

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 January 18, 2018 at the District offices, 6800 Nimbus Road, Longmont, Colorado. The meeting was called to order by President Julie Trumpler at 9:01 a.m.

Directors Present: Julie Trumpler, President
Mark Hochhauser, Vice President
Sam Barnsley, Treasurer
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
Chris Jones, Distribution Foreman
Scott Holwick, Attorney
Meghan Connolly, Engineer I
Lilah Imes, Assistant Secretary, Board of Directors

Public Present: Rob Alexander, Boulder County
Melvin Stonebraker, Boulder County

SUBJECT: MINUTES OF THE DISTRICT REGULAR MEETING HELD 12/14/2017

Approval of the Minutes:

The minutes of the December 14, 2017, Board meeting were submitted prior to the meeting.

MSP: *Treasurer Barnsley moved to approve the minutes of the December 14, 2017 meeting. Motion seconded by Director Richard. Motion carried unanimously.*

SUBJECT: PUBLIC HEARING/COMMENT

There have been no requests for public comment.

SUBJECT: TAPS FOR BOARD CONSIDERATION

There have been no requests for new service submitted.

SUBJECT: FINANCIAL REPORTS

Monthly Financial Statements:

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

Bills and Appropriations:

A listing of monthly bills and appropriations was presented for review prior to the meeting. The total payables equaled \$1,468,373.60.

SUBJECT: UNFINISHED BUSINESS

Boulder County Open Space – Abandoned Taps:

At the April 2012 Board of Director's meeting, the Board entered into an agreement with Boulder County regarding several taps that did not have usage. The agreement was for 3 taps to be granted exemption from Policy 18 for a period of 5 years, which expired April 12, 2017. Rob Alexander and Mel Stonebraker addressed the Board regarding this agreement and requested that a tap that was previously abandoned in 2012 be re-activated and put to use. The tap is located at 7694 N. 63rd St. and the water source for that parcel is Left Hand Ditch Company. This tap will be designated a commercial tap and will provide water to a farm. The re-activated Tap will have one Tap equivalent and one unit of Left Hand Ditch company water assigned to it. As for the three taps in question per the 2012 agreement, 75 086 08, 75 001 05 and 23 103 03, the County has agreed that each are abandoned and that each can be removed by removed by the District. Discussion.

MSP: *President Trumpler moved to approve the re-activation of a previously abandoned commercial tap for use at 7694 N. 63rd St. with the following conditions: 1) Boulder County will pay for the cost of installing the meter pit, 2) Boulder County will install a backflow device in compliance with District Rules, 3) the road bore cost will be the responsibility of Boulder County 4) the tap has to be put to use or it will be considered abandoned and removed by the District, and 5) the County has 90 days from this meeting to have the tap set. In addition, three taps at 75 086 08, 75 001 05 and 23 103 03 are declared abandoned and will be removed by the District. Motion seconded by Director Richard. Motion carried unanimously.*

Notice of Annual Meeting – Left Hand Ditch Company:

The Annual meeting for the Left Hand Ditch Company will be held Saturday, February 3, 2018 at 10 am at Altona Grange. If three or more of our Board members attend, we will notice the meeting as required by State statute. There are several items on the agenda regarding which Chris Smith would like direction from the Board. The first item is the two director seats up for election and how to vote Left Hand Water District shares. Chris Smith is also on the agenda to give an annual report regarding the District. Also, the Board needs to appoint two Directors from our Board to serve on the Joint Liaison Committee. Last year the committee consisted of Jim Richard and Dan Lisco. Discussion.

MSP: *Treasurer Barnsley moved to authorize the General Manager to vote shares at the LHD Co. Annual Meeting and gave discretion to the General Manager regarding the director positions up for election, as well as the setting of per-share assessment. He also moved to appoint Dan Lisco and Jim Richard to the*

Joint Liaison Committee. Motion seconded by Director Richard. Motion carried unanimously.

Haldi Ditch Company Annual Meeting:

The annual Haldi Ditch Company meeting will be held at Left Hand Water District offices at 10:00 am on February 17, 2018. Left Hand Water District holds 2 of the 5 seats on the Haldi Ditch Company Board. Treatment manager, Jason Whitmore and BOD president, Julie Trumpler served last year. Jason has regular interaction with this ditch company and his position on their Board is valuable to the District. Discussion.

MSP: ***Director Richard moved to appoint two District Representatives, Jason Whitmore and Julie Trumpler to fill Board seats on the Haldi Ditch Company Board of Directors. Motion seconded by Treasurer Barnsley. Motion carried unanimously.***

New Hinman Ditch Company Annual Meeting:

Left Hand Water District holds limited shares in this ditch company which serves to irrigate a portion of the Dodd WTP property leased by Dick Smith. Their annual meeting will be held February 3, 2018. In previous years, LHWD has given proxy to Dick Smith to vote the District's shares. Discussion.

MSP: ***Director Richard moved to approve General Manager to grant Proxy for the purpose of voting shares at the New Hinman Ditch Company Annual Meeting. Motion seconded by Treasurer Barnsley. Motion carried unanimously.***

SUBJECT: NEW BUSINESS

Designated Election Official (DEO) for May Election – Resolution 2018-01:

There are 6 Left Hand Water District seats up for election this year. The election will be held on May 8, 2018 and the District is required to designate an election official. Lilah Imes has agreed to hold this position. The Resolution designates an official and gives the authority for the official to cancel the election if needed. Discussion.

MSP: ***Treasurer Barnsley moved to approve Resolution 2018-01 – For the Regular Election to be Held May 8, 2016 Appointing a Designated Election Official and Authorizing the Designated Election Official to Cancel Election. Motion seconded by Director Richard. Motion carried unanimously.***

At-Large Director Vacancy:

John Brunner who has served on the Left Hand Water District Board for almost 12 years, passed away January 2, 2018 after a short illness. His knowledge and dedication will be missed. His At-Large Director seat will be on the ballot for the election in May 2018, as he was term limited. The Board can choose to appoint someone prior to election. Discussion.

Niwot Youth Sports – Biff Warren Fields Lease Agreement:

In 1992 the District entered into a 25-year agreement with Niwot Youth Sports to lease a portion of the Dodd property to use for baseball fields. These fields have become an important facility for NYS and they would like to enter into a new agreement with the District. Staff has identified a couple of issues that may be of concern, 1) the construction of the SWSPH, 2) connection to the DWTP and 3) how the fields are irrigated. The new agreement may include redrawing boundaries and requiring NYS to either purchase and/or rent a share of LHDCo water. The Board has directed staff and the attorney's office to negotiate new lease terms with Niwot Youth Sports. Discussion.

Application for Finding of Reasonable Diligence – Behrmann Storage and Exchange Rights (Case Number's 11CW59 AND 11CW127):

Every six years the District has to address with Boulder County Courts, the two water rights the District holds on the Behrmann property and the Left Hand Creek. The District's attorney's office has prepared the Diligence Applications and Resolution 2018-02 regarding these water rights. They were presented to the Board in this month's board packet. One application is due at the end of February 2018 and the other application is due at the end of March 2018. Discussion.

MSP:

Treasurer Barnsley moved to approve Resolution No. 2018-2, A Resolution Authorizing the Filing of Two (2) Separate Water Court Applications for Finding of Reasonable Diligence and to continue: (1) Conditional Appropriative Rights of Exchange on Left Hand Creek; and (2) A Conditional Water Storage Right for the Behrmann Reservoir. Motion seconded by Director Richard. Motion carried unanimously.

Attorney's Comments:

John Chmil provided a handout for the Board of Directors updating them on the New Tech case. Scott Holwick informed the Board that the 2018 Legislative session has commenced. There are two items of interest on this docket that his firm is watching. Scott discussed that he is working with Chris in the possible acquisition of 75 units of CBT. Discussion.

Meeting adjourned at 11:49 am.

By,

Lilah Imes, Assistant Secretary, Board of Directors

Dan Lisco, Secretary