

BATTLEMENT MESA SERVICE ASSOCIATION
REGULAR MEETING OF THE BOARD OF DIRECTORS

August 16, 2022

Present:

Laurel Koning	President, Battlement Creek Village
John Shepherd	Sec/Treasurer, Canyon View Village
Brad Gates	Director, Fairways
Bob Arrington	Director, Willow Creek Village
Tammie VanDeusen	Director, Town Center Filing II
Courtnee Vashus	Director, Mesa Ridge Townhomes
Penny Roehm	Director, Valley View Village – <u>By Proxy</u>
Tony Haschke	Director, Monument Creek Village
Jerry Mohrlang	Director, Stone Ridge Village
Bert Hyman	Director, Princeton Management
Jane Edwards	Director, The Reserve
Dianna Arnett	Director, Tamarisk Meadows

Absent Board Members:

Angela Barton	Town Center Filing I, III
Robert Gross	Director, RHP Properties
Al Reuter	Director, Eagle's Point
Amy Provstgaard	Vice President, Tamarisk Village

Also Present:

Steve Rippy	Association Manager
Vinnie Tomasulo	Assistant Association Manager
Alex Morris	Administrative Assistant

COMMUNITY MEMBERS PRESENT:

Dan Locker – 78 Queen City Circle/Tamarisk Village
Jane Chapman – 10 Queen City Circle/Tamarisk Village
Anne Kellerby – 64 Cliff View Circle/Valley View Village
Michael Churchill – 72 Eagle Ridge Dr/Eagle's Point
Deni Noble – GVRC Representative
Steve Bonds – Paul Davis Restoration Representative

OWNERS OPEN FORUM- Dan Locker was in attendance to voice his concerns about the appearance of Saddleback Village, owned by RHP. Mr. Locker is frustrated that the maintenance and appearance of those homes are not being kept up on. Manager Rippy explained to the Board that the BMSA Management office has been working with RHP for several years to address the condition of properties in Saddleback. Mr. Rippy noted that RHP has made progress on a lot of items, but the condition of the front yards continues to be an issue that needs a lot of attention. Mr. Rippy expressed the Management office can take a more aggressive approach with the covenant items, if that is desired by the Board. The Board directed Mr. Rippy to contact RHP and make it known that additional action must be taken to improve the condition of their properties, or they will be subject to fines.

Steve Bonds with Paul Davis Restoration, and a Battlement Mesa community member, wanted to promote his business and help the community with restoration needs when and if anyone needed him.

CALL TO ORDER- President Koning called the meeting to order at 9:16 a.m.

DISCLOSURE OF CONFLICT- None

QUORUM - A quorum was established for the regular meeting.

JULY 19, 2022, REGULAR MEETING MINUTES- Director Haschke made a motion, seconded by Director Arrington, to approve the minutes of the regular meeting. The motion passed unanimously.

FINANCIAL REPORTS- Director Arrington made a motion, seconded by Director Mohrlang to accept the financials subject to audit for July 31, 2022. The motion passed unanimously.

COMMITTEE REPORTS

Finance Committee- See attached written report.

Architectural Committee- See attached written report

Covenant Control Committee- See attached written reports

Oil & Gas Committee- None

Associated Governments of Northwest Colorado- None

Energy Advisory Board- None

MANAGER REPORT-

Wildfire – Willow Creek Village – On July 22, 2022, a wildfire broke out in the open space area near the intersection of River Bluff Road and S. Battlement Parkway. The property is privately owned and densely covered in vegetation. The fire spread from its original starting point, northwest toward Willow Creek Village and southwest along River Bluff Road. A few private fences and the community fence along S. Battlement Parkway were damaged by the fire. Fortunately, there were no homes or structures damaged. Approximately 112 feet of the community fence was a complete loss. An insurance claims agent has given authority to move forward with replacing the fence. BMSA has not started the installation of the fence due to a request by one of the homeowners who wishes to access the back of his property to remove several large trees that were burned. In reviewing the burned area and resulting fire damage to the fences, it is apparent the area mowed and maintained (fire break) by the BMSA played an important role in preventing fire damage to homes in the village. The origin of the fire is not known at this time.

House Bill – 1137 – The State Legislature recently passed, and the Governor signed into law, new legislation that has impacts on notice of delinquent accounts, foreclosure guidelines as well as notice to cure for covenant violations. The new requirements for notice to owners on delinquent accounts could have significant impact on annual costs for providing notice to owners. I will be communicating with our attorney’s office to understand the change in procedure our office will need to adopt to be in compliance with the new regulations.

50 Cliff View Court – Assistant Manager, Vinnie Tomasulo, and Manager Steve Rippy have had several communications with the owner of 50 Cliff View Court concerning the covenant violations and activities of his tenants at the location, and their impact on the neighborhood. Based upon the information provided by the owner, it appears that eviction of the tenants will be occurring sometime this month.

Open Space Mowing – A second mowing of the community open space is nearly complete and should provide additional fire mitigation during these very dry conditions.

Right-of-Way Mowing – The second mowing of the 4-lane rights-of-way has been completed this past month.

NEW BUSINESS – Director Gates made a motion, seconded by Director Mohrlang to approve a \$750.00 donation to Movies Under the Stars at the Grand Valley Recreation Center. The motion passed unanimously

OLD BUSINESS – Director Shepherd made a motion, seconded by Director Haschke to approve the 2021 Financial Audit. The motion passed unanimously

OTHER BUSINESS – Manager Rippy received communication from BMSA legal firm, Altitude Community Law, regarding a community property owner’s request to enter into a payment agreement to pay several years of unpaid dues, legal fees, and fines. Altitude Law recommended to not accept the plan due to the amount of time it would take the owner to pay the amount. After lengthy discussion, the Board voted with 10 Directors voting to not accept the payment agreement and 2 Directors voting to accept. The request to enter into the payment agreement was denied.

ADJOURNMENT - at 10:00 a.m.

HEARINGS –

36 Black Sulphur Place – Lawn Maintenance – If violation is not remedied by September 16th (30 days from date of hearing) then the BMSA will proceed with daily fines of \$25.00

Director VanDeusen made a motion, seconded by Director Roehm to proceed with daily fines of \$25.00 if the violation is not cured. The motion passed unanimously.

46 Black Sulphur Place – Mechanic Work - If violation is not remedied by September 16th (30 days from date of hearing) then the BMSA will proceed with daily fines of \$25.00

Director VanDeusen made a motion, seconded by Director Roehm to proceed with daily fines of \$25.00 if the violation is not cured. The motion passed unanimously.

25 Dogwood Lane – Trash Can and Basketball Goal - If violation is not remedied by September 16th (30 days from date of hearing) then the BMSA will proceed with daily fines of \$25.00

Director Vashus made a motion, seconded by Director Edwards to proceed with daily fines of \$25.00 if the violation is not cured. The motion passed unanimously.