

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

3465 Mountain View Blvd., Suite 14

PO Box 1046, Angel Fire, NM 87710

575-377-3483

## **Board Meeting Minutes**

**August 17, 2017 at 2:00 pm at the PID Board Room**

- A. Call to Order - Chairman Pro Tem Don Borgeson called the meeting to order at 2:00 pm.
- B. Pledge of Allegiance - Chairman Pro Tem Borgeson called for the Pledge of Allegiance.
- C. Roll Call - Present were Chairman Alan Young (by phone), Director Don Borgeson, and Director Burl Smith. Vice Chairman Rakes and Director Carl Abrams were absent. A quorum was present. Also present was Sally Sollars, District Administrator, Nann Winter, General Counsel, Ron Glaser, Property Owner, and Julia Armstrong, Glaser Counsel.
- D. Approval of Agenda – Director Smith moved to approve the agenda as written. Chairman Young seconded. The motion carried with none opposed.
- E. Approval July 13, 2017 Minutes – Director Smith moved to approve the July 13, 2017 minutes as written. Chairman Young seconded. The motion carried with none opposed.
- F. Requests and Responses from the Audience – None.
- G. Announcements and Proclamations – None.
- H. Business
  - 1. Approve Supplemental Decision in the Matter of Frank Felts – Ms. Sollars said that this item refers to Resolution 2018-5 – Supplemental Decision in the Matter of Frank Felts. Director Smith moved to approve the supplemental decision. Chairman Young seconded. Ms. Winter reported that Mr. Felts had requested relief for water assessment, which was denied after an administrative hearing in May 2013 based on the fact that the Village of Angel Fire and the District had reserved only infrastructure issues for additional review. Mr. Felts appealed the Board's decision and now the District Court Judge Chavez asked that the Board supplement its decision regarding the denial of the water assessment adjustment. The supplemental decision affirms the original decision. Ms. Armstrong said that she understood that the court did not allow for testimony or new evidence on the water issue. Roll call vote: Chairman Young; aye, Director Borgeson; aye, and Director Smith; aye. The resolution was approved with none opposed.
  - 2. Approve Substantiation of Interest Credit Applied to Felts Adjustment – Likewise, Ms. Sollars said that this item refers to Resolution 2018-6. Director Smith moved to approve the substantiation of interest credit applied to the Felts adjustment. Chairman Young seconded. Ms. Winter said that the second thing that Judge Chavez asked the board to reconsider and submit the

substantiation of interest applied to Mr. Felts' "overpayment" of assessment based upon the adjustment given. Donna Segura, Taussig, calculated interest that was applied was based upon the interest at the District was paying on the bond debt per each year with the total being the sum of those years. Ms. Segura submitted a worksheet showing how those numbers were figured. Ms. Armstrong stated that there should be interest accumulating and carried over for the entire time instead of for each year separately. She asked that the Board consider that change. Ms. Winter said that Ms. Segura will run that calculation using Ms. Armstrong's method. Ms. Armstrong will send an email to Ms. Winter outlining the method of calculation. Roll call vote: Chairman Young; nay, Director Borgeson; nay, and Director Smith; nay. The resolution was defeated with none in support.

I. Consent Agenda – Director Smith moved to approve the agenda as written.

Chairman Young seconded. None were opposed.

1. Stelzner, Winter, et al; Invoice #11381, 11446, 11496, 11528 - \$12,225.74
2. Colfax County Filing Fees; Short Fee - \$25.00
3. David Taussig & Associates; Invoice #1706178 - \$4,024.92
4. Sally Sollars; Invoice #86 - \$5,714.20
5. Kevin Robnett; Invoice #1723 - \$30.00
6. Kit Carson Telcom; Invoice #8872 - \$108.45
7. CenturyLink; Invoice dated 7/25/17 - \$112.78
8. BMWS; invoice #15-003 190, 15-003 204 - \$760.00
9. AT&T; Invoice dated 8/1/17 - \$16.43
10. Quill; Invoice #8872 - \$306.90
11. Petty Cash Report; Balance \$25.55

J. Reports

1. Administrative Report – Ms. Sollars reported that she once again requested the actual cost invoices for the last work done by Kit Carson. She requested that all the final invoices and payments be complete by the end of the wire pulling contract on September 30, 2017. The undone section in Angel Fire Village North reported at the last board meeting has been completed. Rebate #6 is still outstanding with no Kit Carson response to when it might be issued. The rebate request was submitted in December 2016.

As part of the pilot group for the DFA online beta database, Ms. Sollars said that the final budget request for fiscal year 2018 and the 4<sup>th</sup> quarterly report for fiscal year 2017 were submitted online as well as in pdf form. There were several calls back and forth, but in the end Ms. Sollars is satisfied that the incorrect numbers in the preliminary round have now been corrected. The 1<sup>st</sup> quarter of fiscal year 2018 will be submitted online.

June collections were \$11.5K, which is \$19K short of the cash flow projection. July collections are projected at \$18K. A large delinquent payment of \$43K will be included in the July collections to be received next week. Two prepayments



were received since the last board meeting in the amount of \$25K. The audit is set for October 3.

Ms. Sollars asked the board to consider the language used on the assessments per lot section of the website. The individual subdivision spreadsheets, prepare by Taussig, label two columns as "Maximum Special Levy" and "Actual Special Levy". Director Borgeson asked that the labels be changed to more public friendly language. However, Donna Segura at Taussig objected to the change of language, suggesting instead that it needed to comply with the language in the General Plan and Rate and Apportionment of Special Levy. Ms. Sollars recommended "Most you can be assessed" and "This year's assessment" as possible language. The board agreed to direct Taussig to change the labels. The web page introduction to the information will define the difference.

2. Treasurer's Report - -- Chairman Pro Tem Borgeson asked if all had received the Treasurer's Report and if there were any questions. There were none.
- K. Executive Session - At 2:49 pm Chairman Pro Tem Borgeson announced that we would have a closed Executive Session Meeting and that no decisions would be made and only items on the agenda would be discussed. Director Smith moved to enter executive session. Chairman Young seconded. Roll call vote: Chairman Young; aye, Director Borgeson; aye, and Director Smith; aye. The motion carried with none opposed.

Chairman Pro Tem Borgeson returned to the Board Meeting at 3:22 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) (7) on August 17, 2017 at 2:49 pm at the PID Board Meeting Room the PID Board held a closed meeting to discuss litigation regarding Angel Fire Resort membership fees. 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 Pro Tem Borgeson adjourned the meeting at 3:22 pm.

Next Regular Board Meeting will be September 14, 2017



Don Borgeson, Chairman Pro Tem

ATTEST: 

Sally Sollars, District Administrator