

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 September 20, 2018 at the District offices, 6800 Nimbus Road, Longmont, Colorado. The meeting was called to order by President Julie Trumpler at 9:00a.m.

Directors Present: Julie Trumpler, President
Mark Hochhauser, Vice President
Dan Lisco, Secretary
Sam Barnsley, Treasurer
Bart Fischer, Director
Jim Richard, Director
Alan Pratt, Director

Directors Absent: N/A

Staff and Consultants: Chris Smith, General Manager
Vicki Santos, Finance Manager
Jason Whitmore, Treatment Manager
Scott Holwick, Attorney
Adam Delaney, Distribution Manager
Steve Buckbee, District Engineer
Jordan Tyson, GIS Technician
Lilah Imes, Assistant Secretary, Board of Directors

Public Present: N/A

SUBJECT: MINUTES OF THE DISTRICT REGULAR MEETING HELD 8/16/2018

Approval of the Minutes:

The minutes of the August 16, 2018, Board meeting were submitted prior to the meeting.

MSP: *Treasurer Barnsley moved to approve the minutes of the August 16, 2018 meeting. Motion seconded by Director Richard. Motion carried unanimously.*

SUBJECT: PUBLIC HEARING/COMMENT
There has been no request for a public hearing/comment.

SUBJECT: TAPS FOR BOARD CONSIDERATION

Real Estate Holdings, LLC (Abraham Rasul) – 6441 N. 95th Street:

This tap request is to service a single family home to be built in the future. This particular property will require a booster pump due to the elevation of the property. Staff has provided the applicant a checklist and booster pump design sheet that shows the District's specifications regarding booster pumps. Pressure and flow are available to provide service, conditional upon meeting all requirements for service. Applicant has requested to pay cash-in-lieu for C-BT. Discussion.

MSP: *Secretary Lisco moved to approve a single family residential tap for 6441 N. 95th Street subject to meeting all conditions for service. Motion seconded by Vice President Hochhauser. Motion carried unanimously.*

SUBJECT: FINANCIAL REPORTS

Monthly Financial Statements

Vicki Santos presented the financial reports and payables for the month of August 2018. Discussion.

Bills and Appropriations

A listing of monthly bills and appropriations was presented for review prior to the meeting. The total payables equaled \$853,839.00

Loan From the Colorado Water Resources and Power Development Authority (CWRPDA) to Finance Hydro Power Capital Improvements Relating to the Southern Water Supply Pipeline:

Resolution 2018-05 was presented to the Board, along with a draft CWRPDA loan agreement. This Resolution authorizes the execution of the CWRPDA loan that will finance the Hydro Power Capital Improvements that relate to the Southern Water Supply Pipeline. Construction will begin late summer of 2019 with substantial completion in January 2020. The District won't be generating public power but will be using in house the clean energy from the hydro improvement, which may waive additional permitting required by Boulder County. The District will save money on utility costs and during the permitting process, which can be costly. Staff and counsel do not do not anticipate any substantial changes to the final contract and signatures are not required today. Discussion.

MSP: *Director Pratt moved to approve Resolution 2018-05 and authorize signatures of all documents necessary to execute the loan agreement between Left Hand Water District and CWRPDA. Motion seconded by Secretary Lisco. Motion carried unanimously.*

Audit Engagement Letter – CliftonLarsonAllen:

CliftonLarsonAllen LLP (CLA) has provided a proposed agreement to provide audit services for the year ending 12/31/2018. This agreement is a contract between the Board and CliftonLarsonAllen. CLA audits the staff's work and will present the findings to the Board in 2019. This will be the District's third year with CLA. Discussion.

MSP: *Secretary Lisco moved to accept and sign the Agreement to Provide Audit Services with CliftonLarsonAllen LLP for the year ending December 31, 2018. Motion seconded by Director Pratt. Motion carried unanimously.*

SUBJECT: UNFINISHED BUSINESS

Northern Water - 2018 Regional Pool Proceeds:

Northern Water issued a check to the District in the amount of \$21,864.60 for the District's portion of the Regional Pool Proceeds. Discussion.

SUBJECT: NEW BUSINESS

Public Hearing for Establishing Rates:

In 2013, the Colorado State Legislature modified an existing statute which now requires Special Districts to provide a 30-day notice to account holders prior to making any changes to rates and/or fees. In order to be in compliance with this requirement, it is necessary to set the rate hearing date at this meeting. Discussion.

MSP: *President Trumpler moved to set a Public Hearing for the Purpose of Establishing Rates and/or Fees for November 15, 2018. Motion seconded by Secretary Lisco. Motion carried unanimously.*

Public Hearing for Approval of the 2019 Budget:

A preliminary budget for the year 2019, will be presented to the Board of Directors during the October 18, 2018 board meeting. At the December 13, 2018 board meeting, staff will present a final proposed budget. All necessary notifications will be made. Discussion.

MSP: *Treasurer Barnsley moved to set a Public Hearing for the Purpose of Approval of the Left Hand Water District 2019 Budget for December 13, 2018. Motion seconded by Secretary Lisco. Motion carried unanimously.*

Lefthand Watershed Oversight Group Annual Update:

Jessie Olson, the Executive Director of Left Hand Watershed Oversight Group, provided an update on LWOG's progress. LWOG's mission is to restore and protect Left Hand Creek and its watershed. LWOG accomplishes their mission statement by implementing four programs: 1. Watershed science, which includes river watch and watershed planning, 2. Stewardship, empowering the community by providing a Regional Stream Stewardship & Recovery Handbook, 3. Restoration, 10 restoration projects on 70 private properties have been completed so far, and 4. Education, increasing awareness within the community of watershed related resources. LWOG staff thanked the District for its continued support. Discussion.

Petition for Exclusion from District Boundary – HT Flatiron LP:

HT Flatiron LLP, the owner of 2839 N. 119th St., located at Arapahoe and 119th in Erie, contacted the District requesting to be excluded from the District boundary. Several years ago, the Town of Erie annexed several parcels in this area including this one. Staff worked together with Lyons/Gaddis to complete the paperwork and obtain the fee required to exclude from the property for the District's boundaries. The next step is for the Board to set a Public Hearing date to approve the exclusion of this property. Discussion.

MSP: *Director Pratt moved to set a Public Hearing on October 18, 2018 for the HT Flatiron LP Exclusion and to advertise according to regulations governing Exclusions. Motion seconded by Secretary Lisco. Motion carried unanimously.*

Request for Tap Abandonment and Partial Refund – 8200 N. 107th St (Horn):
Steven & Julia Horn purchased this parcel of land several years ago with the intention of building their retirement home. The land is surrounded by Boulder County Open Space and the permitting process will be extremely difficult. Boulder County reached out to the land owner to purchase their property. The sale to Boulder County Open Space allows the land owner to ask for the tap to be abandoned and request a refund, per District Policy 10.4:

Refunds for service taps shall only be granted at the discretion of the Board of Directors. Refund amount shall not exceed 80% of the original purchase price of the tap, unless otherwise directed by the Board of Directors.*

The District will benefit by retaining the water assigned to the property. Discussion.

MSP: *Secretary Lisco moved to approve the request to abandon the tap at 8200 N. 107th Street and to provide a partial refund of 80% of the original payment for Plant Investment Fee and Water Requirement (Refund = \$5,756.00). Motion seconded by Director Richard. Motion carried unanimously.*

Attorney's Comments:
Following the August Board meeting, on September 10, 2018, the Court issued a final decree regarding the second diligence case, finding that the District has been diligent in pursuing the perfection of its conditional water storage right for Behrmann Reservoir. Discussion.

General Manager Performance Review:
Chris Smith prepared a District progress report for the Board. The report provided an overview of the daily operations, etc. for the past year. In accordance to Section 24-6-402(4)(f) C.R.S. for purposes of discussing a personnel matter regarding the General Manager, Christopher Smith, the Board of Directors called for an Executive Session. Discussion.

MSP: *President Trumpler moved to enter into Executive Session at 11:04 am, according to Section 24-6-402(4)(f) C.R.S. Motion seconded by Secretary Lisco. Motion carried unanimously.*

MSP: *President Trumpler moved to exit Executive Session at 11:24 pm. Motion seconded by Director Fischer. Motion carried unanimously.*

Meeting adjourned at 11:27 am.

By,

Lilah Imes, Assistant Secretary, Board of Directors

Dan Lisco, Secretary