

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 Agenda

September 11, 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, Director Chuck Verry (by phone), Director Don Borgeson, and Director Alan Young (by phone). Vice Chairman Dan Rakes was absent. A quorum was present. Also present were Sally Sollars, District Administrator, and Nann Winter, General Counsel.
- D. Approval of Agenda – Director Verry moved to approve the agenda as written. Director Borgeson seconded. The motion carried 3-0.
- E. Approve August 14, 2014 Minutes – Director Verry moved to approve the August 14, 2014 minutes. Director Borgeson seconded. The motion carried 3-0.
- F. Requests and Responses from the Audience (Limit to 3 minutes) – None.
- G. Announcements and Proclamations – Ms. Sollars announced that the Fiscal Year 2014 on-site audit visit will be September 22. She also announced that she will be out of the office for two weeks in October after the next Board Meeting. She will continue working while out of the office and will forward phone calls to her cell phone.
- H. Enter into Executive Session - At 2:02 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: Director Verry; aye, Director Borgeson; aye, Director Young; aye. The motion carried 3-0.

Chairman LeBus returned to the Board Meeting at 2:30 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 September 11, 2014 at 2:02 pm at the PID Board Meeting room to discuss threatened litigation. 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.

I. Business

- 1. Consider and Approve Resolution 2014-7 Mathwig Deed in Lieu – Director Borgeson moved to approve Resolution 2014-7. Director Verry seconded. Ms. Sollars reported that the agreement with Mr. Mathwig has been delayed due to questions about closing costs. Director Borgeson is reviewing the agreement and Ms. Sollars

recommended that the District engage a closing company to conduct finalizing the conveyance. After discussion, Director Borgeson amended his motion moving to table this item. Director Young seconded. The action was tabled 3-0. The original motion to approve was denied 3-0.

2. Consider and Approve Davidson Reimbursement – Director Verry moved to approve the Davidson reimbursement. Director Borgeson seconded. Ms. Sollars reported that Ms. Davidson recently resurveyed her property as part of re-listing her property for sale. Carl Nelson, the local surveyor who had done a survey of the property in 2006, replaced the front pins at the front of the property, which were buried under the slope of the new road. Mr. Nelson recommended that Ms. Davidson request that the District pay his bill of \$335.74. Carl Abrams, former project engineer, was consulted. Mr. Abrams stated that during construction it was determined that if the construction crew dug up and removed an existing survey pin it would be their responsibility to replace the pin. However, if the pin was still in place no action was required. Ms. Sollars also recalled a meeting with the Village in 2012 where Mr. Nelson voiced his concerns. There was no request from the Village to take any action, nor was there much concern expressed. Since then, the improvements have been dedicated to the Village. The motion was denied 3-0.

- J. Consent Agenda – Director Borgeson moved to approve the consent agenda as written. Director Verry seconded. The motion carried 3-0.

1. Stelzner, Winter, et al; Invoice #7118 - \$1,076.42
2. Kamm & McConnell; Invoice #35013 - \$231.47
3. New Mexico Finance Authority; Prepayment Bond Call - \$115,000.00
4. Sally Sollars; Invoice #51 - \$5,737.16
5. BMWs; September Rent; Invoice #08-0008 65 - \$380.00
6. CenturyLink; Invoice dated 8/25/14 - \$238.46
7. AT&T; Invoice dated 8/1/14 - \$21.36
8. Sangre de Cristo Chronicle; Invoice dated 8/31/14 - \$46.20
9. Petty Cash Debit Card Replenishment - \$390.00
10. Petty Cash Report; Balance \$173.54

- K. Reports

1. Administrative Report – Ms. Sollars reported that Kit Carson is done with pulling wire in Country Club 1A. Three of the five sections in Village North where the Kit Carson crew was unable to find the conduit are yet to be finished. There was also a tiny section in Village North that was not listed on the schedule. An estimate of the cost for that section has been received and the Construction Committee approved work to proceed there. A rebate request is being prepared and a reel deposit refund is due.

Concerning the County not honoring the District's property tax exemption due to being a political subdivision of the State of New Mexico, Ms. Sollars contacted the State Attorney General's office and DFA. Larry Marshall at DFA recommended that the District call the Property Tax Division of Tax and Rev. The representatives at Tax and Rev are investigating the matter. Also, the issue is being reviewed at the AG's office.

The first quarter report will be due to DFA next month. The July collections were \$18,288, which was \$6K less than the projected average. Ms. Sollars has been doing mostly audit preparation in the last couple of weeks and the audit will begin on September 22. Per Finance Committee recommendation, the District will be paying an additional \$35K beyond the balance of the Prepayment Account toward the next bond call to cover the assessment adjustment for the Hartnig/Filippone consolidated lot. The sample list for the audit has not arrived yet so Ms. Sollars will be working more hours than average this next week to finalize audit preparation.

There is a meeting on hold with the Cathe Moon of the Taos County Association of Realtors (TCAR) Board concerning the PID disclosure form now required for a PID property sale. Also on hold is a TCAR sponsored meeting to talk with the area real estate folks about the PID.

2. Finance Committee Report – Director Verry reported that the Finance Committee discussed and approved the additional money required for this month's bond call due to the assessment adjustment for the error made on the Hartnig/Filippone property.

He said that the committee also discussed the tax exempt status and recommends that until the outcome of the AG's review of the statute is known that the PID should not compromise by paying any property tax to the County.

Director Young commented on the increase in delinquencies over time. Ms. Sollars reported that the preliminary and unconfirmed delinquency rate for 2013 is actually slightly lower than 2012. Director Young expressed a concern that the new delinquency amounts per year could be more than the Board's ability to increase the assessments 2% per year. There is no danger of a money shortage this year or in the near future, but he wants to keep a close eye on how those numbers trend. Chairman LeBus said that because of this concern the Board may need to consider increasing foreclosure action.

3. Construction Committee Report – Ms. Sollars reported that the Construction Committee met on July 31st. The Committee approved pulling wire in Country Club 1A and visited the sites in Village North with Kit Carson representatives. Now that the rest of Village North is scheduled, Ms. Sollars asked for Construction Committee approval to request estimates to pull the wire in Country Club 1 & 2. The Committee members approved proceeding with Country Club 1 & 2.
 4. Treasurer's Report – Director Verry asked if all had received the Treasurer's Report. He asked if there were any questions. There were none.
- L. Adjournment – Chairman LeBus adjourned the meeting at 2:55 pm.

Next Regular PID Board Meeting will be October 9, 2014

Don A. Borgeson

Don Borgeson, Chairman Pro Tem

ATTEST: S. Sollars
Sally Sollars, District Administrator