

VILLAGE OF ANGEL FIRE  
Council Regular Meeting Minutes  
Tuesday May 19<sup>th</sup>, 2015 at the Village Hall

**Call to Order**

Mayor Cottam called the meeting to order at 5:30 PM

**Pledge of Allegiance**

Mayor Cottam called for the Pledge of Allegiance.

**Roll Call**

Present were Mayor Cottam, Mayor Pro-tem Howe, Councilor Germscheid, Councilor Colenda, Councilor Lanon. Also present were Village Manager Richard Tafoya, Village Clerk Terry Cordova and Village Attorney Joe Canepa. A quorum was present.

**Approval of Agenda**

Mayor Pro-tem Howe made the motion to approve the agenda with a change to item E that it should read "Award "not Contract, Councilor Lanon seconded. Motion carried 4-0

**Approval of Consent Agenda**

**1. Approval of April 14<sup>th</sup> Regular Council Meeting Minutes**

Mayor Pro-tem Howe made the motion to approve the consent agenda, Councilor Germscheid seconded. Motion carried 4-0

**Requests and Responses from the Audience (Limited to 3 minutes)-None**

**Announcements and Proclamations**

Councilor Colenda read the flyer for the wildfire protection open house that will be held May 21<sup>st</sup> at the Community Center and encouraged everyone to attend.

**Reports:**

**a. Governing Body Report**

Mayor Pro-tem Howe gave an update on Run For The Wall, there were 300 riders. He also went over the events that will be happening Memorial Day weekend. He also reported that the New Mexico Department of Veterans Services was holding their meeting here with close to 22 participants in attendance from all over the state.

Mayor Cottam reported on the cleanup day that was held on May 16<sup>th</sup>. There were over 100 participants and close to 124 bags of trash. It was a big success.

**b. Manager's Report**

Manager Tafoya thanked everyone for their work on the interim budget

**c. Staff Reports**

Andy Bertges, Fire Chief, gave a report on the fire department (see attached)

Amos Torres, Public Works Director, gave a report on public works (see attached)

Brad McCaslin, Police Chief, gave a report on the police department (see attached)

Also attached to these minutes is a financial report

**Old Business-None**

**New Business**

**A. Discussion/Approval of a Four County Groundwater Initiative Memorandum of Understanding (MOU)**

Bill Sobel, County Commissioner went over the MOU and explained its importance.

Mayor Pro-tem Howe made the motion to approve a four county /regional SWCOS groundwater initiative Colfax, Harding , Mora and Union counties memorandum of understanding amend item 3 of administration section to add MOU in no way restricts participants testing of its own wells by its own consultants or restricts participants input into who does the study . Councilor Germscheid seconded. With no further discussion the motion carried 4-0

1 **B. Discussion/ Approval of a Contract with Canepa and Vidal ,P.A. for Legal Services**  
2 **as Village Attorney**

3 Tracy Orr, Grants and Projects, explained that the Village sent out a request for proposal  
4 for legal services. We received one proposal from Canepa and Vidal. The proposal states  
5 that Canepa and Vidal will perform all requested work at the rate of \$150 per hour; this  
6 is the government rate, which is the same rate from their previous contract. Mayor Pro-  
7 tem Howe made the motion to approve a contact to provide legal services as a village  
8 attorney to the Village of Angel Fire from Canepa and Vidal. Councilor Lanon  
9 seconded. With no discussion the motion carried 4-0

10 **C. Discussion / Approval of the FY 2015/2016 Interim Budget**

11 Mayor Cottam stated that the budget was discussed in great length at the work session  
12 this afternoon. Mayor Pro-tem Howe made the motion to approve the FY 2015/2016  
13 interim budget. Councilor Lanon seconded. With no discussion the motion carried 4-0  
14 with Mayor Pro-tem Howe –aye, Councilor Germscheid –aye, Councilor Lanon –aye,  
15 Councilor Colenda –aye.

16 **D. Discussion/Approval of Resolution 2015-09 a Resolution Adopting the New Mexico**  
17 **Procurement Code and State Procurement Regulations**

18 Fabian Mascarenas, Grants and Projects explained that the village is forming a central  
19 purchasing office as well as training a chief procurement officer. A uniform  
20 procurement code and regulations must be adopted by the village in order to comply  
21 with the new state requirements. Mayor Pro-tem Howe made the motion to approve c  
22 which are state procurement code requirements and to adopt chapter 13,article 1  
23 procurement ,from 13-1-1 to 13-1-199 which covers public purchases and property and  
24 rescinding all others. Councilor Germscheid seconded. With no discussion the motion  
25 carried 4-0 with Mayor Pro-tem Howe –aye, Councilor Germscheid –aye, Councilor  
26 Lanon-aye, Councilor Colenda-aye.

27 **E. Discussion / Approval of a Contract with WM Serazio for the Construction of**  
28 **Camino Grande, MAP-7507(901) in the Amount of \$508,632.37**

29 Tracy Orr/Fabian Mascarenas Grants and Projects explained that the village went out to  
30 bid for the construction of the Camino Grande Road project. The first and only bid came  
31 from WM Serazio Construction. The bid was for \$741,076.21 and was \$148,071.69  
32 more than the engineer' estimate, which was \$593,004.52. The village rejected this bid  
33 and re-bid the project. WM Serazio was the sole bidder again and his second bid came  
34 in lower at \$ 676.654.44. Dennis Engineering was able to negotiate this amount down to  
35 \$508,632.37. The MAP grant is for \$211,272.00 and the village match is \$70,434.00.  
36 The village has spent \$45,143.35 for engineering services so far. Mayor Pro-tem Howe  
37 made the motion to approve the notice of award with WM Serazio for the construction  
38 of Camino Grand, MAP-7507 (901) in the amount of \$508,623.37. Councilor Colenda  
39 seconded. Mayor Pro-tem Howe asked why they thought WM Serazio was the only one  
40 to bid. Tracy said she believed that it was because WM Serazio was doing a job in Eagle  
41 Nest and that he would already be in the valley. With no further discussion the motion  
42 carried 4-0

43 **F. Executive Session Per NMSA 10-15-1 H (7) and (8)**

44 **1) Pending /Threatened Litigation :**

45 **A. Joint Declaratory Judgement Action with Angel Fire PID Re:**  
46 **Angel Fire Resort Operations, LLC Claim for Delinquent AFPO**  
47 **Assessments / Dues Against the Village of Angel Fire and/or PID**  
48 **Owned Lands**

49 **B. Wildfire Protection Fcc/ Community Wildfire Protection Plan**  
50 **(CWPP) Re: Village of Angel Fire Liability**

51 **2). Acquisition/Disposal / Leasing of Village of Angel Fire Real**  
52 **Property:**

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- A. Village of Angel Fire Retransfer/ Reversion Deed to Angel Fire Real Estate , LLC for Unused Water Tank – Lot 2759 , Angel Fire Chalet Subdivision
- B. Village of Angel Fire Donation of Tract C-1 to State of New Mexico for Veterans Memorial Cemetery/ Re: Transfers to 501c3 Memorial Pending Village of Angel Fire Subdivision Review / Approval
- C. Disposition / Leasing of Village of Angel Fire Lands for Participation with Kit Carson Electric Coop in /for Angel Fire 1 Solar Array
- D. Joint Development Agreement Options with Angel Fire Resort Operations ,LLC on Plaza del Sol/ Liberty Square Village of Angel Fire Lands for Event Center/ Fairgrounds Etc.

Mayor Pro-tem Howe made the motion to go into executive session per NMSA 10-7 and 8. Councilor Lanon seconded. With no discussion the motion carried 4-0 with Mayor Pro-tem Howe-aye, Councilor Germscheid –aye, Councilor Lanon-aye, Councilor Colenda-aye.

Councilor Lanon made the motion to come out of executive session at 8:05 pm .Councilor Colenda seconded. Motion carried 4-0 with Mayor Pro-tem Howe –aye, Councilor Germscheid –aye, Councilor Lanon-aye, Councilor Lanon-aye

Mayor Cottam stated that only the items listed on the agenda were discussed and no decisions were made.

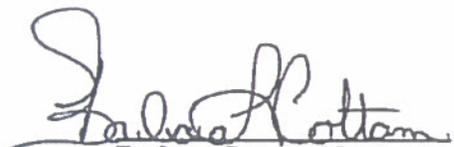
- 1.)
  - A. Mayor Pro-tem Howe made the motion to authorize Joe Canepa, Village Attorney to join with the PID to ask for a declaratory judgement. Councilor Colenda seconded. With no discussion the motion carried 4-0
  - B. Mayor Pro-tem Howe made the motion to authorize Joe Canepa, Village Attorney to proceed with reviewing combined lots and inaccessible membership lot and brief council at a future executive session. Councilor Lanon seconded. Councilor Germscheid disclosed she works for the resort. Council had no objections to her voting. With no discussion the motion carried 4-0.
- 2.)
  - A. Mayor Pro-tem Howe made the motion to authorize Joe Canepa to retransfer lot 2759 to the resort and for the mayor to sign deed. Councilor Colenda seconded. Councilor Germscheid disclosed that she works for the resort. Council had no objection to her voting. With no further discussion the motion carried 4-0
  - B. Mayor Pro-tem Howe made the motion to retransfer tract C-1 to property owners. Councilor Germscheid seconded. With no further discussion the motion carried 4-0
  - C. Mayor Pro-tem Howe made the motion to authorize Joe Canepa to prepare legal documents to locate Ange Fire 1 solar array within 24.9 acre transfer station property, in participation with Kit Carson and the developer. Councilor Colenda seconded. With no further discussion the motion carried 4-0.
  - D. Mayor Pro-tem Howe made the motion to authorize Joe Canepa, Village attorney to prepare documents to negotiate with the resort on the fair grounds. Councilor Colenda seconded. With no further discussion the motion carried 4-0

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**Adjournment**

Councilor Lanon made the motion to adjourn at 8:15 pm, Councilor Colenda seconded. Motion carried 4-0

**Passed, Approved and Adopted on this 9<sup>th</sup> day in June, 2015**

  
**Barbara Cottam, Mayor**

**ATTEST:**

  
**Terry Cordova, Village Clerk**

# Village of Angel Fire Fire Department

P.O. Box 610

Angel Fire, New Mexico 87710

(575) 377-3347 FAX: (575) 377-6098



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Staff Report May 19, 2015

Fire Department held first Kids Safety Boot Camp.

8 classes ranging from fire science to fire fighter operations.

Though the weather was not the greatest; It went very well with good feedback from the kids.

Hope to have on yearly or bi yearly.

Village staff is working on the Hazard Mitigation Plan for FEMA. Currently we are overdue for a update. The plan utilizes a survey of public opinion to gear projects towards mitigation efforts the public feels is important to our safety and property.

Our Forest Our Future open house Thursday May 21. We will have speakers and guest such as USFS, State forestry, insurance, Colfax Emergency manager. USFS is bringing a electronic sand table where they can model a fire in our area and give us an idea what could happen with a fire.

Andrew Bertges  
Fire Chief  
[affdchief@afgov.org](mailto:affdchief@afgov.org)

575-377-3347 (Station)  
575-377-6098 (Fax)

PO Box 610  
Angel Fire, NM 87710

**Village  
Of  
Angel Fire  
Public Works  
May 19, 2015**

**Public Utilities**

**Coffey II well**

Public Utilities Coffey II well project was scheduled to begin yesterday May 18<sup>th</sup>, due to weather the project will begin as soon the weather permits. Archuleta Construction was awarded the contract in the amount of \$88,372.06. Building is scheduled to be completed by the end of July.

**Mobile Home Estates**

Mobile Home Estates sewer line was completed in February and the Public Utilities has been in communication with NMED and the Resort to establish an acceptable and approved closure plan for the Wastewater Treatment Facility and lagoon. Water system is also being scheduled for final completion with the Resort.

**Water Rights**

The Village has been using Junior Water Rights as allowed by the State Engineers Office. Need to remind everyone that we are currently on Stage II water restrictions and details are available online and at Village Hall.

**Solid Waste**

**Slash**

The Solid Waste Dept. has begun to collect slash and we encourage everyone to review the Slash Policy which is available online and at Village Hall.

**Equipment**

Solid Waste Dept. is looking at purchasing two pieces of equipment, one roll-off trailer and one forklift. The roll-off trailer will be used primarily to haul wood chips to various locations, but may be utilized in other tasks throughout the Village Departments.

Solid Waste also needs to purchase a forklift to move recycling bundles. Forklift will provide a safer method of moving the bundles. Current method of moving the bundles is using a skid steer.

## Streets

### Roadways

Street Department has been working on drainage clean-up and roadway and maintenance.

Bids were opened for Camino Grande Paving project which will be presented later on the agenda.

**ANGEL FIRE  
POLICE DEPARTMENT**

3465 MOUNTAIN VIEW BLVD  
ANGEL FIRE, NM 87710

Date : 05/19/2015  
Page : 1  
Agency : AFPD

**Calls For Service Totals By Call Type**

04/01/2015 to 05/01/2015

<b>Call Type</b>	<b>Totals</b>
10-44 Property Accident	1
10-89 Welfare Check	3
AOA Assist Other Agency	3
CHILD AB Child Abuse	2
CIVIL PR Civil Process	1
DRTEST Driving Test	1
HW House Watch	1
S21 Burglary	1
S22 Disturbance	3
S22D Domestic	2
S29 Wanted Person	1
S35 Narcotics	1
S40 Alarm	5
S42 Trespassing	3
S42N Trespass Notice	1
S48 Animal Complaint	1
S49 Harassment	2
S55 Open Door	2
S57 Fraud	1
<b>Grand Total for all calls</b>	<b>35</b>

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**Citation Totals By Violation**

04/01/2015 to 05/01/2015

<b>Violation</b>		<b>Total</b>
12-10-4(C)	EXPIRED REGISTRATION	1
12-10-6(B)	UNINSURED MOTOR VEHICLE	2
12-6-1.1	SPEEDING	2
12-6-12.4	CARELESS DRIVING	1
12-6-13.14	OPEN CONTAINER	1
5-2B-2(B)	CRIMINAL TRESPASS(Remaining after d	2
5-2D-3(B)	POSSESSION OF LESS THAN 1oz OF MAR	1
5-2D-4(C)	POSSESSION OF DRUG PARAPHERNALIA	1
	<b>Grand Total</b>	<b>11</b>

**ANGEL FIRE  
POLICE DEPARTMENT**

3465 MOUNTAIN VIEW BLVD  
ANGEL FIRE, NM 87710

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**Arrest Totals By Violation**

04/01/2015 TO 05/01/2015

<b>Violation</b>		<b>Total</b>
5-2B-2(A)	CRIMINAL TRESPASS (Consent denied or...	2
5-2D-3(B)	POSSESSION OF LESS THAN 1oz OF...	1
5-2D-4(C)	POSSESSION OF DRUG PARAPHERNALIA	1
WANTED PERSON	WANTED PERSON	1
<b>Grand Total</b>		<b>5</b>

## Financial Report through April 30, 2015

### 1) Cash:

General Fund cash balance remains close to \$1,170,000, now reflecting close to a \$500,000 increase over the prior year balance as of the end of April. That being said, May and June are burdened with substantial debt payments totaling close to \$230,000 to be paid from General Fund, Sports and Recreation, Special Assessment, and Enterprise checking accounts.

Total revenue at \$3,777,484 stands at 93.7% of the annual budget and reflects a \$370,000 increase over the prior year, largely due to an increase in GRT revenue of \$339,000 as well as a \$17,000 increase in ambulance service revenues.

Enterprise Fund cash balance is approximately \$1,025,000, again reflecting close to a \$500,000 increase over the prior year balance as of the end of April.

In February the Village began making deposits of \$5,000 monthly to the State Investment account, to build up the contingency fund per regulation – the balance as of April 30 stands at \$16,350.

- 2) Revenues exceed combined expenditures and operating transfers for the General Fund by \$472,092 through the end of April. That being stated, Village revenues are cyclical due to ski season, and 93% of budgeted property and gross receipts taxes for the year have already been collected. Invoices and debt payments continue to be paid timely. We do have a few funds requiring budget adjustments, and we will be bringing those requests to the Village Council for authorization in June.
- 3) An identified area of focus is the collection of delinquent accounts primarily relative to fire protection and availability receivables.
- 4) Fieldwork for the 2013-2014 audit was completed the week of April 20, and we are waiting for the audit draft. We have been given a June 1 date of report completion and submission to the State Auditor's office by Axiom, our audit firm. Research relative to interfund transfers continues, somewhat clouded by netted audit adjustments from prior years, intermingled with pooled cash adjustments.