MINUTES OF A MEETING OF THE BOARD OF THE

NORTH WELD COUNTY WATER DISTRICT

HELD JULY 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
Nels Nelson, Treasurer
J.G. Milne, Assistant Secretary
Anne Hennen, Assistant Secretary (appearing by teleconference)

Matt Pettinger, Assistant Secretary – Absent and Excused

Also present were Eric Reckentine and Garrett Mick, District General Manager; Zachary P. White, Esq., WBA, PC, District General Counsel; Jamie Dickinson, SpencerFane, District Special Counsel; Scott Holwick, Lyons Gaddis, District Water Counsel; Richard Raines and Jan Sitterson, Water Resources; George Oamek, Honeycreek Resources; Wendy Greenwald, The Solution PR; and members of the public.

1. Call to Order/Declaration of Quorum

It was noted that a quorum of the Board was present, with Director Pettinger absent and excused, 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 July 13, 2026, NWCWD Board Meeting Agenda

The Board reviewed the proposed agenda. Upon a motion by Mr. Milne and seconded by Mr. Nelson, the Board unanimously approved the agenda as presented.

4. Public Comment

Representative Lori Sander introduced herself to the Board and expressed interest in issues in House District 56.

John Holden addressed the Board regarding water quality issues in Wild Wing.

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 Mr. Nelson and seconded by Mr. Milne, the following items on the consent agenda were unanimously approved, ratified, and adopted:

a. Minutes from June 8, 2026, Meeting
b. Invoices through July 13, 2026
c. Financial Statements May and June 2026
d. Change Order Pump Station 1 Moltz – Check Valve
e.
f. Tri Hydro – Scope of Work, Line Relocation County Road 74/31
g. Resolution No. 20260713-01: Regarding Adoption of a Water Conservation Plan
h. Midco Diving Tank 4 Repair (Ratify)
i. Easement Acquisitions
    i. Bricher – Zone 1 East
j. Pay Applications
    i. Zone 1 West, Reynolds #3
    ii. Eaton Pipeline Phase III, Garney #6 and #7
    iii. Eaton Pipeline Phase III Change Order #3
k. Letter of Intent
    i. Fiegel
    ii. Kramer
    iii. Oliver

Consent Agenda item (e) 2027 Peterbilt Truck #567 removed from the Consent Agenda and action was deferred.

6. Action: Saddler Ridge and Wild Wing Non-Potable Water System Rates

Mr. Reckentine presented the structure, operation, and non-potable water supplies available to the Wild Wing community. Mr. Reckentine noted that the limited resources dedicated for use in the community have been exhausted and the District is supplementing the non-potable system with treated C-BT water. He recommended that Wild Wing customers pay rates equal to treated water rates for the supplemented water, consistent with approximately 7,000 other District customers who pay treated water rates. Mr. Reckentine explained that the cost is attributable to the cost to bring water from the mountains, treatment, and transmission through 30 miles of transmission lines, and noted his hope that the measure would be temporary and would not need to continue in 2027.

Public Comment: Members of the public were permitted to speak to the Board regarding the proposed rates. Eleven members of the public addressed the Board regarding how the Town of Timnath irrigates its park and the water resources used, communications between the District and Wild Wing Metropolitan District, communications between the District and Wild Wing customers, water resources dedicated to the District (including resources used to flush the non-potable water system), efficient use of water resources (including the Clyde Smith rights), ownership, operation, and maintenance of the non-potable water system, exhaustion of dedicated water rights, water service agreement obligations, watering restrictions or alternative watering methods, financial hardship, and impact on homeowners' associations.

a. Consider Adoption of Amended Fee Schedule

Mr. Reckentine presented an Amended Fee Schedule to the Board implementing a Monthly Non-Potable System Water Service Charge for "potable water only" of $5.19 per 1,000 gallons. It was noted that public notice that the Board may consider changes to rates at the meeting was posted on the District's website at least 30 days in advance of the meeting, and mailed notice was sent to the impacted customers. It was noted that no customers from the Saddler Ridge community attended the meeting. The Board discussed the proposed Amended Fee Schedule. Following discussion, and upon a motion by Mr. Nelson and seconded by Mr. Milne, the Board approved the Amended Fee Schedule, with a commitment to evaluate implementation of the rates annually based on available water resources and communicate directly with customers each watering season if the treated water rates are implemented again in 2027.

7. Action: Consider Approval of Resolution No. 20260713-02, Water Supply and Storage Company Case No. 17CW3057 Diligence Application

Mr. Holwick presented the resolution to the Board. Upon a motion by Mr. Nelson and seconded by Mr. Milne, the Board unanimously adopted Resolution No. 20260713-02.

8. Discussion: Commercial Sector Water Service Agreements

a. Plant Investment Analysis – Honeycreek Resources

Mr. Oamek presented the updated Plant Investment Analysis to the Board. No action was taken.

b. Water Service Agreements Update

Mr. Reckentine reported that 12 of 14 dairies have come to the District for new Water Service Agreements.

c. Action: Consider Approval of 90-Day Extension for Commercial Letter of Intent Development Review Process

Mr. Reckentine reported that hydraulic modeling took longer than expected and recommended extending the deadline to complete water service agreements with an additional 90 days. Following discussion, and upon a motion by Mr. Nelson and seconded by Mr. Milne, the Board approved the 90-day extension.

d. NWCWD Fill Station and Required Line Improvements for Three Customers

Mr. Reckentine reported that three downstream customers have pressure issues and recommended shutting down the fill station.

e. CORA Request, Commercial Sector Customers

Mr. Reckentine reported regarding a request under the Colorado Open Records Act (CORA) from attorneys for the commercial sector customers requesting the District's hydraulic model. The request was discussed in executive session. Following executive session, the Board determined that the hydraulic model is not a record subject to disclosure and cited security concerns related to public dissemination of the hydraulic model. Legal counsel will prepare a response letter denying the request.

9. Action: Approve Stantec Engineering Scope of Services for Larimer County 1041 Permit Application, Knox Pit Reservoir Project

Mr. Reckentine and Ms. Butler-Veytia, Stantec, presented a scope of services related to the Knox Pit Reservoir Project, which will provide up to 1,000 acre-feet of storage when completed. Larimer County will require a 1041 permit, and Stantec is to be engaged to assist with the permitting process. Upon a motion by Mr. Nelson and seconded by Mr. Milne, the Board unanimously approved the Stantec scope of services.

10. Action: Eaton Phase III Pipeline Property Matters

a. Johnson

b. Change Order and Settlement Agreement

The Board discussed the Johnson property matter in executive session. Following executive session, the Board directed staff to proceed with settlement without lowering any blowoff valves.

c. AV Farms

The AV Farms matter was discussed in executive session. No action was taken.

11. Executive Session

Upon a motion by Mr. Milne and seconded by Mr. Nelson, followed by an affirmative vote of at least two-thirds of the quorum present, the Board entered into executive session at 11:20 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 Eaton Phase III Property Acquisition Matters, Commercial Sector Water Service Agreements, and the CORA Request.

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 12:02 p.m.

12. District Manager's Report

a. ELCO Service from NWCWD Connection Letter

Mr. Reckentine reported regarding letters sent and pending discussions. The preliminary approach would install a meter for future tracking and billing, with back tracking and payment to be required.

b. SSD/JA Wholesale Account Letters Sent to All Accounts

Mr. Reckentine reported that letters were sent to users.

c. Town of Ault Comprehensive Plan

Mr. Reckentine reported that the Town of Ault is updating its Comprehensive Plan and that the District provided input.

d. July 7, 2026, Weld County Planning Commission – USR NWCWD Tank 1 Site Improvement

Mr. Reckentine reported that the use by special review was approved by the Weld County Planning Commission.

e. Consumer Confidence Report Submitted to CDPHE

Mr. Reckentine reported that the Consumer Confidence Report was submitted.

f. 2026 AWIA Risk and Resiliency Survey Update Submitted to EPA

Mr. Reckentine reported that the survey update was submitted.

g. Water Efficiency Data Report, House Bill 1050 Survey Submitted to CWCB

Mr. Reckentine reported that the survey was submitted.

h. 2025 Annual Financial Audit Submitted to DOLA

Mr. Reckentine reported that the audit is complete and will be submitted to DOLA by the end of July.

i. Grey Mountain Water Right Acquisition Update

Mr. Reckentine reported the District's desire to acquire the water right.

j. Letter to Northern Water Regarding Increase of Carry-Over to 30%

Mr. Reckentine reported that Northern Water did not take up the issue at its last meeting, and the Board indicated it wants the water to go downstream to agricultural customers.

Other Business:

Mr. Nelson made comments regarding Fort Collins-Loveland Water District and SCADA data security issues.

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.

J. A. Milne

Secretary for the Meeting

The foregoing minutes were approved on the 10th day of August, 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 11:20 a.m. on July 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 Eaton Phase III Property Acquisition Matters, Commercial Sector Water Service Agreements, and the CORA Request, 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.