



St. Vrain and Left Hand Water Conservancy District
Minutes of the Board Meeting
Via Zoom
January 11, 2021

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 1:02 PM and asked that Assistant Secretary Lee call the roll.

B. Roll Call – *Assistant Secretary Lee*

Board members present: President Yanchunas, Vice President Smith, Secretary Carlson, Treasurer Rademacher and Directors Sigg, Sutherland, Varra, and Wolford were present at the time roll was called. Director Golden arrived at 1:07 PM. Director Wolford exited the meeting at 2:00 PM.

Staff members and consultants present: Executive Director Sean Cronin, 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 replied that there were two proposed modifications to the draft minutes. Vice President Smith recommended reading the modifications into the record rather than pulling the draft minutes from the Consent Agenda, allowing the Board to approve them with the modifications presented.

II. CONSENT AGENDA

- A. **Motion: Approval of December Minutes Modifications** made to the December Board Meeting minutes were: 1) Under II. Executive Session – another sentence needed to be added, stating, "The Board came out of Executive Session and resumed the general meeting at 1:32 PM." And 2) Under VIII.B – Legal Report, the last sentence should state that "Mr. Holwick also announced that he had been appointed to the Longmont Water Board for a term through June 30, 2024."
- B. **Motion: General Fund Finance Reports**
- C. **Motion: Enterprise Fund Finance Reports**
- D. **Motion: Revised Legal Contract (for FEMA)**
- E. **Motion: Reauthorize Executive Director Signature Authority**

Director Wolford moved to approve the Consent Agenda with the proposed modifications to the December minutes. Director Sigg seconded the motion, and the motion passed unanimously.

III. ACTION ITEMS

A. Motion: Election of Officers – *Director Sigg served as Temporary Chairman*

President Yanchunas turned the meeting over to Director Sigg, who served as Temporary Chairwoman until the President was elected. Director Sigg opened nominations for President. Treasurer Rademacher nominated Vice President Smith for President, and Director Sutherland seconded the motion. Vice President Smith agreed to serve, if elected. Director Wolford moved to close nominations for President and elect Mr. Smith President. Treasurer Rademacher seconded the motion and the motion passed unanimously. Director Sigg then turned the meeting over to President Smith. President Smith opened nominations for Vice President and Director Sigg nominated Director Varra, who agreed to serve, if elected. Secretary Carlson agreed to serve as Secretary again and Director Rademacher agreed to serve as Treasurer again. President Smith asked for a motion to elect Garrett Varra as Vice President, Kurt Carlson as Secretary, Mike Rademacher as Treasurer, and to reconfirm Donna Lee as Assistant Secretary and Assistant Treasurer. Director Sigg made the motion, as so stated. Director Wolford seconded the motion and the motion passed unanimously. Director Yanchunas received accolades from his colleagues for his many years of serving as President of this Board and for all the work that was accomplished during that time.

B. Motion: 2021 Committee Member Appointments – *President Smith*

President Smith asked Mr. Cronin to remind the Board about the current committee appointments. Mr. Cronin referred to the Memo in the Board Packet and informed the Board that if three or more Directors convene a meeting, it is required to be publicly noticed and meeting minutes recorded. The Personnel Committee only meets to discuss the Executive Director's performance and compensation. Therefore, it was recommended by Mr. Holwick, Legal Counsel, that the Personnel Committee record the meeting, and upon opening the meeting, they make a motion to go into Executive Session immediately. The **Budget Committee** appointments were Chris Smith, Mike Rademacher, Ron Sutherland, and Kurt Carlson. The **Personnel Committee** appointments were Chris Smith, Garrett Varra, Dan Wolford, and Reggie Golden. The **Finance Committee's** appointments were Mike Rademacher, Verna Sigg, Garrett Varra, and Dennis Yanchunas. Director Yanchunas moved to approve the 2021 Committee appointments. Director Sigg seconded the motion and the motion passed unanimously. Discussion ensued regarding Ad Hoc Committees and no requirements to reappoint those annually.

C. Motion: Reauthorize Designation of Location for Posting of Public Notices – *Executive Director Cronin*

Mr. Cronin referred the Directors to the Memo in the Board packet, explaining the Bylaws require the Board to reauthorize a designated location secondary to the electronic posting of public notices on the District's website. Treasurer Rademacher moved to reauthorize the designation of the Natural Resources building's front door as a secondary location for posting of District public notices. Secretary Carlson seconded the motion and the motion passed unanimously.

IV. DISCUSSION ITEMS

A. Business Plan Implementation Prioritization – *President Smith*

President Smith asked Mr. Cronin to share the results of the survey the Directors completed. Mr. Cronin then provided a PowerPoint presentation that showed how their individual and

collective responses ranked. Mr. Cronin then asked for questions and comments as well as what direction to take next. A discussion ensued regarding how each Director thought about the results and which projects and/or services to focus on. President Smith summarized the information shared, stating the Business Plan was built on many years of work before today's survey results and realize that costs and efforts will also vary along with the list of priorities. President Smith stated it was important to realize what role the District can play to ensure redundancy and availability are taken into consideration. He further stated that staff would need to look at the survey results and work on a multi-year work plan to identify which projects to move forward, like a roadmap based on the results. President Smith discussed the need to tie funds to a ten-year CIP-type budget and sketch enough detail to continue the conversation. It was noted that there are strong programs already in progress in the basin, and there is no interest in duplicating efforts. To outline the clear leaders in the survey and identify some items low on the list that could then fall off, it was suggested to utilize a matrix. It was also suggested to identify if the District will lead the projects or if the District will participate in a support role, and in that case, the District can reach out to determine the best way to be of assistance. President Smith suggested that he and Vice President Varra meet with Mr. Cronin to determine the best way to map it out. There was a discussion about articles on protecting water rights and how California has begun a market for buying and selling water rights. Mr. Cronin was asked to work with Mr. Holwick to monitor the District's water rights and provide an estimate of how much money could be required, then sketch out ideas for the next Board meeting.

B. Copeland Reservoir Grant Application Update – *Mr. Roudebush*

Mr. Roudebush reminded the Directors about the Colorado Water Plan grant application submitted to the CWCB for a Copeland Liner Feasibility Study in the amount of \$82,000. After applying, staff learned the Copeland project would have a difficult time receiving CWCB Board approval because they were looking to fund projects that create new storage, not those that reclaim lost capacity. However, the project does qualify for a CWCB Loan Feasibility Grant. This grant is the same program the District used to complete the feasibility on the Lake No. 4 pipeline project. The program offers up to \$50,000 for storage projects with a 1:1 match requirement, and the grantee is under no obligation to apply for a CWCB loan after the project is complete. Staff is preparing a comprehensive review of the Copeland project, which will be presented at the February Board meeting.

V. REPORTS

A. Lake No. 4 Liner Test Update – Mr. Mark McLean

Mr. McLean informed the Directors that the test period ended on January 4th, but the county would take one more set of observations the following day. Mr. McLean stated Susan Rainey will present the State's results, and approval is expected in approximately 4 weeks. Mr. McLean stated the calculations looked quite good and lower than either standard required. Mr. McLean answered a question regarding the inlet structure, stating it was not damaged in the flood.

B. Water Commissioners Report – Ms. Shera Sumerford

Ms. Sumerford was not in attendance, and she did not email a report this month. The reservoir readings were noted as bleak. Mr. Cronin stated he did contact Ms. Sumerford to let her know this Board would like to see her at a future meeting. Director Rademacher noted that some of the reservoir readings were not accurate, but without access to the entire report to read the data's comments, it was unclear why.

C. Legal Report – *Mr. Scott Holwick*

Mr. Holwick referred the Directors to the Legal Report Memo in the Board packet. Director Wolford left the meeting at this time. Director Wolford exited the meeting at this time. Mr. Holwick added to the Resume Review section stating that, on behalf of the Bonus Ditch Company, he filed a statement of opposition to a City of Longmont application in November seeking to change Longmont and Boulder County's shares of the Bonus Ditch Company. For disclosure purposes, Mr. Holwick informed the Directors about Director Wolford's role as President of the Bonus Ditch Company and that Lyons Gaddis has historically represented the Bonus Ditch Company. Deere & Ault is representing Longmont in this case. Mr. Holwick stated that there is no ethical conflict for his firm to represent both the District and the Ditch Company in this case. In answer to a question raised, Mr. Holwick noted that the District hires a conflict engineer rarely, and on a case-by-case basis. Mr. Holwick informed the Directors about a meeting that he, Mr. McLean, Mr. Cronin, and Mr. Roudebush, have scheduled to discuss conflicts in a general way where Mr. Holwick and Mr. McLean will present a plan on how they will operate to ensure there are no future conflicts. A Director noted that it was unusual and uncomfortable to have the District Attorney and Engineer represent other entities in court cases the District is involved in. Mr. Holwick recommended the District file a statement of opposition in this case. Director Yanchunas moved to have Mr. Holwick file a statement of opposition in this case. Director Sigg seconded the motion, and the motion passed unanimously.

Mr. Holwick informed the Directors that the Lake 4 Water Supply Plan was submitted to the State Engineer's Office to move water to Union Reservoir, noting a 35 day comment period was required. However, there is a question as to whether there will be any water to store in Lake 4 or Union. Therefore, a subsequent water supply plan may need to be submitted to ensure the District Augmentation Program complies. Mr. Holwick stated he would notify Mr. Cronin if a special Board meeting would need to be called before the next regular Board meeting in February.

Mr. Holwick discussed the Central Colorado Water Conservancy District's consideration in developing a supplemental augmentation plan to address the demand for augmentation supplies in the South Platte River basin and its tributaries. Mr. Holwick stated this organization could be a potential partner, but it is early yet to determine if they are an entity the District may want to work with.

The CWCB is reviewing a potential augmentation plan on a 55-mile stretch of the Cache la Poudre River. A Director raised a question about a previous application regarding Panama Reservoir, to which Mr. Holwick answered that it is pending in water court and the City of Boulder amended it to include Boulder County. He said the District did not file a statement of opposition.

D. Engineers Report – *Mr. Mark McLean*

Mr. McLean stated he had spent time working on the Lake 4 Pipeline and Supplemental Water Supply Plan for Union Reservoir. He stated he was also working on the Application for Firestone covered in Mr. Holwick's Legal Report Memo. Mr. McLean has also been working with Mr. Roudebush on the Copeland Feasibility Study. Mr. McLean stated he has been cataloging the instrumentation in Lake 4. He stated he would be participating in an Augmentation Plan Strategy Session. Mr. McLean stated the Lake 4 as-builts were received. Mr. McLean is working on creating the pipeline's operations and maintenance requirements to provide Boulder County as part of their closeout process. Mr. McLean stated a more formal

operations agreement with the county is being considered, but they have agreed to table until the Liner Test is approved.

E. Executive Director Report – *Executive Director Cronin*

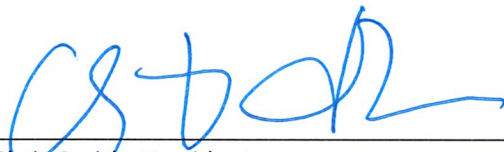
Mr. Cronin stated he had nothing specific to add unless anyone had any questions regarding the weekly updates he emails to the Board, and no one did. Mr. Cronin then took the opportunity to tell Director Yanchunas how much he appreciated him serving in that capacity as a trusted advisor, supervisor, and no one better to learn from.

F. Items from the Board – *Directors*

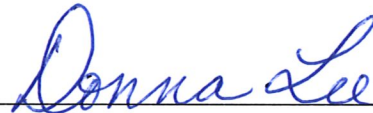
Mr. Yanchunas thanked everyone, stating he believed this Board was strong and solid. He also stated his appreciation to Directors Smith and Varra for stepping up. Director Yanchunas received more thanks from other Directors. Mr. Cronin was asked to email the cumulative survey to all the Directors.

At 2:41 PM, Secretary Carlson moved to adjourn. Director Sigg seconded the motion, and the motion passed unanimously.

Respectfully Submitted,



Chris Smith, President



Donna Lee, Assistant Secretary