



**SPECIAL MEETING
of the
BOARD OF DIRECTORS**

MINUTES

Thursday, 9:30 a.m.

August 20, 2009

Called to order at 9:31 a.m.

The meeting of the Boxelder Sanitation District Board of Directors was held at the Boxelder Sanitation District administrative office located at 3201 E. Mulberry, #Q, Fort Collins, CO 80524. Mr. Les Gelvin acting as the Chairman with Mr. Fred Walker acting as Secretary, called the meeting to order.

Prior notice of the meeting was given in accord with §32-1-903 CRS.

1. Roll Call:

Directors Present: Mr. Les Gelvin, Chairman
Mr. Scott Taylor, Vice-Chairman
Mr. Stephen Pink, Treasurer
Mr. Gordon Woelfle

Staff Present: Mr. Fred Walker, Secretary, General Manager
Ms. Pat Mathena, Assistant Manager and Controller
Mr. Randy Siddens, District Engineer

Public Present: Mr. Rick Zier, District legal counsel
Mr. Warren Mesloh, The Engineering Company (TEC), 11:31 am-
12:05 pm

Director Absent: Mr. Dennis Gatlin

Roll was called and it was determined that a quorum was present.

2. Public comment: None

3. Mr. Woelfle moved to approve the minutes of the July 16, 2009 regular meeting as presented. Motion seconded. Minutes approved unanimously [4-0-0].

4. Mr. Woelfle moved to call an executive session per §24-6-402(4)(b) C.R.S. for conference with attorney for the District for the purpose of receiving legal advice on specific legal questions; such discussion to include the legal counsel, general manager, assistant manager and district engineer. Motion seconded. Motion passed unanimously [4-0-0] at 9:33 a.m. The executive session ended at 10:07 a.m. Mr. Rick Zier, legal counsel to the Board, provided a signed written statement (attached) that no record or electronic recording of the executive session was kept because such discussion constituted privileged attorney-client communication.

5. Mr. Taylor moved to amend the August 20, 2009 agenda to add an Information Transfer presentation by Mr. Warren Mesloh of The Engineering Company. Motion seconded. Motion approved unanimously [4-0-0].
6. Mr. Taylor moved to void four WDRs and refund the associated SDCs less the related costs and charges to Tschetter Residential LLC. Motion seconded. Motion passed [4-0-0].
7. Mr. Woelfle moved to authorize staff to change the monthly accounts receivable billing due date from the last day of the month to the 25th of the month, except for February which will be the 23rd of the month, as soon as practical. Motion seconded. Motion passed unanimously [4-0-0].
8. Mr. Pink moved to authorize execution of the Adoption Agreement for the Section 125 Plan year of June 1, 2009 – May 31, 2010. Motion seconded. Motion passed unanimously [4-0-0].
9. Financial Information:
Presented to the board was information on financial status, inflow and outflow of funds, and growth in customer base:
 - Cash and Cash Equivalents as of July 31, 2009;
\$3,153,784.97 Ending Cash, June 30, 2009
204,437.84 July Receipts
-126,221.37 July Cash Disbursements
\$3,232,001.44 Ending Cash, July 31, 2009
 - Details of revenues, including components of cash received monthly, monthly sewer billings and # of sewer accounts, current monthly charges – comparison by user class, delinquent billings, delinquency statistics, fee revenues, and WDR receipts were presented.
 - Details of outflow of funds were presented; including contract status, contingent commitments, purchase orders, cash disbursement listing, and credit card detail for the month ended July 31, 2009.
 - Unaudited draft financial statements for the six months ended June 30, 2009 were presented at the meeting. Total net assets (graph), total current assets (graph), and financial ratios were presented.
10. Operations: Information on the treatment plant, industrial pretreatment program, wastewater collection system, and administration operations for July 2009 was presented.
11. Information Transfer
 - Rate Study impact review – Staff was directed to pursue rate structure E-8-P and to adhere to the general implementation plan as much as possible.
 - District project update

Mr. Warren Mesloh joined the meeting. He made a presentation regarding exploration results of a cooperative treatment agreement with the City of Fort Collins. At the conclusion of the presentation and question and answer session, Mr. Mesloh left the meeting.

12. New Business: None

13. Mr. Pink moved to adjourn the meeting. Motion seconded. Motion approved unanimously [4-0-0].

Meeting adjourned at 12:09 pm.

These minutes were approved on the 17th day of September, 2009 by an action of the Board of Directors.

/s/ Les Gelvin
Chairman of the Board

/s/ Fred E. Walker
Secretary

TO: Board of Directors of Boxelder Sanitation District
FROM: Rick Zier, Counsel to the Board
RE: Executive Session of the Board
DATE: August 20, 2009

No record of the executive session (including electronic recording or otherwise) held on August 20, 2009 at 9:32 am was kept. The executive session was for the purpose of "Conferences with an attorney for the public entity for the purposes of receiving legal advice on specific legal questions." §24-6-402(4)(b), C.R.S.

SIGNATURE: /s/ Richard F. Zier

DATE: 8/20/09