

Brush Creek Metropolitan District
Thursday, May 12, 2022 at 5:30 p.m.
Zoom Meeting

- Jerry Scheinbaum, President
- Lawson Wills
- Joyce Hardy
- Jerome Meister
- Rick Stevens, BCMD Manager
- Rebecca Driscoll, Meeting Recorder
- Cindy Herndon – Bookkeeper
- Tom Newland, Consultant, Newland Project Resources, Inc.
- Scott Wright, IT Consultant, Aspen Advanced LLC
- Richard Goulding, Roaring Fork Engineering
- Jim Laing, board member, was absent

1. **Call to Order:** The meeting was called to order at 5:33 p.m. by Jerry Scheinbaum.
2. **Minutes:** The minutes of the April 14, 2022 were approved with minor changes, with a motion from Jerry, and a second by Jerome.
3. **Elections:** Lawson Wills reviewed his findings from his investigation into the BCMD election cycle. Joyce and Jerry were elected in 2020 for a three year term, so are up for re-election in 2023. The remaining three board members, Jerome, Jim and Lawson, were supposed to be up for election in 2021, but due to confusion of over a state change in election scheduling at the time the former bookkeeper secretary retired, was overlooked. In the mean-time, Lawson said the remaining Board must appoint temporary members until the next election cycle. That means the entire board will be up for re-election at the start of 2023, but with staggered terms.

MOTION: Jerry Sheinbaum motioned to appoint Lawson, Jerome and Jim for one more year, until the 2023 election. Joyce seconded the motion, and all were in favor.

Lawson discussed the requirement to have each Board member sign their oaths of office to be filed with the bank. Jerry will be required to sign the appointment document.

4. **Public Comment:** No members of the public were present.
5. **President's Report:** Jerry Scheinbaum reviewed the HOA meeting of the Brush Creek Landowners Association, noting that he was elected to the HOA board. A few Landowners approached him with BCMD business which he shared with the BCMD board.
 - **Back-Up Generator:** Landowner Robert Plesset further discussed his desire to see a back-up generator serve the higher properties, which would lose water in a power outage. He offered to be a part of the process to get one installed. He will work with Rick to stay informed of progress.
 - **Website/Financials:** Landowner Maureen Poschman asked about the website and availability of financial records, to which Jerry explained a recent change of bookkeepers may have delayed posting of some documents, which would be corrected.

- **Solar Way road:** Greg Poschman inquired whether the currently private road, Solar Way, could be added to the subdivision managed roads, now that it has been paved at private resident's expense. Rick said they could conduct some surveys and easements (at applicant's expense), but some Board members cautioned the County had some concerns over its steepness and width, and so it may be non-conforming, and therefore could be problematic. Joyce noted that after the last paving project the plan was to address upper Juniper Hill Road the next time paving was scheduled.
 - **Fire Mitigation:** Fire Department member Ali Hager spoke at the Landowner's meeting about fire mitigation and many Landowners were interested in mitigation, but less interested in doing it themselves. The BCMD board discussed that their involvement could only be limited to roadways and right-of-ways. Rick reminded everyone that any homeowner can sign up for a free inspection and review by the fire department, but that the fire department could not enter one's property without an invitation and couldn't conduct any mitigation; that would have to be arranged individually, or by neighborhood cluster. Solar Way residents, for instance, were working on a plan for their area. Free reports already exist as part of a County mapping project detailing high risk areas. Joyce suggested the Landowner's may be able to apply for a grant, which might fund a chipper, but such an event would have to be organized by the HLOA, not BCMD.
6. **Cozy Point:** Tom Newland presented a draft of a letter to be sent to John Spiess, Open Space Natural Resource Manager for the City of Aspen, regarding BCMD's concerns future Cozy Point Ranch developments, with the safety of the Juniper Hill intersection being the highest priority. Lawson encouraged BCMD's persistence on the matter. The Board discussed the future impacts of growing house sizes on the BCMD's water usage, but noted as long as larger houses could store their own water for fire prevention, the BCMD was not in a position to place restrictions on house size.
 7. **Water Report:** Richard Goulding of Roaring Fork Engineering discussed leaks in Zone 3. The difference between water going through the bulk meters, and what is being billed by house use, differed by 450,000 gallons. The area is where fault lines had ruptured pipes in the past, though that section was replaced with special earthquake resistant flexible piping. The leak survey did not reveal any major leaks, said Rick, only some minor PRV and hydrant inspections. Lawson asked if another midway bulk meter could help isolate the problem area, but Richard Goulding said that would be a great expense, and hoped the new Badger meter installations would help reveal any loss.
 8. **IT:** Scott Wright
 - **Neptune:** Scott reported concerns over the 25 year old Neptune software system that crashed the week prior, and the challenges of keeping it going with no parts or support available. He was pleased that the end was nigh for the Neptune system, as the Badger system takes over the meter reading and billing.
 - **Badger:** Rick said the Badger meter installations were accelerating at the rate of about 8 per day, and suggested ordering the remaining meters sooner rather than later, as there is a lag time. He said they don't bill until they deliver, he estimated 60 meters cost about \$40,000. Lawson feared the water budget was tight, and asked for a more detailed cash flow projection before agreeing to accelerate the replacement program. He asked for a list of which addresses received new meters. The Board reviewed current balances of \$218,928 in the water fund balance, and \$1.2M in the road capital fund. Lawson reiterated his desire to keep enough in the water fund to deal

with any emergency leaks that may be found. Rick clarified with the auditor that the road fund can be used to pay for projects that involve digging in the road of ways.

- **Billing:** Rick stated the new CUSI billing system takes credit cards only, and will not auto draft. CUSI makes 2% off of e-billing when users pay with a credit card. The June bill will be the first to be e-billed, but the Board agreed it would be a good idea to do one last paper billing in conjunction, with fair warning that anyone who did not also receive an email bill, to contact Cindy to update their email address. Joyce noted she had a contact list from Marolt LLP, CPAs (the landowners' association accountants) which could be merged into BCMD's contact list. Jerry prefers monthly billing, but the Board deferred that, given so many changes were afoot.
 - **Technical:** The Board agreed to replace the email address tammy@brushcreekmetrodistrict.com with an address that will never expire: accounting@brushcreekmetrodistrict.com , which Cindy, the new bookkeeper, will use going forward for both A/R and A/P. Scott recommended delaying her using her personal laptop for BCMD use until the Neptune system was retired.
9. **Bookkeepers Report:** Cindy Herndon informed the Board she will have a final meeting with outgoing bookkeeper Tammy Thurber to get mailbox keys, checks, and the laptop. She reviewed A/R, which has only a single large outstanding receivable. The Board discussed high users and questioned whether they might indicate any leaks; Rick thought not. Cindy reviewed setting up auto pay for predictable, monthly bills like Xfinity and Trash, and using bill-pay after expenses were reviewed and approved to pay other bills, to reduce cost of postage/staff time. Lawson questioned some large consulting and engineering bills, which Rick chalked up to transition charges, as the water system gets upgraded, and were not likely to continue much longer.
10. **Manager's Report:**
- **Water System Manager:** Rick Stevens reported that he is transitioning Adrian (*last name?*) of High Country, who has been installing the recent meters, to replace many of Riley's tasks. Adrian works part-time also with Snowmass Water as an operator, and has a crew that works with him. So far he has been billing hourly, which Rick said has been reasonable, though Jerry asked about getting contract and certificate of insurance if he wants to take over regular on call work. The Board and Rick agreed that Riley has great value because of his institutional knowledge, but as the water system is replaced, Adrian could be key going forward, as he is very responsive and lives close by.
 - **Irrigation:** Rick discussed the upcoming irrigation season, and will be coordinating with landscapers to stagger the night-time watering schedule, to avoid simultaneous draws on the system. The Board discussed water conservation progress.
 - **Other:** Rick noted the dumpster doors were fixed, and would confirm that the Medicine Bow dumpster had the proper number of recycling bins.
11. **Date of Next Meeting:** The next meeting was scheduled for Thursday, June 16th.
12. **Adjournment:** Jerry motioned to end the meeting at 7:05, which was seconded by Lawson Wills.