

Angel Fire Public Improvement District 2007-1  
3465 Mountain View Blvd. Suite 14  
P.O. Box 1046  
Angel Fire, NM 87710  
575-377-3483

**Board Meeting & Public Hearing Minutes**  
**Thursday, July 15, 2010 at 3:00 p.m. at Village Hall**

- I. Call to Order – Chairman James LeBus called the meeting to order at 3:00
- II. Pledge of Allegiance – Chairman LeBus called for the Pledge of Allegiance
- III. Roll Call – Present were Chairman LeBus, Director Chuck Verry, Director Alan Young, Director Steve Oliver, Marshall Vickers, and Jerome Marez. Also, Vice Chairman Rakes and Nann Winter, General Counsel was present by telephone. Gerald White, Project Director and Sally Sollars, District Administrator were present. We have a quorum.
- IV. Approval of Agenda – Director Verry moved to approve the agenda and Director Young seconded. The motion carried 4-0.
- V. Approval of Minutes from July 7, 2010 Special Board Meeting. Director Verry made a motion to approve the July 7, 2010 Special Board meeting minutes. Director Oliver seconded the motion. The motion carried 4-0.
- VII. Requests and Responses from the Audience - None
- VIII. Announcements and Proclamations
  - 1) Gerald White announced that he would be on vacation after the next regular Board Meeting (August 11) and would be returning before the September regular Board meeting.
- IX. Consent Agenda – Director Verry made a motion to approve the Consent Agenda. Director Oliver seconded the motion. The motion carried 4-0
  1. HDR Engineering, Inc. Invoice #211773-H - \$54,510.23
  2. AUI, Inc. Phase IIB Invoice May 26-June 25, 2010 - \$1,346,675.36
  3. New Mexico Finance Authority – debt service – \$38,827.00
  4. Stelzner, Winter et al – litigation - \$1,568.75
  5. Stelzner, Winter et al – general counsel - \$3,544.45
  6. Kamm & McConnell, invoices #31101-#31118 - \$3,281.60
  7. Gerald White; Invoice # 11 - \$6,597.74
  8. BMWS – Aug rent - \$330.00
  9. Qwest Account No.: 575-377-3483-459B – \$220.59
  10. Village of Angel Fire – conf. call expense (May) - \$83.49
  11. Penni Davey; Final Invoice #37 (7/1/10-7/10/10) - \$1,099.03
  12. Sally Sollars; Invoice #1 (7/7/10-7/9/10) - \$510.33
  13. Petty Cash Report - Balance \$100.21
- XI. Business
  - 1) New

- a. Consider and Approve Final Budget and Resolution – Director Verry moved to approve the Final 2010-2011 Budget. Director Young seconded the motion. The motion carried 4-0.
- b. Consider and Approve Change Order
  1. AUI Change Order #11 – South Angel Fire Road redesign due to existing utility conflicts. Gerald White reported this order addresses the design of re-routing Qwest and Kit Carson utilities around South Angel Fire Road in the amount of \$4,174. Gerald White recommended approval. Director Oliver motioned to approve and Director Verry seconded. The motion carried 4-0.
  2. AUI Change Order #12 – El Vado Place Geotech Investigation for Bridge Design. Gerald White reported this order addresses the work that AUI has done to establish the geotechnical nature of the soils outside the wetland areas so they may continue with the design of the foundation for the bridge in the amount of \$6,325. Gerald White recommended approval. Director Young made the motion to approve and Director Verry seconded. The motion carried 4-0.
- c. Consider and Approve Administrator Contract. Director Verry motioned to approve. Director Oliver seconded the motion. The motion carried 4-0.

## XI.

### Reports

#### 1) Project Directors Report

- Project Director Gerald White reported that the Village had directed that the San Mateo PID water line be connected with an existing water line half way along the PID boundary. While conducting the work it was discovered that the existing 700 feet water line is 30 years old with non-conforming material. Gerald White approached the village with the problem and suggested that the PID bear 50% of the cost for replacement of the pipe based on Board approval. The Village requested the PID to obtain a cost estimate, which AUI proposed to be approximately \$30,000. The Village rejected sharing the cost. The alternative would be to tie into the existing pipe, but PID cannot bear any responsibility for failure of that pipe. Using the existing pipe would also require a variance because the sewer line would have to cross the water line. Chairman LeBus will talk with Larry Leahy, Village Administrator within 24 hours and report back to Gerald. Gerald will direct AUI to continue work with the existing pipe if there is no other decision within 2-3 days. At 3:30 Village Administrator Larry Leahy and Mayor Stuart Hamilton arrived at the meeting. Mayor Hamilton reported that the Village has no money to bear any cost of replacing of the pipe. He commented that the Village knew unexpected costs would arise and he felt that the Village had saved the PID some costs and would hope those savings would offset any unforeseen additional costs



incurred. Chairman Jim LeBus suggested that the village pay for one third of the cost. He asked the Village to respond by tomorrow.

- Project Director Gerald White reported that the project was visited by the State Water Quality Board and conducted an exit conference yesterday. There were a few issues with documentation. Also they wanted to see a procedure to update plans. These are minor and fixable errors. However, a more serious finding was that from Woodlands Drive on the southeast corner of the golf course there is water making its way from above the construction area discharging sediment into the creek below. The leakage was corrected this morning and AUI will take pictures and submit them to the Water Quality Board. The State will issue a report and submit to the EPA. We may not see a response for 4-5 months.
- Project Director Gerald White reported that there is a driveway owned by Ed Auerbach on San Mateo Drive that extends into our platted right-of-way to the center line. We do have some tolerance so we may be able to move the road to some degree to accommodate. Shortening his drive will steepen his drive considerably. San Mateo is not a Village road at the moment, however the right-of-way was platted prior to the driveway being built. If the road has to be moved to accommodate Mr. Auerbach's driveway, it will create a driver's safety hazard at the corner of Colonial Trail and San Mateo. It will also create a maintenance problem due to the grading necessary to meet the driveway. Gerald will meet with Mr. Auerbach this afternoon and will compare his lot legal description with our plats to see if they are consistent.

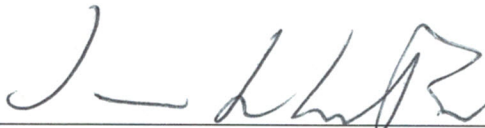
2) Committee Reports

- Construction Committee  
Committee held Monday reviewed basic information given to us and recommended approval of the HDR and AUI invoices.
- Finance Committee  
Director Verry reported that our collections this month were \$707,989.70. This is on track.

3) Treasurer Report

- No questions.

XI. Adjournment – 4:12



James Lebus, Chairman

ATTEST: SSollars, Administrator