

# RECORD OF PROCEEDINGS

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## MINUTES OF THE SPECIAL MEETING OF BOXELDER BASIN REGIONAL STORMWATER AUTHORITY

HELD  
November 2, 2023

The Board of Directors of the Boxelder Basin Regional Stormwater Authority held a special meeting, open to the public, via videoconference at 1:00 p.m. on November 2, 2023. Notice of the Meeting was duly posted.

ATTENDANCE:            Directors in Attendance for District No. 2:  
Richard Seaworth, President  
Tim Singewald, Secretary  
Jen Dial, Director  
Eric Tracy, Secretary  
Jeni Arndt, Director

Also in Attendance Were:  
Mathew Poznanovic; Hayes Poznanovic Korver LLC  
Kevin Mitts; Pinnacle Consulting Group, Inc.  
Gary Witt and Marshall Hayworth; Wright Water Engineering Inc.

ADMINISTRATIVE        Call to Order: The Meeting was called to order at 1:31 p.m. by Director  
ITEMS                    Seaworth, noting that a quorum was present.

Agenda: The Board considered the agenda. Upon motion duly made by Director Seaworth, seconded by Director Singewald, and upon vote, it was

**RESOLVED** to approve the agenda, as presented.

Public Comments: The Board opened the meeting to public comment. There were no comments made by members of the public and this portion of the meeting was closed.

Director Comments: There were no Director Comments.

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### EXECUTIVE SESSION

Mr. Poznanovic advised the Board that it was permitted, upon compliance with requisite statutory procedures under the Colorado Open Meetings Law, for the Board to convene an executive session, pursuant to Colorado Open Meeting Law §24-6-402(4)(b) and §24-6-402(4)(e), C.R.S., to consult with and receive legal advice from legal counsel regarding filing for the well permit application for phase 2 of the dewatering system, and to determine positions relative to matters that may be subject to negotiations, developing strategy for

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negotiations, and instructing negotiators concerning proposed agreement to obtain a 600 foot spacing waiver for the well from the owner of wells located on the property known as the authority property and day property. Upon motion duly made by Director Singewald, seconded by Director Tracy and, upon vote, it was unanimously

**RESOLVED** to convene an Executive Session, pursuant to § 24-6-402(4)(e), C.R.S., for purposes related to consult with and receive legal advice from legal counsel regarding filing for the well permit application for phase 2 of the dewatering system, and to determine positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators concerning proposed agreement to obtain a 600 foot spacing waiver for the well from the owner of wells located on the property known as the authority property and day property.

Director Singewald announced that it is the 2<sup>nd</sup> day of November 2023, and the time is 1:33 p.m. For the record, those present in the Executive Session are: Directors Richard Seaworth, Tim Singewald, Jen Dial, Eric Tracy and Jeni Arndt.

The Executive Session was adjourned at 2:51 p.m. All participants were in the Executive Session at adjournment.

No decisions or actions were taken in the Executive Session.

For the record, Director Singewald announced that if any person participating in the Executive Session believes any substantial discussion of any matters not included in the motion to go into Executive Session occurred during the Executive Session, or any improper action occurred during the Executive Session in violation of the Colorado Open Meetings Law, the directors were asked to state any objections or concerns for the record.

No objections were stated.

### ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 2:53 p.m.

Respectfully submitted,

*Kevin Mitts*

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Kevin Mitts,  
Recording Secretary for the Meeting