

**Fountain Creek Watershed, Flood Control and Greenway District
BOARD OF DIRECTORS
MINUTES**

May 21, 2010

The meeting was held at:
Fountain City Hall, 116 S. Main Street, Fountain, CO 80817

1. CALL TO ORDER AND ESTABLISHMENT OF A QUORUM:

City of Colorado Springs Vice Mayor Larry Small called the meeting to order at 1:03 p.m.

In attendance were the following duly designated members of the Board of Directors of the District:

<u>Name</u>	<u>Appointing Authority</u>
Larry Small	City of Colorado Springs
Dennis Hisey	El Paso County
Larry Atencio	City of Pueblo
Gabriel Ortega	City of Fountain
Max Stafford	EPC Small Municipalities
Jane Rhodes	Fountain Creek Land Owner
Richard Skorman	Citizens Advisory Group
<u>Excused</u>	
Leroy Mauch	Lower Arkansas Water Conservancy District
Jeff Chostner	Pueblo County

A quorum was noted. Also present were Dan Kogovsek and Cole Emmons, Legal Counsel, and Gary Barber, Interim Executive Director.

2. APPROVE MINUTES OF PRIOR BOARD MEETING

Upon motion duly made, seconded, and unanimously carried, the minutes of the Board meeting of April 23, 2010 were approved.

3. PUBLIC COMMENT – none

4. DIRECTOR COMMENTS - none

6. REGULAR REPORTS:

6A. Technical Advisory Committee – Dennis Maroney

Dennis discussed proposed changes that the Colorado Water Conservation Board is planning to make to Floodplain Regulations. The CWCB has scheduled a workshop regarding Rule changes to be held in Pueblo, Colorado on June 17th, from 10:00 am to 2:00 pm, location to be announced on the CWCB website.

Proposed changes include the definition of “critical facilities” and changing to a 500-year floodplain. Critical facilities include police and fire stations, hospitals and nursing homes.

Existing facilities will be exempted. New facilities or extensive renovations to existing facilities will be included.

The second item is that FEMA has done its own hydrology on the creek. They used Michael Baker to do a gage analysis from existing historical records. They've developed flows that are substantially different from the Corp of Engineers and URS determinations. FEMA has come up with reduced flows, particularly at the junction of Fountain and Monument Creeks – a reduction of 60% in that location. FEMA intends to map to these new flows. Some reductions of flow rates are as much as 82%. The floodplain will be greatly reduced.

The TAC recommended that Gary contact FEMA and Michael Baker and Associates and plan a work session to explain how they came up with their numbers. The CAG and the TAC would both like to participate. It would remove a lot of people from the mandatory flood insurance criteria. It would likely mean that a lot less people would carry flood insurance.

In Pueblo there are 68 years of records that went into the gage analysis done – in some areas there are only 19 years of history. The study was performed in late 2009.

6B. Citizens Advisory Group – Ferris Frost

The CAG echoes the recommendation of the TAC. At the next CAG meeting there will be a tour of the Confluence Park area. That will be on the 11th, from 12:30 to 2:00 pm.

A new Outreach Committee has been formed. They will be meeting on June 2nd, at 9:30 am. Discussion will be around how to reach out to the community. That meeting will be at Clear Springs Ranch.

6C. Financial Reports and Approval of Invoices – Gary Barber

Upon motion duly made, seconded, and unanimously carried, payment of the following invoices was approved:

Master Plan Fund	
THK	\$ 11,192.69
General Fund	
Garald Barber	\$ 5,000.00
Elise Bergsten	\$ 225.00
Elise Bergsten	\$ 86.18
Cameron Butcher Co.	\$ 288.64
Biggs Kofford	\$ 985.00
Total	\$ 6,584.82

Mr. Barber presented financial statements through April, 2010. Upon motion duly made, seconded, and unanimously carried, the financial report was approved.

6D. Legal Report – nothing additional

6E. Executive Director's Report – Gary Barber (see report)

Meetings/Conferences

Arkansas Basin Roundtable Public Progress Report

June 3, 2010 from 1:00 – 5:00 pm, in the Pikes Peak Room at Leon Young Service Center, 1521 Hancock Expressway, Colorado Springs, CO.

CFWE Watershed Tour, June 22nd

Gunnison Water Workshop July 21st

City of Fountain collaboration

There is a possibility of a cooperative project near the conjunction Fountain Creek and Jimmy Camp Creek. There is a Sears catalog home next to the creek that was constructed around the turn of the century. It includes approximately 20 acres. This would be a great location to integrate trails, historic preservation and conservation working with several different entities, such as City of Fountain, Colorado Open Lands, GOCO, and the Historic Preservation Alliance. Would like to create a greenway that reaches from the Frost Ranch all the way to Pinello Ranch.

General Topics

The District has revised the letter to the El Paso County Commissioners regarding Rainbow Falls, expressing our appreciation for their acquisition of the property and expressing our willingness to help move that along.

The Drainage Criteria Manual grant from CWCB for \$25,000 is back on line. The District will have from July 1, 2010 to June 30, 2011 in order to implement the grant. The CS Stormwater Enterprise was revising their Stormwater Manual to implement many of the recommendations from the Corp Study and the Fountain Creek Vision Task Force. This grant will allow for a public policy process to try to bring other governments in to the process and create a common methodology throughout the watershed.

SDS will give an update to TAC and CAG, and then come back to the Board with an update. They have their fish and wildlife plan developed.

Project Administration

Groundbreaking Event – have not been able to settle on a date yet.

Scoping of Flood Control Study – Organized an initial meeting with USGS to start putting together the scope of this study. USGS may be able to come up with some dollars to put up against the District funding for the Flood Control Study. Their National Science Center is in Denver. The plan is to shape this by September 2010, so they can budget for it in 4th Qtr 2010.

Banning Lewis Ranch – Gary met with John Cassiani, local manager of the Banning Lewis Ranch. 22,000 acres are slated to be developed, making the property the biggest potential change in impervious surface in the area.

Land Use

We've got a draft corridor map, in order to clearly identify parcels of land that lie in the District, for Land Use purposes.

7. OLD BUSINESS

7A. BYLAWS FOR THE DISTRICT – Gary Barber/Cole Emmons

Cole walked through the revisions with the board. A super majority will be required to approve the bylaws. Discussion ensued about whether the discussion should be continued until such a time that all board members are present. Discussion continued regarding "Rotation of Office", including the point of whether appointed directors should or should not be eligible to hold the office of Chair or Vice Chairperson.

Gary recommended that the issue be tabled.

The board discussed whether the meeting should be moved to a different day in June, or whether a special meeting should be called specifically for bylaws, and whether all board members should be present for this discussion and vote. Upon motion duly made, seconded, and

unanimously carried, approval of the bylaws was tabled. Gary will attempt to schedule a special meeting in order to discuss and pass bylaws.

7B. MEMORANDUM OF UNDERSTANDING FOR GRANT ADMINISTRATION

The MOU has now fully executed.

8. NEW BUSINESS

8A. CONTRACTING FOR GRANTS

We are working on contracts with our vendors – we have sole source contractors for the first grants that have come to the District.

9. OTHER BUSINESS

10. EXECUTIVE SESSION (if required)

11. CONFIRM NEXT MEETING TIME AND LOCATION

Upon motion made, duly seconded and unanimously carried, it was resolved that the next meeting of the District Board of Directors would take place at 1:00 p.m. on Friday, June 25, 2010, in Monument, CO.

12. ADJOURNMENT

The meeting adjourned at 2:22 p.m.

Larry Small, Secretary