

**MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS
OF LITTLE THOMPSON WATER DISTRICT**

The Board of Directors of Little Thompson Water District (LTWD) met in regular session on Thursday, May 18, 2023. Attendance was as follows:

Board of Directors:

Emily McMurtrey, President, Present
Steven Brandenburg, Absent -
Excused
Larry Brandt, Present
Ryan Heiland, Present
Ed Martens, Present
Bill Szmyd, Present
James J. Walker, Present

Staff in Attendance:

Amber Kauffman, District Manager
Brad E. Eaton, District Engineer
Ken Lambrecht, Operations Manager
Nancy Koch, Water Resources Manager
Amanda Hoff, Water Resources
Administrator
Garrett Dickson, Water Resources
Administrator
Kammy K. Tinney, Business Project
Manager
Judy O'Malley, Recording Secretary

Other Attendees:

Clayton Orback, Little Thompson Water District Engineering Technician I
Lee Johnson of Carlsen, Hammond, and Paddock, LLC
Jim Birdsall, Westridge Metro District

CALL TO ORDER

President Emily McMurtrey called the meeting to order at 5:00 p.m. followed by the recitation of the *Pledge of Allegiance*.

ROLL CALL

It was moved by Director Bill Szmyd, seconded by Director Larry Brandt, to excuse the absence of Director Steven Brandenburg. Motion carried unanimously.

Roll call was taken. All other Directors were present.

AGENDA REVIEW

Staff recommended an Executive Session per Colorado Revises Statute 24-6-402 subsection 4 part (e) in order to determine positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instruction negotiators in regard to Discussion Item 6.2.

It was moved by Director Ed Martens, seconded by Director Szmyd, to enter into Executive Session during Discussion Item 6.2 Handy Ditch citing §24-6-402(4)(e) C.R.S. to determine positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators in the matter of the Handy Ditch Company. Motion carried unanimously.

PUBLIC COMMENTS ON NON-AGENDA ITEMS

President McMurtrey opened the Public Comments period. There were no public comments, and the Public Comments period was closed.

CONSENT AGENDA

It was moved by Director Brandt, seconded by Director Martens, to approve the Consent Agenda, with a correction to Director Martens Director Report that Director Szmyd caught the 30-pound catfish, not Director Martens, including:

- Minutes of the April 20, 2023, Regular Board Meeting,
- Tap List 688,
- April 2023 Disbursements in the amount \$773,599.68:
 - ❖ Operating Account: \$435,196.31:
 - ACH Manual Check Numbers 4502 to 4567 – \$338,753.20,
 - Check Numbers 11228 to 11261 – \$96,443.11,

- ❖ **Payroll Account: (Three Bi-weekly payroll periods in April) for \$338,403.37:**
 - ACH Transmittal Vouchers O-2312 to O-2323 – \$172,864.71,
 - ACH Direct Deposit Numbers N-12531 to N-12607 – \$165,279.66,
 - Live Check Numbers 2114 to 2116 - \$259.00,
 - **April 2023 Financial Report.**
- Motion carried unanimously.**

DISCUSSION ITEMS

Tap 6728 Relocation Request:

District Engineer Brad Eaton introduced Jim Birdsall of Westridge Metro District and presented the following information to the Board:

- Parcel number 9403000005, located adjacent to the Heron Lakes golf course in the Town of Berthoud (Berthoud), is owned by Heron Lakes Investments, LLC and is currently served by a single District 5/8-inch standard residential tap.
 - ❖ Parcel number 9403000005 is slated for future development with annexation into the Berthoud and will be served by Berthoud Water.
- Mr. Birdsall is a managing partner for Heron Lakes Investments, LLC and is also a managing partner for the future Westridge development in the Town of Mead (Mead).
- Since tap number 6728 will no longer be needed on parcel number 9403000005 when the property is served by Berthoud Water, Mr. Birdsall requested the tap be relocated so it can be utilized at the future Westridge development.
- Subsection 304.1 of the District's Rules and Regulations prohibits the relocation of water meters unless the parcels are adjoining and of the same ownership as paraphrased below.
 - ❖ **304. RELOCATION OF WATER METERS.**
 - 304.1 Relocation of a water meter is not allowed, with the following exceptions:
 - The water meter may be relocated on the same parcel of land being served.
 - The water meter may be relocated to an adjoining parcel of land that is in the same ownership as the original parcel.
 - The tap holder is responsible for the cost of relocation.
- Mr. Birdsall is the managing partner in the two companies with ownership of the two properties referenced herein, and having the authority to make this request, separation of approximately 10 miles exists between the subject properties, which therefore requires a waiver to the District's Rules and Regulations to accommodate this request.
- Conditions and Staff Recommendation:
 - ❖ All costs associated with the subject tap relocation request are to be borne by Mr. Birdsall, which includes abandonment of the tap at the existing location, along with installation at the new location.
 - ❖ Tap 6728 is a standard residential tap with an annual allocation of 0.70 acre-feet, therefore, a water credit of 0.70 acre-feet will be issued to Mr. Birdsall when the tap is abandoned at the existing location.
 - Said water credit can then be applied to the Westridge development at the time water dedication is required for the development.
 - ❖ Payment of a plant investment fee (PIF) will be required at the time the meter is requested for the relocated tap at the Westridge development.
 - Current PIF rates will apply at the time of meter request.
- Provided Mr. Birdsall agrees to the conditions noted above, Staff is supportive of this tap relocation request.
- Furthermore, these conditions will be outlined in a commitment to serve letter upon Board approval.

It was moved by Director Szmyd, seconded by Director Ryan Heiland, to approve the waiver request and allow the tap relocation based on the outlined conditions.

Motion carried unanimously.

Handy Ditch:

The Board, along with Lee Johnson of Carlson, Hammond, and Paddock, LLC, and required Staff, entered into Executive Session at 5:18 p.m. The Board returned from Executive Session at 5:59 p.m.

President McMurtrey called for a break at 6:05 p.m. The meeting resumed at 6:10 p.m.

Amendment to Agreement for Water Extensions Tap Issuance Prior to Line Completion:

District Manager Amber Kauffman presented the following information to the Board:

- Brookfield is required to construct a transmission line along the west side of Interstate 25 (I-25) from Weld County Road (WCR) 38 to WCR 28 and then east to their development, Barefoot Lakes (Barefoot).
 - ❖ This construction was to be completed prior to the issuance of the 1,201 tap.
 - ❖ Currently, Barefoot is nearing the issuance of that 1,201 tap.
- Addendum C of the Water Service Agreement was an agreement in which the District took the lead in acquiring easements and engaging engineering and other services for the design of the transmission line.
 - ❖ This was done to allow the use of condemnation, if required, and give the District more direct input on the design of the project.
- At the time the addendum was executed (May 2019), Staff were not as busy as they have been in the last two to three years.
- The attached agreement is presented because the time for the acquisition and design of the transmission line has been longer than previously anticipated.
 - ❖ Several factors outside of either party's direct control have contributed to the delays.
- Staff feel that the agreement is fair and does not exceed our capacity on the joint 24-inch waterline currently in place that serves Barefoot.
- Given Brookfield's prediction of 250 home sales per year, the District feels that the tap number extension allows two to three years for the line to be completed, depending on the economy and potential economic slowdown impacts.

Following discussion, **it was moved by President McMurtrey, seconded by Director Szymd, to approve the Amendment to Agreement for Water Extensions Tap Issuance Prior to Line Completion. Motion carried unanimously.**

Carter Lake Filter Plant (CLFP):

District Manager Kauffman presented the following information to the Board:

- Dry Creek Reservoir:
 - ❖ The decision was made to move forward with treating for algae, then blend in up to 10 percent of Dry Creek Reservoir water in June.
 - ❖ Ms. Kauffman met with CLFP Manager Rick Whittet and Central Weld County Water District (CWCWD) District Manager Stan Linker to discuss Dry Creek Reservoir on Wednesday, April 26.
 - ❖ Ms. Kauffman conveyed the District Board's request to wait to treat Dry Creek Reservoir water to gather more data and get a better recommendation on treatment for taste and odor issues from Stantec.
 - ❖ Discussion was held on current thoughts on a plan to treat the water as a the CLFP Board had allocated money and given direction to address the issue.
 - ❖ Ms. Kauffman requested a plan be prepared for LTWD which would address the testing, chemical application, and how to determine when to shut down pumps at Dry Creek.

Discussion followed regarding the decision to use copper sulfate to treat the water, the logistics of getting the copper sulfate out into the reservoir and how to mix it in the water.

- ❖ It was determined the cost to test the water would be approximately \$1,500 per month.
- ❖ Mr. Whittet requested the District purchase the testing equipment; this cost will be divided with CWCWD.
- ❖ The District has a formal Taste and Odor plan in place with WildRock.
- Pretreatment:
 - ❖ NoCo Engineering requested the Board allow direct negotiation with vendors for the acquisition of the Dissolved Air Flotation (DAF) equipment.
 - The CLFP Board approved the request.
 - ❖ The project has been delayed however the bond money must be spent as soon as possible.

- Operations:
 - ❖ Director Martens asked how the clean-in-place process for the membranes was working.
 - Ms. Kauffman advised a new hot water heater was needed for the process.
 - ❖ Consultant Karla Kinser of Kinser Membrane Solutions had advised next year there may be a need to replace some of the membranes that were installed in 2016.

St. Vrain Water Authority (SVWA):

District Manager Kauffman presented the following information to the Board:

- ❖ The SVWA Board decided not to engage an auditing firm as previously decided.
- ❖ The original decision to send out a Request for Proposal (RFP) for an auditor was made after a Colorado Open Records Act (CORA) request revealing the 2021 audit had not been presented to the SVWA Board or a copy provided to the District, as required.
 - The audit had been completed as a part of the Town of Firestone's (Firestone) audit as the financial processing/budgeting was considered a component unit of Firestone which meets the legal requirements of the state.
- ❖ The SVWA Board recognized the need to provide additional management/administrative services that Director Lindsay has been doing as the organization enters the operational phase.
 - The SVWA Board decided to move forward in reviewing the proposed RFP for administrative services.
 - Firestone offered to provide administrative and financial services on an as needed basis for an indeterminate amount of time.
- ❖ SVWA is moving ahead with Streamline for website development/hosting.
- ❖ The treatment plant is very close to substantial completion with only a few operational check boxes left to address.
- ❖ The SVWA Board tour was rescheduled to June 12 at 2:00 p.m.

Public Hearing: Action Item: Resolutions 2023-16 Exclusions:

President McMurtrey opened the Public Hearing. There were no public comments, and the Public Hearing was closed.

It was moved by Director Szmyd, seconded by Director Martens, to adopt Resolution 2023-16 Exclusion (Maring, Troendly). Motion Carried unanimously.

STAFF REPORTS

District Manager's Report: District Manager Kauffman reported on the following:

- General:
 - ❖ The District received notice on Wednesday, May 10 that the Town of Milliken (Milliken) had to issue a water warning to residents telling them to boil their water.
 - The District has five customers that receive Milliken water due to different development projects that impacted District waterlines.
 - The boil order was lifted the evening of Thursday May 11 and the impacted customers were notified.
 - ❖ Northern Colorado Water Alliance (formerly the Regional Water Leaders):
 - Ms. Kauffman attended the Northern Colorado Water Alliance (NCWA) meeting on Thursday, May 11.
 - The group revisited the constituent group members, the financial agreements to fund the activities, and the mission of the group.
 - ❖ City of Loveland (Loveland):
 - Water Resources Manager Nancy Koch, Water Resources Administrators Amanda Hoff and Garrett Dickson, and Ms. Kauffman attended a meeting with Loveland staff to discuss potential projects and opportunities for the two agencies to work together.
 - Ms. Koch created a great summary table of potential items to consider as we review the return flow obligations (RFO) of both agencies.
 - The group will continue to meet quarterly to discuss opportunities and priorities.

- ❖ Berthoud Fire Protection District (BFPD):
 - BFPD completed their dive certification process for their hazardous response team at Dry Creek Reservoir on Thursday, May 11.
 - BFPD appreciates the District's willingness to let them do their certification there and offered to do any kind of inspection in the reservoir if we need to get eyes on anything.
 - ◊ Staff discussed where this service could be used.
 - The District and BFPD also discussed chemical application to the reservoir, and they asked that they be kept informed of the date and chemical that is applied.
- ❖ Berthoud:
 - Ms. Kauffman met with Ken Matthews, utility director for Berthoud, on Wednesday May 3.
 - Monthly meetings are scheduled to discuss items of interest between the two water providers.
 - Ms. Kauffman and Mr. Matthews talked about the request from Berthoud to take 0.75 million gallons of water per day from the District and the potential locations for that delivery.
 - ◊ This request was built into the demand projections for CLFP.
 - Also discussed were potential tap transfers, past tap transfers, and the details for those to occur.
- ❖ Firestone:
 - Ms. Kauffman met with the Firestone Town Manager, AJ Krieger, on Tuesday May 9.
 - Both managers see a need for a general manager position for SVWA to ensure the Board stays on track and meets legal requirements.
 - Additional work on the Intergovernmental Agreements (IGA) and founding documents may be required to address inconsistencies, funding, and other items.
 - Separately, Firestone council members were receiving questions about the filling of Barefoot Lakes.
 - ◊ To address the public's concern, District staff wrote a summary of information to distribute as necessary.
 - ◊ This is the same summary that was sent to Brookfield for their metro district to distribute.
 - On May 12 District Staff were notified that the District had "free river" in the St. Vrain River and were able to start pumping water into the Barefoot Lakes.
- ❖ WildRock:
 - The marketing group is doing a good job of reaching customers.
 - An email was sent to the Board with the summary of the marketing results.
 - Staff had completed a crisis communication messaging plan with WildRock in preparation for the upcoming treatment and delivery of Dry Creek Reservoir water.
 - Staff requested WildRock prepare a statement regarding polyvinyl chloride (PVC) and fluoride based on comments at the April Board Meeting.
- ❖ On May 10 Staff had a delayed in-house Cinco de Mayo event to gather employees for some bonding time.
- ❖ Chimney Hollow Tour:
 - Ms. Kauffman reminded the Board that a tour of Chimney Hollow Reservoir is scheduled for June 7 at 9:00 a.m.
 - Tour participants will meet at Northern Colorado Water Conservancy District (Northern).
- ❖ Joint Board Meeting:
 - Ms. Kauffman forwarded a list of potential topics for a Joint Board Meeting with CWCWD.
 - Ms. Kauffman and CWCWD District Manager Linker will decide on a date, possibly in December or January, with January being preferred.
- ❖ July Board Meeting:
 - Ms. Kauffman requested the July Board Meeting be cancelled due to her schedule and a lack of topics.

It was moved by Director Martens, seconded by Director Szmyd, to cancel the Little Thompson Water District July 20, 2023, Board Meeting. Motion Carried unanimously.

- Agreements:
 - ❖ Aurora Organic Dairy (AOD):
 - Staff received a signed copy of the water dedication agreement from AOD.
 - AOD are generally agreeable to the terms in the waterline agreement but are still doing some due diligence on the estimated cost of the waterline portion.
 - Ms. Kauffman planned on bringing both agreements to the board at the same time for approval.
 - ❖ Town of Johnstown (Johnstown):
 - Ms. Kauffman continued to meet with Johnstown to finalize the revised IGA.
 - The meeting scheduled for May 15 needed to be cancelled.
 - There will need to be an additional extension of two months.

Business Manager's Report: In the absence of Business Manager Angela Diekhoff, District Manager Kauffman reported on the following:

- Office Update:
 - ❖ There was a great response to the District promotion giving either two soaker hoses or one automatic shut off hose nozzle to anyone who came into the office and showed that they Like the Facebook page.
 - ❖ Administrative Assistant Judy O'Malley was updating the District website.
 - Directors were requested to review their biographies and send any changes to Ms. O'Malley.
 - ❖ The majority of employees participated in a Cardiopulmonary Resuscitation (CPR) recertification class.
 - Feedback on the new training vendor was positive.
- EyeOnWater (EOW):
 - ❖ A promotional postcard had been sent to customers advising of a \$10 incentive for those who sign up for an EOW account.
 - The program was scheduled to run through August 31, 2023, and so far, response had been extremely positive with over 150 new accounts in a few weeks.
 - ❖ The percentage of customers signed up for EOW had increased from 15 percent to 18 percent.

District Engineer's Report: District Engineer Eaton reported on the following:

- There were four Tap Commitment Requests for April. The year-to-date total was 16.
- Capital Projects:
 - ❖ The Capital Projects were going smoothly.
 - ❖ There were no new development projects; construction, referrals and reviews had all slowed.
 - ❖ Engineering Staff had been contacted by the Colorado Department of Transportation (CDOT) regarding the project from Highway (Hwy) 56 to Hwy 66.
 - ❖ The Twin Mounds project continued to progress.
 - The security firm hired to monitor the site thwarted four theft attempts.
- Other Engineering & Geographic Information System (GIS) Activities:
 - ❖ There had been a light response to the latest job posting for a Civil Engineer II.
 - District Engineer Eaton had noted he has heard this is currently common in the Engineering industry.
 - Mr. Eaton noted the next step will be to consider rewording the posting and/or stepping up to paid advertisements.

Water Resources Manager's Report: Water Resources Manager Koch and Water Resources Administrator Hoff reported on the following:

- Water use for the month of April had been less than projected.
- Dry Creek Reservoir:
 - ❖ Water Resources Staff took a delivery of Windy Gap water and put it into Dry Creek Reservoir as there was a 100 percent chance that Lake Granby was going to spill.
- Water Court:
 - ❖ Water Resources Staff continued to work with objectors to the Consolidated Home Supply case.
- Snowpack had dropped quite a bit in the month of April.

Discussion followed regarding the meaning of “free river” being there is more water than all perfected water rights on a river system, and if the use of this water goes against a storage decree if filling a reservoir. Ms. Koch advised that she would research the rules and report back to the Board.

Operations Manager’s Report and Water Quality Update: Operations Manager Ken Lambrecht reported on the following:

- Leak repairs had continued to increase significantly.
 - ❖ Mr. Lambrecht noted there was a lot of clean-up work to be completed and the Operations Staff was currently short-handed.
 - ❖ Director Martens noted that his neighbors comment that District Staff perform a very good job on leak repairs and clean-up.
- Monthly Total Coliform samples were within acceptable parameters, and the Disinfection Byproducts (DBP2) results had not been received.
- The telemetry upgrade project:
 - ❖ Staff met with two vendors to receive information on suggested options.
 - ❖ Staff were performing research to determine the best plan for the District.
- 5,690 of a total of 6,412 valves had been exercised.
 - ❖ Mr. Lambrecht noted the project will never be 100 percent completed as new valves are continually added to the distribution system.

DIRECTOR REPORTS

Director Szmyd noted he found out about the Colorado Waterwise.org Guidebook of Best Practices for Municipal Water Conservation in Colorado. Mr. Szmyd queried if the District has a copy and was advised the District does have one.

Director Heiland noted that he had heard some automakers will be discontinuing installing AM radios in electric vehicles (EV) because of an issue receiving AM channels in EVs.

Director Martens noted that some property owners in his Homeowners Association (HOA) have to water part of the HOA’s property that adjoins theirs and this puts these accounts into the higher tier rate. Mr. Martens also noted a ditch runs through this development and was wondering if the water could be rented for this irrigation use. Water Resources Manager Koch did not believe this was possible, but Mr. Martens requested contact information for the ditch company. President McMurtrey suggested the HOA hire a water company to water the areas every so often.

Director Brandt read on the internet that Weld County had closed 23 roads due to the flooding the previous week.

President McMurtrey stated that she was finished with kidding season and had added 25 baby goats to her herd.

It was moved by Director Szmyd to adjourn the meeting at 7:13 p.m.

Respectfully submitted,

Amber Kauffman