District needs to work out a mechanism to set prices that fit the fair market value.

He said that he would also like to work on a disclosure to distribute to all Angel Fire brokers to preclude problems down the road. Vice Chairman Rakes and Ms. Winter both questioned the need to provide such information. Director Borgeson said that if the District is able to inform the brokers of requirements there would be much less chance of misunderstanding on their part down the road. Ms. Winter said that that was a task of the RANM. Vice Chairman Rakes questioned whether that would expose the District to more misunderstanding and appear to be giving legal advice. Ms. Winter suggested that she facilitate putting Director Borgeson in contact with the RANM attorney to discuss.

4. Treasurer's Report – Chairman Pro Tem Verry asked if all had received a copy of the Treasurer's Report and if there were any questions. There were none.
- L. Adjournment – At 4:20 pm Chairman Pro Tem Verry adjourned the meeting.

Next Regular PID Board Meeting will be August 8, 2013

Don A. Borgeson

Don Borgeson, Chairman Pro Tem

ATTEST: Sollars  
Sally Sollars, District Administrator