

**MINUTES OF THE BOARD OF DIRECTORS MEETING  
PARACHUTE/BATTELEMENT MESA PARK AND RECREATION DISTRICT  
Tuesday, January 8, 2019 6:00 p.m.**

Grand Valley Recreation Center, 398 Arroyo Drive  
Battlement Mesa, CO 81635

**ATTENDEES**

- Directors present: Chuck Hall, Vice President  
Jerry Mohrlang, President  
Ken Seidel, Treasurer  
Lynn J. Shore, Asst. VP
- Others present: Judy Bertrand, MDM (PBMPRD District Manager)
- Employees present: Doug Choate, Director-Golf Superintendent & Parks  
Chuck Curtis, Director Golf Course  
Samantha Smith, Director-Rec Center & Programs
- Public present: Derek Wingfield, Town of Parachute  
Jerre Witt, Former Sports Manager  
Matt Creech, Resident  
Wendy Kendall, Resident: Flex Room  
Ryan Jarvis, PBMPRD Water Attorney

**ADMINISTRATIVE  
MATTERS**

Attendance and Agenda: The Regular meeting was called to order by President Mohrlang at 6:00 p.m. and a quorum was noted.

Asst. VP Shore made a Motion to approve the January 8, 2019 agenda; with VP Hall seconding said Motion. The Agenda was unanimously accepted.

Asst. VP Shore made a Motion to excuse Secretary Ford; with VP Hall seconding said Motion. Secretary Ford was unanimously excused.

Public Comments:

Derek Wingfield provided a letter from the Town of Parachute thanking Samantha Smith and her staff for the assistance with the New Year's Eve party. Mr. Wingfield stated that there were 60 people in attendance, and he was pleased with the turnout for the Town's first New Year's Party. Mr. Wingfield mentioned that he drove shuttles to assist people in getting home from the event.

Jerre Witt discussed his reasons for resigning his position as Sports Manager and stated that he intends to continue volunteering his time to organize free sports for the youth of the community. Mr. Witt stated that he believes the culture is collapsing and wants to focus on 'culture change'. He also explained his concern with "hyper-active sports parents" who push to have their children play to the exclusion of other participants. He apologized to the Board for sending out an email to a patron asking them to change their sports schedule in order to have free play at that time.

Matt Creech stated he moved to the area 3 years ago and had 4 questions.

1. He asked what committee established the Western Town.
2. He asked why free play was cancelled.
3. He asked about the process of Jerre Witt leaving.
4. He asked what goes into the job of District Manager.

The Board stated that they cannot discuss Mr. Witt's resignation as that is a personnel issue. The Board requested that the Manager respond to Mr. Creech via email.

Wendy Kendall stated she is a dancer and wants to use the flex room. She asked about opening it up for free use or a flat rate to access the room. Director Smith will contact her about this issue.

Minutes: The Manager provided the Minutes from the December 8, 2018 Board Meeting. Asst. VP Shore made a Motion to approve the Minutes, with Treasurer Seidel seconding said Motion. The Minutes were unanimously approved.

Officers: The Manager requested that the Board approve the officers as she did not have record of it in prior meetings. Treasurer Seidel made a Motion to appoint Chuck Hall as Vice President and Lynn Shore as Assistant Vice President. President Mohrlang seconded said Motion and the officers were unanimously approved. VP Hall stated he did not want to accept the director compensation.

Disclosure of Conflicts of Interest: The Board had previously been informed of the Colorado Revised Statutes to disclose potential conflicts of interest to the Board of Directors and Secretary of State. No Board member stated they had a conflict of interest in any discussion.

Ryan Jarvis, Water Attorney: Mr. Jarvis discussed his summary report regarding the District's water rights in Parachute. He stated that the District has record title to the following water rights:

- 0.74 cfs (cubic feet per second) of the Daisy Ditch. While the deed does not state the priority of this water right, court records indicate that it is Priority 9. This water right is decreed to be diverted from Parachute Creek at the Cornell Ditch. According to DWR records, the District diverts this water right at the Cornell Ditch and it flows south into a slough to the east of the Callahan Ball Fields where it is taken for use. This water right was decreed a new point of diversion on Parachute Creek on District Property.
- 0.2 cfs of Daisy Ditch Priorities 9 and 20.
- 1 cfs of the Looney Pump & Pipeline. This water is decreed to divert from the Colorado River at four alternate points of diversion that are all on or near the slough to the east of the Callahan Ball Fields.

Derek Wingfield stated that the water for Cottonwood Apartments comes from the Town. There is a pump station near the apartments that appears to be abandoned.

Mr. Jarvis was clear that any diversion point for the aforementioned water rights needs to be within 500 feet from the decreed points of diversion in order to get credit for the usage and avoid any risk that use would be deemed a undecreed use. If the District does not construct by October 2, 2027 the new point of diversion for the 0.74 cfs of the Daisy Ditch the District runs a risk of losing that water right. Also, the District should promptly start to measure its water use

and keep detailed record of use, including date of diversion, amount diverted, and location of use.

Mr. Jarvis stated that the Court records suggest that the 0.74 cfs of the Daisy Ditch can be used on the parcel owned by the District. In order to confirm that usage is permitted on the 6 acres that the District leases from the town, the District could go to court to change the place of use of the water right. However, Mr. Jarvis suggest that the first step is to talk to the water engineer that worked with the District in 2010 change chase and possibly talk to DWR officials. The Manager stated that may effect the value of the 15.5 acre parcel. The Manager stated that the District has not been measuring use. However, Mr. Jarvis stated that DWR has records of use. He stated that meters are needed where water is diverted and that a flow meter would be beneficial and would allow the necessary record keeping. Mr. Jarvis stated he would talk with the water engineer who prepared the previous map.

Director Choate asked if the District could get water from the Colorado River and Mr. Jarvis explained that the District's Looney Pump and Pipeline water right is decreed to divert from the Colorado River and that one of the points of diversion may permit diversion directly from the Colorado River. However, given the relative junior priority of the water right, the District should expect to be out-of-priority (i.e., called out) during parts of the irrigation season every year.

Executive Session: CRS 24-6-402(4)(b), Conferences with an attorney for the public entity for the purposes of receiving legal advice on specific legal questions. Water rights associated with BMCG pond relocation.

President Mohrlang made a Motion to adjourn the public meeting and open the Executive Session at 6:52 p.m.

Asst. VP Shore made a Motion to adjourn the Executive session at 7:25 p.m., with VP Hall seconding. The Board unanimously adjourned the Executive Session and re-open the public meeting.

The Board agreed to allow Ryan Jarvis to communicate with Ryan Altenburg and Doug Choate regarding the pond relocation and water rights. The District Manager will be informed of progress. The Board requested that Ryan Jarvis attend the next board meeting to discuss findings.

Open House: The Board discussed holding an open house for members of the public to provide information on the cost to operate the District and programs. President Mohrlang asked the Manager to present information for the meeting to the Board in March; in order to possibly hold the open house on a Saturday in April. President Mohrlang asked if the website would be up and running by April. The Manager stated that it should be. The Manager will work on the PBMPRD brochure as well as the financial information.

Financial Targets and Guidelines: Asst VP Shore discussed establishing targets and guidelines for the District. President Mohrlang stated he did not want to cripple the Directors by setting targets. Treasurer Seidel stated that the Directors know their facilities, entities and programs and don't need guidelines. The Manager stated that the Directors are on the front lines and know their programs and customers and are better able to make day to day decisions than the

Board and herself. The Board discussed the aging facilities and equipment and that it was hard to know from one day to the next as to what would need to be repaired or replaced.

## **FINANCIAL MATTERS**

Claims/Accounts Payable: The District Manager presented the claims paid outside of the Board meeting. VP Hall made a Motion to approve the payments; with Treasurer Seidel seconding said Motion. These payments were unanimously approved.

The Manager presented the Check Detail for December. The Manager mentioned the internal transfers of \$122,000 to cover the PBM Trail payments to Accurate Construction. VP Hall made a Motion to approve these payments; with Treasurer Seidel seconding said Motion. They were unanimously approved.

Financial Reports: The District Manager presented the Statement of Revenue, Expenditures & Net and Statement of Net Position. VP Hall made a Motion to accept the Financial Reports; with Treasurer Seidel seconding said Motion. The Manager noted that the financials will change after year end journal entries and depreciation expense. The Financial Reports were unanimously accepted.

The District Manager had the bank statements and reconciliations for the bank accounts available for review.

## **OPERATIONS- DIRECTORS REPORTS**

Golf Course and Parks: Director Curtis provided the golf course written report to the Board. Director Curtis stated that tournaments brought in around \$10,000 last year. Director Choate is going to paint the maintenance barn in 2019.

Rec Center & Programs: Director Smith provided her written report to the Board. Director Smith stated that Tom Kerrigan would be assuming Jerre Witt's position as Sports Manager. She stated that Tom Kerrigan was the Rec Center Director from 1981-1989. The total members at the Rec Center are now 2,737. Winterfest will be held on January 26, 2019.

## **MANAGER'S REPORT**

The Manager stated that year end work and payroll forms are being prepared.

Website: The Manager stated that Secretary Ford contacted 3 web designers for bids and that only 2 responded. Trish Coberly was chosen at a cost of \$3,750. The District Manager is working with SIPA to obtain a grant to cover this work and the \$300 for G-Suite.

Appraisals: The Manager has presented the Appraisals to the Directors.

Pond Relocation: The Manager has sent the Draft Operations and Easement Agreement to BMLI but has not heard back from them.

PBM Trail: The Manager had requested that Director Choate measure the completed sections of the PBM Trail and those that are yet to be completed. As the sidewalk in front of the pavilion is not to be paved the Manager has asked Steve Rippy to contact Accurate about removing this 970 sq. ft from his invoices. The total cost paid to Accurate is now around \$175,000.

Capital: The Manager met with the Directors to obtain updates to the CIP for 2019>. She will send to the Board early next week.

Brochure: The Manager stated she is working on the PBMPRD brochure and hopes to have a draft ready within the next month.

**NEW BUSINESS**

PBM Tanker Trail: The Board directed the Manager to order a sign for the bike flow trail and have it be named after the Tanker that crashed during the fires. The Manager will contact Chief Dave to obtain the accurate name and Director Smith will order it.

Joint projects with Town: President Mohrlang stated that he had only come up with 2 suggestions of projects/grants with the Town. Joint ballfield upgrades and raft run ride.

**ADJOURNMENT**

There being no further business to come before the Board at this time, President Mohrlang adjourned the meeting at 8:43 p.m.

The next Regular Meeting is scheduled for **Tuesday, February 12, 2019 at 6:00 p.m. at the Grand Valley Recreation Center, 398 Arroyo, Battlement Mesa, CO.**

Respectfully submitted,  
Judy Bertrand, District Oversight Manager

**THESE MINUTES APPROVED AS THE OFFICIAL JANUARY 9, 2019 MINUTES OF PARACHUTE BATTLEMENT MESA PARK AND RECREATION DISTRICT BY THE BOARD OF DIRECTORS.**

**(Signed copy in possession of the District Oversight Manager)**

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Adam L. Ford, Secretary

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Chuck Hall, Vice President

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Jerry Mohrlang, President

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Ken Seidel, Treasurer

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Lynn J. Shore, Asst. VP