

**APPROVED**

**BATTLEMENT CREEK VILLAGE DELEGATE AREA  
ANNUAL MEETING OF THE MEMBERS  
SEPTEMBER 22, 2009  
MINUTES**

**The joint annual meeting of Battlement Creek Village and Battlement Creek Village at the Reserve members was called to order at 7:05pm by Gordon Elliott, Battlement Creek Village Delegate.**

**QUORUM:** A quorum was established with 33 lots represented, 26 in person and 7 by proxy.

**NOTICE:** Jane Chapman established that notice of the meeting was sent out in compliance with the Association Documents.

**APPROVAL OF MINUTES:** A **motion** was duly made by Fred Inman and seconded by Opal Morgenthaller to approve the October 30, 2008 Annual Meeting of the Members Minutes as written. **Passed.**

**FINANCIAL REPORT:** Jane Chapman presented the financial statements of April 1, 2009 through August 31, 2009. Items discussed were: 1) The largest expense is landscape maintenance. The system will be shut down the first week of October. 2) The recycle dumpster is now emptied on an as-needed basis rather than on a two-week schedule. 3) The Security Services line item pays part of the rent for the Sheriff's Auxiliary office. 4) The new flags on the golf course were purchased by the Service Association. 5) Bruce Knuth asked if a decline in the income from Comcast franchise fees was expected and Jane Chapman responded that a decrease has been anticipated. 6) The reserve fund transfer will be done in October.

**TAX RESOLUTION:** Jane Chapman reviewed the Tax Resolution. A **motion** was duly made by Fred Inman and seconded by Bobby Johnson to accept the Tax Resolution. **Passed.**

## **VILLAGE BUSINESS**

### **Battlement Creek Village and Reserve Questionnaire Review**

Gordon Elliott sent a questionnaire regarding the PUD drilling and community communication related to it to 79 members of Battlement Creek Village and 53 members of the Reserve in order to gauge the opinions of the members regarding the pending drilling. Approximately 27% of those who were sent the questionnaire responded, mostly by email. In general, the members did not feel they were fully informed about the possibility of drilling within the PUD, and most felt that they would be impacted negatively by the drilling. Mr. Elliot gave further information regarding the process that the Service Association is going through. He stated that the Oil & Gas Committee was made the "point" group on the matter by the Board of Directors and he recommended that members attend at least one Oil & Gas meeting. He and Mike Stiers, the Reserve delegate, would like to build an email directory to disseminate important information, but few members responded positively to the request.

Sandy Hotard and Daysa Bryan attended the meeting to discuss Williams' current and future operations within the PUD.

### **Drilling in the PUD**

Bill Nelson, chairman of the Oil & Gas Committee, attended the meeting to give information about the Committee and to explain their role in the PUD drilling process. After giving the history of the Committee, which was formed when the concern of drilling within the PUD first arose many years ago, Mr. Nelson explained that the normal Committee meetings had been rescheduled into meetings with Antero to go over specific topics to do with the proposed drilling operations. The ideal scenario would be to have no drilling within the PUD, and an attorney has been retained by the Service Association in order to come to the best possible outcome for the community. Mr. Nelson encouraged the members to read the meeting minutes and informational items that have been and will be posted to the Battlement Mesa Service Association website. It was noted that all Oil & Gas meetings are open to the public, and normal Oil & Gas meetings will resume in November of 2009. Mr. Nelson acknowledged Sandy Getter for disseminating information in the community and encouraged community members to take a stronger interest in community issues. Gordon Elliott informed the members that the Board of Directors did adopt an official position statement regarding the drilling on September 15, 2009.

### **Update on Conversion from HOA to Special District**

As discussed at the 2008 Annual Meeting of the members, the Joint Advisory Committee was formed to find ways to manage the community better. The ultimate goal of the JAC is to shift from Homeowners Association to Special District. Creating a Special District would make one organization to listen to and speak for the community. Staff would be consolidated, resources would be better utilized, grant monies could be accessed, bonds can be issued, and funds can be raised through tax levies rather than assessments. Phase 1 of the implementation plan will begin when the Consolidated Metro District manager becomes the manager of the Service Association on January 1, 2010. Thus, management of the Service Association will be handled by CMD under contract. The Service Association's budget year has been brought into line with CMD's and will now run on a calendar year. The JAC will continue to act as the facilitator to ultimately create the Special District. The change will require a community-wide vote of the members.

### **Merger of Villages**

At the 2008 Annual Meeting of the members, merging Battlement Creek Village and the Reserve was discussed. The delegates of both areas, Gordon Elliott and Mike Stiers, researched the matter and discovered that the area's two votes on the Board of Directors would drop to one vote and legally it would take a community-wide vote of the members to change the covenants in order to allow the merger. Due to these issues, the delegates recommended that the members not attempt to combine the two villages into one delegate area. However, the delegates of both villages will continue to work closely together to service both areas.

It was noted by Gordon Elliott that his term will expire in October of 2010 and that he will not

be accepting another term as delegate to Battlement Creek Village. He encouraged the members to start thinking about who will replace him when the time comes. Bruce Knuth also noted that as of January 1, 2010, a position will open on the Architectural Committee, so a new member will be needed.

### **OPEN DISCUSSION**

Gordon Elliott asked the homeowners for comments and suggestions. The following issues were raised:

Mr. and Mrs. Pace noticed that many street lights are out throughout the village. Management will put work orders in for the lights immediately.

Concerns were raised about the incomplete construction at the Teaney house. A hearing was held on September 15, 2009 and action is being taken between Mr. Teaney and the Board of Directors to remedy the issue.

There was concern about homeowners that leave their dogs out at night, but not much can be done by the Service Association. Garfield County Animal Control should be called when dogs create a disturbance.

Bear tracks have been seen on the golf course and young bears have been seen in the area. Members were encouraged to exercise caution.

Gordon Elliott requested that an email distribution list be created. The list could be set up to have a blind carbon copy so that the email addresses would not be made available to the group as a whole.

The members of Battlement Creek Village and the Reserve would like to hold next year's annual meeting jointly again.

### **ADJOURN**

With no further business, the meeting was adjourned at 8:49pm.