

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 19, 2019 at the District offices, 6800 Nimbus Road, Longmont, Colorado. The meeting was called to order by Vice President Hochhauser at 9:00 a.m.

**Directors Present:** Mark Hochhauser, Vice President  
Sam Barnsley, Treasurer  
Bart Fischer, Director  
Jim Richard, Director

**Directors Absent:** Julie Trumpler, Excused  
Dan Lisco, Excused  
Alan Pratt, Excused

**Staff and Consultants:** Chris Smith, General Manager  
Vicki Santos, Finance Manager  
Jason Whitmore, Treatment Manager  
Scott Holwick, Attorney  
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 08/15//2019**

Approval of the Minutes:

*Draft minutes of the August 15, 2019, Board meeting were submitted to the board prior to the meeting.*

**MSP:** *Director Richard moved to approve the minutes of the August 15, 2019 meeting. Motion seconded by Treasurer Barnsley. Motion carried unanimously.*

**SUBJECT: PUBLIC HEARING/COMMENT**

*There was no public hearing, nor were there any comments from the public.*

**SUBJECT: TAPS FOR BOARD CONSIDERATION**

Lavernes Family LLLP – 5687 Monarch Rd (Parcel 131734000022):

*This tap request is for a parcel of land located close to IBM, within the Left Hand Ditch Company's service area. As there isn't a main line on Monarch Road so the applicant will require a long service line and an easement from the parcel of land to the west in order to tie into the District's main line on 55<sup>th</sup> St. If obtaining an easement with the City of Boulder, who owns the parcel of land to the west, is an issue, staff would consider a 2-inch extension in Monarch Road. Any changes to this request will be presented to the Board at that time. The applicant has requested*

*to pay cash-in-lieu of dedication for 1 share of LHDCo. Pressure and flow are available to serve this request. Discussion.*

**MSP:** *Treasurer Barnsley moved to approve a 5/8-inch single family residential tap for 5687 Monarch Road conditional on meeting all requirements and fees required for service. Motion seconded by Director Fischer. Motion carried unanimously.*

Brian & Jennifer Enyart – Lot 3 Hauck Farm Frederick, CO (Parcel 131328202003): *The Hauck Farm subdivision is located within the Town of Frederick's boundaries. Lots 1 and 2 have previously applied for and paid for water service. The parcel of land for Lot 3 is over 20,000 square feet and the applicant is planning on constructing a residence along with an accessory dwelling above their proposed shop. The applicant's plans require a 3/4-inch tap. Pressure and flow are adequate to provide service to the applicant and they have requested to pay cash-in-lieu of dedication. Discussion.*

**MSP:** *Director Richard moved to approve 3/4-inch Residential Tap for Lot 3 Hauck Farm Frederick, CO 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 August 2019. Discussion.*

Bills and Appropriations:

*A listing of monthly bills and appropriations was presented for review prior to the meeting. The total payables equaled \$1,794,913.14*

Audit Engagement Letter – CliftonLarsonAllen:

*An Audit Engagement Letter was included in this month's board packet. This is a standard letter that the board has seen every year since the District has engaged in services with CliftonLarsonAllen LLP. There is a slight increase in fees from last year, which seems reasonable to staff. Discussion.*

**MSP:** *Treasurer Barnsley moved to accept and sign the Agreement to Provide Audit Services with CliftonLarsonAllen LLP for the year ending December 31, 2019. Motion seconded by Director Fischer. Motion carried unanimously.*

**SUBJECT: UNFINISHED BUSINESS**

Information Items and Reports:

*Staff reviewed their respective reports that were included in the board packet. Discussion.*

Left Hand Watershed Center (formerly LWOG) Annual Update:

*LWOG has undergone a name change recently and is now called Left Hand Watershed Center. The name change reflects the group's expanding services, merging the old with new practices, while maintaining its core values. This expansion will be able to provide many tools that are scalable and transferable to other watersheds in the region. This entity that originally began as a mine related clean up group has evolved into a science based, multi-functional watershed protection group. LHWC is partnering with various businesses, land owners and schools to educate the public on the importance of watershed preservation. The collaborative process is critical to the success of preservation, especially the land owner buy-in. This year alone, LHWC has completed eleven restoration projects, with nine more to be completed by the end of the year. Discussion.*

**SUBJECT: NEW BUSINESS**

Public Hearing for Establishing Rates:

*In 2013, the Colorado State Legislature modified an existing statute which 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 comply with this requirement, it is necessary to set the rate hearing date at this meeting. Discussion.*

**MSP:** *Director Richard moved to set a Public Hearing for the Purpose of Establishing Rates and/or Fees for November 21, 2019. Motion seconded by Director Fischer. Motion carried unanimously.*

Public Hearing for Approval of the 2020 Budget:

*A preliminary budget for the year 2020 will be presented to the Board of Directors during the October 17, 2019 board meeting. At the December 19, 2019 board meeting, staff will present a final proposed budget at a public hearing as required by statute. All necessary notifications will be made by staff as per State requirements. Discussion.*

**MSP:** *Treasurer Barnsley moved to set a Public Hearing for the Purpose of Approval of the Left Hand Water District 2020 Budget for December 19, 2019. Motion seconded by Director Fischer. Motion carried unanimously.*

Policy 25: Tap Policies and Classifications – Proposed Revision:

*The proposed revision of District Policy 25 is the result of the recent withdrawal from contracts by developer due to high water dedication requirements. It is the obligation of staff to determine if the amount of water dedication required to serve varies lot sizes is actually the amount being used on those lots. Prior to adopting the current fee schedules, the District required developers to turn in 1.33 units of water per tap so the District would have a drought contingency buffer of 20%. The District no longer requires that amount of water dedication per tap. In an effort to ensure that water dedication requirements are appropriate, staff identified established subdivisions with lot sizes of 7,000 sf or less and studied the average usage from the last five years. 400 lots were researched. The findings were consistent with the District's current fee schedules. However, the study determined*

*the need to add another tier of rates to accommodate lots that fall between 7,000 and 9,000 sf. The dedication amount works out to be a reduction of about 1/10 from the existing dedication requirement, but the monetary difference is about \$4,000 per tap, which could be a substantial savings for developers and which would still allow the District to meet its supply requirements. The goal of the District is to provide developers with enough water to serve varied lot sizes, without requiring them to pay for additional water they will never use. Tap fee schedules are created by established Board-adopted policies and require Board action to make changes to any policy. The proposed change will only affect homes in platted subdivisions, and will only redefine lot size dedication requirements, and will not change the current fee schedules. A draft copy of the policy changes and a draft fee schedule were included in this month's board packet for consideration. Approval of the changes today will apply to contracts from this date forward.*  
*Discussion.*

**MSP:** *Treasurer Barnsley moved to Revise Policy 25-2-I-B-1-b to allow for a new category of lot size between 7,001-9,000 square feet. Motion seconded by Director Richard. Motion carried unanimously.*

Glatfelter Public Practice – Risk Control Visit 8/28/19:

*Recently the District had an insurance risk assessment survey completed by our commercial insurance team, Glatfelter Public Practice. The surveyor was impressed with the operations and practices of the District. During the tour of pump stations, one of the fire extinguishers was missing the inspection tag. Staff replaced that extinguisher the same day. When staff received the results from the survey, it was recommended that the District hold bi-annual Sexual Harassment training. The District has a Sexual Harassment Policy already in place and staff will explore options to have the recommended training by the end of this year.*  
*Discussion.*

Town of Erie Exclusion:

*District staff, the Town of Erie, and the District's attorney have been investigating parcels of land that are in the District's boundaries but have been annexed into the Town. The Town is requesting the exclusion of these properties. A copy of the properties in question was included in the board packet, along with the documents required to complete the exclusion process. The Town will take the lead on this process, pay the fees, and advertise as required. The District will be responsible for changing its boundary map that is submitted annually to DOLA once the process is completed.*  
*Discussion.*

**MSP:** *Director Richard moved to authorize Scott Holwick to execute all the required documents for excluding lands from Left Hand Water District's boundaries that have been annexed into the Town of Erie. Motion seconded by Director Fischer. Motion carried unanimously.*

Attorney's Comment:

*Scott Holwick attended a NISP legal committee meeting at Northern Water recently. One of the biggest challenges discussed was the issue of financing. There*

*is a bank that is willing to finance this project and the lending documents should be ready for review this year. 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, the Board of Directors called for an Executive Session. Discussion.*

**MSP:** *Treasurer Barnsley 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 Fischer. Motion carried unanimously.*

**MSP:** *Director Richard moved to exit from Executive Session at 11:55 pm. Motion seconded by Treasurer Barnsley. Motion carried unanimously.*

Meeting adjourned at 12:03 am.

By,

Lilah Imes, Assistant Secretary, Board of Directors

Dan Lisco, Secretary