

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

Held: Monday, the 10th day of October, 2022, 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
Scott Cockroft, Secretary
Matthew Pettinger, Assistant Secretary
Brad Cook, Assistant Secretary

Also present were Eric Reckentine, General Manager of the District; Zachary P. White, Esq., WHITE BEAR ANKELE TANAKA & WALDRON, District general counsel; Garrett Mick, North Weld County Water District; Allison Gorsevski, Lyons Gaddis, special counsel; George Oamek, Headwaters Corp; Richard Reins, Water Resources; Paul Weiss, Williams & Weiss Consulting; 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. Pettinger, seconded by Mr. Cockroft, the Board unanimously approved the agenda.

PUBLIC COMMENT Mr. Bean addressed the Board regarding water acquisitions.

Ronald Buxman Recognition of Service to the District Mr. Reckentine addressed the Board regarding the passing of Mr. Ronald Buxman. Mr. Reckentine expressed appreciation for Mr. Buxman's service on the Board and that he will be missed. Members of the Board concurred and expressed the same.

CONSENT AGENDA MATTERS Mr. Reckentine presented the Board with the consent agenda items.

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

- a. Minutes from September 12, 2022, Regular Meeting
- b. Approve Unaudited Financials for September 2022
- c. Approve Invoices through October 10, 2022
- d. Garney Companies Inc. Preconstruction and CMAR Service Agreement for NEWT III
- e. Tri-Hydro Consulting Scope of Services
- f. Element Consulting Amendment #2 to Task Order #1
- g. Colorado State University Research Foundation 2022 Carry Over Storage Rental
- h. Boxelder Agreement
- i. Waive Valuations Woods Lake Pipeline Relocation
 - i. Basiliere
 - ii. Nelson

Conduct Public Hearing on Resolution No. 20221010-01: Resolution Opting Out-of-FAMILI Paid Medical Leave Insurance Mr. Reckentine presented to the Board regarding the FAMILI Paid Medical Leave Insurance program. Being a new program, the Board desires to wait to let the program evolve before participation. Mr. White noted that notice of the Board's consideration of Resolution 20221010-01 was provided in writing to employees with instruction of how to provide comments to the Board.

Upon a motion by Mr. Cockroft, seconded by Mr. Pettinger, a public hearing was opened on Resolution 20221010-01. No members of the public appeared to speak to the Board and no written comments were submitted. The public hearing was closed.

Consider Adoption of Resolution No. 20221010-01: Resolution Following discussion, upon a motion by Mr. Cockroft, seconded by Mr. Cook, Resolution 20221010-01 was unanimously adopted by the Board.

Opting Out- of-FAMILI
Paid Medical Leave
Insurance

Consider Adoption of
Resolution No. 20221010-
02: Resolution In Support of
Ballot Issue 7A

Mr. White presented to the Board a resolution in support of Ballot Issue 7A on the Weld and Larimer County Coordinated elections. The Board discussed the purposes for seeking the mill levy authorization. Following discussion, upon a motion by Mr. Pettinger, seconded by Mr. Cook, Resolution 20221010-02 was unanimously adopted by the Board.

Appointment of Director to
Fill Vacancy

Mr. White presented to the Board regarding the process to appoint or otherwise fill a vacancy on the Board of Directors. The Board discussed seeking interested candidates from Ward 5 to be appointed to the Board. The Board directed legal to publish a notice of vacancy and post it to the District's Website. The Board directed a questionnaire to be posted to the District's Website with instructions to interested candidates to complete the questionnaire and return it prior to the District's next meeting at which time the Board will determine how it wants to proceed.

Presentation re Draft North
Weld County Water District
2023 Budget

Mr. Reckentine presented to the Board the draft 2023 budget. The Board discussed the draft budget and suggested revisions. The Board will take up approval of the budget at a subsequent meeting. No action was taken.

Discussion re Commercial
Sector Demand Analysis

Mr. Reckentine discussed with the Board issues in the District revolving around commercial demand on the District's system, and made recommendations for certain policies to be adopted to help address the issues identified and previously discussed with the Board.

Consider Approval of Water
Rights and Gravel Pit
Reservoir Storage
Aquations

Acquisition of 92 Units C-
BT

Mr. Reckentine presented to the Board a proposal to purchase 92 units of C-BT from the Drieth Family Trust.

Acquisition of 100 Units C-
BT

Mr. Reckentine presented to the Board a proposal to purchase 100 units of C-BT from Heaven's Door LLC, Eagle Trust, Rose Trust, and Karen S. Lavin.

Extension of Knox Pit
Diligence Period

Mr. Reckentine presented to the Board a proposed extension of the Knox Pit Diligence Period.

EXECUTIVE SESSION

Executive Session pursuant to § 24-6-402(4)(e), C.R.S. related to:

Water Acquisition Matters

Upon motion of Mr. Cockroft, seconded by Mr. Pettinger, and upon an affirmative vote of at least two-thirds of the quorum present, the Board convened in executive session for the purpose of determining positions relative to matters that are subject to negotiation water acquisitions to §§ 24-6-402(4)(e), C.R.S.

Pursuant to § 24-6-402(4), C.R.S., the Board did not adopt any proposed policy, position, resolution, rule, regulation or take formal action during execution session.

Following discussion, the Board reconvened in regular session.

Upon a motion by Mr. Stout, seconded by Mr. Cockroft, the Board unanimously approved the purchase of 92 units of C-BT from the Drieth Family Trust, with a closing to occur in 2022, and authorized Mr. Reckentine to finalize the agreement.

Upon a motion by Mr. Cockroft, seconded by Mr. Pettinger, the Board authorized purchase of 100 units of C-BT from the Heaven's Door LLC, Eagle Trust, Rose Trust, and Karen S. Lavin, with a closing to occur in 2023, and authorized Mr. Reckentine to finalize the agreement. Director Cook voted no.

Upon a motion by Mr. Cockroft, seconded by Mr. Cook, the Board approved the extension of the Knox Pit Due Diligence Period.

DISTRICT MANAGER'S REPORT

SCWTP Expansion Study Update – Authority Project

Mr. Reckentine reported to the Board regarding the SCWTP Expansion Study. Further work is needed.

Tap Sales

Mr. Reckentine reported that tap sales have slowed down significantly.

OTHER BUSINESS

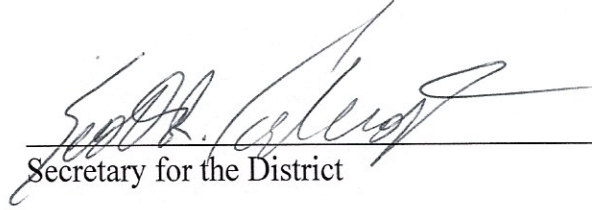
Election of Officers

Upon a motion by Mr. Pettinger, seconded by Mr. Cockroft, Mr. Cook was elected as Treasurer of the Board.

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

A handwritten signature in black ink, appearing to read "E. H. ...", is written over a solid horizontal line.

Secretary for the District