

RECORD OF PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF BOXELDER BASIN REGIONAL STORMWATER AUTHORITY

HELD
July 26, 2023

The Board of Directors of the Boxelder Basin Regional Stormwater Authority held a regular meeting, open to the public, via videoconference at 1:00 p.m. on July 26, 2023. Notice of the Meeting was duly posted.

ATTENDANCE:

Directors in Attendance:

Richard Seaworth, President
Tim Singewald, Secretary
Jen Dial, Director
Eric Tracy, Treasurer
Jeni Arndt, Director

Also in Attendance:

Matthew Poznanovic; Hayes Poznanovic Korver LLC
Mark Peterson; Larimer County
Eric Fuhrman; Town of Timnath Engineer
Marshall Haworth; Wright Water Engineers
Ken Sampley; City of Fort Collins
Elliott Moery; The Adams Group, LLC.
Patti Garcia; Town of Wellington
Calvin Miller; Miller Ground Water
Sarah Bromley, Kevin Mitts, Brendan Campbell, and Molly Brodlun;
Pinnacle Consulting Group, Inc.
Kelly Day; Community Member

CALL TO ORDER

The Meeting was called to order at 1:02 p.m. by Director Seaworth, noting that a quorum was present.

AGENDA

The Board considered the agenda. Ms. Bromley requested an amendment to the agenda. Upon motion duly made by Director Seaworth, seconded by Director Singewald, and upon vote, it was

RESOLVED to approve the agenda, as amended to move the following item:

III D. Consider Approval of 2022 Audit prior to the Authority Manager's Report.

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APPROVAL OF
MINUTES

The April 26, 2023, Regular Meeting Minutes were presented for the Board’s consideration and approval. Upon motion duly made by Director Seaworth, seconded by Director Singewald, and upon vote, it was unanimously

RESOLVED to approve the minutes of the April 26, 2023, Regular Meeting, as amended to include verbiage regarding guidance from legal counsel to move forward with retrieving CAD drawings files from Ayres Associates Inc.

PUBLIC COMMENT

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 comments made by the Directors.

APPOINTMENT OF
REPRESENTATIVES

Director Dial reported that she was appointed to serve on the Board by the City of Fort Collins and Larimer County. Director Tracy reported that he was re-appointed by Larimer County.

ELECTION OF
OFFICERS

The Board discussed the Election of Officers and determined to continue with the current slate of officers.

AUDIT

Approval of 2022 Audit: Mr. Moery, CPA, with Adams Group LLC. presented the 2022 Audit to the Board and answered questions. Following review and discussion and upon motion duly made by Director Tracy, seconded by Director Singewald, and upon vote, it was unanimously

RESOLVED to approve the 2022 Audit.

AUTHORITY
MANAGER
MATTERS

Authority Managers Report: Ms. Bromley presented the Authority Manager’s Report to the Board and answered questions.

FINANCIAL ITEMS

Ratification of Claims for Payment: Mr. Campbell discussed with the Board the payments that have been collected to date and answered questions. Following review and discussion and upon motion duly made by Director Tracy, seconded by Director Singewald, and upon vote, it was unanimously

RESOLVED to approve the ratification of payments as presented.

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Finance Managers Report: Mr. Campbell reviewed and discussed the financial document with the Board which included financial statements as of May 31, 2023, revenue by member, cash position report, and financial management projects.

Review 2024 Draft Budget: Mr. Campbell reviewed and discussed the 2024 Draft Budget with the Board and answered questions.

Engagement of 2023 Auditor for Boxelder Basin Regional Stormwater Authority: Mr. Campbell presented the Engagement of 2023 Auditor for Boxelder Basin Regional Stormwater Authority to the Board and answered questions. Following review and discussion and upon motion duly made by Director Tracy, seconded by Director Singewald, and upon vote, it was unanimously

RESOLVED to approve the Engagement with the Adams Group LLC., for the 2023 Auditor for Boxelder Basin Regional Stormwater Authority.

OPERATIONAL
MATTERS

Update of ESDF De-Watering Project: Director Seaworth noted that this is on hold in 2023.

Update of ESDF Phase 2: Director Seaworth noted that this is on in 2023.

Update of Wright Water Engineers, Inc. Proposal of Dewatering Pipeline Flow Monitoring: Mr. Haworth presented the update of Wright Water Engineers, Inc. Proposal of Dewatering Pipeline Flow Monitoring to the Board and answered questions noting that he suggested to purchase the monitoring equipment for \$9,400.00 plus labor costs of \$3,800.00. Director Singewald noted that he believes the existing pump is not reading correctly and it would be beneficial to have an accurate sensor. The Board agreed that purchasing the equipment to capture data sooner rather than later would be beneficial. Following review and discussion and upon motion duly made by Director Tracy, seconded by Director Arndt, and upon vote, it was unanimously

RESOLVED to approve the purchase of the monitoring equipment and installation as proposed for \$9,400.00.

Update of Colorado Water Plan Grants to address Clark Reservoir Dredging: Director Seaworth presented the update of Colorado Water Plan Grants to address Clark Reservoir Dredging to the Board and answered questions noting that the Authority will coordinate with North Poudre to start the Dredging before the Authority hits the sunset phase. Director Tracy

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suggested getting expert opinions before moving forward. The Reservoir needs to be dredged every ten years based on the IGA obligations. Due to recent Colorado fires which may have impacted the amount of sediment in the Reservoir, the Board may have the opportunity to apply for grant funding or may submit an insurance claim.

Discussion of the Bill Submitted by Larimer County for the Clark Lake Survey: Mr. Campbell presented the discussion of the Bill submitted by Larimer County for the Clark Lake Survey to the Board and answered questions.

LEGAL ITEMS

Mr. Poznanovic discussed that he is awaiting an official response regarding the settlement proposal from the Days.

OTHER ITEMS

There were no Other Items brought in front of the Board.

EXECUTIVE
SESSION

At approximately 2:54 p.m. Mr. Poznanovic requested the board invite the representatives from Larimer County and the consultants from Pinnacle Consulting Group, Inc. to an Executive Session.

Director Singewald moved pursuant to Colorado Open Meeting Law §24-6-402(4)(b), C.R.S., to consult with and receive legal advice from legal counsel regarding the rights and obligations of the parties to the Coal Creek Flood Mitigation and Operation Agreement and the Amended Intergovernmental Agreement for Stormwater Cooperation and Management.

The Board reconvened from Executive Session at approximately 3:04 p.m. and affirmed that no action was taken in Executive Session.

ADJOURNMENT

There being no further business to come before the Board and upon motion duly made by Director Tracy, seconded by Director Seaworth, it was unanimously

RESOLVED that the meeting adjourned at 3:32 p.m.

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The foregoing constitutes a true and correct copy of the minutes of the above-referenced meeting.

Respectfully submitted,

Kevin Mitts

Kevin Mitts, Assistant District Manager