

Approved
03/19/13

BATTLEMENT MESA SERVICE ASSOCIATION
REGULAR MEETING OF THE BOARD OF DIRECTORS
FEBRUARY 19, 2013

Present:	Keith Lammey Jonathan Lay John Shepherd Laurel Koning Sara McCurdy Bernita Grove Pete Martinez Greg Davidson Jeff Hill Jason Fletcher Brad Hoy Bob Arrington	President, Mesa Ridge Townhomes Vice President, Battlement Mesa Partners Sec/Treasurer, Canyon View Village Director, Battlement Creek Village Director, First Eagle's Point Director, Monument Creek Village Director, Stone Ridge Village Director, Tamarisk Meadows Director, The Fairways Director, The Reserve Director, Valley View Village Director, Willow Creek Village
Excused Absence:	Eric Schmela	Delegate, Battlement Mesa Partners
Unexcused Absence:	Eric Short	Director, Tamarisk Village
Also Present:	Steve Rippy Amie Martin	Association Manager Administrative Assistant
Community Members Present:	Garry Evenson Keith Sheppelman Bruce Knuth	Don Gray Dave Devanney Lynn Shore

OWNERS OPEN FORUM

None

CALL TO ORDER

Director Lammey called the meeting to order at 9:03 am.

DISCLOSURE OF CONFLICTS

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

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

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

APPROVAL OF MINUTES

A motion was made by Director Grove and seconded by Director Davidson to accept the minutes of January 15, 2013 with corrections. The motion carried unanimously.

FINANCIAL REPORTS

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

COMMITTEE REPORTS

Finance Report: See attached report.

Architectural/Covenant Committee: See attached reports.

Oil & Gas Committee: No report was submitted.

Parks/Open Space/Trails Committee: See attached report.

Planning Report: No written report was submitted.

Director Fletcher reported that the committee has not met.

A motion was made by Director Koning and seconded by Director McCurdy to appoint Don Gray to the Planning Committee. The motion carried unanimously.

Public & Community Relations Committee: See attached report.

Public Works Committee: See attached report.

Associated Governments of Northwest Colorado: See attached report.

MANAGER REPORT

See attached report.

DEVELOPER REPORT

Delegate Lay reported that BMC is willing to offer the Battlement Mesa Plaza for a meeting place for the upcoming events of the library.

Delegate Lay reported that one of the three community bulletin boards have been installed at Clark's Market. The other two will be installed this week.

Delegate Lay reported the Grand River Hospital District will be holding a ground breaking for the new medical clinic on March 5, 2013.

Delegate Lay reported that the 1st Annual Winter Fest was a success. There were approximately 100 to 150 people in attendance.

NEW BUSINESS

Comprehensive Plan for BMSA

Director Lammey presented several copies of Comprehensive Plan work or discussions of a Comprehensive Plan that had been done or discussed by previous BMSA Boards since 1999. He stated that he feels and obviously the previous Boards felt a plan was important but for whatever reason a plan had never been completed.

Director Lammey stated that he and Mr. Rippey met with Davis Farrar, a professional planner, to discuss the possibilities of creating a comprehensive plan for Battlement Mesa.

Mr. Rippy stated that he contacted Mr. Farrar because he had worked with him on several plans previously. Mr. Farrar worked as a planner originally for Garfield County for several years and also spent 13 years as the Town Manager in Carbondale. Mr. Farrar has spent the past 20 years doing contract planning for many communities as well as private companies.

Director Arrington stated that a comprehensive plan is something the Planning Committee should be doing and now they have Don Gray on the committee who has planning experience. He further stated the Planning Committee should do the work on the plan and the BMSA shouldn't enter into a contract with a planner.

Mr. Rippy explained that the committee is a volunteer group that has a limited amount of time to devote to creating a plan. A contracted planner would be able to devote full time to the process of creating the plan and bring his experience and knowledge to the process including the holding of meetings with the Planning Committee, the Board and the public.

Director Lammey stated that possibly the reason a comprehensive plan was never completed was because it is too big a task for a volunteer group.

Planning Committee member, Don Gray, stated the committee should start the ground work for the plan and then bring in a professional planner.

Mr. Rippy agreed, stating the initial work done by the Planning Committee would help define the scope of work to be done by a professional planner.

Director Lammey stated that it seems premature to decide to hire a planner at this time. He suggested the Planning Committee begin the groundwork for a comprehensive plan and bring back their ideas at the next meeting.

Annual Meeting of the Community Members/2012 Annual Report to Members

Director Lammey stated that the BMSA has not done a very good job of communicating to the community regarding what projects have been completed in Battlement Mesa and what projects are scheduled for 2013. Director Lammey presented a draft "2013 Annual Report to the Members" to be used to communicate to the community the different projects completed. Once approved, he would like his document to be made available to community members.

Director Lammey stated he would like to have 250 copies of the document made available to community members and would like to have Jen Perez with Open Window Design polish the document prior to having copies printed. He has received a price from Ms. Perez and the total cost is approximately \$1,170.

A motion was made by Director Hill and seconded by Director Shepherd to hire Jen Perez to polish and print 250 copies of the 2012 Annual Report to Members. The fees can not exceed \$1,250. The motion carried.

Director Arrington stated that this report does not take the place of an annual meeting.

Director Lammey stated that document is not intended to replace the annual meeting it is a tool to provide information to community members as not everyone can attend the annual meeting.

Director Lammey stated that he believes that attendance at the annual meeting would improve if food was provided for those in attendance.

After discussion, the Board of Directors agreed to get bids from 35th Ave Bar and Grill, Bodacious Bites and VJ's Outlaw Ribs to provide food for the annual meeting.

A motion was made by Director Lay and seconded by Director Grove to hold the 2012-2013 annual meeting on April 18, 2012 at the Grand Valley Recreation Center. Food will be served at 6:30 pm and the meeting will start at 7pm.

Discussion of closing/transferring the Architectural Escrow bank account

Mr. Rippy explained that the architectural escrow bank account is currently set up at Wells Fargo Bank. He and accounting manager, Sandy Yeager, would like to close the account with Wells Fargo and open a new architectural escrow account at Alpine Bank.

A motion was made by Director Koning and seconded by Director Grove to close the architectural account at Wells Fargo Bank and open a new architectural escrow account at Alpine Bank. The motion carried with Director Fletcher abstaining.

Discuss letter dated December 14, 2012 from community members

Director Arrington presented a letter to the Board he had drafted in reference to the letter presented to the Board from community members dated December 14, 2013 (See attached) and stated that he believes the Board did not have the authority to purchase property outside of the Battlement Mesa PUD according to the Bylaws and Declaration.

Mr. Rippy stated the Board of Directors properly consulted BMSA legal counsel prior to purchasing the property and were advised that they had the authority to make the purchase. Mr. Rippy further stated that our legal counsel has been contracted by the BMSA for many years and they are well versed in the BMSA Bylaws and Declaration and specialize in homeowner association law.

Director Hoy stated that when the Board spent \$116,000 to build the Library Trail outside the PUD no one complained but now there is a problem with spending \$45,000 on this property purchase.

Garry Evenson and Bruce Knuth stated they did have a problem with the Library Trail expenditure when it was approved. Mr. Evenson also stated he would like the Board to sell the property and return the money to BMSA community members.

Director Grove stated the Board purchased the property after receiving legal opinion from counsel and there was no malicious intent behind their decision.

Director Davidson stated that we should send Director Arrington's letter to our attorney prior to the Board issuing a written response to the Community Member's December 14th letter.

A motion was made by Director Grove and seconded by Director Hill to forward Director Arrington's interpretations to our attorney for review. The motion carried.

Garry Evenson's request to modify the December 2012 minutes

Director Lammey handed out documents from Hindman Sanchez, our law firm. The documents state that the meeting minutes are not a word-for-word narrative of the events of the Board meeting or meeting of the owners.

A motion was made by Director Arrington to add Garry Evenson's December Board meeting text to the minutes as an exception by a party to the December 2012 minutes.

There was no second to the motion. The motion failed.

A motion was made by Director Hoy and seconded by Director Hill to leave the December 2012 minutes as approved. The motion carried with Director Arrington voting against.

Garry Evenson stated he would like his comment to be in the minutes of this meeting that he does not think the property at 8935 County Road 300 to be unsightly.

OLD BUSINESS**OTHER**

Director Koning stated that the annual KSUN meeting is scheduled for April 11, 2013 at the Grand Valley Recreation Center.

ADJOURNMENT

The regular meeting adjourned at 11:17 am.

BMSA Financial Committee

January 2013 Report on Financial Documents

The January 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 by the committee. These documents reflect our financial operations for the month of January 2013. They appear accurate and comply with accepted financial accounting standards.

Although the report reflects only our first month of the fiscal year, our revenues are exceeding expenses by a substantial amount. Hopefully this trend can continue.

The Reserve Funds invested with Edward Jones office in Rifle appear in good shape although there was a small loss in value in our MM accounts.

Our retained CPA firm has initiated the annual audit of the books for 2012. Following the audit, the preparation of the Income Tax filing will follow.

BMSA - Architectural Committee

Meeting of January 16, 2013

Minutes

3:00 Meeting called to order by temporary chairman Thom Hamick.

New members Eric Short & Greg Davidson who were elected to the board on Tuesday January 15, 2013 welcomed to the committee.

Also in attendance Committee member Matt Fenton and Steve Rippy of the BSMA.

Not in attendance: Lecia Hill; Keith Sheppelman.

1st order of business, acknowledgement of a Quorum present.

Floor opened to nominations of officers to be elected by the committee.

Thom Hamick made motion to volunteers for chairman of the board and nominates Lecia Hill as Secretary of the board. Motions second by Eric Short & Matt Fenton. Voice vote was unanimous in favor of both motions.

Review of Applications:

1. Cynthea Hurst, renter of house at 264 Lodgepole Circle, Stone Ridge, has sent an e-mail regarding the work she has done converting her garage to a playroom for her children. She notes she has completed the work and did not know of rules to petition the work to this committee. She has overlaid her two-car garage door with plywood and painted it to match the trim on the house.

The committee notes that plywood is not an acceptable finish material on the list of materials in the covenants. She has also not completed an application for the work. Some members recommended that she could request to cover the plywood with an acceptable material or possibly install the plywood materials to the inside of the garage.

Her request was denied.

2. Jeremy Bonueles of 23 Lupine Lane, Monument Creek Village, is requesting permission to Park on the stone covering next to his driveway. The application noted that the owner has been parking on this stone since they purchased the property. The committee referencing minutes of meeting 4/4/2012 "Expectations for Parking Space Applications" noted that application did not submit in their proposal information for items 3&4. There was no information of what was there (item 3) or information on any border to contain the stone (item 4).

Application Denied.

3. Luis Ibarra of 346 Mineral Springs Circle, Tamarisk Meadows, is requesting to stain the fence in front of his property. His application notes he is out of town much of the time and he is not sure when he can complete the work. He also names the stain as "Cherry/Oak". The committee noted that he did not include a sample of the proposed stain with his application.

Application denied until color sample submitted.

4. Dan & Tammy LaRue of 94 Bristlecone Ct, Monument Creek Village, is requesting permission to park on the crushed gravel next to existing driveway. They also note they have been parking here since purchasing their home. The committee again referring the minutes of meeting on 4/4/2012 "Expectations for Parking Space Applications" notes the application has not submitted requested information for items 2,3&4. The committee is requesting a sketch or copy of plat of survey and information regarding stone and borders for these items.

Application denied.

5. David & Susan Axelson of 36 Little Phoenix Way, Tamarisk Meadows, is requesting approval of his side lot parking addition. This work is already completed with out approval. They have submitted a drawing and a sample of the fabric underlying the stoned area. They describe the stone as "grey" and that is was existing material reused after installing the fabric materials below the stone.

Application approved. Project complete.

Acting Sec: TRH

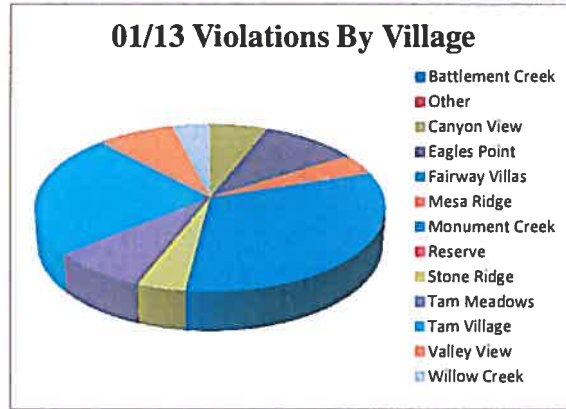
Report Period: January 2013

Violations YTD 50
Violations This Mo. 50

	Monthly Violations By Village	% of Total Violations
Battlement Creek	0	0%
Other	0	0%
Canyon View	3	6%
Eagles Point	5	10%
Fairway Villas	0	0%
Mesa Ridge	2	4%
Monument Creek	16	32%
Reserve	0	0%
Stone Ridge	2	4%
Tam Meadows	4	8%
Tam Village	12	24%
Valley View	4	8%
Willow Creek	2	4%

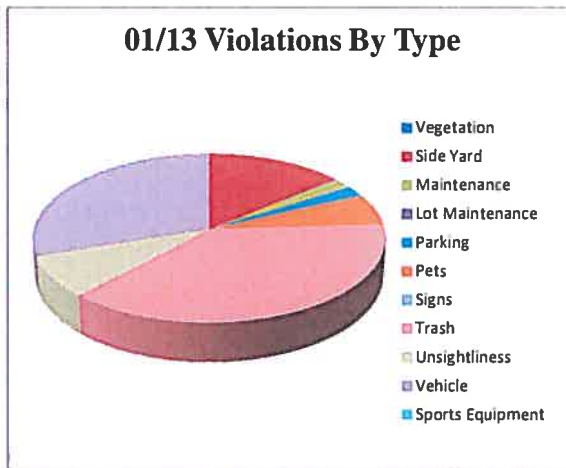
50	100%
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Covenant Protection Violation Report
Report Prepared By: Keith Lammy
Jan-13



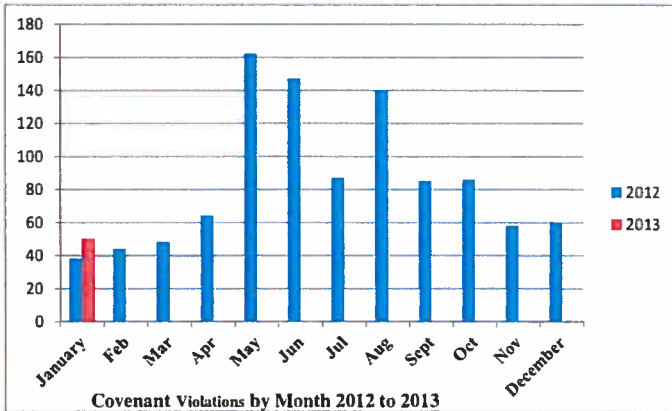
	Monthly Violations By Type	% of Total Violations
Vegetation	0	0%
Side Yard	7	14%
Maintenance	1	2%
Lot Maintenance	0	0%
Parking	1	2%
Pets	3	6%
Signs	0	0%
Trash	19	38%
Unsignliness	4	8%
Vehicle	15	30%
Sports Equipment	0	0%

50	100%
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	2012	2013
January	38	50
Feb	44	
Mar	48	
Apr	64	
May	162	
Jun	147	
Jul	87	
Aug	140	
Sept	85	
Oct	86	
Nov	58	
December	60	0

1019	50
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Report Date: 1/31/2013		Report Prepared by: Keith Lamme			
Date	House No	Street	Village	Type	Description of Violation
1/18/2013	235	Limberpine Circle	Canyon View	Pets	Failure to clean up after pets
1/27/2013	45	Poppy Court	Canyon View	Trash	3:27pm-Trash cart out. Contacting Mtn Valley Property Mgmt.
1/13/2013	45	Poppy Court	Canyon View	Trash	1:54pm-Trash cart out.
1/13/2013	15	Raptor Court	Eagle's Point	Parking on Street	2:44pm-Tenant is parking on the street.
1/27/2013	20	Eagle Court	Eagle's Point	Side Yard	3:58pm-Truck parked to the right of the house in the side yard.
1/27/2013	80	Talon Trail	Eagle's Point	Side Yard	4:02pm-Chev 2500 truck parked to the left of the driveway in the rocks.
1/13/2013	20	Eagle Court	Eagle's Point	Sideyard	2:32pm-Vehicle parked in the back yard with no fence around it.
1/18/2013	15	Raptor Court	Eagle's Point	Vehicle	Vehicle parked on the street overnight...regularly
1/27/2013	20	W Ridge Court	Mesa Ridge	Holiday Decorations	4:10pm-Christmas decorations still displayed.
1/31/2013	20	West Ridge Ct	Mesa Ridge	Vehicle	Semi tractor parked over night
1/18/2013	41	Lupine Lane	Monument Creek	Pets	Barking dog complaint from neighbors
1/27/2013	139	Ponderosa Circle	Monument Creek	Side Yard	3:09pm-Ford Expedition parked in rocks to the right of the driveway.
1/27/2013	47	Aspen Way	Monument Creek	Trash	2:57pm-Trash cart out.
1/27/2013	194	Sagemont Circle	Monument Creek	Trash	3:02pm-Trash cart by front door.
1/27/2013	11	Cactus Court	Monument Creek	Trash	3:07pm-Trash cart out.
1/27/2013	30	Hawthorne Way	Monument Creek	Trash	3:12pm-Trash cart out.
1/27/2013	471	Ponderosa Circle	Monument Creek	Trash	3:20pm-Trash cart out.
1/13/2013	46	Aspen Way	Monument Creek	Trash	1:27pm-Trash cart out.
1/13/2013	56	Hawthorne Way	Monument Creek	Trash	1:36pm-Trash cart out.
1/13/2013	30	Hawthorne Way	Monument Creek	Trash	1:37pm-Trash cart out.
1/13/2013	64	Dogwood Lane	Monument Creek	Trash	1:43pm-Trash cart out.
1/13/2013	15	Pinyon Place	Monument Creek	Trash	1:46pm-Trash cart out.
1/27/2013	187	Sagemont Circle	Monument Creek	Unsigniftness	3:02pm-Washer or dryer in front of closed garage door and old doors laying in yard.
1/27/2013	139	Ponderosa Circle	Monument Creek	Vehicle	3:09pm-White trailer parked on street. CO-675-MGY.
1/13/2013	32	Oak Court	Monument Creek	Vehicle	1:41 pm-White cargo trailer parked at property. No letter sent.
1/13/2013	45	Oak Court	Monument Creek	Vehicle	1:42pm-ATV with plow parked on front yard.
1/27/2013	264	Lodgepole Circle	Stone Ridge	Unsigniftness	3:23pm-Tire leaning against garage.
1/13/2013	264	Lodgepole Circle	Stone Ridge	Unsigniftness	1:50pm-Large truck tire leaning against garage.
1/13/2013	57	Black Sulphur Place	Tamarisk Meadows	Abandoned Vehicle	1:16pm-Subaru parked at property CO plates 374-JVZ. Tags expired 06/12.

1/27/2013	336	Mineral Springs Circle	Tamarisk Meadows	No ARCH approval	2:43pm-Shed in back yard with metal roof.
1/13/2013	39	Goldfield Court	Tamarisk Meadows	Trash	1:22pm-Trash cart out.
1/27/2013	17	Black Sulphur Place	Tamarisk Meadows	Vehicle	2:41 pm-Large motorhome parked on street. CO-085-VHF. No letter sent.
1/27/2013	41	Queen City Circle	Tamarisk Village	Abandoned Vehicle	2:38pm-Torn apart truck with no plates parked on driveway.
1/13/2013	151	W Tamarack Circle	Tamarisk Village	Abandoned Vehicle	1:00pm-White Hyundai CO plates 384-XLR. Tags expired 11/12.
1/13/2013	33	W Bonanza Place	Tamarisk Village	Abandoned Vehicle	1:06pm-Jeep Cherokee CO plates 103-VYD. Tags expired 03/12.
1/13/2013	41	Queen City Circle	Tamarisk Village	Abandoned Vehicle	1:10pm-Torn apart truck with no plates parked on driveway. Appears to be towed in.
1/13/2013	30	Queen City Circle	Tamarisk Village	Abandoned Vehicle	1:10pm-Vehicle parked on driveway CO plates 283-WLD. Tags expired 04/12.
1/13/2013	151	E Tamarack Circle	Tamarisk Village	Sideyard	12:57pm-Rec Chev truck parked on grass to the left of driveway.
1/13/2013	41	Queen City Circle	Tamarisk Village	Sideyard	1:10pm-Chev truck CO plates 004-YFJ. Parked in grass.
1/27/2013	107	Queen City Circle	Tamarisk Village	Trash	2:37pm-Trash cart out.
1/13/2013	240	E Tamarack Circle	Tamarisk Village	Trash	12:58pm-Trash cart out.
1/13/2013	250	E Tamarack Circle	Tamarisk Village	Trash	12:58pm-Trash cart out.
1/13/2013	163	Cedar Circle	Tamarisk Village	Vehicle	1:08pm-Flatbed trailer with snowmobile in front of home. No letter sent.
1/18/2013	41	Queen City Circle	Tamarisk Village	Vehicle	Rock Crawler vehicle, unlicensed, abandoned on driveway
1/13/2013	40	Cliff View Circle	Valley View	Sideyard	2:05pm-Dodge truck parked on rocks to the left of the driveway.
1/27/2013	119	Angelica Circle	Valley View	Trash	3:31 pm-Trash cart out.
1/27/2013	41	Bryan Loop	Valley View	Trash	3:34pm-Trash cart out.
1/13/2013	21	Bryan Loop	Valley View	Trash	1:59pm-Trash cart out.
1/31/2013	78	Willow Creek Court	Willow Creek	Pets	Barking dog complaint from neighbors
1/27/2013	38	Willow Creek Court	Willow Creek	Vehicle	3:41 pm-Flatbed trailer parked on street. No letter sent.

**BMSA
P.O.S.T Committee
Parks, Open Space and Trail Committee
Tuesday, February 12, 2012**

In Attendance:

Laurel Koning
Brad Hoy
Kyle Granbley

Absent:

Belinda Rogers
Mary Anderson

We reviewed the mission statement for the POST Committee. Discussion included the accomplishments of the past committee and where P.O.S.T. is now.

Kyle was welcomed back to the committee. Information regarding both Mary Anderson and Belinda Rogers was shared as additional members of this committee going forward. Their names will be presented at the monthly BMSA meeting.

We reviewed both the trail map, along with the PUD map. Discussion followed regarding what was available and what might be best suited for each area.

The following are ideas that were presented at the meeting:

1. Incorporation of an area for archery practice.
2. Development of an area for off road vehicles.
3. Improvement to the trail (golfcourse to Recreation Center) for additional fitness circuits. This discussion also included possibilities of a summer event with this improvement.
4. Development of a frisbee golf area. Discussion of what would be needed, possible costs, etc. Ann Huber was asked to join and discuss with the committee as one option for this activity would be on BMMD land located next to the trail leading down to the golf course from the Recreation Center. She indicated that she had other interest shown from residents in the community. Further inquiries would need to be made at a later time.
5. Discussion of the newly acquired property – the POST committee would like to be given the go ahead to cultivate various ideas for the acreage.

The committee agreed to have a “field trip” to look at several different recreational locations to have a fuller understanding of the requirements and expenses.

We are still trying to establish an agreed upon monthly meeting time. This is a challenge based on the various areas of involvement that all of the members have commitments to. It is our goal to establish a set time for this committee at our next meeting.

Laurel Koning
Chair



BATTLEMENT MESA
Service Association

Public and Community Relations
Committee Meeting Update
February 19, 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 a visitor Rack Card 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 early 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.

Current Focus

- Website. As time permitted, additional work was done on our website, www.BattlementMesaColorado.com. The references to the BMAC have been (mostly) replaced with GVRC. We missed a few but they will be changed soon. The website traffic continues to be strong. **During January, there were 11,147 visits to the site vs. 10,814 December visits, 32,232 page views and 1,185,482 hits vs. 1,049,185 in December. The website continues to do very well. (Definition of Hit: A hit represents a request to your web site for a file such as an image, a web page, or a CGI script. One web page may contain several related resources, and as a result, a visitor viewing one web page may trigger several hits.)**
- 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 January newsletter attained a 52.3% open rate and continues to run about double the industry average. Our click rate for the January issue was 31.8% (our highest ever click through rate) vs. 16.3% in December. We are consistently at or above the industry click rate (people going to links in the Newsletter for additional information). The higher number of links in the January newsletter was the primary reason that the click rate nearly doubled.
- Rack Card. The Rack Cards are [HERE](#). Project has been completed.
- Showcase Positive Lifestyle We're on hold on the Insiders' Guide but will begin work on the Summer edition in March. We're planning to publish the Summer edition in late May.
- Comcast Cable 50 Access Channel. On hold due to inadequate time to pursue. Given our other new resources and the declining number of Comcast subscribers, it doesn't seem like we should dedicate any further effort to this project.
- Facebook Our facebook "friend" list is at 108, (up 3) 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 meeting was held on January 22nd where our rack cards were turned over to us and work began on our Gateway Interpretive Signs.

The Colorado Dream

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Action Items/Next Steps

- Start work on the content for the Summer 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

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Public Works Committee Meeting

01/18/2013

Meeting convened at 3:15 p.m. Adjourned 4:15 p.m.

Members In attendance: Jeff Hill, Greg Davidson, Dick Deussen

Members Absent: Steve Rippy

Current Committee Goals:

- Keep an eye on maintenance items within the community.
- Members are to serve as a liaison between public members and both BMMD and BMSA.
- Identify community enhancement improvements.
- Identify Care Flight helipad site and prepare for use.
- Road improvements and redesign of waterfall area intersection.

Current Focus:

The first order of business was to thank Keith Sheppelman for his years of service as chairman and dedication to the committee and community and the election of a new chairperson. Greg Davidson, our newest member agreed to assume the duties of the chair. Jeff Hill agreed to record minutes of for the committee.

The need to expand community membership of the committee was discussed. It was determined that the best method to recruit is to invite others who we know to an asset to the committee to volunteer their services.

Jeff reported that he had spoken with Steve Rippy earlier in the day. Steve said he had spoken with Frontier Electric about the LED light along the West Parkway

Continues blinking. The company suspects a low voltage problem and will attempt correction as weather permits. Steve will stay abreast of the situation.

Steve said he had briefly spoken with the county engineer that he needed to meet with him to discuss improvement and redesign of the intersection at the waterfall but no meeting date and been set at this time.

All agreed a good job snow removal was being done on the bike paths.

Jeff gave an update on the Care Flight Helipad proposed project. He has received many letters supporting the project from community organizations ranging the Grand Valley Fire District, Garfield Sheriffs Department, School District No.16 and many others. We are looking forward to a meeting in the near future with the Grand River Hospital to further discuss possibilities and any concerns related to this potentially life saving community project.

Greg reported that Mountain Lawn has recently purchased a new truck specially equipped with weed spraying equipment to enable their company to better control noxious weeds along roadways.



**BMSA Board of Directors Meeting
February 19, 2013
Associated Governments of Northwest Colorado Committee Update**

Last Meeting: January 17, 2013
Attended by: Keith Lammey
Absent: N/A
Next Meeting: February 28, 2013, 10 AM, Parachute, CO

Overview

The AGNC met at the Parachute Town Hall on January 17th. The meeting was very well attended with numerous guests in attendance. Minutes are not yet available because Jane Whitt is on an extended vacation. The AGNC office has moved from Rifle and is now located in the Parachute Town Hall. Parachute had excess office space and offered it to the AGNC for nearly free. The next meeting is scheduled for February 28, 2013 in Parachute.

The AGNC's primary focus from January through May of each year is on state legislative matters. Their lobbyist hosts a weekly conference call every Friday at 12 Noon where their weekly legislative report on bills of interest to AGNC members is reviewed. I participate in these calls and receive the weekly report. If you are interested in receiving copies of the report, please contact me.

The AGNC has added several new members, primarily northwest Colorado towns who discontinued their memberships over the past few years. The new membership revenue is allowing the AGNC to more easily fund its legislative efforts, and to deliver other AGNC services.

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

The Colorado Dream

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Manager Report

Date: February 19, 2013
To: Board of Directors, Battlement Mesa Service Association
From: Steve Rippy, Association Manager

Street Light Damage: A street light located along Stone Quarry Road was hit by a vehicle on January 28th. The pole is a complete loss and an insurance claim will be filed. Frontier Electric has been scheduled to replace the pole and fixture.

2012 Financial Audit: McMahan & Associates completed review of the BMSA's 2012 financials. The audit went well with very few comments and we should be receiving their preliminary report in the next few weeks.

8935 CR 300 Property: Cook Backhoe Service completed the demolition of the house and out buildings on the property this past month. Additional removal of brush and dead trees along the right-of-way has been scheduled.

Tree & Brush Trimming: I have White River Tree Service scheduled to start trimming along the trails and drainage areas running through the housing areas in Tamarisk Village. The drainage area adjacent to the trail is heavily overgrown with brush and saplings.

Zoning Map: I am working with SGM to complete a Zone District map of the Battlement Mesa PUD. The zoning in the PUD has had a few modifications over the years and it can be difficult to clearly understand the current zoning is for many of the parcels of land. This map will be colored coded to reflect the different zones allowing for easy interpretation. It should be a valuable tool for the BMSA, its committees and the Association Manager.

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Recent purchase of property located at 8935 County Road 300.

a. Under what authority in the BMSA governing documents was this property purchased using BMSA homeowner funds?

Article 9, Sec. (i) of the Bylaws; “Power and Duties of the Board of Directors” allows the Board to “Acquire” title or interest to real estate. Article 4, Sec. 4.3 (a) of the Declaration; “Powers of Service Association” allows the Board to “Acquire” property or interests in property for the common benefit of Owners, including improvements on the property as well as constructing improvements on property or demolishing existing improvements.

The Amended and Restated Articles of Incorporation of Battlement Mesa Service Association under Art. III. Purposes states:

The Declaration relates to real property in Garfield County, Colorado, which is subject to the Declaration or may be annexed and made subject thereto (“Project Area”). Any real property which is, in fact, annexed and made subject to the declaration is referred to as the “Service Association Area”. Terms defined in the Declaration shall have the same meaning when used herein.

The Declaration goes on to define Service Association Area in 1.37 Service Association Area, “... any real property which is or hereafter becomes subject to this Amended and Restated Declaration. The property initially subject ... is as described on Exhibit A attached hereto and incorporated herein by this reference.”

Then Article IV Duties and Powers of Service Association Sec. 4.1 General Duties and Powers of Service Association then states:

The Service Association, acting through the Board of Directors, shall have the duties and powers s that may be necessary or desirable to further the common interests of the Members, to maintain, repair, improve,, regulate, and enhance Service Association Properties, and to improve and enhance the attractiveness , desirability and safety of the Service Association Area.

And here is where the problems begin as I see it. The BMSA is restricted to properties that are under the Declaration. To do this, the BMSA had to “annex” the property first to make it come under the Declaration. After it was under the Declaration, then the BMSA would have had “power and duties” that could be applied to purchase and do all the things of Sec. 4.3 (a). However, there is another problem. Exhibit B of the Declaration defines Annexable Area as **All other property within the boundaries of the Battlement Mesa P.U.D.,** The P.U.D. is that which is on file with the County and did not include the property in question. Moreover, this property being outside the P.U.D., to be annexed, would have to comply with State and County regulations. These regulations would not recognize any “annexation” by a body not of governmental status recognition. BMSA is part and parcel of the P.U.D. and, by Covenants and Declaration, can operate by which is provided for within its’ boundaries of the P.U.D. In other words, BMSA violated its’ operating sphere of authority and protocol and operated outside its’ provisional documents. I think the Board has put itself in a position of possible lawsuit for misappropriation of funds.



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[Home](#) > Just a “Minute”!!

Resource Topic: Governance
Meetings

Related Links: [Meeting Moment - Amending Minutes](#) [1]
[Meeting Minutes – What are They and What Should be Included in Them?](#) [2]
[Minutes of Association Meetings and Board Meetings](#) [3]

By: Melissa M. Garcia

The phrase “in a New York *minute*” is supposed to mean *in an instant*. Or, as Johnny Carson once said, it’s that split-second interval between a Manhattan traffic light turning green and the guy behind you honking his horn.

On the other hand, if I holler “I’ll just be a *minute*” while scrambling around in my closet for the right outfit, I don’t know about you, but the unsuspecting person waiting on me likely will be waiting another 15 minutes.

As we all know, the actual definition of a “minute” is 60 seconds. Yet interestingly enough, the word has morphed into at least two forms of slang that have opposite connotations and reflect something other than its true meaning. One can say the same thing about the philosophy of keeping meeting minutes. On the one hand, some boards feel that minutes should capture every single statement made or detail observed, with the result bordering on a verbatim transcription of the meeting. This is ineffective, unnecessary and a big waste of time.

Other boards may capture only the names of the attendees and whether an action item on the agenda was approved or not. Without including, for example, the language of the motion itself, or detail on the specific action that was approved, the board may be setting itself up for confusion when it comes time to carry out the decisions, or to prove that particular action was approved.

Effective minutes should be somewhere in between the above examples. Minutes are records of the official action taken at a meeting and, if written well, can be helpful for many reasons, including the following:

- They are a critical record in the event the board or association is sued;
- They can be used as protective measures for the board;
- Often they are the only record of actions taken by the association and board;
- They establish and protect the authority of the board's actions;
- They can be used to show the granting of authority to a specific board member or office to perform a specific act;
- They can protect directors from breach of fiduciary duty and malfeasance claims.

Are minutes required?

Section 38-33.3-317(1) of the Colorado Common Interest Ownership Act [4] provides that the Association must maintain certain records for purposes of document retention and production to owners, including “minutes of all meetings of its unit owners and executive board”.

This requirement is mirrored in Section 7-136-101 of the Colorado Revised Nonprofit Corporation Act, which provides that a nonprofit corporation shall keep as permanent records, “minutes of all meetings of its members and boards of directors”.

In addition, your bylaws and/or conduct of meeting policy might prescribe specific requirements for minute-taking, so be sure to review your governing documents for potential requirements.

What are some general principles for drafting effective minutes?

I’m sure you’ve heard us say minutes are minutes, not hours. You shouldn’t have pages and pages of he-said, she-said discussions. Rather, stick to the basics. The minutes should capture the actions of the meeting and certain details. Here are some practice pointers in drafting minutes:

- Consider using a recording secretary who is not a member of the board. This frees board members to fully engage and participate in the meeting. And the recording secretary can devote attention to taking accurate notes.
- Use headings for ease of reading.
- Anyone reading the minutes should be able to easily understand what actions were taken and how they were approved.
- Although including the rationale for the decision is appropriate, there is no need to include the discussion on the motion, or who said what. Summaries of debates are unnecessary.
- Minutes should be brief and concise; taking minutes is not the same as dictation. However, consider including just enough information to show that the board fulfilled its fiduciary duty in taking the action or to show that the action was properly taken.
- **Sample content for minutes:**
 - Association's name and the words "Minutes of the Meeting of (name of association)";
 - Date, time, place of meeting;
 - The statutory or bylaw authority under which the meeting is called and whether it is a regular or special meeting;
 - The persons present, the persons absent, or the members or directors represented in person or by proxy, and that quorum was established;
 - A statement that the meeting is held pursuant to actual notice or waiver of notice. If notice has been waived, the signed waivers should be attached to the minutes;
 - Approval of minutes of previous meetings;
 - The substance of the issues or action items presented at the meeting, how they were submitted, and by whom;
 - The decision or vote on each proposed matter or resolution and in the case of substantive matters, the outcome of the votes;
 - The presentation of all reports, with copies attached if the report is written and a summary of the report if it is oral;
 - A summary of the other business which came before the meeting.
- Executive session minutes: Per C.R.S. 38-33.3-308(7), the minutes of an executive session shall indicate “that an executive session was held, and the general subject matter of the

executive session". And, remember that the board may only go into executive session for the subject matters stated in C.R.S 38-33.3-308(4).

When are minutes approved?

Minutes should be approved at the next board or membership meeting. Only after minutes have been approved should the secretary sign them, with a statement that the minutes constitute the official record and minutes of the meeting. If asked for a copy of the minutes before they are officially approved, make sure to stamp "Draft" on the minutes, and explain that they will be officially approved at the next meeting.

Minutes, if drafted appropriately, can make all the difference in the successful operation of an association.

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Links:

- [1] <http://www.hindmansanchez.com/resources/newsletter/meeting-moment%E2%80%93amending-minutes>
- [2] <http://www.hindmansanchez.com/resources/article/meeting-minutes-what-are-they-and-what-should-be-included-them>
- [3] <http://www.hindmansanchez.com/resources/article/minutes-association-meetings-and-board-meetings>
- [4] <http://www.hindmansanchez.com/resources/pdf/colorado-common-interest-ownership-act-ccioa>



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[Home](#) > Meeting Minutes - What Are They and What Should Be Included In Them

Resource Topic: Governance
Meetings

By: David A. Firmin

With all the responsibilities of being a board member and running an association, very little time is taken to explain the routine task of taking meeting minutes. While taking meeting minutes is a routine occurrence, little time is spent with a new board member describing what the purposes of the meeting minutes are and what items should appear in the meeting minutes.

Meeting minutes are the official record of the association that identify approved association courses of action, adoption of policies and procedures, and the granting of authority to a specific board member or officer to perform a certain act. Meeting minutes are not a word-for-word narrative of the events of a board meeting or meeting of the owners. While meeting minutes are typically used to inform owners of the items approved by the association, in many cases they are used to establish the record of the association in a court proceeding, whether involving litigation initiated by the association or in defense of a course of action.

Listed below are some essential components of meeting minutes:

1. Date and Type of Meeting – In order to accurately keep meeting minutes it is critical that the date and type of meeting is clearly identified within the meeting minutes.
2. The names of the directors present.
3. A clear statement of a proposed course of action such as, “Director X proposed the association approve the landscaping contract with Happy Acres Landscaping.” This statement should also indicate that the motion was seconded.
4. A brief statement that the motion was discussed and voted upon. The statement should also include the results of any vote taken on the matter, such as: “The Board of Directors discussed the proposal from Happy Acres Landscaping and approved the contract as drafted 4-1.” The actual arguments for or against a particular course of action need not be included in the official record.

Once the meeting minutes have been drafted, the Board will then approve the minutes at a later meeting. Meeting minutes should be clear in showing what actions have been approved by the Board of Directors, but should be brief statements of the course of action. Remember, these are meeting minutes, not meeting hours.



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