



COLUMBINE LAKE WATER DISTRICT



RECORD OF PROCEEDINGS

REGULAR BOARD MEETING OF THE BOARD OF DIRECTORS COLUMBINE LAKE WATER DISTRICT MONDAY, FEBRUARY 12, 2024 3:00 PM

1. CALL TO ORDER

A regular meeting of the Board of Directors of the Columbine Lake Water District was called to order by President Mike Golden at 3:00 p.m. The meeting was held at the Administration Building, 1111 GCR 48, Grand Lake, CO 80447, and also remotely.

Directors Present: Mike Golden – President
 Philip Goes – Vice President
 Mark Trumbo – Treasurer
 Geoff Garner – Director

Staff Present: Katie Nicholls – District Manager
 Mike Gibboni – Superintendent

2. INTRODUCTION OF PUBLIC PRESENT

Janna Sampson, Katie Ellis, Rene Harvey, Michael Harvey

3. ACCEPTANCE OF MINUTES

By **MOTION**, second, and unanimous vote the January 15, 2024 meeting minutes were approved as presented.

4. MATTERS BEFORE THE BOARD

a. **Resolution 2024-2-1; a resolution advocating voter approval of the dissolution of Columbine Lake Water District at the April 9, 2024 Election**

District Manager Nicholls stated that this joint resolution with Three Lakes Water and Sanitation District is stating support of the dissolution of Columbine Lake Water District. She further stated that the board had requested information to be posted on the website regarding the dissolution, however, the Fair Campaign Practices Act does not allow for the district to lobby on the matter. The attorney for the District has drafted this resolution to provide some basic information to be posted. A discussion ensued regarding the difference between the resolution and the Assignment, Assumption and Consent Agreement previously signed; the general pros and cons of the dissolution, and the election and dissolution schedule. President Golden moved to approve Resolution 2024-2-1; a resolution advocating voter approval of the dissolution of Columbine Lake Water District at the April 9, 2024 election. Secretary/Treasurer Trumbo seconded the motion. President Golden and Secretary/Treasurer Trumbo voted aye, Vice Chairman Goes and Director Garner voted nay for a tie vote and failed motion.

5. **PUBLIC COMMENT**

Janna Sampson introduced herself, she inquired about where the cost savings analysis documentation is located on the website and where the water rights will be residing after the dissolution and if the transfer of those rights is legal. District Manager Nicholls explained that the analysis document can be found on the packet linked under the Elections page of the website. She stated the water rights would transfer to the Three Lakes Water & Sanitation District – Columbine Lake Water Subdistrict, which would be created upon the dissolution of the District. She said that Middle Park Water Conservation District has agreed to the transfer should the dissolution go through and all three parties have signed a document outlining such. Ms. Sampson requested a copy of the document. She concluded her time by asking if there would be a separate budget for the subdistrict. District Manager Nicholls stated that a new fund for the subdistrict would be created and the budget would be moved into that fund looking the same.

Rene and Michael Harvey introduced themselves. Ms. Harvey inquired into who owns the water rights right now: the water board or HOA. President Golden stated Columbine Lake Water District owns the water rights. A discussion ensued regarding the HOA, lake, and Haribson Ditch. District Manager Nicholls explained that the water rights of the HOA are separate from the District. The District only has drinking water rights and the water rights for the Haribson Ditch are not actual water used by the District, but rather coverage for the District should they exceed the usage of their rights on the well and spring they use. District Manager Nicholls and Superintendent Gibboni attempted to explain that the Haribson Ditch water rights are “paper” and not “wet” water rights, meaning the water is not actually used by the District, but rather it is coverage for any use of the spring and well “wet” water rights they actually use that exceeds their usage rights. Ms. Harvey then inquired about the denial of the aqua lagoon agreement. District Manager Nicholls stated that upon expiration of the agreement the new water attorney reviewed the agreement and noted that the District does not have the right to allow diversions of the Harbison Ditch, and doing so puts the District’s water rights at risk. A discussion ensued regarding the affected property owners’ pursuit of the replacement water rights necessary to refill the lagoon in question. District Manager Nicholls stated the election is required for dissolution because the District has debt and if the ballot measure fails the District will continue as it is.

6. **FINANCIAL REPORTS**

By **MOTION**, second, and unanimous vote the checklist for January 2024 was approved as presented. By **MOTION**, second, and unanimous vote, the financial documents for January 2024 were approved as presented.

7. **SUPERINTENDENT REPORT**

Superintendent Mike Gibboni presented the water usage report.

8. **DISTRICT MANAGER REPORT**

District Manager Katie Nicholls had no further comments.

President Golden thanked District Manager Nicholls for responding to emails on Superbowl Sunday, noting it is above and beyond the call of duty and stated he appreciated her dedication.

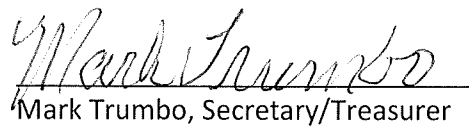
Director Garner read over a pro/con document he created for himself regarding the dissolution of the District. A brief discussion ensued regarding statements pertaining to water rights. Director Garner wanted more information on who owns water rights within the Harbison Ditch and how it is related to the lake at Columbine Lake. President Golden stated the District is only concerned about their own water

rights which are potable water rights. Director Garner continued asking who owns the water rights in the Harbison Ditch noting that the Metro Rec District and the park own portions and it goes into the lake at Columbine Lake. President Golden and District Manager Nicholls both attempted to explain again that the water district has nothing to do with the lake. Director Garner stated his concern that something will be forgotten in the transfer process and water rights will be lost. President Golden stated that the District has spent a lot of money to have water attorneys and engineers throughout this process, and is confident there will be no gaps. Discussion between the Board, public, and staff continued regarding the water rights. President Golden noted he will be attending and answering questions at the Columbine Lake HOA meeting in March at their request.

President Golden noted he will not be at the March board meeting.

With no further business before the Board the meeting was adjourned at 4:21 p.m.


Katie Nicholls, Recording Secretary


Mark Trumbo, Secretary/Treasurer

