

## **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**

**September 12, 2012 at 3:00 pm at the Village Hall Meeting Room**

- A. Call to Order - Chairman Jim LeBus called the meeting to order at 3:00 pm.
- B. Pledge of Allegiance - Chairman LeBus called for the Pledge of Allegiance.
- C. Roll Call - Present were Chairman LeBus, Vice Chairman Dan Rakes, Director Steve Oliver, and Director Chuck Verry (by phone). (Director Alan Young joined the meeting by phone during Executive Session.) 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 approve the agenda with no changes. Vice Chairman Rakes seconded. The motion carried 3-0.
- E. Enter into Executive Session - - At 3:01 pm Chairman LeBus announced that we will have a closed Executive Session Meeting. Director Oliver moved to enter into Executive Session. Vice Chairman Rakes seconded. Roll call vote: Vice Chairman Rakes; aye, Director Verry; aye, Director Oliver; aye. The motion carried 3-0.

Chairman LeBus returned to the Board Meeting at 4:08 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 September 12, 2012 at 3:01 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.

- F. Approve August 8, 2012 Minutes – Vice Chairman Rakes moved to approve the August 8, 2012 meeting minutes. Director Oliver seconded. The motion carried 4-0.

At this point in the meeting, Director Verry appeared to lose his phone connection.

- G. Requests and Responses from the Audience (Limit to 3 minutes) – None.
- H. Announcements and Proclamations – Sally Sollars announced that the Board Meeting time will return to 1:30 pm with the October 10, 2012 meeting.
- I. Business
  - 1. Discuss O'Neill Request for Deed Transfer – Ms. Sollars reported that Mr. O'Neill is a disabled man with a traumatic brain injury whose conservator explained that he will no longer have use for his Angel Fire property and does not have sufficient funds to pay for his care and the assessment. She said that it is unknown if the title is clear.

Chairman LeBus suggested that the Administrator request additional documentation showing the property is clear of encumbrances. Vice Chairman Rakes moved that the Administrator contact the O'Neills to let them know what more is required to begin the process for Board consideration. Director Oliver seconded. The motion carried 3-0.

2. Set Date for Administrative Hearings – Ms. Sollars reported that she recommended that the Administrative Hearings take place the week of October 15, 2012. She also recommended that all Board members be present for the hearings. Vice Chairman Rakes moved that the Board set the week of October 15 to begin the Administrative Hearings. Director Oliver seconded. The motion carried 3-0.

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

1. HDR Engineering, Inc.; Invoice #00020886-B - \$17,576.21
2. Stelzner, Winter, etal – General Counsel; Invoice #4073 - \$6,183.90
3. Kamm & McConnell; Invoice #33171 - \$75.56
4. Sally Sollars; Invoice #27 - \$8,036.33
5. BMWS; Invoice #08-0008 41 - \$355.00
6. CenturyLink; 8/25/12 Invoice – \$159.10
7. Village of Angel Fire; Conf. Call Expense (July 2012) - \$46.42
8. Petty Cash Report; Balance \$48.68

K. Reports

1. Project Manager Report – Carl Abrams reported on the status of the project. He said that each subdivision has its own punch list. The Country Club 1B, Chalets 1A – Caballo Lane, and Country Club 1A punch lists are complete. The other subdivisions have minor items on the punch lists to be completed, with the exception of the wetland mitigation and the slope failure in Country Club 1B, which we are working to resolve. The latest status has been supplied to the Village, AUI, and the PID Construction Committee.

Reiman Corporation completed the structural components of the El Vado Way bridge yesterday. Sometime next week H Excavation will resume installing the utilities and finish the road surfacing.

The first four subdivisions of record drawings are finalized with the exception of getting the electronic versions cleaned up. These included drawings for Country Club 1B, Country Club 1A, Chalets 1A – Caballo Lane, and Chalets Unit 4.

Vice Chairman Rakes asked if Mr. Abrams or the Construction Committee was intending to respond to a letter to AUI from Frank Salois, Village Streets Department, concerning a warranty issue. Mr. Abrams didn't know if a response was necessary as opposed to rolling Mr. Salois' concern into the punch lists. Director Oliver reported that he had been in the field with Mr. Salois this morning to look at the areas of concern. Vice Chairman Rakes asked Director Oliver to send an email to Mr. Salois summarizing the meeting.



2. Administrative Report – Ms. Sollars reported that the audit is scheduled October 8<sup>th</sup>, which is the week of the October Board Meeting and one week prior to the Administrative Hearings. There are eight people who have confirmed that they wish to participate in the Administrative Hearings. Ms. Sollars will work with Ms. Winter to get the final details in place.

We received the final budget approval from DFA.

Ms. Sollars and Mr. Abrams have been working hard to get resolution to the outstanding Kit Carson reconciliation of monies paid and materials delivered. We finally got a response that we should have resolution by end of business day today. Ms. Sollars has also submitted a first rebate request, but has had no response. She reported that she has been working with the Village Community Development office to gather information required by Kit Carson, but that Kit Carson is requesting information that the PID office and the Village office do not have. This is a work in progress.

There are about 24 delinquent owners that will be referred to Terry Kamm for demand letters this month.

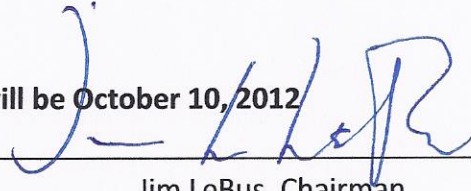
There is a section of conduit that will need to be energized soon. Mr. Abrams is working with Ms. Sollars to help her get more comfortable with the process as she will be handling energization requests over the next four years.

Ms. Sollars continued to report that there have been large prepayments collected that funded the \$145K bond call we will make prior to November 1. This call will reduce the annual debt service by \$7,000.

Ms. Sollars has requested a report on which PID properties sold at the County Tax Sale. She said that she had reported to the Finance Committee how much money was spend on foreclosure counsel for these same properties. Collections from those sales will be included in the check we receive about the 20<sup>th</sup> of the month.

3. Construction Committee Report – Director Oliver reported that the Construction Committee met yesterday. The HDR invoice was reviewed and approved. The Committee did not approve the AUI pay application. Chairman LeBus asked is this invoice was part of the original contract, to which Director Oliver said yes.
  4. Finance Committee Report – Vice Chairman Rakes reported that he was at the tax sale last Wednesday. He said there were seventeen PID lot on the list. He believed several lots were removed from the list due to payment prior to the sale. A couple of these lots had large delinquencies.
  5. Treasurer's Report – In Director Verry's absence, Chairman LeBus asked if everyone received the Treasurer's Report. Ms. Sollars said that she could answer any questions. There were none.
- L. Adjournment - Chairman LeBus announced the meeting adjourned at 4:22 pm.

Next Regular PID Board Meeting will be October 10, 2012

A handwritten signature in blue ink, appearing to read 'J. LeBus', written over a horizontal line.

Jim LeBus, Chairman

ATTEST:

A handwritten signature in blue ink, appearing to read 'S. Sollars', written over a horizontal line.

Sally Sollars, District Administrator