

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

December 16, 2011

The meeting was held at:

Pueblo County Building, Commissioners Meeting Room, 215 West 10th Street
Pueblo, CO 81003

1. CALL TO ORDER AND ESTABLISHMENT OF A QUORUM

Chairman Hisey called the meeting to order at 1:00 pm. In attendance were the following duly designated members of the Board of Directors of the District:

Name

Dennis Hisey	El Paso County
Jeff Chostner	Pueblo County
Larry Atencio	City of Pueblo
Max Stafford	EPC Small Municipalities
Richard Skorman	CAG Liaison
Jane Rhodes	Fountain Creek Land Owner
Brandy Williams	City of Colorado Springs

Excused:

Gabe Ortega	City of Fountain
Leroy Mauch	Lower Arkansas

A quorum was noted. Also present were Cole Emmons, Legal Counsel and Larry Small, Executive Director.

Chair Hisey welcomed Council person Brandy Williams to the Board as the Colorado Springs representative and stated that Marcy Morrision from Manitou Springs had been appointed as the Alternate Board Member for Small Municipalities.

2. APPROVAL OF THE AGENDA

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

3. APPROVE MINUTES OF PRIOR BOARD MEETING

Director Rhodes requested that the minutes be amended to include her comments made at the October 28, 2011 meeting concerning the need to pay more attention to the areas of Fountain Creek that lie outside towns and cities. Director Chostner moved to approve the minutes with that amendment.

Upon motion duly made, seconded, and unanimously carried, the minutes of the board meeting of October 28, 2011 as amended, were approved.

4. PUBLIC COMMENT - None

5. REGULAR REPORTS

5.A. TAC UPDATE – Dennis Maroney

Mr. Maroney reported that the TAC met December 7, 2011.

He stated that the TAC, with the Board's consent has undertaken a review of water rights related to flood control measures. He reported that the first forum held on the subject on November 2, 2011 was well attended by concerned parties throughout the District as well as the lower Arkansas Valley. Panel discussions revealed a number of issues that need to be considered and laid a good foundation for the TAC to continue deliberations on the subject.

Director Chostner asked about the demolition of the old railroad bridge over Fountain Creek in Pueblo and if any action was being considered to remove the columns from the creek bed. Mr. Maroney responded that he had no information on that and would look into it.

Mr. Maroney reported that the next TAC meeting would be Wednesday, January 4, 2012 at 1:00 pm in Fountain City Hall.

5.B. CAG UPDATE – Terry Hart

Mr. Hart reported that the CAG met December 9, 2011. He reported that the CAG focused on reviewing 2011 activities and what activities should be undertaken in 2012. He stated that the CAG was also impressed with the Forum on Flood Control and thought a number of good issues were raised. He stated that the CAG was considering a Friends Forum next year to bring together people and organizations concerned about the watershed. He said the CAG was still working on meeting locations for 2012 in accordance with their desire to spread the summer meetings around the district.

Mr. Hart reported that the CAG had discussed the contemplated Fracking operations in El Paso County and their potential impact on stream water quality. El Paso County and the City of Colorado Springs had created task forces to look at County and City regulations. Director Chostner asked that the Board be kept informed on any meetings on this subject so Board members could attend.

Mr. Hart reported that the CAG membership was down and they would be looking for candidates to fill the vacancies. He reported that eleven members had requested to be reappointed in 2012. The CAG is authorized fifteen members. He reported that the CAG felt it might like to extend a membership to the Air Force Academy. Director Chostner stated that there had been a lot of thought put into the makeup of the CAG and was not sure it would be wise to make changes. He stated that the legislation and IGA would have to be reviewed before any changes could be considered.

Carol Baker stated that the Outreach Subcommittee held its Friends Forum on November 29, 2011. Over forty-five people representing both local and state agencies attended. There was a good discussion on funding sources for District projects and the need for matching funds. Ms. Baker commented on Water 2012, an effort to inform citizens about water issues across the state, and encourage everyone to visit its web site to see what events were planned. Ms. Baker stated that the Outreach Subcommittee was formulating an Adopt a Creek Program to roll out next summer.

The next meeting of the CAG will be 9:30 am, January 13, 2012 at the Fountain City Hall.

5.C. FINANCIALS AND APPROVAL OF INVOICES

Larry Small presented the Fountain Creek District Balance Sheet as of November 30, 2011. The District has total assets of \$618,855.74 and total liabilities of \$98,845.95. Profit and Loss Budget vs. Actual report for the period January thru August 2011 indicated total revenues were \$403,831 and total expenses were \$406,120 for a net positive income of \$71,655 resulting in a District total equity of \$520,009.79. The General Fund cash on hand as of November 30, 2011 was \$195,247.22 and the Restricted Fund cash on hand was \$320,773.48. The Flood Control Study 12-month CD value was \$102,835.04. The total cash on hand was \$618,855.74.

Invoices presented for payment were:

Master Plan Fund				
<u>Vendor</u>	<u>Date</u>	<u>Num</u>	<u>Amount</u>	<u>For</u>
THK Associates, Inc.	11/02/11	3455	\$12,949.70	Master Plan Completion
TOTAL - Master Plan Fund			\$12,949.70	
General Fund				
<u>Vendor</u>	<u>Date</u>	<u>Num</u>	<u>Amount</u>	<u>For</u>
Larry Small	08/23/11	12	\$300.00	Demo Project Management
	09/12/11	13	\$300.00	Demo Project Management
	11/30/11	19	\$4,400.00	Executive Director (Dec 2011 & Jan 2012)
		Total	\$5,000.00	
THK Associates, Inc.	08/17/11	3325-A	\$14,967.94	Sediment Collection Demo Project
	09/02/11	3364-A	\$13,714.17	Sediment Collection Demo Project
	11/02/11	3457-A	\$300.00	Sediment Collection Demo Project – SWSP Application Fee
		Total	\$28,982.11	
Colorado Structures, Inc	08/30/11	Pay Ap 4 (revised)	\$24,905.00	Sediment Collection Demo Project
(Paid 11/4/2011 Ck #323)	07/25/11	Pay Ap 3.1	\$23,644.84	Sediment Collection Demo Project
		Total	\$48,549.84	
CSU-Pueblo	08/26/11	11-21-0041	\$8,480.00	Testing of Demo Projects site samples
	09/15/11	11-21-0042	\$5,960.00	Testing of Demo Projects site samples
		Total	\$14,440.00	
Summit Economics	11/15/11	Aug 1 – Nov 15, 2011	\$12,487.50	Storm Water Study – 66.7% Complete
		Total	\$12,487.50	
Colorado Tribune	11/19/11		\$44.20	Notice of 2011-2012 Budget Public Hearing – Pueblo Co
		Total	\$44.20	
Shopper Press	11/30/11		37.44	Notice of 2011-2012 Budget Public Hearing – El Paso Co
		Total	\$37.44	
TOTAL - General Fund			\$109,541.09	

Upon motion duly made, seconded, and unanimously passed, payment of the invoices as presented was authorized.

5.D. LEGAL REPORT

On a question asked concerning the make-up of the CAG, Cole Emmons advised the Board that the CAG membership was established as Appendix C to the District Establishing IGA and was at the discretion of the Board. The CAG should make input to the Board on any changes it might desire to

the membership composition. Terry Hart responded that the CAG would look at the list and bring any recommendation back to the Board.

5.E. EXECUTIVE DIRECTOR'S REPORT

Larry Small reported that there were nine good articles in the papers relating to the District over the past two months and provided Board members a copy of the articles. He reported that he had participated in eleven meetings with groups and agencies in the District, presenting the District briefing and had discussions on working together to improve the watershed. He reported that the District was being well received and the mission of the District was deemed very important to the region.

Carol Baker reported on behalf of the IGA Steering Committee that the concept paper had been selected by GOCO as one of twenty submittals to move forward to present a Grant Application. Applications would be due March 16, 2012.

6. OLD BUSINESS

6.A ACCEPTANCE OF THE FOUNTAIN CREEK CORRIDOR RESTORATION MASTER PLAN

Executive Director Small advised the Board that no further public comments had been received on the Master Plan, that the THK contract effort was completed and the Master plan was on the website for future public reference and comment.

Upon motion duly made, seconded, and unanimously passed, the Fountain Creek Corridor Restoration Master Plan was accepted.

6.B AUTHORIZATION TO FUND GOCO GRANT APPLICATION PREPARATION AND ISSUE TASK ORDER TO THK FOR THE PREPARATION THEREOF

Executive Director Small stated that the GOCO Grant Application was due to GOCO on March 16, 2012 and in accordance with previous discussions he was requesting the Board authorize not to exceed \$25,000 to fund the preparation of the application, to be paid from the Master Plan restricted funds, since the application was for implementation of some projects identified in the Master Plan. He also asked permission to extend the Task Order Contract with THK and issue a task Order to THK under the contract to prepare the Grant Application.

Upon motion duly made, seconded, and unanimously passed, the authorization to extend the THK Contract and issue a Task Order for preparation of the GOCO Grant Application with funding not to exceed \$25,000, paid from the Master Plan restricted account, was approved

7.0 NEW BUSINESS

7.A. PUBLIC HEARING FOR 2011 AMMENDED BUDGET AND 2012 BUDGET

Chair Hisey declared the Public Hearing open. No Public comments were received. Chair Hisey declared the Public Hearing closed.

7.B CONSIDERATION AND APPROVAL OF RESOLUTION FOR 2011 AMMENDED BUDGET.

Executive Director Small presented the Amended 2011 Budget with no changes to the proposed Amended 2011 Budget released for public review.

Upon motion duly made by Director Skorman and seconded by Director Rhodes, Resolution 2011-01, Amended 2011 Budget was unanimously passed.

7.C CONSIDERATION AND APPROVAL OF RESOLUTION FOR 2012 BUDGET

Executive Director Small presented the 2012 Budget with no changes to the proposed 2012 Budget released for public review.

Upon motion duly made by Director Atencio and seconded by Director Rhodes, Resolution 2011-02, 2012 Budget was unanimously passed.

7.D APPOINTMENT OF KEITH CURTIS TO THE TECHNICAL ADVISORY COMMITTEE

Dennis Moroney stated that the TAC recommended appointment of Keith Curtis to the TAC representing the El Paso County Regional Building Department, replacing the previous Department representative, who had resigned. Mr. Curtis is the Flood Plane Administrator for the Department.

Upon motion duly made, seconded, and unanimously passed, Mr. Curtis was appointed to the TAC.

8. OTHER BUSINESS

8.A PRESENTATION BY ERIC CEFUS – FOUNTAIN CREEK WATERSHED TRUST AT PPCF.

Mr. Cefus was unable to attend the meeting so the agenda item was withdrawn.

9. EXECUTIVE SESSION – None was required.

10. CONFIRM NEXT MEETING TIME AND LOCATION

The next meeting will be held January 20, 2012 at 1:00 pm at the Fountain City Hall, second floor meeting room, Fountain, Colorado.

11. ADJOURNMENT

Upon motion duly made, seconded, and unanimously passed, the meeting was adjourned.