

The Board of Directors of the Left Hand Water District, meeting as the Board of the District and of the Left Hand Water Activity Enterprise, held their regular meeting on February 19, 2015, at the District offices, 6800 Nimbus Road, Longmont, Colorado. The meeting was called to order by President Corey Heil at 9:05a.m.

Directors Present: Corey Heil, President
Bo Shaffer, Vice President
Julie Trumpler, Secretary
John Brunner, Treasurer
Dan Lisco, Director
Mark Hochhauser, Director

Directors Absent: Paul Schlagel (Excused)

Staff and Consultants: Chris Smith, General Manager
Vicki Santos, Finance Manager
Darwin Williams, District Engineer
Scott Holwick, Attorney
Meghan Connolly, Engineering Technician
Lilah Imes, Assistant Secretary, Board of Directors
Geoffrey Greenman, Treatment
Betsy Wheeler, Administration

Public Present: Nathan Alburn, Clear Water Solutions
Michelle Hatcher, Clear Water Solutions

SUBJECT: MINUTES OF THE DISTRICT REGULAR MEETING HELD 1/15/2015

Approval of the Minutes

The minutes of the January 15, 2015 Board meeting were submitted prior to the meeting.

MSP: *Treasurer Brunner moved to approve the minutes of the January 15, 2015 board meeting. Motion seconded by Director Lisco. Motion carried unanimously.*

SUBJECT: NEW BUSINESS

Water Efficiency Plan – 2015:

Michelle Hatcher and Nathan Alburn presented to the Board a draft for the Left Hand Water District's proposed 2015 Water Efficiency Plan. The State of Colorado requires the District to file an approved plan with them every seven years. Grant money from CWCB was available to compile a new plan update. For the past 20 years, the District has implemented similar plans throughout the years. The compilation of this plan utilizes a 5 step process, 1) Profile the

existing water supply system, 2) Profile water demands, 3) Establish efficiency goals, 4) Select water efficiency activities, and 5) Implementation and monitoring of the plan. The 2008 plan was projected to save 714 Acre Feet of water by 2017, an estimated 575 Acre Feet of measurable savings was detected. Discussion.

MSP: *Vice President Shaffer moved to present the draft for the Left Hand Water District 2015 Municipal Water Efficiency Plan Update for a 60 day public comment period in accordance with CWCB guidelines. Motion seconded by Director Lisco. Motion carried unanimously.*

SUBJECT: TAPS FOR BOARD CONSIDERATION

Chet & Kristine Anderson – 4114 Oxford Road:

This tap request is for a ¾ inch Commercial Tap to serve a greenhouse. The Anderson's grow herbs and flowers as part of The Fresh Herb Co. operated at the property located on the corner of 41st and Oxford Road. The home on the property is currently being served by a residential tap. According to the information provided by the customer's Commercial Supplemental Form, the tap would require a maximum flow rate of 18 gpm and an annual supply of 2.0 acre feet. Using a 0.85 AF average yield on Left Hand Ditch, the applicant will dedicate 2.5 units of Left Hand Ditch shares (cash-in-lieu @ \$4,000/unit). Discussion.

MSP: *Director Lisco moved to approve a ¾ inch Commercial Tap to serve a greenhouse at 4114 Oxford Rd. Motion seconded by Treasurer Brunner. Motion carried unanimously.*

Erie/Candlelight Estates Tap Abandonment - 11411 Isabelle Road:

In 2002 a parcel of land known as the "Barry Annexation" was excluded from the District (C4-12). In accordance with the Agreement Regarding Water Service and Boundaries Section 5.3, the District continued to serve the single house on this parcel. The property was recently subdivided and the development will receive water service from the Town of Erie. Consistent with the Agreement, service will now be disconnected from the District's system and one share of CBT will be transferred to the Town of Erie. Other than the service line, there are no other waterlines that require disconnection or transfer to the Town. Erie has agreed to have the developer pay the costs of disconnecting the service and removing the meter pit. Discussion.

MSP: *Vice President Shaffer moved to approve abandon tap at 11411 Erie Parkway. Motion seconded by Treasurer Brunner. Motion carried unanimously.*

MSP: *Vice President Shaffer moved to approve to transfer one unit of CBT to the town of Erie for the property located at 11411 Erie Parkway. Motion seconded*

by Treasurer Brunner. Motion carried unanimously.

SUBJECT: FINANCIAL REPORTS

Monthly Financial Statements:

Vicki Santos presented the financial reports and payables. Discussion.

Bills and Appropriations:

A listing of monthly bills and appropriations was presented for review prior to the meeting. The total payables equaled \$831,598.89

Audit Engagement Letter Addendum:

The District's auditors, Anton Collins Mitchell, LLC, presented an addendum to the engagement letter that was signed by the Board at their January meeting. The initial fee did not reflect the additional work their firm must complete due to the District receiving more than \$500,000.00 in federal funding during 2014 under our Public Assistance contract with FEMA. Discussion.

MSP: *Director Lisco moved to authorize the Audit Engagement Letter Addendum between LHWD and Anton Collins Mitchell, LLC for the 2014 Audit. Motion seconded by Vice President Shaffer. Motion carried unanimously.*

SUBJECT: UNFINISHED BUSINESS

NISP Update & Expenditures 2003-2014:

The Army Corps of Engineers have provided a date of June 19, 2015, for the completion of the Supplemental Draft Environmental Impact Statement. While the exact date may change, setting a date means that the public comment period will occur sometime this summer. Following the public comment period of 45-90 days, the Corps will begin working on the Final EIS documents that will lead to a record of decision (ROD). The District and others involved in NISP have the opportunity to explain, via a letter to the editor for the Times Call and the Daily Camera, what has gone into the permitting process and focus on why this project is very important to Colorado. A draft of the letter was included in the BOD packet and will be published between now and the release of the SDEIS. Discussion.

MSP: *Vice President Shaffer moved to join with the other Boulder County NISP participants in submitting a letter to the editor to Boulder County newspapers in order to support our participation in NISP. Motion seconded by Secretary Trumpler. Motion carried unanimously.*

Dodd WTP Upgrade & Expansion – 60% GMP Agreement:

The agreement with Garney Water Partnerships is a Design Build Institute of America Standard Form of Agreement between owner and Design Builder that contains a Cost Plus fee with an option for a Guaranteed Maximum Price. A big milestone was reached with this agreement. The GMP estimate is considerably lower than initially proposed. Several District staff and Alan Pratt, a Dewberry engineer, has reviewed the estimate and recommend to the BOD to proceed with an Amendment to the Agreement listing the lower GMP. Discussion.

MSP: *Vice President Shaffer moved to authorize the General Manager to enter into an Amendment to the Design Build Agreement with Garney Water Partnership. Motion seconded by Secretary Trumpler. Motion carried unanimously.*

149th Annual Meeting – Left Hand Ditch Company:

The 149th Annual Meeting of the Left Hand Ditch Company was held on Saturday February 7, 2015 at 10:00 am. The District Manager attended this meeting and had the opportunity to present an update of the District's activities. Discussion.

Mountain View Fire Protection District:

The Mountain View Fire Protection District has accepted the District's terms for a lease at the Niwot tank site and a contract will be presented to the Board soon. The new plan will include a smaller building. Discussion.

Recent Colorado Big Thompson water purchases:

Hoffman Farms does not have a closing date for their property with Boulder County as of yet. An extension for the Hoffman water sale closing was granted. Rinn Valley Farms water sale will close next week. Discussion.

SUBJECT: NEW BUSINESS

Records Management Schedule:

The Colorado Open Records Act, CORA, requires that the District maintains certain public records and have them available for public inspection. The Colorado State Archives, in cooperation with the Special District Association and the State Auditor's office have developed a statewide retention schedule. The District would like to adopt this schedule, District Resolution 2015-01. Discussion.

MSP: *Vice President Shaffer moved to adopt Left Hand Water District's Resolution 2015-01, a Resolution Of the Board of Directors of the Left Hand Water District adopting the Colorado State Archives Special Districts Records Management Schedule. Motion seconded by Director Lisco. Motion carried unanimously.*

Proposed Policy Revision – Investment Policy for the Left Hand Water District:

As State statutes change, the District needs to modify investment policies. This process involves updating codes and bringing the District's policy verbiage up to State standards. Finance manager Vicki Santos has been working with the District's investment brokers, Cutwater Asset Management, to ensure the District's policy is current with statutory guidelines regarding the investment of public funds. A summary of recommended changes was included in this meeting's BOD packet, along with the current District policy. Discussion.

MSP: *Vice President Shaffer moved to adopt the recommended revisions to the Left Hand Water District Investment Policy. Motion seconded by Director Lisco. Motion carried unanimously.*

Personal Injury at a District Construction site:

A person riding a bicycle along 95th street during water line construction last September ran into a discharge hose. The person was injured as they fell from the bicycle. District personnel was on the scene shortly after the incident and took photos. The District will forward all the information regarding this incident to our insurance carrier. Discussion.

Longs Peak Water Cross Tie IGA:

During the formation of the Elms subdivision, both Left Hand Water District and Longs Peak Water District claimed this subdivision. Eventually the subdivision was divided in half and is served by both Districts. The District would like to install a vault in this subdivision, equipped with a meter and a backflow system that would allow cross connecting between the Districts in the event of an emergency. The District had similar emergency connections after the September 2013 flood. In order to build this vault, the two Districts would need an IGA. Both parties, the District and Longs Peak Water District, have been, or, are currently represented by Lyons, Gaddis, Kahn, Hall, Jeffers, Dworak & Grant. A conflict of interest waiver requesting each party's consent to the firm's representation of each entity needs to be in place. Discussion.

MSP: *Vice President Shaffer moved to direct the General Manager to execute a waiver of conflict between Longs Peak Water District and LHWD, regarding legal representation to establishing an IGA between the two entities. Motion seconded by Director Lisco. Motion carried unanimously.*

Meeting adjourned at 12:25 pm.

By,

Lilah Imes, Assistant Secretary, Board of Directors

Julie Trumpler, Secretary