

Brush Creek Metropolitan District

The February 2005 regular board meeting was held at the regularly scheduled time:

Date: Tuesday, February 22, 2005

Time: 6 pm

Place: Snowmass Chapel Community Room

Minutes

Call to Order.

Call to order 6pm. Present: Mike Cooper, Isabel Day, Lawson Wills, Joyce Hardy, Kevin McClure.

Public Comment.

None.

Water Plant Manager's Report.

The "leak" continues. American Leak Detection came out in January but did not identify any likely places to dig. Usage numbers will be monitored. In order to identify leaks there must be access to all valves. Because of the snow we will wait until spring melt to use the leak detector again.

BCMD Manager's Report.

KM had been in touch with Elam Construction. Paving will begin in early June.

KM will adjust the incorrect usage billed for Benson/Day residence.

KM will contact county roads dept. for ideas to stabilize slide area above Mitchell.

Connor is still working with the Assessor. All indications are that Pioneer Springs is in the BCMD as we believe. SGM will survey and check boundary overlay.

Budget – regular review

None.

Bills/ Finance.

Bills were reviewed and checks signed.

Accounts receivable reviewed.

Approve Minutes.

None.

Other Business.

KM to have extra snow removal above 4 way. Deep ruts.

KM to contact plow company for Pevney/Holtz drive and have them refrain from pushing snow into Grayson fence.

KM to enforce Tiege parking violations.

KM to bring Service Plan to meetings for reference as needed.

Adjournment

Brush Creek Metropolitan District

The April 2005 regular board meeting will be held at the regularly scheduled time: 6pm-8pm

Attendance: Lawson Wills, Joyce Hardy, Kevin McClure, Isabel Day, Kelly, Mike Cooper chose to arrive at 6:23pm (ie late).

Date: Tuesday, April 19, 2005
Time: 6 pm
Place: Snowmass Chapel Community Room

Agenda

1. **Call to Order.**
2. **Public Comment.** No public attending
3. **Water Plant Manager's Report.** Kelly reports that he noticed higher electric and meter usage at the middle pump. Started shutting valves and investigating looking for leaks. Spent a couple of days, isolating valves at the top. Narrowed it down to the an upper valve on zone 4, shut valve and heard rushing water – the ground shook and Kelly got aroused.... 1/2mil/gal per month estimate. Snowmass came to help and put marks, Kelly dug and hit same leak he found at BCMD. Lawson asked why this section is not sleeved? 20-30ft areas on the fault line that moves. Put in jointed pipes in this area to avoid separation. Lawson would like to get a rep up here to talk with the board.
State water guy came by to do an inspection on the system. First time in years. He suggested putting a 4" meter to adjust to the different size pipes that we have. Met with Stumps (who?) to do a sewage tap. Board member of Snowmass Water and San. Mike asked Kelly to avoid all conversations with people that pertains to board members.
Still no check valve on Pioneer Springs – would cause a drop in pressure. The meter still goes back and forwards. Kelly will investigate a meter that will measure back and forward readings.
No applications for new service. Ollifant may be building asked if they could get on our water system – Kevin told them that only if they had water rights to trade.
4. **BCMD Manager's Report.**
 - a. Elam: Kevin spoke to Elam and they are on to do the work starting early June. We are lucky that prices are locked in with the price of oil. Any extra projects will cost more at the higher rate. Dave and Kevin will mark the subdivision and run calculations and have it match the budget. If we chose to patch more then we level less. Mike would like to walk the

roads again with Dave and mark everything. Kevin will go with Dave and mark. The board will do a drive by after to discuss marked areas and road widths. Looking at second week of May. Kevin will see if Dave can bring a driver to hasten the process.

- b. Cougar Canyon: Public notice meeting tomorrow. Looking of zoning of 150 acres. Density? Isabel will read notice and follow up. Mike will call Boots.
- c. Dumpsters: KM would like to rebuild and move the dumpsters out of the shade area to avoid ice buildup. KM thinks these enhancements would help Medicine Bow. KM would like to see 3 concrete walls. Km will talk to Brad Benson to spec out changes and give bid. SMV has new dumpsters and KM will go and research and get back to us.
- d. Teague and parking: problem solved with the snowmelt and ok till next year.

5. Budget – regular review, KM noted that he will make changes to the budget and percentage spent thus far.

6. Bills/ Finance.

- a. Water bill have been going out slow and we need to bill the 4th and 1st quarter. Kevin will bill one after the other with a gap. KM needs help and will subcontract someone to help. LW would like KM to push on the people that owe us for water. MC would like to add interest to unpaid water bills. MK makes a motion to be included in the next water bill a notice to water users in the district that as of July 1st the BCMD will be charging interest of 1 percent per month for all unpaid bills. Joyce second the motion and all vote in favor.

MC would like to contact the title companies to make sure we are notified for sale of houses so that we can follow up on unpaid water bills.

Joyce reminded KM to update names on the water bill ie Marcella and Baxter. Does Baxter still owe money?

- b. Minutes: Isabel will be doing minutes.

7. Approve Minutes. Minutes approved. MC made a motion, Lawson second and all approve.

Assessor and Pioneer Springs: In order to correct we would have to collect retroactive and it is very unlikely to collect from Pioneer. The assessor's office made the change perhaps with the help of Whipple's lawyer. KM will go to Tom Issac and ask what happened. This has been 3 to 4 years. The board may ask Conner to push the issue with the county. MC would like to contact Boots about this and the board supported him.

8. Other Business. Joyce would like a copy of the letter that Boots wrote about the actions of the Board. MC will track it down.

9. Adjournment.

Brush Creek Metropolitan District

The May 2005 regular board meeting will be held at the regularly scheduled time:

Date: Tuesday, May 17, 2005

Time: 6 pm

Place: Snowmass Chapel Community Room

Attendance: Joyce Hardy, Lawson Wills, Jerry Scheinbaum, Kevin McClure,
Isabel Day.

Agenda

1. Call to Order. 6:15pm
2. Public Comment. None
3. Water Plant Manager's Report: Kelly absent. KM went to do reading on the 1st so that he has current knowledge of meters and houses (6hrs). Reading gun broken so KM went into pits. Should take 4 hrs. April losses went down from March. At 30%. Should be due to leak repair. Middle pumps are back to normal and are not running all the time. Marcus (now Hershey) is using a lot of water KM is aware and will make sure there is no leak. Meter is broken.
KM did water billing and has names correct on bills but not on water report.
Benson still not right. Turtle Cove houses mixed.
KM wants to beautify the meters and label meter post.
EQR typical family use = 30k/quarter.
Newman would like to go on the water system. Has not paid tap fee yet. \$25k
Get the road cut done for Newman before the Elam paving project.
4. BCMD Manager's Report: KM on vacation June 7th to June 15th
Elam ready to go when it dries. Should start on Upper Ranch. KM and Dave will mark in next two weeks. Aprons, costs \$600/each. KM will put notices on dumpsters or water bill to get owners to do aprons. MC would like to offer an incentive of \$100-200.00 to owners that choose to do apron.
Snow Fox, Tabula Rasa, Solar Way, Red Tail, Turtle Cove, Daniel Dr. need to do aprons.
We need to approach private road associations.
JS would like to look into recycled asphalt or chip & seal for upper ranch road.
KM will ask Dave.
In further discussion it was realized that the chip seal option was considered and rejected.
5. Budget – regular review: year to date is very close to accurate. Using our actuals from this year. Overall the budget is up. 25k for roads this year – KM would like to treat cracks before roads get done. Elam will treat some.
Road acct is currently \$812k. JS says KM be aware that Comcast and wires are very shallow – advise cable and phones.
6. Bills/ Finance: OK
7. Approve Minutes. Ok, ID will proof in meeting.

8. Other Business. Real estate in BCV is huge. Big turn 8 out of 11 houses under contract. Assessments down because activity was down last year.
9. Old Business: Cougar Canyon meeting – non-threatening. We care about roads. ID and MC will follow up with Boots.
Dumpsters: money was to come from beautification, entrances, signs, dumps.
KM has drawings.
10. New business: Big cat in the hood. Joyce is going to call Kevin White.
Sighted by Joyce on her walk and someone saw it in her yard this winter.
11. Adjournment. 7:55 and tour of dumpsters.

Brush Creek Metropolitan District

The June 2005 regular board meeting will be held on:

Date: Tuesday, June 28, 2005

Time: 6 pm

Place: Snowmass Chapel Community Room

Present: Joyce Hardy, Lawson Wills, Kelly, Kevin McClure, Isabel Day, Mike Cooper.

Agenda

1. Call to Order. 6:10pm
2. Public Comment.
3. Water Plant Manager's Report: Past half year, monitoring CCR and need to turn in. Also did monitoring report, what, when, where we do the testing, procedure etc. Thick document that we need to review, gives testing information. KM has a copy. As a connector district, much is done by Snowmass Water and San. We had a healthy report. Need to have 0% bactese and fecal samples x4.

We have a lot of broken wires; they are exposed to the sun. KM will show what he would like to do to redo all of the meter wires with 4x4 post. To read meters KM needs to climb in the pits.

We are 25% ahead on water. Not sure why. McShane had a leak in between the meter and the house. Nye said they she used a lot. These two numbers should be correct. Scanal, Grayson, Pevny, Zalooka (is high How do we want to charge these leaks?.

McShane: major leak, meter spinning. 200k. Bad line KM shut off at street. Cuppling broke in the ground. Pay normal rate on avg usage and balance at our purchase rate (\$2.20).

Nye used 111K: irrigation box leaking. She used a lot of water – we will give her bill as is and mention that we acknowledge that it is large.

Pevny: late as usual, still irrigating and need to pay up.

Scanal: should not be heavy water users. Need to find out if there isa problem. KM went in pit to see if meter was spinning.

Zalooka: must have hit the water line in construction.

Other problems: Allison may have gotten water to back fill from well.

We may want to mention that there is an appeal system but that it is for a water system failure. MC would like to see the wording as follows, "The rates are designed as a disincentive to Pevny".

LW would like to see the bills out on a timely system.

Roads: Kelly on call to be ready to fix lines if hit. None were hit by Elam. Dave knows to call Kelly or KM.

Elliot: trucks water up and we are concerned that they will tear up the road. Draeger is the owner. Truck is 45k lbs. Maybe try selling water? Ok, with contract with Snowmass Water and San. How much water does he use? Can he take smaller loads? Max road weight is 28klbs on road. 3000k gallons. Truck alone is 20k.

**** KM SEND DRAEGER A BILL FOR TRASH!!!!****

4. BCMD Manager's Report: Roads: where was Elam today? KM is going through every morning and afternoon. Contingency built into roads – itemized bill is \$762,000.00. BCMD estimated high to try to have some extra funds. KM has running list of sqft done. Upper Ranch is done. Wait for overlay. LW says we can not go over. Dave assures that our budget is fine. KM warns him that any penny over 800k will not be paid. Worse spots are: 1. the hill at Sage Brush. Steep and narrow. 2. Culvert dig out. 3. Weber irrigation has cost us 20k in work. 4. Culvert that shifts water to uphill side for water feature fo Shehan. KM want to cap the culvert and lower and clean the ditch. 5. No culvert by Snow Fox and we want to put one in. KM would like to white stripe the inside of curves to keep people off the shoulders.

Dumpsters: KM needs to finish drawings and take them into County. Needs sketch of strict construction. Board wants paint on pavement so that we can see also elevations. KM wants to go concrete all the way up. Service life is important (MC).

KM will submit plans by 7/22/05.

Km will do billing of second quarter by 7/11/05.

5. Budget – regular review
6. Bills/ Finance: Dumpsters, KM needs to call to get prices adjusted. Bill was high.
7. Approve Minutes: approved
8. Other Business: Roads, MC would like to make sure we maintain and watch the shoulders on our roads to keep them in shape once the roads are finished. LW thinks we will not need to address this until next spring. Nye would like to contribute to do guard rails on Medicine Bow Road.
9. Adjournment: 7:45pm

Brush Creek Metropolitan District

The July 2005 regular board meeting was held on:

Date: Tuesday, July 26, 2005

Time: 6 pm

Place: Snowmass Chapel Community Room

Minutes

1. Call to Order.

Called to order at 6pm.

Present: Jerry Scheinbaum, Joyce Hardy, Lawson Wills, Kevin McClure, Kelly Gesselle
Mike Cooper (~ 6:30pm)

2. Public Comment.

Non present.

3. Paving Contractor Report – David Heiberger, Elam Construction

David was not able to attend the meeting. KM reported on the paving progress and budgeting.

The project is still expected to be completed on budget. Line item expenditures are being adjusted to reflect field conditions. Expenditures above budget are Upper Ranch sub-grade repair, traffic control, crack repair, Juniper Hill pulverize. Decreases in patching, Petro-tec, leveling will compensate in the budget with no detrimental effect on the project.

JS is not satisfied with the quality of the center bond between the paving halves on Upper Ranch. These halves were laid about 2 weeks apart because of sub-grade work. JS believes this seam will fail prematurely. KM will discuss with Elam.

4. Water Plant Manager's Report.

Kelly Gesselle reported that the system is working well. No new problems. Pumps and other equipment in the upper pump house is working great since the leak was repaired. Kelly and KM will coordinate meter and meter reader repairs in Aug or Sept. Meter reader posts will be improved at that time.

Water loss shows as 13% and ~ 300,000 gallons. The percent looks good, but the gallons are high. When total usage drops in the fall, if the gallon loss stays the same, the % will be ~30%. 240,000 gallons of loss are on the upper system. Kelly and KM will discuss trying to trace the leak.

2 major leaks were found during meter reading.

5. BCMD Manager's Report

-Paving & Water already covered.

-KM contacted Ms. Elliot. They will pay \$88/qtr for trash as of 1/1/05.

-Steve Elliot is away but KM will contact on his return about water trucking. BCMD is willing to transmit water thru our system. Elliot must get BCMD allotment increased. Tech aspects will be investigated if this proceeds.

-Guard rails will be installed 7/28. Approx. 425 feet in three sections. The rail at Kappelli will be repaired.

- Nye contribution to guard rails has been worked out. No way has been discovered to allow her to contribute to a non-profit that can then be used to pay for the rails.
- Thistle spraying has been ordered from Roaring Fork Veg. Management

6. Budget – regular review

- YTD budget vs. actual reviewed - OK.

7. Bills/ Finance.

- Bills approved and signed.
- AR reviewed. KM is press for collection of late accounts.
- Deutsch is under contract. KM will make sure the title company has back dues.

8. Approve Minutes.

- June minutes need further editing.

9. Other Business.

- Director terms in office confirmed.

Mike Cooper	May '02	to	May '06
Lawson Wills	May '02	to	May '06
Joyce Hardy	May '04	to	May '08
Jerry Scheinbaum	May '04	to	May '08
Isabel Day	May '04	to	May '08

- KM asked by board to proceed with Medicine Bow dumpster replacement.
- Medicine Bow dumpster island design – hardscape options will be considered.
- KM asked follow up on Koelle ADU approves.
- MC discovered a copy of an old road agreement with Merrill. He will consult with Boots.
- Pioneer Springs back taxes are still being investigated. MC, ID, Boots & Connor have been consulting with each other and Tom Isaac. Clearly the county mistakenly did not collect taxes. Collection procedures and all ramifications are being evaluated. Connor will come the next meeting on Aug. 9, 2005 to update. The board currently feels that this is the county's mess and that it should fix it as needed and pay all expenses.

10. Adjournment.

At 8:00pm.

September 20, 2005

BCMD Board Meeting

Present: Mike Cooper, Kevin McClure, Lawson Wills, Joyce Hardy, Jerry Scheinbaum, Isabel Day, Kelly Gessele

1. Call to Order: 6:10

2. Public Comment: none

3. Water Plant Manager's Report: Just did disinfection bi-product test, how many acids and methane present. We are at the mercy of Snowmass Water and San and they do the chlorination. At the end of the system the Chlorine needs to be at 75% of the minimum amount. It would cost a lot to do more testing. We are good this year. Done in August as the warmest month of the year.

Pump went out in middle – Kelly is noticing that the motor goes out, not the whole pump. Kelly will start rebuilding motors instead of pumps. This will be a savings of \$1000/fix. Will still keep one motor and one pump on hand. 3 phase motors more reliable but we do not have 3 phase. Could do three phase converters. Now have silent pedestals and Kelly would like to look into them. Quieter, cooler, and would like to “Inject” them into next years budget. Single phase motors are working so much harder with starts and stops. They have less aluminum and less resistance to long hours and heat. Quick breakdown they are running 20/hrs a day.

No leaks this month. Last month's leak was next to Solar Way. Billed out 97%??? Not sure how. Fire hydrants need to be painted.

Upper Pump: Air gets in and it won't pump water. Called Dean for long-term solution. Air bubble stops flow. Pumps run empty. Kelly put in two air vac's and needs one at top of the system, will need to be in vault (tapped into pipe with small diaphragm which blows air and bubbles out) and would like to also put in budget. Also finding Turbulosis water flows in a circular motion through the pipe and scars the pipe. Could be corrosive soil.

Rebuilt hydrant on Sage Brush.

Road Cuts: Need to require that there are no more road cuts. How do we notice everyone before any cuts happen? Require boring. Holy Cross, Comcast, Quest. Are permits required? Put notice in water bill.

4. BCMD Manager's Report:

Glenda: Bookkeeper would like to be an employee and would like a W2. KM has contacted Mtn. Temps who is willing to do this for an additional \$8/hr. Board is not sure why she doesn't want to do the books herself.

Alex: supervisor of cleanliness. Also run through Mtn. Temps. 3 days a week Alex cleans dumpsters also sweeping streets and litter patrol. Fixed rate per month to stop 3

times a week. Mnt. Temps is paying Alex \$16.00 charging KM \$20.80. The hourly charged by Mnt. Temps is determined by job hazard and cost of Workman's Comp—Glenda would not be big expense.

Lawson would like to make a motion to approve Glenda at \$25/hr and Alex at \$16/hr. Jerry would like these two employees to be hired by BCMD not employees of Mnt. Temps.

Bills: Computer fouled run of checks. KM will run them again so as not to really mess up accounting.

Dumpsters: No insurance money yet. Brad and another contractor needs to give BCMD an estimate on wood structure which is what they would replace. Medicine Bow dumpster will go in as soon as Brad can do it. Juniper Hill will go in next year.

ROADS: will be shouldering the new roads. Speed limit signs? Road weight signs missing. Good job of road crew. Can we approach County to do striping? KM would rather do white stripe on inside of corners to avoid big road damage. MC would like Alex to be continuously inspecting the shoulders and really watching the road, sweep gravel and build shoulders back up. LW worried about significant drops when off road and accidents this winter. Last month wrote check for \$216k. We had \$815k plus close out of water transfer. Made \$35k contribution from road fund to project. KM will put together a road spending report for next meeting.

5. Budget- Regular Review:

KM salary is coded off between General and Water Fund since water is an enterprise. The breakdown should be reflected for the Board. We need to see a building of the Capital Fund especially due to the age of the water system.

12 acres across from Olifant will be looking for water – site poles are up. We need to be ready. Top of system is our weak spot and the fire department would like a tank up high to provide better pressure. Have engineers and fire department go to bat for us. Aspen Ridge and

6. Bills/Finance: Bills – unpaid bills. “Effective August 1st we will start charging interest on unpaid bills.” – see if Glenda can get collections. Wait for Glenda. Back burner.

7. Approve Minutes: none available. Isabel requests that they get emailed before meeting.

8. Other Business: Holy Cross and new building on High Line

Meeting adjourned: 7:50pm

Brush Creek Metropolitan District

The October 2005 regular board meeting will be held on:

Date: Tuesday, Oct. 18, 2005

Time: 6 pm

Place: Snowmass Chapel Community Room

Present: Lawson Wills, Joyce Hardy, Isabel Day, Kevin McClure, Mike Cooper, Glenda Knight

Agenda

1. Call to Order. 6:15pm
2. Public Comment. None
3. Water Plant Manager's Report. (Manager not available): Kelly is still looking for convert pumps to 3 phase. Plans to paint hydrants. There are a couple of spots in the system that are not loops. Gaps of 100 feet (ends) do not have hydrants. Between Mink and Kapelli and below Solar Way street. KM is talking to Oran moon from AFD about placing a Hydrant on a long run that does not have hydrant. This is long term plan for system. Kelly would like to tie systems together. KM acknowledges that this could benefit KM specifically because of a lot he is hoping to develop. KM might be willing to help fund this project if it affects his project in terms of insurance. KM and LW want to finish roads before tackling another project until we see the budget settled out.

Kelly is still doing repairs that we discussed last month. Some owners are requesting meter readings. We do not have a billing system that shows meter readings. As we change the meters and the method of reading, owners cannot read meters themselves. KM is looking for utilities computer program that is friendly with quickbooks. Glenda will research. JH would like to see a fast turnaround time for the billing process. It has taken too long in the past. Had a very strange problem AFD was testing flow on Hydrants and started to bleed tank and they got lots of air which caused water hammer psi 1-300, major stress on system on middle zone. Kelly was not with them. It blew 3 bottom meter plates off. Still trying to figure out what happened. KM had Kelly's guys open each pit to check for leaks. AFD would like to see more pressure especially up high. The best solution for the upper part of the system is to have an tank up high. This would need to be on a non-BCMD parcel. Perhaps we can make a deal with an Aspen Ridge owner for tank space if they can have water.

Water bills: St Ville 13k, billing goes out next week and will include statement about interest. KM has been calling the big users monthly on heavy use times. ID does not want to coddle these users just bill and collect interest. LW would like to contact these users and discuss usage. We could contact the big users. ID would like to know what enforcement we have over the users, can we limit the use? Can we shut off water? ID would like to consider billing each month, maybe only to heavy users. Glenda will quote what monthly billing will cost. Next month we will further discuss heavy water users.

4. BCMD Manager Report

- a. Pioneer Springs is fighting BCMD mill payment: Tom Issac sent letter out to Pioneer Springs stated that taxes had not been collected. Steve Whipple called KM and KM suggested talking to Steve Conner. Km needs to get a copy of the letter form Tom Issac sent out. Mrs. Braun called and questioned the tax bill.
- b. Roads, shouldering has begun and will be done next week because Elam cannot get traffic control together. Dave on speakerphone. Dave said he can do special jobs and we suggested doing Mitchell's driveway drop-off because of Mitchell family upcoming surgery this week. Elam has five more days and 45 tons down and more to go. Road striping – not done in time for county. KM received a call requesting center striping. LW suggests sending out letter with billing informing everyone that we intend to do striping next summer. MC talked to Temple and they do not have striping equipment and they use outside vendors. JH would like to address this in the spring and feels that people drive to fast and we need striping. Temple can do it after August 2006.
- c. Entrances: KM has contacted someone to sand blast stone for the both entrances. KM went to Elam to see stone and see if big enough. Elam has round rocks, KM wants something other than river rock. Medicine Bow will have a peninsula instead of a goat hill island.

5. Budget – regular review

6. Bills/ Finance: Glenda started last night and worked two hours. MC would like to see GK come to the meeting if possible. Glenda went to bank and found out that all of the signature cards on 6 accounts are messed up. Accounts are in Snowmass and Cara should print up cards. MC wants to know why we are banking with Alpine Snowmass. KM explained that the previous accountant was in the same building and that we would have to close all accounts and start again. LW would like to stay in Snomass and so would ID.

7. Approve Minutes.
8. Other Business: MC will contact Bobby Holmes
9. Adjourn. 8:10pm

Brush Creek Metropolitan District

The November 2005 regular board meeting was held on:

Date: Tuesday, November 15, 2005

Time: 6 pm

Place: Snowmass Chapel Community Room

Present: Joyce Hardy, Glenda Knight, Lawson Wills, Jerry Scheinbaum, Isabel Day, Kevin McClure, Mike Cooper

Minutes

1. Call to Order. 6:10pm
2. Public Comment. None.
3. Water Plant Manager's Report:
 - a. Came up with a number for the 5 horse power/ 3 phase system to improve costs and durability. 2 X 5 horse power pumps 2 X 3 phase monitors+ digging = \$22,000 for just middle pump house because it works the hardest. Current pump replacement (single phase motor) is \$3k. Going through 2 x 1.5 yrs now (run continuous in the summer, hot and more water use). Total of 2 pumps in service one on reserve. 3 phase has 3 different modes (lines) it runs off. Insulation does not break down. Should last 5 years and warranty is 3 yrs. Kelly rebuilding pumps now for \$2-300 (seals, rings). Kelly strongly suggests. LW would like to go to preventative maintenance of rebuilding every 5 mos. By May, we should have all fresh and rebuilt pumps. Pumps will have to be replaced on same schedule. Kelly would like to see a more efficient motor.
 - b. Have not seen any leaks from water hammer incident.
 - c. Used a little over 1 mil gallons in the month of October. Just got figures
4. BCMD Manager's Report:
 - a. Glenda and KM working together. 3rd quarter billing sent out. KMc is working on resolving some outstanding billing disputes and questions. Once the accounts are "clean" Glenda will begin more aggressive collections.
 - b. Accountants are working on '04 audit and '03 done this week. Will get Pitco money and bond payment paid. Time to look at budget and valuation. Financial info. for the 2005 audit should go to Don Tap no later than the end of April.
 - c. Elam we owe \$60k for a total of \$860k
5. Budget – regular review
 - a. Preliminary 2006 Budget resolutions: Valuation (2004)12mil to (2005)14 mil. Total assessed value = 164million x mil levy. KM needs to check if Pioneer Springs is in the assessor's budget. Value is going up because taxes are going up but as a percentage we are going down. Need to submit budget in Jan. Need to agree on basic budget that is avail for public comment. Operation portion of budget has increased by 10k.
 - b. How do we budget for roads? 14 yrs/1mil is \$71k yr.
 - c. Water reserves should come from water revenues. \$35k/yr.

- d. Want to budget for dumpster and entrances.
- e. Put more in for snowplowing due to gas. Bobby did not raise rates?
- f. Preliminary 2006 Budget approved.

6. Bills/ Finance: Glenda

- a. Bills reviewed, approved, checks signed.

7. Approve Minutes. October Minutes approved.

8. Other Business:

- a. JS brought up Mick Ireland's offer to set up a bond issue to pay off The Holy Cross burying of the line. JS would like to set a meeting with the commissioners. JS will make phone call. BCMD board unanimous in feeling that the Holy Cross surcharge for burying Brush Creek power lines was very unfairly applied.
- b. Tom Issac would like to get together to talk about the tax screw up. Joyce would like to see if he will talk to all of us. Should we invite Steve Conner?
- c. Home Owner's meeting? Mike Otte is in charge.
- d. Dumpster: Slab (footer) scheduled for this week. May be good idea to insulate footer from heaving.

9. Adjournment.

Brush Creek Metropolitan District

The January 2006 regular board meeting will be held on:

Date: Tuesday, December 20, 2005

Time: 6 pm

Place: Snowmass Chapel Community Building

Attending: Mike Cooper, Lawson Wills, Jerry Schienbaum, Kevin McClure, Joyc Hardy, Glenda Knight, Isabel Day, Lee Maconey (tenant Klar)

Absent: None

Agenda

1. Call to Order. 6:20pm

2. Public Comment.

3. Water Plant Manager's Report.

How do we bill unintentional leaks? Currently 30k/quar @ \$4.40

Km to give us actual cost per gallon delivered. Total annual/gallon bought.

Broken wires and covered pits from plowing. Some estimated readings this month. Nothing major. LW asks if we were going to put wires in conduit.

Some active disputes, Pevny, St Ville – leak in ground irrigation, charging interest this 30 days after this billing (finally)! 1.5% compounded monthly.

Loss is 25% which is low for this time of year. Use under 1mil. Normally greater loss for lower use.

4. BCMD Manager's Report

a. Dumpsters: Insurance gave us a check for \$11k which will cover site work and concrete. Framing will take 3 days work and materials. Will reuse mailboxes, close to 5k and reuse steel and refit. Different roof for more cover on the back. Last thing will be asphalt up to the pads and smoothing for grade for drainage. Jim Drager to put compacted gravel to get dumpster in. For Juniper dumpster we need to budget

b. Plowing & sanding:

c. Solar Way: KM spoke with Dr. Whitcomb. They have behaved as private road and now they want plowing. They payed for road, they have controlled the road, denied access to property. This year, Debbie Kelly is now sending bills and wants plowing. If we start plowing then what else are we responsible for, maint, grading etc. Only road not on the plat is Snow Fox. 2 roads 1) county specs 2) narrow like Solar Way, Turtle Cove, that we don't collect over. KM brought it up as much as anybody. A rep from Solar Way needs to come to meeting.

5. Budget – regular review
 - a. 2006 Mill Levy
 - b. 2006 Budget adoption: need to file by end of January 2006 w/state.
 - c. 2006 Budget resolutions
6. Bills/ Finance: LW concerned about our spending and wants to know where this money comes out of. Concerned about bills coming in 18 months late.
7. Approve Minutes.

8. Other Business:

1) Ditzler is writing a letter to request a reduction in tap fee on his undeveloped lot that is for sale. He is requesting this for his cooperation on the re-alignment of Medicine Bow. MC remembers paying for an appraisal for this and MAI and that the County was willing to give a contribution. We payed him 200% of appraised value for the land. MC and JH say no to discount.

2) Is BFI going over Upper Ranch Rd. We should remind them to go back to 82.

3) Klar letter about Dupster: issues as Jerry sees
Contaminating water which could be mitigated by basin.

We have 30 ft easment

LW - says letter has a lot of excuses but does not feel that the water is in danger, we have not done anything illegal, wishes that she had been notified. If landscaping would be better than maybe we could do it.

JH – we should have notified and regrets that. Drain pipe is going in.

KM – her view will be better, therefore it is an improvement because they will not be in view plane. Entrance to Upper Ranch Rd will be more defined and more attractive.

ID – concerned that she doesn't know what she wants. Is the issue control, water, view or noise? We should not spend a lot of money chasing our tails researching threats. We are elected to make decisions and you can attend all meetings and review minutes which are public. If anything maybe we should consider sending out a biannual letter for those living out of town.

MC – see copy of well permit. Currently sounds like a triplex, with a business being run out of the house. Letter has a lot of misinformation. Does not think we owe an apology. Where are the wells and how deep are they.

Lee – Why did you move it? Would you be mad if you were not notified?

Call with Joannie Klar: wells on two spots? 450 ft (current) and 150ft Problem with one so another one put in one capped. (2 wells) get us a copy of well permit so that we can give to environmental health so that we can address possible contamination.

She would like to show us where they are at turn of driveway. Other well is closer to new dumpster. She will be back in Feb. She will check with building dept. and see if she can find permits. Parking: not allowed, she helped establish rules but needs to use it sometimes, has clients, mediation seminars, offices. Pt was that we have always been able to enjoy this. How was this decision made? KM explain. Safety was reason – car visibility and ice. She saw no mention of dumpsters in last 2 yrs of minutes. Letter carrier has complained about ice, there is a sand barrel, functionally finds it difficult to empty barrels. She called carrier at PO and carrier (Vicky) said she had never spoken to anybody about not being able to deliver and do not believe that the new location will be far less safe. Joannie has been a planner half of her life and is a contractor and she is very disappointed that she was not notified. 2) closer to their steep driveway 3) wants meeting to discuss w/all the experts 4) there will be hazard waste there day in day out. 5) why was I not contacted? 6) Our insurance says since she called – said they will not cover water shed and contamination of wells.

Plan: get water permits and go to Environmental Health. KM already has. Differential analysis. Get it done so that when she comes back it looks good. No stop.

KM to do:

- 1) Figure cost per gallon
- 2) Look up and confirm interest
- 3) Election notification – notify Conner?
- 4) Find minutes and record of Ditzler and cancelled check of appraisal and check.

The proposed budget is available for review by contacting the manager Kevin McClure @ 923-9209.