

**Fountain Creek Watershed, Flood Control and Greenway District
BOARD OF DIRECTORS MEETING MINUTES
January 24, 2014**

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

1. CALL TO ORDER AND ESTABLISHMENT OF A QUORUM

Chair Ortega called the meeting to order at 1:30 pm. In attendance were the following duly designated members of the Board of Directors of the District:

Name:

Terry Hart	Pueblo County
Richard Skorman	CAG Liaison
Gabe Ortega	City of Fountain
Val Snider	City of Colorado Springs
Dennis Hisey	El Paso County
Jane Rhodes	Fountain Creek Land Owner
Eva Montoya	City of Pueblo
Michael Maddox	EPC Small Municipalities

Excused:

Melissa Esquibel	Lower Arkansas
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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 DECEMBER 13, 2013 BOARD MEETING

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

4. PRESENTATION – None

5. BOARD MEMBER COMMENTS

Chair Ortega stated Greg Lauer was present from the Fountain City Council and would be the alternate Board Member for the City of Fountain

6. PUBLIC COMMENTS - None

7. REGULAR REPORTS

7. A TECHNICAL ADVISORY COMMITTEE REPORT

John Chavez reported that the TAC met January 8, 2014 at Fountain City Hall. He reported that the TAC reviewed its membership and was recommending that the membership be reduced from 17 to 14 members to eliminate inactive positions. He stated that the Fort Carson position had been vacant the entire year and attempts to contact Fort Carson to fill the position had failed. He stated that the Stormwater position was duplicated by other positions and not needed. He stated that the Parks and Recreation position was combined with the El Paso County position by Tasha Brakin from El Paso County Parks Department. Tasha will replace Elaine Kleckner who is moving to the CAG. Jeff Bailey will replace Richard Mulledy as the Pueblo Representative.

Mr. Chavez reported that the TAC received the presentation on the Qwest Land Use Application and would report the TAC recommendation when that item I heard on the agenda.

Mr. Chavez reported on the storm recovery efforts being taken by El Paso County on Upper Fountain Creek. He stated that thirty-three ground control structures and four catchment basins have been installed in the Cascade area.

Mr. Chavez reported that the Flood Control Study Final Report was released by USGS and that USGS would be briefing the final report to the TAC, CAG and Board in March.

The next TAC meeting is scheduled for February 5, 2014 at 1:00 PM at Fountain City Hall.

7. B CITIZENS ADVISORY GROUP

Irene Kornelly reported that the CAG met January 10, 2014 at Fountain City Hall. She stated the main goal of the meeting was to get all the necessary 2014 legal items approved and establish the CAG membership for 2014. She stated that Allison Plute will be replacing Carol Baker as the Colorado Springs Utilities representative and Elaine Kleckner will move from the TAC to the CAG. She stated the CAG is still looking for a replacement for Perry Cabbot, who moved to Montrose, CO. She stated that the CAG asked for an update on the Frost Ranch Bank Restoration Project, which will be presented in February...

Ms. Kornelly reported that the CAG received the presentation on the Qwest Land Use Application and would report the CAG recommendation when the item is heard on the agenda.

Mr. Kornelly reported that the Outreach Subcommittee did not meet in January. The next meeting will be February 18, 2014 at 10:00 am at Fountain City Hall. The Outreach Subcommittee is putting together the new District Brochure and will be developing a calendar of events for 2014.

The next CAG meeting will be February 14, 2014 at 9:30 am at the Fountain City Hall.

7. C FINANCIAL REPORT

Larry Small presented the Fountain Creek District Balance Sheet as of December 31, 2013. The District has total assets of \$192,443.69 and no outstanding liabilities. Profit and Loss Budget vs. Actual report for the period January – December 2013 indicated total revenues were \$50,877.21 and total expenses were \$115,647.79 for a net negative income of \$64,770.58 resulting in a District total equity of \$192,443.69. The General Fund cash on hand as of December 31, 2013 was \$47,446 and the Restricted Fund cash on hand was \$132,248. The total cash on hand was \$179,694.

7. D LEGAL REPORT - None

7. E EXECUTIVE DIRECTOR'S REPORT

Larry Small reported that he attended the Stormwater Task Force meeting on December 17, 2014. He stated that the Task Force reviewed the first polling on the Stormwater issue conducted amongst registered voters in the Fountain Creek Watershed. He reported that the conclusion of the polling indicated that stormwater was an issue, that it should be dealt with regionally with a dedicated funding source but there was no strong preference for a payment source. He reported that he met with the El Paso County Regional Recovery Group on January 13, 2014 to review progress being made in the Waldo and Black Forest fire recovery efforts. He reported that he attended the meeting held by Mayor Bach to discuss the City for Champions and Stormwater on January 16, 2014 but little new was stated on stormwater. He reported he attended the CDOT Cimarron/I-25 Interchange Stakeholders meeting on January 22, 2014 to discuss the plans for construction of that interchange. He reported he serves on both the Stakeholders Committee and the Environmental/Aesthetics committee for that project representing the District.

8. 0 OLD BUSINESS (BOARD ACTION MAY BE REQUIRED REQUIRED) - None

9. NEW BUSINESS (BOARD ACTION REQUIRED)

9. A PUBLIC HEARING FOR CENTURY LINK LAND USE APPLICATION FOR FOUNTAIN CREEK UNDERGROUND CABLE CROSSING AT PINION BRIDGE

Larry Small stated that the Applicant, Century Link, dba Qwest, had met all the requirement of the District's Land Use Application Policy, paid the required \$1750 application fee, obtained approval of the Application from the TAC and CAG and was now seeking Board approval. He stated that in addition to considering the application relative to the District's authority, the Board should also consider the application for a recommendation to Pueblo County as a coordinating agency for land use applications to Pueblo County.

Murkel Mansell, Qwest Project Manager, presented the application. The application was for an underground cable crossing Fountain in the Pueblo County right-of-way parallel to the north side of Pinion Bridge. The cable would be place in a metal conduit buried eighteen feet below the bed of Fountain Creek. The conduit would enter the floodplain three feet east of the riprap at the

bridge and exit three feet west of the riprap at the bridge. There would be no disturbance to the creek bed and no drilling residue remaining on the surface.

John Chavez confirmed that the TAC had voted unanimously to recommend approval to the Board with no conditions of approval for both the land use in the District's jurisdiction and for land use in the watershed in Pueblo County but outside the District's jurisdiction s a coordinating agency.

Irene Kornelly confirmed that the CAG had voted unanimously to recommend approval to the Board with no conditions of approval for both the land use in the District's jurisdiction and for land use in the watershed in Pueblo County but outside the District's jurisdiction s a coordinating agency.

The Chair closed the Public Hearing and asked for Board action on the Land Use Application.

Motion to approve the Qwest Land Use Application for a Fountain Creek Underground Cable Project located within the District's Corridor properly made by Director Hisey and properly seconded by Director Rhodes, the land use application was approved unanimously by the Directors of the District Board present and voting.

Motion to recommend to Pueblo County approval of those portions of the Qwest Underground Cable Project that lie within Pueblo County, Colorado located within the Fountain Creek Watershed Management Area but outside of the Corridor properly made by Director Hisey and properly seconded by Director Rhodes, the land use application recommendation to Pueblo County was approved unanimously by the Directors of the District Board present and voting.

9. B RESOLUTION 2014-01-LAND USE CONFIRMING BOARD ACTION ON CENTURY LINK LAND USE APPLICATION FOR FOUNTAIN CREEK UNDERGROUND CABLE CROSSING AT PINION BRIDGE

Larry Small presented Resolution 2014-01-Land Use stating that the resolution properly reflected the actions of the Board based on the Public Hearing held January 24, 2014.

Upon motion duly made, seconded, and unanimously carried, Resolution 2014-01-Land Use was approved as presented.

9. C EXTENSION OF EXECUTIVE DIRECTOR CONTRACT FOR THE PERIOD 1 FEBRUARY 2014 THROUGH 31 JANUARY 2015

The Executive Director and the Board mutually agreed to extend the contract for a period of one year with no other changes to the contract.

Upon motion duly made, seconded, and unanimously carried, the contract extension was approved as presented.

10. OTHER BUSINESS

10. A APPROVAL OF INVOICES

The following invoices were presented for approval to pay.

General Fund				
<u>Vendor</u>	<u>Date</u>	<u>Num</u>	<u>Amount</u>	<u>For</u>
Larry Small	01/11/14	97	\$2,500.00	Executive Director
Colorado Tribune	01/04/14		\$40.80	Public Notice – Land Use Hearing
TOTAL - General Fund			\$2,540.80	

Post Burn Analysis Fund				
<u>Vendor</u>	<u>Date</u>	<u>Num</u>	<u>Amount</u>	<u>For</u>
USGS	1/10/14	90227016	\$3,000.00	Post Burn Analysis JFA

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 next Board meeting will be held February 28, 2014 at 1:00 pm at the City of Fountain City Hall, 116 S. Main Street, 2nd Floor, Fountain, CO 80817

13. ADJOURN

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