

Brush Creek Metropolitan District
Tuesday, November 15, 2022 at 5:30 p.m.
Zoom Meeting

- Jim Laing, Acting President
- Joyce Hardy
- Jerome Meister
- Lawson Wills
- Jerry Scheinbaum, President - Absent
- Rick Stevens, BCMD Manager
- Rebecca Driscoll, Meeting Recorder
- Cindy Herndon, Bookkeeper
- Stuart Lusk, Architectural Control Committee, landowner.

1. **Call to Order:** The meeting was called to order at 5:32 p.m. by Jim Laing.
2. **Minutes:** The minutes of the October 20, 2022 were approved by all board members following an addition of the change that the date of the next meeting, which was moved to Tuesday 11/13/22, following a motion by Jim Laing and a second by Joyce Hardy.
3. **Public Comment** – No members of the public asked to speak.
4. **Budget:** Cindy Herndon, reviewed the results of a work session from November 3, including changes to the general fund budget, the water fund budget, and the combined budget. She highlighted that the trash fees increased from \$61,614 to \$73,800, which will necessitate a raise in funds collected from \$120 to \$150 per quarter from the 123 accounts. Jim noted the trash fees had not been raised in a long time, and the Board supported the raise increase. An election cost of \$6K was added, and snow removal was restored to a higher level of \$75,000.

MOTION: Jerome Meister made a motion to approve the 2023 budget which was seconded by Joyce Hardy. All members agreed and the 2023 budget was passed.

5. **Manager's report:**
 - **Building applications:** Rick Stevens reviewed upcoming applications, including a retaining wall on Red Tail Lane and a house looking to double in size.
 - **ECU review:** Rick Stevens reminded the Board that a tap was initially designed to service a 4 bedroom, 3 bath house, so suggested anything over that be eligible for additional ECU up-charges, including such items as hot tubs, steam showers, drip irrigation, ADUs, etc. as a way to generate revenue for the water fund. Stuart Lusk noted that only work that went through the planning department would alert the Landowner's Board, not work through the building department, so worries that many ECU impacts would not be caught.
 - **Taps:** Stuart Lusk noted there are very few lots that have not pulled their taps, but two that are on the horizon will have to cross the road, making them very expensive to hook up. Rick suggested the owner should be required to excavate the water line at their expense. Jerome agreed and said the City supplies their taps but not the

excavation or asphalt. Stuart Lusk did not think the landowner would object to additional cost of excavating the water line, but would need to know promptly to plan.

- **Compliance Deposits:** Jerome Meister suggested implementing a schedule of compliance deposits before the spring projects begin.
- Jim Laing said they would have to table further discussion of ECU “tap” fees or adjusting the responsibility of tap excavating fees until full board was available for consensus.
- **Water Rate Review:** Rick Stevens shared a spreadsheet which suggested lowering the threshold of Tier 5 water rates from 130,000 gallons per quarter to at least 100,000, which would add an additional \$26,000 to annual revenue stream. Jim suggested lowering usage tiers, which does not affect the rate structure, and would affect only the top 40 users. Jim Laing was strongly in favor.
- **Finance Report:** Cindy Herndon reviewed accounts receivables, and which accounts were eligible for shut off for non-payment. Rick said one overdue account will not receive a will-serve letter following their remodel until the accounts are resolved. On the topic of accounts payable, Cindy reviewed a United States Treasury penalty that incurred following a missing 941 form. Cindy explained that she only received two of five notices sent, and calling the IRS to explain was not successful. Jim Laing suggested paying all fines quickly to stop interest because the IRS rarely backs down. Jerome motioned, with a second from Joyce, to pay all bills. All were in agreement.
- **Upcoming event:** The Farm Collaborative at Cozy Point having food bank event at the ranch, with an estimated 500 vehicles over two hours. The event will utilize professional traffic controllers and the State Patrol, which will prohibit left hand turns or crossing of Highway 82 from Juniper Hill Road.
- **Next Meeting:** The date of the next meeting was set for Thursday, December Dec 15.
- **Adjournment:** Jim Laing adjourned the meeting at 6:51.