

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

March 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

Vice Chair Montoya 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
Melissa Esquibel	Lower Arkansas
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:

Gabe Ortega	City of Fountain
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A quorum was noted. Also present was Larry Small, Executive Director and Cole Emmons, Attorney.

2. APPROVAL OF AGENDA

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

3. APPROVAL OF THE MINUTES OF FEBRUARY 22, 2013 BOARD MEETING

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

4. PRESENTATION – None

5. BOARD MEMBER COMMENTS

Director Williams reported that the Stormwater Task Force Phase 2 met on February 28, 2013 at the Pikes Peak Regional Development Center. The task Force has established four sub committees – Governance, Funding, Engineering and Emergency Response. Phase 2 would continue the citizen’s task force work to develop a strategy to find funding for the projects identified in Phase 1 as well as look at emergency response to flooding associated with the Waldo Canyon Burn Scar. She reported that the Federal Continuing Resolution contained \$65

million for problems associated with burn scars and El Paso County is waiting to see how much is allocated to the Waldo Canyon burn scar.

Director Skorman stated that it is expected that El Paso County (including Colorado Springs) will receive about \$7 million of mitigation funding from the Federal Continuing Resolution funds. He reported that Carol Akarious will be available to brief the board in April on the WARRSS Study for Waldo canyon if the Board so desired. It was the consensus of the Board to invite Ms. Akarious to give a presentation at the April meeting.

6. PUBLIC COMMENTS - None

7. REGULAR REPORTS

7. A TECHNICAL ADVISORY COMMITTEE REPORT

Richard Mulledy reported that the TAC met March 6, 2013. He stated that the TAC received an update on the Waldo Canyon Burn Area. He stated the TAC was working on a land Development Application Check List for the District Land Use Application review. He reported that the TAC continued to review the Drainage Criteria Manual and the Flood Control Study.

The next TAC meeting is scheduled for April 3, 2013 at 1:00 PM at Fountain City Hall.

7. B CITIZENS ADVISORY GROUP REPORT

Irene Kornally reported that the CAG met March 8, 2013 at Fountain City Hall. The CAG received a presentation from Dan Bare concerning the drainage Criteria Manual. She stated the CAG began review of the Trust for Public Land Report and intended to provide comments and suggestions to the Board when the review was completed.

She stated the CAG Outreach Subcommittee discussed how to become more visible to the public in support of the district's mil levy campaign.

The next CAG meeting will be April 12, 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 February 28, 2013. The District has total assets of \$231,907 and no liabilities. Profit and Loss Budget vs. Actual report for the period January through February 2013 indicated total revenues were \$105.61 and total expenses were \$25,412.16 for a net negative income of \$25,306.54 resulting in a District total equity of \$231,907.73. The General Fund cash on hand as of February 28, 2013 was \$54,389 and the Restricted Fund cash on hand was \$184,114. The total cash on hand was \$238,503.

7. D LEGAL REPORT - None

7. E EXECUTIVE DIRECTOR'S REPORT

Larry Small reported that he attended a meeting on February 25, 2013 to discuss the potential acquisition of the Greenview Trust Property in Pueblo County on the east side of Fountain Creek just north of Pueblo. Mr. Small stated that he attended the Colorado Springs City Council meeting on February 26 to support the Stormwater Task Force resolution but the resolution was withdrawn from the agenda. Mr. Small reported that he attended the first Regional Stormwater Task Force Phase 2 meeting on February 28. He reported that the IGA Committee met with representatives of NRCS on February 28 to discuss potential funding for Fountain Creek Bank Stabilization projects on private property. Mr. Small reported he signed the engineering drawings for the Front Range Trail through Clear Spring Ranch on March 11 so they could be submitted to GOCO. Mr. Small reported that he attended the second Regional Stormwater Task Force meeting on March 18. He reported that he attended the CWCB Board meeting in Denver on March 19 to support the District's grant application. The CWCB Board approved the grant. Mr. Small reported that he attended the Colorado Springs SDS Water treatment plant ground breaking on March 20. Mr. Small reported that he attended the second meeting for the acquisition of the Greenview Trust Property on March 21

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

8. A MIL LEVY DISCUSSION

Larry Small presented a spread sheet showing what a District Office structure would be and the first year expenses associated with establishing the office. The initial office staff would consist of five employees at an annual cost of \$598,728. Business operations, including outsourced Engineering support, Legal support, IT support, audit support, insurance and dues and memberships would have an annual cost of \$306,200. Office expenses for rent, utilities, equipment and supplies, advertising and other common expenses would have an annual cost of \$77,630. Total first year recurring costs would be \$982,558 which would be equivalent to 0.125 mils based on current assessed valuation for the district. Other first year costs for office equipment and furniture, software and vehicles would equal \$173,600 for a total first year cost of \$1,215,618.

The Board held a general discussion about the Trust for Public Land report concerning the potential mil levy. The board decided by consensus to schedule a Board retreat in June to focus on the ballot question.

9. NEW BUSINESS (BOARD ACTION REQUIRED)

9.A APPROVAL OF EXEMPTION FROM AUDIT FOR FISCAL YEAR 2012

Larry Small presented the Exemption from Audit for Fiscal Year 2012 as prepared by the auditing firm of Logan & Associates. The audit exemption showed that the District records of revenues and expenditures were appropriately accounted for and gave a clean audit finding. The Exemption for Audit is due to the state Treasurers office by March 31, 2013.

Upon motion duly made, seconded, and unanimously carried, the Exemption from Audit for fiscal Year 2012 was approved as submitted and authorized for submittal to the State Treasurers Office as required by State Statute.

9.B AUTHORIZE JANE RHODES AS SIGNATORY ON DISTRICT CHECKING ACCOUNTS REPLACING JEFF CHOSTNER

Larry Small stated that Jeff Chostner was a signatory to the District checking accounts and since he had left the board it was necessary to remove him as signatory on the district Checking Accounts. He recommended that Jane Rhodes, District Treasurer, replace Mr. Chostner as signatory since it was necessary to retain three authorized signatories.

Upon motion duly made, seconded, and unanimously carried, Jeff Chostner was removed as signatory on the District checking accounts and Jane Rhodes was made signatory on the District checking accounts replacing Jeff Chostner.

9.C CONTRACT WITH SUMMIT ECONOMICS FOR STORMWATER MANAGEMENT TASK FORCE SUPPORT

Larry Small presented the Summit Economics proposal for support to the Regional Stormwater Task Force. El Paso County and Colorado Springs had selected Summit Economics to perform the contract. The contract would be funded by El Paso County and Colorado Springs Utilities and managed by the District under the same concept as the Stormwater Management Study performed by Summit Economics.. The contract would have a term of 120 days from contract award and a total not to exceed cost of \$158,650.

Upon motion duly made, seconded, and unanimously carried, it was approved that the district would issue and manage the Summit Economics Contract with the following stipulations:

**Colorado Springs Utilities and El Paso County will select the Contractor
Contract will be fully funded by Colorado Springs Utilities and El Paso County
District will award contract as agreed to between funders and Contractor
District will award contract when funds are received
Contract can be funded on a Task by Task basis
District will manage contract on behalf of funders
District assumes no financial responsibility for the contract**

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				
	03/04/13	68	\$2,500.00	Executive Director
Logan and Associates				
	03/01/13	149	\$1,900.00	Prepare FY2012 Audit Exempt.
TOTAL - General Fund			\$4,400.00	

Master Plan Fund				
<u>Vendor</u>	<u>Date</u>	<u>Num</u>	<u>Amount</u>	<u>For</u>
Matrix Design Group				
	03/08/13	12932	\$5,400.00	Grant Preparation
TOTAL - Master Plan Fund			\$5,400.00	

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 April 26, 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.