

**BATTLEMENT MESA SERVICE ASSOCIATION  
MEETING OF THE BOARD OF DIRECTORS  
March 20, 2007 Minutes**

<b>PRESENT:</b>	Chuck Hall	President
	Ron Schelling	Secretary/Treasurer
	Eric Schmela	Director
	Ray Barbour	Director
	Lynn Shore	Director
	Jay Haygood	Director
	Gordon Elliott	Director
	Frank Oakley	Director
	Sue Lancaster	Director

**Also Present:** Jane Chapman                      Association Manager

**Absent:** John Shepherd                      Vice President

The **meeting** was called to order at 10:06am by Chuck Hall, President.

**APPROVAL OF MINUTES**

A **motion** was duly made by Lynn Shore and seconded by Ray Barbour to approve the February 20, 2007 Board of Directors Meeting minutes as presented. **Passed.** Unanimous.

**MANAGERS REPORT**

Jane Chapman submitted a written report. The auditor has not responded whether or not the Association qualifies for tax-exempt status yet.

**Financial Report:** A **motion** was duly made by Lynn Shore and seconded by Ron Schelling to approve the February 2007 financial statements as presented, subject to audit. **Passed.** Unanimous.

**OLD BUSINESS**

**Child Care Homes -**

**Request from 382 Mineral Springs Circle:** Tammy Hohenberger's application to operate a child care home was reviewed. Otto Jacobson, 16 Black Sulphur Place, and Sharron Thompson, 006 Black Sulphur Place, spoke in opposition to the application. An affirmative response to the child care home was received in writing. Tammy Hohenberger spoke on her own behalf. A **motion** was duly made by Gordon Elliott and seconded by Ray Barbour to allow

Tammy Hohenberger to operate a child care home at 382 Mineral Springs Circle contingent on the attainment of a license and applicable insurance and to not approve any further child care home applications for Tamarisk Meadows. **Passed.** Jay Haygood and Ron Schelling abstained.

**Inspection Fee:** Bill Wilde of Cimarron Land and Homes, Michael Robinson of Tri-Terra, and realtor Mary Lee Mohrlang addressed the Board regarding the recently imposed \$500 Inspector's Fee on new home construction. Each person expressed concerns with the validity and effectiveness of the intended inspections at this stage of the process. A **motion** was duly made by Eric Schmela and seconded by Gordon Elliott to suspend the collection of the \$500 Inspector's Fee until the check list is finalized and an inspector is hired, and to refund all inspection fees collected to this point. **Passed.** Sue Lancaster abstained.

A workshop is scheduled for Tuesday, April 3, 2007 at 1:00pm at the Battlement Mesa Activity Center to work on the inspection process.

(Eric Schmela excused himself from the meeting. A quorum remained.)

#### **Child Care Homes –**

**Request from Robin Dove – 70 Queen City Circle:** Robin Dove is currently working within the school system and will not be operating her child care home until the end of the school year. To that end, Robin Dove has requested an extension until May 21, 2007 for her licensing and insurance requirements. A **motion** was duly made by Sue Lancaster and seconded by Ray Barbour to grant Robin Dove an extension of her licensing requirements until May 21, 2007. **Passed.** Unanimous.

**Child Care Centers:** A draft resolution regarding child care centers was presented by Lynn Shore. The last line of the fifth paragraph within the Resolution will be changed to read "If there are no residences within 150 feet of the lot lines of the Day Care Center items 1, 2 and 9 are not required". A **motion** was duly made by Lynn Shore and seconded by Sue Lancaster to adopt the Child Care Resolution as presented with the noted change. **Passed.** Unanimous. Pastor Charlie Hornick of the Grace Bible Church addressed the Board regarding a proposed Child Care Center at the church. A **motion** was duly made by Lynn Shore and seconded by Jay Haygood that based on the circumstances the 30-day posting requirement would be waived and approval is granted for a child care center at Grace Bible Church. **Passed.** Unanimous.

**56 West Bonanza:** Robert Hoag has redeemed the property at 56 West Bonanza. The Association will be collecting the fines owed; however, the covenant issues remain and the daily fines will continue. Jane Chapman will contact the Association's attorney regarding legal steps to gain covenant compliance. A hearing is scheduled for Robert Hoag, 56 West Bonanza, on Tuesday, April 17, 2007 at 1:00pm at the Battlement Mesa Activity Center.

**12 West Tamarack Circle:** The closing scheduled for this home was cancelled. The \$10.00 per day noncompliance fine is still in effect and accumulating. Dan Locker stated an "Under Contract" sign has been reposted at this lot.

**ATV's:** Jay Haygood informed the Board of an established ride / jump area for ATVs beyond Stone Quarry road. Lynn Shore noted this property is owned by Battlement Mesa Company. Lynn Shore will post signs in the area to discourage ATV activity.

## **NEW BUSINESS**

**Small Claims Court – Increase Upper Limit for Law Suits:** The current trigger point for sending an account to the attorney is \$650.00. The upper limit for action in Small Claims Court is \$7500.00. No change will be made in the Association's procedure at this time. Gordon Elliott and Lynn Shore recommended the statistics about the success the Association has had in Small Claims Court be reported within the Manager's Report and included in the minutes for publication. The statistics would note both the monthly cases and the year-to-date cases.

**Parking:** Vehicular Parking, Section 8.16 was discussed. The following change was proposed:

*(i): Automobile, trucks (one ton or less) or motorcycles may be parked on an expanded driveway adjacent to the existing driveway that is not in front of the livable space of the house and this area has been prepared for an expanded driveway for parking a vehicle as defined by the Architectural Standards, Section 3.05 approved by the Board of Directors on March 20, 2007.*

*(ii): No automobile, truck or other vehicle may be parked in any rear yard unless behind a six foot fence.*

A **motion** was duly made by Ray Barbour and seconded by Jay Haygood to accept the changes to the Rules and Regulations pertaining to Vehicular Parking, Section 8.16 as proposed upon review by the Association's attorney. **Passed.** Unanimous.

**Addition to Architectural Standards 3.05:** A **motion** was duly made by Sue Lancaster and seconded by Ray Barbour to approve the addition to Architectural Standards 3.05 with the noted corrections. **Passed.** Unanimous. The approved Standard will read:

*You may exceed driveway width for additional parking space. There must be Architectural Committee approval on all plans for additional parking space. Materials that may be used can be concrete, concrete pavers, gravel or brick.*

*If gravel is used, an edging around the gravel must be strong enough to hold gravel in place. The sub-grade should be firm and unyielding. Sub-grade materials can be sand with powder cement.*

*You may only expand the driveway on the side of garage that is not in front of the livable space of house.*

### **Approve Contracts:**

**Covenant Protection Officer** – A **motion** was duly made by Lynn Shore and seconded by Ron Schelling to authorize Chuck Hall to sign the Covenant Protection Officer contract as presented. **Passed.** Unanimous.

**Street Litter Pickup** – A **motion** was duly made by Gordon Elliott and seconded by Sue Lancaster to accept the Street Litter Contract as presented and to approach Parkway Services regarding the inclusion of Thunderberg Trail for a renegotiated price. **Passed.** Unanimous.

(Gordon Elliott excused himself from the meeting. A quorum remained.)

**Sinkhole behind Mineral Springs Circle:** Jay Haygood reported on the expansion of a sinkhole behind Mineral Springs Circle that is threatening the bike path and the fence in that area. Chuck Hall will take an action to investigate the problem.

### **COMMITTEE REPORTS**

**Covenant Protection Committee Report:** Dan Locker submitted a written report. Frank Oakley will attend the April 10, 2007 Covenant Protection Committee meeting. A notice regarding overnight parking will be sent to a Mesa Ridge resident.

**Road Committee:** Frank Lancaster submitted a written report. Jane Chapman will take action on Item 4 regarding the cleaning of the drainage ditches in the dips on Stone Quarry. The turn lanes noted in Item 1 will be repainted following the chip and seal this season. Gordon Elliott, on behalf of the Board, thanked Frank Lancaster for his extensive work.

**Architectural Committee:** A written report was submitted.

**Oil & Gas Committee:** No report was submitted.

**Landscape Committee:** No report was submitted.

**Wildfire Restoration Project:** No report was submitted.

**Community Accent Committee:** No report was submitted.

**Trails Committee:** No report was submitted.

### **ACTION ITEMS**

John Shepherd submitted a written report.

With no further business to come before the Board, the meeting was adjourned at 1:08 pm.