

BATTLEMENT MESA SEVICE ASSOCIATION
MEETING OF THE BORAD OF DIRECTORS
DECEMBER 21, 2010

APPROVED

Present:	Keith Lammey	President
	Sara McCurdy	Vice President
	John Shepherd	Secretary/Treasurer
	Brad Hoy	Director
	Greg Davidson	Director
	Jeanice Freeman	Director
	Bob Arrington	Director
	Eric Schmela	Director
	Keith Sheppelman	Director
	Jeff Hill	Director
Excused Absence:	Jonathan Lay	Director
	Laurel Koning	Director
Also Present:	Steve Rippy	Association Manager
	Amie Martin	Administrative Assistant
	Gerald Cook	Dependable Waste
Community Members Present:	Rex Smith	Dave Devanney
	Don Gray	Bruce Knuth
	Chuck Hall	Garry Evenson

OWNERS OPEN FORUM

Rex Smith from 75 Green Mesa Place stated that he has some concerns with adding the playground equipment rules to the Architectural Standards or the Covenants. He stated that there are already too many Architectural Standards and Covenants for Battlement Mesa. Mr. Smith stated problems like this seem to come up when there is a dispute between homeowners over rule violations. Instead of having more rules added, there could be arbitration between the parties involved.

Dave Devanney asked if copies of the agenda could be emailed to all the committee chairs. Mrs. Martin will email the agenda to all committee chairs.

WELCOME NEW BOARD MEMBER

Director Lammey introduced new Board member Brad Hoy from the Valley View Village subdivision. Director Lammey explained that Valley View Village has never had representation on the BMSA Board. He went on to explain that Director Hoy is the President of Valley View Village HOA.

APPROVAL OF MINUTES

A motion was made by Director Davidson and seconded by Director Freeman to approve the November 16, 2010 regular meeting minutes with corrections; the motion carried unanimously.

FINANCIAL REPORT

A motion was made by Director Hill and seconded by Director Sheppelman to approve the November 2010 financials, subject to audit. The motion carried unanimously.

Director Freeman stated that it may be in the best interest of the Board, to get pricing comparisons on our letterhead and envelopes. She has found good pricing with Silver Tip Printing in Rifle. Mr. Rippy will check into it.

COMMITTEE REPORTS

Financial Committee: Director Shepherd stated that Anne Brosius from the Committee is moving out of state and they are looking for a new member.

Architectural/Covenant Committee: Bruce Knuth, Chair of the committee, stated that two members of the committee have resigned, but he does have 2 or 3 parties interested in the committee. Director Koning has expressed interest in serving as the Board member representative on the committee.

Mr. Knuth stated that vegetation encroachment into the right-of-ways is mostly rabbit brush, but there are also some bushes and trees. Mr. Knuth stated that there is also a path in Monument Creek Village that is blocked by brush, as well as portions of Fairway Drive in Battlement Creek Village.

Director Arrington stated that there was a homeowner that fell into an uncovered hole that was covered by vegetation.

Mr. Knuth stated that most of the problems seem to be on privately owned vacant lots, but some of the problems are also on Battlement Mesa Company property. Mr. Knuth stated that BMSA may need to go onto these properties and trim back the brush, bushes and trees.

Director Davidson stated that we need to be very careful when trimming trees and bushes on private property. Some trees and bushes do not do well when trimmed. We may be getting ourselves into a situation if we trim these trees and bushes that we would could cause the trees or bushes to die and BMSA could be held liable.

Mr. Knuth will do some research on pruning protocol.

The discussion is tabled for the next BMSA Board meeting on January 18, 2011.

Oil & Gas Committee: Chuck Hall informed the Board that Antero met with the committee on December 14, 2010. Lars Inman, Antero Developmental Geologist, made a presentation to the committee to provide an update on three well pads outside of the Battlement Mesa PUD as well as discussion regarding planned activities at these sites. The three new pads are Monument Ridge and Speakman A and B.

Mr. Hall stated that Antero is discussing drilling 8 more wells on the Watson Pad.

Mr. Hall stated that Antero is willing to come back to the O & G Committee meetings as needed.

Mr. Hall stated that Antero is having discussions with the O & G Committee to schedule Antero's Annual Meeting for the community.

Public & Community Relations Committee: Director Lammey stated that he and Sher Long attended a meeting in Meeker. The group is a very tourist interested group. The group is going to add a section in their brochure on Garfield County.

Director Shepherd stated that the BMSA website needs some updating.

Director Lammey agreed that the website is in need of updating. This is one of the projects the committee is working on.

Planning Committee: Director Schmela stated that the committee has only met 3 or 4 times. Gordon Elliott would like to be part of the committee, and the committee would like to keep him.

Director Schmela stated that the committee is still at the phase of deciding which direction to go.

Director Arrington would like an email of the next meeting date.

Parks/Open Space/Trails Committee: Dave Devaney stated that the committee has had 4 meetings. The committee is focused on the library trail. Mr. Devaney stated that Garfield County will complete their section of the trail next spring.

Mr. Rippy stated that he is working with the Lyons' on the deed agreement.

Mr. Devaney stated that the committee is working on recommendations for the existing trails, and a trails master plan. The committee is meeting with BMC to discuss easements and right-of-ways of the trails.

Mr. Devaney stated they did accept a volunteer as an alternate to the committee. Kyle Grambley will work with the Park & Recreation District. Jonathan Lay is preparing an inventory of parks and open spaces.

Public Works Committee: Director Sheppelman stated that he and Jeff Hill have been walking the community to see if there are any problems.

Director Sheppelman stated that Charlie Stevens has applied to be on the committee. With Mr. Stevens's background, he would be a good fit for the committee.

Associated Governments of Northwest Colorado: Director Lammey stated that AGNC has requested an update on projected royalties occurring from the Naval Oil Shale Reserve lands and for some further clarifications from Jerry Otero from the office of Senator Mark Udall.

Director Lammey stated that the next meeting is January 13, 2011.

MANAGER REPORT

Mr. Rippy explained to the Board of Directors that very few people were present at the annual meeting of the members.

Director Arrington stated that a solution may be to have 2 or 3 community meetings a year instead of just one. The community members could then speak to both their village delegate and to the rest of the community.

Mr. Rippy stated that our auditor is writing a proposal on how to accept the Antero funds. Once the proposal is received, it will be forwarded to our attorney.

Mr. Rippy stated that he received the initial draft agreement from Trish Harris of Hindman/Sanchez between the BMSA and the Lyons' concerning the trail development through the Lyons' property. Mr. Rippy has requested some minor revisions to the draft agreement prior to review by the Lyons'. Mr. Rippy hopes to have comments from the Lyons' before the next Board meeting.

Mr. Rippy stated that he has been working primarily on the residential trash service contract. There are two contract bids this year. One contract is from Dependable Waste, our current contractor, and the other is from MRI Waste Services. The street litter and bike path litter pick up as well as the covenant protection officer contracts are also up for renewal.

Mr. Rippy stated that we have received written correspondence from two property owners in Monument Creek Village stating their desire to be considered as a candidate for the open delegate position. The candidates are Dora Rayne and D. Joseph Weeks. After the initial ballots were mailed to all property owners, it was brought to our attention that they need to be cast by secret ballot, therefore a new secret ballot will be mailed.

Mr. Rippy stated that we did not receive any responses to our letter asking for a community member to volunteer as the delegate for Tamarisk Village. The office will be sending out another letter for volunteers.

DEVELOPER REPORT

Director Schmela informed the Board that the Sales Pavilion property sold to BMMD in November. The big display that was in the building is available if anyone has a place to display it.

Director Schmela stated that on January 20, 2011 at 9 am at the 35th Avenue Café Bar he and Director Lammey are having coffee with anyone that would like to join them. Director Schmela stated that they are trying to find ways to achieve ongoing communication with the community.

OLD BUSINESS

Architectural Committee playground equipment proposal: Director Lammey stated that he would like to table this issue until the January 18, 2011 meeting. He would like to give the community another month to address the issue.

Mr. Rippy stated that he would confirm with our attorney that we are taking the correct steps to make changes to the Architectural Standards.

Director Arrington stated that this issue was brought to their attention because of the covenant rule that there can be no structures over 8 feet tall. To allow these play structures to continue, the Architectural Committee is proposing standards so they do not fall under the 8 foot tall structure violation.

Director McCurdy stated that the structures can be over 8 feet tall, but will need to be approved by the Architectural Committee as far as the location of the structure, colors, etc.

A motion was made by Director Arrington and seconded by Director Hill to defer the voting of the Architectural Committee playground equipment proposal for one month, the motion carried unanimously.

NEW BUSINESS

Committee Appointments: Director Sheppelman recommends appointing Mr. Charlie Stevens to the Public Works Committee.

A motion was made by Director Freeman and seconded by Director Davidson to appoint Charlie Stevens to the public works committee, the motion carried unanimously.

Director Schmela stated he and the rest of the Planning Committee would like to keep Gordon Elliott on the committee.

A motion was made by Director Schmela and seconded by Director Davidson to appoint Gordon Elliott to the Planning Committee, subject to completing an application. The motion carried unanimously.

Director Schmela stated that he will email Director Arrington and Director Freeman with the schedule of the next Planning Committee meeting.

A motion was made by Director Arrington and seconded by Director Sheppelman to appoint Director Davidson to the Oil & Gas Committee. The committee will consist of 6 members until one member resigns. The motion carried unanimously.

BMMD Management Contract: Mr. Rippy explained to the Board that there is no change to the contract. The contract is for January 1, 2011 through December 31, 2011.

A motion was made by Director Shepherd and seconded by Director Hill to renew the management contract with Battlement Mesa Metropolitan District. The motion carried with Director McCurdy abstaining.

Discussion of accepting credit cards as a form of payment of HOA dues: Mr. Rippy explained that BMMD began taking credit cards for water & sewer payments and recreational assessments. The BMMD Board of Directors wanted to make it as easy as possible for customers to make their payments.

A motion was made by Director Davidson and seconded by Director Shepherd to accept credit cards for HOA payments, the motion carried. Director Arrington opposed.

Voting by Mail in Lieu of Meeting Resolutions: Mr. Rippy reminded the Board that quorums did not occur in the Monument Creek Village and Tamarisk Village annual meetings so a delegate had not been elected to represent the villages. Therefore, the Board authorized a mail-in election to be held in the two villages to elect a delegate.

Mr. Rippy explained that BMSA attorneys have indicated that a resolution is required whenever a mail-in election is held to elect a delegate. Therefore, a resolution has been drafted to allow the mail-in elections to occur in Monument Creek Village and Tamarisk Village.

Director Shepherd stated that on the Resolutions the name of the subdivision needs to be added after the Delegate Area number.

A motion was made by Director Shepherd and seconded by Director McCurdy to accept both resolutions with the above correction, the motion carried. Director Arrington abstained.

Street Litter Pickup Contract & Bike Path Litter Pickup Contract: A motion was made by Director Shepherd and seconded by Director Hill to accept the street litter pickup contract and the bike path litter pickup contract with Kenneth & Rosemary Locker, the motion carried unanimously.

Covenant Enforcement Contract: A motion was made by Director Davidson and seconded by Director Hill to accept the covenant enforcement contract from Elks Peak Consulting Group from January 1, 2011 through December 31, 2011. The motion carried unanimously.

Trash Contract: Mr. Rippy explained that the current trash contract is with Dependable Waste. We have also received a bid from MRI for trash services. Mr. Rippy explained that the bid from Dependable Waste is \$15.00 per month/residence. MRI's bid is for \$14.50 per month/residence. MRI will also provide curbside recycling. Mr. Rippy also stated that Dependable Waste is located in Parachute and MRI is located in Glenwood Springs.

Director Shepherd stated that Dependable Waste does an excellent job. They pickup everything that is set out for trash pickup.

Director Schmela stated that there is a difference of about \$9,000.00 between Dependable Waste and MRI.

A motion was made by Director Shepherd and seconded by Director Davidson to accept the contract with Dependable Waste for one year. The motion carried unanimously.

2010 Goal Achievements: Director Lammey stated that we have had significant progress in our committees. We did not achieve all of our goals, but have worked hard on them. Director Lammey stated that we need to evaluate the goals so we can make new goals for 2011.

Director Arrington stated that the process is really a two fold process. The Board sets the goals and the committee sets the milestones. It becomes a feed back process.

Director Lammey stated that when we look at 2011 goals, they need to be definable and obtainable. Director Lammey would like all Board members to bring a list of goals for 2011 to the January 18, 2011 Board meeting. We will then schedule a workshop to define our 2011 goals.

Discussion of Oil & Gas Committee revision of charter proposal: Director Lammey stated that when the charters were made the Board did not sit down with each committee for discussion.

Mr. Hall submitted a copy of the Oil & Gas Committee Charter with highlighted revisions to the document. The Board discussed the suggest revisions to the charter.

After discussion a motion was made by Director Freeman and seconded by Director Arrington to accept the new charter as presented with changing #4 to energy companies rather than mineral extractions. The motion carried unanimously.

OTHER BUSINESS

Mr. Hall stated that the Community Counts group is expanding. Sher Long as a member of the group is looking for support from BMSA. Mr. Hall will forward the last email from Community Counts to Director Lammey.

Director Arrington stated that Don Mumma is the representative from the O&G Committee and Bob Arrington is the representative for the citizens on the EAB. Citizens need to report concerns to the EAB as well as the Community Counts group.

ADJOURNMENT

A motion was made and carried to adjourn at 11:47 am.