



**BATTLEMENT MESA SERVICE ASSOCIATION  
REGULAR MEETING OF THE BOARD OF DIRECTORS**

November 16, 2021

Present:	Laurel Koning	President, Battlement Creek Village
	Amy Provstgaard	Vice President, Tamarisk Village
	John Shepherd	Sec/Treasurer, Canyon View Village
	Brad Gates	Director, Fairway Villas
	Bob Arrington	Director, Willow Creek Village
	Samuel Stewart	Director, Monument Creek Village – By Proxy
	Penny Roehm	Director, Valley View Village
	Robert Cizik	Director, Mesa Ridge Townhomes
	Dianna Arnett	Director, Tamarisk Meadows
	Robert Gross	Director, RHP Properties – By Proxy
	Al Reuter	Director, Eagles Point
	Bert Hyman	Director, Willow Park/Ridge Apartments – By Proxy
	Jane Edwards	Director, The Reserve
	Tammy Van Deusen	Director, Town Center 2

Absent Board: Members	Angela Barton	Director, Town Center 1 & 3
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Also Present:	Steve Rippy	Association Manager
	Vinnie Tomasulo	Assistant Association Manager

**COMMUNITY MEMBERS PRESENT:** Mary Lee Mohrlang, Stone Ridge  
Dan Birrer, Battlement Creek Village

**OWNERS OPEN FORUM:** Mary Lee Mohrlang explained to the board that she has been participating in the Garfield County Economic Development Partners meetings to provide a voice for the Battlement Mesa community. The purpose of the group is to facilitate a coordinated effort in economic development of the communities throughout the county and without local representation from Battlement Mesa it is unlikely the community will receive adequate attention. She requested the Board give formal approval for her to be the Battlement Mesa Service Association representative as she participates in these meetings. The Board of Directors agreed to authorize Mary Lee as the representative for the BMSA at the economic development meetings.

President Koning introduced new Director Jane Edwards who was elected as the new delegate for The Reserve.

**CALL TO ORDER:** President Koning called the meeting to order at 9:00 a.m.

**DISCLOSURE OF CONFLICT:** None.

**QUORUM:** A quorum was established for the regular meeting.

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*The Colorado Dream*

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**OCTOBER 19, 2021 REGULAR MEETING MINUTES:** Director Provstgaard made a motion, seconded by Director Gates, to approve the minutes of the regular meeting. The motion carried unanimously.

**FINANCIAL REPORT:** Director Gates made a motion, seconded by Director Arnett, to approve the October financials, subject to audit. The motion carried unanimously.

## **COMMITTEE REPORTS**

**Finance Committee** – Director Shepherd presented an overview of the BMSA financials for the month of October.

**Architectural Committee** – Assistant Manager, Vinnie Tomasulo, presented a report of member properties that had submitted architectural applications and the actions taken by the Committee during the month of October.

**Covenant Control Committee** – Assistant Manager, Vinnie Tomasulo, presented a report and list of community properties that had been issued a letter of violation of the covenants in the month of October.

**Oil & Gas Committee** – No report was given.

**Associated Governments of Northwest Colorado** – No report was given.

**Energy Advisory Board** – No report was given.

## **MANAGER REPORT:**

Association Manager, Steve Rippy, reported that the annual village meetings for Tamarisk Meadows, Tamarisk Village, Monument Creek Village, Willow Creek Village, Stone Ridge, The Reserve and Battlement Creek Village have been completed. No actions were taken in Tamarisk Meadows, Tamarisk Village, Monument Creek Village or Stone Ridge as quorums could not be established.

Mr. Rippy reported that in Monument Creek Village and Stone Ridge new delegates could not be elected due to the lack of a quorum and now those villages have no representation on the Board. He recommended that the Board authorize a mail-in election for the two villages in order to fill the vacant delegate positions.

Director Cizik made a motion, seconded by Director Edwards, to authorize mail-in elections for Monument Creek Village and Stone Ridge. The motion carried unanimously.

## **NEW BUSINESS:**

**2022 Annual Common Assessment** – Manager Rippy presented the 2022 annual budget to the Board and provided details concerning line item revenues and expenditures for the operating and reserve funds. The budgeted included a \$4.00 increase in the common assessments, setting the 2022 annual assessment at \$308.00. The budget included no increases in the trash assessment or Tamarisk Village front yard assessment.

Mr. Rippy explained that to increase the common assessment each Director will need to vote on behalf of the number of assessment units within each of the delegate areas they represent. The total of the assessment units in favor must reach 66% of the total BMSA assessments.

Director Gates made a motion, seconded by Director Shepherd, to increase the annual common assessment from \$304 to \$308. Each of the Directors in attendance and by proxy voted in favor of increasing the annual assessment to \$308.00. The total assessment unit votes cast in favor were 2,335, representing 91.3% of the total number of assessment units. There were 202 assessment units which were not cast as those delegate areas were not represented by a Director. The 2022 common assessment was approved and adopted at \$308.00.

**2022 Annual Budget** – Director Shepherd made a motion, seconded by Director Gates, to approve and adopt the 2022 budget as presented. The motion carried unanimously.

### **OLD BUSINESS:**

**2020 Annual Financial Audit** – Manager Rippy presented the 2020 financial audit completed by McMahan and Associates, LLC. After discussion, Director Shepherd made a motion, seconded by Director Reuter, to approve the 2020 annual financial audit. The motion passed unanimously.

### **OTHER BUSINESS:**

Director, Tammy Van Deusen, is one of the new ownership partners of the Town Center, Saddleback Center and residential development lands in Battlement Mesa. She updated the Board on the recent activities of their development group as follows:

- Ace Hardware will become a new tenant at the Town Center, moving into the space previously occupied by True Value.
- A new Coffee Shop will also be occupying a space at the Town Center.
- A new restaurant will be opening in the Saddleback Center, moving into the space previously occupied by Moo's Restaurant.
- The group has submitted a residential development plan to Garfield County for 60 new homes on the vacant land adjacent to Northstar Trail near the Canyon View and Stone Ridge Villages.

### **HEARINGS:**

**35 Ponderosa Circle** – The subject property has received four violation letters and associated fines for a barking dog based upon the complaints filed by a neighbor. The property owner and the complainant did not attend the hearing. Assistant Manager, Vinnie Tomasulo, provided details surrounding the complaints and the review he completed along with Covenant Compliance staff member, Sherry Loschke.

Mr. Tomasulo reported that violation letters had been sent to the property owners based upon complaints from an adjoining neighbor. The property owners contacted the BMSA office after receiving the third violation letter to explain that they had purchased a bark collar for the dog and did not believe that the barking was associated with their dog as there are other dogs in the neighborhood that are barking. Mr. Tomasulo reported that Ms. Loschke had contacted other neighbors in the area to see if they could confirm that the dog barking at 35 Ponderosa was a problem as reported by the neighbor. The neighbors contacted confirmed that it is common to hear several dogs barking in the neighborhood at different times but could not confirm that the dog at 35 Ponderosa was the problem. Mr. Tomasulo reported that at this

time, based upon the information gathered, he is not confident that the barking dog being reported is coming from 35 Ponderosa.

The Board decided to take no additional action and directed that management continue to review and monitor the situation and bring it back to the Board if it is determined that additional action should be taken.

**25 Pinetree Place** – The property owners did not attend the hearing. The property has received four violation letters and associated fines for maintenance of property. Specifically, the lawn was not being properly watered or mowed and weeds were growing in the landscaped gravel areas around the yard.

Mr. Tomasulo reported that at the time of the first violation the lawn was not being watered properly and had not been mowed and weeds were growing in the gravel landscaped areas. At the time of the second violation letter in July, the lawn had greened up but had not been mowed adequately. Some improvement had been made on removing weeds from the gravel landscape areas but there were still weeds that needed to be removed. At the time of the third violation the lawn was green but again was not being mowed adequately and weeds remained in the gravel landscape. A fourth violation was issued in October for mowing of the lawn and weeds in the gravel landscape.

Mr. Tomasulo explained that the owners have never contacted the office concerning the violations and he has some concerns that there may be some communication issues. With the onset of winter the grass will become dormant and the weeds are no longer growing, he would like to reach out to the owners to determine if they understand the covenant issues associated with their property.

The Board decided to take no action at this time to allow contact with the owners to see if there has been a communication problem.

## **ADJOURN**

The meeting was adjourned at 10:36 a.m.