

**Colorado Water Resources  
and  
Power Development Authority**

**BOARD MEETING MINUTES**

**March 8, 2024**

**Call to Order**

Chair Steve Vandiver called the meeting to order at 9:00 a.m. in the Authority Conference Room, located at 1580 North Logan Street, Suite #820, Denver, CO 80203, and via video and audio tele-conferencing.

**Board Member Identification and Declaration of a Quorum**

Board members present: Steve Vandiver (Chair), Chris Treese (Vice-Chair), Mike Fabbre (Secretary/Treasurer), George Corkle, Lucas Hale, Bruce Whitehead, Eric Wilkinson, and Karen Wogsland. Lucas Hale joined the meeting virtually and Patti Wells was absent. A quorum was declared with eight Board members present.

**Approval of Consent Agenda**

Chair Vandiver announced that the following items were placed on the Consent Agenda for Board consideration at the Project Finance Committee meeting and Board Program Work Session: Agenda item 6(e) Manager's Report: Accounting - Information Systems Policy Annual Review and Office Manager - Accessibility Policy; Agenda items 7(a) Drinking Water Revolving Fund loan applications for the Town of Boone, Resolution No. 24-06, South Adams County Water & Sanitation District, Resolution No 24-07, Town of Lochbuie, Resolution No. 24-08, City of Greeley, Resolution No. 24-09, City of Englewood, Resolution 24-10 and Agenda item 7(b) Additional Principal Forgiveness to maintain BIL proportionality Requirements – Town of Walden, Resolution No. 24-11 and Byers Water & Sanitation District, Resolution No. 24-12. After hearing no comments, a motion was made to approve the Consent Agenda, as presented.

Motion: Chris Treese  
2<sup>nd</sup>: Eric Wilkinson  
Vote: Motion carried

Following the vote, Chair Vandiver invited representatives from the Consent Agenda applicants to address the Board, if desired.

**Introduction of Guests**

Chair Steve Vandiver asked all guests in attendance to introduce themselves and state their affiliation for the record. Kelly Levar, Mayor Pro Tem for the Town of Boone, expressed the Town's gratitude to the Board for its support and looks forward to partnering with the Authority on future endeavors. Abel Moreno, District Manager, from South Adams County Water and Sanitation District also addressed the Board and noted that two years ago, at the April 22, 2022, Board meeting, he addressed the Board and lobbied for available BIL funding. After a lengthy process of learning and exploring, South Adams County Water & Sanitation District is moving forward with its project and thanked the Authority Board and staff for its assistance and support. Joining Mr. Moreno at the meeting were Jim Mock (General Counsel), Sarah Niyork (District Accountant), Byron Jefferson (Finance Manager), and Kipp Scott (Water Systems Manager and Project Manager). Next, Denise Rademacher, Finance Director for the Town of Lochbuie, addressed the Board and stated that the Town of Lochbuie has demonstrated its commitment to its residents by being fiscally conservative in the management of its water enterprise fund. Ms. Rademacher noted that the project is essential to provide current and future residents with reliable system pressure and emergency needs. This project has been the result of a lengthy process, with design beginning prior to 2020. On behalf of the Town of Lochbuie, its residents, staff and Board of Trustees, Ms. Rademacher thanked the Board for awarding funds for the much needed elevated water tank project. Virgil Pierce, Utility Finance Manager



for the City of Greeley Water and Sewer Department, thanked the Board for its financial assistance with its lead replacement and identification project. The funding will help to quickly address the public health need that is impacting the lower income areas of the City. The funding will help to correct the issue, while minimizing the impact on its citizens. On behalf of the City, Mr. Pierce thanked the Board and staff for their assistance. Adam Prior, the City of Greeley's Chief Engineer, added that the City has an extensive team working on its lead and copper issue and that Mr. Pierce is leading the efforts. With this funding, the City will be able to complete full replacements quickly for its citizens and thanked the Board for its support. Finally, Pieter Van Ry, Utilities Director for the City of Englewood, addressed the Board and expressed thanks and gratitude to the Board for approval of the City's lead service line replacement loans. Mr. Van Ry noted that these loans are critical for the City to complete its project and that the City begin this process in 2020 by dramatically increasing fees to support their lead service line replacement program. Mr. Van Ry introduced the City's Deputy Director of Business Solutions, Sarah Stone, and thanked the Board on behalf of the City of Englewood's community for the loan approval.

#### **Approval of Minutes – February 1, 2024**

The February 1, 2024, Minutes were presented for approval. Director Whitehead requested the following change on page 7 of the Board packet: under the Public/Board Member Comments, amend to remove the \$300 reference and replace it with "An additional ~~\$300~~ **contribution** from program participants..." Additionally, Director Fabbre suggested a correction to the Drinking Water Revolving Fund City of Granby Disadvantaged Communities ("DAC") Business Case vote be changed to reflect Director Corkle opposed the vote, rather than Director Whitehead. After hearing no further comments, a motion was made to approve the Minutes of February 1, 2024, as amended.

Motion: Eric Wilkinson  
2<sup>nd</sup>: Bruce Whitehead  
Vote: Motion carried

#### **Other Agency Reports**

##### *Report of Colorado Water Conservation Board ("CWCB")*

Chair Vandiver announced that Kirk Russell, Finance Section Chief, notified staff that the CWCB did not meet since their last Board meeting and therefore did not provide an agency report and would not be attending the Authority Board meeting.

##### *Report of Water Quality Control Division ("WQCD")*

Mark Henderson, Section Manager, stated he would provide the agency report in Ron Falco's absence and referred to the written agency report contained in the Board materials. Notable items from the report included an upcoming virtual Administrative Action Hearing regarding nonpoint source projects funding on March 11<sup>th</sup>. Mr. Henderson also provided an update on the Division's Test and Fix Water for Kids program, stating that over 450 facilities have completed remediation to remove leaded fixtures and replace them with nonleaded fixtures. Additionally, the middle school testing phase is well underway, and a number of school districts have signed up and are halfway through the testing process. All testing in middle schools is required to be completed by November 2024. Mr. Henderson confirmed that the Division closed the first request for application ("RFA") for the EPA WIIN Emerging Contaminant Small Disadvantaged Communities (EC-SDC) grant program on January 31<sup>st</sup>. This program funds planning, design and the construction of projects to treat emerging contaminants. Four applications were submitted and one awarded, the other applications are under final review and awards are anticipated soon. Additional funding for this program and a second RFA is expected to be released in June 2024. This anticipated five-year program allows leveraging for the SRF EC program and noted that the projects are required to develop a number of the same project criteria as well as meeting the same requirements as the SRFs for funding. A number of projects are expected to be co-funded from the EC-SDC and SRF EC programs and South Adams County Water and Sanitation District was named as an example. Mr. Henderson announced that the Colorado Rural Water Association ("CRWA") Annual Conference will be held March 18<sup>th</sup> – 21<sup>st</sup> and



Division staff is heavily involved with this key conference as are many small and rural systems throughout the state. The availability of SRF funding will be discussed and highlighted through the three partner agencies. A summary of past coaching and training events was also provided. The Division is in the process of hiring a clean water coach to address some of the various wastewater system issues encountered across the state. Following the agency report, Mr. Henderson briefly reviewed the Division's 2023 Annual Project Report. Mr. Henderson stated that the Division appreciates the support and partnership of the Division's critically important water quality projects and initiatives. Mr. Henderson highlighted a few of the projects contained in the report, including the project to reduce post-wildfire nonpoint source sediment mobilization in the Cameron Peak fire burn area, the discharger-specific variance project that assists small and rural communities and the Safe Drinking Water Excellence Program.

#### *Report of Department of Local Affairs ("DOLA")*

Desi Santerre, Department of Local Affairs Program Manager, referred to the provided agency report and noted the awards for Tier I Energy and Mineral Impact Assistance Fund ("EIAF") grants are included in the Board materials. Tier II awards are expected to be announced in mid-March. The next EIAF application deadline is on April 1<sup>st</sup> and Tier I and Tier II applications will be accepted for the \$30 million in grant funding available. The Outreach and Education subcommittee has a couple of upcoming events: a SRF/WIFIA workshop on March 14<sup>th</sup> and the Colorado Rural Water Association Annual Conference on March 18<sup>th</sup>. The subcommittee is also planning regional workshops for later in the year. The annual analysis of the DAC and BIL benchmarks have been completed by DOLA and submitted to SRF program staff for review. Ms. Santerre confirmed that the Board will see these new benchmarks used in the credit reports for the next Board meeting. Additionally, the Disadvantaged Communities map that the state demography office hosts hasn't been posted yet, but should be available by the end of the day. An update on the Small and Rural Communities Technical Services Program was shared, noting three projects in the Drinking Water Program. The projects are almost complete and a full report will be available at the next Board meeting. The meeting concluded with a DOLA staffing update, noting that Chantal Unfug, Division of Local Government Director, will be leaving her position on April 1, 2024, after over ten and a half years of service. Dave Bowman, Deputy Director, will be stepping in as the interim Director while the search for a permanent replacement commences. Ms. Santerre also stated that it was just announced that Eric Bergman was appointed to serve as Director of the Division of Local Government. For the past 14 years, Mr. Bergman served as Policy Director for Colorado Counties, in addition to his 25 years of past experience with local governments across the state. Mr. Bergman had previously worked for DOLA for approximately 7 years. Mr. Bergman's official start date will be May 20<sup>th</sup>.

The Agenda was rearranged to accommodate certain guests in attendance.

#### **Water Pollution Control Revolving Fund**

##### *Loan Application – Upper Thompson Sanitation District*

Wesley Williams presented the Upper Thompson Sanitation District's loan request in the amount of \$18,000,000, plus cost of issuance for a 30-year term. Mr. Williams confirmed that if this loan is approved, it will be incorporated into the upcoming spring bond issue and the 3.30% interest rate is just an estimate. The total project cost is estimated at approximately \$89,000,000, with supplemental funding of approximately \$71,000,000, expected from the Water Infrastructure Financing and Innovation Act ("WIFIA"). The District anticipates closing the WIFIA loan in April and the SRF loan closing will likely be in May or June. The project consists of constructing a new wastewater treatment plant, two lift stations and a force main. The project may change during the planning and design process before final loan execution. Mr. Williams noted this is a large loan with a large funding package, but the District has prepared for this project and is in a strong financial position to undertake this loan. It was also noted that without the WIFIA loan, the District would meet all the Authority's loan requirements. However, adding the substantial WIFIA loan may force some potential rate increases and staff is working closely with the District to address any necessary loan conditions. Mr. Williams invited District representatives to address the



Board. Chris Bieker, District Manager, thanked the Board for its consideration and stated he's been with the District for 37 years and noted that the District has been preparing for this project for a number of years. Suzanne Jurgens, Assistant District Manager, added that the District is grateful for the opportunity to build the facility for the residents of Estes Park and added that the staff of the Authority has made the process easier than expected. Mr. McLaughlin asked how the District has been communicating with its customers given the expected rate increases need for this project and Mr. Bieker responded that the District has been proactive in communicating with its customer base and has a good rapport. The District utilizes many different communication methods including presence at the local farmer's market, hosting open houses and direct mail. The District boasts a 90% customer approval rating and makes a conscience effort to be transparent. A motion was made to approve and authorize staff to begin negotiating a SRF leveraged loan with Upper Thompson Sanitation District in the amount of approximately \$18,000,000, plus cost of issuance, at 85% of the interest rate received by the Authority on the associated bond issue, for a term of up to 30 years and authorizing staff to begin drafting a Preliminary Statement incorporating the District, subject to the District raising rates to meet the Authority's loan covenants.

Motion: Eric Wilkinson  
2<sup>nd</sup>: George Corkle  
Vote: Motion carried

*Public/Board Member Comments* – Chair Vandiver formally introduced and welcomed the newly appointed representative of the North Platte Drainage Basin, Matthew Shuler. Mr. Shuler will be replacing George Corkle, and was confirmed by the Senate Agriculture and Natural Resources Committee yesterday. Mr. Shuler will be seated on the Authority Board following Colorado Senate confirmation. Mr. Shuler appreciates the opportunity to serve and is looking forward to starting. Director Whitehead opined that he is relieved to relinquish the “new Board member” title, and added that as the Chair of the Animas-La Plata/Long Hollow Committee, a meeting of that Committee would be appropriate and invited any interested Board members to join him and ex-officio member, Chair Vandiver. Director Wilkinson expressed an interest in joining the Committee. Mr. McLaughlin and/or Sabrina Speed will be scheduling the meeting soon.

*Report of the Chair* – Chair Vandiver reported that he and Mr. McLaughlin met with the Water Quality Control Division, Water Quality Control Commission and Colorado's Environmental Board and Commissions representatives to discuss Congressionally Directed Spending, the EPA Capitalization Grants and a potential joint workshop to be held in conjunction with the August Colorado Water Congress Summer Conference. Chair Vandiver opined that these joint meetings are valuable and will assist in the Board's mission.

*Resolution of Appreciation to George Corkle, Resolution No. 24-05*

Chair Vandiver presented Resolution 24-05, a Resolution of Appreciation for George Corkle, and thanked Director Corkle for being a great Board member and a great friend. Chair Vandiver read Resolution No. 24-05 in its entirety for the record. Following the reading, Director Corkle thanked the Board and stated it has been a pleasure to serve on the Board and that the eight years passed quickly. An enthusiastic motion was made to adopt Resolution 24-05.

Motion: Chris Treese  
2<sup>nd</sup>: Steve Vandiver  
Vote: Motion carried

*Report of the Treasurer* – Treasurer Fabbre referred to the various financial statements included in the Board materials and reported that since the last Board meeting, neither the Budget & Audit nor Investment Committee met. Treasurer Fabbre relinquished the floor to Controller Justin Noll. Mr. Noll reported that financials were provided through November and some December financials are in the Board's materials. Staff is still processing December transactions for the two SRF Programs. Mr. Noll noted that favorable investment rates resulted in advantageous investment income for the Authority's programs in 2023. The



interest rate in January 2023 was approximately 4.5% and increased to 5.5% by the end of the year. The 1% increase has held steady through most of this year. Mr. Noll also reported that FORVIS, the Authority's auditor, is currently onsite to complete the 2023 Audited Financial Statements. FORVIS is expected to remain onsite for the next three weeks. Once a draft copy of the audit is complete, a meeting of the Budget & Audit Committee will convene to review the draft, prior to the April Board meeting. A motion was made to approve the Treasurer's Report.

Motion: Karen Wogsland  
2<sup>nd</sup>: Bruce Whitehead  
Vote: Motion carried

*Report of Executive Director* – Keith McLaughlin referred to his written report contained in the Board materials and expounded on Chair Vandiver's discussion about the liaison meetings with the Water Quality Control Commission and Division, noting that he too felt the meeting was beneficial and that the Division had suggested tactics to address the CDS issue. Mr. McLaughlin gave Chair Vandiver credit for continuing to engage the Division on resuming the liaison meetings. One item that Mr. McLaughlin wanted the Board to consider is the possibility of holding a joint meeting or workshop with the Water Quality Control Commission and the Division in conjunction with the August Board meeting and Colorado Water Congress Summer Conference. A final determination will be made at a later date. The Council of Infrastructure Financing Authorities ("CIFA"), an organization that represents the SRF Programs around the country, is rolling out its "Save the SRF Programs" initiative to bring the CDS issue to the forefront and raise awareness of this critical issue. Mr. McLaughlin's hope is that this initiative will build a broader coalition that is more organized in its efforts to combat this critical issue. A website is being created to provide information and to invite other organizations and state SRF Programs to join the coalition. Additionally, the CIFA Nominating Committee has extended an invitation to Mr. McLaughlin to serve as an Officer of CIFA. Mr. McLaughlin is considering the offer and the associated time-commitment carefully before deciding. The Board expressed its gratitude and support for Mr. McLaughlin to continue serving on the CIFA Board and representing the best interests of the Authority. Mr. McLaughlin also stated he was invited to speak on an SRF funding proposal at the Water Finance & Management National Conference in Buford, Georgia this August. The report concluded with an update on the 2024 Appropriations Bill and Mr. McLaughlin noted the Congressional earmarks that continue to impact the SRF funding. Mr. McLaughlin noted that Senators Bennet and Hickenlooper continue to support fully funding the SRF Programs. Following the report, Chair Vandiver thanked Mr. McLaughlin for shepherding the group through the Capitol at the Senate Agriculture & Natural Resources Committee hearing. Treasurer Fabbre echoed Chair Vandiver's praise and added that he heard many positive comments about the Authority and its staff during the hearing process.

#### *Accounting Manager's Report*

Controller Justin Noll announced that suggested changes to the Information Systems Policy would be incorporated into the newly approved policy and disseminated to staff. This policy was approved on the Consent Agenda earlier in the meeting. Additionally, Mr. Noll reported that Cadmon Plain, Accountant I, ended his employment with the Authority earlier this week and that plans to hire a replacement would be forthcoming. Finally, Mr. Noll reported that recent discussions with the Authority's auditors and the EPA have resulted in a change to procedures for single audit requirements. The Authority completes an annual report called the Schedule of Expenditures of Federal Awards ("SEFA") and previously reported all grant funds drawn in this report. Under the direction of the EPA, staff is only required to report grant funds drawn on equivalency projects. The equivalency projects are those projects from large, generally more sophisticated borrowers, identified by Authority staff, that must meet certain specific requirements. The equivalency projects must total the amount of, or more than, the SRF Capitalization Grants. This change will be favorable to smaller, disadvantaged communities as it will not require them to complete a single audit. Authority staff and its auditors were surprised by this change but will comply to meet the newly discovered requirements.



### *Finance Manager's Report*

Finance Director Jim Griffiths reported that staff has been evaluating human resources software to improve employee engagement. Staff has reviewed several software packages designed to help the Authority to provide employee performance management, payroll, timekeeping and training assistance. After several HR software demos, staff has selected one vendor and is in the final review process before committing to a contract. This change will be a significant upgrade to the Authority's current practices and will improve efficiency by consolidating and automating manual processes. Additionally, Mr. Griffiths reported that Austin Reichel and Wesley Williams attended the Town of Silt's groundbreaking ceremony. The Town has broken ground and started construction on its previously Board-approved water treatment project. Staff is working on packaging borrowers for an anticipated spring bond issue. The bond resolution, which sets the bond's parameters, will be presented at the April Board meeting for approval. This resolution will incorporate many of the projects approved via Consent earlier in the meeting as well as the previously approved loan for Leadville Sanitation District. If the bond resolution is approved, staff expects to have a bond sale and closing in the following weeks so that the projects can receive funding and begin construction. Following the report, Director Wilkinson asked if staff has received a final determination on whether or not lead service line replacement projects can be issued as taxable or non-taxable events for the private component of the project and Mr. Griffiths responded that there is legislation for exemption, but has not yet been passed by Congress. As of right now, as advised by the Authority's bond and tax counsel, it is a taxable event if more than 10% of the total project is benefiting private use. Director Wilkinson also asked if that determination would force the Authority to issue two separate bond issues and Mr. Griffiths confirmed it would be one bond issue with both a taxable and non-taxable series. Director Whitehead asked about the availability of Design & Engineering Grant funding and Mr. Griffiths responded that there wasn't much of an update as EPA has yet to release the Capitalization Grant allocations for base funding. The EPA just recently released a few of the BIL Capitalization Grant allocations but did not provide a window to apply. Those state specific allocations and application dates will be forthcoming.

### *Office Manager's Report*

Office Manager Sabrina Speed reported that following the February Board meeting, the Authority held a staff meeting on February 22<sup>nd</sup> and fully reviewed the newly revised and approved Employee Handbook. The Employee Handbook review was in great detail, outlining the changes made and the rationale for those changes, and provided staff with an opportunity to ask questions. Ms. Speed noted it was a comprehensive review for new employees as well as a good refresher for those longer tenured employees. Employees were also provided with a copy of the Code of Ethics and Conflict of Interest Policy, and Department Managers were tasked to review the Code of Ethics and Conflict of Interest with their respective staff during department meetings. Ms. Speed confirmed that a signed acknowledgement of both policies were received from each employee and filed with the Office Manager. As previously mentioned in an earlier email, the Authority Board is also required to sign an acknowledgement for the Code of Ethics and Conflict of Interest Policy and Ms. Speed offered to provide hard copies of the acknowledgement, if needed. Ms. Speed also provided an update on the 2023 Popular Annual Financial Report ("PAFR") and stated that the design portion of the report is almost complete and once the year-end financials are complete, they can be dropped in to the report and finalized.

### *Report of Legal Counsel*

General counsel Karl Ohlsen didn't have a formal report but noted that he participated in a conference on the Arkansas Valley Conduit ("AVC") about various possible funding alternatives. Mr. Ohlsen apologized that he didn't hear the previous evening's discussion about the AVC project. Mr. Ohlsen invited Board members to contact him with any questions about the AVC project as he has been researching the Authority's statute and Federal regulations in an attempt to find the best funding mechanism for the project participants.

### **Drinking Water Revolving Fund**

#### *Status of Projects*



Kevin Carpenter reported that staff attended two pre-qualification meetings since the February Board meeting with the Town of Aguilar and the City of Victor. Additionally, staff received two loan applications for consideration at the April Board meeting from the City of Manitou Springs (\$4,053,000) and Karval Water Users Association (\$1,249,000). One Planning Grant was issued in 2024, to the Eureka Water Company for conversion to a local government in the amount of \$25,000, and \$125,000 of budgeted funds remain available for 2024. Mr. Carpenter announced that no Design & Engineering Grants have been awarded and none will be awarded until the 2024 Drinking Water Revolving Fund Base Cap Grant has been issued to the Authority. Mr. Carpenter provided an update on the missing audits and confirmed that eleven borrower audits are still outstanding. This number is down from the twenty-three reported last Board meeting and staff continues to work closely with borrowers to cut the number of missing audits down.

### **Water Pollution Control Revolving Fund**

#### *Status of Projects*

Giorgi Gazashvili reported that staff have not attended any WPCRF pre-qualification meetings since the last Board meeting. One loan application was received for consideration at the April Board meeting from the City of Manitou Springs. The City applied prior to the January deadline for consideration in February, but didn't prioritize for funding. Since that time, the City has reapplied for a loan in the amount of approximately \$450,000. No Design & Engineering Grants have been awarded and none will be awarded until the 2024 Water Pollution Control Revolving Fund Base Cap Grant has been issued to the Authority.

One new Design & Engineering Grant has been issued to the City of Las Animas for approximately \$294,400 and approximately \$1,162,171 remains available for 2024. Accumulated Design & Engineering additional subsidy funds from 2022 and 2023 Capitalization Grants are being used to fund current 2024 awarded Design & Engineering Grants. Mr. Gazashvili reported that eleven borrower audits remain outstanding in the Water Pollution Control Revolving Fund program.

### **Small Hydropower Loan Program**

Giorgi Gazashvili provided a brief review of the terms of the Small Hydropower Loan Program: projects up to 10-megawatts, 30-year maximum loan term, a \$5 million maximum loan amount. There have been no SHLP matching grants awarded, or loan applications submitted yet this year. There are currently six outstanding loans in the SHLP totaling approximately \$6.5 million.

### **Water Revenue Bond Program**

Jim Griffiths noted there was some recent interest in the Water Revenue Bond Program ("WRBP") from the City of Fort Collins for its Halligan Reservoir Project. The City of Fort Collins owns the dam and they are going to expand the dam with associated diversions and roadwork. Currently, the project is estimated at approximately \$250 million. The City is seeking funding and/or assistance issuing bonds and has reached out to Authority staff to initiate the conversation. Mr. Griffiths noted that there is an economy of scale with the Water Revenue Bond Program and a \$20 million to \$70 million project generally works best with the program as the cost of issuance fees are generally covered, including the 15% paid by the borrower. When the project cost increases to larger dollar amounts, just the cost to sell the bonds (known as the underwriter's discount) is approximately \$20 per \$5,000 bond and may add up to \$1.7 million on a \$250 million financing, or more, to the cost of issuance. Discussions with the City will continue and staff will continue to provide additional information and/or assistance to the City, if requested.

### **Long Hollow Dam & Bobby K. Taylor Reservoir**

Jim Griffiths deferred the update to Director Whitehead who added that storage on the reservoir continues, and the current, updated water level is 1,780 AF and opined that, short of an unexpected event, the reservoir likely won't reach first fill this year. First fill is one of the conditions of the Authority's financial support. Additional conversations will be held at the Animas-La Plata Special Committee and reported at the next Board meeting.



### **Project Finance Committee**

Committee Chair Treese referred to the provided Project Finance Committee (“PFC”) minutes contained in the Board materials and thanked the Committee for its diligent work sending all 5 of the DWRF applications to the Consent Agenda, unanimously. The Committee also unanimously forwarded a favorable recommendation for the WPCRF Upper Thompson Sanitation District loan that was approved earlier in the meeting. Director Treese extended his thanks to the PFC Committee members and other Board members that were able to attend and participate in the meeting. Staff were also commended for the detailed and thorough information contained in the Committee minutes.

### **Personnel Committee**

Committee Chair Karen Wogsland had no formal report but referred to the provided minutes from the January 22, 2024, Personnel Committee meeting. Director Wogsland thanked Mr. McLaughlin for preparing the Committee minutes.

### **Board Program Work Session**

Committee Chair Wilkinson thanked the Board and staff for participating in the Board Program Work Session and for the in-depth discussions. Director Wilkinson thanked staff for the helpful education and their patience and opined that these meetings help to make the organization better.

### **Legislative Issues and other Business of Interest to the Authority**

Mr. McLaughlin noted that on February 15<sup>th</sup> he testified in the House Ag Committee hearing in support of the Authority’s SJR 24-004, the Authority’s water project revolving fund eligibility lists. Sponsors of the bill on the House side are Representatives McCormick and Catlin. The House Agriculture & Natural Resources Committee members were supportive of the measure and thanked staff for the work put into preparing the Resolution. The Resolution passed through Committee on a 6-0 vote and was moved to the full House and passed on a 60-0 vote on February 20<sup>th</sup>. The Resolution was sent to the Governor on February 27<sup>th</sup> for signature and will be signed prior to the April 1<sup>st</sup> deadline. Mr. McLaughlin will follow the bill to ensure signature by the statutory deadline. Mr. McLaughlin thanked Matthew Shuler for attending the hearing and the Board Program Work Session. On the Federal level, Mr. McLaughlin announced that the IRS made a ruling on the lead service line tax issue. The IRS determined that the lead service line replacements did not create a taxable event to homeowners and therefore didn’t require the issuance of 1099 statements or additional tax bills. This ruling is viewed as a very positive outcome. Mr. McLaughlin noted he and Mr. Griffiths are attending the Council of Infrastructure Financing Authority (“CIFA”) Summit on Water Infrastructure event in Washington, DC on April 2<sup>nd</sup> through 5<sup>th</sup>. Christine Arbogast has been asked to set up meetings with House staff to discuss the CDS issue and others impacting the SRF programs. Mr. McLaughlin highlighted the articles contained in the Board materials and noted Director Corkle provided most of them.

### **Arrangements for Future Meetings**

Chair Vandiver noted that the next three Board meetings, and associated Board Program Work Sessions, were included in the Agenda. Mr. McLaughlin requested that Board members consider what options they would like to pursue holding a joint meeting or workshop with the Water Quality Control Commission and/or a potential retreat in conjunction with the August Board meeting. The retreat may be pushed out to the October Board meeting and staff is exploring possible locations to hold that meeting.

### **Adjournment**

Chair Vandiver adjourned the meeting at 11:34 a.m.



Respectfully submitted,



---

Sabrina Speed, Assistant Secretary

*NOTE-FOR INFORMATION ONLY* - COPIES OF THE DOCUMENTS REFERRED TO IN THE TEXT OF THESE MINUTES ARE ON FILE IN THE AUTHORITY OFFICE AND MAY BE OBTAINED BY SUBMITTING A "REQUEST FOR PUBLIC RECORDS." PLEASE CALL SABRINA SPEED AT (303) 830-1550, EXT. 1010, FOR INFORMATION.