

**REGULAR MEETING
of the
BOARD OF DIRECTORS**

MINUTES

Thursday 9:00 a.m.

August 17, 2017

Called to order at 9:01 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, 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. Andy Chismar, Vice Chair
Mr. Ray Piira, Treasurer
Mr. Bob Deitrick
Mr. John Giuliano

Staff Present: Ms. Karen Reynolds, District Manager and Secretary to the Board
Ms. Sue Lowe, Admin. Coordinator
Ms. Teri Jesser, Operations Admin.
Mr. Noah Allison, Operations Mgr
Mr. Dave Lewis, Chief ORC
Ms. Devon McCarty, Finance Mgr

District Counsel: Mr. Rick Zier

Public Present: 2 District customers

2. The pledge of allegiance was said. Roll was called and it was determined that a quorum was present.
3. Mr. Chismar moved to approve the agenda as amended to include discussion of future board work sessions and meetings. Motion seconded. Motion approved [5-0].
4. Mr. Piira moved to approve the minutes of the July 18, 2017 special board meeting. Motion seconded. Motion approved [5-0].
5. Ms. Reynolds presented the financial information and management report. Discussion was held about an upcoming meeting with the City of Fort Collins concerning easements and access in high density residential areas.
6. New District finance manager, Devon McCarty, was introduced.

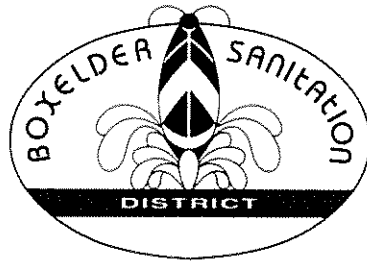
7. Mr. Chismar moved to adopt Resolution 2017-08-17, "Resolution of the Board of Directors of Boxelder Sanitation District Providing Overlapping District Consent".
8. Ms. Reynolds reported on the State Revolving Fund informational meetings.
9. The board scheduled a work session for Friday, September 8, 2017 at 9:00 am and rescheduled the regular board meeting on September 21, 2017, to begin at 5:30 pm.
10. Comparison information was presented about Plant Investment Fees for area districts and municipalities.
11. Mr. Deitrick moved to adjourn the meeting following lunch. Motion seconded. Motion approved [5-0].

Meeting adjourned at 1:00 p.m.

These minutes were approved on the 21st day of September 2017, by an action of the Board of Directors.

/s/ Dennis Gatlin
Chair of the Board

/s/ Karen Reynolds
Secretary of the Board



RESOLUTION 2017-08-17

RESOLUTION OF THE BOARD OF DIRECTORS OF BOXELDER SANITATION DISTRICT PROVIDING OVERLAPPING DISTRICT CONSENT

WHEREAS, Section 32-1-1 07(2), C.R.S., provides that no special district may be organized wholly or partly within an existing special district providing the same service; and

WHEREAS, Section 32-1-1 07(3)(b)(IV), C.R.S., provides that an overlapping special district may be authorized to provide that same service as the existing special district if, among other requirements, the board of directors of the special district consents to the overlapping special district providing the same service; and

WHEREAS, upon the organization of the proposed Mulberry Frontage Metropolitan District (the "New District") in Larimer County, Colorado, the boundaries of the New District and of Boxelder Sanitation District ("Boxelder") will overlap (the "Overlap Area"); and

WHEREAS, a proposed service plan for the New District ("Service Plan") has been submitted to the Board of Commissioners of Larimer County for review and approval; and

WHEREAS, Boxelder currently provides wastewater treatment and sanitary sewer services within the Overlap Area; and

WHEREAS, the New District proposes to finance and construct, in addition to other improvements, wastewater treatment and sanitary sewer service improvements (the "Public Improvements") benefiting property in the Overlap Area; and

WHEREAS, Boxelder consents to the New District financing and constructing the Public Improvements within Boxelder's service area; however, the New District will not be permitted to own, operate and maintain the Public Improvements within the Overlap Area, without a separate agreement with Boxelder; and

WHEREAS, Boxelder desires to consent to the New District being organized and providing the Public Improvements, subject to the conditions set for in this Resolution and the final, approved Service Plan; and

WHEREAS, it is believed the Public Improvements will not duplicate or interfere with any other improvements or facilities already constructed or now planned to be constructed by Boxelder.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF BOXELDER THAT:

Pursuant to Section 32-1-107(3)(b)(IV), C.R.S., Boxelder hereby consents to the organization of the New District and to the New District possessing authority to serve the property, residents and taxpayers within the proposed boundaries of the New District, including the financing and construction of Public Improvements, subject to the follow conditions:

1. Except by specific agreement with Boxelder, the New District shall not own, operate, or maintain any wastewater treatment or sanitary sewer improvements within the Overlap Area.
2. If the Public Improvements, or any portion of them, are to be transferred to Boxelder, the same must be constructed in conformance with Boxelder's standards and specifications and be transferred to Boxelder in accordance with Boxelder's policies and rules, including without limitation those concerning preliminary and final acceptance, and warranty.
3. If the Public Improvements are connected to Boxelder's sanitary sewer system, the New District shall comply with all federal, state and local laws, rules and regulations pertaining to pretreatment as may be applicable to the New District and such improvements, including those of the District.

Passed and adopted the 17th day of August, 2017

BOXELDER SANITATION DISTRICT

By: _____
President, Board of Directors

ATTEST:

Secretary to the Board