

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

Held: Monday, the 14<sup>th</sup> day of August, 2023, 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  
Scott Cockroft, Secretary  
Nels Nelson, Treasurer  
Anne Hennen, Assistant Secretary  
Matthew Pettinger, Assistant Secretary

Also present were Eric Reckentine, General Manager of the District; Zachary P. White, Esq., WHITE BEAR ANKELE TANAKA & WALDRON, District general counsel; Scott Holwick, Lyons Gaddis, District special counsel; George Oamek, Headwaters Corp., Richard Raines; Nick Wharton, Town of Severance; Keith Meyer, Ditesco; Wes Levanachy, and Mr. Nick Haws, Town of Eaton; Mr. Steve Nyguen, Clear Water Consultants; Members of District Staff; 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 Ms. Hennen, the Board unanimously approved the agenda.

**PUBLIC COMMENT** No members of the public addressed the Board.

**CONSENT AGENDA MATTERS** Mr. Reckentine presented the Board with the consent agenda items.

Upon motion of Ms. Hennen, seconded by Mr. Pettinger, the Board approved the following:

- a. Minutes from July 17, 2023, Meetings
- b. Unaudited Financials for July 2023
- c. Invoices through August 14, 2023
- d. Greeley and NW Harmony Interconnect Pump Station Purchase Contract
- e. Element WSSC Change Case No.1 Task Order No. 4
- f. Stantec Master Plan Change Order 1
- g. Honey Creek Resources Cost of Service and Finance Model Update Scope
- h. Ditesco Services Scope of Services NEWT III Construction Management
  - i. BPCCC Variance Request i. Rest Stop Storage
- j. Easement Agreements
  - i. Overland Ponds Mark Linder Pond 1
    - ii. AB Property – NEWT III
- k. Nickel Road Mineral Lease Agreement

Discussion: Town Mayor and Manager for the Town of Eaton Discussion on Future Water Service in Relation to 2nd Treatment Plant and NWCWD Mr. Wes Levanachy, and Mr. Nick Haws from the Town of Eaton, and Mr. Steve Nyguen from Clear Water Consultants addressed the Board regarding the relationship between the Town and the District now and into the future. The Town acknowledges that it will need to coordinate and cooperate with the District in order to continue to grow and is willing to work with the District in order to maintain a positive relationship, including being the first of the Towns served by the District to enter into a revised water service agreement. The Town has been part of discussions regarding the construction of a second water treatment plan, but acknowledges the extraordinary expense associated with such construction that could be avoided by continuing to partner with the District.

No action was taken.

Consider Approval for Variance Request Related to Development Review for the Deferred.  
No action was taken.

Ridge Commercial  
Development

Executive Session                      Not needed.

**DISTRICT MANAGER'S  
REPORT**

Tap Sales                                      Mr. Reckentine reported that 110 taps have been sold to date and that the District is on track to meet its budget for the year.

Audit Extension Filed                      Mr. Reckentine reported that an audit extension was filed with the State in order to give the auditor more time to complete the filing.

SDA Annual Meeting                        Mr. Reckentine reported that the Special District Association will hold its annual meeting September 12-14. Directors are welcome to register and attend.

Thornton Northern  
Properties Stewardship Plan  
(NPSP) August 14, 2023                      Mr. Reckentine reported on the NPSP Planning efforts.

Notices Sent to NEWT III  
alignment property owners.                Mr. Reckentine reported that five property owners have been given notice regarding the need for easements for NEWT III. Negotiations are underway with the owners.

Leak on 18" Distribution  
Line from Tank 1                              Mr. Reckentine reported and congratulated staff on a repair of a leak on the 18" distribution line from Tank 1 without needing to shut down service.

System and CIP Map and  
2023 Budget Memo                            Mr. Reckentine provided the Board a preliminary 2023 Budget Memo for review. Future discussion will be held on these matters.

Master Plan and Water  
Service Agreement Work  
Sessions    Mr. Reckentine discussed with the Board a request to hold one or more work sessions with the Board to begin to discuss master planning and proposed policy and form agreement revisions related to water service agreements with towns, developers, and commercial customers. The Board determined to hold its first work session on August 28. Mr. Reckentine will distribute a memorandum to the Board regarding pending issues that need Board input.

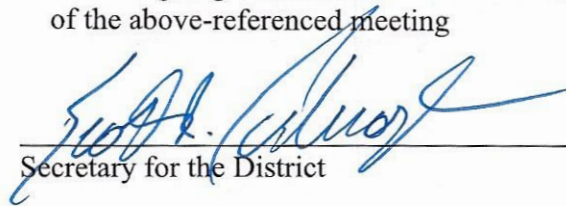
City of Fort Collins Change  
in Water Requirements and  
Excess Water Usage Charges                Mr. Reckentine reported to the Board regarding recent proposed changes by the City of Fort Collins to their excess water usage charges.

**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