

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

Held: Monday, the 9th day of October 2023, 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 Cockroft 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; George Oamek, Honey Creek Consulting. Garret Mick, operations manager, Richard Raines; Jan Sitterson Water Resources, Representatives Town of Severance; Wes Levanachy, Town of Eaton; Members of District Staff; 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 Mr. Pettinger, the Board unanimously approved the agenda.

PUBLIC COMMENT

Members of the public addressed the Board. Mr. Zenzen discussed a PI to Walter allocation discrepancy and Mr. and Mrs. Steele discussed a second meter. The district manager stated they should set up a meeting time to discuss their issues once their files are reviewed.

CONSENT AGENDA MATTERS

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

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

- a. Minutes from September 11, 2023, Meetings
- b. Unaudited Financials for August & September 2023
- c. Invoices through October 9, 2023, Kimberly Horn Consulting Services K&M Property Possession NEWT III (ratify)
- d. Employee Reimbursement Agreement CDL
- e. Silver peaks CPA Engagement Letter
 - a. Easement Agreements Redmond – NEWT III (ratify)
 - b. Larimer & Weld Irrigation Co Ditch Agreement – NEWT III

Honey Creek Resources
Revised Cost of Service and
Fees Study

Mr. Oamek presented to the Board the revised Cost of Service and Fee Study, included in the October 9, board package.

The Board discussed the study and the findings presented.

Direction was given to Honey Creek to re- evaluate Town PI discount fees and fixed rates vs. variable rates.

North Weld County Water
District Preliminary Draft
2024 Budget

Mr. Reckentine presented the Board with proposed changes to the preliminary 2024 budget reflecting discussion from the September 2023 meeting. Following discussion and input from the Board, Mr. Reckentine will revise the proposed budget.

Consider Approval of 2nd
Amendment to the Soldier
Canyon Water Treatment
Authority 2017 Creation
Agreement

Mr. Reckentine presented the Board is a proposed 2nd Amendment to the Soldier Canyon Water Treatment Authority 2017 Creation Agreement and described the purpose for the proposed amendment. Mr. Reckentine reminded the Board of the prior history of the agreement and of prior discussions with the Board about the proposed amendment. Following discussion related to

inflows to the Soldier Canyon Water Treatment Plant, upon a motion by Mr. Nelson, seconded by Ms. Hennen, the Board approved the agreement, in part, but not as it relates to inflows to the Soldier Canyon Water Treatment Plant.

Consider Approval of
Commercial Meter Overuse
Surcharge Policy

Mr. Reckentine presented the proposed Commercial Meter Overuse Surcharge Policy. The Board discussed at length the impact the policy will have on commercial users and a desire to make sure commercial customers know about the proposed policy. Following discussion, the Board directed staff to have additional discussions with stakeholders that will be impacted by the policy and to bring the proposed policy back to a future meeting following additional stakeholder discussions.

Discussion NEWT III
Acquisition and Construction
Schedule

Mr. Reckentine discussed with the Board the status of NEWT III easement acquisitions. The District is going to take over a leading role to acquire the necessary easements in an effort to move things along sooner.

Executive Session: The
Board reserves the right to
enter into Executive Session
for the following purposes:

Not needed.

Receiving legal advice and
discussing matters subject to
negotiation and strategy
pursuant to § 24-6-402(4)(b)
& (e), C.R.S. related to
Commercial Meter Overuse
Surcharge Policy and NEWT
III Acquisition and
Construction Schedule

DISTRICT MANAGER'S REPORT

Tap Sales

Mr. Reckentine reported that 110 taps have been sold to date and that the District is on track to meet its budget for the year.

CDPHE Sanitary Survey
October 24, 2023

Mr. Reckentine reported to the Board regarding the sanitary survey to take place on October 24, 2023.

BDO NWCWD 2023 Audit
Not Submitted to State of
Colorado

Mr. Reckentine reported to the Board that the District's auditor failed to complete the audit for filing by September 30. Mr. White indicated that his office would file the final audit as soon as it is received. Mr. Reckentine recommended looking for new auditors.

Water Efficiency Plan
Update 2024, Clearwater

Mr. Reckentine reported to the Board regarding the Water Efficiency Plan update.

Master Plan Stakeholder
Meeting Schedule

Mr. Reckentine reported to the Board about prior and upcoming schedule for master planning stakeholder meetings:

Held With Town of Eaton September 20, 2023

Held With Town of Nunn October 4, 2023

Town of Windsor October 10, 2023

Wolf Creek Dairy October 18, 2023

Hillside Commercial Group October 19, 2023

Residential Meter Overuse
Surcharge Policy
Notifications

Mr. Reckentine reported to the Board regarding providing notice to residential users regarding the meter overuse surcharge policy.

BPCCC RPZ Compliance
Letter

Mr. Reckentine reported to the Board regarding properties out of compliance with backflow prevention and cross connection compliance policies. Following discussion, upon a motion by Ms. Hennen, seconded by Mr. Pettinger, the Board authorized staff to send notices to shut off water to properties out of compliance with the backflow prevention and cross connection policies.

Greeley Interconnect
Construction Update

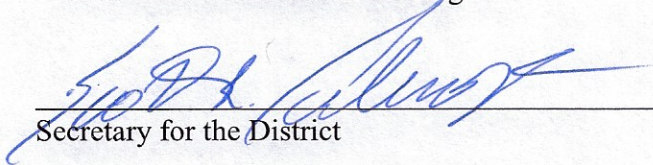
Mr. Reckentine reported to the Board regarding the status of the Greeley Interconnect Construction project.

OTHER BUSINESS

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