

**Brush Creek Metropolitan District**  
Thursday, May 18, 2023, 2023 at 5:30 p.m.  
Snowmass Chapel Library  
5307 Owl Creek Rd, Snowmass Village, CO 81615

- Jerry Scheinbaum, President
- Joyce Hardy
- Dean Hill
- Jerome Meister
- *Jim Laing - Absent*
- Rick Stevens, Manager
- Cindy Herndon – Bookkeeper
- Rebecca Driscoll, Recorder

1. **Call to Order:** The meeting was called to order at 5:50 p.m. by Jerry Scheinbaum (delayed due to construction traffic).
2. **Approve Minutes:** The minutes of the April 20, 2023 minutes were approved as presented and reviewed by Joyce Hardy. All were in agreement.
3. **Manager's Report:** Rick Stevens
  - a. **Water Report:** Rick presented the report by Water Engineer Maggie McHugh reviewing April's water usage. Usage of 500,221 gallons is less than 2022's April usage of 837,990 gallons, and significantly reduced from 2020 which had April usage of nearly 2 million gallons. They discussed the 24% water loss, which they are investigating. Because the entire network is now complete with Badger meters, it is possible to have confidence where the leaks are not occurring, and there is no evidence any of any substantial leaks. Rick hypothesized the loss might be erroneous readings due to PRV settings and backflow through the looped circuit.
  - b. **Future Work:** Rick discussed a budget for Roaring Fork Engineering suggested improvements, including bulk meter PRV balancing (\$3,200), replacing an abandoned line with a Sensaphone (\$725), updating operating manual/rules and regulations (\$2975), flagging ongoing leaks on a base map (\$650) and creating specifications for waterline and appurtenances (\$1575). The Board agreed to the schedule and costs suggested.
  - c. **New Owner Transfer Fee:** Jerry discussed implementing an additional water fee to be charged upon point of sale to cover inspection of the infrastructure to get it into compliance for the new owners, citing County precedence. Rick agreed that would offer the opportunity to review the ECU on the units, following remodels. The board agreed to clarify terminology and get suggestion on the amount, to be discussed, and to add it to the Rules and Regulations that Maggie will be re-writing.
  - d. **Job Descriptions:** Rick discussed the formal job descriptions for the districts' employees, including Manager Rick Stevens, Engineer Maggie McHugh, Bookkeeper Cindy Herndon,

Water Operator Adrian Levi Aguilar. Currently there is a lot of cross-over work which needs to be clarified.

- e. **Fire Mitigation:** Aspen Tree Service mitigated the Juniper Hill side of the district last year, and will work on Medicine Bow this year. He noted Solar Way residents have been setting a good example by mitigating their individual properties and sharing a grinder/chipper, and hoped other landowners would be inspired to improve their properties. He reminded the Board that BCMD can only mitigate road right of ways, and cannot remove dead wood in privately owned areas thought to be a hazard. Joyce had concerns about grass in some ditches, but Rick said some foliage in the ditches helped reduces the velocity of the run-off, so was desirable.
  - f. **Street Sign Replacement:** New signage will soon replace faded/damaged signage.
  - g. **Road Cuts:** The board reviewed 4 road cuts happening in May and June.
  - h. **Traffic Counts:** The Board discussed the County's plan to resurface lower Juniper Hill Road near the Highway 82 intersection, but noted periodic traffic counts should continue, as the County has not yet agreed to fully take over maintenance of Juniper Hill Road.
  - i. **Short Term Rentals:** The board discussed some properties being used for short term rentals which is driving up water usage. They wondered if it were possible to add a surcharge to such properties, or add another higher usage tear in anticipation that it could become an issue. Jerome Meister thought the County was limiting short term rentals outside of the core to 1 month.
  - j. **Tabula Rasa:** Two new construction projects on Tabula Rasa with different owners, but the same civil engineer, will be requesting will-serve letters. Rick recommended charging a fee to create those, as it requires extensive time to review the engineering, but would need a policy to allow those charges to passed on. There is a question on whether the two lots had paid a tap fee. If they have not been paid, then the new ECU policy would apply. The Board was concerned that they should perhaps replace the water line beneath the road, before the landowners on Tabula Rasa pave the road. Rick said he would reconfirm, but believes currently the road has a 60-foot County right of way, though it exceeds the County standard for grade. Rick said it is plowed by the district, and suggests deeding it to the owners, so they would be responsible for future maintenance.
  - k. **Flooding:** Dean Hill asked if the metro district might conduct a drainage study to solve issues of flooding on his property on Turtle Cove from a culvert and pond overflow from a neighboring property. Jerry agreed it should be addressed.
4. Bookkeeper Report: Cindy Herndon
- a. **Financials:** Cindy presented current financials with account balances through April. Tax checks arriving in the General Fund are arriving.

- b. **Accounts Receivable:** Cindy suggested the Board enact a penalty charge of \$100 on severely overdue accounts, and perhaps interest. The Board agreed to further incentivize delinquent account holders to bring their accounts current, but would like to further determine the amount and timing, though it was generally agreed that it would occur sometime after the second notice. Some accounts, which are only for trash or service fee, don't have water to turn off. There are currently 6 landowners who are over 120 days in arrears. Although paying the bills easier than ever with the new digital interface, a dozen or so people still rely on paper bills and paper checks.
  - c. **Savings Accounts:** Jerry Scheinbaum suggested moving some money into short term high interest money market accounts or CDs to take advantage of high interest rates of about 5%. All were in agreement.
  - d. **Accounts Payable.** All payments to Neptune are ready to be cancelled, as well as 2 Comcast bills that were related to defunct data collectors. Rick will double check with IT provider Scott Wright to be sure. Some old phone lines are also ready to be cancelled. **Motion:** Jerry Scheinbaum motioned to approve the bills as presented, with a second from Joyce hardy, and all agreed.
5. **Date of Next Meeting:** The next meeting was scheduled for Thursday, June 15<sup>th</sup>. Due to scheduling conflicts, the date of the July meeting was tentatively moved by 2 days to Tuesday, July 18<sup>th</sup>. The summer meetings will occur in person at the Snowmass Chapel, which has the technology to Zoom.