

**BATTLEMENT MESA SERVICE ASSOCIATION
MEETING OF THE BOARD OF DIRECTORS
May 19, 2009 Minutes**

PRESENT:	Sara McCurdy	Vice President
	Ron Schelling	Secretary/Treasurer
	Dan Cohen	Director
	Frank Oakley	Director
	Keith Lammey	Director
	Jay Haygood	Director
	John Shepherd	Director
	Mike Stiers	Director

Also Present: Jane Chapman Association Manager

Absent:	Chuck Hall	President
	Adam Ford	Director
	Eric Schmela	Director
	Gordon Elliott	Director

The **meeting** was called to order at 10:17 am by Sara McCurdy, Vice President.

APPROVAL OF MINUTES

A **motion** was duly made by Keith Lammey and seconded by John Shepherd to approve the April 21, 2009 minutes as written. **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 402 violations have been reported, with 132 of those reported in April. Jane Chapman provided a written report of violations within the Battlement Mesa Company rentals. Mr. Lammey also provided a written report and photographs of the poor condition of the fences along the bike path in Tamarisk Village. The Association landscaper will get the grass along the bike path trimmed back and Mr. Lammey will send non-compliance warnings about the condition of the fences as well as for any yards that contain junk that is visible from the path.

Architectural Committee: Written reports were provided. The committee still needs another member. There is the possibility of advertising for a volunteer in the Grand Valley Echo.

Oil & Gas Committee: No report given.

Roads Committee: Frank Lancaster provided a written report. The County has a plan for repairing many older streets within Battlement Mesa in 2009.

Joint Advisory Committee: The Mayor of Parachute sees a long-range plan for creating one community of Parachute and Battlement Mesa. A communication plan is being formulated. The Activity Center is a costly endeavor so it is being considered to turn it over to Parks and Recreation and including citizens of Parachute in its usage.

Landscape Committee: A written report from Gordon Elliott was provided. Eric Short of Baker & Associates attended the meeting. He said that dandelions are an issue in the area and there are some continuing sprinkler issues. The circle park has much vandalism and trash. Eric suggested that the area be cleaned up and clean dirt set in the area as an interim solution.

Wildfire Restoration Project: No report given.

Trails Committee: Dave DeVaney reported. The Garfield County staff has been directed to help us with the work on the Library Trail. A county engineer has been out to assess feasibility and new cost estimates. The county has money set aside specifically for community trails so there is the possibility of receiving funding from the county. Another easement workshop will be scheduled in light of the multiple updates. The enhanced easement agreement has been received. Something still needs to be put in the easement to protect longevity in case of property sale. A workshop has tentatively been set for Tuesday, June 2, 2009 at 10:00am.

Associated Governments of Northwest Colorado: No report given.

Audit Committee: Ron Schelling noted that the statements for April are not ready yet. Financial Statements and the Audit will be held off until they are completed.

MANAGERS REPORT

Jane Chapman submitted a written report.

Financial Report: The April, 2009 financials are not complete and will be presented for approval at the June, 2009 Board of Directors meeting. The Association has not heard back from HindmanSanchez about the Kane bank garnishment for 22 Cedar Circle.

Delinquencies: Robert and Nicole Schneider of 177 Eagle Ridge Court and Lenore Dahl and James Priestley of 146 Cedar Circle will be sent to small claims court.

A court order to fill the foundation at 22 Eagle Ridge Drive cannot be filed until the June 30, 2009 deadline has passed.

Replacement letters to repair the Stone Ridge and Reserve signs have been ordered.

OLD BUSINESS

Battlement Mesa/Morrisania Sign

The sign has been cleaned up by Battlement Mesa Company.

Bike Path Extension

Frontier Paving has been contacted—the price will fluctuate based on current oil prices. The original bid was for \$7196.90. Jane has not heard back from them to set a start date for the work. A **motion** was duly made by John Shepherd and seconded by Keith Lammey to engage Frontier to do the work in the proposal, with the cost not to exceed \$8,000.00. **Passed.** Unanimous.

Front and Side Yard Parking

The front and side yard parking issue will be discussed at the workshop that has been scheduled. Changes may require a general community vote.

NEW BUSINESS

Parking of Ford F-450 at 217 Battlement Creek Trail

Johnny Goodman of 217 Battlement Creek Trail wrote to the Association about a non-compliance warning that he received regarding the parking of his Ford F-450 in his driveway. The letter stated that since the vehicle has been parked in the driveway since 2005 and that the truck has the same appearance “as any other passenger Ford Super Duty Truck,” that he believes the truck is not in violation of the covenants. Keith Lammey, Covenant Protection Officer for the Association, put together a packet to demonstrate why the truck is actually in violation. There was much discussion and debate about the letter of the law versus the intent of the law, which was that the Association did not want large utility work vehicles to be parked in homeowner’s driveways. Through the lengthy discussion it was discovered that Battlement Creek Village has an even more restrictive requirements, recorded in the Fifth Amendment to the Amended and Restated Declaration of Covenants, Article VIII, Section 8.16(a)(i), that any vehicle over one ton must be stored within a garage. The Board decided that the Ford is a 1-ton or greater vehicle that is clearly designed for hauling trailer equipment and that it falls under the restrictions in the covenants. The Board stated that the covenants must be enforced as written, and a letter will be sent to Mr. Goodman in response to his letter.

Collections Officer

Now that Ray Barbour is no longer on the Board of Directors, he must be appointed as the Board’s representative for small claims court. **A motion** was

duly made by Keith Lammey and seconded by John Shepherd to establish the position of Collections Officer to be appointed by the Board of Directors who will be authorized to represent the Battlement Mesa Service Association in all collection actions. **Passed.** Unanimous. HindmanSanchez will be asked to draft a resolution. A **motion** was duly made by Ron Schelling and seconded by Keith Lammey to appoint Ray Barbour as the Collections Officer. **Passed.** Unanimous.

ACTION ITEMS

John Shepherd passed out the action item list and reviewed.

With no further business to come before the Board, the meeting was adjourned at 12:23 pm.