

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

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

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 June 15, 2023 meeting were approved as presented. All were in agreement.
3. **President's Comments:** Jerry Scheinbaum discussed developing a plan in the eventuality the BCMD was compelled to provide water for users outside the current boundaries, in which applicants would have to buy more than just a tap; they should be required to financially participate in the rebuilding of the aging infrastructure. While it is current BCMD policy and the opinion of the Board to not provide water to outside users, Scheinbaum pondered a scenario whereby the district could be mandated by the County/City in the name of fire prevention or public safety to utilize current infrastructure. He noted Aspen Fire Department chief Rick Ballentine had admitted if a neighboring property had a fire, the fire trucks would refill the tankers using District fire hydrants, even though the affected property was not participating in the water system. The Board reiterated that the neighboring properties are already using (and likely damaging) District roads to transport water. Scheinbaum noted that Tom Newland is diligently following through with efforts to hand the BCMD roads over to Pitkin County since so many parties outside the district utilize it.
4. **Manager's Report:** Rick Stevens
  - a. **Water Report:** Rick Stevens and Cindy Herndon presented Water Engineer Maggie McHugh's water report. The trend for the year suggested 2023 water usage should be about 14,000,000 gallons. As water conservation has increased in the past several years, Rick discussed they needed other sources of income to offset the loss in water sales. He discussed two new taps which with higher ECUs should generate \$50K each. Scheinbaum discussed an idea for a water transfer fee as properties change hands to help fund required infrastructure improvements.
  - b. **Signage:** Jerry Scheinbaum said he was leaning towards leaving it up to the individual owners to meet the Pitkin County signage requirements. Joyce Hardy thought the BCMD should comply with the request to buy and install uniform signage. Rick Stevens said there are 26 addresses out of compliance (wrong address listed). The Board discussed some owners had pleasing address signage that would not need an additional County GIS sign. Rick will call Allie at the fire department to see if there is a better way to compel residents to buy and install their own signs.

**5. Bookkeeper's Report:**

- a. **Accounts Receivable:** Cindy Herndon noted only a few outstanding accounts, mostly from landowners paying for trash, and not water, such that the threat of withholding water holds less motivation.

**Motion:** Jim Laing motioned, with a second from Jerome Meister, to develop a free structure for late payments including a \$100 charge for non-payment at the end of the quarter, and \$100 per month for each successive month in arrears. All were in agreement.

- b. **Bank Interest:** Cindy Herndon provided the results of her investigation into banking interest rates, and penalties of cancelling a CD early. She said the BCMD could earn \$3K a month if the current surplus was moved to a higher interest earning account, with no risk, and no restrictions.

**Motion:** Jerry Scheinbaum made a motion, with a second from Jerome Meister, to move surplus money, including a CD held in Community Bank, into a high interest money market at Alpine Bank, while keeping water and road funds separate. All were in agreement.

- c. **E-checks:** Cindy told the board they could buy another module to CUSI for \$1K which allows users to do ACH transfers, or pay \$1.50 per person verification fee plus \$0.20 cents per transaction. The Board said given the number of users, the per-person verification fee plus per transaction cost made more sense.

**Motion:** Jerry Scheinbaum made a motion, with a second from Jerome Meister, to allow owners to set up an ACH for easier payment. All were in agreement. The arrangement is not an auto-draft, but is an easier and less expensive payment method than using credit cards.

- d. **Mid-year P&L:** Cindy reviewed the mid-year actuals to budget. The web site cost has increased because of the new service which was not in the budget. The election cost less than the budgeted \$5K. Consulting fees included Tom Newland's work on Cozy Point and the Road transfer. The roads budget has not yet used the \$5K budgeted for GIS road signs. The office category, which included Zoom, file storage and Intuit, is right on budget.

**Motion:** Joyce Hardy made a motion, with a second from Jerome Meister, to approve and pay all bills as presented. All were in favor.

- e. **Audit Update:** BCMD Accountant said everything is order, and requested an extension form be signed by the president. Jerry Scheinbaum agreed to sign at the end of the meeting.

**6. Other Business:** Rebecca Driscoll, who has done minutes for the Board since spring of 2018 is retiring from her administrative duties after 5 years of service. The Board discussed some possibly replacements.

**7. Date of the Next Meeting:** The next meeting was scheduled for Thursday, August 17 at the Snowmass Chapel.

**8. Adjournment:** The meeting was adjourned at 6:52 by Jerry Scheinbaum.