

The Association of Angel Fire Property Owners, Inc.

Minutes of the December 10, 2020 Board Meeting of the Association of Angel Fire Property Owners, Inc. Board of Directors.

Location of Meeting:

Due to the Corona Virus restrictions and New Mexico governing requirements, all Board of Directors and members were together at a Virtual Meeting through ZOOM.

Time Commenced:

The Board Meeting of the Association of Angel Fire Property Owners, Inc. was called to order by Vice President Davey at 5:32 pm MST on December 10, 2020.

Roll Call: Establish a Quorum

Board of Director's Name	Present	Board of Director's Name	Present	Board of Director's Name	Present
Penni Davey	X	Jim Miller	X	Sandra Trom	X
Holly Ham	X	Hank Rennar	X	Peggy Trott	X
Spencer Hamons	X	Carol Rupp	X		

Eight (8) Directors present. Therefore a quorum was established.

Mark Manley, Resort ex-officio Member of the board was present.

Vice President Davey made a statement at the beginning of the meeting, *"Angel Fire Resort nor the Association of Angel Fire Property Owners, Inc. are waiving their objection to the issue of legitimacy of the Board. With that said, AAFPO and AFR will continue to work together to comply under the governing documents."*

1) Approval of the Agenda

Vice President Davey made a motion to change the Agenda to move the guest questions and comments to the beginning of the meeting to meet time restraints for the members. Jim Miller seconded the motion. VP Davey asked for approval of the revised agenda. All board members were in approval of the revised agenda and no board members were against. Motion carried.

2) Approval of the October 29, 2020 Minutes

VP Davey made a motion to approve the October 29, 2020 minutes.

Mark Manley – POINT OF ORDER

VP Davey recognized Mark Manley. Mark objects to adoption of the draft minutes. He asked objection to minutes be noted in this meeting minutes. VP Davey noted objection and asked for approval of the minutes from the board members. No objections from the Voting Board Members, therefore minutes approved.

3) Questions & Answers from Members

Secretary Trom read Member questions and assigned the appropriate committee to address. *See all questions and answers attached for reference. **Attachment A***

Mark Manley remarked he would not answer questions at the meeting, he requests that all members send questions related to the Resort directly to him via email (mmanley@angelfireresort.com) and he will get answers for them. All members asking questions must identify themselves and be members of the Resort. Discussion followed on how to handle these questions for the Resort.

Director Miller – Point of Order

Director Miller asked if a member must identify himself or herself to be able to ask questions at the AAFPO Meeting. Vice President Davey said no.

It was decided all questions would be read and if answers are possible, the board or ex-officio would handle these.

Mark Manley – Point of Information

Mark discussed his view on the questions and answers from the membership. Mark felt that a member should identify himself or herself in order for a question to be addressed.

Director Miller – Point of Order

Director Miller pointed out that a decision has been made by the VP on this matter and we need to honor that decision and move on.

Reading of the questions and answers continued.

Director Trott – Point of Order

Director Trott stated on Question No. 6, relating to the database & ex-Executive Director, that we needed not address personnel issues due to privacy. Board agreed.

Director Hamons – Point of Order

Director Hamons shared his screen to show the members specifically what information the AAFPO Board is asking from the Resort on the database. **Attachment B**

Mark Manley – Point of Information

Relating to question No. 14, Mark Manley said he worked for the resort and he was on the board. Secretary Trom answered, *“only as an Non-voting ex-officio, not an elected Board Member”*. Director Hamons said that was a good distinction to make for our members.

Director Miller – Point of Order

Director Miller commented in relation to question No. 18, he thinks the amount of delinquent dues is a huge issue. He proposes to get a collaborative idea on how to get those members back in good standing. He suggests contacting those members and researching why they are delinquent and what types of properties these are (unimproved lots, homes, etc.) and to work with the Resort to bring these members back in good standing.

Vice President Davey – Point of Information

VP Davey asked Mark Manley if the Resort is filing liens for unpaid assessment dues. Mark Manley replied yes. Discussion followed. Mark Manley stated, "I am here to protect the Resort and here to monitor this meeting."

Director Rennar – Point of Information

At the end of the Questions & Answer period, Director Rennar stated that to be clear, the questions that were reviewed at this board meeting came from the AAFPO Property Owners. Director Rennar posted information on several different Facebook sites asking if members had questions for either the board or the Resort, to post them or send them to the board to be discussed at the December 10th board meeting.

4) Resort Report – Mark Manley

- a) Operating budget status – Manley deferred to Finance Chair
- b) Capital improvements – Manley deferred to Amenity Chair
- c) AAFPO Motion & Approvals – No report
- d) Covid Ski Policy – Mark said the resort would open on time. The Resort will test all ski area employees every two weeks for Covid and masks must be worn by all visitors.
- e) Letter **from Board's Counsel to Mark Manley**. Mark Manley received a letter from the Walcott firm asking him to keep interruptions at the meeting at a minimum and to address a conflict of interest between his position at the resort as general counsel and his position on the board. Discussion followed.

Director Miller – Point of Order

Director Miller informed the board that at the last meeting there was an action item for the Resort and the Finance Committee to meet to cover the operating budget status. Director Ham said the last time she spoke with Mark Seiter was July of 2020. She said that the Resort is sending the capital improvements and the 1% report on a monthly status.

5) Finances 101 – Director Ham

Presentation on the finances of the AAFPO Board related to the Resort and assessment dues collection and responsibilities. **Attachment D**

The purpose of the "Finance 101: Where Do My Dues Go?" presentation is to share some of the history of AAFPO, the working relationship that AAFPO and the Resort share, and explain where our paid dues go. The Finance Committee and the Budget Review Committee's members are Holly Ham, Carol Rupp and Hank Rennar.

AAFPO is a New Mexico nonprofit. We operate pursuant to the Amended Joint Plan of Reorganization, also known as the "Bankruptcy Plan" from 1995. We are the largest property owners association in New Mexico with over \$6.5M in assessments collected. The Bankruptcy Plan's Article IV, Section 4.16 spells out how the Resort spends the annual assessment and for spending of past due assessment. The Plan also states that the Resort must place the Annual Assessment funds in a separate segregated account held in Trust for AAFPO.

The AAFPO Budget Review Committee works with the Resort during the budgeting process to get a budget that we will present to the AAFPO Board for approval. The AAFPO Board has veto power over any portion of the Annual Assessment contemplated by the Resort to be used for anything other than the amenities. Ms. Ham has not seen any records or minutes of the Board exercising this veto power, however, it does have it spelled out in the

Bankruptcy Plan. The AAFPO fiscal year (May 1 – April 30) was amended to match those of the Resort.

The Budget Review Committee submitted a budget timeline to the Resort for the Fiscal Year 2022 budget consisting of almost 100 days to review the Resort's proposed budget, go back with questions, get any updates from the Resort and continue to dialogue until the Committee understands the line items in the budget. The Committee expects the Resort to provide a preliminary budget tomorrow, December 11th.

The Bankruptcy Plan stipulates that the annual assessment may increase by no more than the CPI each year. Regarding the member question on whether dues be pro-rated or reduced next year. With limited access to amenities and the fact that the Resort was successful at receiving a government Paycheck Protection Program forgivable loan of \$1.33M, perhaps dues will be different given the special circumstances.

According to the Annual Meeting in June, the previous Finance Chair showed a total AAFPO membership of 5,508 with 3,634 members in good standing. This means that 34% of AAFPO's members are not in good standing, bringing to question if current members are carrying the weight in dues and expenses of delinquent members.

The last 15 years of annual assessment, net of GRT at 7.77%, collected is shown. The year 2007 to 2008 is a big jump with steady collections since then.

The Resort spends 95% of dues collected on amenities. 4% should go to AAFPO to spend as we wish on amenities, and 1% goes to AAFPO for administration.

Today, the Resort retains the 4% and AAFPO has formally requested that that amount be transferred to AAFPO so that we manage those expenses for amenities. The Resort says no; hence it's one of the complaints filed with the State of New Mexico.

The Resorts spends about 40% of dues collected on Winter Amenities. About 17% goes into the other amenities, including the country club; 6% insurance and property taxes; 18% for common expenses and personnel which the Resort identified as some executives, accounting, purchasing, HR and IT. 6% for membership administration; 10% for amenities depreciation. Please note that prior to 2008, amenities depreciation was not an expense paid by AAFPO membership dues.

Four % of assessments are directed back to AAFPO for amenities. Currently, the expenditure is approximately a quarter of a million dollars annually.

6) New **Business – Director Trott**

a) Nancy **Burch – Roadrunner Tours & Trail Use** – request by Roadrunner Tours on usage of the trails for sleigh rides for the winter 2020 season. Discussion followed on previous years usage and issues. Director Trott said that the resort owns the property, AAFPO pays for the trail maintenance and Roadrunner Tours (a for profit company) uses the trails for sleigh rides. The board is in agreement for RR Tours to use the trails but would like to see a discount given to the members as an incentive for the trail use. Director Trott said she would send Mark Manley an email on the request so he could get Nancy Burch an answer to the request quickly.

b) Community **Gardens Presentation given by Mike Overby** – Members would like to see a new amenity in the form of a Community Garden. See PowerPoint presentation attached. **Attachment E**

c) Wetlands **Conservation Group Presentation given by Judith Polich** – Judith explained the Wetlands Conservation Committee was a nonprofit started in April of 2020. They currently have 30 members who are interested and preparing for the high desert wetlands we have and educating ecology. The group is looking for several kiosks and additional signage. They have met with both the Village and the Resort and they have approved the signage. They are looking for approval from AAFPO also. The signage would be located on the North & South Angel Fire Roads, designating the creek as a Wetlands Conservation area with no fishing, no hunting, no trapping and asking people to stay on the approved paths to not disturb wildlife. The signage would list the Resort, the Village and AAFPO. They hope to have the signage ready to install in the spring. There is no cost to the AAFPO members. Director Trott promised to get back with Judith shortly after the New Year with an answer.

d) Ski **Mountain appointment** – Director Trott said she forgot at the last meeting to say Dave Hartson would be the Ski Mountain representative for the Amenities Committee.

Director Trott mentioned that the Amenities Committee would be meeting shortly after the first of the year to begin work on the budget and planning for the 2021-2022 Amenities.

e) Nominations **for Board Candidacy for open position due to resignation**
Vice President Davey announced we have a vacancy on the board and are moving to fill this appointed position by the board. The announcement for this vacancy was posted several weeks ago, both on the website page and the Facebook page. Vice President Davey said the board received three nominations as listed below:

- 1) Bonnie Dumond
- 2) Jonathan Kern, M.D.
- 3) Trevor Moore

Vice President Davey reported all the candidates had been vetted and are in Good Standing. VP Davey read bios on all three candidates and then asked for additional nominations from the floor. One nomination from the floor was received from Peggy Trott for BJ Lindsey. Director Trott read the bio for BJ Lindsey. Directors voted on his nomination for candidacy. Nomination was accepted by the full board.

Mark Manley – Point of Order

Mark stated he objects to the appointment of the new director based on a continuation of the objection to the issue of lack of quorum. VP Davey replied objection noted.

Secretary Trom stated that the term for the director would only be until the June 2021 election.

There was some confusion on the Roberts Rules or Order on how to handle the motion for the appointment. Director Trott clarified the process. Director Trott made motion to accept the slate of candidates. Director Rupp seconded the motion.

Voting by the Directors commenced:

Penni Davey voted for Trevor Moore
Holly Ham voted for Trevor Moore
Spencer Hamons voted for Trevor Moore
Jim Miller voted for Trevor Moore
Hank Rennar voted for Trevor Moore
Carol Rupp voted for Trevor Moore
Peggy Trott – abstained
Sandra Trom voted for Trevor Moore
Votes were closed.

Trevor Moore was declared elected by the majority of votes as the new director.

VP Davey announced Trevor Moore will fill the vacancy and congratulated him. She then thanked all the candidates for participating.

VP Davey stated now that the board was full, we would move on to nominating a director to fill the President position. VP Davey asked for nominations for President. Director Rupp nominated Penni Davey for President. Holly Ham seconded the nomination. Director Miller nominated Spencer Hamons for President. Director Trott seconded the nomination. No further nominations were received for this position and nominations were declared closed. VP Davey called for the vote.

Voting for President by the Directors commenced:

Penni Davey voted for Penni Davey
Holly Ham voted for Penni Davey
Spencer Hamons voted for Penni Davey
Jim Miller voted for Penni Davey
Hank Rennar voted for Penni Davey
Carol Rupp voted for Penni Davey
Peggy Trott voted for Penni Davey
Sandra Trom voted for Penni Davey
Trevor Moore voted for Penni Davey
Votes were closed.

Penni Davey was declared elected by the majority of votes as President.

Vice President – President Davey announced since the Vice President position is now open due to her moving into the President position, we will now elect a Vice President. She asked for nominations. Director Trom nominated Holly Ham for the position of Vice President. Director Hamons seconded the motion. No further nominations were received for this position and nominations were declared closed.

Holly Ham was declared elected by acclamation as Vice President.

7) Old Business – Director Trott

a) Dog Park as a new amenity – presentation given by Doreen Krebs, Linda Bealessio & Franchesca Zoppe. **Attachment F**

The Friends of Angel Fire Dog Park are asking for a dog park as a new amenity. The board supports the Amenity Committee in adding the park. The Amenity Committee will work with the Friends of Angel Fire Dog Park on ongoing annual costs for

estimated maintenance. The initial cost would be fence costs, benches, shaded areas, etc.

Director Trott asked to be excused at 8:12 pm due to a family situation that the board is aware of. President Davey excused Director Trott from the meeting.

8) Reports

a) Vice **President – President Davey**

i) Communications **Committee** – President Davey announced the board has formed a Communications Committee and Director Hamons will chair it.

Director Hamons said the committee's intentions were to improve the website to make it easier to navigate, continue to work on Facebook and several other social media sites and to be able to communicate with the members to help them get the information they need. Director Hamons stated that he is working with members who live outside the state of New Mexico to include their comments and views on issues and requests. Director Hamons wants to meet before Christmas to set up initial goals and responsibilities with his committee. He currently has openings on the committee if you are interested. He hopes to be underway shortly after the beginning of the New Year.

b) Treasurer – **Director Rupp**

Reports are year to date - 5/1/2020- 12/10/2020

All accounts are at the International Bank in Angel Fire, NM.

Checking account balance – \$23,753.93

Money market balance - \$290,582.61

Total account - \$314,336.54

Total income - \$126,452.30

All treasurer reports attached. Attachment G

Legal expenses year to date:

Total \$27,919.61

General Counsel – document reviews, disclosures \$9,054.24

Covenants - \$9,172.22

Foreclosures, liens - \$256.98

Dispute with AFR - \$8,378.90

Carpenter v AAFPO suit - \$1,057.27

State and federal taxes have been filed for 2019. Owe federal - \$266.00 Owe state - \$97.00 Checks or echecks have been sent for these.

Total preparation for taxes was \$750.00

All books are updated and reconciled.

c) Secretary – **Director Trom**

No report given.

d) Amenities **Committees – Director Trott**

Director Trott announced her committee was full. She is asking the chairs to get together after the first of the year to discuss the amenities and the process. The Amenities Committee will present a budget to the board by February 15, 2021.

e) Finance **Committee & Budget Review Committee – Chair, Director Ham**

i) No update on membership report

ii) Appointments & Employments

Angel Fire Resort – management of membership database, membership assessment, delinquencies, amenities operation

Legal services – Walcott, Henry & Winston, P.C.

Taxes/Account – Monte Barnes

iii) Overview of finances or requests – Collections for October was \$367,232.

7.7 GRT

1% Collections - \$3,408

4% that goes to Amenities - \$13,630 (note this is retained by the resort)

f) Legal **Committee – President Davey**

i) Carpenter v AAFPO – hearing was to be scheduled early this month & was cancelled and rescheduled for the end of January. Legal committee recommended contacting Carpenter to see how this matter could be resolved and at this point he wishes to have the full amount paid to him although we have already supplied all the requests he has made in his complaint. Note that the complaint is from 2019 with the previous AAFPO board.

ii) Extensions **given to Angel Fire Resort on complaint**

We have received an answer from Angel Fire Resort on the complaint and we have filed a partial summary judgment regarding the legitimacy of the board. President Davey stated that should be heard by the courts in late January 2021.

No other items to discuss.

g) **Covenants & Restrictions Committee – Director Miller**

Director Miller stated that the Committee has researched all 32 Covenants for the fire wise question asked earlier. Discussions on the expired Covenants have transpired with the legal counsel and in order to renew the covenants, the committee must contact all 100% of the property owners. Since we don't have a database to do that, they are working on solutions for reaching the members.

h) Architecture **Committee (AFE/ACC) – Jake Crain, Co-Chair**

Jake stated that the committee consists of four volunteers, a paid inspector and two employees who work part time. There have been a total of 80 total permits ytd. The Committee averages two violations per month. There are currently open violations on file. The process for a violation is a written letter from the Committee followed by a legal letter if not resolved. Then legal action would take place. Committee report attached. Attachment H

9) Guest **Member Introduction and Comments – President Davey**

President Davey said we would take comments for 30 minutes and after that time, guests can send an email to Secretary Trom to be answered by the board. President Davey asked if there were any comments.

a) Kellie Buchanan, Member

Kellie asked if the entire board has signed the NDA agreement and if not, why?

Director Ham said she was Chair of the Finance Committee & the Budget Review Committee. She has been asked to sign a NDA and has not signed the NDA. She feels there is no reason to sign a NDA when as a board member; it is her fiduciary responsibility to have access to the financial records to perform her duties as a board member and as a finance chairman.

Mark Manley stated that the NDA has been *signed by every board for 23 years* except for President Davey last year in 2019 and this board this year. He feels there is information in the financials that would give a competitor an advantage if information were released.

President Davey stated that Senate Bill SB-150, the Homeowners Association law, states that the members of the association are entitled to the financials on how their assessment dues are spent by the Angel Fire Resort. She stated that is why she did not sign the NDA.

Director Hamons added to the conversation. He has not been asked to sign a NDA and not signed a NDA. He does not have an aversion to it but must first understand the laws behind it and make sure he is abiding by the state laws and the requirements of disclosure to the members.

Director Moore added to the conversation. He stated under the plan, the responsibility for making collections and reporting to the members actually lies with the Property Owners Association as it was called under the plan, now the AAFPO board. If it were the case that that information was proprietary or confidential, or somehow competitive, it would be impossible for the board to share that information with the members. This wouldn't make sense because then the board could not inform the members and keep them apprised on how the money was being spent. The only thing that has happened is that under the plan, that responsibility was shifted *under contract* to the Resort to make those collections and the various other provisions that deal with use of those assessments and reporting. Trevor mentioned under the plan, that money is to be put into trust in a segregated account by the Resort on behalf of the members. So now, members are now beneficiaries of that trust and under New Mexico Uniform Trust Code, beneficiaries have a right to information on the proceeds received in the trust, how the funds are spent, etc. That information is a RIGHT under statute. So it would be inappropriate for a board, who has a fiduciary obligation to keep members informed to then sign a NDA promising not to provide that information. Trevor added one more point, it's not the financials as a whole that the board is asking for that the members deserve to see, ***it's the report that shows the collection and use of the assessments***. He feels keeping that confidential is entirely different than confidentially that would be afforded to the entire financial statements of the resort.

Marty Carpenter, Guest, added to the conversation. He asked Mark Manley if he stated that every board member for 23 years has signed the NDA. Mark confirmed correct, that is what he said. Marty stated he was on the board for multiple years until recently and he never ever signed a NDA. He said he wouldn't do so and does not know anyone on the board until last year, 2019 that signed a NDA. Marty challenged and asked Mark to provide copies of the signed NDAs for the last 23 years. Discussion followed.

b) Jerrilyn Salazar, Member

Has the board and the Resort considered professional mediation?

Jerrilyn gave a brief description of her background and life living in Angel Fire. She is a long time resident and loves the area and what it has to offer. She feels that mediation could be a possibility. She said she doesn't know the time frame that passed before the board issued a lawsuit and the exact situation behind doing this but she wants the matter to be worked out so that the relationship between the board and the Resort can be saved. She knows the New Mexico has a fragile economy and she wants this to be worked on. She does appreciate all the hard work the board members have done on the members' behalf but would like to have been notified of the lawsuit by the board instead of the Resort.

Mark Manley said he believes that the courts will suggest mediation.

President Davey remarked that the board certainly wants to work with the Resort but all the information that the board requested multiple times has been denied time and time again. She said the board felt this was our only option since the Resort refused to work with us. She noted this was a mindful decision based upon 20 years of refusal of information by the Resort.

b) Alice-Blue McLendon, Member

Why do the Architectural Committee charge fees to members?

Jake Crain from the Committee said the fee schedule was long standing and a lot of the fees have to do with the number of inspections needed and to verify compliance. New builds require preliminary, intermediate and final inspections. There are some permits that require no fees such as a maintenance permit. The fee structure is based entirely on the complexity of the permit and what is being accomplished.

Alice said she wanted to clarify. She said it seems that those fees are ones that would be charged instead by the Village or County but not by the homeowners association for which a member is already paying dues.

Jake said this was a unique case in Angel Fire where the vast majority of homes fall under the Angel Fire Resort boundaries. His understanding is there is not a governing code that the Village of Angel Fire uses. The Covenants and Restrictions fall strictly under the Angel Fire Resort boundaries and AAFPO's responsibility to maintain or enforce.

Alice said in the spirit of transparency, she would like to see the books to see how many fees were collected in a given year. Jake said that would not be a problem. The AFE/ACC has its own operating budget. Our books are open to the members.

c) Wade Gungoll, Member

Questions on filings in the litigation. Was the motion for summary judgment for the issue of the board legitimacy filed after the receipt of the Resorts' answer to the lawsuit?

President Davey answered yes.

Wade noted if we get to a point where the motion for summary judgment is denied, he thinks we should go back to the drawing board and do a special election to save money on the lawsuit. He feels this would solve the issue and save money for the members.

President Davey recapped the issue saying, "We have to follow the directives of the bylaws. No special elections are allowed per the bylaws. If a judge suggests a Special Election, we are prepared to do this." A discussion followed.

Director Miller makes a motion to discontinue the discussion and move forward with the agenda. Spencer Hamons seconded. Motion carried.

VP Davey said any members that have questions that were not answered tonight, they can go to the website and send their questions to executive-director@aafpo.org.

The next meeting is scheduled for Thursday, March 11, 2020 at 5:30 pm (MST). It will be a virtual meeting and the agenda and call in information will be posted on the AAFPO website.

Mark Manley – Point of Information

Mark posted his email address in the chat box for members.

11) Adjournment

There being no further general business, VP Davey made a motion to adjourn. Director Miller seconded the motioned to adjourn the December 10, 2020 AAFPO Board Meeting. All in favor. Motion passed. No objections. The meeting adjourned at 9:01 pm MST.

Respectfully submitted, December 10, 2020



Sandra Trom, Secretary

Date 12/15/2021



Penni Davey, Vice President

Date 12/15/2021

Attachment B - December 10, 2020 Board Meeting

Data Element	Data Element Description
Primary Member Full Name	Member full name
Primary Member – Membership Number	Unique member identification number
Primary Member – Property Code	Unique property code for member
Primary Member – Membership Level	Base, Platinum, Other
Primary Member – Amenities Utilized	Provide name of amenities utilized (ie: Golf, Ski, Monte Verde Lake, etc)
Primary Member Property Address	Physical address of Angel Fire Property
Subdivision Name of Property	Name of subdivision member property is located
Lot Number of Property	Lot number for property
Primary Member Property Address 2	Physical address if member has 2 nd property
Subdivision Name of Property 2	Name of subdivision member property is located
Lot Number of Property 2	Lot number for property
Primary Member Property Address 3	Physical address if member has 3 rd property
Subdivision Name of Property 3	Name of subdivision member property is located
Lot Number of Property 3	Lot number for property
Primary Member Mailing Address 1	Primary mailing address for physical mail
Primary Member Mailing Address 2	If member has a secondary mailing address, please provide
Primary Member Email Address 1	Email address of primary member
Primary Member Email Address 2	Secondary email address of primary member
Secondary Member Full Name	Secondary member full name
Secondary Member – Amenities Utilized	Provide name of amenities utilized (ie: Golf, Ski, Monte Verde Lake, etc) by secondary member
Secondary Member – Member Number	Unique member identification number
Secondary Member Mailing Address 1	Primary mailing address for physical mail
Secondary Member Mailing Address 2	If member has a secondary mailing address, please provide
Secondary Member Email Address 1	Email address of secondary member
Secondary Member Email Address 2	Secondary email address of secondary member
Eligible Dependent 1 (under age 24) Full Name	Eligible dependent under age 24 full name
Eligible Dependent 1 (under age 24) Member Number	Unique member identification number
Eligible Dependent 1 (under age 24) Amenities Utilized	Provide name of amenities utilized (ie: Golf, Ski, Monte Verde Lake, etc) by tertiary member

Data Element	Data Element Description
Eligible Dependent 1 (under age 24) Date of Birth	Date of birth of eligible dependent under age 24
Eligible Dependent 2 (under age 24) Full Name	Eligible dependent under age 24 full name
Eligible Dependent 2 (under age 24) Member Number	Unique member identification number
Eligible Dependent 2 (under age 24) Amenities Utilized	Provide name of amenities utilized (ie: Golf, Ski, Monte Verde Lake, etc) by tertiary member
Eligible Dependent 2 (under age 24) Date of Birth	Date of birth of eligible dependent under age 24
Dues Paid 2015	Provide amount of fiscal year 2015 dues paid
2015 Status	On-Time, Late 30 days, Late 60 days, Late 90 days, Late >90 Days
2015 Membership Level	Base, Platinum, Other
Dues Paid 2016	Provide amount of fiscal year 2016 dues paid
2016 Status	On-Time, Late 30 days, Late 60 days, Late 90 days, Late >90 Days
2016 Membership Level	Base, Platinum, Other
Dues Paid 2017	Provide amount of fiscal year 2017 dues paid
2017 Status	On-Time, Late 30 days, Late 60 days, Late 90 days, Late >90 Days
2017 Membership Level	Base, Platinum, Other
Dues Paid 2018	Provide amount of fiscal year 2018 dues paid
2018 Status	On-Time, Late 30 days, Late 60 days, Late 90 days, Late >90 Days
2018 Membership Level	Base, Platinum, Other
Dues Paid 2019	Provide amount of fiscal year 2019 dues paid
2019 Status	On-Time, Late 30 days, Late 60 days, Late 90 days, Late >90 Days
2019 Membership Level	Base, Platinum, Other
Dues Paid 2020	Provide amount of fiscal year 2020 dues paid
2020 Status	On-Time, Late 30 days, Late 60 days, Late 90 days, Late >90 Days
2020 Membership Level	Base, Platinum, Other
Dues Paid 2021	Provide amount of fiscal year 2021 dues paid
2021 Status	On-Time, Late 30 days, Late 60 days, Late 90 days, Late >90 Days
2020 Membership Level	Base, Platinum, Other



Questions from Membership for the December 10, 2020 Board meeting:

1) With the new COVID restrictions in place, it seems that the various resort offices are closed. I am trying to load a Platinum Guest Pass, but there is no way to do that online and no one at the office to take my call. Why aren't these kinds of basic Member services available to us? – **RESORT** – *please write the resort an email to establish an answer to this question.*

2) Because COVID has force-closed or restricted so many of our amenities, shouldn't members receive pro-rated dues in 2021? It appears that the AAFPO Board is supposed to work with the Resort to develop dues structures, and dues increases look to be limited to CPI by the documentation online, what can members do to insist that the Resort pro-rate next year's dues to accommodate the lack of facilities this year? – **RESORT** – *please write the resort an email to establish an answer to this question.*

3) Ski Lift Ticket Policies – does travel insurance cover Covid closures? AFR policy is “at resort discretion” whereas ikon is so many days in a row of mandatory shutdown with specific refund amounts rather than discretionary ones. Explain the process for refunds on AFR tickets? – **RESORT** – *please write the resort an email to establish an answer to this question.*

4) How do members get more new Amenities? What is the process? – **AMENITIES COMMITTEE & RESORT**

New Amenities must be agreed upon between the Resort and AAFPO. Note there have not been any new amenities in 25 years. The 4% discretionary fund could be used to add new amenities if agreed upon by the Resort & the board. Members would bring the idea or request for a new amenity to the AAFPO Board and the Amenity Committee would work with the Resort on the suggestion.

See Dan Rakes quote in the December 2020, The Blinking Light Newspaper, Vol 1, No. 3, page 8 – Discussion on 4% discretionary fund

*Could this money be used to add amenities? According to former ex-officio board member, Dan Rakes, **yes**. Things such as a dog park, skate park or new trails are well within the purview of the AAFPO Board to create with its allocated percentage.*

*Mark Manley read a response from John Kitts to Director Trott. **Attachment C***

5) With the Luna fire on our minds, does the board have any influence over lots & properties that are not fire wise? What about lots owned by the resort? What is their plan for fire wise? **COVENANTS & RESTRICTIONS COMMITTEE**

The only Covenants listing information about Fire Wise is the Valley of the Utes.

The Village enforces the fire codes and fuel modification act. With that being said, the board is very concerned and is more than happy to work with the village to keep members informed on lot maintenance and requirements.

Note that the largest lot owner in Angel Fire is the Resort.

6) If AAFPO is the board to represent the members, why does the resort not give you the database? **SECRETARY**

*The Board doesn't know for sure but it is apparent since 1995, there were multiple attempts **from every board** to acquire the database information. The members belong to AAFPO and the board cannot communicate effectively or improve the members experience without complete information about AAFPO Members currently stored in the database. Not having this information causes issues with the Architectural Committee compliance, Covenants & Restrictions Committee with expiring or renewing covenants, violations, Election Committee with accessing ballots & information, Newsletters, Member experience surveys, handling delinquent accounts, etc. The list goes on.*

The Resort has unleashed a cynical PR campaign claiming that the current board is acting against the wishes of the Membership while simultaneously denying the board access to its own Member database which would allow it to communicate with Members.

*On December 4, 2020, the Resort sent over an excel grid listing of AAFPO Members that they sent to AAFPO for the June 2020 election. This is the first time **any of the current board** has received any membership listing from the Resort. This database contains only names, addresses and partial email addresses from **3,226 members**. At the Annual Meeting on 6/27/2020, the Resort reported that the database had **3,634 members** in good standing (408 members more than the list contained that was sent over on 12/4/20) and **5,508 total members** (**2,282 members** more than the list that was sent). This would indicate that **34% of our members** are delinquent. Calculating these assessments at a base membership, that would be over **\$3 million dollars** in dues not collected. Does that mean the members who pay their assessments are picking the slack from those not contributing? Without knowing specifics, we can't react to that situation or even explain what is happening with those delinquent accounts. History shows that delinquents were running between 13-15% maximum for previous years, not 34%.*

*A second database was sent over today, 12/10/20 at 12:18 pm (Membership 12-08-20 - 3). This data base had **3,950 members in good standing** (an additional 724 members) and **811 members delinquent** (20% delinquent) with a total of **4,761***

total members (a difference of 747 less members than the June database that was sent).

To be clear, here is what the board is asking for from the Resort on the data in order to do their job:

Primary Member Full Name

Membership Number

Property ID – Legal Lot ID and address

Membership Level

Amenities Utilized

Primary Mailing Address

Contact email address

Eligible Dependents under age 24

Dues Paid with a 5 yr dues history

Status of Member

7) When the board had several members resign, why didn't the AAFPO Board hold an election to replace those members instead of appointing them? **LEGAL COMMITTEE**

AAFPO By-laws, Article VI, Section 5 states:

In the event of death, resignation or removal of an elected director, his successor shall be selected by the remaining elected directors and shall serve until the next election of directors.

NMSA 1978, 53-9-10 states:

Any Vacancy occurring in the board of directors and any directorship to be filled by reason of an increase in the number of directors may be filled by the affirmative vote of a majority of the remaining directors, though less than a quorum of the board of directors, unless the articles of incorporation or bylaws provide that a vacancy or directorship so created shall be filled in some other manner, in which case such provision shall control.

*In fact, the Bylaws **specifically direct** the remaining board members to select successors to the board members who resigned. There is no mention of a Special Election to fill the vacancies.*

The rationale behind the NM Business Corporation Act allowing boards to fill vacancies with less than a quorum is that boards would otherwise be paralyzed and not be able to operate. Again, the process of reaching out to members is strained and prolonged due to the fact that the resort continues to withhold the member list.

8) Why haven't members been kept consistently informed either through email or written correspondence from the AAFPO Board? **COMMUNICATIONS COMMITTEE**
The reason is because we do not have the email addresses to be able to do this. We would like to be in a position to be able to "push" emails to you but without this list, we can only use the website at this time.

9) Why has the AAFPO Board hired attorneys and therefore wasting members dues?

LEGAL COMMITTEE

The Board has a fiduciary obligation to protect member interests, which includes ensuring that the resort complies with its obligations under the bankruptcy plan regarding use of assessments and periodic reporting and budgeting in cooperation with the AAFPO board. The theme here seems to center around the impression that, by suing the resort, the AAFPO Board is not doing its part to maintain a positive relationship with the Resort. It's important to note that the Board should not, & cannot by law, sacrifice member interests for the sake of preserving a relationship that is founded upon AAFPO acquiescing in the Resort ignoring its obligations under the Plan. I.e, a subservient AAFPO Board would not be in the long term interests of its members.

10) Why hasn't AAFPO responded to the letter from a group of concerned attorneys? **SECRETARY & LEGAL COMMITTEE**

The Secretary sent a response to Matthew within hours of receiving and the email was forwarded to the Legal Committee for review. Note that NO open discussions can be carried on outside the board while the lawsuit is underway. Again, I encourage anyone who wants to be involved to volunteer on a committee to help. If members take time to read the Plan and then consider the position being taken by the Resort in its answer, they'll surely see that there is merit to the case.

11) It has been reported that the AAFPO Board has not responded to requests from the Resort's legal team...why? **LEGAL COMMITTEE**

Not sure what this question is alluding to but it sounds like some type of miscommunication from the Resort. The board has a fiduciary obligation to protect member interests, and backing off of legitimate legal claims so that the resort has time to further improperly influence membership with misinformation is not in the members' long term interests.

12) Why does the Resort manage collection and control of members dues instead of Property Owners Association...isn't that a conflict of interest? **FINANCE COMMITTEE**

AAFPO has the responsibility for the collection of assessment dues. *In 1996, this collection of dues was contracted to the Resort because the AAFPO Board had no funds to manage this process. The original Joint Plan of Reorganization stipulated that AAFPO had the responsibility to subcontract this duty out to a third party. Therefore AAFPO contracted the Resort to collect and manage the assessment dues per the Amended Joint Plan for the board for \$1 per year. It was a decision made by a newly formed association with limited resources over 25 years ago. As far as a conflict of interest, as a non-profit organization, we cannot opine whether this is a legal conflict of interest but as a nonprofit organization, the sole responsibility to ensure the interests of our Property Owners is paramount. We do not have responsibilities to Real Estate agents, developers, investors, local business owners, share holders or real estate owners. Our only responsibility is to the property Owners.*

13) Is there a history of legal action against the Resort from Property Owners or AAFPO? **SECRETARY & LEGAL COMMITTEE**

*Absolutely! Court resolutions and arbitrations started as early as the first board in 1995. At that time, accessible money for legal costs was a **huge** issue and most of the settlements came through arbitration. In 1996, the board even looked at doing special assessments to cover their legal fees. The boards show history of delayed or no financial reports, arguments over liability release forms, capital improvement items classified under Amenity maintenance, assessment dues used for items that weren't part of the initial Member Amenity list, questions to Members' right to amenities under the premier programs initiated by the resort and complaints to the resort sending out newsletters to AAFPO members without their approval or knowledge. Again, the board is not wanting to go to litigation but they need information in order to fulfill their fiduciary obligations to their members. The board is doing what you elected them to do.*

14) Are there any of the current AAFPO Board Members affiliated with the Resort?

SECRETARY

No. Our bylaws prohibit elected board members from being an employee of, nor receive compensation for any services he/she renders to, the Resort. History shows several times board members resigned gracefully after accepting employment to the resort.

The ex-officio of the resort does work for the resort but is a non-voting board member and is not elected by our members.

15) Do any of the current AAFPO Board members receive any special privileges, benefits or compensation from the Resort or any of the property owners? **LEGAL COMMITTEE**

There are no privileges given to the board of any kind. Not regarding lift passes, free assessment dues, guest passes or any other concessions. It is a volunteer board and is not paid in any way by the Resort. This does not apply to the Executive Director or the Membership department.

16) Have there been any previous AAFPO Board Members that were affiliated with the Resort? Would that be considered a conflict of interest since AAFPO Board Members serve Property Owners and not the Resort? **LEGAL COMMITTEE**

Yes, there was a director elected last year that was a PR Director for the Resort. This was not disclosed at the time of the election. She remained on the board until she resigned in June 2020 even though many of the membership did not agree with this director being allowed to stay on. In the past, many times directors resigned voluntarily when they later took positions with the Resort.

17) It is understood that there are several properties in Angel Fire that are delinquent in paying their annual assessments. How many are delinquent exactly

and what steps have been taken by AAFPO to resolve this issue? **FINANCE COMMITTEE**

According to the last annual meeting in June 2020, it was reported by the resort that we had 5,508 total members and 34% of those members were delinquent. That's over a third of our membership that is behind on paying their assessments. Because the Resort has complete control on collecting & managing these assessment dues and the membership database, the board cannot address this issue. AAFPO has asked the Resort in a formal request to get a copy of the full database. We are prepared to take an active role in having delinquent members regain their good standing. The Resort has to fulfill their responsibility to work with us to get the Board the information they are holding. It is clear there is a huge issue when you have that many members delinquent. We want to help those property owners get back in good standing.

18) Is it true that the Resort has taken over control of delinquent assessments and if so...shouldn't that be handled by AAFPO? **FINANCE COMMITTEE**

Due to the fact that the Resort currently manages all property owners annual assessments, they are also in control of how delinquent assessments are handled. It could be argued that the responsibility could be handled by the property owners association to ensure the property owners are given every opportunity to get their assessments up to date. However as previously mentioned, under the existing Amended Joint Plan for Reorganization that was executed over 25 years ago, the Resort currently manages all collection of assessments including disposition of delinquent properties.

19) If the Resort is filing liens against the property owners for delinquent assessments, what happens to the property ownership if they are not paid up?

RESORT - please write the resort an email to establish an answer to this question.

20) What steps has the Resort taken to help delinquent property owners during the pandemic to get their assessments in good standing? **RESORT - please write the resort an email to establish an answer to this question.**

21) Did the Resort receive funds under the Government Payroll Protection Plan and if so what was the amount and how does that affect the property owners? **RESORT - please write the resort an email to establish an answer to this question.**

22) Why is the AAFPO Membership Office located in the Resort and who pays for their employees? AAFPO or AFR? **SECRETARY**

The membership office is part of the Members' services for AAFPO and they are here to support the membership. Members pay their salaries out of the 95% assessment dues given to the Resort each year. Currently, there are 3 full time employees in this division and they do a great job supporting the membership.

Proposal to AAFPO Board for New Amenity: Angel Community Garden

Submitted by AF Rotary and Garden Clubs
11/20/2020

Concept being Proposed to AAFPO

- Angel Fire Rotary and Garden Clubs are working collaboratively on the feasibility and location of establishing community garden/greenhouse facility.
- Rotary Club has received a \$2,500 grant as seed money for raised-bed garden to begin a longer-term effort starting in 2021.
- Various grants are also being pursued as well as a community-wide fundraising program in 2021.
- This proposal to AAFPO is to work with clubs and obtain permission with Resort to add Community Garden/Greenhouse to Olympic Park area as AF amenity.

Background & Research

- Combined, Rotary and Garden Clubs have contributed over \$20,000 to Angel Fire community in past 5 years.
- Rotary Club conducted “village-wide” email survey in 2019 identified strong support for a community greenhouse and garden as new amenity for Village. Over 30 individuals (not Rotary club members) volunteered to support the effort.
- Mike Overby has contacted and visited 5 non-profit community gardens/greenhouses in Colorado at high elevations to learn from their efforts.
 - Best-in-Class Example – Leadville, CO (elevation 10,200 Ft)

Background & Research

- Rotary Club and Garden Club have collaborated in 2020 to identify locations for a garden to start – with capability to convert/add greenhouse in future.
 - Next to Village Recycling Center – Village declined – other use planned
 - Angel Fire Airport – Next to old terminal cabin – Colfax County Airport Authority declined – plan another use.
 - Abundant flat area next to Soccer Field – Village of Angel Fire declined due to additional liability insurance needed.
 - Area next to Moreno Valley Clinic – Board considering
 - Whatville – owned by Ray Renfroe – Agreed and discussion are being held now (not best location due to shortage of close water supply)

Criteria for Best Location

- Visibility and access
- Water source – short term
- Electrical source – longer term
- Approximately 10,000 sq ft area
- Fairly flat – not needing extensive excavation

Scope and Objectives

- Community garden plots
 - Short-term - Summer – outside raised bed garden plots – public rental/ALM use
 - Long-term – Shoulder season and maybe winter – greenhouse
- Potential source for new or expanded High School education/extra-curricular programs
 - STEM (horticulture class) education
 - Entrepreneurial education
- Alternative source for community residents/guests to grow/purchase/donate “fresh Vegetables/Greens”

Potential Collaborating Organizations and Stakeholders in Angel Fire

- Rotary Club (501C-4)
- Garden Club (501C-3)
- Alm Food Pantry (501C-3)
- Village of Angel Fire – Beautification Committee
- Village of Angel Fire – Sustainability Committee
- Association of Angel Fire Property Owners & AF Resort-New Amenity

Short Term Plan - Outside Garden Plots to Rent and/or Public Use (ALM donations)



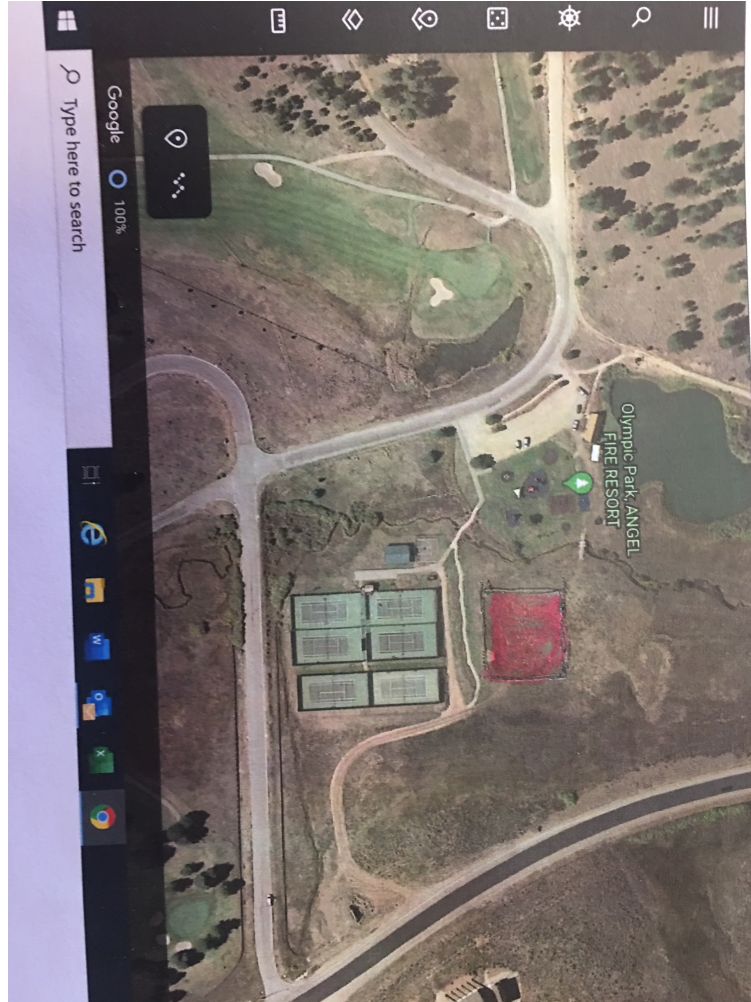
Long Term Plan – 3 to 4 Season Greenhouse (Pending funding plan TBD) Example – Leadville, CO Community GH



Rotary and Garden Club Proposal to AAFPO

- Consider expansion of Olympic Park area to north of Tennis Courts as location for new Community Garden (short-term) and Greenhouse (long-term)
 - 200 ft x 50 ft
- What Rotary/Garden Club would do:
 - Fully Fund facility – short and long term
 - Organize all volunteer efforts to build/maintain
 - Provide additional effort to beautify gardens next to Park
 - Potentially fund all extra costs to Resort (e.g., liability insurance)
- What Resort is asked to do:
 - Level area for initial raised bed garden area
 - Provide new water line access

Proposed Location at Olympic Park (red)



Proposed Area for Garden and Greenhouse



Longer Term – Source of Hanging Flower Baskets for light fixtures



Our Recommended Plan/Next Steps

- AAFPO provide initial “provisional approval” to proceed
- Initial Plan approved – Fall 2020
- Community Virtual Town Hall on input to initial plans – Spring 2021
- Final plan and strategy submitted to AAPFO for approval/feedback – Spring 2021
- Initial work on Raised Bed Garden Plots – Spring/Summer 2021 (\$2,500 current funds)
- Community-wide fundraising program developed/launched by Rotary/Garden Cubs – longer term plans – Summer/Fall 2021

Submitted by/Questions:

Mike Overby, PE/CMC

Full Time Angel Fire Homeowner/Resident since 2015
490 El Camino Real

Member - AF Rotary Club

Member and 1st VP – AF Garden Club

575-377-4512

469-222-6455 – cell

Mike.overby@expresspros.com



ATTACHMENT F
DOG PARK

Friends of the Angel Fire Dog Park, Inc

AAFPO Presentation

Mar. 12, 2020



Who are we?

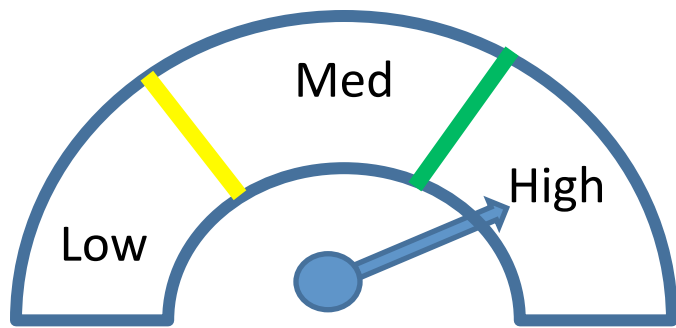
- **Mission statement:**

- Spearhead a community project establishing, with ongoing support, a dog park in the Angel Fire Moreno Valley, in order to provide a safe place for tourists and residents to bring their dogs for socialization and healthy interaction with other dogs.

- **Objectives:**

- A sufficiently sized secure medium/large and small dog off leash areas for healthy socialization and exercise
- A community amenity enhancing Angel Fire's social environment and potentially as an economic capital catalyst.
- Spring 2020 opening

Friends of the Angel Fire Dog Park, Inc is a NM non-profit and 501(c)(3) public charity made of resident & part-timers volunteers.



Positive Impacts

- **Property Values**

- Community amenities & lifestyle prgms. drive home buying decisions (fsresidential.com)
 - Promotes walkable neighborhoods and strong sense of community
- Dog parks are seen as social & economic capital catalysts (Mrcrec.com)
- Dog parks are popular among Millennials (94%), Gen Xers (92%) and Baby Boomers (89%)

- **Increase Tourism Potential**

- Tourists look for pet-friendly environments (bringfido.com)
- Outdoor enthusiasts who visit mountain resorts/regions cater to dog ownership (curbed.com)
- A well laid out, safe and accessible dog park will have patrons shopping and eating in Angel Fire

- **Quality of life for Humans and Dogs**

- Proven health benefits to humans: decreased hypertension, and stress
- Dog parks are a tool of accessibility for older folks with limited mobility
- A dog park increases healthy social interaction between dogs, releases pent up energy, and adds to the overall health & wellbeing of dogs.



Liability

- Liability is on patrons who use the Dog Park
 - Not unlike skateboard parks or recreational parks
- Unless there is a fault in the amenity itself
 - Unsafe areas due to lack of maintenance/repairs
- Lawsuits may not be avoidable, therefore it is essential to have a liability policy for the dog park.



The Ask

- **AFFPO take over this community amenity project**
- **Estimated cost \$30K - \$50K comprised of the following:**
 - 2 to 4 acres set aside easily accessible with parking area
 - Must have trees and shading, no/minimal prairie dog activity, good drainage and maintainable grounds
 - Buffer zone from neighbors concerned about barking
 - a min. 5ft chain-link fence around the perimeter having 2 double entry gates with spring closures
 - 2 separate areas for medium/large and small dogs
 - With 2 additional maintenance gates
 - Covered trash receptacles, poop bag dispensers and benches
 - Signage – Angel Fire Ordinances and Rules, rules of play and required vaccinations
 - Bulletin board for notices, Community/Resort announcements, etc.
- **Optional additions:**
 - A separate fenced agility training area
 - Water fountains with both human and dog-level spigots



Thank you

We believe this will bring benefits to the Resort
and Angel Fire.

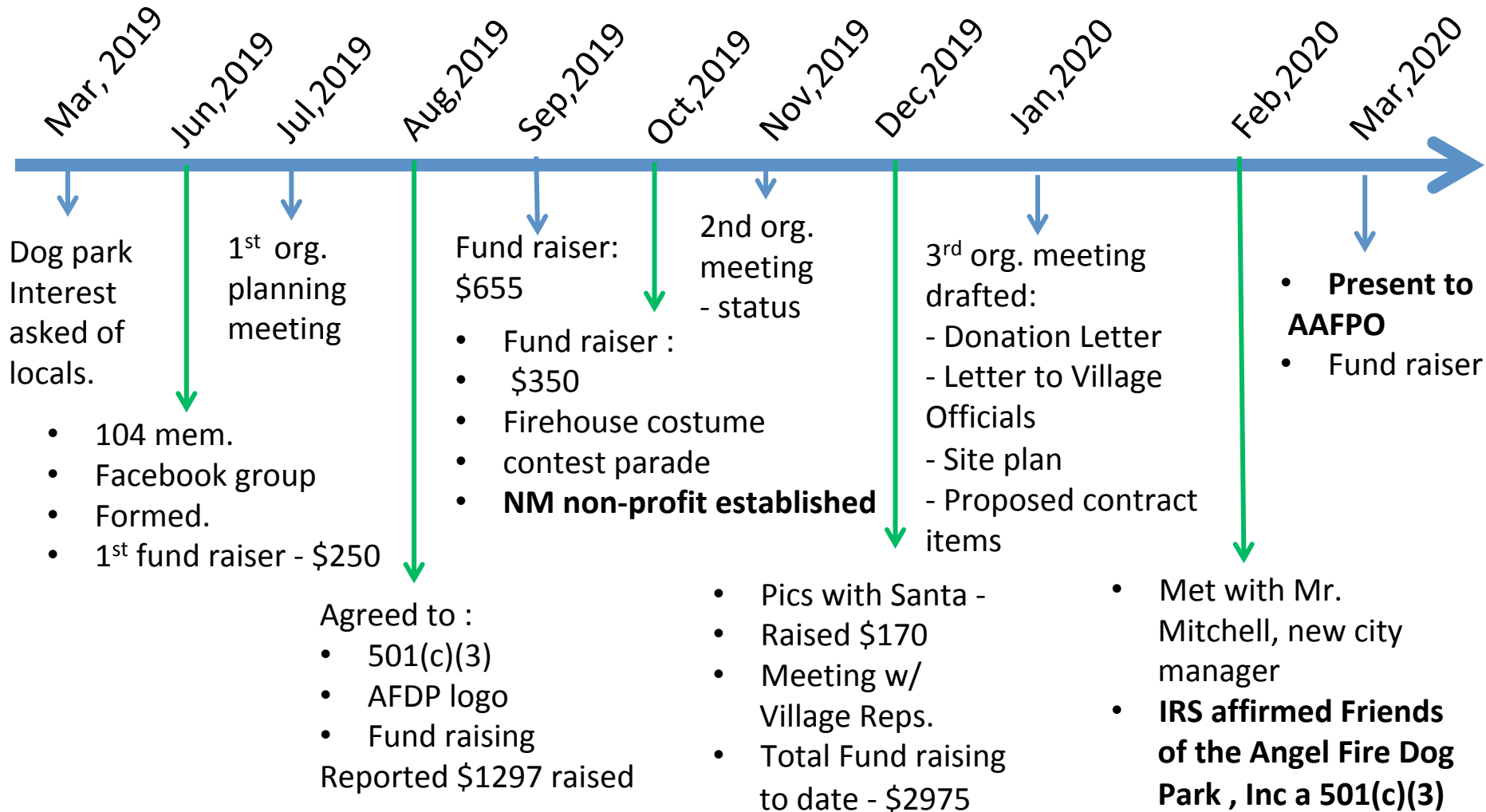
We appreciate your consideration of this needed
community amenity.



Questions?



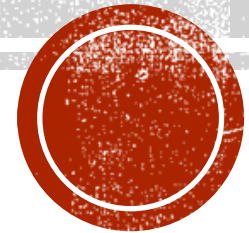
Activities To Date



THE ASSOCIATION OF ANGEL FIRE PROPERTY OWNERS

FINANCE 101

December 10, 2020



BACKGROUND — GENERAL

- Association of Angel Fire Property Owners (AAFPO)
 - New Mexico non-profit corporation
 - Property owners association pursuant to the **Amended Joint Plan (AJP) of Reorganization** (“Bankruptcy Plan”) confirmed in the Bankruptcy Case *Angel Fire Corporation*, Case No. 11-93-12176 RA, on **May 31, 1995**.
- AAFPO’s responsibilities
 - ensure the **members’ use and rights of use of amenities** are preserved
 - serve in an advisory capacity on issues such as operating programs, annual budgets, and capital improvements performed by the Resort
 - AAFPO’s Board of Directors has **limited and defined veto power** of proposed budgets
- Angel Fire Resort
 - operates resort amenities include the golf course, ski mountain, country club, Monte Verde Lake, Olympic Park, RV Park, and stables



BACKGROUND — BANKRUPTCY PLAN

- **Amended Joint Plan (AJP) of Reorganization (“Bankruptcy Plan”)**
 - sets forth procedures for the reorganization
 - authorizes the promulgation of rules and regulations
 - governs these terms
 - how the property owners access and use the Amenities
 - the upper limits on annual assessments which can be collected by the Resort
 - the rules for increased annual assessments when the Resort has made capital improvements to existing Amenities
 - the limitations on the use by the Resort of the assessments collected
 - the AAFPO Board’s role in representing the property owners in all of the foregoing matters



ASSESSMENTS & THE BUDGET PROCESS

- The AAFPO Budget Review Committee is responsible for...
 - collaboration with the Resort on its annual budget for AAFPO member amenities usage
 - conduct reviews of Resort reports, budgets, and projections as set forth in **Section 4.16 of the Amended Joint Plan of Reorganization (Plan)**.
 - review the AAFPO Members database for membership statistics, annual assessments paid/unpaid, and other information
- AAFPO Board veto power
 - Board has veto power over any portion of the Annual Assessment contemplated by the Resort to be used for other than the amenities
- AAFPO fiscal year (May 1 – April 30)
 - fiscal year amended to match those of the Resort



ASSESSMENTS & THE BUDGET PROCESS

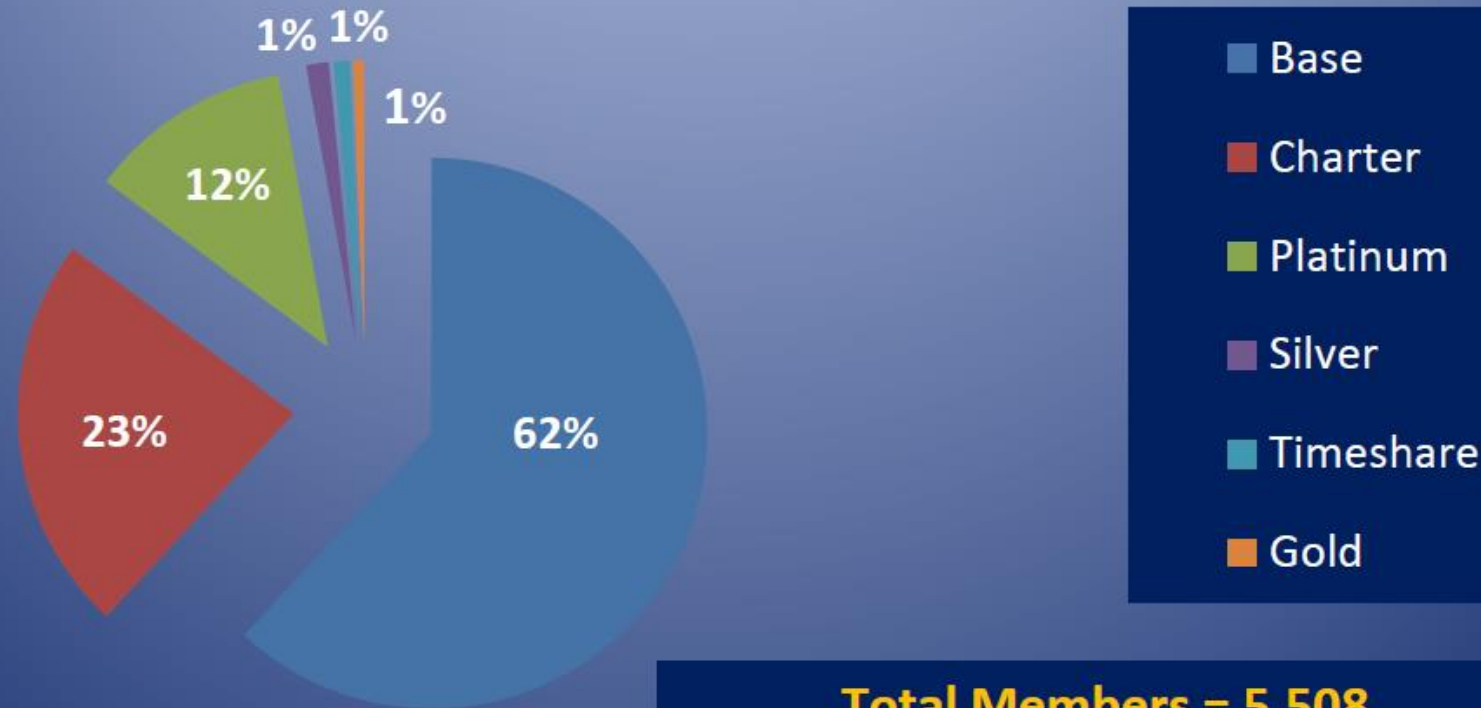
Activity	Responsible		Due (no later than)	Output
	AAFPO	Resort		
Meet as deemed necessary	X	X	Ongoing	<ul style="list-style-type: none"> AAFPO Board and Resort personnel meet as deemed necessary
Submits preliminary budget		X	December 11, 2020	<ul style="list-style-type: none"> Resort preliminary budget Ancillary documentation to assist AAFPO Committee with review
Reviews preliminary budget	X		January 15, 2021	
Provides questions regarding preliminary budget	X		January 22, 2021	Clarifying questions
Provides responses to ABRC questions		X	February 12, 2021	Responses to Committee questions
Submits “secondary” budget		X	February 12, 2021	Resort “secondary” budget
Reviews “secondary” budget		X	February 26, 2021	
Presents to AAFPO Board	X		March 11, 2021	Recommendations for Resort budget
Approves final budget	X		March 19, 2021	Approval of Resort budget (with right to veto line items)



AS REPORTED BY THE FINANCE COMMITTEE AT THE LAST ANNUAL MEETING

AAFPO Annual Meeting June 27, 2020

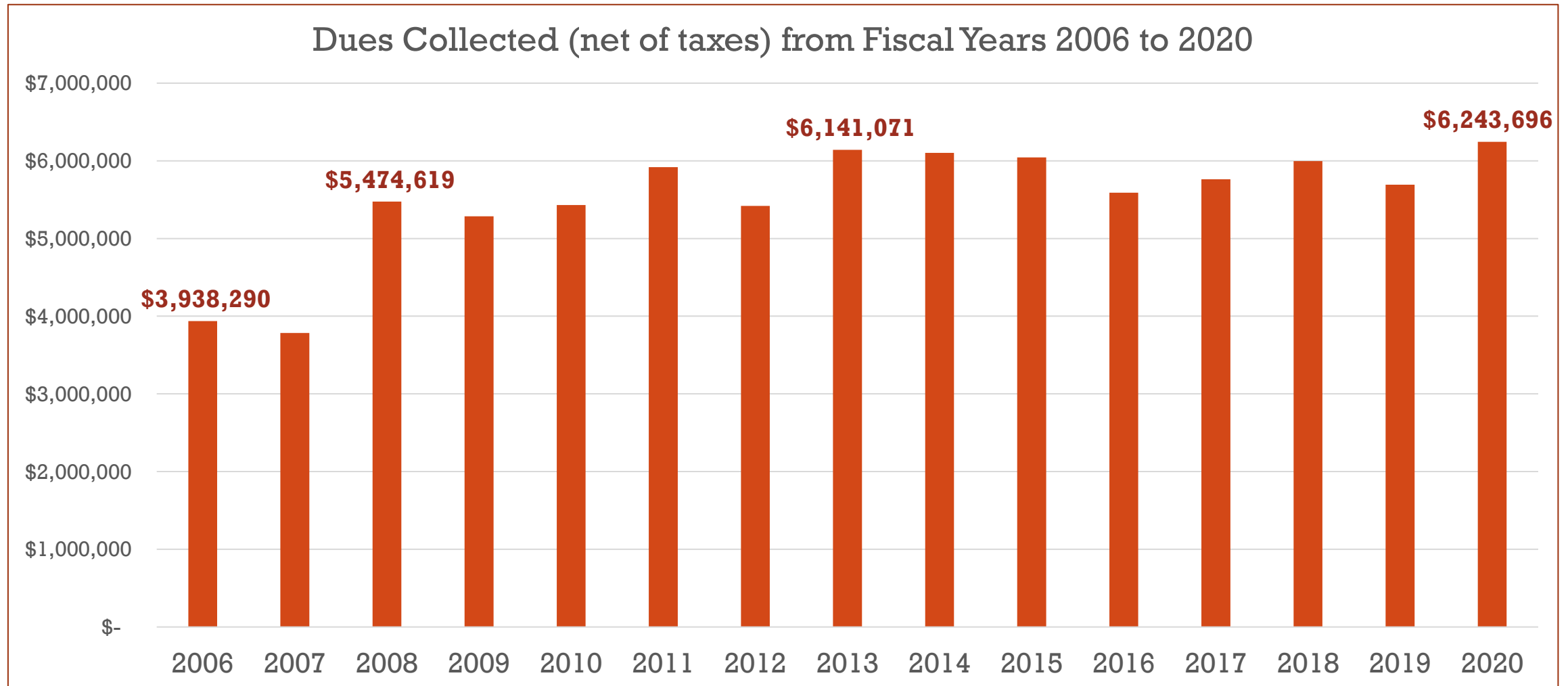
AAFPO Membership Breakdown



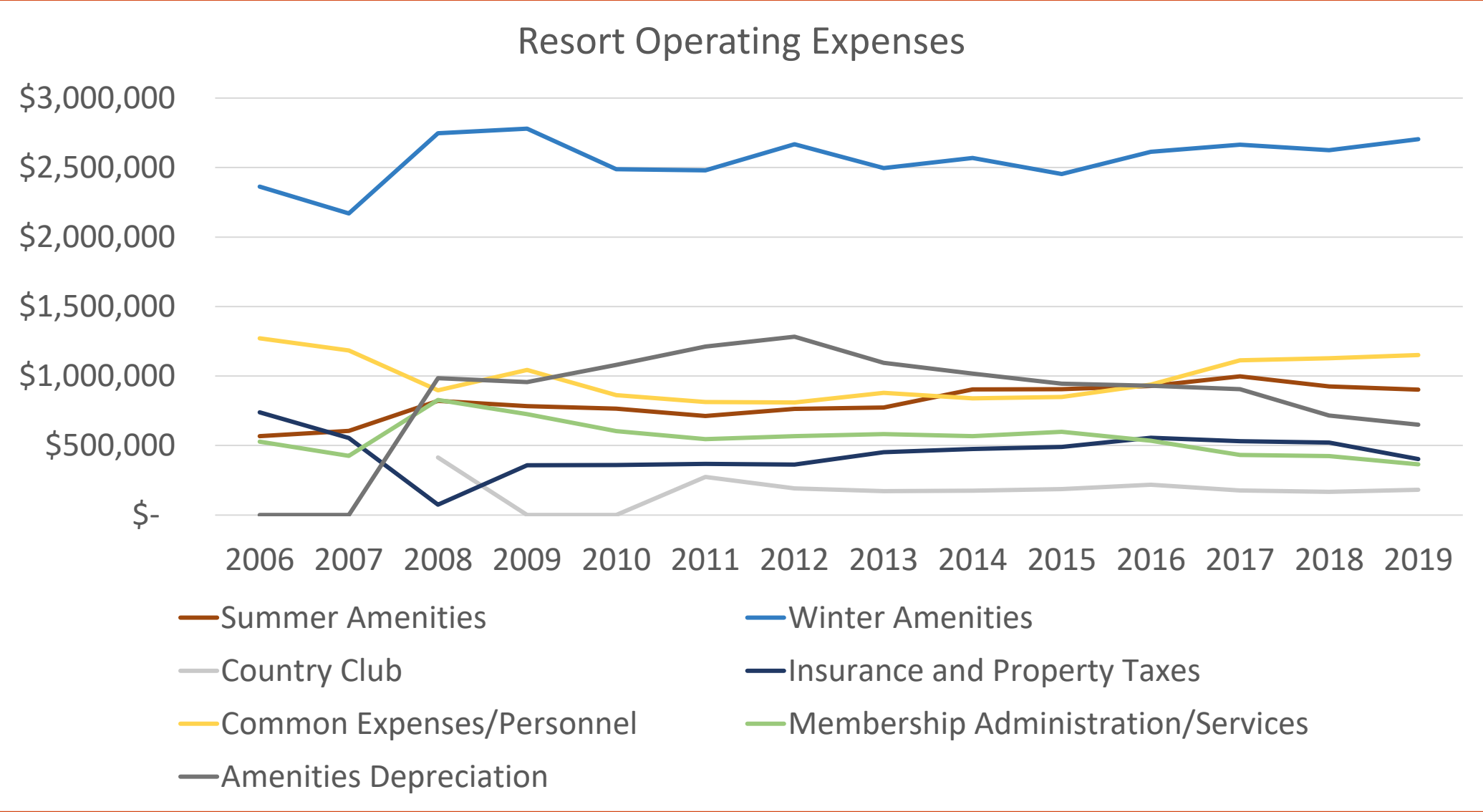
Total Members = 5,508
Members in Good Standing = 3,634



FISCAL YEARS 2006 TO 2020 DUES COLLECTED



RESORT – SUMMARY OF AMENITIES EXPENSES



AS REPORTED BY THE FINANCE COMMITTEE AT THE LAST ANNUAL MEETING

AAFPO Annual Meeting June 27, 2020

This is
AAFPO's
discretionary
fund

AAFPO Amenities Expenditures

	FY2016	FY2017	FY2018	FY2019	FY2020	Cumulative 2016-2020		FY2021 Budget
Golf Course	\$47K	\$37K	\$36K	\$41K	\$47K	\$208K		\$5K
Ski/Bike Mtn	\$42K	\$42K	\$61K	\$50K	\$40K	\$235K		\$42K
RV Park & Stables	\$1K	\$35K	\$2K	\$2K	\$0K	\$40K		\$9K
MV Lake	\$23K	\$16K	\$16K	\$20K	\$20K	\$95K		\$15K
Country Club	\$89K	\$92K	\$96K	\$91K	\$100K	\$468K		\$100K
Tennis/Oly Park	\$44K	\$13K	\$9K	\$37K	\$3K	\$106K		\$31K
Greenbelts	\$5K	\$12K	\$18K	\$10K	\$20K	\$65K		\$20K
Total	\$251K	\$247K	\$238K	\$251K	\$230K	\$1,217K		\$222K



AS REPORTED BY THE FINANCE COMMITTEE AT THE LAST ANNUAL MEETING

AAFPO Annual Meeting June 27, 2020

This is
AAFPO's fund

Administrative Professional Fees

Professional Fees	FY2016	FY2017	FY2018	FY2019	FY2020
Legal Expenses	\$16,632	\$1,491	\$4,034	\$0	\$19,167
Audit	\$12,025	\$0	\$15,036	\$7,551	\$0
Board Administrative Assistant	\$17,063	\$16,415	\$15,600	\$19,925	\$25,639
Tax Preparation	\$1,940	\$1,940	\$1,940	\$1,940	\$1,940
Chamber Membership	\$200	\$267	\$225	\$225	\$0
Total Prof Fees	\$47,860	\$20,113	\$36,835	\$29,641	\$46,746



ATTACHMENT C

FUEL MODIFICATION

9-7-13: FUEL MODIFICATION:

Purpose: This ordinance is intended to provide property owners with fuel modification measures to be used to create an area around structures, property, and the community known as defensible space. Defensible space provides firefighters a working environment that allows them to protect privately held land within the community from encroaching wildfires as well as minimizing the chance that a structure fire will escape to the surrounding wildland. This ordinance applies to any person or entity who owns, leases, controls, operates, or maintains any structure in, upon, or adjoining any mountainous area, forest-covered lands, brush-covered lands, grass covered lands, or any land that is covered with flammable material, and located within the Village of Angel Fire. In addition, this ordinance is not to exclude fuel modification of vacant lots where no structure is present for the reasons of not negatively impacting a neighboring properties' defensible space and to reduce the overall fire hazard in that area.

Definitions;

- 1) **Defensible space;** (a) a natural and/or landscaped area around privately held land to include structures, vacant lots, and common areas within the community that has been maintained and designed to reduce fire danger. Defensible space reduces the risk that fire will spread from one area to another, including to a structure. (b) The area within the perimeter of a parcel where basic wildfire protection practices are implemented, providing the key point of defense from an approaching wildfire or escaping structure fire.
- 2) **Fuel Modification;** creating defensible space through vegetation management means reducing the amount of fuel, providing separation between fuels, and/or reshaping retained fuels by trimming. Defensible space can be created by removing dead vegetation, separating fuels, and pruning lower limbs. By arranging trees, shrubs, and other fuels in a way that makes it difficult for fire to transfer from one fuel source to another does not mean cutting down all trees and shrubs, or creating a bare ring of earth across the property.
- 3) **Fuel;** vegetation and combustible man-made objects are fuel for fires. Even the structure itself is considered fuel. Research and experience have shown that fuel reduction decreases fire danger and increases the survivability of structures, surrounding vegetation and ultimately human life. Good defensible space allows firefighters to protect and save property safely without facing unacceptable risk to their lives. Fuel reduction through vegetation management is the key to creating good defensible space.
- 4) **Ground Fuels;** loose surface litter on the soil surface, normally consisting of fallen leaves or needles, twigs, bark, cones, and small branches that have not yet decayed enough to lose their identity; also grasses, forbs, low and medium shrubs, tree seedlings, heavier branches and downed logs.

5) Ladder Fuels; Flammable materials between the ground and the tree canopy (a single tree or stand of trees) that can carry a fire vertically between or within a fuel type. Ladder fuels are typically composed of immature trees, shrubs, or branches.

6) Dead/Down; any vegetation to include trees, shrubs, limbs that is either standing or on the ground and is no longer living. Standing dead is often referred to as “snags”.

7) Structure; any structure used for support or shelter of any use or occupancy.

8) DBH; Diameter at breast height.

9) Wildland Urban Interface (WUI); the zone of transition between unoccupied land and human development.

10) Intermix; where structures and vegetation intermingle.

A. General: The wildland fire risk in the Village of Angel Fire requires and recommends various degrees of fuel modification which have been established into four separate zones and pertain specifically to properties with structures. Together these zones range from zero to 100+ feet and have mandatory requirements and recommendations listed below in part G of this ordinance. Vacant lot requirements and recommendations are in part F of this ordinance.

B. Treatment: Fuels are all combustible materials within the wildland urban interface or intermix including, but not limited to, vegetation and structures. Treatment includes limbing, lopping, pruning or cutting. Specific treatments will be determined by the Angel Fire Chief of Fire/EMS, or his/her designee on a case by case basis and upon request. (Ord. 2010-05, 4-20-2010)

1. Ground and ladder fuels within specific fuel modification zones shall be treated or removed.

2. Dead material within sixty feet (60') of the structure shall be removed and live vegetation shall be thinned and pruned.

3. Dead and/or downed fuels within the first two fuel modification zones shall be removed in order to maintain the fuel modification area. More detailed information regarding standing dead specifications are outlined below in part G. (Ord. 2005-07, 8-18-2005)

4. Vegetation and/or shrubs under trees within fuel modification zones one and two shall be maintained at a height not to exceed three feet (3').

C. Combustible Materials: Other combustible material shall be removed from zone one or stored in a suitable area as approved by the Angel Fire Chief of Fire/EMS, or his/her designee. Examples of combustible materials are: woodpiles, brush piles, grass mulching, and tree debris.

D. Existing structure(s): All existing structures may be subject to an inspection based on the community assessments of the community wildfire protection plan. (Ord. 2010-05, 4-20-2010)

E. New Structures: All new structures shall comply with this ordinance as of.

F. Vacant Lot: Requirements: vacant lots, a lot without any structure, shall be maintained free of dead vegetation; shrubs beneath trees shall be no greater than three feet (3') in height; ladder fuels shall be removed (up to 6' from ground); and all dead/down trees shall be removed, except lots greater than or equal to one acre are granted an allowance up to 3 snags (greater than 12" DBH and 30' in height per acre) for wildlife habitat, if such snags or any one of them are more than 100' from any neighboring structures. (It is Recommended to remove trees from vacant lots that are <12" DBH in order to maintain a healthy 15' spacing between tree stems that are >12" DBH. Additional fuel reduction recommendation; Ponderosa Pine should have 14-16' tree spacing and Mixed Conifer should have 16-18' tree spacing.)

G. Fuel Modification Requirements and Recommendations:

Fuel Modification	Requirements	Recommendations	Comments
Zone 1: Immediate			
0-10'	Remove all pine needs and flammable ground materials with in two feet (2') of the base of the structure during times of high fire	Removal of trees <12" DBH in order to maintain 15' spacing between tree stems	Zone 1 will constitute the minimum requirements in the immediate area around a structure regardless of lot size.

	<p>danger</p> <p>Minimum of 10-12' between stems of trees less <12" DBH.</p> <p>Firewood: up to 1 cord may be <u>stacked</u> on your deck for immediate use during the cold weather months; <u>storage</u> of firewood less than 2 cords shall be no closer than 10' from any structure</p> <p>Remove all ladder fuels up to 6'</p> <p>Prune trees extending over eave of roof or 25%, whichever is less</p> <p>Remove branches within 10' of chimney</p> <p>Remove all Dead/Down</p> <p>Keep roofs and gutters free of dead leaves and pine needles</p>	<p>that are >12" DBH</p> <p>Maintain noncombustible ground material 10' around structure (planting beds, rock gardens, gravel or bare soil)</p> <p>Bedding plants (<18" high)</p> <p>Prune native tree limbs overhanging roof</p> <p>Consider nonflammable landscape material (example: do not use railroad ties, wood fencing, etc.)</p>	
Zone 2: Intermediate			
10-60'	<p>Minimum of 10-12' between stems of trees <12" DBH.</p> <p>Remove all ladder fuels up to 6'</p> <p>Remove all Dead/Down</p> <p>Firewood: storage of firewood</p>	<p>Removal of trees <12" DBH in order to maintain 15' spacing between tree stems that are >12" DBH</p> <p>Minimum 10' between stems of trees in</p>	<p>Zones one and two have much to do with the ignitability of a structure and individual protection.</p>

	greater than 2 cords shall be no closer than 30' to a structure	<p>"clumps" (maximum 5 trees/clump)</p> <p>Crowns of trees should not touch</p> <p>Maintain low combustible ground covers</p> <p>Keep lawns watered and mowed (as conditions allow)</p> <p>Consider planting beds, rock gardens and fire resistant plants. 10-15' between planting islands and groups of shrubs</p> <p>Bedding plants (<18" high)</p> <p>Consider nonflammable landscape material</p>	
Zone 3: Extended			
60'-100'	Remove all standing dead	Removal of trees <12" DBH in order to maintain 15' spacing between tree stems	

		<p>that are >12" DBH</p> <p>Additional fuel reduction: Ponderosa pine - 14-16' tree spacing Mixed conifer - 16-18' tree spacing</p> <p>10-15' between stems of trees in "clumps" (maximum 5 trees/clump)</p> <p>10-15' between planting islands</p> <p>Remove all dead/down.</p> <p>Prune tree limbs minimum of 6' from ground or 25% of tree height, whichever is less</p>	
Zone 4: Extended/Property Perimeter Buffer			
100'+	No more than three snags (greater than 12" DBH and 30' in height per acre beyond the initial 100') for wildlife habitat, and are no closer than 100' to any neighboring structures	Removal of trees <12" DBH in order to maintain 15' spacing between tree stems that are >12" DBH	Treatment in this zone addresses wildfire rate of spread and intensity. Consistent application of these recommended treatments will create conditions where a fires rate of spread could slow down and create opportunity for fire resources to

		Additional fuels reduction: Ponderosa pine - 14'+ tree spacing Mixed conifer - 16'+ tree spacing Prune tree limbs minimum of 6' from ground or 25% of tree height, whichever is less Consider coordination with neighboring properties Recommend treatment of entire property Remove dead/down	safely respond
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H. Implementation and Exclusions:

1.) Effective June 1, 2019 any person or entity who owns, leases, controls, operates, or maintains any structure in, upon, or adjoining any mountainous area, forest-covered lands, brush-covered lands, grass covered lands, or any land that is covered with flammable material, and located within the Village of Angel Fire shall fully comply with this ordinance within the designated timeframe based upon the amount of property the person or entity owns, leases, controls, operates, or maintains as described in Table A below. Compliance with this Ordinance shall be accomplished in the percentage stages set forth below.

Table A. .25-01 Acres 1 Year: 100% of the acreage shall be in compliance with this Ordinance by the end of the first (1st) year.

1.1-05 Acres 3 Years: 30% of the acreage shall be in compliance with this Ordinance by the end of the first (1st) year; 60 % by the end of the second (2nd) year; and 100% by the end of the third (3rd) year.

5.1-10 Acres 5 Years: 30% of the acreage shall be in compliance with this Ordinance by the end of the second (2nd) year; 60 % by the end of the fourth (4th) year; and 100% by the end of the fifth (5th) year.

10.1-15 Acres 7 Years : 30% of the acreage shall be in compliance with this Ordinance by the end of the third (3rd)year; 60 % by the end of the fifth (5th)year; and 100% by the end of the seventh (7th) year

15.1-20 Acres 9 Years: 30% of the acreage shall be in compliance with this Ordinance by the end of the third year; 60 % by the end of the sixth year; and 100% by the end of the ninth (9th) year

20.1-50 Acres 10 Years: 35% of the acreage shall be in compliance with this Ordinance by the end of the third (3rd) year; 70% by the end of the sixth (6th)year; and 100% by the end of the tenth (10th) year

50.1-100 Acres 15 Years: 35% of the acreage shall be in compliance with this Ordinance by the end of the fifth (5th)year; 70% by the end of the tenth (10th) year; and 100% by the end of the fifteenth (15th) year

>100 Acres 25 Years: 20% of the acreage shall be in compliance with this Ordinance by the end of the fifth (5th) year; 40 % by the end of the tenth (10th) year; 60% by the end of the and by the end of the fifteenth (15th) year; 80% by the end of the twentieth (20th); and 100% by the end of the twenty-fifth (25th) year.

2.) Exclusions: Any vacant land that is not readily accessible by a Village of Angel Fire maintained roadway is excluded from this Ordinance. This includes areas known and designated as Chalets 3, 3A, 3B, 5, and 6 of the Village of Angel Fire Subdivision Map, October 1989.

I. Penalties;

The penalty for non-compliance with a violation of this Ordinance shall be in accordance with the Ordinance 9-6-1, Section E.