

AMENDED JUNE 20, 2019 MINUTES*

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 June 20, 2019 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
John Chmil, Attorney
Adam Delaney, Distribution Manager
Steve Buckbee, District Engineer
Martin Harders, Engineering Tech I
Jordan Tyson, GIS Technician
Lilah Imes, Assistant Secretary, Board of Directors

Public Present: Courtney Cuff, 7675 35th St.
Jeff Webb, Assistant Administrative Chief, Mountain View Fire
Rescue District

SUBJECT: MINUTES OF THE DISTRICT REGULAR MEETING HELD 5/16/2019

Approval of the Minutes:

Draft minutes of the May 16, 2019, Board meeting were submitted to the board prior to the meeting.

MSP: *Secretary Lisco moved to approve the minutes of the May 16, 2019 meeting. Motion seconded by Director Richard. Motion carried unanimously.*

SUBJECT: PUBLIC HEARING/COMMENT

Courtney Cuff, 7675 35th St.:

Ms. Cuff attended the Board meeting and brought a petition from several of her neighbors regarding a cell tower that AT&T would like to house on the District's Spurgeon Water Treatment Plant land. The petition states that the neighbors and customers of the District are concerned about the safety of a cell tower close to residents and the seemingly endless construction that takes place at 3500 Nimbus Rd. Chris Smith gave a brief history of the Spurgeon plant that was constructed in

1960, including the installation of a cell tower about ten years ago. At that time, there was concern from the neighbors and the size of the tower was shortened by 15 feet. The District is cautious with the use of our tank sites and never seeks out tenants. However, Boulder County Land Use requires all proposed towers to co-locate on other utility properties. AT&T is currently working with Boulder County through the Land Use process where most public comments and concerns are generally raised. This process can take several months. The Agreement has been executed by the District and will be signed by AT&T soon. Discussion.

SUBJECT: TAPS FOR BOARD CONSIDERATION

- Mountain View FPD – 5322 WCR 7, Weld County Colorado:
This request is for a 1” commercial tap for Phase one of the construction of a maintenance facility. Staff reviewed historic data from a similar facility to determine whether a 1” tap with 2.5 units of C-BT allotted was sufficient. The applicant’s request came in about two months ago and the applicant is requesting to pay the current tap rates, even if the Board should raise the rates later in this meeting. All landscaping will be Xeric type plants with low-flow appliances. Discussion.

MSP: *Secretary Lisco moved to approve a 1” Commercial Tap for 5322 WCR 7, conditional on meeting all requirements and fees required for service. The fees will not be impacted by any rate change that may take place during this meeting. Motion seconded by President Trumpler. Motion carried unanimously.*

- Elizabeth Potter & Daniel Moorner – 5050 Niwot Road, Boulder County CO:
This tap request is for a property on the east side of 49th St. and the south side of Niwot Road. The applicant is planning to construct a home on the land, with future plans to build an ADU. Therefore, the applicant is requesting a 3/4-inch residential tap. The property is in the Left Hand Creek area and the applicant has requested to pay cash-in-lieu of dedication. Discussion.

MSP: *Treasurer Barnsley moved to approve a 3/4-inch Residential Tap for 5050 Niwot Road, conditional on meeting all requirements and fees required for service. Motion seconded by Secretary Lisco. Motion carried unanimously.*

- Fox Chase Inc. – 1st Amendment to Subdivision Multiple Tap Purchase Agreement:
At the April Board of Director’s meeting, a Subdivision Multiple Tap Purchase Agreement between the District and Fox Chase Inc. was approved by the Board of Directors. The Agreement is currently for lots 1, 5, 6 and 7. The developer has received an offer on lot 2 of the subdivision, which is not part of the agreement. The applicant is requesting an amendment to the existing agreement to include lot 2 and remove lot 7. The meter pit for lot 2 was not previously set by the developer and they will be responsible for the cost of the meter pit installation, which the District’s crew will install. Discussion.

***JUNE 20, 2019 AMENDED MINUTES TO INCLUDE PARAGRAPH BELOW**

MSP: *Director Pratt moved to approve Amendment to Subdivision/Multiple Tap Purchase Agreement between Left Hand Water District and Fox Chase Inc.. Motion seconded by Secretary Lisco. Motion carried unanimously.*

SUBJECT: FINANCIAL REPORTS

Monthly Financial Statements:

Vicki Santos presented the financial reports and payables for the month of May 2019. Discussion.

Bills and Appropriations:

A listing of monthly bills and appropriations was presented for review prior to the meeting. The total payables equaled \$1,035,138.16.

SUBJECT: UNFINISHED BUSINESS

C-BT Cash-in-Lieu of Dedication Rate Review:

Last month the Board tabled the discussion regarding rate increases for cash-in-lieu of dedication for C-BT. Since the two units of C-BT that were bid on last month, the results show a new high price for C-BT. There is a fine line between setting the rates so high that a developer may choose not to develop in our District, and staying competitive with C-BT rates should we need to purchase more. The new housing market has dropped a bit in the past month, which directly impacts new subdivision contracts. The District has budgeted to sell about 150 taps annually, sales that are critical to the District's financial stability. Currently, the District has sufficient reserves to cover about 300 taps and staff is researching various avenues to obtain water while waiting for a Record of Decision on NISP. The Board chose to keep the cash-in-lieu rate of dedication for C-BT at the current rate of \$40,000/unit and continue to review rates quarterly. Discussion.

Firestone IGA:

At the May Board meeting an IGA between the District and the Town of Firestone was approved and sent to the Town for their approval. The Town approved the IGA at their meeting on June 12, 2019. The District will now provide direct service to the properties within the Town of Firestone west of I-25. Discussion.

SUBJECT: NEW BUSINESS

Attorney's Comments:

John Chmil discussed HB19-1087 which allows local governments to post notices on their own websites rather than posting notices at physical locations. A local government that posts notices of public meetings on its website may continue to post the notices in a physical location, however, they are not required to do so. This bill also changes the 72-hour special district notification and posting

requirements for meetings to no less than 24 hours notification prior to any meetings, consistent with the Open Meetings Law. Staff will notify DOLA with the District's website information.

Meeting adjourned at 11:28 am.

By,

Lilah Imes, Assistant Secretary, Board of Directors

Dan Lisco, Secretary