

RECORD OF PROCEEDINGS

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MINUTES

FORT COLLINS-LOVELAND WATER DISTRICT

JANUARY 15, 2019

The Regular Meeting of the Fort Collins-Loveland Water District was held on January 15, 2018 at 7:00 p.m., at 5150 Snead Drive, Fort Collins, Colorado 80525.

**1. Roll Call**

Present: Directors: James Borland, Dale Leach, Ron Ruff, William Dieterich and Michael Pruznick

Excused Absence:

Others Present: Chris Matkins, District Manager, Amanda Proctor, District Controller, Terry Farrill, District Engineer, Dave Haughey, Pre-Treatment Coordinator, Brenden Desmond of Nathan, Dumm & Mayer, Alicia Beard of WildRock, Richard Raines, Water Resources, Andy Pineda, Luke Shaveross and Scott Kempin of Northern Water, and members of the public, Don Heyse, Roger Morgan and Peter O'Neill

**Business Conducted:**

**2. Public Comment**

The Board received a question about water loss in the system. District Engineer, Terry Farrill, stated that the system wide water loss was 1-1.5% from the treatment plant to point of delivery for customers.

**3. Consent Agenda**

Several items were presented for the consent agenda. After discussion, it was:

**Moved by Director Pruznick and seconded by Director Leach to approve the presented consent agenda.  
*Motion carried 5-0***

**4. Executive Session to Receive Legal Advice from Counsel Regarding Potential Litigation with Respect to Development Fees and Charges. §24-6-402(4)(b), C.R.S.**

**Moved by Director Leach and seconded by Director Pruznick to move to enter executive session to receive legal advice from Brenden Desmond, District Counsel, regarding potential litigation with respect to development fees and charges according to Section 24-6-402(4)(b) of the Colorado Revised Statutes.  
*Motion carried 5-0***

The Board entered into an executive session at 7:15 p.m.

At 7:45 pm the Board exited the executive session.

District Counsel, Brenden Desmond, stated that he had been present during the executive session and that it had been conducted according to state statutes and the Board discussions stayed within the stated topics.

## **5. NISP Update**

Andy Pineda, Luke Shaveross, and Scott Kempin from Northern Water presented a NISP update to the Board and discussed potential options for the District to get their share of the water to the proposed new water treatment plant.

## **6. Regional Water Treatment Plant Land Acquisition IGA**

Chris presented an IGA between Town of Severance, Town of Eaton, Town of Windsor, and the District. The IGA was drafted by Windsor's attorney, and reviewed by District Counsel. The purpose of the IGA is to purchase land that the future Cobb Lake Water Treatment Plant will be built on.

Director Leach stated that in the IGA it states that Severance will be annexing the land. Director Leach had concerns about paying extra fees to build the water treatment plant.

Director Pruznick suggested a minor change, and had a concern regarding the lack of deadline to build the water treatment plant.

After Board discussion, it was:

**Moved by Director Pruznick and seconded  
by Director Dietrich to Authorize Board President to sign this IGA  
concerning purchase of real property for a prospective water  
treatment plant, contingent on legal approval of resolving concerns  
regarding annexation, other language the Board discussed, and  
with the condition that in the event of annexation, there will be no  
additional fees from the Town of Severance.  
Motion carried 5-0**

## **7. Managers Update**

### **A. General Information**

Chris discussed native water purchases with the Board, price points to purchase the water, and future strategy.

SCWTA Board is proposing to change the authority agreement to add additional clauses for unanimous support of large capital projects and minor miscellaneous changes. The northern water intake project, which will provide emergency backup, will cost about \$800,000, with a prorated portion for FCLWD. There will be a temporary diversion into the Hansen Canal in order to complete the project.

Spring Canyon had lead and copper issues last year. They'll be adding orthophosphate to line the inside of their pipes to aid with corrosion past the point we deliver water to them.

Chris is currently talking with NISP Participants to potentially purchase additional NISP allotments.

The City of Fort Collins is sending a resolution to approve the payoff of our loan with them to city council in March. This resolution will need to be approved by our board at the February meeting.

Chris and Terry are working together to update engineering standards that will disallow pumps to be used on water taps.

Chris and Director Dietrich provided an update on the gravel pit pond project. They stated that investigations are currently going on, and within a month the Tri-Districts will be approaching Greeley with the findings. It is anticipated that an estimated \$5 million will be needed to be put into the project.

Chris updated the Board on discussions with Windsor regarding the IGA. Windsor is no longer proposing a second interconnect. The IGA will be renewed in a few years, without provisions for a second emergency interconnect.

Chris discussed doing an open house jointly with SFCSD this year. The Board agreed to do one open house.

Chris and Amanda discussed the current sick leave policy with the Board. Amanda stated that the sick leave policy is one of the areas that needs to be completed before the employee manual can be presented to the Board for approval. They discussed options for sick leave with the Board.

#### **B. Financial Statements**

The General Manager reported that the Financial Statements prepared by Amanda Proctor, District Controller, are included with the agenda packet for their review.

#### **C. Tap Purchases**

The Manager reported that 32 taps have been sold in the month of December for revenues of \$3,697,813.40 and for the year, 584 taps have been sold with revenues in the amount of \$27,105,798.00.

### **8. Other Business**

Director Dietrich discussed whether or not the District should buyback HOA irrigation taps. The Board discussed the rationale, and whether or not the District could do this with current land uses approved by municipalities.

Director Borland stated that the duel check signature limit is currently at \$2500. He stated that the policy had not been changed in several years. After discussion it was:

**Moved by Director Leach and seconded  
by Director Ruff to increase the check signing limit for duel  
signatures to be \$5,000.  
Motion carried 5-0**

### **9. Disbursements**

The Manager presented disbursements for December 2018 in the amount of \$1,475,194.66. After discussion, it was:

**Moved by Director Leach and seconded  
by Director Dieterich to approve the  
Disbursements for December 2018.  
Motion carried 5-0**

**10. Adjournment**

There being no further business to come before the Board, the meeting was adjourned at 10:05 PM.

Respectfully,

/s/  \_\_\_\_\_

/s/  \_\_\_\_\_

Date Approved: 2/19/2019