

**Fountain Creek Watershed, Flood Control, and Greenway District
Board of Directors
MEETING MINUTES
March 25, 2016**

This 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

Chair Hart called the meeting to order at 1:07 pm. In attendance were the following duly designated members of the Board of Directors of the District:

Name:

Richard Skorman	CAG Liaison
Dennis Hisey	El Paso County
Jack Goble	Lower Arkansas
Larry Atencio	City of Pueblo
Terry Hart	Pueblo County
Greg Lauer	City of Fountain
Jane Rhodes	Fountain Creek Land Owner
Coreen Toll	EPC Small Municipalities

Absent

Jill Gaebler	City of Colorado Springs
--------------	--------------------------

A quorum was noted. Also present was 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 THE FEBRUARY 26, 2016 BOARD MEETING

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

4. INTRODUCTION OF GUESTS

Chair Hart asked the guests in the audience to introduce themselves.

5. PRESENTATION - None

6. BOARD MEMBER COMMENTS

Director Rhodes stated that she had been interviewed by Channel 13 regarding the Evaluation of Flood Control Alternatives rant that was awarded last week by CWCB. She stated that she also discussed other Fountain Creek issues. She stated that the interview went very well.

Director Toll stated that she was still interested in hosting a future Board meeting in Manitou Springs so the Board could see the stormwater mitigation projects Manitou had constructed in response to the September 2013 storms. June was discussed as a possible date.

7. PUBLIC COMMENT - None

8. REGULAR REPORTS

8. A TECHNICAL ADVISORY COMMITTEE REPORT

Dennis Maroney reported that the TAC met March 2, 2016 at 1:00 pm at the Fountain City Hall. He reported that the TAC received a presentation on the Fountain Creek Side Detention Demonstration project to review lessons learned from the project. He reported that since the project was built Fountain Creek has moved a considerable distance to the west causing erosion of the project's levy banks and has caused debris and sediment to clog the inlet. He reported that the TAC concluded that any project done on Fountain Creek needs to be maintained. He reported that TAC received a presentation on Creek Week and that he had worked with the Colorado City-Rye Greenhorn Creek cleanup committee to include that group's cleanup in Creek Week. He reported that the TAC voted unanimously to request the Board to appoint Pete Galusky to the TAC representing PPACG and appoint Richard Mulledy to the TAC as the regular member representing Colorado Springs replacing Jeff Besse and appoint Jeff Besse as the alternate member representing Colorado Springs.

The next TAC meeting will be April 6, 2016 at 1:00 pm at the Fountain City Hall.

8. B CITIZENS ADVISORY GROUP REPORT

Irene Kornelly reported that the CAG met March 11, 2016 at 9:30 am at Fountain City Hall. She reported that CAG received a presentation on the Creek Week 2015 and plans for 2016. She reported that the CAG passed a Public Comment policy that would limit public comments to ten minutes on a single subject. She reported that if a member of the public wants to make a presentation to the CAG that would exceed ten minutes then they can request to have the presentation placed on a meeting agenda.

Ms. Kornelly reported that the Outreach Subcommittee had a full calendar of events for 2016 starting in April. She presented the calendar of events and stated that the CAG is looking for volunteers to support the events. She reported that the Creek Week Fund had \$6000 cash carried over from 2015 and that contributions for 2016 had started coming in.

The next CAG meeting will be April 8, 2016 at 9:30 am at the Fountain City Hall.

8. C FINANCIAL REPORT

Larry Small presented the Fountain Creek District Balance Sheet as of February 29, 2016. The District had total assets of \$271,888.94 and no liabilities. Profit and Loss Budget vs. Actual report for the period January 1, 2016 through February 29, 2016 indicated total revenues were

\$41,072.49 and total expenses were \$87,077.09 for a net negative income of \$46,004.60 resulting in a District total equity of \$271,888.94. The General Fund cash on hand as of February 29, 2016 was \$160,593 and the Restricted Fund cash on hand was \$75,428. The total cash on hand was \$236,021.

8. D LEGAL REPORT - None

8. E EXECUTIVE DIRECTOR'S REPORT

Larry Small reported that he attended the PPRWA Water Conference at the El Paso County Centennial Hall on February 29, 2016. He stated that in addition to a very good panel discussion the movie "Great Divide" was shown which detailed the history of water in Colorado from 1860. He reported that he met with DOLA representatives in March 3, 2016 to review the District's compliance with the DOLA CDBG-DR Grant requirements for the Monument Creek Watershed Restoration Master Plan Grant. He reported that they also reviewed all the outstanding Reimbursement Requests and resolved all questions so the Reimbursement Requests could be paid. He reported that he attended the Arkansas Basin Roundtable meeting in Pueblo on March 9, 2016 as the District representative. He reported that he attended the CWCB Board meeting in LaJunta on March 16, 2016. He stated that the Board approved the Evaluation of Flood Control Alternatives Grant for the full amount of funding requested. He reported that the Monument Creek Master Plan Stakeholders meeting was held on March 17, 2016. He stated that the project was on schedule.

8. F MONETARY MITIGATION FUND ADVISORY COMMITTEE REPORT

Irene Kornelly reported that the Monetary Mitigation Fund Advisory Committee met March 17, 2016 at 1:00 pm at the Pueblo County Public Works Facility. She reported that the committee continued to work on project prioritization criteria and work flow. She reported the committee used the Overton Road bank erosion that resulted in the loss of Overton Road near the site of the Old Pinion Bridge as a project to test the prioritization criteria. She reported that the committee also discussed the need to properly maintain any project built with the monetary mitigation funds and that the committee felt that the Monetary Mitigation Funds should not be used to fund the maintenance but that another source of maintenance funds should be identified. She stated that the committee felt it had gone as far as it could go until engineering resources were available to support the work of the committee.

The next Committee meeting will be April 21, 2016, 1:00 pm at the Pueblo County Public Works Facility, 33601 United Way, Pueblo, Co.

9. OLD BUSINESS (Board Action May Be Required) - None

10. NEW BUSINESS (Board Action Required)

10. A RESOLUTION NO. 2016-03—GENERAL APPROVING AN EXEMPTION FROM AUDIT FOR FISCAL YEAR 2015 FOR THE FOUNTAIN CREEK WATERSHED, FLOOD CONTROL AND GREENWAY DISTRICT, STATE OF COLORADO.

Larry Small presented the Audit Exemption prepared by Logan and Associates and Resolution 2016-03 requesting the State Auditor to accept the Exemption from Audit. He stated that there were no issues identified by the Auditor and that the books of the District are accurate and complete for Fiscal Year 2015.

Upon motion duly made, seconded, and unanimously carried, Resolution 2016-03 was approved as presented and the Exemption from Audit was authorized to be submitted to the State Auditor’s Office

10. B APPOINTMENT OF PETE GALUSKY TO THE TAC REPRESENTING PPACG AND APPOINTMENT OF RICHARD MULLEDY TO THE TAC AS THE REGULAR MEMBER REPRESENTING COLORADO SPRINGS REPLACING JEFF BESSE AND APPOINTMENT OF JEFF BESSE AS THE ALTERNATE MEMBER REPRESENTING COLORADO SPRINGS.

Larry Small stated that the TAC, at its March 2, 2016 meeting, voted unanimously to request the Board to appoint Pete Galusky to the TAC representing PPACG and appoint Richard Mulledy to the TAC as the regular member representing Colorado Springs replacing Jeff Besse and appoint Jeff Besse as the alternate member representing Colorado Springs

Upon motion duly made, seconded, and unanimously carried, the appointment of Pete Galusky to the TAC representing PPACG and the appointment of Richard Mulledy to the TAC as the regular member representing Colorado Springs replacing Jeff Besse and appointment of Jeff Besse as the alternate member representing Colorado Springs were confirmed.

11. OTHER BUSINESS

11. A APPROVAL OF INVOICES

**Presented for Payment
3/25/2016**

General Fund					
<u>Vendor</u>	<u>Date</u>	<u>Num</u>	<u>Amount</u>	<u>-</u>	<u>For</u>
Larry Small					
	03/05/16	151	\$2,500.00		Monument Ck Grant Proj Mgmt
Matrix Design Group					
	03/10/16	17942	\$52,320.35		Monument Creek MP Engineering
Logan and Associates					
	02/29/16	412	\$1,900.00		2015 Audit Exemption
Jack Wallick					
	03/11/15		\$41.44		CAG Supplies
TOTAL - General Fund			\$56,761.79		

Master Plan Fund					
-------------------------	--	--	--	--	--

<u>Vendor</u>	<u>Date</u>	<u>Num</u>	<u>Amount</u>	<u>-</u>	<u>For</u>
Berg,Hill,Greenleaf,Ruscitti LLP					
	02/01/16	76410	\$183.50		Greenview Trust Due Diligence
TOTAL - Master Plan Fund			\$183.50		

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

11. B DISCUSSION ON FUNDING THE DISTRICT

Larry Small presented a series of spread sheet depicting the 2016 Operating Fund minimum requirements and five scenarios to determine Member Government contributions. He stated that at a minimum, based on the 2016 budget, the District will require at least \$150,000 operating funds annually to perform its statutory mission until a mil levy is in place. He stated that this will not go away in future years even if the SDS monetary mitigation funds are paid since the Board has taken the position that those funds can only be used as required by the 1041 permit and not to fund the District. He presented sharing scenarios based on Total Entity population, Discrete Entity Population, relative size of the government member, the 2013 allocation formula and Member Government 2016 General Fund. He stated that he looked at the possible of a scenario based on Member government assessed valuation but did not bring it forward because that scenario would closely follow the General Fund scenario and assted valuation was not readily available for the small municipalities.

Chair Hart suggested that this discussion be continued to the next meeting and asked the Board to review the scenarios and be prepared to have a discussion leading to a preferred scenario.

12. EXECUTIVE SESSION (IF REQUIRED) - None

13. CONFIRM NEXT MEETING TIME AND LOCATION

The next Board meeting will be held April 22, 2016 at 1:00 pm at City of Fountain City Hall, 116 S. Main Street, 2nd Floor, Fountain, CO 80817

14. ADJOURN

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