

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

February 22, 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 1:00 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
Brandy Williams	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 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 JANUARY 25, 2013 BOARD MEETING

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

4. PRESENTATION – FRONT RANGE TRAIL THROUGH CLEAR SPRINGS RANCH

Carol Baker presented the results of the design phase for the 4.1 mile segment of the Front Range Trail through Clear Springs Ranch. Ms. Baker stated that the design was completed under a GOCO Grant and matching funds from the District. Ms. Baker stated that all design drawings were complete and construction of the trail would begin this summer under another GOCO Grant. She stated that completion of the project would be fall of 2013.

5. BOARD MEMBER COMMENTS

Director Montoya stated that a lot of progress was being made on Fountain Creek in Pueblo. The Skate Park is progressing and people in Pueblo are excited about what is happening on the Creek.

Director Williams reported that the Stormwater Task Force Phase 2 meeting was scheduled for 8:30 am on February 28, 2013 at the Pikes Peak Regional Development Center. Phase 2 would continue the citizen's task force work to develop a strategy to find funding for the projects identified in Phase 1.

Director Rhodes stated that she had found a report from 2007 detailing a survey that was conducted in 2007 at the State fair with ten questions on Fountain Creek. She was happy that all the work from 2006 forward had resulted in the establishment of the District and wanted everyone to know that our purpose was to carry out Sen. Salazar's Crown Jewel vision for Fountain Creek

Director Maddox stated he was happy to join the Board and looked forward to contributing to the mission of the Board. He stated that the Tri Lakes Arts Center was sponsoring a John Fielder presentation in March.

6. PUBLIC COMMENTS

Jane Green, a citizen property owner on Fountain Creek, stated that NRCS has contacted her and asked permission to access the property for the purpose of designing a fix for her bank erosion. She stated that when the design was completed she would be seeking assistance in implementing the design. She thanked the Board for assisting her in contacting the Corps of Engineers and NRCS.

7. REGULAR REPORTS

7. A TECHNICAL ADVISORY COMMITTEE REPORT

Richard Mulledy reported that the TAC met February 6, 2013. He stated that the TAC completed the election of officers for 2013. He reported that the TAC received the briefing from Carol Baker concerning the Front Range Trail through Clear Springs Ranch. He reported that two subgroups met to review the Drainage Criteria Manual and the Flood Control Study

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

7. B CITIZENS ADVISORY GROUP REPORT

Richard Skorman reported that the CAG met February 8, 2013 at Fountain City Hall. The CAG received a presentation from Carol Baker concerning the Front Range Trail through Clear Springs Ranch. He stated the CAG received a briefing on the Fountain Creek Bank Restoration

Grant from Larry Small. He stated the CAG discussed the Drainage Manual and asked for a briefing on the manual at a future meeting.

Carol Baker stated that the Outreach Subcommittee met and discussed planning a creek cleanup event this summer.

The next CAG meeting will be March 8, 2013 at 9:30 am at the Fountain City Hall.

7. C FINANCIAL REPORT

Larry Small presented the Fountain Creek District Balance Sheet as of January 31, 2013. The District has total assets of \$254,769.97 and total liabilities of \$20,397.75. Profit and Loss Budget vs. Actual report for the period January 2013 indicated total revenues were \$55.70 and total expenses were \$22,897.75 for a net negative income of \$22,342.05 resulting in a District total equity of \$234,372.22. The General Fund cash on hand as of January, 31 2013 was \$56,883 and the Restricted Fund cash on hand was \$197,887. The total cash on hand was \$254,770.

7. D LEGAL REPORT - None

7. E EXECUTIVE DIRECTOR'S REPORT

Larry Small reported that he attended a meeting with representatives from Martin Marietta on January 29, 2013 to discuss the approved quarry operations just south of the dog track on I-25. The purpose of the meeting was to understand Martin Marietta's plans, acquaint them with the District and advise them of the District's concerns that were expressed during the original Land Use Application review. Mr. Small stated that he had met with Senator Bennett's Colorado Springs office on February 4, 2013 to discuss Fountain Creek Projects that would be included in the Federal Watershed Restoration Reauthorization Act. Mr. Small reported that he hosted a tour of Fountain Creek organized for the Arkansas Valley Ditch Association by Steve Whitty on February 8, 2013. Mr. Small reported he attended the Colorado Springs City Council meeting on February 11, 2013 to support the Stormwater Task Force Resolution but the Resolution was withdrawn from the agenda. He reported that he met with Kyle Logan of Logan & Associates to discuss the FY2012 Audit and presented information concerning the financial performance of the District during that Fiscal Year. He reported that the IGA Committee had met on February 20, 2013 to discuss follow-up with NRCS and discuss the status of District Grant Applications.

8. 0 OLD BUSINESS (BOARD ACTION MAY BE REQUIRED REQUIRED)

8. A MIL LEVY DISCUSSION

Larry Small introduced representatives from the Trust for Public Land, Dee Frankfourth, Justin Spring and Peggy Chu. Dee Frankfourth presented Trust for Public Land's feasibility study for the District's mil levy. The study indicated that a 1 mil levy would generate \$7,881,198 per year and would cost the average homeowner in the District \$17 per year. The study also indicated that the District could issue bonds. The study indicated that if the District were to use a sales tax, the sales tax must be collected by the Counties and given to the District by way of an

Intergovernmental Agreement between the Counties and the District since the District had no statutory authority to collect a sales tax. A one tenth cent sales tax would generate \$8,570,932 and would cost the average household \$13 per year. The study presented an election calendar indicating the steps to get an issue on the 2013 ballot. Ms. Frankfourth stated TPL was ready and willing to help the District through the next steps when required.

8. B RESOLUTION CONFIRMING SDS LAND USE APPLICATION APPROVAL

Larry Small presented Resolution 2013-01 approving/ratifying the District Board’s January 25,2013 approval of those portions of the Land Use Application by Colorado Springs Utilities Project Manager on behalf of the Southern Delivery System Project Participants, for the Williams Creek Raw Water Pump Station Power Supply Project located within the Fountain Creek Corridor and recommendation that the El Paso County Planning Commission approve the Land Use Application for those portions of the project located within the Fountain Creek Watershed Management Area but outside of the Corridor.

Upon motion duly made, seconded, and unanimously carried, Resolution 2013-01 was approved as presented.

9. NEW BUSINESS (BOARD ACTION REQUIRED) - None

10. OTHER BUSINESS

10. A APPROVAL OF INVOICES

The following invoices were presented for approval to pay.

Flood Control Study Fund				
<u>Vendor</u>	<u>Date</u>	<u>Num</u>	<u>Amount</u>	<u>For</u>
USGS				
	01/11/13	90146447	\$13,816.50	Flood Control Study
TOTAL – Flood Control Study Fund			\$13,816.50	

General Fund				
<u>Vendor</u>	<u>Date</u>	<u>Num</u>	<u>Amount</u>	<u>For</u>
Larry Small				
	02/14/13	66	\$2,500.00	Executive Director
Shopper Press Inc				
	02/14/13	1180	\$14.40	SDS Land Use Notice
TOTAL - General Fund			\$2,514.40	

Master Plan Fund				
<u>Vendor</u>	<u>Date</u>	<u>Num</u>	<u>Amount</u>	<u>For</u>
Matrix Design Group				
	01/25/13	12850	\$6,581.25	Grant Preparation
TOTAL – Master Plan Fund			\$6,581.25	

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

11. EXECUTIVE SESSION

In accordance with the Colorado Open Meetings Act CRS 24-6-402(4)(B)(1) and (E), the Board of Directors of the Fountain Creek Watershed, Flood Control and Greenway District in open session is to determine whether it will hold a closed executive session. The issue to be discussed involves a matter for negotiations concerning district Funding.

The Chair of the Board shall ask for a motion to enter into a closed executive session and if the motion is made, seconded and duly passed by a majority vote of the Board Members present the Chair will convene the closed executive session. If the consent to the closed executive session is not given, the item may be discussed in open session or withdrawn from consideration.

Upon motion duly made, seconded, and unanimously carried, the closed executive session was approved and convened.

The closed executive session was completed and in public upon motion duly made, seconded and unanimously carried, the Board returned to open session.

The Chair stated that the closed executive session was conducted for the stated purpose and no other items were considered or discussed other than that stated. No actions or votes were taken by the Board during the closed executive session.

12. CONFIRM NEXT MEETING TIME AND LOCATION

The next Board meeting will be held March 22, 2013 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.