

**Fountain Creek Watershed, Flood Control and Greenway District
BOARD OF DIRECTORS MEETING MINUTES
June 22, 2012**

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

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:

Jeff Chostner	Pueblo County
Eva Montoya	City of Pueblo
Richard Skorman	CAG Liaison
Gabe Ortega	City of Fountain
Brandy Williams	City of Colorado Springs

Excused:

Jane Rhodes	Fountain Creek Land Owner
Melissa Esquibel	Lower Arkansas
Dennis Hisey	El Paso County
Vacant	EPC Small Municipalities

A quorum was noted. Also present were Cole Emmons and Dan Kogovsek, 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 PRIOR BOARD MEETING

Upon motion duly made, seconded, and unanimously carried, the Minutes of the May 18, 2012 Board meeting were approved.

4. GREAT OUTDOORS COLORADO COMMENTS

Scott Hobson introduced Lise Aangeenbrug, Executive Director, Great Outdoors Colorado. Ms. Aangeenbrug stated that she was happy to advise the Board that our Regional Grant application had been approved by the GOCO Board for funding in the amount of \$2.5 million. She stated the reduction in Grant funding was a result of GOCO deciding to not fund the trails component and deferring them to the September Grant cycle because of a reduction in overall funding. She stated that the district sponsored Grant was a model of regional collaboration that should be used as a model for future Grant applications statewide.

All Board members present thanked GOCO for their support and recognition that the regional cooperation that has been created by the District is reaping benefits for all the citizens of the region, consistent with the founding mission of the District.

5. BOARD MEMBER COMMENTS

Board member Montoya expressed thanks and appreciation to GOCO for the Grant which will provide a tremendous benefit to Pueblo and the east Side neighborhood.

Board member Williams asked if the District has any future Grants identified. Larry Small responded that there would be another grant cycle opening in September and that a group would meet in the near future to lay plans for pursuing those grants.

Chair Chostner expressed that other grants for property acquisition along Fountain Creek were in preliminary discussions.

6. PUBLIC COMMENTS

Chris Woodka asked if the District had been following the two statewide initiatives, 3 and 45, that were being petitioned to the ballot that would make all streams including floodways of the streams public property open to public access. He believed that if these passed they could interfere with or conflict with the District's jurisdiction over the Fountain Creek floodplain as defined in the establishing legislation.

The Board and Executive Director as well as legal counsels stated they had no knowledge of these initiatives.

Chair Chostner stated he was aware of National activities in this area to expand the waterways under Corp of Engineers jurisdiction but not anything at the State level. Chair Chostner asked Legal Counsel to investigate this and report back to the Board.

7. REGULAR REPORTS

7. A TECHNICAL ADVISORY COMMITTEE REPORT

Elaine Kleckner reported that the TAC met on June 6, 2012. Ms. Kleckner reported that the TAC received a briefing from Matrix Engineering on the CWCB Public Policy Grant activities in support of the drainage Criteria Manual prior to the workshop planned for June 20, 2012 at PPACG.

Ms. Kleckner reported that TAC members attended the Workshop and that there was a good dialogue between the represented jurisdictions leading to a desire to continue working on a common criteria for the region.

Ms. Kleckner reported that the TAC would look at the criteria and report to the Board any recommendations for adoption by the district.

The next TAC meeting is scheduled July 11, 2012 at 1:00 PM at Fountain City Hall.

7. B CITIZENS ADVISORY GROUP

Terry Hart reported that the CAG met June 8, 2012 at Manitou Springs City Hall. The CAG reviewed the Sediment Collection and Side Detention projects to get a better understanding of the operation of these two systems and how they were meeting expectations. The CAG discussed the Mil Levy and how the CAG could help in promoting public awareness once the Board has determined what the ballot question would look like and when it might be on the ballot. He reported that the CAG wanted to be the eyes and ears for the Board during that activity and that once a message had been established by the Board, the CAG would like to help carry that message to the public. Chair Chostner stated that the Board would be determining the ballot language and when it would be on the ballot and that the CAG would have an important role in reaching out to the public for support. It was the consensus of the Board members that the CAG should have that role.

Carol Baker stated that the Outreach Subcommittee did not meet in June because of the interaction with GOCO concerning the Grant.

The next CAG meeting will be July 13, 2012 and will be held in Avondale.

7. C FINANCIAL REPORT

Larry Small presented the Fountain Creek District Balance Sheet as of May 31, 2012. The District has total assets of \$363,112.91 and total liabilities of \$21,583.65. Profit and Loss Budget vs. Actual report for the period January – May 2012 indicated total revenues were \$36,033.50 and total expenses were \$224,934.65 for a net negative income of \$188,901.15 resulting in a District total equity of \$341,529.26. The General Fund cash on hand as of May, 2012 was \$94,147 and the Restricted Fund cash on hand was \$165,512. The Flood Control Study 12-month CD value was \$103,454. The total cash on hand was \$363,113.

7. D LEGAL REPORT

None

7. E EXECUTIVE DIRECTOR'S REPORT

Larry Small reported that he presented the District Progress report briefing to the Pueblo City Council on May 21, 2012 and to the Manitou Springs Kiwanis Club on June 11, 2012. He reported that he attended the El Paso County Stormwater meeting on June 14, 2012 and would be attending the Colorado Springs City Council meeting on June 25, 2012 where the Stormwater management issue would be discussed.

Mr. Small reported that Matrix Engineering briefed the Drainage Criteria Public Policy report to a combined TAC/CAG meeting on June 6, 2012 and conduct the workshop on June 20, 2012.

The Board would be briefed today and the final report and billings for the Grant would be submitted to CWCB by June 30, 2012 to close the Grant.

8. OLD BUSINESS (BOARD ACTION MAY BE REQUIRED REQUIRED)

8.A MIL LEVY DISCUSSION

Richard Skorman reported that he and Larry small will meet with representatives from Trust for Public Land in Denver on June 27, 2012 to advise them of our intention to pursue the mil levy election and see if there would be a possibility of having their support in the pre-election activities to include polling and public outreach.

9. NEW BUSINESS (BOARD ACTION REQUIRED)

9.A LOGAN & ASSOCIATES ENGAGEMENT FOR 2011 AUDIT

Larry Small presented the audit engagement letter contract. He searched for auditors to do the 2011 audit since Biggs/Kofford increased their fee for the 2011 to \$7,500 from the \$5,000 for the 2010 Audit, above the Districts \$5,000 budget. Logan & Associates fee would be not to exceed \$5,000 labor and expenses, with two one year options for 2012 audit and 2013 audit at the same rates and conditions. Logan & Associates are highly qualified to meet the audit requirements and Mr. Small recommended approval of the Engagement Letter with the addition of the recommended clause presented by Cole Emmons that 2012 and 2013 would be subject to annual appropriations.

Upon motion duly made, seconded, and unanimously carried, the engagement letter for Logan & Associates to perform the 2011 Audit, as amended by adding the future appropriations clause recommended by Cole Emmons, Attorney, was approved.

10. OTHER BUSINESS

10. A APPROVAL OF INVOICES

The following invoices were presented for approval to pay:

General Fund				
Vendor	Date	Num	Amount	For
Larry Small				
	06/11/12	36	\$2,500.00	Executive Director
Summit Economics				
	05/28/12		\$10,000.00	Stormwater Management Study – Final Payment

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

10.B DRAINAGE CRITERIA PUBLIC PROCESS REPORT PRESENTATION (NO BOARD ACTION REQUIRED)

Larry Small stated that he wanted the Board to hear the presentation so the Board could be assured that the CWCB Grant had been fully satisfied and that the CWCB would get a good product for their money. He stated that he would be submitting the work products to the CWCB with a final invoice to close the grant on June 26, 2012 in time to meet the June 30, 2012 deadline.

Grant Thompson of Matrix Engineering presented the briefing on the Drainage Criteria Manual and the Public Policy Workshop conducted by the District to coordinate the criteria. He emphasized that the affected jurisdictions in the Watershed all participated in the development of the criteria and the workshop and at the conclusion all were in agreement that the work to implement a common criteria across the Watershed must continue.

The Board had a broad discussion of the District's role in facilitating future implementation and concluded that the district had a role in promoting the common criteria but it was up to the jurisdictions to implement the criteria.

The Board thanked Matrix Engineering, the TAC and all jurisdictions for their support in producing another regional product that would be beneficial to the watershed..

11. EXECUTIVE SESSION (IF REQUIRED) - None

12. 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 July 20, 2012

13. ADJOURN

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