



**REGULAR MEETING  
of the  
BOARD OF DIRECTORS**

**MINUTES**

Thursday 9:00 a.m.

January 21, 2016

Called to order at 9:03 a.m.

The meeting of the Boxelder Sanitation District Board of Directors was held at the Boxelder Sanitation District administration office located at 3201 E. Mulberry St., Unit Q, Fort Collins, CO 80524. Mr. Dennis Gatlin acting as the Chair, with Ms. Karen Reynolds, acting as the 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. Dennis Gatlin, Chair

Mr. Ray Piira, Treasurer

Mr. Andy Chismar

Mr. Bob Dietrick, as of appointment

Staff Present: Ms. Karen Reynolds, General Manager and Secretary to the Board

Ms. Sue Lowe, Administrative Coordinator, out 9:20 – 9:29 and 10:40 – 11:41

District Counsel: Mr. Rick Zier

Public: Mr. Bob Dietrick, potential director candidate

Roll was called and it was determined that a quorum was present. The pledge of allegiance was said.

2. Mr. Piira moved to amend the agenda to include discussion of special recognition of Director Gordon Woelfle who passed away December 17, 2015. Motion seconded. Motion approved [3-0].
3. Mr. Chismar moved to accept the agenda as amended. Motion seconded. Motion approved [3-0]
4. Mr. Robert Dietrick was introduced as a potential director appointee. Discussion was held about service to the District as a board member.
5. Motion was made to go into executive session under C.R.S section 24-6-402 (4)(b) to receive legal advice on specific legal questions, and §24-6-402 (4)(f), personnel at 9:20 a.m. Motion seconded and passed unanimously [3-0]. Ms. Lowe left the meeting. Executive session ended at 9:29 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.

6. Mr. Chismar moved to appoint Robert W. Dietrick to fill a vacant position on the Board of Directors. Motion seconded. Motion passed unanimously [3-0].
7. Chair Gatlin administered the Oath of Office to Mr. Dietrick.
8. Mr. Chismar moved to approve the minutes of the December 17, 2015 Regular Meeting as presented. Motion seconded. Minutes approved with Mr. Dietrick abstaining [3-0-1].
9. Mr. Chismar moved to designate the following notice posting sites for the meeting schedule and notice changes: ELCO Office, Sandy's Convenience Store, Poudre Valley Cooperative Assoc., Inc., Larimer County Clerk and Recorder, and Boxelder Sanitation District Office, all in Fort Collins, CO; and Weld County Clerk and Recorder Office in Greeley, CO. Motion seconded. Motion passed [4-0].
10. Mr. Piira moved to adopt Resolution 2016-01-21-01 designating Karen Reynolds the Designated Election Official for the Special District election May 3, 2016, and instructing the DEO to cancel the election if there are not more candidates than offices to be filled. Motion seconded. Motion approved [4-0].
11. Mr. Chismar moved to adopt Resolution 2016-01-21-02 approving a "Polling Place Election" and naming the Boxelder Sanitation District administration office as the polling place. Motion seconded. Motion approved [4-0].
12. Presented to the board were the unaudited financial statements for the eleven months ended November 30, 2015 and information on the District's financial status.
  - Cash and Cash Equivalents as of Nov. 30, 2015:  
\$9,019,172.68 Ending Cash, November 30, 2015  
537,109.59 December Receipts  
-403,947.68 December Cash Disbursements  
\$9,152,334.59 Ending Cash, December 31, 2015
13. Operation updates were provided.

Meeting recessed 10:30 – 10:39 a.m.
14. Mr. Piira moved to go into executive session under C.R.S section 24-6-402 (4)(b) to receive legal advice on specific legal questions, and §24-6-402 (4)(f), personnel at 10:40 a.m. Motion seconded and passed unanimously [4-0]. Ms. Lowe left the meeting. Executive session ended at 11:15 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.
15. Mr. Piira moved to authorize District Counsel Rick Zier to negotiate the settlement, being a cash offer as advanced by the board at the conclusion of the January 6, 2016 mediation session. Motion seconded. Motion approved [4-0].
16. Mr. Piira moved to go into executive session under C.R.S §24-6-402 (4)(f), personnel matters at 11:23 a.m. Motion seconded and passed unanimously [4-0]. Executive session ended at 11:39 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.

Ms. Lowe rejoined the meeting.

17. Mr. Piira moved to authorize the board Chair to meet with the General Manager for contract and salary discussion. Motion seconded. Motion approved unanimously [4-0].
18. Board directed staff to draft a Resolution of Appreciation commemorating Director Gordon Woelfle's contributions to the District.
19. Mr. Chismar moved to adjourn the meeting. Motion seconded. Motion approved [4-0].

Meeting adjourned at 12:02 p.m.

These minutes were approved on the 18<sup>th</sup> day of February 2016, by an action of the Board of Directors.

/s/ Dennis Gatlin  
Chair of the Board

/s/ Karen Reynolds  
Secretary of the Board

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

No record of the executive session (including electronic recording or otherwise) held on January 21, 2016 at 9:20 a.m. 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.; and/or §24-6-402(4)(e) C.R.S. discussion of negotiations, developing strategy for negotiations, and instructing negotiators, and/or §24-6-402(4)(f) C.R.S., personnel.

SIGNATURE: /s/ Richard F. Zier

DATE: 1/21/16

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

No record of the executive session (including electronic recording or otherwise) held on January 21, 2016 at 10:40 a.m. 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.; and/or §24-6-402(4)(e) C.R.S. discussion of negotiations, developing strategy for negotiations, and instructing negotiators, and/or §24-6-402(4)(f) C.R.S., personnel.

SIGNATURE: /s/ Richard F. Zier

DATE: 1/21/16

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

No record of the executive session (including electronic recording or otherwise) held on January 21, 2016 at 11:23 a.m. 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 §24-6-402(4)(f) C.R.S., personnel matters.

SIGNATURE: /s/ Richard F. Zier

DATE: 1/21/16