

**Brush Creek Metropolitan District:**  
**Thursday, April 20, 2023 at 5:30 p.m.**  
**Aspen Mountain Conference Room**  
601 East Dean Street  
Aspen, CO 81611

- Jerry Scheinbaum, President
- Joyce Hardy
- Dean Hill – New Board Member, replacing Lawson Wills
- Jerome Meister
- *Jim Laing - Absent*
- Rick Stevens, Manager, Via Zoom
- Cindy Herndon – Bookkeeper, via Zoom
- Rebecca Driscoll, Recorder
- Carol Gonsky, Homeowner, via Zoom

1. **Call to Order:** The meeting was called to order at 5:34 p.m. by Jerry Scheinbaum.

2. **Approve Minutes:** The minutes of the March 16, 2023 minutes were approved as presented and reviewed by Joyce Hardy. All were in agreement.

3. **Bookkeepers Report:**

- a. **Water:** Cindy Herndon reported on 1<sup>st</sup> quarter water readings. She said she had not received any comments about the price rate increase for trash and reported few outstanding receivables. Rick Stevens noted a leak at a PRV on Brush Creek Road that had been repaired. There are 3 meters left to install. The Board discussed an event where the BCMD water operator had to shut off water service at the meter pit to accommodate a homeowner, who did not have a water shut off at their curb valve or house. The Board all agreed to bill the homeowner for BCMD staff time.
- b. **Payables:** Trash fees were raised by \$10/month to account for higher trash bills. Snowplowing was the largest payable, at \$17K, due to continued snow.  
**Motion:** Jerry Scheinbaum made a motion, with a second from Jerome Meister, to pay all the bills presented.

4. **Manager's Report: Rick Stevens**

- a. **Zoom:** Board meetings will return to all in-person meetings, BCMD will notice the public formally and update the web site.
- b. **Cougar Canyon:** The road has been installed to the Cougar Canyon building envelope, with culverts. The County has issued an access permit which includes the driveway and waterline from the well.
- c. **Updated Address Markers:** Cindy Herndon sent out a notice about County readdressing with the water billing. All questions/comments were directed directly with the County. Rick Stevens said they might be able to utilize the old Neptune system posts, but Jerry Scheinbaum asked for a bid for uniform, attractive posts, like 4" cedar, for all the signs, and think homeowners should be billed for the cost of the County-mandated signage (estimated at \$200 per sign/post/install).

- d. **Maintenance:** Rick Stevens discussed some ditch maintenance and signage repair (including a new stop sign on Daniel Drive, which the County supplied). Most of the maintenance can be done by BCMD staff water operator, Adrian, who has a small excavator.
- e. **Roaring Fork Engineering Contract:** A proposal for Roaring Fork Engineering to monitor the bulk meters, summarize reports, and assist the water manager for about 4-10 hours a month, for which they would charge time and materials was discussed. The cost is \$525 for a monthly service plan, which includes Maggie McHugh's monthly report.  
**Motion:** Jerry Scheinbaum made a motion to approve a \$525/month basic service plan plus time and materials. Joyce Hardy seconded and all were in agreement.
- f. **Telemetry Repair:** There is a fault in the buried telemetry lines to the pump station, that resulted in no alarm going off when the PRV leaked. The damaged communications line is from Century Link. It is an obsolete system, that should be replaced at a cost of about \$3,500 (as detailed in the report by Roaring Fork Engineer Maggie McHugh). The new proposed Sensaphone system would utilize cellular communications instead of buried hard lines.
- g. **Property Line Dispute:** Rick Stevens was approached about resolving a property line dispute relating to a shed location, which two different surveys put on different landowner's properties. He declined to get involved since it is a landowners' issue.
- h. **Drainage:** The Board discussed some drainage issues at Snow Fox Lane, and County access permits at the Medicine Bow/Snow Fox intersection.
- i. **Manager Contract:** Jerry Scheinbaum asked to delay discussions on the Manager contract until Jim Laing was presented.
- j. **Utility Lines:** Dean Hill, representing his own property and that of his neighbors, discussed a plan to bury some utility service lines. The proposed plan would cross one driveway, and Holy Cross would be contributing funds. Dean Hill wondered if the install could be timed with a water line pull, which he requires to service his property to reduce construction time. Rick Stevens said that Holy Cross does require the BCMD to grant an underground easement as it does cross Juniper Hill Road and thinks a Pitkin County right of way permit is also required, as Turtle Cove is a county right-of-way, and is scheduled for spring/early summer. The homeowner will be charged with doing the excavating and repairing any damage. The Board reminded Dean Hill *as a new Metro board member* that he must abstain from any Board votes related to the project, if he is to represent homeowners.
- k. **TDRs and Taps:** Rick Stevens reviewed a growth advisory meeting to discuss TDRs, which will focused on redevelopment of older subdivisions. He said the County is discussing the possibility of TDR credits for any home below 5750 sq feet, that can be utilized elsewhere, that could potentially reward landowners for keeping smaller homes. Rick Stevens did notice that 3 rebuilds have delayed or cancelled their plans, perhaps due to construction costs of \$2K per square foot, and thinks there is a downturn in the redevelopment market.
- l. **Other Updates:** A backflow issue at a residence on Sagebrush was addressed. A new fire hydrant and air relief valve was in the works at Tabula Rasa. Jerome Meister asked about a telephone junction box in disarray on Snow Fox hillside. Rick said he did call in for a repair, but reports the 12 pair box is probably related to the failed telemetry, as there have been no reports of service issues with landowners, and will probably be abandoned.

**5. President's Report: Jerry Scheinbaum**

- a. **Roads:** Jerry sought Board approval to have Tom Newland propose to the County to turn all BCMD subdivision roads into Pitkin County roads and assume responsibility for all repairs and maintenance. He said considering the number of non-BCMD residents using the roads to access their properties, the increasing size of new construction and remodels, and the number of potential lots, he feels that the roads meet the criteria to become Pitkin County Roads. He pointed to precedence of roads in other subdivisions, like Mountain Valley, which are maintained by the County.

**Motion:** Jerome Meister motioned to approve hiring Tom Newland to petition the County to take over BCMD roads, and Dean Hill seconded. All were in agreement.

- b. **Tabula Rasa:** Jerry Scheinbaum discussed plans by the residents of Tabula Rasa to pave their road. Rick Stevens said the district does plow it, as it is a right-of-way, but has been unwilling to pave it, since it was historically considered a driveway before additional homes were built to share access, and it has some engineering challenges. The board discussed infrastructure, easements, and whether the waterline should be replaced/updated before it went under asphalt.

**Motion:** Jerry Scheinbaum motioned to authorize Rick Stevens and engineer Richard Goulding to spend a few hours addressing any potential BCMD issues, and then write a letter to the applicant with BCMD concerns, before signing off on the project. All were in agreement.

6. **ECU:** Jerry Scheinbaum discussed a new tap at the top of Tabula Rasa. Rick Stevens felt the district should charge more for the tap fee now that the new ECU formula was approved to begin on January 1<sup>st</sup>, 2023. The Board discussed running a new line down the hill, which should have a District engineer sign-off on before issuing a will-serve letter.
7. **Date of Next Meeting:** The next meeting was set for Thursday, May 18<sup>th</sup>, at the Snowmass Chapel at 5:30 p.m.
8. **Adjournment:** The meeting was adjourned at 7:30 by Jerry Scheinbaum, seconded by Jerome Meister.