

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 November 16, 2017 at the District offices, 6800 Nimbus Road, Longmont, Colorado. The meeting was called to order by President Julie Trumpler at 9:03 a.m.

Directors Present: Julie Trumpler, President
Dan Lisco, Secretary
John Brunner, Director
Bart Fischer, Director
Jim Richard, Director

Directors Absent: Mark Hochhauser, Excused
Sam Barnsley, Excused

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

Public Present: Jessie Olson, LWOG

SUBJECT: MINUTES OF THE DISTRICT REGULAR MEETING HELD 10/19/2017

Approval of the Minutes

The minutes of the October 19, 2017, Board meeting were submitted prior to the meeting.

MSP: *Director Richard moved to approve the minutes of the October 19, 2017 meeting. Motion seconded by Director Brunner. Motion carried unanimously.*

SUBJECT: PUBLIC HEARING/COMMENT

MSP: *Secretary Lisco moved to officially open the Public Hearing to discuss the Northstar Annexation and the 2018 Rate Hearing. Motion seconded by Director Brunner. Motion carried unanimously. Public hearing opened at 9:31 am.*

MSP: *Secretary Lisco moved to officially close the public hearing. Motion seconded by Director Richard. Motion carried unanimously. Public hearing closed at 10:33 am.*

1225 Prospect LLC & G.E.M. Holdings Petition for Exclusion from District Boundary:

The owners of these parcels of land contacted the District requesting exclusion from the District. Our attorney's office, Lyons Gaddis, prepared all the necessary paperwork, including the petition for exclusion and noticed today's public hearing in the Times Call. This petition was presented to the Board for final action to be taken. No public was present for this hearing. Discussion.

MSP: *Secretary Lisco moved to grant the Petitions for exclusion such that the properties described as the 1225 Prospect LLC and G.E.M. Holdings, LLC shall be excluded from Left Hand Water District; and to execute the Certified Board Order of Exclusion. Motion seconded by Director Fischer. Motion carried unanimously.*

Public Rate Hearing - Proposed Rates for 2018:

Vicki Santos presented the Board with a memo on proposed rates and fees. The proposed rates and fees were based on the AWWA Cost-of-Service rate model, actual cost of inventory & labor rates, and the price of Big Thompson shares. By state statute, the Public Rate hearing was posted at the Niwot Post Office, Mountain View Fire Department on Stagecoach and the District office. Also, as required, all counties, Boulder, Weld and Broomfield were provided with notices regarding today's public hearing. The District did not receive any comments, nor were there any public present today. Attorney John Chmil requested clarification on the miscellaneous fee labeled, "Inclusions/Exclusions". Typically, there is not a fee assessed to be included into the District Boundaries as there is recognition to gain a customer and they will also pay a tap fee. Staff will amend the fee name, prior to publishing the fees, to clarify that the fee only applies to Exclusions from District Boundaries. Also, for clarification, the CORA fee is \$30.00 per hour after the first hour, for which there is no charge. This fee schedule is set by State Statute. The terms and details are reflected on the full fee schedule included in the board packet. The published version is provided via our website in compact form. If someone requests a full fee schedule, staff will provide one with all the terms and details. Discussion.

MSP: *Secretary Lisco moved to adopt the Proposed 2018 Tap Fees, Monthly Service Charge and Volume Charges, and Miscellaneous Fee Schedule, as presented and remove the word, Inclusion from the Inclusion/Exclusion Fee as there is not a fee to be included into the District. Motion seconded by Director Richard. Motion carried unanimously.*

SUBJECT: TAPS FOR BOARD CONSIDERATION

Paul Martorana & Kelly Work – Lot A RECX 16-0153 Weld County:

The owners of this parcel of vacant land, located at the intersection of WCR 10 and CR 5 have requested water service to serve a future home. Pressure and flow are available for an additional 5/8-inch Single Family Tap. Discussion.

MSP: *Director Richard moved to approve a 5/8-inch single family residential tap for Lot A RECX 16-0153 conditional on meeting all requirements for service. Motion seconded by Secretary Lisco. Motion carried unanimously.*

Richmond Homes – Wyndham Hill Fil. 5A (7 lots):

Richmond American Homes has requested service for 7 lots in the Wyndham Hill Subdivision. There is adequate pressure and flow for the additional 7, 5/8-inch Single Family taps. The developer is responsible for the construction of the infrastructure and they have requested to pay cash-in-lieu of dedication for the CBT water rights. Discussion.

MSP: *Secretary Lisco moved to approve Subdivision Multiple Tap Purchase Agreement with Richmond American Homes for 7 Lots in Wyndham Hill Subdivision Filing No. 5 Replat A, conditional on meeting all requirements and fees required for service. Motion seconded by Director Brunner. Motion carried unanimously.*

Century Communities, Inc. – Wyndham Hill Fil. 5A (8 lots):

*Century Communities, Inc has requested service for 8 single family lots in the Wyndham Hill Subdivision. There is adequate pressure and flow for the 8 additional, 5/8-inch Single Family taps. The developer is responsible for the construction of the infrastructure and they have requested to pay cash-in-lieu of dedication for the CBT water rights. Discussion.
Discussion.*

MSP: *Secretary Lisco moved to approve Subdivision Multiple Tap Purchase Agreement with Century Communities, Inc. for 8 Lots in Wyndham Hill Subdivision Filing No. 5 Replat A, conditional on meeting all requirements and fees required for service. Motion seconded by Director Brunner. Motion carried unanimously.*

Tiger Financial Investors – Block 2 Lot 6 Vista Commercial Center:

This lot has an existing 3/4-inch commercial tap assigned to it. The application is requesting a 4-inch fire line in addition to the 5/8-inch tap. Pressure and flow are available to serve the proposed 4-inch fire line. Discussion.

MSP: *Secretary Lisco moved to approve a 4-inch fire line connection for Block 2; Lot 6 Vista Commercial Center Filing 1 conditional on meeting all requirements and fees required for service. Motion seconded by Director Richard. Motion carried unanimously.*

Frederick Firestone Fire Protection District – 10706 WCR 7 Frederick, CO:

In 2013, the fire district purchased a 3/4-inch tap for this lot to serve a future fire station. A review of the applicant's Commercial Supplement Form and their Site Plan, determine that the existing 1.5 SFE dedicated to this lot is sufficient to serve the 3/4-inch tap, in addition to adding a 6-inch fire line and a fire hydrant. Discussion.

MSP: *Secretary Lisco moved to approve a 6-inch fire line connection and the installation of a fire hydrant for 10706 WCR 7 – Frederick Firestone Fire Protection District conditional on meeting all requirements and fees required for service. Motion seconded by Director Richard. Motion carried unanimously.*

SUBJECT: FINANCIAL REPORTS

Monthly Financial Statements

Vicki Santos presented the financial reports and payables for the month of October 2017. Discussion.

Bills and Appropriations

A listing of monthly bills and appropriations was presented for review prior to the meeting. The total payables equaled \$1,254,339.81.

CWCB Loan and Board Resolution 2017-03 (Draft):

A draft copy of the CWCB Loan and Board Resolution 2017-03 was provided for the Board at this meeting. Action by the Board will be required at a later date for this loan. Discussion.

SUBJECT: UNFINISHED BUSINESS

Dream Weaver Holdings, LLC – Dreamer's Ridge Subdivision:

At the Board of Director's meeting in May 2017, the District and Dream Weaver Holdings, LLC entered into a contract regarding a proposed 10 lot subdivision in Weld County. There have been several delays in obtaining the required permits and the applicant has requested a 90-day extension to the existing contract, which will extend the time their initial contract payment is due and shift the tap takedown schedule by one year. Discussion.

MSP: *Secretary Lisco moved to approve the Amendment to Subdivision/Multiple Tap Purchase Agreement – Dream Weaver Holdings, LLC. Motion seconded by Director Brunner. Motion carried unanimously.*

Colorado Big-Thompson Water Purchase – 43 C-BT Units:

Staff was authorized by the Board of Directors to purchase 43 units of CBT at \$27,000.00 per unit. Two brothers, David and John Bliss and the District have entered into a Sales and Purchase Agreement that will sell the District the 43 total units of CBT, with the purchase of 8 of the units to be completed in 2018. Northern Water has prepared all the necessary transfer documents that require the signature of the Board President and must be delivered to Northern no later than November 22, 2017. Discussion.

MSP: *Secretary Lisco moved to approve the Application to Northern Colorado Water Conservancy District for Water Allotment Contracts for the three Allotment*

Contracts, one for 13 units from David Bliss and two for a total of 30 units from John Bliss. Motion seconded by President Trumpler. Motion carried unanimously.

SUBJECT: NEW BUSINESS

Lefthand Watershed Oversight Group (LWOG) – Activities Update 2017:

The Executive Director of LWOG, Jessie Olson, addressed the Board regarding Progress and state of LWOG. This year, LWOG has completed restoration construction projects totaling over \$9M. Jessie and her staff continue to work tirelessly to obtain grants for the future stability of Left Hand Creek. The team produced a watershed protection manual: Regional Stream Stewardship & Recovery Handbook-The landowners guide to living along Colorado's waterways. Discussion.

Proposed Fire Hydrant Policy Revisions:

District Policy 33 and 34 are policies that pertain to the use of fire hydrants within the District boundaries have recently been reviewed and staff has determined they need revisions to align with current District practices. Policy 33 has a fee hard coded into the policy as that does not allow fees to be adjusted to current market rate. Policy 34 deals with bulk water sales. The revisions to these policies were included in the board packet for consideration by the Board.. Discussion.

MSP: *Secretary Lisco moved to approve revisions to Policy 33: Policy Regarding Fire Hydrants and Policy 34: Fire Hydrant Meter Policy. Motion seconded by Director Brunner. Motion carried unanimously.*

Left Hand Ditch Company Liaison Meeting:

A tentative meeting for the Left Hand Ditch Company liaisons is scheduled for December 4, 2017. Discussion.

Attorney's Comments:

John Chmil, the District's attorney with Lyons Gaddis, is moving through the litigation process with New Tech Construction. Chris Smith and Darwin Williams will potentially be used as expert witnesses. All the litigation paperwork was filed with the courts as of November 13, 2017 and we are awaiting a mediation date. Discussion.

Meeting adjourned at 12:10 pm.

By,

Lilah Imes, Assistant Secretary, Board of Directors

Dan Lisco, Secretary