

**BATTLEMENT MESA SERVICE ASSOCIATION  
MEETING OF THE BOARD OF DIRECTORS  
February 17, 2009 Minutes**

<b>PRESENT:</b>	Chuck Hall	President
	Sara McCurdy	Vice President
	Dan Cohen	Director
	Eric Schmela	Director
	Frank Oakley	Director
	Jay Haygood	Director
	Mike Stiers	Director
<b>Also Present:</b>	Jane Chapman	Association Manager
<b>Absent:</b>	Ron Schelling	Secretary/Treasurer
	Gordon Elliott	Director
	John Shepherd	Director
	Ray Barbour	Director

The **meeting** was called to order at 10:19 am by Chuck Hall, President.

**APPROVAL OF MINUTES**

A **motion** was duly made by Eric Schmela and seconded by Jay Haygood to approve the January 20, 2009 minutes as amended to say "The Board did not feel that the proposed business would have any detrimental impact to the community," regarding the approval of a new home business. Also, Baker Hill Place should be Goldfield Court. **Passed.** Unanimous.

**COMMITTEE REPORTS**

**Covenant Protection Committee:** Keith Lammey provided the Board with a summary report of the year to date non-compliance letters sent. A total of 130 violations have been reported, with 130 of those reported in January. Jane Chapman provided a written report of violations within the Battlement Mesa Company rentals. The Association Manager will call Gerald with Dependable Waste to determine which holidays will result in late trash pick-up in order to inform the residents. Keith Lammey is to provide Chuck Hall with Covenant Protection Committee information by February 27, 2009 for the Community Meeting. Mr. Lammey provided the Board with a written request for clarification

about parking violations within the community. This has been an area of difficulty for several years so Jay Haygood will take the task to create a proposed revision to the covenants to clarify the issue. Erica Chamberlain of 86 Sagemont Circle sent a letter to the Board to request that fines for a visible trash bin be removed from her account. A **motion** was duly made by Mike Stiers and seconded by Jay Haygood to remove the \$50.00 fine of non-compliance from the Chamberlain's account with the stipulation that if the trash bin is observed again, they will automatically be sent a 3<sup>rd</sup> letter of non-compliance and fine of \$75.00. **Passed.** Unanimous. A letter will be sent to the Chamberlains to notify them.

**Architectural Committee:** A written report was submitted. A letter of recommendation to appoint Bob Arrington to the Committee was submitted to the Board of Directors. A **motion** was duly made by Sara McCurdy and seconded by Frank Oakley to approve Bob Arrington as a new member of the Architectural Committee. **Passed.** Unanimous. The Committee asked for direction from the Board on satellite dishes that are installed with no notice of intent on file with the Committee. A **motion** was duly made by Mike Stiers and seconded by Jay Haygood that the Architectural Committee no longer has any interest in satellite dish installations unless there is a blatant covenant violation involved. **Passed.** Unanimous.

**Oil & Gas Committee:** No report given.

**Roads Committee:** Frank Lancaster spoke with Garfield County about the poor job done with the plowing this season. The County agreed but did not offer any solutions to the problem. Consolidated Metropolitan District has started their street sweeping. Battlement Mesa Company may be able to use the gravel swept up by CMD. The Service Association has a budget amount committed to street sweeping costs once the new budget starts in April. Sara McCurdy pointed out that 25 MPH signs were put up along Spencer Parkway but there are no houses facing that street, so the speed limit should be 35 MPH.

**Landscape Committee:** No report given. Updated bids are still needed for the Stone Ridge entrance and Reserve sign areas. Medians need to be trimmed soon. The Board also needs an update on the drip system bid from Baker & Associates.

**Wildfire Restoration Project:** No report given.

**Trails Committee:** No report given.

**Associated Governments of Northwest Colorado:** No report given.

**Audit Committee:** No report given.

## **MANAGERS REPORT**

Jane Chapman submitted a written report. Refunds were received from Neil-Garing and Bushell Insurance agencies for the policy cancellations.

**Financial Report:** A **motion** was duly made by Mike Stiers and seconded by Frank Oakley to approve the January 2009 financials as presented, subject to

audit. **Passed.** Unanimous. HindmanSanchez is working on collecting from the super lien on 12 Rosewood Way. The bank that now owns the property has been sent a statement for the current charges. The judgment to award legal fees to the Association is still pending. The Notice of Covenant Violation for 107 Eagle Ridge Drive was recorded with Garfield County so that if the house is sold, the new owners will be notified of the uncompleted landscaping requirements, which are due for completion April 1, 2009. No response has been received from Craig Chance regarding the letter about the delinquent fines on 81 Talon Trail. Since no response has been received, the matter will be sent to small claims court.

### **Correspondence**

A letter was sent to the Slades at 72 East Tamarack Circle regarding the damage to the Battlement Mesa Service Association fence. The fence will be repaired once the ground unfreezes. Now that the Association Manager knows who caused the damage, the Association will go after him for the expense of repairing the fence. Chuck Hall requested that the Association Manager draft a response to the letter dated January 23, 2009 from Mrs. Freeman of 38 Meadow Creek Court.

### **OLD BUSINESS**

#### **Trail Easement Agreement**

Exhibits A and B still need to be filled out. The Board of Directors members are to review the document and get any corrections to Jane Chapman as soon as possible. The agreement still needs a term set as easements in perpetuity constitute as a sale or conveyance. A workshop is tentatively scheduled for March 12, 2009 at 9 am at the Battlement Mesa Company conference room. Jane Chapman will call the Lyons to confirm availability. Dave Devanney spoke with the Lyons about earth movement. They will be involved and would like a copy of the agenda emailed to them prior to the meeting.

#### **Assessment Collection Procedure**

In the updated Resolution document, any time the word "will" is used will be changed to "shall" to match the legal wording throughout the document. A **motion** was duly made by Mike Stiers and seconded by Sara McCurdy to accept the updated Resolution Regarding Policy and Procedures for Collection of Unpaid Assessments with revisions. **Passed.** Unanimous. Information about the Resolution will be included in the assessment mailing.

## **Street Light Poles**

The matter of the street light poles will be discussed at the next Board of Directors meeting.

## **OTHER BUSINESS**

### **Community Recycle Dumpster**

Residents are continuing to leave recycling outside of the dumpster. There is an aesthetics issue as well as the issue of having to have the recycles picked up as trash. Chuck Hall would like a better second dumpster from Waste Management. Previous requests have been unfulfilled but the Association Manager will try again. The status of the dumpster needs to be more closely monitored. Eric Schmela offered to have Battlement Mesa Company crews monitor and clean up the area if the Service Association funds the expense. A **motion** was duly made by Eric Schmela and seconded by Sara McCurdy for the Battlement Mesa Service Association to reimburse Battlement Mesa Company for the cost of clean up around the recycle dumpster. **Passed.** Unanimous.

## **ACTION ITEMS**

The action item list was passed out to the Board members.

With no further business to come before the Board, the meeting was adjourned at 12:00 noon.