

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE NORTH WELD COUNTY WATER DISTRICT

Held: Monday, the 12<sup>th</sup> day of August, 2024, at 8:30 A.M.

*The meeting was conducted via teleconference.*

**ATTENDANCE**

The meeting was held in accordance with the laws of the State of Colorado. The following directors were in attendance:

Tad Stout, President  
Nels Nelson, Treasurer  
Anne Hennen, Assistant Secretary  
Matt Pettinger, Assistant Secretary  
Scott Cockroft, Secretary

Also present were Eric Reckentine and Garrett Mick, General Manager of the District; Zachary P. White, Esq., WHITE BEAR ANKELE TANAKA & WALDRON, District general counsel; Jamie Cotter, SpencerFane, District special counsel; Scott Holwick, Esq., LYNONS GADDIS, P.C., District special counsel; Richard Raines and Jan Sitterson, Water Resources; and members of the public.

**ADMINISTRATIVE MATTERS**

Call to Order

The meeting was called to order at 8:30 A.M.

Declaration of Quorum and Confirmation of Director Qualifications

Mr. Stout noted that a quorum for the Board was present and that the directors had confirmed their qualification to serve.

Reaffirmation of Disclosures of Potential or Existing Conflicts of Interest

Mr. White advised the Board that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Mr. White reported that disclosures for those directors that provided WHITE BEAR ANKELE TANAKA & WALDRON with notice of potential or existing conflicts of interest, if any, were filed with the Secretary of State's Office and the Board at least 72 hours prior to the meeting, in accordance with Colorado law, and those disclosures were acknowledged by the Board. Mr. White inquired into whether members of the Board had any additional disclosures of potential or existing conflicts of interest about any matters scheduled for discussion at the meeting. All directors reviewed the agenda for the meeting and confirmed that they have no additional conflicts of interest in connection with any of the matters listed on the agenda.

Approval of Agenda Mr. Reckentine presented the Board with the agenda for the meeting. Upon motion of Mr. Nelson, seconded by Mr. Pettinger, the Board unanimously approved the agenda as presented.

**PUBLIC COMMENT** None.

**CONSENT MATTERS** **AGENDA** Upon a motion of Mr. Nelson, seconded by Mr. Cockroft, the following items on the consent agenda were unanimously approved, ratified and adopted:

- a. Minutes from July 8, 2024, Regular Meeting (as corrected)
- b. Unaudited Financial Statements July 2024
- c. Invoices through August 12, 2024
- d. Letter of Intent Single Lot
  - i. Tarquin Colorado LLC
  - ii. Lind
- e. Saddler Ridge Notice to Serve Letter
- f. Amended Easement for Hwy 14 Recharge Site with Longs Peak
- g. Change Order and Work Directive for Quality Well to Enlarge Recharge Basin
- h. CSU Lease Agreement Additional NPIC Shares
- i. Eaton Pipeline Phase 2 Connel Resources Final Acceptance Documents
- j. Easement Acquisition NEWT III – Ratify
  - i. K&M
  - ii. Lepsack
  - iii. Endor
  - iv. Kurtz Letter
  - v. Kimley Horn Project Close K&M

NEWT III Construction Update – Ditesco Engineering Services Representatives of Ditesco Engineering Services provided an update to the Board regarding the NEWT III Construction. It was noted that the project is approximately 50% complete, 100% of the construction materials have been delivered are staged and all of the major crossings have been completed.

Change Order Request Garney Construction The Board engaged in a discussion regarding the change order request from Garney Construction. Following discussion, upon a motion of Mr. Nelson and seconded by Mr. Cockroft, the Board unanimously approved the change order.

ELCO Interconnection CR3, CR5 and CR1 Mr. Reckentine discussed the ELCO Interconnection of CR3, CR5 and CR1 with the Board. The existing Intergovernmental Agreement that allows interconnections of CR3, CR5 and CR1 and ELCO is requesting a connection with CR5 which is currently

under design. There are concerns about connections that are not flow controlled and metered. The Board directed the District Manager and legal counsel to prepare a letter to ELCO indicating that all interconnections must be metered and have valved flow-controlled devices. The issues related to the shared 24 inch line and current flow losses to ELCO was discussed.

Consider Adoption of Resolution No. 20240812-01, Non-Potable Irrigation Water Supply Policy

Mr. Reckentine presented Resolution No. 20240812-01, A Non-Potable Irrigation Water Supply Policy to the Board. Following discussion, upon a motion by Mr. Nelson, seconded by Mr. Pettinger, the Board unanimously approved the resolution.

Executive Session: The Board reserves the right to enter into Executive Session for the following purposes: Receiving legal advice and discussing matters subject to negotiation and strategy pursuant to § 24-6-402(4)(a)(b)(e) & (f), C.R.S. related to ELCO NEWT III County Road Interconnects

Not needed.

**DISTRICT MANAGER'S REPORT**

Tap Sales

Mr. Reckentine reported to the Board there were 65 taps sold to date.

Stakeholder Meeting Town of Severance, July 2024

Mr. Reckentine reported to the Board that the meeting occurred.

Cobb Lake Water Treatment Presentation

Mr. Reckentine discussed the budget and schedule for the Cobb Lake Plant and discussed the timing implications related to FCLWD usage growth and the 10-year time frame of the new plant. Mr. Reckentine stated discussions need to start at the SCWTA to insure NWCWD future capacity obligations are not burdened by other members.

Town of Eaton Divestment of NISP Units to FCLWD

SCWTP Temporary Shutdown

The Town of Eaton and Severance divested 100 and 1500 units respectively to FCLWD. A discussion occurred that FCLWD will potentially provide treated water to these Towns from Cobb Lake Plant via water service agreements.

Larimer County 1041 Legal Challenge to Thornton Pipeline

Conflict of Interest Letter – PIC

Mr. Reckentine reported to the Board of a temporary shutdown of the plant in July.

Mr. Reckentine report to the Board that there are legal challenges to the Thornton Pipeline from Save the Poudre.

Wildfire Update

Greeley NWCWD Harmony Interconnect Operational  
Mr. Reckentine reported to the Board that the District sent a letter to Providence Infrastructure Consultants regarding potential conflicts of interest related to their work with ELCO CR5 Crossing. The District has not waived any conflicts of interest.

Mr. Reckentine reported to the Board of potential impacts of the current wildfires.

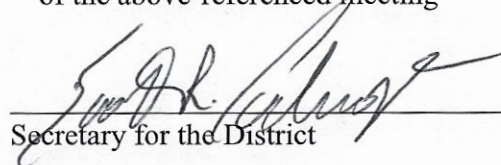
Mr. Reckentine reported to the Board that the interconnect is completed and operational but is not currently in use.  
None.

**OTHER BUSINESS**

**ADJOURNMENT**

There being no further business to be conducted, the meeting was adjourned.

The foregoing constitutes a true and correct copy of the minutes of the above-referenced meeting

  
Secretary for the District