

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

June 25, 2010

The meeting was held at:
Monument Town Hall, 645 Beacon Lite Road, Monument, CO 80132

1. CALL TO ORDER AND ESTABLISHMENT OF A QUORUM:

Pueblo County Commissioner Jeff Chostner called the meeting to order at 1:05 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>
Jeff Chostner	Pueblo County
Leroy Mauch	Lower Arkansas Water Conservancy District
Jane Rhodes	Fountain Creek Land Owner
Gabriel Ortega	City of Fountain
Larry Small	City of Colorado Springs
Dennis Hisey	El Paso County
Richard Skorman	Citizens Advisory Group
<u>Excused</u>	
Max Stafford	EPC Small Municipalities
Larry Atencio	City of Pueblo

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

2. APPROVAL OF AGENDA

Upon motion duly made, seconded, and unanimously carried, the agenda was approved.

3. APPROVE MINUTES OF PRIOR BOARD MEETING

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

4. PUBLIC COMMENT – none

5. DIRECTOR COMMENTS – none

Jane Rhodes, Gabe Ortega and Leroy Mauch commented on the tour of the Habitat-Based Restoration on Black Forest Creek at the US Air Force Academy. This project, within the Fountain Creek Watershed, addressed erosion, sedimentation, flooding and water quality issues along a stretch of Black Forest Creek.

Jeff Chostner thanked our hosts in Monument.

6. REGULAR REPORTS:

6A. Technical Advisory Committee – Dennis Maroney

Dennis spoke about the proposed changes in flood plain regulations. The TAC met with FEMA June 17th. They backed off, and will NOT require critical facilities to be outside the 500-year floodplain. Critical facilities include nursing homes, hospitals, power plants, police and fire departments. They will have stricter regulations within the 100-year floodplain.

The other update is that FEMA will come to the July 23rd meeting to make a presentation on the new flows that they’ve adopted for the watershed.

FEMA would like to hear specific questions ahead of time. Gary asked that the TAC come up with questions for the meeting.

Gary suggested that this presentation be incorporated into the body of the board meeting, that it be a joint meeting with the TAC and the CAG, and that the meeting be moved to Colorado Springs, to make it more convenient for all to attend.

The board should plan on the August 27th meeting being in Pueblo, before the State Fair. That afternoon will be the Legislative BBQ.

The TAC recommends two new appointees to the TAC: Dan Bare, from the City of Colorado Springs, replacing Ken Sampley, and Michael Augenstein with PPRBD, replacing Tim Condit.

Upon motion duly made, seconded, and unanimously carried, Dan Bare and Michael Augenstein were appointed to the TAC.

6B. Citizens Advisory Group – Ferris Frost

The CAG suggests that the Army Corps of Engineers be invited to attend the meeting with FEMA. Gary and board discussed this suggestion, and it was decided that the TAC invite the Corps to one of their meetings.

Regarding FEMA’s new flow figures, the public comment period will begin when they issue preliminary maps and then there will be 90 days to comment.

The CAG realizes that they need more education, in order to pass information to the community, so they are working on heading in that direction.

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	\$ 18,623.73
General Fund	
Garald Barber	\$ 5,000.00
Garald Barber	\$ 139.20
Elise Bergsten	\$ 225.00
Elise Bergsten	\$ 189.00
Cameron Butcher Co.	\$ 95.81
Total	\$ 5,649.01

Mr. Barber presented financial statements through May, 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)

Black Forest Creek Tour

Gary showed a PowerPoint of the creek restoration project showing before and after photos.

CFWE Watershed Tour – June 22nd, 2010

Around 25 people were in attendance. It was a very successful first tour. Attendees were teachers, and they received continuing education credit as a result. Gary suggested that the board retreat be held as a tour.

General Topics

RR Bridge in Pueblo (Floodway capacity) -

SDS includes a requirement (8. Sediment Control/Dredging and Clear Springs Ranch) that CS Utilities “will assist the City of Pueblo in preserving the flood protection of the Fountain Creek levees at or above the 100-year flood level.” There has been a lot of discussion around this subject - that dredging is a temporary solution, and that perhaps there is another method that would provide a more permanent solution. One of those solutions might be to take out a railroad bridge that is located near the confluence. This bridge creates a bottleneck situation in the river, and has been a flood source in the past.

Environmental issues include the slag ballast on either side of the bridge containing heavy metals. There is a question of who would incur the environmental cost of removing the bridge. This might more likely be a project between SDS and the City of Pueblo Urban Renewal Authority. At this time the railroad would like to sell the bridge for around \$275,000.

Operation 60ThirtyFive

Operation 6035 came from a study of that name, the aim of which was to chart a course for the future of economic development in the Pikes Peak region. One of the conclusions was that a shift to a regional, collaborative model is needed in order to be successful. The Fountain Creek Watershed District is unique in that it is a regional organization, already aimed at regional, collaborative solutions.

Project Administration

Scoping of Flood Control Study – should be complete by the first week of July. A reminder that we will be trying to bring our Flood Control Study dollars and match them with USGS dollars in order to get a more comprehensive study. This study will build on the Corps study, not duplicate it.

Master Planning

Work is being done to take the Master Plan, the COE Study and the findings of the Vision Task Force to get to a more detailed concept plan, identify priority areas and specific projects in the watershed. Will be putting together documents that tell the story of the master plan of the watershed. This information will result in the ability to take action and raise money for projects. This takes us from a planning to an execution document.

7. OLD BUSINESS

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

It was thought that approval should be made with all directors present, whether in person or by phone. A special meeting was scheduled for July 12th, at 11:00 am. The meeting will take place at Fountain City Hall, and members can attend in person or by phone.

7B. CONTRACTING FOR GRANTS – Professional Services Agreement for Approval
Mr. Cole Emmons went over proposed contracts for THK, Inc. and Matrix Design Group, Inc. in some detail. Discussion ensued regarding items regarding District control and liability.

Upon motion duly made, seconded, and unanimously carried, both contracts were approved, subject to minor revisions, said revisions subject to approval by the chairperson.

7C. TASK ORDER APPROVALS

The task order approach mirrors the MOU. Task Order 2010#1 THK is for Fountain Creek Demonstration Projects. Task Order 2010#1 MATRIX is for Stormwater Design Criteria Public Policy Workshops.

There was board consensus that this item be continued to July 12th.

8. NEW BUSINESS

8A. FEMA Floodplain revision briefing at July 23rd meeting – discussed previously

8B. Funding the District - discussion

There is funding through 2011. As we begin to build a 2011 budget, should we ask involved entities to commit some funds in for 2011? It will be critical for 2012 funding to self-fund the administration of the District. The District is required to provide a budget for public inspection by October 15th, 2010. Discussion ensued.

9. OTHER BUSINESS

There was a discussion about the potential ballot measure, and about a board retreat regarding that subject.

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, July 23rd 2010, in City Council Chambers, Colorado Springs, CO.

12. ADJOURNMENT

The meeting adjourned at 3:12 p.m.

Larry Small, Secretary