

VILLAGE OF ANGEL FIRE
Council Work Session
Tuesday November 8th, 2011 at the Village Hall

I. Call to Order

Mayor Hamilton called the meeting to order at 3:30 PM

II. Pledge of Allegiance

Mayor Hamilton called for the Pledge of Allegiance

III. Roll Call

Present were Mayor Hamilton, Mayor Pro-tem Howe, Councilor Germscheid, Councilor May, Councilor Welker. Also present were Village Administrator Leahy and Village Clerk Terry Cordova. A full quorum was present.

IV. Approval of Agenda

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

Council Work Session:

1. Refuse Rate

Administrator Leahy started by saying that he talked with both the lumber yards, RBS and Alpine. RBS was adamant that the fees were excessive and that they do not believe that people are putting items in their dumpster. Alpine has 4 dumpsters and stated they thought they could get by with only 2. Other than those two lumber yards I have not heard back from anyone else. Both lumber yards expressed that \$330.00 was excessive. Administrator Leahy gave a recap of the charges and that there could be the possibility of charging home business \$5.00 directly to their water bills. Light users would see a reduction, while medium users would stay the same; heavy users would see an increase and in some cases a significant one. Mayor Hamilton asked what this would do to the lumber yards? Administrator Leahy stated that Alpine said they felt that if they cut back on the number of dumpsters that maybe all we would see is their debris. RBS on the other hand does not believe that people are dumping items into their dumpster, but from the Village point of view the employees at the transfer station are seeing building material in their dumpsters. \$330.00 might be a bit high; both are paying \$120.00 to \$150.00 now. Administrator Leahy believes that we may want to adjust down the lumber yard fee to \$150.00 per dumpster and charge lodging, restaurants other type business \$100.00 per dumpsters. Councilor May stated she would agree with a reduction in lumber yard fees to \$150.00 per dumpster. Mayor Hamilton asked if there was a way to place signs to educate people on what to place in the dumpster. Administrator Leahy stated that there are already signs on the dumpsters. Councilor Germscheid asked if making these adjustments would affect the making of a profit versus losing money. Administrator Leahy answered yes, that there may be a slight decrease in revenues but that it would not impact our ability to operate that enterprise fund. Administrator Leahy will bring this in resolution form for the next meeting in December.

2. Financial Update – Lupita de Herrera

Lupita de Herrera went over the department financials. She stated that all the budget over rides that were discussed at the last work session have been identified but have not been entered into the system. Lupita explained that there were a lot of miss post from last year in the revenue and expenditure report and she was cleaning that up to finish the quarterly report. She will be presenting midyear budget adjustments in January. She will be working with department heads in January with midyear budget adjustments. Councilor Germscheid asked about cash flow and how we were doing in that area. Administrator Leahy went over the challenges that we go through in September with the debt service payments and with three payrolls. We continue to make sure local vendors are taken care of, that's always our first priority. We released close to \$180,000 in payables in the month of October. It continues to be very tight. What Lupita did this year was to identify the dollars that are used with the credit cards and are not general fund

1 and need to be replaced back in that fund. We will get GRT next week; GRT keeps coming in
2 surprisingly well. GRT from last year is up by 22%. The PID number may not be as high as
3 expected. If this trend continues we can expect to see a good check this month .We should see a
4 continued growth in property tax in the following months which will give us a chance to get
5 caught up and get ahead. Councilor Germscheid asked how many new bills came in that month.
6 How much do we accrue each month? Administrator Leahy said we average roughly \$250,000
7 per month. This is the time of year we struggle the most, because that much does not always
8 come in the door. Because DFA requires us to prepare our budget on a cash basis and in that
9 case basis budget we have never made allowances for past due accounts. This year we throw
10 some money in there to cover that this year, in the past that had never happened. So there was
11 this AP amount that flowed forward from the previous year that really does not show up until
12 you write the check. Mayor Hamilton asked what our AP balance was. Currently it is
13 approximately \$850,000 and will beginning to go down in the next few months as the
14 property tax checks come in. Lupita also stated she was work though lodger's tax to make sure
15 it is being posted and expended correctly. Councilor May would like to see some changes with
16 the allocations of the funds. She stated that the committee was going to look in to that in
17 December.

18 Councilor Welker asked about the thinning project and if we were done. Administrator Leahy
19 said that we thought that we were done , but that State Forestry came in at the last minute and
20 stated that we were to clean up most of the remaining fire wood, which was not our
21 understanding. We are current on the grant and are waiting for probably two more pay outs
22 .Administrator Leahy did state that the lesson learned was that we needed better coordination
23 between the department s when doing these grants .

24 Councilor Germscheid asked if all the bills for the Wellness and Healing were paid. Mayor
25 Pro-tem Howe stated that all bills were paid and that they would be closing the account soon.
26 Administrator Leahy went over the refinancing of 5 RUS loans that the Village has. There are
27 two different scenarios, 1) we pay off the loans under the current terms and for a period of time
28 we could generate an additional \$30,000 dollars. There is no impact on the principal, but
29 interest rate would drop by a 1/3 the average rate goes from 4.70 to 3.15. The other option is to
30 shorten the term by four years we save about \$1,265,000. In either case we save. If we don't
31 need the cash then the shortening the term makes better sense. As we come into the next budget
32 this will be one of the questions that will need to be asked. We would like to have all the audit
33 caught up. By January we should have them all done, so if all works out we could go before the
34 NMFA board in January. The refinance plan will also help with the timing of our debt
35 payments.

36 Administrator Leahy gave a brief update on the Valley of the Utes. At this time there are no
37 lawsuits filed on the Valley of the Utes. We have had claims made; we are negotiating with
38 both the resort and Mr. Rush. The New Mexico self-insures fund has been put on notice and
39 they have copies of the demand letters and claims. The NMSIF had two investigators out here
40 last Thursday. They interviewed Patti, Darrell and myself. We went up to Mr. Rush's and BJ
41 Lindsey was there, Mr. Rush's attorney was also there along with Mr. Rush. We spent about an
42 hour and half there making sure they knew the lay of the land. Basically having a conversation
43 about what we can do going forward .Part of the claim is a refund for sewer availability and
44 they and every other property owner will be refunded. We have already done the calculations
45 and that part does not need to be renegotiated we understand that is an obligation on our part.
46 We have assured the resort and Doctor Rush that we want to reach a fair and equitable
47 settlement. Councilor May asked how the refunds were being made. We have offered the
48 refund to their accounts and most of them want a check. We billed, they paid, we got the
49 money, and we will pay them back. Councilor May asked how much it would. Administrator
50 Leahy stated it would be about \$55,000. We have paid off a few of them as they came , but
51 believe we can get most of the refunds out by the December /January time frame when cash is
52 better .

53 3. Discussion about ATV Ordinance

1 Acting Police Chief John Perkins went over the information he had researched. Stating that if
2 we wanted an ordinance we could have one but if we go against state or federal law we would
3 not get any state or federal grant money. He believes it would not be a good idea at this time.
4 Chief Perkins provided the clerk with further information that will be scanned and set to each
5 council member.
6

7 **4. Discussion about the length of time the meeting tapes are kept before being erased**

8 Patti Galliher, HR Director went over the opinion that she received from Roger Makin with the
9 New Mexico Municipal League. (see Attached) Administrator Leahy went on to explain that
10 the minutes are not to have a huge level detail ,but if there is a topic ,a vote or something that
11 is important to council and that you wanted to make sure that is was reflected in the minutes
12 you have very rite to have Terry put your comments verbatim in the minutes. There have been
13 times in the past that councilors have asked for that. Councilor Welker stated that the opinion
14 from the League did not surprise him. In his opinion it still does not make it right. I still feel
15 that the tapes should be kept longer. Councilor May remembers that a class she attended
16 suggested that you have brief minutes as you can possibly have and so we followed that
17 recommendation for as long as we could, but I don't feel it is working for us anymore. I would
18 be in favor of retaining the tapes a little longer. Councilor Germscheid thinks that there is some
19 value in keeping the tapes longer. That even if no one comes in and listens to them it is
20 reassuring to know that they can. Administrator Leahy asked if there was a time frame for how
21 long they wanted to keep them. Janet Sailor made the comment that she felt the only reason for
22 destroying the tapes was to protect the people that are making statements. Eric Heinz with
23 local newspaper stated that he ran into this problem when the Red River council meeting was
24 moved and he was unaware that it had been moved . Red River does not record their meetings
25 so he had no way to listen to what happened at that meeting. He was in favor of keeping the
26 tapes longer. Mayor Hamilton gave his support for whatever the council decides. Council
27 tossed around several possible time frames and came up with 3 months. Staff was given the
28 directive to prepare a resolution to be presented at the December council meeting.
29

30 **V. Adjournment**

31 Councilor Welker made the motion to adjourn at 5:05pm, Councilor May seconded, motion carried 4-0
32

33 **Passed, Approved and Adopted on this 13th day in December, 2011**
34

35
36
37 

38 **Stuart Hamilton, Mayor**

39 **ATTEST:**

40
41 
42
43 **Terry Cordova, Village Clerk**
44
45