

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

September 21, 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, and Nann Winter, General Counsel, who joined the meeting at 2:04 pm.
- D. Approval of Agenda – Director Smith moved to amend the agenda by moving item H.1 to just before the Executive Session to give time for Ms. Winter to join the meeting. Chairman Young seconded. The motion carried with none opposed.
- E. Approval August 17, 2017 Minutes – Director Smith moved to approve the August 17, 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 – Ms. Sollars reported that one or two of the Directors will need to be present at both the entrance and exit interview with the auditor next week during the on-site visit.
- H. Business
 - 2. Consider and Approve Johnson Quitclaim Deed – Director Smith moved to reject the Johnson Quitclaim Deed. Chairman Young seconded. The motion carried with none opposed.
 - 3. Consider and Approve Administrator Attendance to Budget Conference – Director Smith moved to approve the Administrator attending the Budget Conference in November in Albuquerque. Chairman Young seconded. The motion carried with none opposed.
- I. Consent Agenda – Director Smith moved to approve the Consent Agenda. Chairman Young seconded. The motion carried with none opposed.
 - 1. NMFA Bond Call - \$175,000.00
 - 2. Prepay Interest to Prepay Account; Interest Credits – 691.00
 - 3. Stelzner, Winter, et al; Invoice #11666/11667 - \$5,581.85
 - 4. Village of Angel Fire; Water Fees - \$378.84
 - 5. Sally Sollars; Invoice #87 - \$6,398.08
 - 6. BMWS; Invoice #15-003 213 - \$380.00
 - 7. Kit Carson Telcom; Invoice #15214 - \$108.45

8. CenturyLink; Invoice dated 8/25/17 - \$112.03
9. Deposit to Petty Cash Account - \$500.00
10. Petty Cash Report; Balance \$25.55

J. Reports

1. Administrative Report – Ms. Sollars reported that the District now has all the actual cost invoices for the final work. Per the invoiced, the final amount due is about \$37K. However, there are \$42K charges for wire puller rental at \$7K per 40 hours. In the past, the Construction Committee has challenged those charges and settled with paying only 50%. During that dispute, Kit Carson sent the rental company's invoices, which showed an average of \$5,800 per month. With that as precedence, the committee may wish to treat these invoices the same.

This will close out the wire pulling part of the contract with Kit Carson; contract end date September 30, 2017. The total project was projected to be \$1,118,223, but the final cost is less at \$1,046,103, pending the amount of the final payment. The District will continue to request rebates up to 2026 per contract for the twice the first-year charges for new hookups.

We received Rebate #6, which was submitted in December 2016. There was no substantiation for the amounts. Included on this rebate was Director Abrams house. He will check his bills against the rebate amount. Ms. Sollars will request a meeting with Mr. Reyes at Kit Carson to discuss the rebate process going forward.

DFA sent final approval for the Fiscal Year 2018 budget. The budget conference will be on November 16 and 17 in Albuquerque. This is additional conference to the usual spring conference. Ms. Sollars said that she thought DFA was gearing up for the online system required of all entities next year with this extra conference.

July collections were \$55K, which is up \$37K over the projections. August collections were \$7K, down \$2,500 from projections. No prepayments were collected this month. A bond call for \$175K was made from the prepayment account. Next month the next debt service payment is due for \$865K. The is on October 3.

Ms. Sollars reported that there have been numerous problems with the Kit Carson fiber internet service. She has had local tech support check out the office computer, who found nothing. She called Kit Carson and was walked through an update, but that did not solve the problems. She will continue to try to get this straightened out. In the meantime, there have been email send and receive errors and asked the board to call if they did not receive an email response from me.

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.

H. Business Continued

1. Consider and Approve Resolution 2018-6 Interest Credit for Felts Adjustment – Ms. Winter said that this resolution is an updated version of what was presented at the last meeting. Julia Armstrong, counsel for Dr. Felts, argued that the credit for interest on the assessment adjustment made in 2013 was not acceptable, and the district court ordered that the Board reconsider. Instead of interest calculated one year at a time, she requested interest being calculated from the date of the interest credit. The board had considered this and directed new calculations, which are submitted in this resolution. The result is an additional \$667 due to Dr. Felts. Chairman Young moved to approve the resolution as written. Director Smith seconded. Roll call vote: Chairman Young; aye, Director Borgeson; aye, and Director Smith; aye. The motion carried with none opposed.

- K. Executive Session – At 2:35 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 2:55 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 September 21, 2017 at 2:35 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 2:55 pm.

Next Regular Board Meeting will be October 12, 2017



Don Borgeson, Chairman Pro Tem

ATTEST: 

Sally Sollars, District Administrator