

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

Held: Monday, the 11<sup>th</sup> day of October, 2021, at 1:00 P.M.

*The meeting was conducted electronically.*

**ATTENDANCE**

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

Gene Stille, President  
Ron Buxman, Treasurer  
Scott Cockroft, Secretary (for a portion of the meeting)  
Tad Stout, Assistant Secretary  
Brad Cook, Assistant Secretary

Also present were: Eric Reckentine, General Manager of the District; Zachary P. White, Esq., WHITE BEAR ANKELE TANAKA & WALDRON, District general counsel; Darin Pytlik, Providence Infrastructure Consultants, District Engineers; Paul Weiss, Williams & Weiss Consulting, LLC; George Oamek, Headwater Co.; Richard Reins, Water Resources; Todd Bean, customer.

**ADMINISTRATIVE MATTERS**

Call to Order

The meeting was called to order.

Declaration of Quorum and Confirmation of Director Qualifications

Mr. Stille 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. Buxman, seconded by Mr. Stout, the Board unanimously approved the agenda.

**CONSENT AGENDA  
MATTERS**

Mr. Reckentine presented the Board with the consent agenda items.

Upon motion of Mr. Buxman, seconded by Mr. Stout, the Board unanimously took the following actions:

- b. Acceptance of Unaudited August and September 2021 Financial Statements
- c. Approval of Invoices as of October 11, 2021
- d. Providence Infrastructure Consultants Task Order Amendments
- e. Approve of CSURF C-BT Excess Capacity Agreement
- f. Approve WSSC C-BT Excess Capacity Agreement
- g. Approve Severance Master Meter Station No. 2 Change Order
- h. Approval Weld County Relocation Agreement 66/41 Intersection
- i. Approve Well Release Request Wagner
- j. Back Flow Cross Connection
  - a. Approval Variance Request for BPCCC Installation – Dehann

Upon motion of Mr. Stout, seconded by Mr. Buxman, the Board took the following actions with Director Cook abstaining:

- a. Approval of Meeting Minutes from September 7, 2021, and September 29, 2021 Board Meeting

Resolution to Approve Application for Water Supply and Storage Company NWCWD Change Case

Mr. Reckentine presented a Resolution to Approve Application for Water Supply and Storage Company NWCWD Change Case. Mr. Raines described the purpose for the Resolution and noted that it may be amended going forward to include an additional share related to development in the Town of Ault.

Upon motion of Mr. Stout, seconded by Mr. Buxman, the Board unanimously adopted the Resolution.

Presentation of Preliminary NWCWD 2022 Financial Budget

Mr. Reckentine presented the preliminary 2022 budget for the District. Budget figures are in flux right now pending understanding of how moratoriums may impact revenues of the District. The budget will be refined over the next two months and will be presented for adoption at the December regular meeting.

Presentation by Williams and Weiss Consulting re

Mr. Weiss from Williams and Weiss presented a drought analysis. Preliminary analysis revealed deficiencies in the District's water

Draft Residential Drought Analysis and District Drought Triggers	portfolio in the case of a 100 year drought. Mr. Weiss discussed the need to certain watering restrictions in drought situations. The Board directed Mr. Reckentine to work with Mr. Weiss and legal counsel to prepare a drought policy. The Board further directed Mr. Reckentine to provide a general message via certified mail to customers regarding the District’s review of flow control measures, drought conditions and preparation of a drought policy.
Presentation by Headwaters Consulting Report re	Mr. Oamek from Headwaters Consulting presented to the Board regarding review of the District’s water usage and fees compared with other service providers, and discussed the completed Cost of Service Study financial model and report. Mr. Oamek discussed with the Board financial plan focuses from 2022-2030. The Board discussed variables at the Board’s discretion including user charges by customer class, plant investments, water allocations fees, and surcharges.
Draft Cost of Service Study	
Water Allocation Study Draft Report	
Review of Voting Population and NWCWD District Wards Update and New Ward Scenarios	Mr. Reckentine discussed with the Board the establishment of director districts (Wards) for the May 2022 director election. Tri-Hydro prepared different scenarios based on development and expected growth. Mr. White discussed with the Board the requirements for establishing director districts, and the considerations the Board may take into consideration in establishing director districts. Mr. Reckentine was directed to work with Mr. Stout to present a recommendation to the Board.
Consider Approval of Hidden Valley 6 Water Services Agreement	Mr. Reckentine presented the water service agreement for Hidden Valley 6 and noted the developer has agreed to the additional language regarding delay in service due to actions by third-party jurisdictions. Following discussion, the Board determined it was not ready to approve the water service agreement until more information is available regarding Ft. Collins 1041 regulations.
	Upon motion of Mr. Buxman, seconded by Mr. Cockroft, the Board tabled approval of the agreement until the October 25, 2021 special meeting. Director Stout abstained.
<b>EXECUTIVE SESSION</b>	Not needed.
<b>DISTRICT MANAGER’S REPORT</b>	Mr. Reckentine presented his Management Report to the Board.
Regional Water Strategy Operations Meeting October 7, 2021	Mr. Reckentine and Mr. Stout attended the meeting.

City of Fort Collins and Larimer County 1041 Updates

Mr. Reckentine updated the Board regarding mobilizing to resist 1041 regulations to be considered by the City of Ft. Collins. Mr. Reckentine has met with the Mayor and Mayor Pro Tem, and will be meeting with members of the City Council to discuss concerns. Discussions and concerns with city staff have not been well communicated to City Council. Interested stakeholders are mobilizing to speak and present opposition letters at the City's October 19 meeting. Mr. Reckentine is asking City Council to 1. Table discussion re implementing 1041 regulations; 2. Not impose a moratorium until after 1041 regulations are drafted and approved; and 3. Exempting the District projects from 1041 regulations.

Soldier Canyon Water Treatment Authority Legal Services Update

Mr. Reckentine reported that Mr. Bob Cole resigned as counsel to the SCWTA.

Wild Wing Non-Potable Water System Update

Mr. Reckentine reported to the Board regarding the non-potable water system at Wild Wing. The System was shut down early as a result of 1. Exceeding contracted delivery amounts, and 2. Complaints regarding sick animals and water quality issues. Mr. Reckentine will be meeting with the Wild Wing Metropolitan District to discuss the respective obligations of the parties.

**PUBLIC COMMENT**

None.

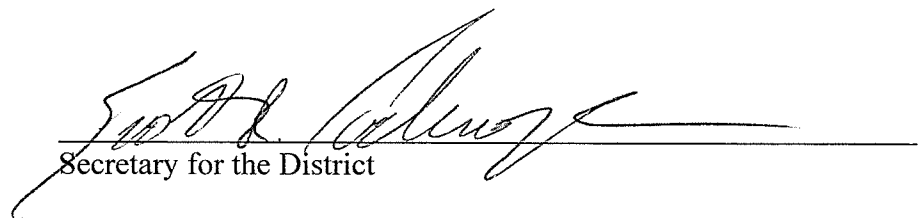
**OTHER BUSINESS**

None.

**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