



St. Vrain and Left Hand Water Conservancy District
Minutes of the Board Meeting
Via Zoom
December 14, 2020

I. ROUTINE ITEMS

A. Call to Order – *President Yanchunas*

The Board of Directors held their meeting via Zoom. President Yanchunas called the meeting to order at 1:05 PM and asked that Assistant Secretary Lee call roll.

B. Roll Call – *Assistant Secretary Lee*

Board members present: President Yanchunas, Vice President Smith, Secretary Carlson, Treasurer Rademacher and Directors, Golden, Sigg, Sutherland, Varra and Wolford were present.

Staff members and consultants present: Executive Director Sean Cronin arriving at 1:06 PM, Water Resources Specialist Jason Roudebush, Engineer Mark McLean, with Deere & Ault, Scott Holwick, Lyons Gaddis Attorneys and Counselors and Assistant Secretary Donna Lee.

President Yanchunas asked if there were any changes or additions to the Agenda to which Mr. Cronin stated there were none.

President Yanchunas announced the reappointment of Directors Kurt Carlson, Reggie Golden and Chris Smith for another term on the St. Vrain and Left Hand Water Conservancy District Board.

II. EXECUTIVE SESSION

Vice President Smith made a motion to go into Executive Session and Director Rademacher seconded the motion and the motion passed unanimously.

The Executive Session was held under citation 24-6-402 (4) (f) C.R.S. so that the Board may discuss personnel matters related to the Executive Director.

The Board came out of Executive Session and resumed the general meeting at 1:32 P.M.

III. CONSENT AGENDA

- A. Motion: Approval of November Minutes**
- B. Motion: Reauthorize Executive Director Voting Rights**
- C. Motion: 2021 Engineering Services Agreement (Deere & Ault)**
- D. Motion: 2021 Legal Services Agreement (Lyons Gaddis)**
- E. Motion: 2021 Legal Services Agreement (Otis Bedingfield)**
- F. Motion: 2021 Audit Engagement Agreement (Clifton Larson Allen)**
- G. Motion: 2021 Bookkeeping Agreement (Marie Terry)**

President Yanchunas asked if there was any discussion regarding any of the Consent Agenda items or any changes requested. Since there were none, he called for a motion. Secretary Carlson moved to approve/accept the Consent Agenda. Director Varra seconded the motion and the motion passed unanimously.

IV. ACTION ITEMS

A. Motion: General Fund Finance Report – Executive Director Cronin

Executive Director Cronin stated there was nothing significant to highlight other than the election costs noting some were higher and some lower than anticipated. Treasurer Rademacher moved to approve the General Fund Finance Report. Director Wolford seconded the motion and the motion passed unanimously.

B. Motion: Enterprise Fund Finance Report – Executive Director Cronin

Executive Director Cronin stated the report was straight forward and nothing to highlight. Treasurer Rademacher moved to approve the Enterprise Fund Finance Report. Vice President Smith seconded the motion and the motion passed unanimously.

C. Motion: Oligarchy Agreement – Mr. Roudebush

Mr. Roudebush let the Board know that staff is working with the Oligarchy Irrigation Company and the City of Longmont on a substitute water supply plan at Union Reservoir. Mr. Roudebush directed them to the Temporary Carriage Agreement that was in the Board packet. He informed them of the January 4th deadline to submit the plan which is scheduled to expire on March 31, 2021; and the Temporary Carriage agreement to renew through 2021. Mr. Roudebush stated that once the District has executed the Temporary Carriage Agreement, Longmont will renew the Exchange Agreement for the 2021 water year via email. Mr. Roudebush stated that the preliminary data looks good and he expected notification of certification in January/February 2021.

D. Copeland Grant Submittal – Executive Director Cronin

Mr. Roudebush stated that staff heard what the Board said at the November Board meeting about Copeland being a high priority. And, in response have applied to the Colorado Water Conservation Board (CWCB) for a Colorado Water Plan grant in the amount of \$82,000 that could assist with a liner feasibility study at Copeland Reservoir. He stated that there is severe leakage noted in a 2014 seepage evaluation at 65% of total volume and it is inoperable, therefore, staff are looking at funding for the front-end work. Mr. Roudebush stated that a comprehensive engineering feasibility study would need to be done to evaluate the current conditions and determine the best approach. This grant application is the first step in piecing together funding for the Study. Mr. Roudebush continued by outlining the total costs for the study being \$205,000 and the grant would cover \$82,000 of that total and the District cash would cover the remaining \$123,000. Mr. Roudebush stated he believed the application is competitive and that it would be January 2021 before the District would know if they are being considered. A discussion ensued regarding the contractual obligation with the City of Longmont requiring 37.5-acre feet be released on an annual basis. Mark McLean, District's Engineer and Scott Holwick, District's Counsel agreed to research the history of this obligation. The Board provided Mr. Roudebush with their approval to pursue the grant. Mr. Roudebush answered questions and discussion ensued regarding the 1996 Agreement between the District and the City of Longmont.

toward the Designated Operating Reserve. He concluded by covering the loans and stated the ending cash reserves indicate a healthy situation to be in.

F. Public Hearing for 2021 Budget – *President Yanchunas*

President Yanchunas opened the Public Hearing for the 2021 Budget at 2:46 and since there were no public in attendance, he closed the Public Hearing at 2:47. President Yanchunas asked that Agenda Item VI.E. be added as a Discussion of Executive Session.

VI. ACTION ITEMS

A. Motion: 2021 Augmentation Program – Fee Setting – *Executive Director Cronin*

Executive Director Cronin presented a historical view of the fees showing the increases over the years. He stated that the fee setting model has been able to pay for the Reservoir and Pipeline, Copeland Reservoir Feasibility Study, and the Copeland Reservoir Construction, therefore, he did not recommend any changes to the fees for 2021. It was suggested that staff communicate to members the success of the construction projects. Director Sigg moved to keep the augmentation program fees the same. Director Wolford seconded the motion and the motion passed unanimously. It was noted that the state needs to enforce their own rules on illegal wells. Executive Director Cronin stated that the State Water Commissioner's Office does try to follow-up on anonymous reports.

B. Motion: Resolution to Set 2021 Mill Levy – *Executive Director Cronin*

Executive Director Cronin referred the Directors to the Resolution 2020-09 in their Board packet and asked if there were any questions regarding this agenda item and there were none. Director Wolford moved to approve Resolution 2020-09. Treasurer Rademacher seconded the motion and the motion passed unanimously.

C. Motion: Resolution to Appropriate 2021 Funds – *Executive Director Cronin*

Executive Director Cronin referred the Directors to the Resolution 2020-10 in their Board packet and asked if there were any questions regarding this agenda item and there were none. Director Wolford moved to approve Resolution 2020-10. Vice President Smith seconded the motion and the motion passed unanimously.

D. Motion: Resolution to Adopt the 2021 Budget – *Executive Director Cronin*

Executive Director Cronin referred the Directors to the Resolution 2020-08 in their Board packet and asked if there were any questions regarding this agenda item and there were none. Vice President Smith moved to approve Resolution 2020-08. Treasurer Rademacher seconded the motion and the motion passed unanimously.

E. Motion: Discussion in Executive Session -- Executive Director Compensation – *President Yanchunas*

President Yanchunas summarized the discussion held in Executive Session regarding the Executive Director, Sean Cronin's, compensation stating the Board felt strongly that the vacation policy was put in place for good reasons. However, they agreed to allow an additional 20 hours of carryover for the Executive Director. In addition, President Yanchunas added the Board approved a 3.0% pay increase and a one-time 2020 Bonus of \$2,000.00. A question was raised about whether that would be included buy back and

the answer was No. Vice President Smith moved to approve the 2021 Executive Director salary increase of 3.0% and to provide for a one-time waiver of the vacation policy to allow 20 hours of vacation carry over for Sean and a one-time 2020 bonus of \$2,000.00. Director Wolford seconded the motion and the motion passed unanimously.

VII. DISCUSSION ITEMS

A. Programs/Projects and Services Prioritization – *President Yanchunas*

President Yanchunas stated that the Directors need to remain closely engaged in this process. Executive Director Cronin provided PowerPoint slides to assist in the process. Executive Director Cronin also stated that the Business Plan adopted in January 2020 was primarily written for the General Fund. He then provided some questions to think about to help frame the discussion around prioritization. He continued by describing definitions of programs, projects, and services.

President Yanchunas then discussed using a sample survey to capture all the Director's preferences. He asked the Directors to weigh in over the next month if there are any additional items to add to the list Executive Director Cronin provided. It was suggested to make the presentation available on the website. A question about whether minimum stream flows are part of SMP was raised as it is listed under projects and noted that people in Lyons would be interested in that. President Yanchunas concluded by stating Executive Director Cronin would email the slides to everyone by January and noted that the Business Plan and Stream Management Plan are up on the website for review. He also stated that Sean will put together an interactive survey for use at the January Board meeting. It was also noted that the Board did have items already on the list such as the Board approval of \$100,000 for an engineering study on Coffintop in 2020 and again in 2021 and Mark and Jason are planning to start working on that in January.

B. District Reach Report – Executive Director Cronin

Executive Director Cronin commented on how the Board Directors are connected to many other organizations that are powerful connections. He also stated there is value in bringing that knowledge into the Board room. Therefore, he was proposing a standing Board agenda item to give the Directors an opportunity to report when there is information to share with a water nexus. He provided a brief look at some of those connections. He stated it would add more time at the meeting. President Yanchunas also suggested to include a link on the District website to the connections with these various organizations. President Yanchunas suggested they just list those and if someone has something everyone should be aware of. He asked the Directors how they felt about the idea. Several Directors stated they liked the idea as there are some powerful connections and it is important to have partners in the community. The Board gave the Executive Director approval to move forward with this agenda change.

VIII. REPORTS

A. Water Commissioner's Report – *Ms. Shera Sumerford*

Shera was not in attendance, therefore, Executive Director Cronin read the report she emailed to him that morning which stated:

Flow at our Lyons' gage at 8AM was 4.58cfs. Call on the Main Stem is Riverside Reservoir, admin #21031, 8-1-1907. Call on the St Vrain is Pleasant Valley

Reservoir, admin #7822, 6-1-1871. Reservoirs at the end of November 61% (we do not have an accurate reading for Left Hand Park).

SnowPack

Upper CO -- 68%

South Platte -- 77%

St Vrain -- 59%

The State (myself and Martin Sarley) will continue to put all data from the 2020 Water Year into State Diversion Records.

B. Legal Report – *Mr. Scott Holwick*

Mr. Holwick thanked the Board for approving his Agreement for 2021 and for their support. He stated that there was not much to discuss and then addressed the items in his Memo included in the Board packet. Mr. Holwick also stated that Boulder Creek has a new Water Commissioner. Mr. Holwick also announced that he has been appointed to the Longmont Water Board for a term through June 30, 2024.

C. Engineering Report – *Mr. Mark McLean*

Mr. McLean stated he was also grateful to work for this Board next year. Mr. McLean stated he is working on completing as built drawings for Lake 4 Pipeline so the County can close out their process for the construction of all 4 facilities. He stated it has been challenging since Kirkland Construction has experienced some employee turnover recently, so their submissions were not well done. Mr. McLean stated that the Lake 4 Liner Leak test was proceeding well. He said Boulder County and the District were scheduled to meet on site with the state on Thursday, 12/17. Mr. McLean noted that Boulder County had been out on the Lake 4 site cleaning the inlet structure. He stated he was working on the Union Reservoir/Lake 4 substitute water supply plan. Mr. McLean said there were 4 Left Hand Basin augmentation membership requests and 3 were granted. A question was raised about the limitation on yield and Mr. McLean stated it was the 1997 three quarters of an acre foot per share which ends up dictating that yield.

D. Executive Director's Report – *Executive Director Cronin*

Executive Director Cronin stated he, too, was grateful to continue working for the District and implement the business plan and the pay increase, bonus, and vacation carryover. He offered to answer any questions the Directors had regarding his weekly email updates. He then shared the new 50th Anniversary logo that staff will use throughout 2021 on the website and other various publications.

E. Items from the Board – *President Yanchunas*

President Yanchunas asked if anyone had anything they wanted to share, and no one did. President Yanchunas then shared that the federal court finally ruled on a lawsuit filed against the Corps of Engineers on Windy Gap project in Northern Water's favor. He further stated that Northern hosted a very well attended webinar on fire impacts and recovery last week and said there were lots of questions by municipal water suppliers due to the extensive damage. He said the EWP Plan discussions are complicated but there appears to be money for financial relief and Northern is considering being the sponsoring agency. Vice President Smith suggested getting a salary survey from Employers Council or other possibilities and President Yanchunas and Vice President Smith will meet to

discuss this topic and present to the Board. President Yanchunas stated he is halfway through his 4-years of his last term and looking for people to step up since the Board will be electing officers next month. Director Carlson thanked Donna for her assistance and President Yanchunas agreed. At 4:05 PM, Secretary Carlson moved to adjourn. Director Wolford seconded the motion and the motion passed unanimously.

Respectfully Submitted,



Donna Lee, Assistant Secretary



Dennis Yanchunas, President