

RESOLUTION NO. 2018-28

A RESOLUTION OF THE VILLAGE OF ANGEL FIRE NEW MEXICO DECLARING ITS OFFICIAL INTENT TO WRITE OFF CERTAIN UNCOLLECTABLE UTILITY, WATER RIGHTS AND SOLID WASTE FEES; AND PROVIDING CERTAIN OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, the Village of Angel Fire in the State of New Mexico is duly organized and existing pursuant to the Constitution and laws of the State; and

WHEREAS, the Governing Council is the governing body of the Village; and

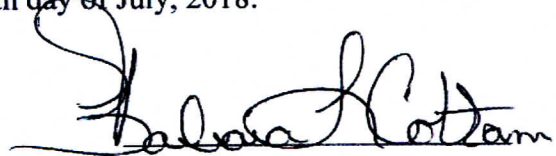
WHEREAS, the Council has determined that it is the best interest of the Village to write off certain uncollectable utility, water rights and solid waste fees; and

WHEREAS, NMSA 1978, 37-1-4, the New Mexico Court of Appeals Decision in Hurley v. Village of Ruidoso, 2006 NMCA 041; 139 N.M. 306 and Section 3-37-7 of the Municipal Code bar collection actions by New Mexico Municipalities for utility delinquencies over 4 years old; and

WHEREAS, it has been determined by Legal Counsel that there are no anti-donation infringements by reason of write off of an uncollectable debt that is barred by state statute 37-1-4 as well as specific appellate court case prohibiting municipalities from collection of delinquent amounts barred by the 4-year statute of limitations.

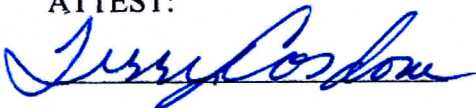
NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF ANGEL FIRE THAT THE DELINQUENT UTILITY DEBT AS REFLECTED ON APPENDIX A WILL BE WRITTEN OFF:

PASSED, APPROVED AND ADOPTED this tenth day of July, 2018.



Barbara Cottam, Mayor

ATTEST:



Terry Cordova, Village Clerk

Report Criteria:
 Selected types: Write Off

Write Off

12/13/2017

Name	Customer Number	Type	Reference Number	Description	Source ID	Check Number	Amount	Msg	Service
AF REAL ESTATE LLC	90.5384.01	Write Off	7	SETTLEMENT LUMP SUM PAYMENT			-1,112.88	M	Multiple
AF REAL ESTATE LLC	90.5365.01	Write Off	8	SETTLEMENT LUMP SUM PAYMENT			-1,112.89	M	Multiple
AF RESORT OPERATIONS LLC	90.2998.00	Write Off	3	SETTLEMENT LUMP SUM PAYMENT			-8,789.85	M	Multiple
AF RESORT OPERATIONS LLC	90.6048.01	Write Off	4	SETTLEMENT LUMP SUM PAYMENT			-1,848.06	M	Multiple
AF RESORT OPERATIONS LLC	90.4858.00	Write Off	5	SETTLEMENT LUMP SUM PAYMENT			-842.10	M	Multiple
MYATT, SNOPINE C/O LEONARD	90.2998.00	Write Off	1	SETTLEMENT LUMP SUM PAYMENT			-4,162.41	M	Multiple
MYATT, SNOPINE C/O LEONARD	90.3000.00	Write Off	2	SETTLEMENT LUMP SUM PAYMENT			-4,162.41	M	Multiple
Total 12/13/2017:	<u>632963003</u>						<u>-20,229.41</u>		
Total Write Off:	<u>632963003</u>						<u>-20,229.41</u>		

06/20/2018

Name	Customer Number	Type	Reference Number	Description	Source ID	Check Number	Amount	Msg	Service
JOHN BAINES CONSTRUCTION	90.4487.00	Write Off	1	adjusted to Resorl. write off			-5,382.15	M	Multiple
JOHN BAINES CONSTRUCTION	91.5898.00	Write Off	2	adjusted to Resorl. write off			-6,875.04	M	Penalty - 31
Total 06/20/2018:	<u>182013600</u>						<u>-12,257.19</u>		
Total Write Off:	<u>182013600</u>						<u>-12,257.19</u>		
Grand Totals:	<u>814976603</u>						<u>-32,486.60</u>		

Report Criteria:
 Selected types: Write Off