



**St. Vrain and Left Hand Water Conservancy District  
and  
St. Vrain and Left Hand Water Conservancy District  
by and through the Water Activity Enterprise  
Minutes of the Board Meeting  
Virtual Meeting Via Zoom  
December 13, 2021**

**I. ROUTINE ITEMS**

**A. Call to Order – *President Smith***

The Board of Directors held its meeting via Zoom. President Smith called the meeting to order at 1:02 PM.

**B. Roll Call – *Assistant Secretary Ruark***

**Board members present:** President Smith, Treasurer Rademacher, Secretary Carlson, and Directors Sigg, Yanchunas, Wolford and Moore (joined at 1:04) were present. Vice President Varra and Director Golden were excused.

**Staff members, consultants and guests:** Executive Director Sean Cronin, Water Resources Engineer Scott Griebing, and Office Manager Mona Ruark were present. Attorney Scott Holwick with Lyons Gaddis, Mark McLean with Deere & Ault, and Water Commissioner Shera Sumerford were present. Vanessa Lopez with Gallagher Insurance, Jeff Deems with Airborne Snow Observatories, Inc, and Nelson Tipton with City of Longmont were present.

**C. Amendments or Additions to the Agenda**

President Smith recommended moving Agenda Item II (Executive Session) to be the last item following the Water Activity Enterprise Board Meeting. The agenda was approved as amended.

**II. CONSENT AGENDA**

- A. Motion:** November Minutes
- B. Motion:** Reauthorize Executive Director Voting Rights
- C. Motion:** October General Fund Finance Reports
- D. Motion:** October Enterprise Fund Finance Reports

Secretary Carlson moved to approve the Consent Agenda, Director Wolford seconded the motion, and the motion passed unanimously.

**III. ACTION ITEMS**

**A. Motion: Approval of Cyber Insurance Policy – *Executive Director Cronin***

Executive Director Cronin reported staff investigated adding cyber insurance to the already approved standard insurance policy. Ms. Lopez with Gallagher Insurance reviewed a quote and proposal for Cyber Insurance which includes cyber liability and ransomware for an additional annual premium of \$1,123 and an optional add-on of cyber deception for \$56 annual premium. The Board discussed the need for better protection against cyber attacks. Director Yanchunas

moved to approve adding Cyber Insurance and Cyber Deception to the District's insurance policy. Director Sigg seconded the motion and the motion passed unanimously.

#### IV. PRESENTATIONS

##### A. Colorado Airborne Snow Observatory – *Mr. Scott Griebling and Mr. Jeff Deems, Airborne Snow Observatories, Inc.*

Mr. Griebling reported the District is seeking to leverage funds from the 7A Ballot Initiative through strategic partnership with the Colorado Airborne Snow Observatories ("CASO") workgroup. The CASO project aligns with the District's 5-Point Plan as it provides tools to optimize water management in the basin. The snowpack and runoff estimates will directly benefit the District as it manages its water portfolio for its augmentation plan.

Mr. Deems with Airborne Snow Observatories, Inc. presented CASO's usage of Airborne snow observation ("ASO"), which is a technology that significantly improves the accuracy of snow measurement. ASO uses airplane-mounted Light Detection and Ranging ("LiDaR") pulsed lasers to compare snow depth with snow-free terrain elevations to determine basin-wide snowpack and snow water equivalent ("SWE") at a resolution of 3 square meters. Current Snow Telemetry ("SNOTEL") and snow course data does not capture the spatial variation in snow deposits nor does it offer information on snow depths at higher elevations that are critical to runoff forecasts. Mr. Deems reported the CASO workgroup is developing an ASO flight program that benefits multiple basins and a diverse group of water stakeholders across Colorado. In 2022, the workgroup plans to implement Phase I of their Colorado Aerial Snowpack Measurement Study project through a Colorado Water Plan grant request of \$1.76 million with matching funds coming from stakeholders across the state. This work represents a scaling up of the pilot project that has proven the value of this technology to Colorado water management over the past several years. Phase I of the project will set the stage for future ASO flights in the St. Vrain and Left Hand basins by conducting snow-free basin flights to obtain baseline terrain elevations. Future CASO flights will provide the District and its stakeholders and partners with snow depths, SWE, and runoff estimates. This data would also support the District's stream management plan.

Staff recommended the Board approve the \$50,000 budget allocation for the CASO project in the 2022 budget. This funding will support the development of high-resolution snowpack measurements and seasonal runoff estimates for the St. Vrain and Left Hand basins. The District's \$50,000 contribution would represent less than 3% of the total project funds.

##### B. 2022 Communication and Outreach Plan - *Mr. Scott Griebling*

Mr. Griebling presented the communication and outreach strategies for 2022. The goal is to ensure constituents know how the District is fulfilling its mission of providing holistic, sensible, and apolitical leadership to secure water for District's constituents and to protect the local environment through the District's 5-Point Plan. The primary tools used by the District will be its website, email newsletter, social media platforms, and video vignettes, which will allow the District to reach a wider audience.

- Website: Staff will update the District website in early 2022 and will work with Sigler Communications to develop content and revise the website layout.
- E-newsletter: Staff will send out the District's "Valley News" email newsletter every two weeks. The newsletter has an audience of nearly 1,000 people and communicates the District's accomplishments as well as relevant water news.

- **Social Media:** To better serve its constituents and to communicate its accomplishments, the District will create accounts with several social media platforms, including Facebook, Instagram, and LinkedIn beginning in the second quarter. Sigler Communications will assist with setting up District Facebook, Instagram, and LinkedIn accounts and refining uploaded content.
- **Video Vignettes:** Staff will create three short videos with American Rivers to produce high quality, local, water focused stories that align with the District's 5-Point Plan.

Discussion ensued on other communication methods, such as press releases, so as not to overwhelm readers or dilute content.

**C. 2022 General Fund Budget Proposal – Executive Director Cronin**

Executive Director Cronin presented the 2022 General Fund Budget. In accordance with C.R.S., §29-1-105, and Article V.II. of the St. Vrain and Left Hand Water Conservancy District Bylaws, the Budget Officer submitted a General Fund budget for adoption by the District Board of Directors.

Executive Director Cronin presented all the details of the budget including significant revenue and expense changes.

Executive Director Cronin reported the 2022 ending cash and reserves is projected to be approximately \$5.6 million. The General Fund Budget is balanced, and the projected spending is consistent with the Business Plan and the goals and policies of the Board of Directors.

**D. 2022 Enterprise Fund Budget Proposal – Mr. Scott Griebeling**

Mr. Griebeling presented the Enterprise Fund 2022 budget proposal. In accordance with C.R.S., §29-1-105, and Article V.II. of the St. Vrain and Left Hand Water Conservancy District Bylaws, the Budget Officer has submitted a budget for the Enterprise Fund for adoption by the District Board of Directors.

Mr. Griebeling presented all the details of the budget including significant revenue and expense changes.

Mr. Griebeling reported the Enterprise Fund Budget projected spending is consistent with the mission, goals, and policies of the District. The difference in total revenue and total expenses in 2022 results in a net loss of approximately \$30,000. However, this includes one-time expenses of over \$35,000 for the office condo remodel and furnishing, and the final net construction costs of \$16,480 for the Lake No. 4 reservoir. These one-time expenses total \$51,540 and will be paid for using unrestricted cash. Setting aside the one-time expenses, the Enterprise Fund is operating at a net gain of \$21,800, reflecting a healthy balance between revenue and expenses that allows the Fund to build its Operational and Capital Reserves.

**E. Public Hearing for 2022 Budget – President Smith**

President Smith opened the public hearing at 2:40 PM in the matter of the St. Vrain and Left Hand Water Conservancy District's 2022 Proposed Budget according to the posted notice on the District's website and in the Longmont Times-Call. There were no public comments. President Smith closed the public meeting at 2:41 PM.

**V. ACTION ITEMS**

**A. Motion: Resolution to Adopt the 2022 Budget – Executive Director Cronin**

Director Wolford moved to approve Resolution 2021-009, Secretary Carlson seconded the motion, and the motion passed unanimously.

**B. Motion: Resolution to Appropriate 2022 Funds – Executive Director Cronin**

Director Sigg moved to approve Resolution 2021-010, Director Wolford seconded the motion, and the motion passed unanimously.

**C. Motion: Resolution to Set 2022 Mill Levy – Executive Director Cronin**

Director Yanchunas moved to approve Resolution 2021-011, and Director Sigg seconded the motion. The Board discussed the 2022 valuation for assessment amount certified by the County Assessors for 2022. The motion passed unanimously.

**D. Motion: Resolution to Transfer Funds from General Fund – Executive Director Cronin**

Director Yanchunas moved to approve Resolution 2021-012, Director Wolford seconded the motion, and the motion passed unanimously.

**VI. REPORTS**

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

Commissioner Sumerford presented the following report:

- The call on the mainstem is the Riverside Canal, admin #21031, with a priority date of 8/1/1907.
- The call on St. Vrain Creek is Pleasant Valley Reservoir, admin #7822, with a priority date of 6/1/1871.
- The Rough and Ready Ditch is currently sweeping the river.
- The St. Vrain Creek at Lyons gage reading was 21.5 cubic feet per second (cfs) at 8:00 am on 12/13/2021, and reservoir readings in the basin at the end of November were at 65% of capacity.
- Early snowpack numbers show Upper CO at 77%, South Platte at 68%, and the St. Vrain at 50% of normal for this time of year, but early season snowpack is not a reliable predictor.

**B. Legal Report – Mr. Scott Holwick**

Mr. Holwick presented the following report:

- There were no applications of potential interest in the Water Division No. 1 October resume.
- In the Application To Amend The District’s Aug Plan, Case NO. 21cw3018, statements of opposition were timely filed by the Colorado Water Conservation Board, Boulder County, Public Service Company, and Central Colorado Water Conservancy District. Counsel received minimal additional comments from the CWCB and a suggestion from Boulder County, and believes that stipulations from all opposers should be entered in the next 45 days.
- In the Application For Diligence, Lake 4 “Senior” Right, Case No. 15CW3062, the District and Boulder County continued the non-perfected portions of the water storage right (augmentation, replacement and exchange, irrigation and industrial) acquired with Lake 4. In order to continue those non-perfected portions, the District and Boulder County must file a diligence application by January 31, 2022. Counsel met with Mr. McLean and staff on September 28th and will meet with Boulder County on December 16th to discuss. Counsel will make a recommendation to the Board at the January meeting regarding filing this application.

- In the Application Of Longmont, Case No. 20cw3179. Longmont seeks, among other claims, to change the use of its shares of the Bonus Ditch Company's water rights. As discussed at the Board's February 2021 meeting, pursuant to Longmont's 2nd stipulation in Case No. 02CW334 (District's Aug Plan), the District committed to not oppose an application filed by the City seeking to change the use of its Bonus Ditch Company's water rights provided the City meet certain analytical criteria. The City provided the District with a draft stipulation and a revised draft proposed decree. Counsel is satisfied that the City satisfied the required analytical criteria.  
**Motion:** Treasure Rademacher moved to direct Counsel to execute the stipulation with City of Longmont Case No. 20CW3179, and Director Moore seconded the motion. Director Wolford abstained from voting due to conflict of interest as a City of Longmont employee, and the motion passed with 6 votes for and none against.
- In the Application Of Little Thompson Water District, Case No. 21CW3112, the District seeks a finding of reasonable diligence for conditional water rights from Case No. 05CW263, and also to perfect 1,157.03 AF (out of 1,400 AF; appropriation date of August 4, 2005) for the storage right for Bayshore Lakes. The District circulated a proposed ruling on November 22, 2021; Opposer comments are due on January 21, 2022.

**C. Projects and Programs Report – Mr. Scott Griebling**

Mr. Griebling presented the following report:

- Snowpack: Current snowpack is very low for this time of year. But it's still early in the year and one or two big storms could turn this around.
- Copeland: As part of the Copeland Reservoir Rehabilitation Feasibility study, Deere & Ault has completed geotechnical investigations.
- Augmentation Program: The operations report was submitted to the State in November. Staff is working on finalizing program accounting and will submit to the State by end of year.
- Lake No. 4: All punch list items are completed. Operations are continuing and paring down for the winter.
- Creek Improvement Facilities: Staff continue to meet with knowledgeable people and plan to meet with Boulder County.
- Partner Funding Requests: Staff will present agreements with each partner entity for Board review at the January meeting. Press releases will be sent out once agreements are approved.
- Presentations: Mr. Griebling moderated a panel on Wildfire and Watersheds at the South Platte Forum. Executive Director Cronin presented to Colorado Agricultural Water Alliance conference in Winter Park.
- Preble's Meadow Jumping Mouse: No update to report.
- Office Remodel: A construction contract was signed and an interior designer is helping with finishes, design, decor, and furnishings. Painting and carpet installation start in a week or so on the east side of the office. Permits are anticipated by early January 2022, and construction starting shortly thereafter.

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

Executive Director gave the following report:

- Executive Director visited with former Director Sutherland who is still recovering from his injuries, and recommended having Director Sutherland's recognition of many years of service after the office remodel is completed.

- The staff pre-announced the new water resources position at the South Platte Forum and have received a lot of inquiries. A formal job description will be developed in January.
- Audrey Butler announced she is taking another position and her last with Boulder County Parks and Open Space is early January.
- The District is moving forward with setting up a 457b retirement plan and targeting mid-January to implement the new plan.

**E. Items from the Board – *President Smith***

There were no items from the Board.

**At 3:11 PM, President Smith recessed the General Fund Board Meeting and opened the Water Activity Enterprise Board Meeting.**

**I. ROUTINE ITEMS OF THE WATER ACTIVITY ENTERPRISE BOARD**

**A. Call to Order – *President Smith***

The Board of Directors held the meeting via Zoom. President Smith called the meeting to order at 3:12 PM.

**B. Roll Call – *President Smith***

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

**C. Amendments or Additions to the Agenda – *President Smith***

No changes or additions to the agenda were proposed.

**II. ACTION ITEMS OF THE WATER ACTIVITY ENTERPRISE BOARD**

**A. Motion: Resolution to Transfer Funds into Enterprise Fund – *Mr. Scott Griebing***

Treasurer Rademacher moved to approve the Resolution 2021-013, Director Wolford seconded the motion, and the motion passed unanimously.

At 3:14 PM, Director Yanchunas moved to adjourn the Water Activity Enterprise Board Meeting, Treasurer Rademacher seconded the motion, and the motion passed with unanimous approval.

**At 3:14 PM, the Board reconvened the St. Vrain and Left Hand Water Conservancy District Board meeting in open session.**

**VII. EXECUTIVE SESSION**

At 3:15 PM, Director Yanchunas moved to enter into Executive Session under § 24-6-402 (4) (f), C.R.S., for the discussion of personnel matters related to the Executive Director’s annual review. Secretary Carlson seconded the motion, and the motion passed unanimously.

At 3:24 PM, Director Wolford moved to exit Executive Session. Secretary Carlson seconded the motion, and the motion passed unanimously. Upon exiting from Executive Session, the Board reconvened in open session.

The Board discussed personnel committee's recommendation of a 4.0% salary increase and acknowledged the accomplishments made by the Executive Director during the past year.

At 3:26 PM, Director Yanchunas moved to adjourn the meeting, Director Wolford seconded the motion, and the motion passed with unanimous approval.

Respectfully Submitted,



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Mona Ruark, Assistant Secretary



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Christopher Smith, President