



**REGULAR MEETING
of the
BOARD OF DIRECTORS**

MINUTES

Thursday, 9:00 a.m.

December 17, 2009

Called to order at 9:02 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. Scott Taylor 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. Scott Taylor, Vice-Chairman
Mr. Stephen Pink, Treasurer
Mr. Gordon Woelfle
Mr. Dennis Gatlin

Staff Present: Mr. Fred Walker, Secretary, General Manager
Ms. Pat Mathena, Assistant Manager and Controller
Mr. Randy Siddens, District Engineer, 9:02 am - 12:16 pm

Public Present: Mr. Rick Zier, District legal counsel, 9:02 am - 1:30 pm
Mr. Warren Mesloh, TEC, 9:02 am - 10:39 am
Mr. Harry Poehlmann, Poehlmann Construction Co., 9:02 am - 9:34 am

Director Absent: Mr. Les Gelvin, Chairman

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

2. Mr. Gatlin moved to amend the agenda to reflect a report to be presented by Mr. Mesloh regarding the Timnath Reservoir Lift Station prior to the action items. Motion seconded. Motion approved unanimously [4-0-0].

3. Public comment: Mr. Poehlmann is the builder of the home at 3271 Boundless Lane, within Wildwing subdivision. He spoke on behalf of his client requesting consideration from the board that would a) allow the house fixtures to be water tested (~500 gallons of water, and b) allow his client to discharge to the Timnath Reservoir Lift Station, which he knows has not yet received preliminary acceptance.

Mr. Poehlmann left the meeting.

4. Mr. Gatlin moved to approve the minutes of the November 19, 2009 regular meeting as presented. Motion seconded. Minutes approved unanimously [4-0-0].
5. Mr. Mesloh gave a presentation regarding an inspection he had made of the Timnath Reservoir Lift Station on December 16, 2009. Mr. Mesloh answered many questions and there was lengthy discussion of the topic by the board, staff and legal counsel.

Messrs. Mesloh and Siddens left the meeting.

6. Mr. Pink moved to adopt revisions and additions to the District Rules and Regulations as follows:
 - a) Add Section 102: Implied License; the text to read as follows:

102: IMPLIED LICENSE
Receipt of sanitary sewer service from the District shall in all cases imply the grant of a license to the District to ensure compliance with these Rules and Regulations (including but not limited to inspection of any service lateral, installation of a sewer shut-off valve, and disconnection and connection of sanitary sewer service for the subject property); reasonable access over and across each subject property shall also be implied for such purposes. The license so implied is necessary for the District to protect its sanitary sewer system, including all treatment plants, and otherwise to protect the public health and safety.
 - b) Adopt the definitions shown below of 'Sewer Shut-off Valve' and 'Disconnect Valve' into Section 2:

SEWER SHUT-OFF VALVE, also sometimes referred to as a DISCONNECT VALVE, shall mean a device installed in the service lateral serving a property and typically located on that property, parcel or unit that enables the District to shut off sanitary sewer service to the property.

DISCONNECT VALVE, also sometimes referred to as a SEWER SHUT-OFF VALVE, shall mean a device installed in the service lateral serving a property and typically located on that property, parcel or unit that enables the District to shut off sanitary sewer service to the property.
 - c) Modify the title of Part 3 to *MANAGER*.
 - d) Add new Section title 303: Delegation of Authority.
 - e) Add Section 303. *DELEGATION OF AUTHORITY: The Manager is empowered to delegate to other District employees such of the Manager's duties or tasks as the Manager in his discretion deems appropriate in the interest of the District.*
 - f) Add new Section title 517: Installation of Sewer Shut-off Valve.
 - g) Add Section 517: *INSTALLATION OF SEWER SHUT-OFF VALVE: All buildings and individual units within buildings with separate control of a discharge point are required to have a sewer shut-off valve. This valve must be installed in compliance with the District's Collection System Standards and Specifications and other applicable Rules and Regulations of the District.*
 - h) Modify the title of Section 613 to be *SEWER SHUT-OFF VALVE*
 - i) Adopt revisions and additions to Section 613. The Section 613 text is to read as follows:

613: SEWER SHUT-OFF VALVE: In addition to other available remedies, the District may enforce its collection policies by terminating service after proper notice and an opportunity for the user to have a formal hearing.

In the event a property, parcel, or unit that is the subject of enforcement action by the District under its collection policies does not have a sewer shut-off valve on its service lateral, the District may: (a) require the owner to install at the owner's expense a sewer shut-off valve on the service lateral in conformance with District Standards and Specifications; or (b) install a sewer shut-off valve on the sewer lateral in conformance with District Standards and Specifications, the cost of which shall be charged to the property. Receipt of sanitary sewer service from the District shall in all cases imply the grant of a license to the District to inspect the service lateral, to install a sewer shut-off valve, and to disconnect and connect sanitary sewer service for the subject property; reasonable access over and across each subject property shall also be implied.

Motion seconded. Motion passed [3-1-0].

7. Mr. Pink moved to authorize the Chairman of the Board to enter into the presented Intergovernmental Agreement with South Fort Collins Sanitation District upon acceptability of completed Exhibit A and with specified changes (Chairman of the Boards to sign and word change) to the document. Motion seconded. Motion passed unanimously [4-0-0].

8. Mr. Gatlin moved to adopt the definitions of base monthly charge and facility charge into the District Rules and Regulations, to be effective January 1, 2010; the definitions are presented here:

BASE MONTHLY CHARGE, also referred to as 'Facility Charge', shall mean the minimum monthly charge for the treatment of wastewater flows.

FACILITY CHARGE, also referred to as 'Base Monthly Charge', shall mean the minimum monthly charge for the treatment of wastewater flows.

Motion seconded. Motion passed unanimously [4-0-0].

9. Mr. Pink moved to a) reaffirm the 2010 calendar year holidays and board meeting dates; b) set the start time of each board meeting at 9:00 am for all meetings except 18 March 2010, 17 June 2009 and 18 November 2009, the start time for the March 18, June 17 and November 18 dates is to be 5:00 pm; and c) adopt the 2011 calendar year holidays and board meeting dates; the calendar year holidays and board meeting dates for 2010 and 2011 are presented here:

2010 Calendar

Date	Description
Jan 1	Holiday -- New Year's Day
1	Deadline to file accurate map with assessor & Division of Local Government
15	Deadline to file district contact with Division & County
21	Board Meeting
30	Certified copy of adopted Budget to be filed with Division of Local Government
Feb 1	Deadline to file contracts listing with Division of Local Government
15	Holiday - President's Day
18	Board Meeting
Mar 18	Board Meeting
31	Deadline for qualifying entities to request exemption from audit from the State Auditor.
Apr 15	Board Meeting
May 20	Board Meeting
31	Holiday - Memorial Day
Jun 17	Board Meeting
30	Deadline for audit report to be presented to BSD board.
Jul 5	Holiday - Independence Day
15	Board Meeting
30	Deadline for annual audit to be filed at DLG
Aug 19	Board Meeting
Sep 6	Holiday - Labor Day
16	Board Meeting
Oct 15	Budget Officer must submit proposed budget to the governing board.
15	Governing board must publish "Notice of Budget" upon receiving proposed budget
21	Board Meeting
Nov 11	Holiday - Veteran's Day
18	Board Meeting
25 & 26	Holiday - Thanksgiving
Dec 15	Deadline for certification of mill levy to the Board of County Commissioners
16	Board Meeting
24 & 27	Holiday - Christmas
31	Local government not levying property tax must adopt the budget on or before this date.
31	Holiday - New Year's Eve Day
Floating	1/2 day holiday - date dependent on employee request & management approval

2011 Calendar

Date	Description
Jan 1	Holiday -- New Year's Day
1	Deadline to file accurate map with assessor & Division of Local Government
15	Deadline to file district contact with Division & County
20	<i>Board Meeting</i>
31	Certified copy of adopted Budget to be filed with Division of Local Government
Feb 1	Deadline to file contracts listing with Division of Local Government
17	<i>Board Meeting</i>
21	Holiday - President's Day
Mar 17	<i>Board Meeting</i>
31	Deadline for qualifying entities to request exemption from audit from the State Auditor.
Apr 21	<i>Board Meeting</i>
May 19	<i>Board Meeting</i>
30	Holiday - Memorial Day
Jun 16	<i>Board Meeting</i>
30	Deadline for audit report to be presented to BSD board.
Jul 4	Holiday - Independence Day
21	<i>Board Meeting</i>
29	Deadline for annual audit to be filed at DLG
Aug 18	<i>Board Meeting</i>
Sep 5	Holiday - Labor Day
15	<i>Board Meeting</i>
Oct 15	Budget Officer must submit proposed budget to the governing board.
15	Governing board must publish "Notice of Budget" upon receiving proposed budget
20	<i>Board Meeting</i>
Nov 11	Holiday - Veteran's Day
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24 & 25	Holiday - Thanksgiving
Dec 15	Deadline for certification of mill levy to the Board of County Commissioners
15	<i>Board Meeting</i>
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30	Holiday - New Year's Eve Day
Floating	1/2 day holiday - date dependent on employee request & management approval

Motion seconded. Motion passed unanimously [4-0-0].

Mr. Zier left the meeting.

10. 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 November 30, 2009;
\$3,366,431.50 Ending Cash, October 31, 2009
212,547.33 November Receipts
-102,108.87 November Cash Disbursements
\$3,476,869.96 Ending Cash, November 30, 2009
- Details of revenues, including components of cash received monthly, monthly sewer billings and # of sewer accounts, current monthly charges – comparison by user class, fee revenues, delinquent billings and delinquency statistics 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 November 30, 2009.
- Unaudited draft financial statements for the ten months ended October 31, 2009 were presented at the meeting. Total net assets (graph), total current assets (graph), and financial ratios were presented.

11. Operations: Information on the treatment plant, industrial pretreatment program, wastewater collection system, and administration operations for November 2009 was presented.

12. Information Transfer

- Draft January 2010 newsletter for review
- EPA Pretreatment Audit Overview
- District project update
- Development information not presented

13. New Business: None

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

Meeting adjourned at 2:03 pm.

These minutes were approved on the 21st day of January, 2010 by an action of the Board of Directors.

/s/ Les Gelvin
Les Gelvin, Chairman of the Board

/s/ Fred E. Walker
Fred E. Walker, Secretary