

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 April 20, 2017 at the District offices, 6800 Nimbus Road, Longmont, Colorado. The meeting was called to order by President Julie Trumpler at 9:02 a.m.

Directors Present: Julie Trumpler, President
Mark Hochhauser, Vice President
Dan Lisco, Secretary
Sam Barnsley, Treasurer
John Brunner, Director
Jim Richard, Director

Directors Absent: Bart Fischer, Excused

Staff and Consultants: Chris Smith, General Manager
Vicki Santos, Finance Manager
Jason Whitmore, Treatment Manager
Scott Holwick, Attorney
Meghan Connolly, Engineer I
Lilah Imes, Assistant Secretary, Board of Directors
Jason Stephenson, Distribution Technician

Public Present: Paul Niedermuller from CliftonLarsonAllen

SUBJECT: MINUTES OF THE DISTRICT REGULAR MEETING HELD 3/16/2017

Approval of the Minutes:

The minutes of the March 16, 2017, Regular Board meeting were submitted prior to the meeting.

The minutes of the March 23, 2017 Special Planning Retreat were submitted prior to the meeting.

MSP: *Secretary Lisco moved to approve the minutes of the March 16, 2017, Regular Board Meeting and of the March 23, 2017, Special Planning Retreat. Motion seconded by Treasurer Barnsley. Motion carried unanimously.*

SUBJECT: PUBLIC HEARING/COMMENT

2016 Audit:

Paul Niedermuller from CliftonLarsonAllen presented the Audit for the year ending December 31, 2016. They were complimentary of the staff for their cooperativeness and helpfulness throughout the audit process. The firm did not find any issues with the District's processes, which is a rarity from other government audits this firm has completed. Discussion.

SUBJECT: TAPS FOR BOARD CONSIDERATION

Century at Wyndham Hill, LLC – Filing 2 & 2B (55 Lots):

This tap request for 55 lots in the Wyndham Hill subdivision comes from a developer that the District has not worked with in the past. There is adequate pressure and flow to service this new contract and the water will be supplied by CBT. The applicant requested to pay cash-in-lieu of dedication of CBT. The developer will be responsible for the installation of the distribution system and service lines. Discussion.

MSP: *Director Richard moved to approve a Subdivision/Multiple Tap Purchase Agreement between Left Hand Water District and Century at Wyndham Hill, LLC to serve 55 single family residential taps in Wyndham Hill Filing No. 2 & 2B conditional on meeting all requirements and fees required for service. Motion seconded by Treasurer Barnsley. Motion carried unanimously.*

2711 N. 95th St. – Bill & Deborah Shaub:

This applicant submitted their request in October of 2015, however, the parcel of land was not within Northern Water's boundaries. The applicant and the District has received confirmation that this property is now included in Northern boundaries. Because this property falls within the City of Boulder's planning area, the District has notified the City per our IGA. The property will be served by contract, as it is also outside of the LHWD boundary. The applicant requested to pay cash-in-lieu of dedication of CBT. Pressure and flow are adequate to service this property. Discussion.

MSP: *Vice President Hochhauser moved to approve a 5/8 inch single family tap for 2711 N. 95th Street, 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 March 2017. Discussion.

Bills and Appropriations

A listing of monthly bills and appropriations was presented for review prior to the meeting. The total payables equaled \$684,018.95.

SUBJECT: UNFINISHED BUSINESS

Northern Water Regional Pool Program:

Information regarding the Regional Pool Bid Opening was provided to the Board. The information shows that the rental market is very strong this year. Discussion.

Northern Water 2017 Quota/2017 Water Management Report/CBT Carry Over:

The Northern Water Board of Directors, at their April 13th, 2017 meeting, approved the Colorado-Big Thompson quota to 80% allocation for 2017. The District's carryover capacity is 1,284.3 AF and by utilizing our carryover capacity, we will have sufficient water to cover the District's anticipated demands. The District will also have enough water to provide to the rental market. Discussion.

MSP: *Secretary Lisco moved to approve carryover of the 1,284.3 AF of CBT available into the current season. Motion seconded by Treasurer Barnsley. Motion carried unanimously.*

MSP: *Treasurer Barnsley moved to approve requesting 800 AF of exchange with the Left Hand Ditch Co., which moves 800 AF of CBT into the LHDCo Winter Storage Account for the 2017/18 winter. Motion seconded by Secretary Lisco. Motion carried unanimously.*

MSP: *President Trumpler moved to approve 1500 A/F of CBT available to lease, with first right of refusal goes to the Left Hand Ditch Company and set the rental fee at \$45/A/F. Motion seconded by Secretary Lisco. Motion carried unanimously.*

MSP: *Secretary Lisco moved to set make 500 shares of Left Hand Ditch available at \$45/share. Motion seconded by President Trumpler. Motion carried unanimously.*

Drought Management Plan:

The Board was given information of the District's annual review of its Drought Management Plan. Staff analyzed the District's water supply and has determined that no water restrictions will be required at this time. Should the need arise, the District can declare a shortage anytime throughout the year. Staff recommends issuing voluntary watering restrictions. The Board gave direction to staff to enact voluntary watering restrictions. Discussion.

City of Longmont Interconnection and Access IGA:

Staff continues to work with the City of Longmont regarding an IGA. Scott Holwick recently had a phone conversation with the City and this agreement seems to be moving in the right direction. The City council voted 7-0 in favor of an IGA and the soonest they can take action is in early May. Discussion.

Resolution 2017-02 – A Resolution of the Board of Directors of the Left Hand Water District Authorizing the Filing of a Condemnation Action to Acquire Property:

Several easements are required as part of the Weld County Road 1 Water Transmission Pipeline Project. Staff has worked with property owners and most of the easements have been acquired via negotiations. One parcel owned by the City of Longmont will have to be acquired via condemnation proceedings. A second parcel, owned by the Distel family, has not been acquired to date. In

order to ensure the project proceeds in a timely manner, staff recommends filing condemnation action documents on both properties, to allow for the filing for immediate possession if needed. Staff will continue communication with property owners with the goal of resolving outstanding issues via direct negotiations; filing the court documents, however, will protect the District's ability to proceed with eminent domain if necessary. Discussion.

MSP: ***Treasurer Barnsley moved to approve Resolution 2017-02 - A Resolution of the Board of Directors of the Left Hand Water District Authorizing the Filing of a Condemnation Action to Acquire Property concerning both the City of Longmont and Distel properties, including Exhibit A. Motion seconded by Secretary Lisco. Motion carried unanimously.***

Rule Governing the Subcontracting of Beneficial Use of Colorado-Big Thompson Project Allotment Contracts:

Northern Water passed a new rule last year regarding long-term leasing of CBT units for seasonal use. The District had submitted the Agreement for treatment of District CBT units by Central Weld County Water District for review by Northern. Northern's Board determined this Agreement is exempt from the new rule. Discussion.

Larimer County Discussion – CBT Water Purchase / ATM:

Larimer County once again contacted staff regarding this potential CBT water purchase/ATM. The County would to make this transaction happen soon. The Board directed Dan, Scott and Chris to continue discussions with Larimer County regarding this transaction. Discussion.

SUBJECT: NEW BUSINESS

Policy 18. System Connection/Disconnection/Abandonment:

Subsequent to the action taken by the Board at the March meeting regarding cash-in-lieu of dedication for CBT, staff reviewed District policies regarding the number of taps required to determine the need for a Subdivision/Multiple tap Purchase Agreement. Pursuant to that review, staff recommended clarifying the requirement in the policy. A redlined copy of Policy 18 was provided for the Board to discuss the proposed change. Discussion.

MSP: ***Secretary Lisco moved to accept revisions to Policy 18 as presented in order to clarify the number of taps per project/request that would subject the applicant to the Residential - Subdivision/Multiple Tap fee schedule. Motion seconded by Director Richard. Motion carried unanimously.***

Status Update on 30-inch Waterline Insurance Claim:

Per Board direction at the March meeting, our attorney's office filed a complaint against New Tech Construction, Inc. on April 13, 2017. The complaint requires New Tech to respond by May 18, 2017. Discussion.

Attorney Comments:

*Scott Holwick gave an update regarding the Colorado Water Congress.
Discussion.*

Director Comments:

*Director Richard wanted to thank staff for the Planning Session held last month.
The information provided during the retreat was extremely helpful. He also
discussed NISP funding. He would like staff to research every funding
opportunity available.*

Meeting adjourned at 11:53 am.

By,

Lilah Imes, Assistant Secretary, Board of Directors

Dan Lisco, Secretary