

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

Held: Monday, the 13th day of May, 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
Director Cockcroft, Secretary

Also present were Eric Reckentine, General Manager of the District; Jon L. Wagner, Esq., WHITE BEAR ANKELE TANAKA & WALDRON, District general counsel; Richard Raines, Water Resources; Loren Eldridge-Looker, Trihydro Corporation; Angela Thompson, Slate Communication; Paul Weiss, Williams and Wiess Consulting; and members of the public.

ADMINISTRATIVE MATTERS

Call to Order

The meeting was called to order at 8:32 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. Wagner advised the Board that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Mr. Wagner 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. Wagner 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. Pettinger, seconded by Mr. Cockroft, the Board unanimously approved the agenda as amended to add 1041 Application for City of Thornton and Larimer County.

PUBLIC COMMENT None.

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

- a. Minutes from April 8, 2024 Regular Meeting
- b. March and April Unaudited Financials
- c. Invoices through May 13, 2024
- d. Stantec Change Order Amendment #2 Engineering Services (Discussed only)
- e. Eaton Pipeline Phase II Certificate of Sustainable Completion Connell Resources Inc.
- f. Blackline Safety Monitoring Equipment
- g. Wild Wing Meter Abandonment
- h. ESRI GIS License Renewals

NWCWD Raw Water 2024 Operational Plan and Drought Analysis Mr. Reckentine presented to the Board the Raw Water 2024 Operational Plan and Drought Analysis. No action taken.

Consider Approval of NWCWD Policy

Resolution No. 20240513-01: Resolution Eliminating Water Banks Mr. Reckentine presented to the Board the Resolution Eliminating Water Banks. Following discussion, upon a motion of Mr. Nelson and seconded by Mr. Pettinger, the Board unanimously adopted the resolution.

NWCWD System Demand and Capacity Hydraulic Model and Master Plan Mr. Reckentine presented to the Board the System Demand and Capacity Hydraulic Model and Master Plan and discussion ensued in executive session.

Following discussion regarding the Hydraulic Model and Master Plan in executive session, no action taken.

Executive Session: The Board reserves the right to enter into Executive Session for the following purposes: Upon a motion of Mr. Nelson, seconded by Mr. Pettinger, followed by an affirmative vote of at least two-thirds of the quorum present, the Board enter into executive session at 9:08 AM for the purpose of receiving legal advice on and discussion matters subject to negotiation and strategy pursuant to Section 24-6-

Receiving legal advice and discussing matters subject to 402(4)(a)(b)(e)&(f), C.R.S. related to Regional Master Plan.

negotiation and strategy pursuant to § 24-6-402(4)(a)(b)(e)&(f), C.R.S. related to Regional Master Plan

Pursuant to Section 24-6-402(2)(d.5)(II)(B), C.R.S., no record will be kept of the portion of this executive session that, in the opinion of legal counsel to the District, constitutes privileged attorney-client communication pursuant to Section 24-6-402(4)(e), C.R.S.

Also pursuant to Section 24-6-402(4), C.R.S., the Board did not adopt any proposed policy, position, resolution, rule, regulation or take formal action during executive session.

The Board reconvened in regular session at 10:53 a.m.

DISTRICT MANAGER'S REPORT

Tap Sales

Mr. Reckentine reported to the Board there were 25 taps sold to date.

Tank 1a and Tank 7 Warranty Rehab Work Complete

Mr. Reckentine reported the Tank 1a and Tank 7 Warranty work had been completed.

Closed on 88 Units of C-BT

Mr. Reckentine reported to the Board that the District has closed on 88 units of C-BT.

Amended Water Service Agreement

Mr. Reckentine provided an update on the current status of the amended Water Service Agreements negotiations.

PFAS Regulations

Mr. Reckentine reported to the Board that the District's water system met current PFAS regulations but if the standards increased the upgrades would be expensive. No action is required at this time.

EPA Cyber Security

Mr. Reckentine reported to the Board that the District's cyber security protocols were reviewed in 2020 but there may be new regulatory requirements in the future due to foreign entity cyber attacks on infrastructure.

OTHER BUSINESS

Mr. Reckentine discussed the 1041 Application for City of Thornton and Larimer County.

The Board engaged in a general discussion regarding updating the Regional Master Plan to better define market areas with a map and look at growth scenarios 80% and 90% within the market area and additional growth at 10% and 20% outside the market area at years 2030 and 2040. Following discussion, upon a motion of Mr.

Nelson and seconded by Mr. Cockroft, the Board unanimously approved updating the Regional Master Plan.

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

ATTORNEY STATEMENT
REGARDING PRIVILEGED ATTORNEY-CLIENT COMMUNICATION

Pursuant to Section 24-6-402(2)(d.5)(II)(B), C.R.S., I attest that, in my capacity as the attorney representing North Weld County Water District, I attended the executive session at the regular meeting of North Weld County Water District convened at 9:08 A.M. on May 13, 2024 for the sole purpose of discussing receiving legal advice on and discussion matters subject to negotiation and strategy pursuant to Section 24-6-402(4)(a)(b)(e)&(f), C.R.S. related to Regional Master Plan as authorized by Section 24-6-402(4)(b), C.R.S. I further attest it is my opinion that all of the executive session discussion constituted a privileged attorney-client communication as provided by Section 24-6-402(4)(b), C.R.S. and, based on that opinion, no further record, written or electronic, was kept or required to be kept pursuant to Section 24-6-402(2)(b), C.R.S. or Section 24-6-402(2)(d.5)(II)(B), C.R.S.



Jon V. Wagner, Esq.