

Approved  
05/21/13

BATTLEMENT MESA SERVICE ASSOCIATION  
REGULAR MEETING OF THE BOARD OF DIRECTORS  
APRIL 16, 2013

Present: Keith Lammeey President, Mesa Ridge Townhomes  
Jonathan Lay Vice President, Battlement Mesa Partners  
John Shepherd Sec/Treasurer, Canyon View Village  
Eric Schmela Delegate, Battlement Mesa Partners  
Laurel Koning Director, Battlement Creek Village  
Sara McCurdy Director, First Eagle's Point  
Bernita Grove Director, Monument Creek Village  
Greg Davidson Director, Tamarisk Meadows  
Eric Short Director, Tamarisk Village  
Jason Fletcher Director, The Reserve  
Brad Hoy Director, Valley View Village  
Bob Arrington Director, Willow Creek Village

Excused Board Members: Jeff Hill Director, The Fairways

Also Present: Steve Rippy Association Manager

Community Members Present: None

**OWNER'S OPEN FORUM**

**CALL TO ORDER**

Director Lammeey called the meeting to order at 9:07 am.

**DISCLOSURE OF CONFLICTS**

Director McCurdy disclosed that she is a Board member of the Battlement Mesa Metropolitan District.

Director Lammeey disclosed that a company he owns is under contract with the BMSA to provide covenant protection services and newsletter services.

Director Fletcher disclosed that he is a Board member of the Battlement Mesa Metropolitan District and the Parachute/Battlement Mesa Park and Recreation District.

Director Davidson disclosed that a company he owns is under contract with the BMSA to provide vegetation mitigation.

Director Hoy disclosed that a company he owns is under contract with the BMSA to provide vegetation mitigation.

Director Short disclosed that a company he owns is under contract with the BMSA to provide landscaping services.

**APPROVAL OF MINUTES**

A motion was made by Director Grove and seconded by Director McCurdy to approve the March 19, 2013 minutes with corrections. The motion carried unanimously.

**FINANCIAL REPORTS**

A motion was made by Director Davidson and seconded by Director McCurdy to approve the March 2013 financial statements; subject to audit. The motion carried unanimously.

#### **COMMITTEE REPORTS**

**Finance Committee:** See attached report.

**Architectural/Covenant Committee:** See attached reports

**Oil & Gas Committee:** No report was presented as the committee did not meet.

**Parks/Open Space/Trails Committee:** Director Koning reported that the committee was researching the possibility of installing a Frisbee golf course on the property adjoining the Grand Valley Recreation Center. The property is owned by the BMMD.

**Planning Report:** Director Fletcher reported that the committee was unable to meet this past month and that he would try to schedule a meeting prior to the next regular Board meeting.

**Public & Community Relations Committee:** See attached report.

**Public Works Committee:** No report was presented as the committee did not meet.

**Associated Governments of Northwest Colorado:** See attached report.

#### **MANAGER'S REPORT**

See attached report.

Director Koning asked Mr. Rippy about the repair status of the newly installed LEDs in the street lights near Willow Creek Village. Mr. Rippy stated that the two troublesome lights had been repaired utilizing EcoSource's contractor. The lights had faulty sensors and/or drivers that were causing the problems. Mr. Rippy explained that the drivers and sensors were the old original ones.

Director Koning asked if we were planning to move ahead with additional LED replacements this year. Mr. Rippy stated that he would like to move forward with additional replacements and suggested replacing all of the light fixtures in Willow Creek Village and The Reserve or Battlement Creek Village. He further stated it might make sense to have our electrical contractor (Frontier Electric) do one of the villages and EcoSource's contractor do the other village to allow observation of how well each does as well as analyze the cost differences. Mr. Rippy estimated the costs to do the two areas at \$24,000.

A motion was made by Director Koning and seconded by Director Grove to replace the existing street light fixtures with LEDs in Willow Creek Village and The Reserve utilizing the two different contractors and that costs not exceed \$24,000. The motion carried unanimously.

Mr. Rippy reported that he requested Accounting Manager, Sandy Yeager, put together a cost estimate to provide on-line payment services for community members to pay their dues. The estimated cost for providing the service is approximately \$800 per month. The Board directed Mr. Rippy to have the Board consider this during the 2014 budget process.

#### **DEVELOPER REPORT**

Delegate Schmela reported that Battlement Mesa Company would be working with the Colorado Division of Wildlife on some additional wildlife habitat improvements and restoration within the PUD.

Delegate Schmela reported that residential occupancy for BMCO rental units was approximately 55%.

Delegate Schmela also reported that BMCO has made some operational changes in management and that due to some consolidation of job duties Jane Chapman and Jonathan Lay would be leaving the company. He further reported that Jason Fletcher would be joining the management team at BMCO.

Delegate Lay stated that he will remain with BMCO through May 3<sup>rd</sup> but will officially be resigning as a member of the BMSA Board of Directors at the conclusion of today's meeting. He will send Director Lammey an email confirming his resignation.

Director Fletcher informed the Board he will be resigning from his current position at Alpine Bank effective April 26<sup>th</sup> and starting his new position with BMCO on May 6<sup>th</sup>. Director Fletcher also stated that he will be resigning his position as Director for The Reserve effective at the end of today's meeting in order to be appointed as the new delegate for the Declarant (BMCO).

#### **NEW BUSINESS**

**2012 Preliminary Audit:** The 2012 Preliminary Audit of the BMSA financials was presented and reviewed by the Board. Director Koning noted that she would like to see dollar symbols added to the dollar amounts in the documents. The Board directed that the auditors should move forward with completion of the final audit.

Director Koning reported that the 2013 Movies under the Stars program is looking to purchase a projector at a cost of \$750 rather than hire a projectionist for each of the movies that will be shown in 2013. Licensing fees for the movies are approximately \$350 each and she is looking for sponsors again this year. Director Koning requested that BMSA again sponsor the program this year. The BMSA provided a \$600 sponsor in 2012.

A motion was made by Director Grove and seconded by Director Shepherd to provide a \$600 sponsor towards the 2013 Movies under the Stars program. The motion carried unanimously.

Director Lammey reported that planning has started on producing the 2013 Insider's Guide to Battlement Mesa and Parachute. The BMSA purchased a full back page (glossy) advertisement in the 2012 publication and he requested that the BMSA participate again in the 2013 publication.

A motion was made by Director McCurdy and seconded by Director Grove to purchase a full back page (glossy) advertisement in the 2013 Insider's Guide to Battlement Mesa and Parachute at a cost of \$825. The motion carried unanimously.

**Resolution Regarding Voting by Mail in Lieu of Meeting:** A motion was made by Director McCurdy and seconded by Director Arrington to approve a Resolution Regarding Voting by Mail in Lieu of a Meeting be conducted for Stone Ridge Village. The motion carried unanimously.

#### **OLD BUSINESS**

**Document Retention & Destruction Policy:** A motion was made by Director Grove and seconded by Director Hoy to approve the Resolution to adopt the Document Retention and Destruction Policy. The motion carried with Director Arrington voting No.

#### **OTHER BUSINESS**

Director Lammey, who is also a member of the KSUN Board, reported that the KSUN Community Radio Board of Directors has agreed to acquire KDBN "Energy" 101.1 which broadcasts from the same tower as KSUN's KSBP 103.9. A few years ago, as allowed under FCC rules, FDBN 101.1 a commercial radio station owned by Townsquare Media, bumped KSUN (a lower power FM station) off the 101.1 frequency. Townsquare Media is giving the KDBN license to KSUN although KSUN will purchase some of the equipment and will incur some legal expenses in transferring the license to KSUN. Alpine Bank recently contributed \$5,000 to KSUN to assist with the acquisition cost and license transfer fees. When the transfer is complete, KSUN, now a 100 watt low power station, will have the right to increase power up to 3,000 watts and will broadcast from 101.1. It is also possible that the broadcast format may change.

Director Grove commented that she had been approached by a Battlement Mesa resident inquiring whether door to door salespersons were prohibited by the BMSA declaration. The resident complained that she had a salesperson come to her home marketing windows. Director Lammey, who enforces and BMSA Covenants, stated that he has not been able to find anything in the declaration that prohibits this practice.

**ADJOURNMENT**

The regular meeting adjourned at 10:36am to go into the covenant violation hearing process.

**RECONVENE**

The meeting reconvened at 11:14 am with Vice President Lay presiding.

A motion was made by Director Koning and seconded by Director McCurdy to leave the fines in place without the waiver of any fines for 30 Hawthorne Way and monitor the properties for any future violations and take appropriate action should further violations occur. The motion carried unanimously with Director Lammey abstaining.

A motion was made by Director Koning and seconded by Director McCurdy to leave the fines in place without the waiver of any fines for 59 Pinyon Place and monitor the properties for any future violations and take appropriate action should further violations occur. The motion carried unanimously with Director Lammey abstaining.

**ADJOURNMENT**

The meeting was adjourned at 11:23am.

## BMSA Financial Committee

### March 2013 Report on Financial Documents

The March 2013 financial documents have been submitted to the Financial Committee by our Property Manager. Copies have been included in your packets. These have been reviewed. The financial documents cover the third month of our financial year and appear complete and accurate and comply with accepted financial accounting standards. There are no entries that are unusual.

Although this is just the third month of the fiscal year, the current revenues continue to exceed expenses. Hopefully this trend will continue.

Our reserve funds invested with Edward Jones in Rifle have increased in value over February of almost \$45,000.

Our retained CPA has recently completed an audit of our 2012 financial operations. The audit report stated that there was no unusual transactions and that in total the financial operations were satisfactory in all aspects. There were no recommendations of change of procedures.

## **BATTLEMENT MESA ARCHITECTURAL REVIEW / COVENANT COMMITTEE**

Meeting minutes: March 6, 2013

Present: Thom Hamick, Keith Sheppleman and Lecia Hill

Absent: Greg Davidson, Eric Short, and Matthew Fenton

Next Meeting: March 20, 2013

### **Agenda**

Meeting minutes from February 20, 2013 approved.

No letters sent.

Discussed letter to be sent to Evelyn Schaller, 336 Mineral Springs, About metal roofing material used on shed that was approved on August 15, 2012.

Applications:

76 West Tamarack Circle, Tamarisk Village

Owner: Vince & Shileen Owens

Request: Paint home.

Completion date: June 30, 2013

Action: Approved.

323 Ponderosa Circle, Monument Creek Village

Owner: Ricardo & Audrey Puga

Request: Side yard parking

Completion Date: already done

Action: Approved

Owner: 5 Black Sulphur Place, Tamarisk Meadows

Request: Build Shed

Completion Date: April 4, 2013

Action: Approved.

Report Period: March 2013

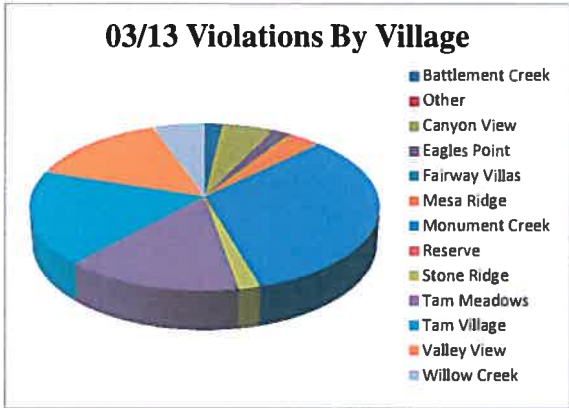
Violations YTD 174  
Violations This Mo. 69

Covenant Protection Violation Report

Report Prepared By: Keith Lamme  
Mar-13

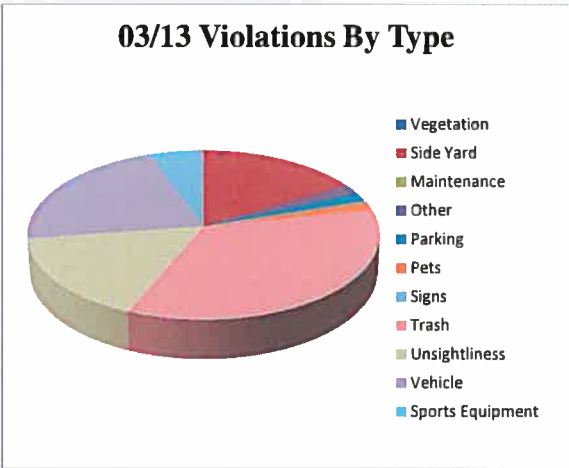
	Monthly Violations By Village	% of Total Violations
Battlement Creek	1	1%
Other	0	0%
Canyon View	3	4%
Eagles Point	1	1%
Fairway Villas	0	0%
Mesa Ridge	2	3%
Monument Creek	18	26%
Reserve	0	0%
Stone Ridge	1	1%
Tam Meadows	8	12%
Tam Village	10	14%
Valley View	8	12%
Willow Creek	3	4%

55 80%



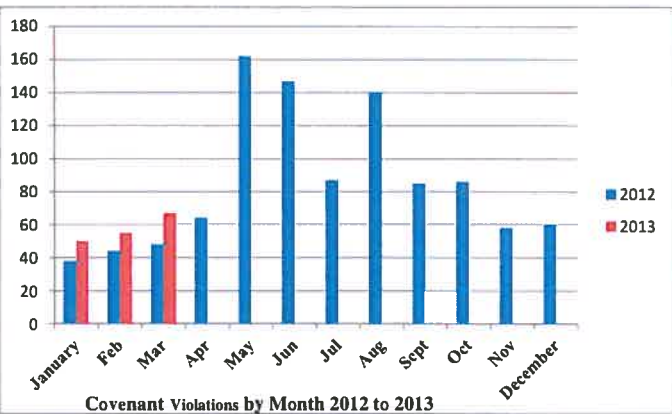
	Monthly Violations By Type	% of Total Violations
Vegetation	0	0%
Side Yard	9	16%
Maintenance	0	0%
Other	1	2%
Parking	1	2%
Pets	1	2%
Signs	0	0%
Trash	19	35%
Unsignliness	9	16%
Vehicle	12	22%
Sports Equipment	3	5%

55 100%



	2012	2013
January	38	50
Feb	44	55
Mar	48	67
Apr	64	
May	162	
Jun	147	
Jul	87	
Aug	140	
Sept	85	
Oct	86	
Nov	58	
December	60	0

1019 172



Report Date: 3/31/2013		Report Prepared by: Keith Lamney			
Date	House No	Street	Village	Type	Description of Violation
3/22/2013	52	Aster Court	Canyon View	Trash	10:13am-Trash cart out.
3/22/2013	182	Limberpine Circle	Canyon View	Unsigntliness	10:15am-Mud on driveway.
3/22/2013	32	Poppy Court	Canyon View	Unsigntliness	10:31am-Mud on driveway.
3/22/2013	28	Limberpine Circle	Canyon View	Trash	10:32am-Trash cart out.
3/22/2013	16	West Ridge Court	Mesa Ridge	Trash	11:15am-Trash cart out.
3/22/2013	4	West Ridge Court	Mesa Ridge	Unsigntliness	11:18am-Lawn chairs blown out onto the community lawn.
3/22/2013	4	West Ridge Court	Mesa Ridge	Trash	11:18am-Trash cart out.
3/22/2013		South Ridge Court	Mesa Ridge	Vehicle	11:19-Grey Dodge truck CO 111-EDI with attached uhaul trailer parked across all the parking spots on South Ridge Court.
3/15/2013	157	South Ridge Court	Mesa Ridge	Unsigntliness	Remove Christmas tree.
3/7/2013	157	South Ridge Court	Mesa Ridge	Unsigntliness	Remove Christmas tree.
3/22/2013	27	Aspen Way	Monument Creek	Trash	9:27am-Trash cart out.
3/22/2013	10	Spruce Court	Monument Creek	Trash	9:28am-Trash cart out.
3/22/2013	37	Spruce Court	Monument Creek	Trash	9:30am-Trash cart out.
3/22/2013	29	Spruce Court	Monument Creek	Trash	9:30am-Trash cart out.
3/22/2013	32	Spruce Court	Monument Creek	Trash	9:32am-Trash cart out.
3/22/2013	25	Hackberry Lane	Monument Creek	Trash	9:32am-Trash cart out.
3/22/2013	54	Hackberry Lane	Monument Creek	Trash	9:33am-Trash cart out.
3/22/2013	51	Hackberry Lane	Monument Creek	Unsigntliness	9:33am-Christmas lights still displayed. Kids bedroom furniture sitting on the corner of the lawn.
3/22/2013	37	Hackberry Lane	Monument Creek	Trash	9:34am-Trash cart out.
3/22/2013	37	Hackberry Lane	Monument Creek	Unsigntliness	9:34am-Ramp for skateboard by garage.
3/22/2013	187	Sagemont Circle	Monument Creek	Trash	9:34am-Trash cart out.
3/22/2013	25	Pinetree Place	Monument Creek	Trash	9:35am-Trash cart out.
3/22/2013	48	Pinetree Place	Monument Creek	Side yard	9:36am-Ford truck parked in rocks to the left of the driveway. CO 396-XYN.
3/22/2013	30	Holly Way	Monument Creek	Trash	9:38am-Trash cart out.
3/22/2013	30	Holly Way	Monument Creek	Side yard	9:38am-Yellow Jeep parked on the rocks. CO 798-VUE.
3/22/2013	13	Pinetree Place	Monument Creek	Unsigntliness	9:39am-Christmas decorations on small tree in front yard.
3/22/2013	155	Columbine Lane	Monument Creek	Trash	9:40am-Trash cart out.
3/22/2013	112	Columbine Lane	Monument Creek	Unsigntliness	9:41am-Stack of decking material on driveway. No letter sent.
3/22/2013	68	Columbine Lane	Monument Creek	Trash	9:42am-Trash cart out.
3/22/2013	319	Sagemont Circle	Monument Creek	Trash	9:34am-Trash cart out.
3/22/2013	319	Sagemont Circle	Monument Creek	Maintenance	9:34am-Garage door ascew. One side down, the other side not.
3/22/2013	121	Ponderosa Circle	Monument Creek	Trash	9:48am-Trash cart out.
3/22/2013	30	Hawthorne Way	Monument Creek	Trash	9:51am-Trash cart out by garage.
3/22/2013	42	Hawthorne Way	Monument Creek	Trash	9:51am-Trash cart out.



3/22/2013	55 Sumac Court	Monument Creek	Vehicle	9:52am-Two wheeled trailer being stored on patio.
3/22/2013	68 Hawthorne Way	Monument Creek	Trash	9:57am-Trash cart out.
3/22/2013	45 Wintergreen Way	Monument Creek	Trash	9:57am-Trash cart out.
3/22/2013	101 Dogwood Lane	Monument Creek	Trash	10:00am-Trash cart out.
3/22/2013	69 Dogwood Lane	Monument Creek	Trash	10:00am-Trash cart out.
3/22/2013	59 Pinyon Place	Monument Creek	Trash	10:05am-Trash cart out.
3/22/2013	59 Pinyon Place	Monument Creek	Unsignhtiliness	10:05am-Christmas lights still displayed.
3/22/2013	53 Aspen Way	Monument Creek	Trash	9:25am-Trash cart out.
3/22/2013	373 Lodgepole Circle	Stone Ridge	Trash	10:08am-Trash cart out.
3/22/2013	34 Locust Way	Stone Ridge	Trash	10:09am-Trash cart out.
3/22/2013	114 Lodgepole Circle	Stone Ridge	Trash	10:11am-Trash cart out.
3/26/2013	362 Mineral Springs Circle	Tamarisk Meadows	Side Yard	Vehicle parked on rocks to the right of the driveway.
3/26/2013	336 Mineral Springs Circle	Tamarisk Meadows	Unsignhtiliness	Christmas lights displayed and a tire, water cooler, water jug misc sitting out next to the garage.
3/17/2013	336 Mineral Springs Circle	Tamarisk Meadows	Arch Violation	1:58pm-Storage shed not painted and metal roof.
3/17/2013	37 Little Phoenix Way	Tamarisk Meadows	Trash	1:59pm-Trash cart out.
3/17/2013	6 Mineral Springs Circle	Tamarisk Meadows	Trash	2:02pm-Trash cart out.
3/17/2013	96 E Bonanza Place	Tamarisk Village	Vehicle	1:44pm-Uhaul truck parked on street. No letter sent.
3/17/2013	203 E Tamarack Circle	Tamarisk Village	Trash	1:44pm-Trash cart out.
3/17/2013	274 E Tamarack Circle	Tamarisk Village	Unsignhtiliness	1:46pm-4X8 Plywood leaning against the right side of garage.
3/17/2013	173 W Tamarack Circle	Tamarisk Village	Trash	1:47pm-Trash cart out.
3/17/2013	173 W Tamarack Circle	Tamarisk Village	Vehicle	1:47pm-Horse trailer parked on driveway. No letter sent.
3/17/2013	114 E Bonanza Place	Tamarisk Village	Unsignhtiliness	1:50pm-Stack of building material under tarp in front of vehicle on driveway. No letter sent.
3/17/2013	13 Queen City Circle	Tamarisk Village	Unsignhtiliness	1:54pm-Large piece of plywood laying on driveway.
3/22/2013	159 Angelica Circle	Valley View	Trash	10:34am-Trash cart out.
3/22/2013	53 Angelica Circle	Valley View	Unsignhtiliness	10:35am-Huge oil spot on driveway.
3/22/2013	41 Angelica Circle	Valley View	Vehicle	10:36am-Small 2 wheeled trailer backed up to garage. No letter sent.
3/22/2013	31 Angelica Circle	Valley View	Trash	10:37am-Trash cart out.
3/22/2013	23 Bryan Loop	Valley View	Unsignhtiliness	10:40am-Satelite dish laying on ground by garage.
3/22/2013	45 Bryan Loop	Valley View	Trash	10:40pm-Trash cart out.
3/22/2013	72 Cliff View Court	Valley View	Abandoned Vehicle	10:41am-Red truck parked in front of garage has not moved for months.
3/22/2013	70 Cliff View Court	Valley View	Trash	10:42am-Trash cart out.
3/22/2013	48 Cliff View Court	Valley View	Unsignhtiliness	10:43am-Engine hoist by front door.
3/22/2013	46 Cliff View Court	Valley View	Trash	10:43am-Trash cart out.
3/22/2013	79 Cliff View Court	Valley View	Vehicle	10:44am-Small two wheeled cargo trailer parked on rocks to the right of the driveway.
3/22/2013	49 Ridge View Place	Willow Creek	Vehicle	10:52am-Flat bed trailer parked on street. No letter sent.



Public and Community Relations  
Committee Meeting Update  
April 18, 2013 BMSA Meeting

## Overview

The Public and Community Relations Committee's efforts continue to be focused on the following long term goals.

- Maintain and update the new BattlementMesaColorado.com website and promote the site to the extent possible. Continue to explore additional opportunities to make the site more useful and interesting.
- Reestablish procedures and acquire the equipment in order to use Comcast Public Access Channel 50.
- In conjunction with the four Northwestern Colorado counties, cities and towns, develop and construct Gateway Interpretative signs for Battlement Mesa/Parachute.
- Identify, develop and implement a strategy to enhance the benefit to and increase the community attendance at the BMSA Community Meeting which has been postponed until April 18, 2013. Twelve people attended the December 14, 2011 meeting thus it is apparent that the format, content or timing needs to change or we simply need to discontinue the meeting.
- Develop and implement a marketing and promotional plan to showcase the positive lifestyle available by living in the Battlement Mesa Community.
- Continue to develop relations and interactions with the BMMD, Town of Parachute, Garfield County and State and Federal Government agencies and regulatory bodies for the betterment of the Battlement Mesa Community.
- Prepare, print and distribute a 2012 Annual Report to Members.

## Current Focus

- Website. As time permitted, additional work was done on our website, [www.BattlementMesaColorado.com](http://www.BattlementMesaColorado.com). The website traffic continues to be strong. **March results are unknown because our monthly analytics report wasn't emailed to me and by the time that I realized that it didn't arrive, March results were no longer available.**
- Newsletter Our newsletter distribution list remained about flat from the prior month and is still much less than it should be. Please encourage people to sign up for this newsletter. (Top of the Home page of website). The March newsletter achieved a 43.96% open rate and continues to run about double the industry average. Our click rate for the March issue was 15.5% rate. We are consistently above the industry click rate (people going to links in the Newsletter for additional information).
- Showcase Positive Lifestyle Work continues on the upcoming 2013 Insiders' Guide. We plan to distribute the guide during the first week of June. Ad rates are expected to remain the same; however, that has not been finalized. Spread the word that we are looking for advertisers!
- Facebook Our facebook "friend" list is at 110 of which only 24 (so far) say they "like us." If you have a facebook account, please join our friend list and, encourage others to do so.
- NWCCHT. The Northwest Colorado Cultural Heritage Tourism group has not met since January 22<sup>nd</sup> where our rack cards were turned over to us and work began on our Gateway Interpretive Signs.

## Action Items/Next Steps

- Distribute the 2012 Annual Report to Members and get it translated to an online brochure..
- Continue to work on the content for the 2013 Insiders' Guide.
- Continue working with the NWCCHT on our Gateway Interpretive Sign project which will help promote our community through the construction of new signage promoting the history and geology of our area.
- Continue our efforts to enhance the website with more photos and videos.

Respectively Submitted by:  
Keith Lammey, Chair, Public and Community Relations Committee

*The Colorado Dream*



**BMSA Board of Directors Meeting  
April 18, 2013  
Associated Governments of Northwest Colorado Committee Update**

**Last Meeting: March 21, 2013  
Attended by: Keith Lammey  
Next Meeting: April 18, 2013**

**Overview:**

The April 18, 2013 AGNC meeting will be held in Grand Junction. An agenda for the meeting is part of this report. (See Attachment). The meeting will include a luncheon presentation by WPX.

The AGNC's lobbyist, Orf & Orf, have had a very active legislative season in 2013 and continue to host a weekly legislative information/strategy conference call with AGNC members. The ANGC continues to oppose a number of bills including the Firefighter Unionization Bill (on the basis that it removes the issue from local control). In addition, the AGNC has expressed serious concerns regarding BLM's potential cancellation of the Roan Plateau leases. (See Attachment).

Please contact me if you would like to review the list of bills that the AGNA is tracking.

Respectively Submitted by:  
Keith Lammey, BMSA Representative  
Associated Governments of Northwest Colorado

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*The Colorado Dream*



Associated Governments of Northwest Colorado  
222 Grand Valley Way  
Parachute, CO 81635

March 11, 2013

Colorado Department of Local Affairs  
Reeves Brown, Executive Director  
1313 Sherman Street, Room 518  
Denver, CO 80203

**Re:** Possible financial repercussions of Roan Plateau EIS outcome.

Dear Director Brown,

The purpose of this letter is to ask for clarification regarding the financial position of various northwest Colorado governments in the event that the leases on top of the Roan Plateau are vacated as a result of decisions arising from the renewed Environmental Impact Statement (EIS) issued for the planning area.

In August 2008, in compliance with a Congressional mandate dating from 1997, a total of 54,631 acres on the Roan Plateau were sold in the largest-ever onshore oil and gas lease sale in the contiguous United States. This sale generated \$113.9 million for the American taxpayer, of which 49% (\$56 million) went to the State of Colorado; many of these funds were subsequently distributed to various county and municipal governments. Since that time, all of these funds have been spent.

Following a protracted legal battle, and a June 2012 decision by a federal district court to remand the existing EIS back to the Bureau of Land Management (BLM) to correct what it determined to be shortcomings in a few specific segments of the document, the BLM decided in February 2013 to rewrite the entire EIS, including development and analysis of a “full range of alternatives” – one of which provides for vacating the leases.

Should this alternative be adopted by the agency, the monies paid by the lease purchasers would presumably have to be paid back. This raises a number of critical questions for the member governments of our organization – chiefly, what mechanism or process would be employed to recover these funds, which, as explained above, have already been spent?

Given the current and ongoing constraints on local budgets, due in part to continued high unemployment, and the struggles to balance the state budget that have resulted in deep cuts to education, infrastructure, and other services over the past few years, you can understand the concerns we have over the prospect of needing to come up with the scarce dollars to share in refunding this nearly \$60 million. The problem will be compounded as withdrawal of the leases will mean that no revenue will be generated from them. This will also further discourage energy industry investment in the region, amounting to a double blow for northwest Colorado – a devastating combination of reduced economic activity and the necessity of having to come up with a significant amount of money despite the reduced revenues. Our region will be faced with effectively having to pay for an abatement of economic development.

There are other questions surrounding this issue as well, such as; how much interest has accumulated, and what is the actual dollar value that would need to be paid back? Would this amount need to be paid as a lump sum, or in installments? How much would each individual jurisdiction be required to pay? Would DOLA be the conduit for the refund, or another agency? Out of what funds or revenue streams would the state return their share? Would the money be recovered out of future receipts of the Energy Impact Assistance Fund? How would that affect recipients of the fund across the state in terms of future allocations?

Concerning these and other questions raised by the BLM's decision, and the possible implications of that decision, AGNC strongly requests that DOLA, the Attorney General, and any other pertinent State agency provide in writing an outline detailing how the refunding mechanism would work, including an analysis or projection of how it would financially impact local governments.

Since it is a distinct possibility that the outcome of this third and latest EIS could result in redacting the leases, and that any conceivable scenario concerning refund of lease payments will have devastating fiscal impacts to county and municipal governments in northwest Colorado, we believe it is imperative that these questions be addressed promptly, so that the detrimental effects on local education, infrastructure, public safety, and other services can be anticipated and planned for, to whatever extent possible.

We thank you for your cooperation in this urgent and serious matter.

Respectfully,

Mike Samson  
Chairman, AGNC  
Garfield County

Doug Monger  
Vice Chairman, AGNC  
Routt County



**AGNC BOARD OF DIRECTORS MEETING MINUTES**  
**March 21<sup>st</sup>, 2013**  
**539 Barclay Street (Extension Office behind courthouse)**  
**Craig, Colorado**

Chairman Mike Samson called the meeting to order at 10:10am. Introductions were as follows. Board members and alternates present were: Mike Samson, Garfield County; Doug Monger, Routt County; Jeff Eskelson, Rio Blanco County; Tom Mathers, Jeff Comstock, Chuck Grobe, Moffat County; John Justman, Mesa County; Jim Doody, Grand Junction; Lisa Hatch, Peter Brixius, Rangely, Sonja Macys, Steamboat Springs. Others present were Jim Ferree, Gene Bilodeau, Ray Beck, City of Craig; Frank Breslin, New Castle; Kelly Sloan, RightWord Consulting; Carolyn Tucker and Nora Alden, Shell; Cheryl McDonald, Dinosaur Welcome Center; Dave Norman, AAoA; Speakers Liz Mullen, NWCCOG and Rick Johnson with the Tri-State Generation; Scott McInnis and Jane Whitt, AGNC staff.

**Speaker Liz Mullen**, NWCCOG Executive Director. Liz gave a presentation on the services and programs that NWCCOG currently provides. Some of the programs such as weatherization and the NW Loan fund also administer to some of the AGNC region counties.

**NEXT MEETING** – The next board meeting will take place Thursday April 18<sup>th</sup>, Grand Junction. Place TBD.

**MINUTES** of the January 17<sup>th</sup>, meeting was presented. A motion was made by Doug Monger to accept the minutes and second was made by John Justman. **Motion carried.**

Motion to go into Executive Session with Attorney Paul Seby and Mimi Larsen was made by Mike Samson. Second was made by Doug Monger. **Motion carried.**

Motion to come out of Executive Session was made by Lisa Hatch. Second was by Doug Monger. **Motion carried.**

Doug Monger made the motion to direct council to provide Amicus brief in the 10<sup>th</sup> Circuit Wild Earth Guardians case, re: HB1365 settlement with the EPA. Tom Mathers made the second. **Motion carried with one opposed.**

**BUDGET REPORT** –The January and February financials, Budget versus Actual and Balance sheet were presented by Jane Whitt. Doug Monger made the motion to approve the January and February disbursements and financials. Second was made by Tom Mathers. **Motion carried.**

**DINOSAUR WELCOME CENTER** – Cheryl McDonald thanked both Moffat and Rio Blanco Counties for their support. Moffat County installed a new front door and Rio Blanco County donated a new computer for Center. Visitation was up for the 2012 year by 3.88%. Getting open proved to be challenging as there was flooding from the ice backup. Tuesday Cheryl met with the Dinosaur National Monument and was informed that they could not help with the Dinosaur Welcome Center on the weekends due to cuts in their own budget.

**AAoA** – Dave Norman reported that the Long Bill could have a possible 4 million increase in funding. If this is true they could backfill the sequester amounts deducted. The state is looking at Mesa County for their ARCH models. This would make help available for Long Term Supportive Services care earlier than using Medicaid Coverage. Dave handed out the requests for funding through 3-20-13 for the AAoA program.

**Lunch Speaker:** Rick Johnson gave a presentation on Tri-State Generation and the changes made to comply with air quality standards. A very interesting power point presentation with the history of the plant included.

**Legislative update** – Dianna, Ted and Richard Orf called in with the legislative update. A written report was distributed which discussed bills to be introduced, positions taken and any amendment changes from the previous week. Many bills were discussed and positions taken. Ted Orf asked that each board member take SB213 – Future School Finance Act back to their districts for input. It will be monitored strongly and we will watch for a bill analysis.

**Communication update** – Kelly Sloan gave a report on letters written thus far and ways he would like to enhance AGNC's media presence, website updates and possibly an online monthly newsletter. The board thanked Kelly for his work thus far.

**EXECUTIVE DIRECTOR REPORT** – Scott just touched on a few points, the progress made in having the cities rejoin AGNC, DOLA grant and the applications that went out to each member city.

**WPX** - Jeff Kirtland gave an update on WPX and the leases they would like separated from the EIS study. A handout was given supporting the information. After discussion John Justman made the motion to support the position of WPX separation from the 2008 lease. Tom Mathers made the second. **Motion carried.**

**ENTERPRISE ZONE** – Jane Whitt reported there has been no update on the Enterprise Zone Administrative Grant that may be used for the EZ Administrators salary.

**FML District update** – Mike Samson reported that Garfield County FML has another \$1.7 mil to award this spring. Five million in requests were made so not all will be granted.

**Greater Sage Grouse** – Jeff Comstock reported that the Economic Impact Analysis is getting done slowly; a meeting for updates was postponed for another week.

**OTHER** –

**ADJOURNMENT** – Chairman Mike Samson adjourned the meeting at 3:30 pm. Minutes approved this \_\_\_ day of April 2013.



## Manager Report

Date: April 16, 2013  
To: Board of Directors, Battlement Mesa Service Association  
From: Steve Rippy, Association Manager

**Annual Meeting Dinner:** Bodacious Bites will be providing the dinner for the April 18<sup>th</sup> Annual Meeting of the Homeowners.

**8935 CR 300:** As part of the grading permit requirements a contour survey of the property is required. I have engaged Peak Surveying to complete the survey. I have received the native seed mixture recommended by the Garfield County Extension Agent for the disturbed soils and will now work on the erosion and drainage control plan in order to submit the permit application. Once the survey is completed I will solicit bids to hydro-seed the disturbed areas.

**Grand River Hospital District:** BMSA President, Keith Lammey met with the Grand River Hospital District to discuss a memorandum of understanding (MOU) between the Hospital District and the BMSA to construct a heliport on the site of the new medical clinic. Per that discussion Keith and I have identified some parameters and have forwarded to BMSA attorneys to begin drafting the MOU.

**2012 Financial Audit:** McMahan & Associates has completed the 2012 preliminary draft financial audit for the BMSA. The preliminary draft was forwarded to the Finance Committee for review. A copy of the audit is included in your packet.

**Street Sweeping:** Street sweeping was started on Monday, April 8<sup>th</sup> in the "Reserve". Unfortunately, something got wedged between the rear dual tires on the driver's side of the sweeper and blew both of the tires. Between ordering 2 new tires and bad weather we were unable to get much accomplished this past week. The sweeper is now repaired and sweeping will continue Monday, April 15<sup>th</sup>.

**2013 Trail Overlay:** I would like to get an earlier start this year on the 2013 trail overlay project. I am proposing that we continue new asphalt overlays starting at the new Kum & Go store on Stone Quarry Road and continue to the old Kum & Go on Tamarisk Trail. In addition, overlay the trails in Monument Creek Village and the trail in the large park. This would be the mileage equivalent of the trails overlaid in 2012.

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*The Colorado Dream*

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