

**MINUTES OF A REGULAR MEETING
OF THE BOARD OF DIRECTORS OF THE
BENNT CREEK REGIONAL WATER AUTHORITY**

Held: Monday, April 11, 2022 at 4:30 p.m.
The meeting was held via teleconference

Attendance

The meeting referenced above was called and held in accordance with the applicable statutes of the State of Colorado. The following Directors were in attendance:

Board Member
Martin Metsker
Tony Carey
Charles Bayley
Mike Wolf

Also in attendance were:

Blair M. Dickhoner, Esq., White Bear Ankele Tanaka & Waldron; and, Rick Gonzales, Marchetti & Weaver, LLC.

Call to
Order/Declaration of
Quorum

It was noted that a quorum of the Board was present, and therefore called the meeting to order.

Approval of Agenda

The Board reviewed the proposed agenda for the meeting. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the agenda as presented.

Directors' Disclosure
of Potential Conflicts
of Interest

Mr. Dickhoner advised the Board that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Mr. Dickhoner reported that disclosures for those directors that provided White Bear Ankele Tanaka & Waldron 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. Dickhoner 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. The participation of the members present was necessary to obtain a quorum or to otherwise enable the Board to act.

Public Comments

No public present.

Consent Agenda

Mr. Dickhoner advised the Board that any item may be removed from the consent agenda to the regular agenda upon the request of any director. Item 5.f was moved from the Consent Agenda to Discussion Agenda. Upon a motion duly made and seconded, the following items on the consent agenda were unanimously approved, ratified and adopted:

- a. Minutes from November 8, 2021 Special Meeting
- b. Acceptance of December 31, 2021 Unaudited Financial Statements
- c. Claims Payable in the amount of \$4,603.51
- d. Claims Paid in the amount of \$13,614.68
- e. Application for Exemption from 2021 Audit

Discussion Agenda

Ratify Filing of Statement of opposition by the Authority's Water Counsel in Case No. 21CW3193 to an Application of the Groundwater Management Sub-District of the Central Colorado Water Conservancy District

Mr. Dickhoner and the Board engaged in discussion regarding the filing of a Statement of Opposition by the Authority's Water Counsel in Case No. 21CW3193 to an Application of the Groundwater Management Sub-District of the Central Colorado Water Conservancy District. Following discussion, upon a motion duly made and seconded, the Board unanimously ratified the filing.

Action Agenda

Consider Approval of Engagement of Brownstein Hyatt Farber Schreck

The Board reviewed the Engagement Agreement for Legal Services from Brownstein Hyatt Farber Schreck. Following review, upon a motion duly made and seconded, the Board unanimously approved the engagement.

Director Reports

Director Bayley noted his appreciation for the report Gina Burke provided the Board Members with regarding the Nebraska canal plan.

Other Business

Next Meeting August 8, 2022

The Board determined to cancel the August 8, 2022, meeting.

Adjournment

There being no further business to come before the Board and following discussion and upon motion duly made and seconded, the Board unanimously determined to adjourn the meeting.

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

Charles Bayley
Charles Bayley (Feb 1, 2023 13:10 MST)

Secretary for the Meeting

The foregoing minutes were approved by the Board of Directors on the 12th day of December 2022.