

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

Held: Tuesday, the 3rd day of September, 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
Scott Cockroft, Secretary (Arrived late)

Also present were Eric Reckentine and Garrett Mick, General Manager of the District; Zachary P. White, Esq., WHITE BEAR ANKELE TANAKA & WALDRON, District general counsel; Jamie Cotter, SpencerFane, District special counsel; Scott Holwick, Esq., LYNONS GADDIS, P.C., District special counsel; Richard Raines and Jan Sitterson, Water Resources; Michelle Sells, Tri-Hydro; Wendy Greenwald, The Solution PR; Nastassja Abercrombie and Sheeba Susai Manickam, Stantec; 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 as amended.

PUBLIC COMMENT

None.

**CONSENT
MATTERS** **AGENDA**

Upon a motion of Mr. Pettinger, seconded by Mr. Nelson, the following items on the consent agenda were unanimously approved, ratified and adopted:

- a. Minutes from August 12, 2024, Regular Meeting
- b. Invoices through September 3, 2024
- c. Letter of Intent Single Lot
 - i. Jorgensen
- d. Stantec Master Plan Work Order
- e. Saddler Revised Notice to Serve Letter
- f. Rental of C-BT Carryover Capacity from CSU

Development Review
Variance Request Wolf Creek
Dairy

Mr. Reckentine discussed the Development Review Variance Request Wolf Creek Dairy with the Board. Following discussion, upon a motion by Mr. Nelson, seconded by Mr. Pettinger, the Board unanimously approved the request.

Consider Adoption of
Resolution No. 20240903-01:
Resolution Adopting a
Digital Accessibility Policy
and Designating a
Compliance Officer

Mr. White discussed the Resolution Adopting a Digital Accessibility Policy and Designating a Compliance Officer with the Board. Following discussion, upon a motion by Ms. Hennen, seconded by Mr. Nelson, the Board unanimously approved the resolution.

Revised Lead and Copper
Rules

Ms. Sells discussed the lead and copper rules as well as the reporting deadlines with the Board. It was noted that the District is working to identify the service line materials.

Scope of Work for Water
Line Material
Indemnification, Kinetic

Mr. Reckentine presented the scope of work for water line material indemnification to the Board. It was noted that bidding for the waterline material identification services is underway, however, the costs are excessive. The matter is deferred until the next meeting.

Consider Approval of NEWT
III Pipeline Work Order
Directive

Work Order Directive
ELCO CR 3 Connection

Mr. Reckentine presented the Work Order Directive ELCO CR 3 Connection to the Board. Following discussion, upon a motion by

Mr. Cockroft, seconded by Mr. Pettinger, the Board unanimously approved the work order.

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| IGA Interconnection ELCO Confirmation Letter | Mr. Reckentine presented the IGA Interconnection ELCO Confirmation Letter to the Board. Following discussion, upon a motion by Mr. Cockroft, seconded by Mr. Pettinger, the Board unanimously approved the letter. |
| Divide Irrigation Co. and NPIC Water Trade | Mr. Raines and Mr. Cockroft presented the Divide Irrigation Company and NPIC Water Trade to the Board. The Board discussed this matter further in an Executive Session. |
| Regional Master Plan Update and Capital Improvement Plan | Ms. Susai Manickam discussed the Regional Master Plan Update and Capital Improvement Plan with the Board in an Executive Session. |
| Proposed IGA Between the Town of Severance, Severance South and NWCWD Related to the Severance South Waterline | Mr. White and Mr. Reckentine presented the IGA between the Town of Severance, Severance South and NWCWD Related to the Severance South Waterline to the Board to allow Severance South developers to place a waterline in the Town's right of way as a variance to the District's policies. The matter was further discussed in an Executive Session. |
| Executive Session: The Board reserves the right to enter into Executive Session for the following purposes: Receiving legal advice and discussing matters subject to negotiation and strategy pursuant to § 24-6-402(4)(b) & (e), C.R.S. related to Regional Master Plan and Capital Improvement Plan, Divide Irrigation Co. Water Trade and IGA with the Town of Severance and Severance South | 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 9:36 a.m. for the purpose of receiving legal advice on and discussing matters subject to negotiation and strategy pursuant to § 24-6-402(4)(b) & (e), C.R.S. related to Regional Master Plan and Capital Improvement Plan, Divide Irrigation Co. Water Trade and IGA with the Town of Severance and Severance South pursuant to Section 24-6-402(4)(b) & (e), C.R.S.

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(s), constitutes privileged attorney-client communication pursuant to Section 24-6-402(4)(b), 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 11:12 a.m. |
| Public Relations and District Messaging Work Session | The Board engaged in a Public Relations and District Messaging Work Session with Ms. Greenwald. The Board discussed the |

Directors' individual vision for the District and began to formulate a joint message regarding the District identity and goals.

**DISTRICT MANAGER'S
REPORT**

Tap Sales Mr. Reckentine reported to the Board there were 73 taps sold to date.

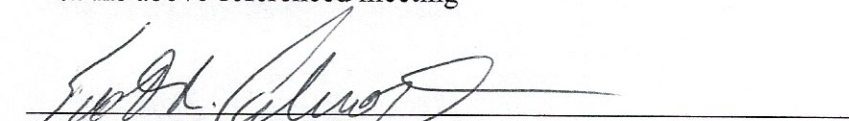
Tri District Dinner October 10, 2024, Mill in Windsor Mr. Reckentine reported to the Board that the annual dinner has been scheduled.

Amended Water Service Agreement Discussions Mr. Reckentine reported to the Board that meetings are taking place with Eaton on the revised water service agreement.

OTHER BUSINESS Mr. Reckentine reported to the Board that the CBT quota from Northern Water increased from 70%to 80%.

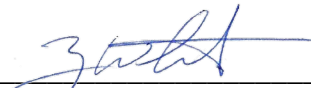
ADJOURNMENT There being no further business to be conducted, the meeting was adjourned.

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 9:36 a.m. on September 3, 2024 for the sole purpose of discussing matters subject to negotiation and strategy pursuant to § 24-6-402(4)(b)&(e), C.R.S. related to Regional Master Plan and Capital Improvement Plan, Divide Irrigation Co. Water Trade, and IGA with Town of Severance and Severance South. 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.