

**RECORD OF PROCEEDINGS**

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS

OF

BATTLEMENT MESA METROPOLITAN DISTRICT

Held Thursday, the 23<sup>rd</sup> Day of June 2011 at 398 Arroyo Drive, Battlement Mesa, Colorado.

Attendance

A regular meeting of the Board of Directors of Battlement Mesa Metropolitan District, Garfield County, Colorado was called and held as shown above and in accordance with the applicable statutes of the State of Colorado, with the following Directors present and acting:

Michelle Foster  
Lynn Shore  
Sara McCurdy  
Bruce Richards

A motion was made by Director Foster and seconded by Director Richards to excuse Director Inman's absence. The motion carried unanimously.

Keith Lammey, Dave Devanney, Bob Arrington, Steve Rippy, Sandy Yeager and Amie Martin were also in attendance.

Call to Order

Director Shore called the meeting to order at 9:00 am and established that a notice of the meeting had been posted as required by statute. Director Shore noted that a quorum was in attendance.

No potential conflict of interest disclosures were noted or filed on behalf of any of the Directors.

Public Comments

Dave Devanney asked how often does the BMMD test the community's potable water. Mr. Rippy stated that water samples and tests are done monthly, quarterly, and annually but that he is not qualified to explain the process involved with the testing.

Director Shore requested that Roger Bulla, Water/Wastewater Superintendent, be called to the meeting to address Mr. Devanney's questions.

Mr. Devanney asked if BMMD is participating in the Middle Colorado Water Shed.

Director Shore stated that we have joined the group and have attended some of their meetings and we also receive the minutes from their meetings.

Bob Arrington stated that the Carbon Tetrachloride that was noted on the CCR is a strange agent to have in the Colorado River. This is an organic compound. Mr. Arrington stated that Carbon Tetrachloride did cause some problems with Silt's water plant.

May 2011 Regular Meeting Minutes

A motion was made by Director McCurdy and seconded by Director Richards to accept the May 26, 2011 regular meeting minutes with corrections. The motion carried unanimously.

Accounting Manager Report

A motion was made by Director Richards and seconded by Director Foster to accept the May 31, 2011 financial statements; subject to audit. The motion carried unanimously.

Activity Center Report

Anne Huber is out of town and not able to attend this meeting. A report is attached.

Mr. Rippy reported that he and Mrs. Huber spoke about a two week trial membership.

Director Shore stated \$29 seems too high for a two week trial membership, we may want to reduce it to \$25. The Board of Directors agreed to a two week trial membership at \$25.

Mr. Rippy reported that Mrs. Huber is working on an automatic membership renewal for out of district memberships. Mrs. Huber would like to give a 10% discount to the customers that auto renew their membership.

Director Shore stated that he likes the idea of auto renewal of memberships, but not sure any discount is needed. The Board of Directors agreed.

District Manager  
Report

Mr. Rippy reported that during the month of May the District sold 1,551,800 gallons of water to Antero Resources.

Mr. Rippy reported that the street sweeper was repaired and the first street sweeping was completed. The second street sweeping will take place in the next 3 to 4 weeks.

Mr. Rippy reported that he prepared a document to educate BMMD customers about the participation by the District in the Colorado Nutrient Coalition and the positive results accomplished.

Mr. Rippy reported that the new District office remodel continues to move along. Mr. Rippy stated that the goal is to be moved in by mid August.

Mr. Rippy reported that the contractor has returned to the Drying Bed Project. The contractor has asked to work 24 hours per day during the concrete pour, which will take approximately 14 days. The Board of Directors agreed to let the contractor work 24 hours a day, if problems arise this may need to change.

Mr. Rippy reported that he is meeting with Jeff Simonson from SGM to review BMMD's infrastructure master plan.

Mr. Rippy reported that he spoke to Traveler's Insurance Risk assessment department regarding the Antero Oil & Gas Assessment Report, they stated the report was excellent and there is no risk on the report.

Mr. Rippy reported that he is getting quotes on our property/casualty insurance.

Consumer Confidence  
Report

Roger Bulla arrived at the meeting to discuss the Consumer Confidence Report.

Mr. Bulla reported that staff tests the water on a hourly, daily, monthly, quarterly and yearly basis. Mr. Bulla stated that the test for volatile organics is done quarterly and the inorganics is tested annually. All tests are open to the public.

Mr. Bulla explained that the Colorado Department of Public Health and Environment (CDPHE) dictates what we test for and when we test. The contaminants that are included in the report, are the only ones that were detected in our samples.

Mr. Bulla explained that BMMD samples and tests the water hourly, daily, monthly, quarterly, and annually. Turbidity and chlorine levels are tested hourly and daily and based upon the requirements of the CDPHE some tests are required monthly while other tests are required quarterly or annually. The frequency of testing is driven by the trends of contaminants found in the water. If a contaminant is found during a test the CDPHE may request that certain tests occur more frequently.

Director Foster asked Mr. Bulla when and what do other area communities test for.

Mr. Bulla explained that the CDPHE has different requirements throughout the State based upon different water sources and trends in the water. Therefore, he is unsure what other communities are testing for or what their testing schedules are.

Dave Devanney stated that if some of the tests only occur on an annual basis, then there are 364 days during the year that no testing for certain items occurs. Mr. Devanney stated that the individual society would like BMMD to test more frequently than one or four times per year.

#### Director Discussions

Director McCurdy asked how the new billing went.

Sandy Yeager explained that the billing went well. Ms. Yeager stated that there is a new line item on the financials related to the new billing.

Director Foster asked to either have a microphone available for the meetings or rearrange the room. Director Foster stated that she has a hard time hearing everyone.

Keith Lammey stated that the Battlement Mesa Service Association has the same problem. Mr. Lammey stated that it may be in the best interest of the community to get both Boards together to purchase a system.

Election of Officers

A motion was made by Director Richards and seconded by Director McCurdy to appoint Director Foster as President for a two year term. The motion carried unanimously.

A motion was made by Director Richards and seconded by Director Foster to appoint Director Shore as Vice President for a one year term. The motion carried unanimously.

A motion was made by Director Richards and seconded by Director Foster to appoint Director McCurdy secretary/treasurer for a two year term. The motion carried unanimously.

There being no further business to come before the Board, and upon a motion made and carried, the meeting was adjourned at 10:13 am.

The foregoing constitutes the true and correct minutes of the above referenced meeting and was approved by the Board of Directors of the Battlement Mesa Metropolitan District on the 28 day of July, 2011.

  
Secretary