

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 August 18, 2016 at the District offices, 6800 Nimbus Road, Longmont, Colorado. The meeting was called to order by President Julie Trumpler at 9:02 a.m.

Directors Present: Julie Trumpler, President
Mark Hochhauser, Vice President
Sam Barnsley, Treasurer
John Brunner, Director
Bart Fischer, Director
Jim Richard, Director

Directors Absent: Dan Lisco, Excused

Staff and Consultants: Chris Smith, General Manager
Vicki Santos, Finance Manager
Jason Whitmore, Treatment Manager
Darwin Williams, District Engineer
Scott Holwick, Attorney
Meghan Connolly, Engineer I
Lilah Imes, Assistant Secretary, Board of Directors

Public Present: Mark Bowman, Colson Construction

SUBJECT: MINUTES OF THE DISTRICT REGULAR MEETING HELD 7/21/2016

Approval of the Minutes

The minutes of the July 21, 2016, Board meeting were submitted prior to the meeting.

MSP: *Director Richard moved to approve the minutes of the July 21, 2016 meeting. Motion seconded by Director Brunner. Motion carried unanimously.*

SUBJECT: TAPS FOR BOARD CONSIDERATION

4900 Niwot Road – Moneca Sheldon:

The applicant requests a 5/8" Single Family Tap to serve a future home at 4900 Niwot Rd. The applicant will pay cash-in-lieu for one share of Left Hand Ditch. There is adequate pressure and flow to service a tap at this location. Vice President Mark Hochhauser recused himself from the discussion and vote due to the fact as a realtor, he represents the seller of this property. Discussion.

MSP: *Director Richard moved to approve a 5/8" single family residential tap for 4900 Niwot Road conditional on meeting all requirements and fees required for service. Motion seconded by Director Fischer. Motion carried with 4 ayes and one abstention.*

Lot 6 Block 1 Chance Acres – Dena Schultz:

The applicant requested a 5/8" Single Family Tap for a vacant lot in Chance Acres. This parcel of land, Lot 6, is currently combined with Lot 5 per county records, to reduce the yearly tax bill. Pressure and flow are adequate to service an additional tap on the existing 2" line on Galatia Road. This parcel of land will require a water dedication of 1.5 units of CBT. Discussion.

Lot A; RECX-16-0072 (Weld County) – Joshua Gerstberger:

The applicant has requested a 5/8" Single Family Tap for a lot, Lot A, that was created by a recorded exemption. The residual parcel, Lot B, will maintain the existing water tap. Pressure and flow are available to service a tap for Lot A, RECX-16-0072. This tap will require 1.0 units of CBT, which will be paid cash-in-lieu. Discussion.

MSP: *Director Richard moved Motion to approve a 5/8" single family residential tap for Lot 6 Block 1 and approve a 5/8" single family residential tap for Lot A, RECX-16-0072, both conditional on meeting all requirements and fees required for service. Motion seconded by Treasurer Barnsley. Motion carried unanimously.*

SUBJECT: FINANCIAL REPORTS

Monthly Financial Statements

Vicki Santos presented the financial reports and payables for the month of July 2016. Also, President Julie Trumpler and Treasurer Sam Barnsley consented to serve on the 2017 Budget Committee. Discussion.

Bills and Appropriations

A listing of monthly bills and appropriations was presented for review prior to the meeting. The total payables equaled \$509,861.43.

SUBJECT: UNFINISHED BUSINESS

Longs Peak Estates – Modification to Subdivision/Multiple Tap Purchase Agreement:

Mark Bowman, Darryl Propp's representative, attended the Board meeting for Mr. Propp. Prior to the Board meeting, Mr. Propp consented to sign the

Modification to the Subdivision/Multiple Tap Purchase Agreement between Left Hand Water District and Daryll Propp, RE, Longs Peak Estates. However, per the recommendation of Left Hand Water District's attorney, the agreement will include additional modifications regarding the property owner's responsibility to cover any legal fees associated with contesting the terms of the agreement. Discussion.

MSP: *Vice President Hochhauser moved to authorize the Board President to sign the Modification to Subdivision/Multiple Tap Purchase Agreement between Left Hand Water District and Daryll Propp, conditional on meeting all the requirements of the Agreement and the addition of a provision regarding this agreement proceeding through litigation. Motion seconded by Director Richard. Motion carried unanimously.*

Dodd WTP Open House:

A copy of the open house invitation was included in the board packet for review. Lunch will be provided and there will be tours of the new plant. Discussion.

SUBJECT: NEW BUSINESS

Application for a Finding of Reasonable Diligence – Case No. 02CW321

A tender has been proposed in water court. There is a 28 day protest period. After this period, the judge will enter a decree. The District will need to update this application every six years and show diligence that we are utilizing this water right.

Government Practice Group Update-Attorney Scott Holwick:

There aren't any remarkable bills this session. The U.S. Department of Labor's Wage and Hour division's ruling regarding overtime exemption criteria will be in effect 12/1/2016. Also, HB 1438 passed the legislature. This bill deals with pregnancy accommodations and amends the Colorado Anti-Discrimination Act to require Colorado employers to "provide reasonable accommodations." SB 16-200, the water permitting coordination fund was repealed. HB 16-218 imposed restrictions on special funding, such as infrastructure project funding. In November, Amendment 69 will be on the general ballot. This amendment to the Colorado State Constitution is an initiative to create universal healthcare for Colorado residents partly through an additional 10 percent income tax, two thirds paid by employers and one third by employees for payroll income. Discussion.

General Manager Performance Review:

Chris Smith prepared a District progress report for the Board. The report highlights many successes the District has had since Chris has served as the District's General manager over the past year. Discussion.

MSP: *President Trumpler moved to enter into Executive Session at 11:36 am, according to Section 24-6-402(4)(f) C.R.S. Motion seconded by Director Brunner. Motion carried unanimously.*

MSP: *Director Richard moved to exit Executive Session at 12:20 pm. Motion seconded by Vice President Hochhauser. Motion carried unanimously.*

MSP: *Vice President Hochhauser moved to adjourn the board meeting at 12:24 pm. Motion seconded by Treasurer Barnsley. Motion carried unanimously.*

Meeting adjourned at 12:24 pm.

By,

Lilah Imes, Assistant Secretary, Board of Directors

Dan Lisco, Secretary