

**Fountain Creek Watershed, Flood Control and Greenway District  
BOARD OF DIRECTORS MEETING MINUTES  
October 26, 2012**

The meeting was held at: City of Fountain City Hall, 116 S. Main Street, 2<sup>nd</sup> Floor  
Fountain, CO 80817

**1. CALL TO ORDER AND ESTABLISHMENT OF A QUORUM**

Chair Chostner 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:**

Jeff Chostner	Pueblo County
Richard Skorman	CAG Liaison
Gabe Ortega	City of Fountain
Brandy Williams	City of Colorado Springs
Dennis Hisey	El Paso County
Jane Rhodes	Fountain Creek Land Owner
Leroy Mauch	Lower Arkansas
Eva Montoya	City of Pueblo

**Excused:**

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

**2. APPROVAL OF AGENDA**

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

**3. APPROVAL OF THE MINUTES OF SEPTEMBER 28, 2012 BOARD MEETING**

**Upon motion duly made, seconded, and unanimously carried, the minutes were approved.**

**4. PRESENTATION – None**

**5. BOARD MEMBER COMMENTS**

Director Williams stated that the City of Colorado Springs next Stormwater Task Force meeting would be at the Colorado Springs City Administration Building on November 29, 2012. The task Force will complete a validation of the drainage infrastructure needs of all participants by the end of December 2012. Chair Chostner stated that Pueblo County staff had attended the Stormwater Task Force meeting and that he would attend the next meeting.

Director Skorman stated the Ferris Frost had a slide presentation of stormwater impact to Fountain Creek and asked if the Board would like to see it at this time. The Chair suggested that the presentation be made as part of the CAG report later on the agenda.

**PUBLIC COMMENTS** - None

## **7. REGULAR REPORTS**

### **7. A TECHNICAL ADVISORY COMMITTEE REPORT**

Elaine Kleckner reported that the TAC met on October 3, 2012. She stated that the TAC reviewed the USGS Flood Control Study and that a meeting was scheduled on October 25, 2012 at 10:00 am at PPACG. She reported that the TAC continued deliberations on the Drainage Criteria Public Policy criteria and prioritized opportunities for the District implementation of the workshop recommendations. She reported that the TAC continued discussion on the Waldo Canyon fire impact on the Watershed and received a presentation from Dave Lethebridge on the activities of other Government agencies in the assessment and mitigation of damage. She reported that the TAC discussed Stormwater Management and looked at what the District's jurisdiction would be for Stormwater Management. She stated that this would require a legal assessment of the Districts role and powers.

The next TAC meeting is scheduled November 7, 2012 at 1:00 PM at Fountain City Hall.

### **7. B CITIZENS ADVISORY GROUP**

Richard Skorman reported that the CAG met October 12, 2012 at Fountain City Hall. The CAG discussed the Waldo Canyon Fire and issues associated with the fire affecting the watershed. The CAG also discussed stormwater issues and reviewed impact to property owners.

As part of the CAG report Ferris Frost presented a slide show depicting flooding and debris impacts associated with stormwater, as well as damage to property on Fountain Creek. Considerable discussion followed the slide presentation with the Board directing that a plan for 2013 Grants be developed that would include doing some erosion mitigation work on Fountain Creek. The Chair asked Mr. Small to schedule a meeting to discuss Grant opportunities.

The CAG continued discussion of the potential mil levy ballot measure.

The next CAG meeting will be November 9, 2012 at 9:00 am at the Fountain City Hall.

### **7. C FINANCIAL REPORT**

Larry Small presented the Fountain Creek District Balance Sheet as of September 30, 2012. The District has total assets of \$271,847.10 and total liabilities of \$5,000. Profit and Loss Budget vs. Actual report for the period January – September 2012 indicated total revenues were \$58,013.80 and total expenses were \$295,347.11 for a net negative income of \$237,333.31 resulting in a District total equity of \$266,847.10. The General Fund cash on hand as of September 30, 2012

was \$77,841 and the Restricted Fund cash on hand was \$269,350. The total cash on hand was \$346,831.

#### **7. D LEGAL REPORT - None**

#### **7. E EXECUTIVE DIRECTOR'S REPORT**

Larry Small reported that he met with the Chair and Co-Chair of the Stormwater Task Force Citizen's Committee to review the history of Stormwater in Colorado Springs and discuss the current issues. He reported that he met with Colorado Springs Utilities to discuss work being done by CSU in the Waldo Canyon Burn Area to determine if the work being done could qualify as matching activities for potential District grants. The work being done by CSU is not in the area of north fountain Creek. That work is being done by El Paso County. Discussions with El Paso County will need to be held on this subject. He reported that he had met with the owners of the Wedgewood Duck Farm and received their property appraisal. Review of the appraisals and assessment of an acquisition strategy will be done. He reported that he participated in the meeting between the TAC Flood Control Study subcommittee and USGS to evaluate progress on the Flood Control Study. He stated that after assessment, additional scenarios were determined to be beneficial to the study. USGS stated that they could include the additional scenarios within budget but might need more time to complete the study.

#### **8. 0 OLD BUSINESS (BOARD ACTION MAY BE REQUIRED REQUIRED)**

##### **8. A MIL LEVY DISCUSSION**

Larry Small presented a letter from Trust for Public Lands giving their support in developing a funding strategy for the District and assistance in preparing to take the strategy to the voters of the District. He stated the TPL could provide technical assistance at their expense but could provide no funding to assist with polling or any other activities necessary to present the ballot question to the voters. He stated that TPL would do an assessment by December and would meet with the Board early next year.

Cole Emmons presented draft ballot language based on the requirements of TABOR and the statute establishing the District. Mr. Emmons stated that further development of the question would be necessary as the strategy evolved.

Larry Small presented a spreadsheet detailing the revenues derived from mil levys ranging from 0.5 mil to 5 mils on half mil increments. It sheet also presented the taxes to a \$250,000 residential property and \$500,000 commercial property at each increment.

Chair Costner stated that he thought the information was useful but did not want to leave the impression that any decisions had been made as to the ballot language or mil levy that would be sought. More work needs to be done early next year to develop the language and mil levy that would be proposed to the voters.

#### **9. NEW BUSINESS (BOARD ACTION REQUIRED) - None**

**10. OTHER BUSINESS**

**10. A APPROVAL OF INVOICES**

The following invoices were presented for approval to pay.

<b>General Fund</b>				
<u>Vendor</u>	<u>Date</u>	<u>Num</u>	<u>Amount</u>	<u>For</u>
Larry Small				
	10/06/12	49	\$2,500.00	Executive Director
Logan and Associates, LLC				
	09/21/12		\$5,000.00	2011 Audit
<b>TOTAL - General Fund</b>			<b>\$7,500.00</b>	

**Upon motion duly made, seconded, and unanimously carried, the invoices were approved for payment as presented.**

**11. EXECUTIVE SESSION (IF REQUIRED) - None**

**12. CONFIRM NEXT MEETING TIME AND LOCATION**

The Board meeting scheduled for November 23,2012 is cancelled. The next Board meeting will be held December 14, 2012 at 1:00 pm at the Pueblo County Building, Commissioners Meeting Room, 215 West 10<sup>th</sup> Street, Pueblo, CO 81003.

**13. ADJOURN**

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