

**Fountain Creek Watershed, Flood Control and Greenway District
BOARD OF DIRECTORS MEETING MINUTES
October 25, 2013**

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

Chair Ortega called the meeting to order at 1:05 pm. In attendance were the following duly designated members of the Board of Directors of the District:

Name:

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

Excused:

Val Snider	City of Colorado Springs
Melissa Esquibel	Lower Arkansas

A quorum was noted. Also present was Larry Small, Executive Director and Cole Emmons and Marci Day, Attorneys.

2. APPROVAL OF AGENDA

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

3. APPROVAL OF THE MINUTES OF SEPTEMBER 20, 2013 BOARD MEETING

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

4. PRESENTATION – None

5. BOARD MEMBER COMMENTS

Director Hisey stated that the Regional Stormwater Task Force kicked off a series of Town Hall Meetings October 24. There were approximately 50 citizens participating. They were split into groups of 8 or more to develop their positions on structure and funding issues. The consensus of the groups was that the solution should be regional, fairly funded and voter approved. There will be two more meetings in the future.

Director Skorman stated that the Task Force work should come to concrete recommendations in January 2014 after citizen surveys and legal analyses are completed.

6. PUBLIC COMMENTS - None

7. REGULAR REPORTS

7. A TECHNICAL ADVISORY COMMITTEE REPORT

John Chavez reported that the TAC met October 2, 2013 at the Fountain City Hall. He stated that there was not a quorum present so no business was conducted. He stated the TAC did receive a presentation on the SDS Land use Application for the Fountain Creek Pipeline Crossing from Allison Moser and while it received unanimous support from those members present no official action was taken.

The next TAC meeting is scheduled for November 6, 2013 at 1:00 PM at Fountain City Hall.

7. B CITIZENS ADVISORY GROUP REPORT

Irene Kornelly reported that the CAG met October 11, 2013 at Fountain City Hall. She stated that the CAG received an update on the Regional Stormwater Task Force activities. She stated that the CAG received a briefing from John Chavez on the September Storm impacts in El Paso County. She stated the CAG received a presentation on the SDS Land use Application for the Fountain Creek Pipeline Crossing from Allison Moser and would present the CAG recommendation when that item was heard on today's agenda. She stated that Mary Barber gave a demonstration of the web site and it had been greatly improved with better user interface and content.

Ms. Kornelly reported that the Outreach Committee met October 14, 2013. She stated that the Outreach Committee decided to participate in the May 2014 Fountain Creek Family Fun Day in Fountain. She stated a decision was made to participate in the Water Warriors educational program in El Paso County in 2014 and the District logo would be featured on the program materials. She stated that Jerry Cordova gave a Google Earth demonstration of the September flooding. The committee decided to develop a Google Earth demonstration of Fountain Creek for showing at future events. She stated that submitting a grant application to CDPHE to support development of the demonstration was being considered.

The next CAG meeting will be November 8, 2013 at 9:30 am at the Fountain City Hall. The next Outreach Subcommittee meeting will be November 18, 2013 at 10:00 am at the Fountain City Hall.

7. C FINANCIAL REPORT

Larry Small presented the Fountain Creek District Balance Sheet as of September 30, 2013. The District has total assets of \$184,565.81 and total liabilities of \$13,816.58. Profit and Loss Budget vs. Actual report for the period January through September indicated total revenues were

\$11,812.00 and total expenses were \$98,277.04 for a net negative income of \$86,465.04 resulting in a District total equity of \$170,749.23. The General Fund cash on hand as of September 30, 2013 was \$36,131 and the Restricted Fund cash on hand was \$142,685. The total cash on hand was \$178,816.

7. D LEGAL REPORT - None

7. E EXECUTIVE DIRECTOR'S REPORT

Larry Small reported that he attended the Colorado Springs City Council meetings on September 23 and 24. On September 23 the Joint Resolution supporting the Regional Stormwater Approach was discussed the passed on September 24. He reported that he attended the El Paso Board of County Commissioners meeting on September 24 where the Joint Resolution was discussed and then attended the Board of County Commissioners meeting on October 1 where the resolution was passed.

Mr. Small reported that he attended the Regional Stormwater Task Force meeting on September 30. The Task Force discussed plans for future Town Hall meetings.

Mr. Small reported that he attended the Colorado Spring's Mayor and Stormwater Task Force meeting on October 9 where CH2M Hill presented their engineering evaluation of the City's stormwater needs. He stated that as a result of the engineering analysis the needs were reduced to \$550 million. The mayor presented his plan to solve the needs through bonding.

Mr. Small reported that he attended the Palmer Lake Town Council meeting on October 10 and the Green Mountain Falls Town Council meeting on October 15, where he presented the Resolution for Represented Government Funding at both meetings.

Mr. Small reported that he met with Wilson & Associates on October 14 to discuss their design plan for Camp Creek Flood Control and attended the Public meeting on October 22 where citizens had the opportunity to review and comment on the design process. There will be two more Citizens meeting in the future before the design is finalized.

Mr. Small reported that he met with Director Hart and Director Montoya on October 17 to discuss a strategy for the acquisition of the Clearview Trust Property.

Mr. Small reported that he met with CDOT on October 18 to review the concept plans for the Cimarron/I-25 interchange and reviewed the alternatives for Fountain Creek/Monument Creek confluence.

Mr. Small reported that he attended the Colorado Springs Downtown Partnership Breakfast on September 23 where Mayor Bach was the speaker. The mayor spoke on his activities in support of the Downtown and also discussed his plans for stormwater management.

Mr. Small reported that he attended the Regional Stormwater Task Force Public meeting on September 24 and concurs with the report Director Hisey gave about the meeting.

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

9. NEW BUSINESS (BOARD ACTION REQUIRED)

9. A PUBLIC HEARING FOR SDS WORK PACKAGE SOUTH 4A CENTRAL (S4AC) SEGMENT OF THE RAW WATER PIPELINE (RWP) LAND USE APPLICATION

Chair Ortega opened the public Hearing.

Larry Small stated that the Public Hearing had been advertised in the Fountain Valley News as required, that the TAC and CAG had received the presentation, and that the application fee had been paid and all necessary documentation had been submitted with the land use Application.

Allison Moser presented the Land use Application. She stated that she was requesting Land use Approval for that portion of the project in the Fountain Creek Floodplain and El Paso County referral approval for that portion of the project outside the Fountain Creek floodplain in El Paso County. She stated that the project would begin mid-October 2013 and complete in December 2014.. She stated that CSU had obtained all permits and clearances for the project. She stated that the project would be constructed from west to east by tunneling under I-25, the railroads and the Fountain Creek floodplain. She stated that the tunnel would be launched from a pit 82 feet deep and would range in depth from 38 feet to 74 feet with a 45 foot depth beneath Fountain Creek. She stated that the tunnel would be one mile long, lined with steel ribbing with wood lagging, would be grouted, and would be 105 inches in diameter through Pierre Shale. She stated that the tunnel would house the 66-inch raw water pipe and a 4-ince HDPE carrier for fiber optic.

Director Rhodes asked clarification of the depth of the pipeline tunnel. Ms. Moser stated that the depths vary from 38 to 74 feet and will rise in elevation from west to east. Director Rhodes asked how the tunnel would be filled around the pipe.. Ms. Allison stated that filling would be by backfill as the pipe was inserted. Director Rhodes asked how far beneath the Pierre Shale.. Ms. Allison responded that the Tunnel would be at least four feet beneath the shale.

Chair Ortega asked if the CAG had a recommendation. Irene Kornelly responded that the CAG voted unanimously to recommend approval of the project in the District's jurisdiction and also recommend referral approval to El Paso County.

Attorney Emmons stated that since the TAC did not have a quorum and could not take action on the application, that the District Board could proceed with a recommendation from the TAC.

Chair Ortega asked if there were comments from the Board. None were made.

Chair Ortega opened the floor to public comments. None were given.

Chair Ortega asked for board action on the Land Use Application.

Motion made by Director Skorman, seconded by Director Rhodes, and unanimously carried to approve those portions of the CSU SDS Work Package South 4A Central (S4AC) Segment of the Raw Water Pipeline (RWP) Project located within the District’s Corridor.

Motion made by Director Skorman, seconded by Director Hart, and unanimously carried to recommend to El Paso County approval of those portions of the SDS Work Package South 4A Central (S4AC) Segment of the Raw Water Pipeline (RWP) Project and other segments that lie within El Paso County, Colorado and the City of Fountain Colorado located within the Fountain Creek Watershed Management Area but outside the Corridor.

9. B RESOLUTION 2013-06 – LAND USE CONFIRMING BOARD ACTION ON SDS WORK PACKAGE SOUTH 4A CENTRAL (S4AC) SEGMENT OF THE RAW WATER PIPELINE (RWP) LAND USE APPLICATION

Attorney Emmons stated that since this project is under the 1041 permit authority of El Paso County, it would not be presented to the El Paso County Planning Commission, so the resolution would need to be amended to delete El Paso County Planning Commission and insert in its place El Paso County.

Upon motion duly made, seconded and unanimously carried, Resolution 2013-06-Land Use was so amended and approved.

9. C LOGAN AND ASSOCIATES ENGAGEMENT LETTER FOR FISCAL YEAR 2013 AUDIT SERVICES

Larry Small presented the Engagement Letter for Fiscal Year 2013 Audit Services from Logan and Associates. Mr. Small stated that the audit services were the same as performed for Fiscal year 2012 and at the same fee of \$1900. This would be for filing an Exemption from Audit as was done for Fiscal year 2012. Mr. Small stated that Logan and Associates services had been excellent in past years and recommended approval of the Engagement Letter.

Upon motion duly made, seconded and unanimously carried, the Logan and Associates Engagement Letter for Fiscal Year 2013 Audit Services was approved.

10. OTHER BUSINESS

10. A APPROVAL OF INVOICES

The following invoices were presented for approval to pay

Flood Control Study Fund					
Vendor	Date	Num	Amount	-	For
USGS					
	09/13/13	9019759	\$13,816.5		Flood Control Study
					Final Payment

TOTAL – Flood Control Study Fund			13,816.50	
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General Fund				
<u>Vendor</u>	<u>Date</u>	<u>Num</u>	<u>Amount</u>	<u>For</u>
Larry Small				
	10/08/13	85	\$2,500.00	Executive Director
Shopper Press Inc				
	10/09/13	1235	\$25.74	Public Notice – SDS Land Use
TOTAL - General Fund			\$2,525.74	

Master Plan Fund				
<u>Vendor</u>	<u>Date</u>	<u>Num</u>	<u>Amount</u>	<u>For</u>
Matrix Design Group				
	10/22/13	13884	\$5,707.50	WARSSS Grant Prep
Matrix Design Group				
	10/22/13	13885	\$253.00	Frost Ranch Grant – Task 1
TOTAL – Master Plan Fund			\$5,960.50	

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

11. EXECUTIVE SESSION - None

12. CONFIRM NEXT MEETING TIME AND LOCATION

The next Board meeting will be held December 13, 2013 at 1:00 pm at the Pueblo City Hall, Third Floor Council Chambers, 1 City Hall Place, Pueblo, CO..

13. ADJOURN

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