

RECORD OF PROCEEDINGS

MINUTES OF THE SPECIAL MEETING OF BOXELDER BASIN REGIONAL STORMWATER AUTHORITY

HELD
December 20, 2022

The Board of Directors of the Boxelder Basin Regional Stormwater Authority held a special meeting, open to the public, via videoconference at 9:30 a.m. on December 20, 2022. Notice of the Meeting was duly posted.

ATTENDANCE:

Directors in Attendance: (Via Teleconference)

Richard Seaworth, President
Tim Singewald, Director
Theresa Connor, Secretary
Jeni Arndt, Director

Directors not in Attendance (Excused):

Eric Tracy, Treasurer

Also in Attendance: (Via Teleconference)

Kirsten Starman, Brendan Campbell, Sarah Bromley, Nicole Wing; Pinnacle Consulting Group, Inc.
Matt Poznanovic; Hayes Poznanovic Korver LLC
Patti Garcia; City of Wellington
Mark Peterson; Larimer County
Eric Fuhrman; Town of Timnath Engineer
Marshall Haworth; Wright Water Engineers
Charity Campfield; Town of Wellington
Calvin Miller; Miller Ground Water
Ryan Van Pelt; HydroGeo Resources, PLLC
Ken Sampley; City of Fort Collins

CALL TO
ORDER

The Meeting was called to order at 9:32 a.m. by Director Seaworth, noting that a quorum was present.

AGENDA

The Board reviewed the agenda. Upon motion duly made by Director Connor, seconded by Director Seaworth, and upon vote, it was unanimously

RESOLVED to approve the agenda as presented.

APPROVAL OF
MINUTES

The August 31, 2022, Special Meeting Minutes were presented for the Board's consideration and approval. Upon motion duly made by Director Singewald, seconded by Director Arndt, and upon vote, it was unanimously

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RESOLVED to approve the minutes of the August 31, 2022, Special Meeting, as presented.

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.

FINANCIAL ITEMS

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

RESOLVED to approve the ratification of payments as presented.

Finance Managers Report: Mr. Campbell reviewed and discussed the financial document with the Board which included financial statements as of September 30, 2022, revenue by member, cash position report, and financial management projects.

OPERATIONAL MATTERS

Update of ESDF De-Watering Project: Mr. Van Pelt reported that he is expecting phase two of the project to be completed in 2024. This will allow time for lag depletions and for the area to dry, which could save the District money in the long run. Mr. Van Pelt stated he is collaborating with Ayres and Associates who have been surveying and mapping the area. Mr. Haworth reviewed in detail the groundwater monitor results with the Board and answered questions. Mr. Haworth reported that well number four continues to have issues with the flow meter.

LEGAL ITEMS

Amendment to Day Authority Agreement: Mr. Poznanovic presented the Amendment to Day Authority Agreement to the Board and answered questions. Following review and discussion and upon motion duly made by Director Singewald, seconded by Director Connor, it was unanimously

RESOLVED to approve the Amendment to Day Authority Agreement with a date determined by legal counsel.

AUTHORITY MANAGER
MATTERS

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

2023 Proposed Meeting Schedule: Ms. Bromley presented the 2023 Proposed Meeting Schedule and answered questions.

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OTHER ITEMS

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

EXECUTIVE SESSION

At approximately 10:33 a.m. Director Seaworth requested that the board invite the representatives from the Town of Timnath, Wright Water Engineers, and the consultants from Pinnacle Consulting Group, Inc. to an Executive Session.

Director Seaworth moved that pursuant Colorado Open Meeting Law §24-6-402(4) to consult with or receive advice from attorney regarding filing of the well permit application for construction of Phase 2 of the de-watering system and to determine position relative to matters that may be subject to negotiations, developing strategies for negotiations, and instructing negotiators concerning proposed agreement to obtain a 600 feet spacing waiver for the well from the owner of the wells located on the Day property. Upon motion duly made by Director Singewald, seconded by Director Connor and, upon vote, upon unanimous vote the Board moved into executive session for the above-stated purpose.

The Board reconvened from executive session at approximately 11:33 a.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 Seaworth, seconded by Director Connor, it was unanimously

RESOLVED that the meeting adjourned at 11:34 a.m.

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

Respectfully submitted,

Nicole Wing

Nicole Wing, District Administrator