

Brush Creek Metropolitan District:
Thursday, January 16, 2020 at 5:30 p.m.
Aspen Mountain Conference Room
Aspen Gondola Plaza, Aspen, CO 8161

- Jerry Scheinbaum
- Lawson Wills
- Joyce Hardy
- Jim Laing
- Glenda Knight, Bookkeeper
- Rebecca Driscoll, Recorder
- Rick Stevens, Manager
- Guest: Trish Adam
- Guest: Dave Pesnichak
- Absent: Riley Gessele

1. **Call to Order:** The meeting was called to order at 5:30 p.m. by Jerry Scheinbaum.
2. **Approve Minutes:** Minutes from December 2019 meeting were approved by all.
3. **Public Comment:**
 - a. David Pesnichak, the Pitkin County Regional Transport Administrator brought a 2021 schedule of improvements for the Brush Creek Park and Ride (AKA the Intercept Lot). Historically, in 2017 Pitkin County and the USFS received a matching \$2 million grant from a federal highway fund (total of \$4 million) towards the installation of bathrooms with flush toilets and potable water, a well, and septic system. The toilets are scheduled to be installed in the Spring of 2021 directly adjacent to the bus station and would be locked at night to dissuade campers. The project is accepting feedback at the April 30th EOTC meeting concerning lighting, an EV charging station, better bus parking and turnaround area, and a more permanent parking kiosk. The Board offered comments to decrease nighttime lighting that dims or turns off in the night, with perhaps a motion sensor as needed. The Board was concerned about bandit camping and security. Pesnichak said additional suggestions as to food trucks, farmer's markets, an info booth, event space, long term parking prospects, etc, are TBD if considered at all.
 - b. Trish Adam discussed Solar Way package drop and Solar Way signage. She informed the Board all the residents were ready to proceed with paving Solar Way this Spring, as soon as ground water permits. Jerry reminded her that if the County were ever to take over the driveway, it needed to be constructed to County standards. Trish informed the Board there would be a Landowners' meeting on Thursday, January 30th at 5:30 p.m. at the Snowmass Chapel.
4. **President's Comments:**
 - a. Bookkeeper vacancy: The Board discussed recommendations to replace retiring bookkeeper Glenda Knight, and agreed to invite a prospective candidate, an assistant clerk of courts in El Jebel, to the next meeting.

- b. Cozy Point Update: Jerry reviewed a meeting with Ben Carlson, who suggested there might be as many as 11 condos for park employees built at Cozy Point, in the area where 4 cabins currently exist.
 - c. Board Member Vacancy: The Board is seeking a new member.
5. **Water System Report:** Riley was absent.
6. **BCMD Manager Report** – Rick Stevens
- a. **PRV warranty repair:** Rick informed the Board he was working with Heyl on a minor PRV follow up issue covered by their warranty.
 - b. **Fire Turnout:** The Spears’ emergency vehicle access retaining wall needed to be 5 feet, but as anything over 4 feet would require a permit; they are going to build a step wall instead.
 - c. **Hansen Lot:** Rick reviewed the status of the Hansen lot, which is likely to be turned into Open Space, giving Hansen a conversation easement. He had a possible buyer from Telluride who considered purchasing, but backed out. The Board denied his request for water tap fee refund.
7. **Finances:**
- a. Glenda presented 2 resolutions which were approved and signed by the Board:
 - I. **Resolution No 1, 2020:** Designate Locations of Public Notices.
 - II. **Resolution No 2, Series of 2020:** Appointing a designated election official and authorizing designated election official to cancel elections.
 - b. Motion to approve December 2019 bills as presented, 2nd, motion passed.
 - c. Glenda informed the Board that the annual interest from the Community Bank CD was \$3,340.
 - d. Glenda noted that election years were being changed to odd years instead of even years. Those elected in May of 2020 and 2022 will get a three year term, with subsequent elections in 2023 and 2025 for four year terms.
8. **Date of Next Meeting:** The date of the next meeting was set for Thursday, Feb 20th at the Aspen Mountain Gondola building.
9. **Adjournment:** The meeting was adjourned at 6:53 p.m.

Brush Creek Metropolitan District:
Thursday, February 20, 2020 at 5:30 p.m.
Aspen Mountain Conference Room
Aspen Gondola Plaza, Aspen, CO 8161

- Jerry Scheinbaum
- Lawson Wills
- Joyce Hardy
- Jim Laing
- Glenda Knight, Bookkeeper
- Rebecca Driscoll, Recorder
- Rick Stevens, Manager
- Riley Gessele, water manager
- Guests: None

1. **Call to Order**: The meeting was called to order at 5:30 p.m. by Jerry Scheinbaum.
2. **Approve Minutes**: Minutes from January 16, 2020 meeting were approved by all with a motion by Lim Laing and a second by Jerry.
3. **Water Manager Report**: Riley Gessele
 - Water Leakage: Riley updated progress on finding a suspected leak losing about 25 a gallons a minute, with total losses estimated to be 4 million gallons over the past quarter. He has dispatched leak detectors with listening devices who have not yet discovered any leaks. He deduced the issue is not in Pioneer Springs, because Glenda confirmed the electrical usage on those pumps has not increased. He surmised it might be losing directly out a tank, possibly the middle one. The board discussed whether calibration errors could cause false loss readings, and encouraged Riley to get a diver ASAP into the tanks and authorized him to spend up to \$5,000 without additional Board approval.
 - PRV repair: The new valve of the PRV vault located below Pioneer Springs was discovered stuck open which lost about 80,000 gallons. It was repaired. Another leak was being investigated in the PRV below Sagebrush Lane.
 - Line leak: A 3/8 line on Sagebrush was discovered leaking and was repaired, but that was not responsible for the major leak.
 - 1258 Juniper Meter: As the house recently sold, the Board advised Riley and Rick to arrange to have the meter currently in the crawl space moved to a proper meter pit with a turn off valve on the property line to bring the residence into compliance. A few other residences with crawl space meters also need to be updated.
 - Upper Ranch Road meter: a resident on Upper Ranch road was without water for a couple of weeks after his private plow hit the meter pit, and his pipes froze. It was determined to be a homeowner expense.
4. **Manager's Comments**: Rick Stevens

- Rick reviewed a new tap request from someone who wants to join the metro district. The property currently has a well. Lawson recalled that they would have to change the borders of the subdivision legally to allow anyone else access to the system, and recommended the homeowner, or his attorney representative, attend a Board meeting.
- Metro specifications: Rick recommended a set of universal specifications for piping, water, pavement, etcetera to assist owners undergoing architectural review, ownership changes, and upgrades.
- Glenda's replacement: The board discussed the pros and cons of hiring a person versus an organization to run elections, monitor computer water reading, conduct homeowner billing, etcetera and suggested getting a proposal from Weaver or Romero Group. The job was expected to require between 5 and 60 hours per month.
- File Cleanup: Rick recommended discarding very old files from File Finders storage to reduce storage costs and cleanup the filing system.

5. **Finances:** Glenda Knight

- Jerry and Joyce signed self-nomination and acceptance forms to remain on the Board.
- Jerome Meister was nominated to fill the remaining Board vacancy.

6. **Date of Next Meeting:** The date of the next meeting was set for Thursday, March 19 at the Aspen Mountain Gondola Meeting.

7. **Adjournment:** The meeting was adjourned at 6:52 p.m.

Brush Creek Metropolitan District:
Thursday, April 16, 2020 at 5:30 p.m.
Zoom Meeting
Aspen, CO 81611

Present:

- **Jerry Scheinbaum, President**
- **Joyce Hardy**
- **Jim Laing**
- **Lawson Wills**
- **Jerome Meister**
- **Rick Stevens, Manager**
- **Rebecca Driscoll, Recorder**
- **Trish Adams, Brush Creek Homeowners Association**
- **Tammy Thurber**
- **Glenda Knight**

1. **Call to Order:** The meeting was called to order at 5:32 p.m. by Jerry Scheinbaum.
2. **Approve Minutes:** Minutes from Feb 2020 meeting were approved with some clarifications to the section about the location of the main PRV below Pioneer Springs, which was recalibrated to adjust opening and closing. (Not the PRV on Sagebrush lane where another leak was being investigated). Minutes were passed with a motion by Jerry Scheinbaum, with a second by Lawson Wills, all approved.
3. **New BCMD members:** Tammy Thurber was introduced as the new bookkeeper, as Glenda is retiring. She reviewed her background and qualifications as an individual and HOA bookkeeper. Jerome Meister was introduced as the new Board Member, he is replacing board member Isabel Day's term. He will be sworn in in May along with the two re-elected Board Members.
4. **Presidents Report:** Jerry Scheinbaum had no comment, except to stay safe in the times of Covid-19.
5. **Manager's Report: Rick Stevens**
 - Sagebrush PRV leak: the vault was excavated and repaired after the bypass was turned off.
 - Pioneer Springs backflow preventer: Riley and Rick discussed needing a whole new vault because of the size of line (4" or 6"), requiring new excavation and manhole downstream of the existing, which was estimated to cost about \$8,000.
 - Bypass Leak: Losses of 40,000 to 70,000 gallons a day were being investigated, which started about the time the stay at home order began. Rick says it could be a bunch of small leaks. While a 7% loss is the state limit goal, BCMD has experienced 20% loss due to compromised ability to isolate zones.

- **Maintenance List:** Rick reviewed current recommendations to update the system, including fixing 12 broken valves, replacing 9 manual read meters, and testing 26 hydrant valves. He noted that Covid-19 restrictions on repairs and upgrades do not apply for essential services like water system maintenance. Rick estimated \$10,500, 7 days, 2 man crew to address the punch list. John McDermott will inspect the fire hydrants for \$45 each. Divers have been scheduled to inspect tanks.

Motion: Jerry Scheinbaum made a motion, seconded by Lawson Wills, to spend \$10,500 on the proposed punch list, and all were in favor.

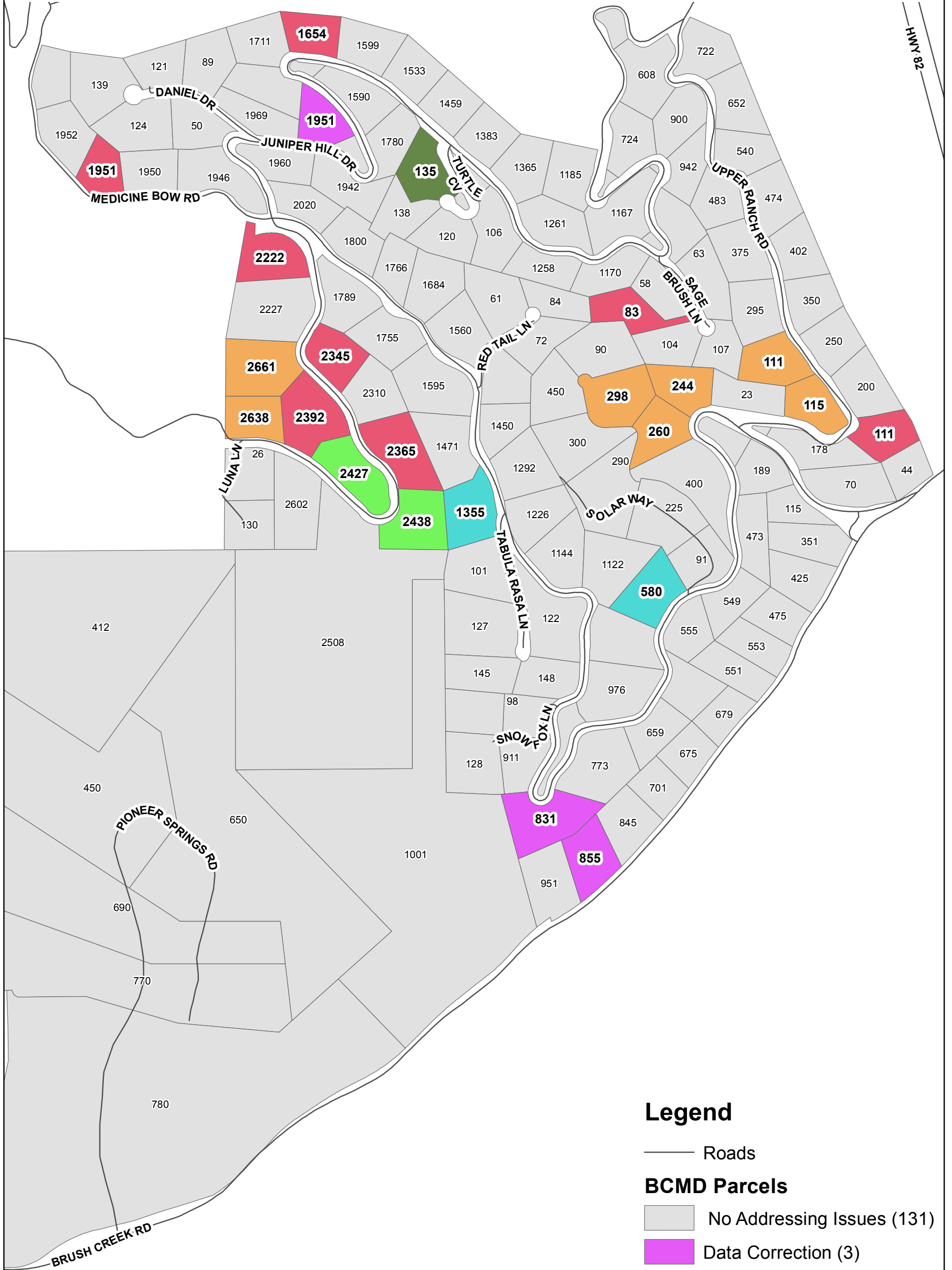
Motion: Jerry Scheinbaum moved to approve an additional \$1,500 for John McDermott to pressure test the 26 fire hydrants Lawson seconded, all agreed.

- **Sagebrush Air release Valve:** The search continues for an air release valve on Tabula Rasa.
- **Open Space Lot:** The Hansen's deeded a lot to Pitkin County, which may be released to BCMD as common space. Lawson Wills suggested waiving the quarterly tap fee of \$100 if it were to become open space, and Jerry Scheinbaum seconded that motion. Rick will ascertain if the lot is still listed as a single family lot, which could be sold or used by the County in the future, or if its designation changed to open space. It was noted a "for sale" sign still exists at the site.
- **Entrance Landscaping:** Hobor Landscaping was paid \$3800 to care for 2 triangles at the entrance. The Board approved \$5,000 for entrance improvements, and for Hobor continuing maintenance (their work is under warranty for another year), with a motion from Lawson and a second from Joyce and all in favor.
- **Guardrails:** Rick said Pitkin County's guardrail project has been delayed.
- **House Numbers:** Rick is still contacting 26 homeowners whose house numbers are non-compliant, and 10 people who need a whole new and different address. New fire department approved signage is available at \$35 each plus installation.
- **Cozy point cost sharing:** Rick said he has not heard any updates, and thinks the subject is on a Covid hold. The shared portion of the road needs repair as soon as the cost sharing agreement is approved.
- **Capital Improvement Plan:** Rick presented a detailed capital improvement map showing adequate fire hydrant coverage, with a blank spot in Pioneer Springs. Lawson asked if the service agreement stipulates fire protection, and noted they also don't pay trash. The current maps are now part of the Pitkin County and the GIS records.
- **Meters:** Rick noted that of the working meters, half of the meters communicate by cell, half on cable, but it is a highest priority is to have them all communicating. He also emphasized installing bulk meters between pressure zones, with a link to centralized SCADA system. Glenda said the life of meters is 10 years, and most are currently at 11 years old, having been replaced in 2009. She said the District used 23 million gallons last year, while 12-13 million gallons was the norm, and thought leaks were to blame. The allotment from Snowmass water is not to exceed 24 million a year.
- **Financing:** Rick suggested 3 solutions to fund infrastructure improvements: assessment, bond, or finance. Rick said pipes should have a life of 30 years, though Lawson was unwilling to replace pipes until failures were noted. Jim

Laing asked Rick for perspective of similar rural systems, and asked if the infrastructure upgrades listed by priority and cost.

- Bulk Meters: Rick suggested installing an additional 3 bulk meters by the PRV vaults, and one in upper zone 4 to help isolate leaks. Lawson said they should be in next year's budget. Jerry suggested adding 1-2 bulk meters in the current year. The Board discussed raising water rates, which Lawson disagreed with. Rick said only high users would see any rate increase, and the BCMD is running a deficit with rates as they are.
6. **Finance**: Due to Covid-19 concerns, bills were presented to authorized signers on the Board in person at an alternative time. Glenda advised that new board member Jerome Meister would take oath at the next meeting.
 7. **Date of Next Meeting**: The date of the next meeting was set for Thursday, May 21, 2020, at 5:30 via Zoom.
 8. **Adjournment**: The meeting was adjourned at 8:15 p.m. by Jerry Scheinbaum

Brush Creek Metro District Known Addressing Issues



Legend

— Roads

BCMD Parcels

- No Addressing Issues (131)
- Data Correction (3)
- NonConforming (7)
- Parity (8)
- Parity/Sequencing (1)
- Sequencing (2)
- Undeveloped (2)

Brush Creek Metropolitan District:
Thursday, May 21, 2020 at 5:30 p.m.
Zoom Meeting

- Jerry Scheinbaum, President
- Lawson wills
- Jim Laing
- Joyce Hardy
- Jerome Meister
- Rick Stevens, BCMD Manager
- Riley Gessele, Water Manager
- Tammy Thurber, Bookkeeper
- Glenda Knight, Bookkeeper
- Rebecca Driscoll, Minutes
- Scott Wright, Computer Tech (Work Session Guest)
- Sean Walmsey, Richard Goulding of Roaring Fork Engineering (Work Session Guests)
- Roy Saba – water operator consultant (Work Session Guest)
- Tom Newland
- Mike Kramer, Cozy Point representative

WORK SESSION at 4:45: The work session was called to order at 4:54 by Rick Stevens to discuss the recent leak, the failing server, and the best metering solutions going forward.

- Leak Report: Sean Walmsey of Roaring Fork Engineering reported Richard Goulding was up numerous times assessing the situation. The current problem was caused by ground movement which pulled the pipe apart. He recommended using a pipe with a flexible joints known as earthquake pipe on the fault lines, though it would have to be ordered as it is not in stock. Lawson recalled the BCMD spent \$275,000 on earthquake pipe on another section. Jerome suggested better monitoring of ground movement. Riley Gessele noted the pipe had a 22-45 degree bend, and was located 600 feet down the hill on the same fault line that caused other issues. He reported American leak detection spent five hours and found a big leak and several more on Juniper Hill. Roaring Fork Engineering stopped work on the CIP to focus on bulk meters which could help locate the vicinity of leaks. Snowmass Water and Sanitation installed a bypass which dropped usage by 50,000 gallons.
- Telemetry and computer technology: Scott Wright discussed issues with the current telemetry, and informed the Board that the FTP Server was well past end of life at 12 years old, and proposed replacing it. Rick concurred that the server goes down too much, and urged the Board to consider a new server, as Scott has to rebuild the database on Glenda's computer every time it goes down. Scott said he could upgrade the server in about 2 weeks. He also gave a quote for a laptop for new bookkeeper Tammy to receive telemetry. Scott noted that it would cost a minimum of \$17,000 to upgrade the Neptune Server software, but that would also mandate new data collectors. Roy Saba, a water operator consultant, discussed the old and antiquated

Neptune system, and presented a new system called Badger he recommended which was cloud based, and thus impervious to obsolescence, and could be accessed by multiple people at any time. It would cost about \$50,000 plus to swap systems, and about \$47,000 for Neptune to do the same job if upgraded. Riley said he preferred the Badger system because it doesn't use data collectors. Roy Saba noted the Badger system can be configured to set alerts and notifications. He recounted a system he oversees in White Horse Springs with 42 smart meters installed by Riley, that have a 10 year battery, so don't need power. Riley suggested installing 9 Badger bulk meters, which he could physically read until the rest of the system could get upgraded to interface with it. The board discussed what would be required to upgrade the system to Badger, including replacing every house meter (about 120), the bulk meters, and the system software.

- I. **Call to order:** The Meeting was called to order at 5:33 p.m. by Jerry Scheinbaum.
- II. **Approve Minutes:** The minutes of the April, 2020 meeting were approved by all.
- III. **Cozy Point:** Guest Mike Kramer (Eden Vardy was unavailable as he was at an open space and trails board meeting.)
 - A local land use consultant, Tom Newland, who was a former planner for Pitkin County, is helping Eden Vardy execute plans for the farm collaborative. The City of Aspen is developing a new masterplan with a mix of employee housing, recreation, agriculture and education. The recent pandemic and economic downturn has refocused the effort, however. The City gave Eden a green light for the learning center, which will be reviewed by Planning & Zoning, with possible input by the BOCC, and public hearings to come. Eden's farm collaborative is 1.46 acres of a 166 acre parcel, and does children's programming, raises farm animals, and grows food. He plans to remove 8 structures and replace them with a single structure with demonstration kitchens, a subgrade kitchen. Mike Kramer presented drawings from a local architect of the proposed 210 Juniper Hill Rd building, which would stand 27 feet (below the 33 foot County height limit), with 4,000 sf on the main level, a loft of 850 sf, and a root cellar below grade of 4,000 sf. He is planning a farm stand, which Jerry Scheinbaum asked if it could be at the intercept lot. Kramer clarified that the majority of produce sold would come from Cozy Point, but they would accept other value produce. Kramer addressed the traffic issue, and reported traffic engineer Sopris Engineering studied the issue, and is working with CDOT to improve the Hwy 82 intersection. Rick advised Kramer that they have pre-covid-19 mid-summer traffic counts and a professional evaluation of the existing asphalt, which he said the BCMD would share. The Board agreed traffic and the dangerous intersection were the biggest issue with planned improvements at Cozy Point. They discussed a shuttle from the intercept lot. Tom Newland noted in 2016 a Boulder firm did a traffic

study in addition to BCMD's 2019 study. The Board also discussed septic system, water rights, and seasonal RVs on Lower River Road open space.

IV. Manger's Report: Rick Stevens

- Rick reported on the 14 difficult days chasing down the leak, in which he logged 84 hours. In unfortunate timing, the internet went down right when the leak began, which made locating it more difficult. The Board praised Rick's diligence and Rick will bill for the overtime.
- Check valve at Pioneer Spring: The \$8,000 approved in February is a work in progress; and should be installed in 8 days.
- Punch List improvements: Part of the \$10,000 punch list which was approved, fixed a number of valve boxes located in meter pits, and included clean-up activities.
- Fire Hydrants: John McDermott has nearly completed his fire hydrant survey, which was part of the \$1,600 approved at a prior meeting.
- Guardrails: Covid-19 precautions have delayed County work. Jerry noted the last stretch from the Bonderman gate has a guardrail with is 6-12 inches off the pavement, and did not think that section was included in the bid. Rick said the Metro District boundary is at the top of 1952 Medicine Bow. Lawson thought it was a low priority section.
- Chipper: In the interest of fire mitigation, Greg Poschman offered to share a chipper and sent an email to the residents, to which a few responded and took advantage.
- Dumpsters: Rick said he would get a price to fence off the Juniper Hill area which has been used illegally to stockpile tires and televisions.
- Tank Level: The sensor has been repaired which was falsely reading 4' less water than actual.
- Tree removal: A dead tree on Tabula Rasa was planted by a resident, and is in a BCMD right of way.
- Culvert Cleaning: Culvert work was delayed due to leak mitigation.
- Meters: nine meters are still problematic. The Board is deciding which system to move ahead on.
- Sagebrush Lane PRV was repaired.
- Signage: Rick suggested buying the signs and installing them, with no advice offered to homeowners on changing the address formally or on the mailbox, since the fire department was the only one requiring the change. The 2019 Pitkin County ordinance required uniform addressing in line with the GIS system, which mandates a standard sign. Thirteen addresses are need to be changed according to the county recalculations, 26 addresses need correcting, and others just need a regulation sign. The cost of the signs are \$75 each, and 120 are needed.

V. Water Manager's Report: Riley Gessele

- Testing: State regulations mandate that a bacteria test be conducted following a leak, but they couldn't be conducted on a Friday, and Monday was a holiday. Riley reported

that the repair is 95% complete, with couple sections added, and the pipe was flushed with chlorine. The bypass kept zones 3 and 4 in service.

- **Tank Inspection:** Rick said a dive company is scheduled to inspect the tank, which is supposed to be done every five years. Riley thought the tanks looked clean with not a lot of iron and silt. They need to be checked for cracks.
- **Pump:** A pump is getting rebuilt after going out. The lead pump runs all the time, but the lag pump turns on and off.

MOTION: Rick requested board to approve Tom Newland as a consultant to represent the BCMD in traffic and Cozy Point issues. Jerry Scheinbaum made motion to retain Tom Newland as a traffic consultant, Lawson Wills seconded, and all approved.

MOTION: Jerry made motion, Jim Laing seconded, to spend up to \$10,000 to purchase a laptop and new server, which includes \$2,500 for labor to rebuild the server. All were in agreement.

VI. **Elections:** Jerome Meister, Jerry Scheinbaum and Joyce Hardy read oaths and raised their right hands in an official swearing in ceremony. Jerome is new to the Board, and Jerry and Joyce were re-elected with no challengers.

VII. **Finance:**

- **Bills:** Due to Covid-19 concerns, bills were presented to authorized signers on the Board in person at an alternative time.
- **Electric:** Glenda noted a high electricity bills often is a leak indicator. Holy Cross has a program that will alert you if usage is out of range.
- **Tammy:** Glenda said Tammy and she have done many sessions, learning Neptune and understanding water usage and leak detection.

VIII. **Date of Next Meeting:** The date of the next meeting was set for Thursday, June 18, 2020, at 5:30 via Zoom.

IX. **Adjournment:** The meeting was adjourned at 7:45.

**Brush Creek Metropolitan District:
Thursday, June 18, 2020 at 5:30 p.m.
Zoom Meeting**

- Jerry Scheinbaum, President
 - Lawson wills
 - Jim Laing
 - Joyce Hardy
 - Jerome Meister
 - Rick Stevens, BCMD Manager
 - Riley Gessele, Water Manager
 - Tammy Thurber, Bookkeeper
 - Glenda Knight, Bookkeeper
 - Rebecca Driscoll, Minutes
 - Scott Wright, IT
 - Roy Saba – Water operator consultant, Saba Management Inc.
 - Richard Goulding – Roaring Fork Engineering
- I. **Call to order:** The Meeting was called to order at 5:35 p.m. by Jerry Scheinbaum.
- II. **Approve Minutes:** The minutes of the May, 2020 meeting were approved with a motion by Jerry and a second by Lawson, in agreement by all, after a clarification of Mike Kramer’s role in Eden Vardy’s farm collaborative, and the size of the building envelope.
- III. **Public Comment:** There were no members of the public at the meeting.
- IV. **President’s Report:**
- Jerry discussed some neighboring properties interested in getting onto the water system, including the Cougar Canyon and the property at 1953 Medicine Bow Road. The Board discussed the inherent difficulties of joining the metro district, which require both Pitkin County and Snowmass Water & Sanitation approval. Lawson suggested to be considered they should provide some major infrastructure improvements, like a storage tank. The Board discussed that the existing usage is already at capacity, and the houses are getting bigger with higher water demands, so was concerned there would not be enough capacity to add new members, even if there were some taps available. Adding any new members would require a new agreement with Snowmass Water for a higher water allowance.
- V. **Manager’s Report: Rick Stevens**
- **Cozy Point Traffic:** Rick said he is in discussions with Mike Kramer and Tom Newland about traffic. He will review both of their studies before sharing the most recent study conducted by the BCMD in the summer of 2019 (pre-Covid, high summer). He noted that the Woody Creek Caucus has similar concerns over the dangerous intersection. He reminded the board that the 1993 masterplan is for agricultural use only.

- **Spear Residence:** Rick updated the Board as to the progress of the Spear's residence, which has a permit submitted for a fire turnout. The Board noted that construction parking will not be allowed on the road, as was notified to them by the Architectural Review Committee. He proposed adding a culvert to allow parking just off the road.
- **Pioneer Springs:** Rick reviewed extraordinary usage by the Pioneer Springs area of the BCMD, including one resident who used 74,000 gallons. Rick wants the head of the Pioneer Springs HOA, Peter Rispolli brought into the loop.
- **Pioneer Springs Check Valve:** Rick recommended delaying the installation of the check valve to a time when there was less consumption in order not to interrupt service. It will take a couple of days to install. All of the parts are in and ready, but the homeowners said they were not notified and did not want to proceed at that time. The \$8,000 authorized in February to complete the project will not be sufficient, Rick said, because they needed to add 2 valves and a bypass. He estimated a new cost of \$12,000, though is waiting for a formal proposal.
- **Alex:** Alex has been cleaning up meter pits, marking meters, etc.
- **Illegal Dumping:** Jerry posited if building a fence around the dumpster would deter illegal dumping of tires, furnishings, paint, etc. The area already has adequate signage. Alex has been hauling these items to the landfill at the BCMD expense. The Board pondered cameras, real or fake, as a deterrent. Jim requested a comparison of the cost of dump trips against the cost of technology to thwart dumping. Glenda clarified currently pickup is 1 day per week for compost, 3 days per week for recycle, and 6 days per week trash.
- **Infrastructure inspection:** The insurance company inspected the infrastructure Tuesday. Riley had cleaned up the pump houses. The insurance company did not have the Zone 4 pump station on their inventory.
- **Hydrant Report:** John McDermott completed his inspection of the fire hydrants, and reported that 7-8 need new gaskets, and one on Daniel Drive is vibrating. Lawson thought the bypass valve would help that.
- **Leak Report:** Rick shared a detailed leak report, which showed an abundance of leaks concentrated in zones 3-4, which are the areas on pumps (zones 1 and 2 are gravity fed). Rick speculated that maybe the pumps turning on and off created a different pressure on the line, like a hammer effect, though Riley doubted that could be the cause. Rick reviewed some of the discovered causes of leaks, including a leaking ice maker, over-irrigation of new landscaping, an unmonitored toilet in an empty, older house. Rick reiterated how bulk meters would identify problematic zone, allowing them to notify people in a timely manner. Richard Goulding, Roy Saba and Scott Wright, who joined the dialogue, discussed increased readings at the Rodeo Lot. Of the 2.9 million gallons that went through the meter, only 1.5 million were billed, though Rick blamed the major fault leak for that loss. Roy Saba was monitoring tank levels to see how much the pumps ran, to see if they revealed anything about the usage. Billed May water was still very much higher than the previous year's 800,000 usage. The board speculated if higher usage was due to people were staying home due to Covid, or adding new landscaping.
- **Bulk Meters:** Richard Goulding discussed the 6 new bulk meters needed, including 2 at the PRV vault at Juniper Hill, one each at Zone 3 and 4 pump station, and one at Pioneer Springs. He reiterated his recommendation that the best long term solution would be switching to a Badger system from the existing Neptune system. It can be better

monitored by a number of people using an online interface, and thus better track leaks and usage. The units can be vaulted below ground, and can be read manually until the house meters and system software can be replaced. Tammy noted that the current Neptune system requires much manual reading and entry so didn't think it would be any less convenient to operate a hybrid system for a while. Riley noted the Rodeo Lot meter is owned by Snowmass Water and Sanitation, so it would not integrate into the new system, but they send numbers daily to Richard, Roy and Glenda/Tammy. Richard said he would get a bid out in time for the July meeting, with hopes of installing the new bulk meters in time for the August meeting. The system will not replace the SKADA system, which is what communicates to the valves to operate tank filling. SKADA is operational, while Badger is metering, though the Badger system will upload information to SKADA.

- **Server:** Scott Wright installed the new server, which has been operating without issue, and Tammy's new laptop has been installed with the Neptune database. He reviewed some failures to read in the Pioneer Springs area, and offered some solutions, including installing a new data collector at the Braun residence, or mounting a data collector on Roy's truck which could drive through the neighborhood every few days.

VI. **Water Manager's Report: Riley Gessele**

- Riley reviewed an issue at the Pevny residence, where the meter runs backwards when the pump turns on at the house. He will install check valves on those two residences.

VII. **Glenda's Report:**

- Glenda expressed concern over 3 cars regularly parked on Upper Ranch Road in the middle of the road. Jim Laing thought it was a rental property, and suggested informing the residents that was not permitted before calling the Sheriff to tag/tow the cars.
- Scott presented a proposal to take over hosting of the web page from Squarespace, which currently hosts for about \$18/month.
- Tammy suggested defining employee job descriptions and responsibilities, such as leak chasing, data archiving, etc. which could be added to the Colorado Department of Health consumer report.

VIII. **Date of Next Meeting:** The date of the next meeting was set for Tuesday, July 21, 2020, at 5:30 via Zoom, as a Board member had a conflict with the normal Thursday.

IX. **Adjournment:** The meeting was adjourned at 7:35 p.m.

**Brush Creek Metropolitan District:
Tuesday, July 21, 2020 at 5:30 p.m.
Zoom Meeting**

- Jerry Scheinbaum, President
- Lawson Wills
- Jim Laing
- Joyce Hardy
- Jerome Meister
- Rick Stevens, BCMD Manager
- Tammy Thurber, Bookkeeper
- Glenda Knight, Bookkeeper
- Rebecca Driscoll, Minutes
- Scott Wright, Computer Tech
- Roy Saba – Consultant, water operations
- Richard Goulding – Roaring Fork Engineering

- I. **Call to order:** The Meeting was called to order at 5:32 p.m. by Jerry Scheinbaum.

- II. **Approve Minutes:** The minutes of the June meeting were amended to correct spelling of John McDermott, Manager, remove unnecessary sentence, and clarifying infrastructure improvements. Amended minutes were approved by all.

- III. **Public Comment:** There were no members of the public at the meeting.

- IV. **President's Report:**
 - **Fire Mitigation:** Jerry reviewed a fire mitigation request from the Spear's residence, to have a 2" fire suppression water line to the house. Current BCMD service agreements only allow for a 3/4" line, which is not in compliance with much newer regulations. He reviewed the history of the water system's County review, when the County Commissioners denied a 6" main line down Brush Creek, approving a 4" line, under the express reason to limit growth. Citing a new era in larger homes which have enhanced requirements, Jerry asked for discussion on changing the policy going forward. Lawson disagreed. Jerome Meister thought it was better to suppress a single fire before it spreads to other homes. Richard Goulding estimated it would cost \$30,000 to study the effects of allowing 2" lines on the system, draining the sub-division tanks rapidly. Jim Laing asked what other options a homeowner might pursue if the District could not provide a 2" line. The Board discussed personal holding tanks.
MOTION: Jerry motioned, which Lawson seconded, to deny the request for a 2" line. The Board concurred and agreed the Spears must put a personal water storage system in the basement to meet new code. Richard cautioned if the power goes out at the same time as a fire, then there is no suppression.

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

- **Website:** Rick reiterated a need for more complete and current documents on the website to provide information to realtors, and homeowners/contractors planning remodels and septic systems. He would prefer a more effective process of screening projects, with collection of warranty bonds and certificate of insurance, to cover damage to guardrails or asphalt. A two-year warranty bond for \$15,000 is about \$800, Rick said. With the Board in agreement, Lawson asked Rick to draft a rule change, and Rick said will send a draft out by the next meeting.
- **Dumpsters:** There is rebar sticking out of the concrete in the Juniper Hill dumpster area. Alex presented a proposal to replace the concrete for \$1700. Lawson asked for an outside bid to compare.
- **Tree Removal:** Rick reviewed a tree planted in a BCMD right-a-way that needs to be removed. Ultimately it is the responsibility of the District.
MOTION: Lawson made a motion, seconded by Jim Laing, with all in favor, to spend \$700 to remove the cottonwood on Tabula Rasa.
- **Pioneer Springs Water Agreement:** Rick has been reviewing the water agreement with Snowmass Water and Sanitation to determine if Pioneer Springs might be considered as a separate water allotment, thus not part of the 2 million monthly gallon BCMD allotment. Jerry recalled Peter Droste gave additional water rights to Snowmass for those seven lots and is on record giving land and a pump station. Lawson remembered there was a plot of land on far side of Brush Creek Rd for a future treatment plant if needed. Jerry said Steve Connor should be consulted.
- **Cozy Point:** Rick updated the Board on progress with Cozy Point improvements, noted they had hired an engineer out of Boulder, and said at this time there are no dates set for public hearings.
- **Meters:** Roy Saba presented an excel sheet of SCADA metering and usage analysis. The graphic showed 3 weeks of calculations of 6 users over July 1, 8 and 15. They concluded there were no leaks in that area, and that all usage was being billed. It revealed extraordinary usage at 855 Brush Creek RD, and the owner was contacted to discuss over-usage of irrigation (BCMD regulations limits irrigation to 1000 sf). 450 Pioneer Springs also showed high usage which was unaccounted for, but June's 7.4% loss was an improvement over Jan/Feb, which had losses over 70%. Jerry suggested irrigation projects should have BCMD clearance first, and irrigation policy should be clearly spelled out on the website. Jim and Jerome thought big users should be charged much more.
- **Metering Upgrade:** Richard Goulding presented a metering project system schematic, with proposed bulk meters by zones. He showed design costs and construction costs totaling \$197,257, for a SCADA and Badger equipment measuring system with software license. SCADA controls the system, while Badger measures the system. Two meters can go in the pump station, and the other meters will be in manholes. The cost of \$200,000 includes just the six bulk meters, not the individual meters for each house. Richard said the next phase would be for 110 home meters and will get a quote. Glenda said there was \$ 1.4 million in the capital fund to pay for it. Lawson asked about timing. Richard said to allow for a 2-3-week bidding period, and installation before the end of the year.
- **MOTION:** Jerry makes motion to approve, with Lawson seconding, \$200,000 to proceed with the SCADA/Badger metering system and design. While the final bid is forthcoming, Lawson wants it be priority and suggested ordering the equipment as soon as possible based on the approximate cost of \$197,257.

- VI. **Water Manager's Report: Riley Gessele**
- Water manager was absent.
- VII. **IT Report: Scott Wright:**
- **New Laptop:** Scott reviewed issues he has been having with Tammy's laptop connecting to the Neptune server from her home, which he has tracked to Comcast's routing issues. The computer works fine from other locations. He hoped to have the issue resolved shortly ~~and~~ is working with Comcast. He said a workaround would be to remote into the laptop which could live at a better location.
 - **Server:** The new Neptune server has been receiving 97 reads out of 120 totals possible (an additional nine do not read at all). Glenda said that 109, 108 104, 110 have been intermittent, possibly due to weather/pressure. Rick noted the new server has been much more reliable.
- VIII. **Bookkeeping Report: Glenda's Knight**
- Glenda announced that she would not be present for the next meeting, only Tammy. The Board recognized Glenda's contributions to the BCMD and thanked her for her service.
 - Glenda presented the bills ~~and~~ arranged to get checks signed next day.
- IX. **Date of Next Meeting:** The date of the next meeting was set for Thursday, August 20th at 5:30 p.m. via Zoom.
- X. **Adjournment:** The meeting was adjourned at 7:50 p.m.

Brush Creek Metropolitan District:
Thursday, August 20, 2020 at 5:30 p.m.
Zoom Meeting

- Jerry Scheinbaum, President
- Lawson Wills
- Jim Laing
- Joyce Hardy
- Jerome Meister
- Rick Stevens, BCMD Manager
- Tammy Thurber, Bookkeeper
- Rebecca Driscoll, Minutes
- Roy Saba – Water operator consultant, Saba Management Inc.
- Richard Goulding – Roaring Fork Engineering
- Rick Balentine – Chief, Aspen Fire Department
- Greg Poschman – Pitkin County Commissioner and BCMD landowner

I. **Call to order:** The Meeting was called to order at 5:35 p.m. by Jerry Scheinbaum.

II. **Approve Minutes:** The minutes of the July, 2020 meeting were approved.

III. **Guest Comment: Guest Greg Poschman**

- **COVID:** Greg discussed current situation with Covid-19 in the area, with one positive case in the past few weeks, but 309 negatives, noting the strict mask wearing policy is working. A couple of cases from March are still sick with life changing after-effects, which scared him, Greg said. Contrary to assertions from the current national administration, small children are exhibiting high viral load while asymptomatic, and some young and fit athletes are getting heart conditions, which is why some sports teams are cancelling seasons. Joyce encouraged flu shots and limiting exposure to smoke from local forest fires.
- **Trash Pickup:** Poschman suggested organizing a trash cleanup, especially on Medicine Bow. He said the County is working on the section of Hwy 82 near the intercept lot that is particularly bad, which a local Pot Shop had contracted to keep clean in exchange for publicity sign.
- **Master Plan:** The Board discussed the County's master plan with Greg. Lawson was concerned that industrial uses kept getting allocated to the Brush Creek area in violation of the rural plan, such as solar array and the intercept lot homeless camp. Greg noted the County doesn't always have authority to vote on projects, as the fire department, highway department, and City of Aspen are their own authorities. Rick Stevens sent a letter to the Commissioners on behalf of BCMD stating concerns.

- Highway safety: The Board reiterated their concerns with the Juniper Hill/Hwy 82 intersection, especially the lack of a down valley acceleration lane, and complained the CDOT is slow to respond, despite clear evidence it is one of the worst intersections in the state.

IV. **Guest Comment: Aspen Fire Chief Rick Balentine**

- **Insurance Rating:** Rick Stevens asked for some enforcement to do a wildfire mitigation clean up on some properties as an insurance rating is underway. Aspen Fire Department is doing an assessment to suggest mitigations which could move the neighborhood to an ISO rating of 3, from its current rating of 4 (10 being the worst).
- **Signage:** “The biggest safety issue”, said Balentine, “is to get the signage fixed, as 13 are totally out of compliance. Signs should not be made of wood or be on wood posts, as a fire would take those out,” said Balentine. Tammy noted the best time to actually change an address might be at change of ownership.
- **Fire Mitigation:** Roy Saba and Richard Goulding discussed neighborhood fire preparedness with two 120,000 gallon tanks and 26 fire hydrants, with 3-4 more hydrants needed. Several houses in zone 4 are at risk because they are on a pump system which would be inoperable in the case that power got knocked out. There are no generators currently at that pump station, and the Board discussed a diesel generator on standby. Balentine noted that firetrucks can pump 1,000 gallons per minute, with a total of 240,000 gallons available. The Board discussed the water system was designed for a 6” line down Brush Creek Rd, but the Pitkin County Commissioners at the time mandated a reduction to 4” line to stop future growth; a decision now in conflict with current fire regulations.

V. **Guest Comment: Richard Goulding**

- **Badger System:** Goulding discussed the bid for the initial new Badger bulk meters which came in at \$17,177, noting after contracts are signed, they would need 4-6 weeks to begin installation.
MOTION: Lawson Wills made a motion to proceed with the ordering of any valves/equipment, seconded by Jerry, and all approved.
- **Beacon Reporting:** Roy Saba presented a document that shows minute by minute usage, top users, etc. The Beacon system reports every 24 hours and can send alerts to both the homeowner and Roy Saba.

VI. **Manager’s Report: Rick Stevens**

- **Current water operator suspension:** Rick advised the Board that the Colorado Department of Health issued a health water quality violation on June 16, as Riley Geselle’s water operator license expired. Although he may get it back, the BCMD is proceeding without him, as Roy Saba has taken point, and is one of the top operators in the State. Riley could still be utilized as an hourly consultant.

- **Intercept Lot Homeless Camps:** Jerry expressed concern about the homeless encampment that was set up by local government agencies at the Brush Creek Park & Ride, starting with tents, and is now a fleet of RVs. Greg Poschman said temporary authority was granted to an emergency group in light of Covid-19, since the churches felt they could not be used as they have in the past. Joyce read in the paper a 30x18 foot tent was being considered for use this winter and could be heated to 50 degrees F with a diesel generator.
- **Request for Water:** The Board discussed a request by a new owner currently on a well to connect to the system. The well is not performing well, said Roy Saba, and wants to petition to annex into the district. Richard Goulding had done work on the existing system.
- **Tree Removal:** Tabula Rasa's dead tree was removed, as it threatened a right-of-way.
- **Tank Divers:** Roy Saba noted the State requires BCMD's two tanks must be inspected every 5 years and produce a report. Rubicon divers out of Arizona will charge \$3400. **MOTION:** Lawson motioned to approve up to \$5,000 to proceed with tank inspections, Jerry seconded, and all approved.
- **All new home construction:** Rick suggested implementing a requirement for warranty bonds to protect BCMD roads, right of ways and pipes during construction, and encouraged construction management plans to be submitted.

VII. **Bookkeepers Report:** Tammy Thurber

- Bills and finance delayed, as this was Tammy's first month solo.

VIII. **Date of Next Meeting:** Date of the next meeting was set for Thursday, September 17th, at 5:30 p.m. via Zoom.

IX. **Adjournment:** The meeting was adjourned at 7:40 p.m.

Brush Creek Metropolitan District
Tuesday, September 17, 2020 at 5:30 p.m.
Zoom Meeting

- Jerry Scheinbaum, President
 - Jim Laing
 - Joyce Hardy
 - Jerome Meister
 - Rick Stevens, BCMD Manager
 - Tammy Thurber, Bookkeeper
 - Rebecca Driscoll, Minutes
 - Roy Saba – Water operator consultant, Saba Management Inc.
 - Richard Goulding – Roaring Fork Engineering
 - Lawson Wills - Absent
- I. **Call to Order:** The meeting was called to order at 5:32 p.m. by Jerry Scheinbaum.
- II. **Approve Minutes:** The minutes of the August 2020 meeting were approved.
- III. **Presidents Report:** **Motion:** Jerry made a motion, seconded by Jim Laing, to authorize spending of \$197,257 to begin the SCADA system project, purchase Badger equipment and software license, and associated pump station, vaults and piping immediately to improve the monthly water meter reading system. All agreed.
- IV. **Manager's Report: Rick Stevens**
- **Saba Management:** Roy Saba's services were discussed. His duties include State sampling, monitoring and compliance with State health Department. Roy will bill a monthly rate and might do some work outside of that scope as consultant to the system upgrades. Alex (Alejandro Angeles) will handle the job of reading those meters that are currently done by hand.
 - **Land use:** BCMD sent a letter concerning the master plan to Pitkin County, and Rick is working with other caucuses with similar concerns. Eden Vardy's plan for the multi-purpose, 8-10,000 square foot building addition may go directly to P&Z, and not come before the County Commissioners. Cozy point is moving equipment in preparation for next spring's dirt work. The dirt will be stored on the archery side of Juniper Hill Road.
 - **Snow Removal:** BCMD reviewed the snow removal contract and will continue to have service using Holmes.
 - **Warranty Bond:** New landowners Joseph and Monique Spears who are building their home on Medicine Bow Road provided a warranty bond.
 - **Tank cleaning:** The divers will be commencing soon on tank cleaning and inspections.

- **Administration:** Rick announced a new policy of purchase orders to better track spending. He also suggested a form for new owners to capture all owner/manager info. He suggested charging a fee at sale provide a homeowner packet. Jerome Meister suggested \$500.

Motion: Jerry Scheinbaum motioned to charge \$500 fee at closing to cover administration costs of setting up new landowner account. Seconded by Jerome Meister. All were in favor.
- **Septic Systems:** As homeowners replace septic systems-the Board discussed a policy to review prior to permitting.
- **Guardrails:** Rick said that many of Brush Creek's guardrails are out of compliance. With Pitkin County bulk rates, it is estimated to cost \$83,000 and two weeks of work to raise and/or repair 200 foot of guardrails.

Motion: Jim made motion, Jerry seconded, and all were in agreement, to spend up to \$85,000 the guardrail project.
- **Cougar Canyon:** The Board discussed Cougar Canyon, a 43-acre parcel with access on lower Juniper Hill, that is owned by Pitkin County. It has a small activity parcel with no water, and the County is seeking a tap to be able to sell it with water. There is a tap on the Hansen lot, which was determined to be unbuildable and deeded to the County as open space. The County inquired if they could move that tap to the Cougar Canyon parcel.
- **District Annexation Request:** The property owner at 1953 Medicine Bow Road who is not in the water district has requested water from the BCMD, because their well, which has its own treatment system, is declining. The homeowner has a fire pond and irrigates out of the pond. The Board discussed dwindling capacity and need to service existing landowners, whose needs increase with every remodel.

Motion: Jerry made a motion to decline request for water service. Jerome seconded, and all were in agreement that the District could not expand service to new applicants since it was already at the limit of the agreement with Snowmass Water and Sanitation.
- **Water Report:** The Board discussed current water billing, with tier increases, that are not proving to be a deterrent. Rick said more homeowners are using more water and suggested a rate increase for the second tier. He noted a less than 10% water loss, but the leak detector we have used before will be scheduled to check the system before winter. Tammy said some homeowners are disregarding the ordinance against irrigating between 10 a.m. -5 p.m., and a new metering system will be better able to police that.
- **Signs:** Rick will send email with the County sign requirements for addressing properties, mandating 6' height, to clear snowbanks, with posts made from non-flammable materials.

- V. **Bookkeepers Report:** Tammy said October and November would be the public hearing for 2021 budget, which would be adopted in December.

- VI. **Date of Next Meeting:** Date of the next meeting was set for Thursday, October 15th, at 5:30 p.m. via Zoom.

- VII. **Adjournment:** The meeting was adjourned at 7:40 p.m. by Jerry Scheinbaum.

Brush Creek Metropolitan District
Tuesday, October 15, 2020 at 5:30 p.m.
Zoom Meeting

- Jerry Scheinbaum, President
- Jim Laing
- Joyce Hardy
- Jerome Meister
- Lawson Wills
- Rick Stevens, BCMD Manager
- Tammy Thurber, Bookkeeper
- Rebecca Driscoll, Minutes
- Richard Goulding – Roaring Fork Engineering
- Maggie McHugh – Roaring Fork Engineering

1. **Call to Order:** The meeting was called to order at 5:33 p.m. by Jerry Scheinbaum.
2. **Approve Minutes:** The minutes of the September, 2020 meeting were approved.
3. **Presidents Report:**
 - Cougar Canyon: Jerry voiced his point of view with the Board regarding the Cougar Canyon petition for BCMD water.
RESOLUTION: Lawson made a resolution that due to design limitations and concerns of adequate capacity; the District will no longer entertain applications outside the existing BCMD District for water service. Jerry seconded the resolution, and all in agreement. Resolution passed.
 - **Sales:** Jerome reported there were 5 lots for sale or under contract. Two of those lots for sale have not paid tap fees of \$25,000. One lot, across from Turtle Cove, has paid the \$25,000 tap fee. The Tabula Rasa and Juniper Hill lots are the ones with tap fee payments due. The Board discussed the service agreement to determine if the tap needed to be at the curb, or at the house. Lawson recalled BCMD was responsible to purchase the curb valve and some line to the mete. Lawson requested a list of unimproved lots.
 - **Closing Fees:** Tammy brought it to the board's attention that the \$500 administration fee at closings is thought to be excessive by the parties during their closings. This fee covers the set-up of new water accounts. Jerome defended the amount, even for vacant lots–Jerome recommended that Tammy call Joy at Pitkin County Title for her recommendation as to fees charged.

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

- **Leak Detection:** American Leak Detection confirmed a couple of leaks, and found some residents that are no longer on the leak report after shutting down their irrigation. A few meter issues were addressed.
- **Water usage:** Five landowners used 1.3 million gallons, and an additional 15 landowners added over 2 million which accounted for 3.3 million of the 7.6 million gallons bought. The Board wondered if those landowners are using nearly 50% of the resources, if they paying 50% of the bill. Rick said that 20 accounts are being subsidized by the other 109, and suggested doubling the rate per 1000 gallons from \$25 to \$50. The Board discussed a proposal for rate increase by April 15, for top tier users. Lawson wants to protect people who stay at 36,000 gallons per quarter, which is the average user, and asked if there was a way to mechanically turn people off. Richard Gouling will look at throttling usage. Richard said landscaping, not household use, was accounting for most of the loss, as many landowners exceeded 1,000 sf of landscaping.
- **Capital Improvement Program:** Maggie McHugh of Roaring Fork Engineering discussed BCMD engineering and number of hours pumps are coming on to fill zones 3 and 4. Rick said the installation of the bulk meters should start in the next couple weeks, and Lawson suggested getting Pioneer Springs' bulk meters installed this fall because it can have muddy terrain to negotiate in the spring. Richard suggested prioritizing meters that are not reading properly first.
- **Fire hydrant testing:** As required by our insurance company, the fire hydrants were tested, and revealed a couple of hydrants on Solar Way showed insufficient pressure. While the coverage is good, the Zone 4 pumps showed only a 50 GPM rating, while the fire department wants 1000-1500 GPM. Maggie noted homes will need backflow preventers to ensure the fire department doesn't pull water from homes in the vacuum created with hydrant use. The Board would like to see rate study and recommendations, with possible surcharge in pumped areas. BCMD water service agreement requires homes in the district have backflow prevention in place.
- **Guardrails:** Guardrail repair and replacement will begin these coming weeks, and will last 10 days to 3 weeks. The upper section of Medicine Bow Road will not be included.
- **Riley Giselle:** That Board discussed paying Riley a retainer of \$800/month for facility maintenance, and \$400/month for reading manually read meters
- **Tank Inspection:** Tank inspections were completed the prior week. Rick said some sediment which was removed. The tanks were reported to be in good shape.
- **ADU:** Rick reviewed a request for a bandit ADU to be converted into a permitted ADU. Lawson worried that while they tried not to penalize mother in law units, those units have turned into a for-profit enterprise, and result in higher water usage. Pitkin County wants to legalize ADUs, explained Lawson, but the BCMD itself is not required to legalize the ADU. Water usage will be billed combining both the ADU with the home

together as one unit. Rick will tell the landowner to submit a written request before serving a letter to the County.

- **Dumpsters:** The Board discussed ongoing illegal dumping, resulting in extra costs to deliver to the landfill. The composting provider, which picks up weekly, is charging a contamination fee of \$10/month for putting plastics bag in there instead of compostable plastic bags.
- **Punch list:** Rick reviewed other items which were completed, including road sealant. The Spears warranty bond has not been provided yet.

5. **Bookkeepers Report:** Tammy and Rick talk about budget:

- October and November would be the public hearing for 2021 budget, which would be adopted in December. The County deadline is Dec. 5th.
- Rick will present 2021 list of capital projects expected, predominantly the water system meters which are being upgraded to the new Badger system.
- **MOTION:** Jerry made a motion, seconded by Lawson to close the Oct 15th public meeting on budget, and direct Tammy and Rick to create the 2021 budget to present at the 11-19-20 meeting.

6. **Date of Next Meeting:** Date of the next meeting was set for Thursday, Nov 19, at 5:30 p.m. via Zoom.

7. **Adjournment:** The meeting was adjourned at 7:54 p.m. by Jerry Scheinbaum.

Brush Creek Metropolitan District
Thursday, November 19, 2020 at 5:30 p.m.
Zoom Meeting

- Jerry Scheinbaum, President
- Jim Laing
- Joyce Hardy
- Jerome Meister
- Lawson Wills
- Rick Stevens, BCMD Manager
- Tammy Thurber, Bookkeeper
- Rebecca Driscoll, Minutes
- Richard Goulding – Roaring Fork Engineering
- Glenda Knight – Guest bookkeeper

1. **Call to Order:** The meeting was called to order at 5:33 p.m. by Jerry Scheinbaum.
2. **Minutes:** Approval of the October minutes was delayed until Tuesday, Nov 24, since the Board did not have a time to review.
3. **Presidents Report:** Jerry Scheinbaum
 - **Minutes:** Jerry asked if minutes from the meeting could be distributed to Board promptly after each meeting.
4. **Manager's Report: Rick Stevens**
 - Water usage dropped significantly from 2.8 million gallons in September to 1.1 million gallons in October.
 - Several empty lots under are under contract, which could result in future construction.
 - Preparations for the bulk meters was completed in Pioneer Springs, one parallel to Brush Creek Road, and an imminent one in the PRV soon. Rick noted it was a good time of year to do the work; Pioneer Springs was out of water for the day during installation, and only 2 people were home. Nobody was out of water on Brush Creek Road, when workers found and cleaned up isolation valves. Juniper Hill work will likely put 5-6 people out of water temporarily.
 - Fire hydrants: one fire-hydrant was fixed, one yard-hydrant was added.
 - Cozy Point Ranch Update: Due to Covid-19, land use hearings have been pushed back.
 - Database: The owner database has 12-15 updates that need to be made due to new ownerships and real estate transfers.
 - BCMD density: The Colorado Department of Health had previously shown only 90 people living in the subdivision. It was updated to reflect closer to 500 full and part-time

residents. This will change the requirements of copper and lead testing, increasing the spot checks from 5 houses to 10 houses.

- Capital Improvement Plan: Richard Goulding discussed phasing of water systems improvements. He suggested completing Pioneer Springs metering first since they require manual reads. Tanks appear to be holding water with no major leaks. SKADA: Rick estimates the Phase 2 SKADA and Pioneer Springs meters will be installed before irrigation season in the Spring.
- Address signage: It will cost about \$15,000 to install the address signs.
- Badger meters are estimated to cost about \$70,000 for bulk meters, with half that again for installation, and \$700 per meter for each residence. They have had delays shipping out the new meters.
- Guard rail repairs have completed, well under budget.
- Some pumps are being rebuilt by Roy Saba and Riley Gessele, with the help of Alex Angeles.
- Richard Goulding suggested Zone 4 tank get a fire pump.
- Water usage: Rick reported 20 houses are using nearly ½ the water. Richard Goulding suggested increasing charges might be the best deterrent. He is working on a rate study to suggest a tier in line with other neighborhoods.
- Rick suggested posting on the website Brush Creek Village building requirements, such as the ¾" tap.
- Paving: A new resident who bought lot from Donald Stone on Tabula Rasa has requested paving of Tabular Rasa. Any discussion regarding paving would wait until the new resident completes their construction project.
- Insurance: Rick showed photos of new meter pits, which he put on insurance roster.

5. **Bookkeepers Report:** Glenda:

- The Budget was not ready for review. Tammy is working with Glenda to finalize numbers. The Board agreed to a special session on Tuesday, 11-24-20 at 5:30 p.m. to conduct the Budget review.
- Glenda said that the Board has until December 15 to approve the mill levy and the budget, and suggested a meeting before to discuss.
- Glenda Knight shared a preliminary proposed budget 2021. Lawson was concerned about outstanding water and trash A/Rs. Owners need to be contacted to rectify their payments due.

6. **Date of Next Meeting:** The Date of the work session to discuss the budget was set for Tuesday, Nov 24, at 5:30 p.m. via Zoom. Date of the next regular meeting was scheduled for Thursday, Dec 10, 2020 at 5:30.

7. **Adjournment:** The meeting was adjourned at 7:05 p.m. by Jerry Scheinbaum.

Brush Creek Metropolitan District
Tuesday, November 24, 2020 at 5:30 p.m.
Zoom Meeting Budget Work Session

- Jerry Scheinbaum, President
- Jim Laing
- Joyce Hardy
- Jerome Meister
- Lawson Wills
- Rick Stevens, BCMD Manager
- Tammy Thurber, Bookkeeper
- Rebecca Driscoll, Minutes
- Glenda Knight – Guest bookkeeper

1. **Call to Order:** The meeting was called to order at 5:30 p.m. by Jerry Scheinbaum.
2. **Approve Minutes:** The minutes of the October, 2020 meeting were approved with a motion by Jerry and a second by Lawson Wills.
3. **Budget:** Rick Stevens and Tammy Thurber presented the 2021 budget in its current working order. Rick reviewed variances in the 2020 budget he did not think would repeat in 2021, including the large water purchase due to large leaks of 40% in the second quarter, which dropped to 10% in the third quarter. Lawson noted a portion of this increased water purchase also attributable to extremely high water use/demand over this last summer.
 - a. **Water Fund:** Rick estimates the Year-End water fund should be about \$250,000 after summer bills clear. Given the large upcoming Badger project, Lawson suggested a regular annual contribution of monies from the general fund to the water fund to help resolve the water fund cash flow issues. Auditor Roger Maggard has indicated to the board that a maximum of 10% (or 2021 projected water fund revenues plus transfers) can be transferred annually without violating the water fund enterprise status. Property taxes added \$368,009 in 2020, reported Glenda. Jim agreed the water fund needed an influx, but only as a temporary solution, since the major infrastructure upgrades were slotted for the next couple of years.
 - b. **Budget changes:** Lawson suggested reducing Water Repairs and Maintenance of \$100,000 to \$50,000, since the leak expense was extraordinary in 2020.
 - c. **Accounts Receivable:** The Board expressed concern of \$80,000 in accounts receivable. Lawson thought the District should be more aggressive in retrieving overdue accounts. Jerry said notice should be formally made to alert residents of water rate change on the highest users. The rate study currently underway will present suggestions for enlarging the water fund. Glenda said the last time water rates were increased was 2009. The board discussed raising trash from \$100 per quarter to \$140 per quarter, and raising

quarterly dues by \$100. Glenda noted a public meeting is required raise rates and notice must be delivered to each homeowner.

- d. **Layout:** Jim Laing would like to see a column next to 2020 combined operating which would show estimated year end expenses.
- e. **Fund Balances:** The Board thought the starting fund balances for 2021-did not relate to the actual account balances. Jim asked to see back account balances for general and water fund for past five years.
- f. **Budget filing:** The Board asked for the final budget before the 8th to have time to review before the next meeting.

Rick agreed to add another column to budget, amend water maintenance, and research how to loan capital to water fund for upcoming upgrades.

- 4. **Adjournment:** The meeting was adjourned at 6:22 p.m. by Jerry Scheinbaum.

Brush Creek Metropolitan District:
Thursday, December 12, 2019 at 5:30 p.m.
Aspen Mountain Conference Room
Aspen Gondola Plaza, Aspen, CO 8161

- Jerry Scheinbaum
 - Lawson Wills
 - Joyce Hardy
 - Jim Laing
 - Glenda Knight, Bookkeeper
 - Rebecca Driscoll, Recorder (replaced by Landon Deane at 7 p.m.)
 - Rick Stevens, Manager
 - Guest: Richard Goulding, Roaring Fork Engineering
1. **Call to Order:** The meeting was called to order at 5:30 p.m. by Jerry Scheinbaum.
 2. **Approve Minutes:** Minutes from November 2019 meeting were approved with one change to delete a personal comment about the solar farm.
 3. **Public Comment:** There was no public comment.
 4. **President's Comments:**
 - a. Board Member Vacancy: Bland Nesbit, who was sworn in at the November 21st meeting, cannot accept the position and has stepped down due to other commitments. The Board is seeking a new member.
 - b. Tap Fee: The Juniper Hill lot (address TBD) owner has asked that the tap fee be refunded since the lot might be donated to open space.
 5. **Water System Report:** Richard Goulding from Roaring Fork Engineering
 - a. Richard Goulding suggested a 10 year capital improvement plan proposal by Roaring Fork Engineering. He offered to invite a Brown's Hill consultant to the next meeting. Glenda said the bill could be paid out of the water capital fund. **Motion** Lawson Wills made a motion to spend \$22,000 (with a cap of \$30,000) for Roaring Fork Engineering for the proposed 10 year capital improvement plan. Second by Jim Laing. All agreed. Richard expected to have the report ready at the March meeting.
 - b. **Water system:** The Board discussed funding for improvements to water system whether it be a bond, or a tax deductible mill levy. Lawson disagreed with borrowing money, and preferred a staggered parcel approach, Jim Laing noted the District was in good position to borrow money and interest rates are low. He suggested running numbers to see cost estimates. Rick cautioned the water system is losing 1.2 million gallons of water per month and needs a more aggressive proactive approach. Rick reviewed problematic meters and four current master meters to designate zones of failure at the Rodeo lot, Pioneer Springs, PRV, and the pump station. Richard Goulding handed out a report for review. The report showed \$20,000 a year in lost billing. He suggested getting a check valve on the bulk meter at Pioneer Springs first. Lawson suggested April start, Richard noted

Zone 4 doesn't have tank, and they are looking into installing a tank at the top of the zone.

6. **BCMD Manager Report**

- a. **Fire Turnout:** Rick will follow up on the Spears' mandated fire truck pullout, which must be signed off by the Pitkin County Engineer and fire department.
 - b. **Roads:** Rick reviewed immediate road concerns.
 - c. **Package boxes:** Solar Way requested a UPS/FedEx drop off at the end of their driveway, since the delivery trucks have issues with their road. Rick noted the location was a public right of way and they would need a permit from Pitkin County. Jerry suggested they attend a meeting for approval. Joyce suggested putting a locked package drop by the mail boxes.
 - d. **Alex:** Alex is expected to return from Mexico in February.
 - e. **Guardrails:** Rick reported about 2000 feet of guardrails are non-compliant. The Board discussed a three year plan for all guardrail repairs. Jim Laing felt strongly that we need to repair the most deficient sections immediately.
 - f. **Mail Boxes:** Glenda said door hinges on the back of the Juniper Hill mailboxes are broken which require welders to repair.
7. **Budget:** Glenda provided the Board with the latest copy of the budget. Glenda noted the auditor suggested increasing the budget for water repairs in 2020 since over \$72,000 was spent for water repairs 2019. The overall budget was up \$30,000. Lawson was hesitant about approving a budget that appeared to have a deficit, but Rick thought there was uncaptured revenue that could be mitigated with functioning meters. Glenda said expenditures were an estimate. The Board discussed the mill levy, which is determined by the total assessed valuation of all the properties in Brush Creek Village and the statutory property tax revenue limit calculations from the Division of Local Government. After some discussion, everyone agreed. Jerry Scheinbaum made **motion** to approve the 2020 budget, and Lawson wills seconded the motion. Everyone concurred.
- Finance:** (*#8 should be up on this line?*) Motion to approve December 2019 bills as presented, 2nd, motion passed.
8. Glenda regrettably stated her desire to retire as bookkeeper and asked the Board to seek a replacement.
9. **Date of Next Meeting:** The date of the next meeting was set for January 16th at the Aspen Mountain Gondola building.
10. **Adjournment:** The meeting was adjourned at 7:30 p.m.