

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

3465 Mountain View Blvd., Suite 14

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### **Board Meeting Minutes**

**September 8, 2016 at 2:00 pm at the PID Board Room**

- A. Call to Order - Chairman Pro Tem Don Borgeson called the meeting to order at 2:02 pm.
- B. Pledge of Allegiance - Chairman Pro Tem Borgeson called for the Pledge of Allegiance.
- C. Roll Call - Present were Director Don Borgeson (Chairman Pro Tem), Chairman Alan Young (by phone), Vice Chairman Rakes (by phone), and Director Abrams (by phone). Director Burl Smith was absent. A quorum was present. Also present was Sally Sollars, District Administrator.
- D. Approval of Agenda – Director Abrams moved to amend the agenda to include the NMFA Bond Call on the Consent Agenda. Chairman Young seconded. The motion carried 4-0.
- E. Approval August 16, 2016 Minutes – Ms. Sollars noticed that the agenda included a typo. This item should read August 16 instead of August 11, 2016. Chairman Pro Tem Borgeson asked for a motion to approve the minutes with the amended the date. Chairman Young moved to approve the minutes. Director Abrams seconded with the corrected date. The motion carried 4-0.
- F. Requests and Responses from the Audience – None.
- G. Announcements and Proclamations – None.
- H. Enter into Executive Session – At 2:06 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 Abrams moved to enter executive session. Chairman Young seconded. Roll call vote: Chairman Young; aye, Vice Chairman Rakes; aye, Chairman Pro Tem Borgeson; aye, Director Abrams; aye. The motion carried 4-0.

Chairman Pro Tem Borgeson returned to the Board Meeting at 2:39 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) (8) on September 8, 2016 at 2:06 pm at the PID Board Meeting Room the PID Board held a closed meeting to discuss disposition of properties with delinquent assessments. 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. Consent Agenda – Chairman Young moved to approve the amended consent agenda. Vice Chairman Rakes seconded. The motion carried 4-0.
1. Stelzner, Winter, et al; Invoices #9963/9964 - \$1,096.55
  2. Kit Carson; Invoices #1516-1526 - \$336,379.54
  3. NMFA Bond Call - \$300,000.00
  4. Sally Sollars; Invoice #75 - \$4,410.10
  5. Angel Fire Computer Guy; Invoice #1550 - \$60.00
  6. CenturyLink; Invoice dated 8/25/16 - \$113.51
  7. Kit Carson Telcom; Invoice #282034 - \$97.31
  8. BMWS; Invoice #15-003 81 - \$380.00
  9. AT&T; Invoice dated 8/1/16 - \$29.96
  10. Prepayment Account Deposit - \$43,067.61
  11. Petty Cash Report; Balance \$130.58
- J. Reports
1. Administrative Report – Ms. Sollars reported that the Construction Committee approved the final check to pay for the estimates for the remaining work of pulling wire through the buried conduit. With all estimates paid, there is \$61,492 left in the Kit Carson Reserve account which will remain there until the actual cost invoices are received and reconciled. She said that she had not gotten a work schedule from Kit Carson even though they have reportedly started work. Ms. Sollars is staying in weekly contact with them.

The delinquent PID properties are not included in the upcoming state tax sale. The Colfax County Deputy Treasurer said that the Property Tax Division of the Department of Taxation and Revenue did not think that the properties were worth their time and effort to try to sell. Chairman Pro Tem Borgeson said that the properties listed on the tax sale list were far less than the number of delinquent properties eligible for sale, including many properties not assessed by the District. The Village of Angel Fire general obligation bond election will be held next week.

A quit claim deed filed at the County Clerk's office on August 5<sup>th</sup> by Charles Kalm. Mr. Kalm has not paid any assessment and has about \$40K in delinquent assessments plus the property tax and County imposed penalty and interest. The District general counsel is in process of filing a reverse quit claim. Vice Chairman Rakes said that, in a similar situation, he had informed the County that it is illegal to transact a conveyance of property without the knowledge of both parties. However, he said the County Clerk responded that she was not a lawyer and only a recorder. In Vice Chairman Rakes case, he quit claimed the deed back to the original owner.

July collections were \$12,220. Average July collections are \$24K. About \$43,500 will be transferred into the Prepayment Account to cover the Roberson

adjustment and interest credits on the recent prepayments. The audit has been moved to September 20 and 21. Chairman Pro Tem agreed to be present for the audit entrance and exit conferences. A bond call from the prepayment account is being prepared for \$300K.

The District's application to refinance the NMFA loans was considered at their internal credit committee this morning, but their recommendations are not known yet. Assuming that it passes the initial committees, the NMFA Board will be considering the application at their September 22 meeting. Chairman Young, Nann Winter, and Ms. Sollars will be attending that meeting in Santa Fe. The District general counsel will be seeking bond counsel for the refinance.

Ms. Sollars reported that the office computer continues to crash. She anticipates purchasing a new computer in October and has asked the Angel Fire Computer Guy to block out some time for transferring the files mid to late October.

2. Treasurer's Report – There were no questions.  
K. Adjournment – Chairman Pro Tem Borgeson adjourned the meeting at 2:47 pm.

Next Regular Board Meeting will be October 13, 2016



Don Borgeson, Chairman Pro Tem

ATTEST:   
Sally Sollars, District Administrator