

**MINUTES OF A MEETING OF THE BOARD OF THE
NORTH WELD COUNTY WATER DISTRICT**

HELD APRIL 13, 2026 AT 8:30 A.M. AT

32825 COUNTY ROAD 39, LUCERNE, COLORADO AND VIA TELECONFERENCE

The meeting of the Board of Directors of North Weld County Water District was called and held in accordance with the applicable laws of the State of Colorado. The following Directors, having confirmed their qualifications to serve, were in attendance:

Attendance

Tad Stout, President
Matt Pettinger, Assistant Secretary
Nels Nelson, Treasurer
J.G. Milne, Assistant Secretary
Anne Hennen, Assistant Secretary

Also present were Eric Reckentine and Garrett Mick, District General Manager; Zachary P. White, Esq., WBA, PC, District General Counsel; Richard Raines and Jan Sitterson, Water Resources; George Oamek, Honey Creek; Jamie Dickinson; and members of the public.

1. Call to Order/Declaration of Quorum

It was noted that a quorum of the Board was present, and Mr. Stout called the meeting to order at 8:30 a.m.

2. Confirmation of Disclosures of 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 WBA, PC, with notice of potential or existing conflicts of interest 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 with regard to any matters scheduled for discussion at the meeting. No additional disclosures were noted.

3. Action: Approve April 13, 2026, NWCWD Board Meeting Agenda

The Board reviewed the proposed agenda. The following items were added to the agenda under Other Business:

Garney Change Order – Eaton Pipeline;
Garney Pay Application No. 4;
Williams Crossing Agreement;
ELCO/Ft. Collins Water Service to Montava – NEWT III;
CORA Wild Wing Non-Potable.

Upon a motion by Mr. Pettinger and seconded by Ms. Hennen, the Board unanimously approved the agenda as amended.

4. Public Comment

None.

5. Consent Agenda

Mr. Reckentine reviewed the items on the consent agenda with the Board. Mr. Reckentine advised the Board that any item may be removed from the consent agenda to the regular agenda upon the request of any director. Upon a motion by Ms. Hennen and seconded by Mr. Nelson, the following items on the consent agenda were unanimously approved, ratified, and adopted:

- a. Minutes from March 23, 2026, Meeting
- b. Financials March 2026
- c. Invoices through April 13, 2026
- d. Buffalo Creek Development Commitment to Serve Letter
- e. Pump Station 1 Change Order and Pay Application, Moltz
- f. Liberty Hill LOI Extension Request
- g. Baessler Plant Investment Transfer
- h. Change Order Reynolds Zone 1 West Pipeline Project
- j. Water Supply and Storage Lease and Rentals
 - i. Brockner
 - ii. Feit
 - iii. Christensen
- k. Approval of Distribution Line Property Acquisition – Zone 1 Project
 - i. Dunamis Consent Agreement Heckman

6. Action: Consider Approval of Resolution No. 20260413-01: Resolution Adopting a Water Service Absorption Fee Policy

Mr. Oamek presented an updated resolution to the Board incorporating revisions directed at the March meeting. Mr. Oamek addressed the Board regarding the creation of benchmarks to increase

the absorption fee over time and proposed tying fee increases to water rate increases at the time the absorption fee is applied. Mr. Oamek recommended adoption of a 15-year recovery period. The Board discussed how the 15-year recovery period applies, and Mr. Oamek recommended always assuming 15 years from the date of absorption, capturing 15 years of lost revenue attributable to the absorption. Upon a motion by Mr. Nelson and seconded by Mr. Pettinger, the Board unanimously adopted Resolution No. 20260413-01, a Resolution Adopting a Water Service Absorption Fee Policy.

7. Action: Notice to Proceed for Zone 1 West Transmission and Tank 1C Construction, Reynolds

Mr. Reckentine presented the Notice to Proceed for Phase 2 of the Zone 1 West Transmission and Tank 1C Construction project with Reynolds, noting that Phase 1 consisted of materials acquisition. Mr. Reckentine reported that the District is ready to get the contractor moving following resolution of outstanding issues with Dunamis O&G Company. Mr. Reckentine further reported that final issues related to Cactus Hill are being worked out and are expected to be resolved prior to the contractor reaching that area. Outstanding issues are expected to be resolved by June and are not anticipated to interfere with project progress. Upon a motion by Mr. Nelson and seconded by Mr. Pettinger, the Board unanimously approved the Notice to Proceed.

8. Discussion: NWCWD SWOT Analysis

Mr. Reckentine presented an update to the District's Strategic Analysis, previously presented to the Board in November, and sought guidance from the Board on strategic priorities. The Board discussed the SWOT Analysis in executive session.

Following executive session, the Board directed staff to prepare and bring back for future Board discussion an action plan and wish list regarding the Fort Collins water treatment study.

9. Executive Session

Upon a motion duly made by Ms. Hennen and seconded by a member of the Board, followed by an affirmative vote of at least two-thirds of the quorum present, the Board entered into executive session at 9:02 a.m. for the purpose of receiving legal advice and discussing matters subject to negotiation and strategy pursuant to §24-6-402(4)(b) & (e), C.R.S. related to the NWCWD SWOT Analysis.

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)(b), C.R.S.

The Board reconvened in regular session at 10:23 a.m.

10. District Manager's Report

a. Commercial Sector Development Review Letters

Mr. Reckentine reported that 5 of the remaining commercial sector development review letters are in hydraulic review and the remainder have been sent. Mr. Reckentine noted that some recipients are requesting additional information to verify costs, including John Johnson, for whom a meeting has been requested to discuss a Water Services Agreement for his dairy operation. Mr. Reckentine also indicated that Miller will be coming in soon for a similar discussion.

b. Northern Water C-BT Quota

Mr. Reckentine reported that Northern Water has issued a C-BT quota of 0.8 for the 2026 season.

c. Water Resources Supply Report in May

Mr. Reckentine reported that the Water Resources Supply Report will be presented to the Board at the May meeting.

d. Consumer Confidence Reports sent to Wholesale Customers

Mr. Reckentine reported that Consumer Confidence Reports were sent to wholesale customers in March.

e. Greeley NWCWD Harmony Interconnect Pump Station Bid

Mr. Reckentine reported that the Greeley NWCWD Harmony Interconnect Pump Station project is ready for bid.

Other Business:

Garney Change Order – Eaton Pipeline

Mr. Reckentine presented a change order for Garney related to the Eaton Pipeline, providing additional time for drain tile repair work. The Board approved the change order.

Garney Pay Application No. 4

Mr. Reckentine presented Garney Pay Application No. 4 for Board review.

Williams Crossing Agreement – Zone 1 Project

Mr. Reckentine presented the Williams Crossing Agreement related to the Zone 1 Project. The Board approved the District's non-opposition for the crossing.

ELCO/Ft. Collins Water Service to Montava – NEWT III

Mr. Reckentine reported that ELCO has asked the District to participate in discussions regarding Ft. Collins’ plan to serve the Montava development through ELCO’s Transmission Line NEWT. Mr. Reckentine noted that the District owns 70% of the NEWT Transmission Line and, accordingly, will need to participate in those discussions. The Board directed staff to engage in the discussions as appropriate.

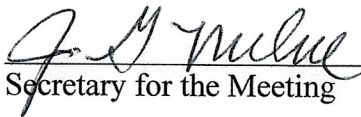
CORA Wild Wing Non-Potable

Mr. Reckentine reported on a Colorado Open Records Act (CORA) request from Wild Wing related to the Clyde Smith Reservoir non-potable water supply. Mr. Reckentine explained that the District supplies non-potable water to the area through the Becker Well seep ditch and the L&W system, and that Wild Wing was conveyed Clyde Smith Reservoir water by the developer and seeks to use it in the system. Mr. Reckentine reported that the District does not believe the arrangement is workable, as Wild Wing does not have conveyance to the pond without going through the Town, and Clyde Smith Reservoir water alone is insufficient to run the District’s pumps and the L&W water is required for operations. Mr. Reckentine noted that the District previously sent Wild Wing an operations plan directing use of Clyde Smith water at year-end. Wild Wing has requested several documents through CORA. The Board directed staff to respond to the CORA request.

Adjourn

There being no further business to come before the Board, following discussion and upon a motion duly made, seconded, and unanimously carried, the Board determined to adjourn the meeting.

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

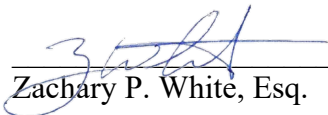

Secretary for the Meeting

The foregoing minutes were approved on the 11th day of May, 2026.

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 9:02 a.m. on April 13, 2026 for the sole purpose of receiving legal advice and discussing matters subject to negotiation and strategy pursuant to §24-6-402(4)(b) & (e), C.R.S. related to the NWCWD SWOT Analysis, 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.



Zachary P. White, Esq.