

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 February 20, 2020 at the District offices, 6800 Nimbus Road, Longmont, Colorado. The meeting was called to order by President Julie Trumpler at 9:06 a.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  
Steve Buckbee, District Engineer  
Martin Harders, Engineering Tech I  
Jordan Tyson, GIS Technician  
Lilah Imes, Assistant Secretary, Board of Directors

**Public Present:** Sean Cronin, Executive Director of Saint Vrain and Left Hand Water Conservancy District

**SUBJECT: MINUTES OF THE DISTRICT REGULAR MEETING HELD 1/16/2020**

Approval of the Minutes:

*Draft minutes of the January 16, 2020, Board meeting were submitted to the board prior to the meeting.*

**MSP:** *Director Richard moved to approve the minutes of the January 16, 2020 meeting. Motion seconded by Secretary Lisco. Motion carried unanimously.*

**SUBJECT: PUBLIC HEARING/COMMENT**

Sean Cronin – Saint Vrain and Left Hand Water Conservancy District Executive Director:

*Sean Cronin has been the executive director for the Saint Vrain and Left Hand Water Conservancy District for the past ten years and SVLHWCD has been around for 50 years. Sean addressed the Board regarding the plans for the next 50 years for the Conservancy District. The Conservancy District board is made up of nine members that are appointed by a judge to make this Board “A” political. The Board members have terms, but they are not term limited. After listening closely to the community, the Conservancy District serves, Sean has determined the community is interested in a sensible, holistic approach to conserving and*

*protecting our water. Also, the community would be willing to fund water projects if the money goes towards local projects. Recently Sean and the Directors have developed a business plan that has five major goals. 1) Improving conservation. The modern approach to water conservation is stream restoration and creating fish passages and ditch diversions. 2) Strengthening the agricultural industry. This industry is aging and very few of the younger generation are stepping into it. SVLHWCD would like to provide exposure to the younger generation and offer training. Also, sharing resources with other water providers. 3) Building creek improvement facilities such as gravel pits. 4) Continuing a legacy. They have established a quality of life here from past work and are looking forward to the future. 5) Water protection. Typically, a defensive approach is taken to protecting our resource. It would be good to be on the offensive and come alongside developers. These goals will require money to implement them. Sean is looking into various ways to do this including the possibility of a future ballot issue. Discussion.*

**SUBJECT: TAPS FOR BOARD CONSIDERATION**

Lenick Organic Farms LLC – Lot 4 Grandview Highland Estates:

*This request for service is in an older subdivision that was previously served by wells. Approval will be conditional on the property being included in the Northern Water Conservancy District boundaries per District Policy #21. The applicant has already begun that process. There is pressure and flow available to serve this property and due to the size of the parcel, it will require 1.5 units of C-BT dedication. The applicant has requested to pay cash-in-lieu of dedication. Discussion.*

**MSP:** *Vice President Hochhauser moved to approve 3/4- inch Residential Tap for Lot 4 Grandview Highland Estates conditional on inclusion into Northern Colorado Water Conservancy District in addition to meeting all requirements and fees required for service. Motion seconded by Secretary Lisco. Motion carried unanimously.*

Michelle Sander and Louis Ferracane – 8850 N. 39<sup>th</sup> Street:

*This request is for an upgrade to an existing 5/8-inch residential tap to serve an accessory dwelling that the owner would like to construct. The applicant has been approved for an ADU with Boulder County and the next step is to increase their Left Hand Water District tap size according to Policy #25. This upgrade will require an additional 0.5 shares of Left Hand Ditch Company and the applicant has requested to pay cash-in-lieu of dedication. Discussion.*

Susan M. Carleton – Lot 1 Hauk Meadows:

*This request is to serve a proposed single family home on a lot over 20,000 sf in the Hauk Meadows Subdivision. The District currently serve lots 2 and 3 of this subdivision. Service to this parcel will require 1.5 units of dedication of C-BT and the applicant has requested to pay cash-in-lieu of dedication. Discussion.*

Jon and Roxie Moore – Lot 8 Fox Chase Subdivision Filing 2:

*This request is for a 5/8-inch Single Family Residential Tap to serve a proposed home on this lot. The size of the lot in this subdivision will require 1.5 units of dedication of C-BT and the applicant has requested to pay cash-in-lieu of dedication. Discussion.*

**MSP:** *Secretary Lisco moved to approve:*

- 1. a 3/4-inch upgrade to the existing Residential Tap for 8850 N. 39<sup>th</sup> Street (Account #7717.01) conditional on meeting all requirements and fees required for service.*
- 2. a 5/8-inch Single Family Residential Tap for Lot 1 Hawk Meadows conditional on meeting all requirements and fees required for service.*
- 3. a 5/8-inch Single Family Residential Tap for Lot 8 Fox Chase Subdivision Filing 2 conditional on meeting all requirements and fees required for service.*

*Motion seconded by Treasurer Barnsley. Motion carried unanimously.*

New Expressions Homes – Wyndham Hill Filing 5 Subdivision/Multiple Tap Purchase Agreement – 14 lots:

*This subdivision application is for the last 14 units of the 63 townhomes in Glasco Park, in the Wyndham Hill subdivision. The infrastructure was installed with New Expression's initial contract in 2016. There is also an irrigation meter that serves the common areas that was installed in 2018. The applicant has requested to pay cash-in-lieu of dedication and each unit will require 0.5 dedication of C-BT. Discussion.*

**MSP:** *Vice President Hochhauser moved to approve Subdivision/Multiple Tap Purchase Agreement with New Expression Homes for 14 Lots in Wyndham Hill Subdivision Filing No. 5 (5th Contract) conditional on meeting all requirements and fees required for service. 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 January 2020. Discussion.*

Bills and Appropriations:

*A listing of monthly bills and appropriations was presented for review prior to the meeting. The total payables equaled \$1,354,110.86.*

**SUBJECT: UNFINISHED BUSINESS**

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

*Every quarter the Board reviews the District's cash-in-lieu of dedication rate for C-BT. The District is not in the market to purchase any water as it has enough to fulfill our current contracts. People that have been shopping for water have found*

*the rate per unit is about \$60,000. There have not been any sales recorded at that rate. Other district's such as Longs Peak, are requiring applicants to bring water to the table. Rate review is at the discretion of the Board and can be discussed more often than quarterly. Discussion.*

Dillon Family LLC - Tap Abandonment/Refund for 25 Taps:

*The Subdivision Agreement between the Dillon Family LLLP and LHWD was approved over 20 years ago for a proposed subdivision west of I-25 and north of WCR 20. The subdivision is several years from development and the Dillon Family has formally requested that the 25 taps be considered abandoned and a refund issued for the fees previously paid according District Policy 18.4. The maximum refund per the Policy, is 80% of what they originally paid, for a total of \$153,183.20. Declaring the Agreement void and the 25 taps abandoned seems to be the most effective way to deal with this outstanding Agreement. Discussion.*

**MSP:** *Director Pratt moved to declare the 25 tap equivalents associated with Subdivision/Multiple Tap Purchase Agreement Del Camino Zone between Dillon LLLP and Left Hand Water District dated January 12, 2001 abandoned and to issue a partial refund of \$153,183.20 in accordance with District Policy 18.4. Motion seconded by Director Fischer. Motion carried unanimously.*

Left Hand Watershed Center – Thank you letter from Jessie Olson:

*The Director of the Left Hand Watershed Center prepared a thank you letter to the Board for it's continued support of their work in maintaining Left Hand Creek. The Center staff has been diligent in applying for various grants for the many restoration/maintenance programs they are involved in that protect our watershed. Discussion.*

**SUBJECT: NEW BUSINESS**

Northern Water Inclusions – 10290 Isabelle Road and 3115 Holly Street:

*While performing routine account reviews, staff came across two parcels of land that are not within the Northern Water Conservancy District boundaries which is required by District Policy 21. The owners have been notified of the Policy and the District will pay all the fees related to the inclusion process. This process can take up to a year due to a required NEPA review. Discussion.*

**MSP:** *President Trumpler moved to proceed with the inclusion of 10290 Isabelle Road and 3115 Holly Street into Northern Colorado Water Conservancy District and to submit all necessary paperwork to Northern for said inclusion. Motion seconded by Director Richard. Motion carried unanimously.*

Attorney's Comments:

*John Chmil discussed the Colorado Family Medical Leave Act that is currently before the legislature. The Bill, if passed, will mandate every employer to pay into an FLMA fund. There are several unknowns right now, such as, will the Fund be run by the State or an outside entity like Pinnacle, also, will there be an "opt out"*

*option if employers meet certain criteria. This Bill, if passed, could have some financial impact on the District. Another bill to note is regarding the regulation of Polyfluoroalkyl substances, PFAs. PFAs are foam like compounds used by firefighters to combat wildfires. The main concern is that PFAs seep into ground water sources and possibly pose a cancer risk. Discussion.*

Meeting adjourned at 11:22 am.

By,

Lilah Imes, Assistant Secretary, Board of Directors

Dan Lisco, Secretary