

item 6.i on the consent agenda and would abstain with respect to that agenda item. 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.

#### Election of Officers

The Board welcomed Mr. Pettinger to the Board and discussed election of officers. Mr. White noted that the Board needs to have, at a minimum, a President, Secretary, and Treasurer. The Board discussed the offices and upon a motion by Mr. Cook, seconded by Mr. Pettinger, the Board elected Mr. Stout as President.

Upon a motion by Mr. Pettinger, seconded by Mr. Cook, the Board elected additional officers as follows:

Mr. Cockroft – Secretary  
Mr. Buxman – Treasurer  
Mr. Pettinger – Assistant Secretary  
Mr. Cook – Assistant Secretary

Upon a motion by Mr. Pettinger, seconded by Mr. Cook, the Board appointed Mr. Cockroft as the primary representative on the Soldier Canyon Authority Board with Mr. Stout as an alternate representative.

#### Approval of Agenda

Mr. Reckentine presented the Board with the agenda for the meeting. Upon motion of Mr. Cockroft, seconded by Mr. Pettinger, the Board unanimously approved the agenda, as amended to remove Agenda Item 6.i from the Consent Agenda and addition of Consideration of Approval of a Water Service Agreement for The Ridge at Harmony Road, 5<sup>th</sup> Filing.

#### Consider Acceptance of 2021 North Weld County Water District Annual Audit

Mr. Watkins from BDO presented the 2021 audit report and findings to the Board. He discussed testing and sampling performed by the audit team. All findings were presented in the Audit Wrap Up presented to the Board and BDO will issue an unqualified opinion. Following discussion upon a motion of Mr. Cockroft, seconded by Mr. Pettinger, the Board unanimously accepted the 2021 Audit.

#### **CONSENT AGENDA MATTERS**

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

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

- a. Minutes from April 11, 2022, Regular Meeting
- b. Acceptance of Unaudited April 2022 Financial Statements
- c. Approve Invoices through May 23, 2022

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

Held: Monday, the 23<sup>rd</sup> day of May, 2022, at 1:00 P.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:

Matthew Pettinger  
Scott Cockroft, Secretary  
Brad Cook, Assistant Secretary  
Tad Stout, Assistant Secretary

Ron Buxman was absent and excused.

Also present were: Eric Reckentine, General Manager of the District; Zachary P. White, Esq., WHITE BEAR ANKELE TANAKA & WALDRON, District general counsel; Jim Pauley, Feis & Company, P.C., District Accountant, Darin Pytlik and Daniel Rice, Providence Infrastructure Consultants, District Engineers; Mattie Prodanovic, Hilltop Securities; Richard Raines, Water Resources; Kim Newcomer, Slate Communications; Scott Holwick, Lyons Gaddis, Special Water Counsel; Randy Watkins, BDO, District Auditor; Chris Wood, BizWest Newspaper; Members of the Public via teleconference.

**ADMINISTRATIVE MATTERS**

Call to Order

The meeting was called to order at 1:05 P.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. Director Cook noted that he had a conflict with respect to agenda



- d. Offer Anderson Property Eaton Pipeline Project Phase 2 Easement
- e. Allocation Transfer Request - DCP Midstream
- f. WCR 66/41 Project Easements:
  - i. Permanent Water Easement Agreement – Five M Farm Co
  - ii. Temporary Construction Easement Agreement – Five M Farm Co
- g. WCR 25 Easement for Meter Maintenance:
  - i. Permanent Water Easement Agreement – ABCD Landco.
  - h. Line 1 Replacement Project; Garney Construction, Change Order #4
  - i. REMOVED
  - j. Transfer of 3 Water Allocations Request for Mr. Faulkner

Upon a motion by Mr. Cockroft, seconded by Mr. Pettinger, the Board approved the following, with Mr. Cook abstaining.

- i. 1 Share Water Supply and Storage Company Lease for Mr. Brad Cook

NWCWD Mid-Year CIP and Planning Update

Regional Master Plan Effort	Mr. Reckentine presented the Mid-Year CIP and Planning Review Update attached hereto.
Water Service Agreement Capacity Caps	Mr. Reckentine presented to the Board regarding caps in water service agreements.
Letter to Wholesale Customers	The Board directed letters to be sent to wholesale customers regarding the District’s inability to sell more water taps.
Notification Letter to Town of Severance Related to WSA Plant Investment Request	The Board directed a letter to be sent to the Town of Severance regarding projected need for water taps going into the future.
Capital Improvement Plan Update	Mr. Reckentine discussed with the Board the status of the NEWT III pipeline project and anticipated timeline to complete the same. Ft. Collins has approved the SPAR permit and staff is working through 1041 issues with Larimer County. With respect to Larimer County, the Board taking parallel tracks to go through

Larimer County's 1041 process, and to work to acquire the necessary easements to construct the pipeline. The Board discussed contracting for the project, and it is anticipated that the District will enter into one contract for preconstruction services, and a second GMP contract for construction services.

Finance

Mill Levy Election  
Scope of Services  
and Schedule

Ms. Newcomer with Slate Communications discussed preparations and planning for a November 2022 election to approve a mill levy and presented a scope for work. Upon a motion by Mr. Cook, seconded by Mr. Pettinger, the Board approved the scope of work. The Board requested additional information to help determine the number of mills to request from the voters. The Board discussed the differences between an independent mail ballot election and a coordinated election.

Ms. Prodanovic with Hilltop Securities discussed bonding options with the Board to finance the Newt III project. The Board requested Hilltop seek the highest bonding among possible right now.

Potential Rate  
Adjustments Mid-  
Year

Mr. Reckentine discussed with the Board a potential cash call for the Soldier Canyon treatment plant that may require a mid-year rate increase.

Wholesale  
Accounts  
Retail Rate  
Adjustment

Mr. Reckentine discussed with the Board a review of wholesale customer water storage requirements and discussed the ability to adjust the wholesale customer discount for being out of compliance with storage requirements in water service agreements. Upon a motion by Mr. Cockroft, seconded by Mr. Pettinger, the Board determined to consider an adjustment to the Wholesale Customer Discount for the Town of Severance subject to verifying storage requirements.

Water Operations Plan 2022  
Presentation and Water  
Lease Agreements

Mr. Raines presented to the Board regarding annual supply projections and operations plan. Mr. Raines noted there is above average run off right now.

Consider Drought  
Declaration

Based on projected annual supply, no drought is declared.

Consider Approval  
Lease ELCO – 400  
AF NPIC MU

Mr. Raines presented an agreement to lease 400 AF NPIC MU from the ELCO. Following discussion, upon a motion by Mr. Cockroft, seconded by Mr. Pettinger, the Board approved the lease agreement.

Consider Approval  
Lease Town of Eaton  
- 100 AF NPIC MU

Mr. Raines presented an agreement to lease 100 AF NPIC MU from the Town of Eaton. Following discussion, upon a motion by



Mr. Cockroft, seconded by Mr. Pettinger, the Board approved the lease agreement.

Opposition Change  
Case No. 22CW3042  
City of Greeley

Mr. Holwick presented the Board with an opposition to Change Case No. 22CW3042 filed by the City of Greeley. Greeley is seeking to change similar shares as the District and as an opposer to the change case, the District can see how Greeley is analyzing the change and make sure that the District’s change case is not undermined by anything Greeley is trying to do. It was noted that Greeley is an opposer to the District change case. Upon a motion by Mr. Cockroft, seconded by Mr. Pettinger, the Board approved opposing the change case filed by the City of Greeley.

**WATER TAP SALE  
MATTERS**

Update Regarding Water  
Taps

Mr. Reckentine noted that to date 81 taps have been sold.

Consider Approval of 1st  
Amendment Water Service  
Agreement for Hidden  
Valley Farms Subdivision,  
6th Filing

Mr. Reckentine presented a 1st Amendment Water Service Agreement for Hidden Valley Farms Subdivision, 6th Filing which reserves the water taps contemplated by the Water Service Agreement and commits to sell the taps subject to the requirements of the amendment. It was noted that the water taps are already contemplated and counted for sale. Upon a motion by Mr. Cook, seconded by Mr. Cockroft, the Board approved the amendment. Mr. Stout abstained.

Consider Approval of Water  
Service Agreement The  
Ridge at Harmony Road, 5<sup>th</sup>  
Filing

Mr. Reckentine presented a draft Water Service Agreement for The Ridge at Harmony Road, 5<sup>th</sup> Filing and requested authorization to finalize negotiations of the agreement and approval of the same, subject to legal review. It was noted that the water taps are already contemplated and counted for sale. Upon a motion by Mr. Cockroft, seconded by Mr. Stout, the Board approved negotiating the agreement and approved the same, subject to legal review.

**EXECUTIVE SESSION**

Not Needed.

**DISTRICT MANAGER’S  
REPORT**

Mr. Reckentine reported the following to the Board:  
DFA Meeting April 26, 2022 – Mr. Reckentine  
presented.

Employee Mid-year Salary Increases – Mr. Reckentine  
gave 5% mid-year increases in order to help keep staff.

Upon a motion by Mr. Cockroft, seconded by Mr. Pettinger, the Board ratified the increases.

Hiring Authority Manager at SCWTA – Mr. Reckentine reported regarding the hiring of a new plant manager. The new manager will start in June.

Employee Hourly Rate Study – Mr. Reckentine requested authorization to use consultant time to undertake a rate study. Upon a motion by Mr. Cockroft, seconded by Mr. Pettinger, the Board authorized request.

Non-Potable Supply Update – Wild Wing and Saddler – Mr. Reckentine reported re not allowing Wild Wing to pull water off the District’s system until the dedicated water comes down the ditch.

**PUBLIC COMMENT**

Mr. Bean provided public comment regarding service capacity and the director election.

**OTHER BUSINESS**

2022 Director Election Wrap-Up

Mr. White presented regarding the election and overall process. Mr. White noted a few electors had to request ballots from the designated election official. Mr. Stout reported regarding the Canvass Board’s review of election results and expresses his confidence in the election process.

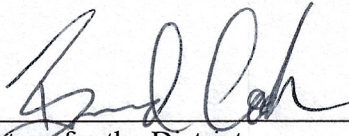
Discussion re Return to In-Person Meetings

The Board discussed returning to in-person meetings and determined to hold hybrid meetings, allowing for in-person attendance and virtual attendance via zoom.

**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

  
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Secretary for the District