

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 its regular meeting on May 20, 2021, at the District offices, 6800 Nimbus Road, Longmont, Colorado, via Zoom Video Conference to comply with State's safer-at-home order as part of the COVID-19 outbreak. The meeting was called to order by President Julie Trumpler at 9:02a.m.

Directors Present: Julie Trumpler, President
Mark Hochhauser, Vice President
Dan Lisco, Secretary (left meeting at 9:32 am)
Sam Barnsley, Treasurer
Alan Pratt, Director
Bart Fischer, Director (left meeting at 10:26 am)
Jim Richard, Director

Directors Absent: None

Staff and Consultants: Chris Smith, General Manager
Vicki Santos, Finance Manager
Scott Holwick, Attorney
Jason Whitmore, Treatment Manager
Adam Delaney, Distribution Manager
Steve Buckbee, District Engineer
Martin Harders, Engineering Tech I
Jordan Tyson, GIS Technician
Betsy Wheeler, Program Coordinator and Meter Reader
Tina Conilogue, Interim Assistant Secretary, Board of Directors

Public Present: Paul Niedermuller, State and Local Government Principal,
CliftonLarsonAllen, LLP

Dylan Garrison, State and Local Government Manager,
CliftonLarsonAllen, LLP

Chris Smith gave a COVID-19 update regarding the District's actions and current status subsequent to the updated guidelines issued by the Centers for Disease Control and Boulder County. In accordance with the updated guidance, masks are no longer required for staff in the office. The office will remain closed to the public. After discussion, the Board agreed to consider resuming in-person meetings for those who would like to attend in person in the future while utilizing the video conferencing capability in the Board room to allow for electronic participation as well. Staff was directed to send emails to invite individuals to attend in person starting in June. Discussion.

SUBJECT: MINUTES OF THE DISTRICT REGULAR MEETING HELD 4/15/2021

Approval of the Minutes:

Draft minutes of the April 15, 2021, Board meeting were submitted to the Board prior to the meeting.

MSP: *Secretary Lisco moved to approve the minutes of the April 15, 2021, meeting. Motion seconded by Director Richard. Motion carried unanimously.*

SUBJECT: PUBLIC HEARING/COMMENT

2020 Audit Presentation

Paul Niedermuller from CliftonLarsonAllen (CLA) presented the results of the District's Audit for the fiscal year ending December 31, 2020. Directors received a copy of the Audit report in their packets. Mr. Niedermuller reviewed the responsibilities of the various parties involved in the audit process and reviewed the financial statements and audit reports. He noted the opinion on the Audit is unmodified or "clean." Dylan Garrison, also from CLA, reviewed the governance communication addressed to the Board that was also included in packets. Both Mr. Niedermuller and Mr. Garrison noted that District staff were very easy to work with and professional. Discussion.

MSP: *President Trumpler moved to accept the Audit as presented for the year ending December 31, 2020. Motion seconded by Director Pratt. Motion carried unanimously.*

SUBJECT: TAPS FOR BOARD CONSIDERATION

Riverdance Land Co, LLC – 3171 County Rd 6 Parcel ID 146727200001

This tap request is for an upgrade from a 5/8-inch Residential Tap to 3/4-inch single family Residential Tap to serve an existing home which will be adding an accessory dwelling consistent with District Policy I.B.3.c Accessory Dwellings. Pressure and flow are available for the upgrade to the existing tap. The upgrade will require an additional 0.5 units of C-BT and the applicant has requested paying cash-in-lieu of dedication. Discussion.

Craig Carmel – 3171 7523 Aggregate Blvd: RE 1313-28-1 / RECX 20-0164

This tap request is for a 5/8-inch Residential Tap to serve a vacant lot created by recorded exemption. Pressure and flow are available for an additional 5/8-inch Residential Tap on the existing 8" main in WCR 7. Existing Parcel is to be divided per Recorded Exemption No. 1313-28-1 RECX 20-0164. This tap is proposed to provide service to Lot B of the aforementioned recorded exemption. The tap requires dedication of 1.0 unit of C-BT and the applicant has requested paying cash-in-lieu of dedication. Discussion.

Vanessa & Robert Longseth – 587 County Road 7 (Parcel ID 146733100021)

This tap request is for a 3/4-inch Residential Tap to serve a vacant lot created by recorded exemption (Lot A RE No. 1467-33-1 /RECX 4435). Pressure and flow are available on the existing main in WCR 7 for an additional 3/4-inch Residential Tap which will allow for a single-family home and an accessory dwelling consistent with District Policy I.B.3.c Accessory Dwellings. The tap requires dedication of 1.5 units of C-BT and the applicant has requested paying cash-in-lieu of dedication. Discussion.

MSP: *Director Fischer moved to approve:*

- 1. a 3/4-inch Residential Tap Upgrade for 3171 Weld County Road 6 (Parcel ID 146727200001) conditional on meeting all requirements and fees required for service;*
- 2. a 5/8-inch Residential Tap for Lot B RE 1313-28-1 / RECX 20-0164 (Parcel ID 131328100057) conditional on meeting all requirements and fees required for service; and*
- 3. a 3/4-inch Residential Tap for Lot A RE No. 1467-33-1/RECX-4435 (Parcel ID 146733100021) conditional on meeting all requirements and fees required for service.*

Motion seconded by Director Pratt. Motion carried unanimously.

SUBJECT: FINANCIAL REPORTS

Monthly Financial Statements:

Vicki Santos presented the financial reports and payables for the month of April 2021. Discussion.

Bills and Appropriations:

A listing of monthly bills and appropriations was presented for review prior to the meeting. The total payables equaled \$698,571.61.

SUBJECT: UNFINISHED BUSINESS

Information Items and Reports:

Treatment, Distribution, Engineering, and Water Management reports were included in this month's packet to provide information related to operations. Discussion.

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

To maintain equity with the replacement cost of C-BT, the Board reviews the sales information on a quarterly basis. Over the past several meetings, there have been several discussions related to C-BT pricing and availability including last month's conversation with Wyndham Hill developer Jon Lee. The District is not currently seeking additional units, although Chris Smith noted he has been contacted by several brokers with clients looking for buyers offering C-BT units priced in the high \$50,000's to low \$60,000's. The District currently has sufficient C-BT reserves to cover the anticipated sales this year and looks forward to a NISP Record of Decision by the Army Corps of Engineers later this year. Chris also noted he has been in contact with a potential source for a long-term C-BT lease and is continuing to work on finding a possible lease per previous Board direction. Discussion.

SUBJECT: NEW BUSINESS

Resolution 2021-02 Authorizing Release of Allotment Contract 6284

Pursuant to the Intergovernmental Agreement (IGA) with the Town of Erie, the District is obligated to transfer one unit of C-B T water to the Town. Under the terms of the IGA, "Upon annexation and the transfer of service to a property from the District to the Town, the following shall occur: 6.1 Raw water rights owned by the District and used to serve property with 4 or fewer SFE water taps shall be transferred to the Town..." The property which was annexed to the town was the Resurrection Church Property Annexation AKA: Lot 1, Schmidt Minor Subdivision and included one SFE tap.

To effectuate the transfer, Northern Water requires several documents to be submitted along with a \$500 transfer fee. The Town of Erie has agreed to pay the fee. Left Hand Water District will provide the required documents, which must be approved by the Board. They include: (1) Application to Release Water Allotment Contract; (2) Letter of Opinion from the District's attorney that the District has adequate authority to request release of the allotment contract; and (3) a Resolution duly and regularly adopted by the Board of Directors of the Left Hand Water District authorizing the District to make this application. These documents were provided in Board packet for review and consideration. Discussion.

MSP: *Director Pratt moved to approve Resolution 2021-02 Authorizing the Release and Transfer of a Water Allotment Contract and Authorizing the General Manager or President to Execute Applications for Transfer and Release of Allotment Contract of One Unit of Colorado-Big Thompson Project Water. Motion seconded by Director Richard. Motion carried unanimously.*

Attorney's Comments:

Scott Holwick discussed the recent settlement of the litigation on the Windy Gap project as well as the recent notice from the City of Fort Collins related to 1041 permits, which may impact the NISP project. Discussion.

SUBJECT: DIRECTORS' COMMENTS

There were no Directors' Comments.

Meeting adjourned at 10:46 am.

By,

Tina Conilogue, Interim Assistant Secretary, Board of Directors