

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

February 24, 2012

The meeting was held at:

City of Colorado Springs City Hall, 107 North Nevada Ave, 3rd Floor
Colorado Springs, CO 80909

1. CALL TO ORDER AND ESTABLISHMENT OF A QUORUM

Chairman 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

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

Excused:

Melissa Esquibel	Lower Arkansas
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A quorum was noted. Also present were Cole Emmons and Dan Kogovsek, Legal Counsel and Larry Small, Executive Director

2. APPROVAL OF AGENDA

Chair Chostner recommended that there be a discussion of the activities necessary for a mil levy election and recommended the Agenda be amended to include such discussion as item 9.B.

Upon motion duly made, seconded, and unanimously carried, the agenda was approved with the addition of Item 9.B, Mil Levy Discussion.

3. APPROVAL OF THE MINUTES OF THE ANNUAL BOARD MEETING

Upon motion duly made, seconded, and unanimously carried, the Minutes of the January 2012 Annual Board meeting were approved.

4. APPROVAL OF THE MINUTES OF PRIOR BOARD MEETING

Upon motion duly made, seconded, and unanimously carried, the Minutes of the January 2012 Board meeting were approved.

5. PUBLIC COMMENT

There were no Public comments.

6. REGULAR REPORTS

6. A TECHNICAL ADVISORY COMMITTEE REPORT

Elaine Kleckner reported that the TAC met on February 1, 2012. Ms. Kleckner reported that the TAC received an update on the Flood Control Study objectives and progress at a meeting with USGS on February 17, 2012. The discussion focused on the work plan, the model and scenarios and refined the modeling activities to insure the outcomes matched the objectives.

Ms. Kleckner reported that the TAC held a meeting on February 21, 2011 with Matrix Engineering to restart the work on the CWCB Public Policy Grant activities in support of the drainage Criteria Manual. The Grant was extended one year to June 2012 to permit Colorado Springs to incorporate additional information in the manual before it is released to member governments for adoption. There will be further periodic meetings to be sure the activities lead to a successful regional meeting to roll out the manual.

Ms. Kleckner reported that the TAC received a briefing from John Chavez concerning future changes in the EPA policies and regulations for to reduce increases in storm water flows and improved water quality that will take effect as early as 2013.

Ms. Kleckner reported that the TAC is looking at other issues in support of the Board objectives, namely, the future mil levy, land use procedures and fees, and water rights and flood control.

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

6. B CITIZENS ADVISORY GROUP

Terry Hart reported that the CAG met February 10, 2012. He reported that the CAG discussed Oil and Gas fracking regulations and was monitoring, studying and learning about what has been done statewide and what is being proposed in Colorado Springs and El Paso County. He reported that members of the subcommittee had been attending Colorado Springs City Council and El Paso County Commissioner meetings on the subject to see how those entities are approaching the issue in conjunction with the recent Attorney General ruling. He reported that Dr. Bob Reynolds from the Denver Museum of Nature and Science had been invited to be a guest speaker at the next CAG meeting to speak on the practice and technology associated with fracking.

Mr. Hart reported that the CAG was formulating how it could help the District with the mil levy by educating the public on the activities of the District and its value to the watershed. That would be a regular agenda item for future CAG meetings.

Dr. Perry Cabot presented the Outreach Subcommittee report. He stated that the Arkansas River Basin Water Forum would be held in Leadville on April 25 and 26, 2012. He presented a video for the Colorado Water 2012 initiative and discussed how that initiative relates to the District activities to educate the public about water in Colorado and the need to preserve safe and healthy streams.

Dr. Cabot discussed the upcoming Adopt a Creek Program sponsored by the District that would kick off April 21, 2012 with a Fountain Creek cleanup at Clear Spring Ranch. He stated that the program was being patterned after the Colorado Springs program but would extend out to all creeks in the District. He said the objective was to have an event that would be highly visible to the public to raise awareness of the District and its benefit to the watershed.

Mr. Hart reported that the next CAG meeting would be March 9, 2012 at a place to be determined in Northern El Paso County to facilitate the guest speaker from Denver.

6. C FINANCIAL REPORT

Larry Small presented the Fountain Creek District Balance Sheet as of January 31, 2012. The District has total assets of \$517,550.40 and total liabilities of \$72,970. Profit and Loss Budget vs. Actual report for the period January 2012 indicated total revenues were \$179.99 and total expenses were \$86,030 for a net negative income of \$85,850.01 resulting in a District total equity of \$444,580.40. The General Fund cash on hand as of January 31, 2012 was \$116,956.16 and the Restricted Fund cash on hand was \$297,554.09. The Flood Control Study 12-month CD value was \$103,040. The total cash on hand was \$517,550.40.

6. D LEGAL REPORT

Cole Emmons stated that because of the fracking issue and the fact that the District uses County land use criteria as its land use criteria in the District's area of responsibility (flood plain of the Fountain Creek from the south city limits of Fountain to the north city limits of Pueblo), the District may need to consider its own criteria for fracking since the County is an arm of the State and may not be permitted to have its own criteria in this case. Mr. Emmons stated that this was just a heads up to the Board and he did not see this as a near term problem for the District.

After Board Discussion, the Board concluded that it would continue to monitor the issue and the CAG could continue to watch, learn and listen but take no position on behalf of the District.

6. E EXECUTIVE DIRECTOR'S REPORT

Larry Small reported that he had attended the Colorado Water 2012 event at the Imagination Celebration Space in Colorado Springs on January 26, 2012. He reported the event was well attended by young people from the region and will be a part of the Imagination Celebration educational program. Mr. Small attended the Colorado Springs Downtown Development Authority meeting on February 16, 2012 to review the DDA's plan for development of the Downtown waterways and trails. He reported that the DDA was interested in working with the District on future improvements to the waterways.

Mr. Small reported that he had received the revised Fish Marking Grant from the CWCB and the completion date had been extended to April 2012. The contract with USGS for this work has been amended to incorporate the new completion date.

Mr. Small reported that the funding for the USGS Flood Control Study was \$70,000 short and if more funding could not be found by September the scope of the contract would have to be reduced. An additional \$25,000 would be lost from USGS matching funds for the \$70,000 making the scope reduction a total of \$95,000.

Mr. Small reported that he, with members from the TAC, had met with Matrix Engineering to review the scope of work for the Drainage Criteria Public Policy Grant and that that effort was underway for a June 2012 completion.

Carol Baker reported that the GOCO Grant Application draft was submitted on February 24, 2012 and that the final application would be submitted on March 16, 2012. She reported that GOCO representatives would tour the application area on March 29, 2012 and that Board members would be invited to meet the representatives at stops along the tour. She reported that our application would be in the range of \$5.04 million.

7. OLD BUSINESS (BOARD ACTION REQUIRED)

7. A ELECTION OF BOARD TREASURER

Eva Montoya was nominated to serve as the Board Treasurer. There were no other nominations.

Upon motion duly made, seconded, and unanimously carried, nominations for Board Secretary were closed.

Upon motion duly made, seconded, and unanimously carried, Eva Montoya was elected Board Treasurer for the year 2012.

7. B APPOINTMENT OF CITIZENS ADVISORY GROUP MEMBERS

Terry Hart, Chair of the CAG, reported that the CAG recommended the appointments of Carol Baker, Mary Barber, Vance Clifton, Dieter Erdmann, Ferris Frost, Terry hart, Dan Hendrichs, Elaine Kleckner, Irene Kornelly, Tom Ready, Richard Skorman, Yvette Valdez-Trujillo, Ross Vincent and Jack Wallick.

Upon motion duly made, seconded, and unanimously carried, appointment of the CAG members for 2012 were approved as presented.

8. NEW BUSINESS (BOARD ACTION REQUIRED)

8. A RESOLUTION OF SUPPORT FOR THE GOCO RIVER CORRIDOR GRANT APPLICATION

Mr. Small read the resolution into the record. The Board discussed the resolution and the importance of the grant to the region. The Board thanked all the grant participants for their support to this coordinated effort and stated that this is an indication of what can be accomplished when communities thought regionally and worked together to accomplish common goals.

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

9. OTHER BUSINESS (BOARD ACTION REQUIRED)

9. A APPROVAL OF INVOICES

The following invoices were presented for approval to pay:

Master Plan Fund				
<u>Vendor</u>	<u>Date</u>	<u>Num</u>	<u>Amount</u>	<u>For</u>
THK Associates, Inc.				
	02/06/12	3615	\$7,622.26	GOCO Grant Application Preparation
TOTAL – Master Plan Fund			\$7,622.26	

Flood Control Study Fund				
<u>Vendor</u>	<u>Date</u>	<u>Num</u>	<u>Amount</u>	<u>For</u>
USGS				
	01/13/12	90069702	\$72,970.00	Flood Control Study
Total – Flood Control Study Fund			\$72,970.00	

General Fund				
<u>Vendor</u>	<u>Date</u>	<u>Num</u>	<u>Amount</u>	<u>For</u>
Larry Small				
	02/09/12	23	\$2,500.00	Executive Director
TOTAL - General Fund			\$2,500.00	

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

9. B BOARD DISCUSSION OF MIL LEVY ELECTION (ADDED ITEM)

Chair Costner stated that the Board should develop an action plan to conduct a Mil Levy Election in 2013. The discussion entailed what revenues would be required and how much of the authorized 5 mils should be sought. It was pointed out that the Storm water management Study would have a lot of information relative to needs. The Storm water management Study will be completed and briefed to the Board at the April Board meeting by Summit Economics. The Board decided to wait until after the study is briefed to the board to schedule further discussion. No Board actions were taken from this discussion.

10. EXECUTIVE SESSION (IF REQUIRED) - None

11. CONFIRM NEXT MEETING TIME AND LOCATION

The next Board Meeting will be held at the City of Fountain City Hall, second floor Council Chambers, 116 S. Main Street, Fountain, CO 80817 at 1:00 PM on March 23, 2012

12. ADJOURN

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