

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

Held: March 10, 2025, 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

Also present were Eric Reckentine, District General Manager, Garrett Mick, District Operations Manager; Zachary P. White, Esq., WHITE BEAR ANKELE TANAKA & WALDRON, District general counsel; Alison Gorsevski, Lyons Gaddis, District water counsel; Jamie Dickinson, Spencer Fane, District special counsel; Jan Sitterson and Richard Raines, Water Resources; Wendy Greenwald, The Solution PR; Amber Kauffman, Little Thompson Water District; Claire Bouchard, NoCo Foundation; 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 qualifications 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 Stout indicated he would abstain from matters related to the Town of Severance due to prior service on the Severance

Town Board. The 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 by Mr. Nelson, seconded by Ms. Hennen, the Board unanimously approved the agenda as amended to add a discussion regarding the addition of a cyber security contract.

PUBLIC COMMENT

None.

CONSENT MATTERS

AGENDA

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

- a. Minutes from February 10, 2025, Regular Meeting
- b. Draft Financials February 2025
- c. Invoices through March 10, 2025
- d. Substantial Completion Garney Construction NEWT III Transmission Line
- e. Approve Scope of Work 2024 Audit -Plante Moran

Following discussion, upon a motion by Mr. Cockroft, seconded by Mr. Pettinger, the Board approved the following Water Supply & Storage Annual Lease Agreements at a 10% increase above assessment.

- i. Cook
- ii. Christensen
- iii. Heinze

Following discussion, upon a motion by Ms. Hennen, seconded by Mr. Nelson, the Board approved the following Distribution Line Easement Acquisitions, subject to confirmation of legal descriptions contained therein.

- i. RDJ - Zone 1 West Transmission Line Project

NoCO Water Alliance
Principals and Objectives,
Northern Colorado
Community Foundation

Ms. Kauffman & Ms. Bouchard presented to the Board related a desire for increased collaboration between the water providers, including the District, and NoCO Water Alliance to protect and conserve water resources. The entities will stay in contact, but no formal action was taken.

HB25-1211 Tap Fee
Legislation

Consider Approval of
Coalition Agreement for
Lobbyist

Mr. Reckentine presented to the Board regarding coordinated opposition to HB25-1211 related to tap fees. Several water districts are coordinating to oppose the legislation. Following discussion, upon a motion by Mr. Cockroft, seconded by Mr. Pettinger, the Board approved joining the opposition coalition, and contributing to the engagement of a lobbyist in the amount of \$2,000.

May 2025 Director Election Update Candidate Bios on District Website	Mr. White updated the Board regarding the May 2025 election process. The Board discussed candidate bios to be posted on the District’s website. The Board directed Mr. White to send bio request information to candidates to be posted on the website with a deadline to provide a response. The Board authorized Ms. Hennen to approve the form in candidate bio questionnaire.
Board Member Policy Manual Update	Mr. White presented the Board with the current version of the Board Member Policy Manual and discussed whether any updates were necessary as the Board also considers updates to its Rules and Regulations. The Board noted various Board meeting protocol changes made over the years that could be incorporated. Following discussion, Mr. White indicated he would present an updated policy for consideration at a future meeting.
Consider Approval of Acquisition of Water Rights	Mr. Reckentine presented to the Board that the District has already purchased 96 shares of C-BT in 2025 equal to its budget. The District can purchase more and amend its budget as it deems necessary. Mr. Reckentine recommended purchasing the proposed shares of Water Supply and Storage in order to diversify the District’s water rights portfolio. Following discussion, upon a motion by Ms. Hennen, seconded by Mr. Cockroft, the Board approved the purchase of the ½ share of WSSC, ¼ share of WSSC, and ¼ share of WSSC as presented.
Approval of Purchase and Sale Agreement for 1/2 share of Water Supply and Storage	
Approval of Purchase and Sale Agreement for 1/4 share of Water Supply and Storage	
Approval of Purchase and Sale Agreement for 1/4 share of Water Supply and Storage	
Amended and Restated Wholesale Customer Water Service Agreements	The Board discussed comments to the Amended and Restated Water Service Agreements with the Town of Nunn, Town of Pierce, and Town of Severance in executive session.
Town of Nunn	No action was taken.
Town of Pierce	
Town of Severance	
Update Regarding Dairy Tolling Agreement	Ms. Dickinson updated the Board on the status of negotiations with the dairies in executive session.

No action was taken.

Eagle View Farms Litigation
Court Order

Ms. Dickinson notified the Board regarding the Court's order related to the Eagle View Farms litigation, which in large part, found in favor of the District, but required the District to pay lost profits to Eagle View Farms related to one lot.

The Board discussed the Court's order in the Executive Session.

Following the Executive Session, the Board authorized Ms. Dickinson to file a motion to reconsider the compensation amount owed to Eagle View Farms.

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 Acquisition of Water Rights, Amended Water Service Agreements, Dairy Tolling Agreement and Eagle View Farms Litigation

Upon a motion duly made and seconded, followed by an affirmative vote of at least two-thirds of the quorum present, the Board(s) enter into executive session 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 Acquisition of Water Rights, Amended Water Service Agreements, Dairy Tolling Agreement and Eagle View Farms Litigation

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.

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 the executive session.

The Board reconvened in regular session at 11:00 a.m.

DISTRICT MANAGER'S REPORT

Tap Sales

Mr. Reckentine reported to the Board that there were 5 taps sold in 2025.

Town of Eaton WSA

Mr. Reckentine reported that the agreement has been executed.

Closed on 15 Units of C-BT

Mr. Reckentine reported that the District closed on the 15 shares of C-BT.

Northern Colorado Water
Conservancy District Settles

Lawsuit With Save the Poudre for \$100 Million Mr. Reckentine reported on the settlement by NCWCD with Save the Poudre. It is unknown what impact that will have on water providers in Northern Colorado.

Submitted Revised C-BT Cap Calculation

CLPWA Grey Mountain Water Right

Mr. Reckentine reported that the new C-BT calculation has been approved.

Mr. Reckentine reported that staff and counsel continue to work on the issues related to the Gray Mountain Water Right, but there is no update yet.

OTHER BUSINESS

Mr. Reckentine presented an agreement with Talos Technologies for cyber security firewall management. Following discussion, upon a motion duly made and seconded, the Board approved the agreement.

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 on March 10, 2025 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 Acquisition of Water Rights, Amended Water Service Agreements, Dairy Tolling Agreement and Eagle View Farms Litigation

Zachary P. White

Zachary P. White, Esq.