



St. Vrain and Left Hand Water Conservancy District  
Minutes of the Board Meeting  
1715 Iron Horse Drive, Suite 250, Longmont, CO  
October 10, 2022

I. ROUTINE ITEMS

A. Call to Order – *Vice President Varra*

Vice President Varra called the meeting to order at 1:00 PM.

B. Roll Call – *Assistant Secretary Ruark*

**Board members present:** President Smith (by Zoom), Vice President Varra, Treasurer Rademacher, Secretary Carlson (by phone), Directors Golden, Sigg, Yanchunas, Moore, and Wolford.

**Staff members, consultants and guests:** Executive Director Sean Cronin, Water Resources Engineer Scott Griebing, Water Resources Specialist Jenny McCarty, and Office Manager Mona Ruark were present. Attorneys Scott Holwick and Alison Gorsevski with Lyons Gaddis were present. Ms. Vicki Sutherland with CSD Pool, Mr. Bob Schorr and Mrs. Nancy Schorr were present.

Vice President Varra reported this meeting will be Director Yanchunas' last Board meeting as his term ends on November 1<sup>st</sup> and he is not renewing this directorship.

C. Amendments or Additions to the Agenda – *Vice President Varra*

Executive Director Cronin requested to move "Item IV.D. Inclusion Hearing" to be the first action item.

II. CONSENT AGENDA

- A. Approval of September 12, 2022 Board Meeting Minutes
- B. Approval of August General Fund Finance Reports
- C. Approval of August Enterprise Fund Finance Reports
- D. Approval of Weather Modification Agreement

President Smith moved to approve the Consent Agenda. Treasurer Rademacher seconded the motion and the motion passed unanimously.

III. PRESENTATIONS

A. CSD Pool Property & Liability Insurance – *Executive Director Cronin and Ms. Vicki Sullivan, CSD Pool*

Executive Director Cronin reported that due to rising costs and declining service with the current insurance provider, Glatfelter, Staff requested quotes from Glatfelter, Colorado Special Districts Property and Liability Pool ("CSD Pool"), and HUB International. Quotes were received from Glatfelter and CSD POOL. HUB International did not submit a quote. Ms. Sullivan with CSD Pool presented a comparison of General Liability and Property coverage provided by CSD Pool and by Glatfelter. She also presented additional services the CSD Pool offers its members. The Board discussed differences in coverage offered.



**B. Passage Playbook – Ms. Jenny McCarty**

Ms. McCarty reported the District partnered with Boulder County Parks and Open Space (“BCPOS”) and City of Longmont (“Longmont”) to develop the Passage Playbook (“Playbook”) to provide proponents with strategies for working with diversion/ditch owners to create successful passage projects. The three entities contracted with the Watershed Center to facilitate the writing of the Playbook. The Watershed Center compiled information from local water professionals and lessons learned from its passage projects and from the Left Hand Fish Passage Report. The final draft was peer reviewed by many water professionals. Ms. McCarty also reported that the Playbook is intended to be used within the Basin and beyond to guide passage projects. Proponents and owners may find the Playbook helpful when considering trust-building strategies, creating the project team and engaging in communication, establishing project agreements, and learning from past passage projects in the Basin. The Playbook may be modified in the future to incorporate new information, feedback, and lessons learned. A digital version of the Playbook is posted on the District website: <https://svlhwcd.org/passage-playbook/>.

**C. Draft 2023 General Fund Budget – Budget Officer Cronin**

Budget Officer Cronin reported that state statute requires that the budget be presented to the Board in October. The Budget Committee (“Committee”) met on September 28th and discussed classifications of items. The draft General Fund Budget will be updated with input from the Committee at its next meeting and presented to the Board at the November meeting with the subsequent approval of the final budget at the December meeting.

**D. Draft 2023 Enterprise Fund Budget – Budget Officer Cronin and Mr. Scott Griebing**

Budget Officer Cronin reported that state statute requires that the budget be presented to the Board in October. Mr. Griebing presented the draft Enterprise Fund Budget. The Budget Committee (“Committee”) met on September 28th and discussed classifications of items. The draft budget will be updated with input from the Committee at its next meeting and presented to the Board at the November meeting with the subsequent approval of the final budget at the December meeting.

**IV. ACTION ITEMS**

**A. Inclusion Hearing – Executive Director Cronin**

Executive Director Cronin reported the District received an inclusion petition from the Schorr Family Trust for its vacant land parcels located in Larimer County (Parcel Nos. 3427000058 and 3422000030) and also received the correct filing fee payment and the correct back taxes payment. The Section 27 portion of the Schorr’s property is included in the District, but the Section 22 portion is not in the District or within any other water conservancy district. Both portions of the property are in the St. Vrain Creek basin. Staff recommended the Board accept the inclusion petition and set a Public Hearing for Monday, November 14, 2022.

President Smith moved to accept the petition and to set a Public Hearing for Monday, November 14, 2022 for the Schorr Family Trust Inclusion, and to advertise according to regulations governing Inclusions. Director Wolford seconded the motion and the motion passed unanimously.

**B. Resolution 2022-05 Recognition of Director Yanchunas – Vice President Varra**

Vice President Varra presented Resolution 2022-05 to formally express appreciation for Director Dennis Yanchunas and his 17 years of service with St. Vrain And Left Hand Water Conservancy District. The Board acknowledged and thanked Director Yanchunas for his contributions to the District.



Treasurer Rademacher moved to adopt Resolution 2022-05. Director Wolford seconded the motion, and the motion passed unanimously.

**C. Resolution 2022-06 Approval of IGA with Colorado Special Districts Property and Liability Pool – *Executive Director Cronin***

Executive Director Cronin reported the Colorado Special Districts Property and Liability Pool (“CSD Pool”) is recommended by other local governments and has a proven record of solid customer service. Staff recommended the Board approve Resolution 2022-06 and direct the Board Chair to sign the Intergovernmental Agreement for the Colorado Special Districts Property and Liability Pool. This Resolution is required to change the District’s insurance provider to the CSD Pool beginning January 1, 2023. The Board discussed current insurance costs and liability and property coverages.

President Smith moved to adopt Resolution 2022-06 to Approve Intergovernmental Agreement for the Colorado Special Districts Property and Liability Pool and to Participate in CSD Pool Liability and Workers Compensation Coverages, and to direct the Board Chair to sign the Intergovernmental Agreement for the CSD Property and Liability Pool. Director Yanchunas seconded the motion, and the motion passed unanimously.

**D. Northern CSD Pool Property and General Liability Insurance Intergovernmental – *Executive Director Cronin***

The Executive Director recommended a motion to adopt an Intergovernmental Agreement (“IGA”) with Colorado Special Districts Property and Liability Pool (“CSD Pool”). This IGA is necessary to change the District’s insurance provider to the CSD Pool beginning January 1, 2023.

Director Yanchunas moved to adopt the IGA with CSD Pool. Director Sigg seconded the motion, and the motion passed unanimously.

**V. REPORTS**

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

Commissioner Sumerford was not present. Executive Director Cronin read the following report:

- The call on the mainstem of the South Platte River is the North Sterling Canal, admin #26302, 1-5-1922.
- The call on St. Vrain Creek is the Zweck and Turner Ditch, admin #5295, 6-30-1864.
- The St. Vrain Creek at Lyons gage reading was 22.7 cfs at 8AM on 10/10/2022.
- Reservoir readings in the basin at the end of September were 68% of capacity.
- Things are starting to slow down.

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

Mr. Holwick presented the following report:

- There were no applications of potential interest in the August resume for Water Division No. 1.
- On May 25th, the Division Engineer approved the District’s request to add new members and remove exiting members from its augmentation plan subject to certain conditions. On June 3rd, Counsel met with staff and Mr. McLean to discuss the conditions. Staff and Mr. McLean have engaged with the Division Engineer to resolve these conditions.
- In the Application of Little Thompson Water District, Case NO. 21CW3112, the District sought a finding of reasonable diligence for conditional water rights and to perfect



1,157.03 AF (out of 1,400 AF; appropriation date of August 4, 2005) for Bayshore Lakes. The Court entered the final decree on September 19th.

- In the Application of Longmont, Case NO. 21CW3209, the City of Longmont seeks conditional surface rights for the Dickens Augmentation Structure, the Golden Farms Augmentation Structure, and the Sandstone Augmentation Structure, and also a conditional water storage right for Union Reservoir, Pump Station(s) Fill Right. The City of Longmont circulated a proposed ruling on June 17th, and the District submitted preliminary comments on September 2nd. Counsel and staff met with Longmont on September 30th.

**C. Projects and Programs Report – *Mr. Scott Griebling and Ms. Jenny McCarty***

Mr. Griebling presented the following report:

- Staff continue to have conversations with NRCS to learn more about the PL 566 process. A PIFR kick off meeting for PL 566 funding will be held in the coming weeks.
- The drought index is largely unchanged from last month in Boulder County. Flows in the St. Vrain Creek have dropped to around 25 cfs, which is below median for this time of year. Annual stream volume remains around 25% of normal.
- A virtual public hearing for the Weather Modification Project was held on September 30th. Staff expect to receive a permit decision by the end of October. Highland Ditch Company agreed to place a generator on its property at Foothills Reservoir. The generators are being made and installation is likely to occur in mid-November due to electronic supply chain issues.
- For 2023 ASO Flights, fifty percent of the total cost of \$760,000 has been raised through matching funds.
- The Stream Gage work group efforts are proceeding.
- An increase in 2023 Augmentation Program fees will be presented at the November meeting.
- Sean Cronin presented at the Colorado Water Trust event at the Spirit Hound distillery in Lyons.
- Scott Griebling presented on ASO flights and the District's weather modification pilot program to the Central Colorado Water Conservancy District Board, the Highland Ditch Company Board, and the Northern Water Board.
- District Staff are participating on panels to discuss the following topics at the Sustaining Colorado Watersheds Conference: PL-566 program, Creek Improvement Facilities, and Passage Playbook.
- Ms. McCarty will be a judge for the WECO student art contest as part of the Water 2022 celebration.

Ms. McCarty presented the following report:

- Implementation of the Jamestown Fire Mitigation Project is continuing. A video is being made about the project.
- Staff have received 8 funding partner requests and will present them at the November meeting.
- Staff is working on a RFP for CIF Engineering work to be conducted in 2023.

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

Executive Director Cronin gave the following report:

- The Open House is on October 27th from 3pm-7pm.
- The District co-hosted a water education event on October 6<sup>th</sup> in Lyons. Staff and Director Carlson attended.





- Staff will meet with the Lyons Board of Trustees next month.
- The Board tour is scheduled for November 3rd and will include site visits to the S. St. Vrain Diversion and Jamestown Mitigation Project.
- Lunch will be brought in for the December meeting to celebrate the holidays.
- Staff will schedule a presentation by Parks and Wildlife for a future Board meeting.

**E. Items from the Board – Vice President Varra**

Director Yanchunas reported the Northern Water Fall Symposium is on November 15 and thanked the Directors and Staff for the recognition of his service on the Board. Director Wolford asked about Board Director participation with Staff at presentations. Treasurer Rademacher commented that while wearing the District’s hat a member of the public recognized the District logo.

**VI. EXECUTIVE SESSION**

At 3:40 PM, Director Wolford moved to enter into Executive Session under §§ 24-6-402 (4) (b) and 24-6-402 (4) (e), C.R.S., so that it may receive specific legal advice from the Board’s legal counsel and instruct the District’s negotiator(s) on activities related to the rehabilitation of Copeland Reservoir. Director Yanchunas seconded the motion, and the motion passed. Director Moore and Secretary Carlson were not present for the vote or the Executive Session. Discussion was held and negotiation guidance was provided.

At 4:10 PM, Director Golden moved to exit Executive Session, Treasurer Rademacher seconded the motion, and the motion passed. Director Moore and Secretary Carlson were not present for the vote.

**VII. ACTION ITEM**

**A. Copeland Alternative Selection – Mr. Scott Griebing**


Staff recommended to advance Alternative 3C and water delivery Infrastructure improvements in the design phase of the Copeland Rehabilitation Project.

Director Wolford moved to select Alternative 3C and water delivery Infrastructure improvements for the design phase of the Copeland Rehabilitation Project. Director Yanchunas seconded the motion, and the motion passed unanimously.

At 4:12 PM, Director Yanchunas moved to adjourn the Board meeting. Director Wolford seconded the motion, and the motion passed. Director Moore and Secretary Carlson were not present for the vote.

Respectfully Submitted,

  
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 Mona Ruark, Assistant Secretary

  
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 Christopher Smith, President

