

Brush Creek Metropolitan District
Thursday, February 15, 2024 at 5:30 p.m.
Aspen Ski Co. Conference Room
Aspen, CO 81611

- Jerry Scheinbaum, President
- Joyce Hardy
- Dean Hill
- Jerome Meister
- Rick Stevens - District Manager
- Cindy Herndon - Bookkeeper
- Maggie McHugh - Water Engineer, via Zoom
- Stephan Darmau de Bernede – Homeowner
- Deborah Kelly - Homeowner

1. **Call to Order:** The meeting was called to order at 5:31 p.m. by Jerry Scheinbaum.

2. **Approve Minutes:** The minutes of the December 21, 2023 and January 18, 2024 meetings were approved as presented and reviewed by Joyce Hardy. All were in agreement.

3. **President’s Comments:** Jerry Scheinbaum stated that he had nothing to report this month.

4. **Water Report:** Water Engineer Maggie McHugh discussed the total water usage for 2023 and January 2024 and noted again this month that 2023 was the lowest usage recorded. Maggie drew attention to the decrease water usage in January from previous years to under 600,000 gallons for the month. She mentioned that the absolute water loss went down by about 12,000 gallons and that the percentage of 8.8% is well below the industry acceptable standard. Maggie updated the board that she, Rick, Cindy and Adrian had met the previous week to start working on the water rate impact analysis and updating the rules and regulations document. She said that any updates from those two projects will be presented at the meeting next month.

5. **Manager’s Report:** Rick Stevens confirmed that time was being spent on updating the BCMD rules and regulations document so that it can be uploaded to the district’s website. Relating to the water rates analysis, Rick mentioned that he wanted to focus on water usage income compared to expenses and how the lower usage trends may impact the need for rate adjustments. In addition, the analysis will include looking at the capital improvement plan with the hopes of being able to keep maintenance project expenses on par with 2023 and to hopefully be able to increase capital and operating reserves at the end of 2024. There was discussion on trying to determine the number of homes that are second homes and how that is impacting current and future water use and the need to increase the service fee that is paid by all users regardless of usage amounts. Rick talked about the 5 construction projects currently underway. He said that the district had signed off on the Pember project. He mentioned the project at the top of Medicine Bow and that they would continue using their well and that his only concern was on how the project would impact roads and that he would be monitoring that.

6. **Bookkeeper's Report:** Cindy Herndon presented her monthly report.
- a. **Current Interest Rates:** Jerry Scheinbaum had a question about the current rates being paid on the BCMD accounts and whether funds should be moved into CDs. Cindy gave an update on what is currently being paid on the money market accounts and said she would get current CD rate information should the board decided to move funds at some point in the near future.
 - b. **Water Usage:** Cindy briefly reviewed usage numbers for the month of January and confirmed that the differential with Snowmass Water had decreased. She also covered the January High-to-Low report and noted that the two highest users had water leaks that caused their usage to be higher.
 - c. **Receivables:** Cindy reported that she had just sent out reminder notices and that several owners have now paid through the customer web portal and said that a check had been sent. She reported that Rick Stevens had submitted information for Safety Grant reimbursements on two projects completed in 2023 and that they had been approved. Cindy noted that there would be a \$25,000 tap fee coming in from Johnson at 1010 Juniper Hill.
 - d. **Payables:** The payables for both the general account and the water account were reviewed. Cindy presented an additional invoice from All Valley Maintenance that needed to have some reimbursable receipts updated. She asked the board to approve paying for the time on that invoice which would be included in the Water account payables.
Motion: Joyce Hardy motioned, with a second from Jerry Scheinbaum, to pay bills as presented. All were in agreement.
 - e. **Other:** Jerry Scheinbaum asked Maggie McHugh at Roaring Fork Engineering if she had any experience with metro districts or other clients charging a transfer fee (percentage of the sales price) when property is sold/ownership is transferred in an effort to raise capital for future repair or replacement projects. Maggie spoke about how rates charged by metro districts need to be defensible and associated with some set activity or reason for charging the fee. Maggie said she would look into it and mentioned that CDOLA had restrictions in place for water charges that would need to be adhered to. There was also discussion about current reserves for road upgrades, the possibility of Pitkin County taking over road maintenance and that the current inter-governmental agreement (IGA) with the county would be expiring this year. Joyce Hardy and other board members present suggested Rick move ahead with getting a new IGA established with the county.
7. **Other Business:** Stephan Darmau de Bernede was present at the meeting to ask about Solar Way and whether it should be maintained by the metro district. Jerry Scheinbaum explained that Solar Way is a private road and if the owners wanted to make it a public road, they should start with hiring a land-use attorney and then petition Pitkin County with their request.
8. **Date of Next Meeting:** The date of the next meeting was set for Thursday, March 21, 2024.
9. **Adjournment:** The meeting was adjourned by Jerry Scheinbaum at 6:20 p.m.