

Fountain Creek Watershed Governing Board
MINUTES
April 24, 2009

The meeting was held at:
Pueblo County Conference Room
1001 N. Santa Fe Ave.
Pueblo, CO 81003

1. CALL TO ORDER AND INTRODUCTIONS:

El Paso County Commissioner Dennis Hisey called the meeting to order at 2:00 p.m.

2. ATTENDANCE AND QUORUM:

In attendance were the following duly designated members of the Governing Board:

<u>Name</u>	<u>Appointing Authority</u>
Dennis Hisey	El Paso County
J. E. Chostner	Pueblo County
Larry Small	City of Colorado Springs
Gabe Ortega	City of Fountain
Barbara Vidmar	City of Pueblo
Max Stafford	EPC Small Municipalities
Leroy Mauch	Lower Arkansas Valley Water Conservancy District

Also in attendance, Jeri Howells, Mayor of the City of Fountain. A quorum was noted.

3. APPROVAL OF MINUTES OF PRIOR MEETINGS:

Upon motion duly made, seconded and unanimously carried, the minutes of the Board meeting of March 20, 2009 were approved.

4. APPROVAL OF AGENDA:

Upon motion duly made, seconded and unanimously carried, the agenda for the April 24, 2009 meeting was approved.

5. SUNDANCE RESOURCES (LaFARGE) LAND USE APPLICATIONS:

Cole Emmons, Assistant County Attorney of El Paso County (“Emmons”) led a Board discussion concerning procedures to be followed by the Board in reviewing the pending applications, including compliance with statutory notice and publication requirements. Upon motion made, duly seconded and unanimously carried, the hearing on the pending applications was continued until 10:00 a.m., May 29, 2009 at the Fountain City Hall, 116

S. Main Street, 2nd Floor, Fountain, CO 80817. Alex Schatz, a representative of the Applicant, Sundance Resources agreed to the continuance on behalf of his client.

6. ADVISORY COMMITTEE ON THE SUNDANCE RESOURCES (LaFARGE) LAND USE APPLICATIONS

Mr. Emmons recommended to the Board that it appoint a temporary committee for the limited purposes of evaluating the Sundance Resources land use applications and making recommendations to the Governing Board. Following a discussion, upon motion made, duly seconded and unanimously carried, it was resolved by the Board to form such a committee and to appoint the following persons to membership:

- a. Members of the Pikes Peak Area Council of Governments Fountain Creek Watershed Study Technical Advisory Committee including but not limited to Ken Sampley, Dennis Maroney, Rich Muzzy, Kim Headley and Tom Condit;
- b. Jim Houck and Elaine Kleckner.

7. APPOINTMENT OF THE CITIZENS ADVISORY GROUP AND THE TECHNICAL ADVISORY COMMITTEE

The Board discussed making appointments to the Citizens Advisory Group (“CAG”) and the Technical Advisory Committee (“TAC”) and it was the unanimous opinion of the Board to appoint members to the CAG and TAC after completing a public process of soliciting applications for appointment. It was further unanimously agreed that individuals who participated in the Fountain Creek Vision Task Force and its working groups would be encouraged to continue their service on the CAG and TAC.

8. PROPOSED ANNEXATION – CITY OF FOUNTAIN # 7

Al Ziegler, City Attorney for the City of Fountain addressed the Board regarding the proposed annexation of approximately 26.18 acres west of Southmoor Drive and north of Puerta Road into the City of Fountain. Following a discussion, upon motion made, duly seconded and unanimously carried, it was resolved by the Board to inform El Paso County and the City of Fountain that the Governing Board supported a waiver of the requirement for an Annexation Impact Report as specified in C.R.S. 31-12-108.5.

9. BYLAWS

Mr. Emmons reviewed with the Board proposed bylaws which he had drafted for its consideration. Following a discussion, it was the unanimous opinion of the Board to defer consideration of the proposed bylaws until its next meeting in order to allow for further study.

10. STATUS OF IGA AND APPOINTMENT OF DIRECTORS

Mr. Emmons reported that the affected governmental bodies had approved the IGA but that he had not yet received a signed IGA from the Towns of Monument, Green Mountain Falls or Palmer Lake.

Commissioner Jeff Chostner reported on the progress of appointing the final two vacancies on the Governing Board, i.e. a joint appointment of a director by Pueblo County and the City of Pueblo and the joint appointment of a director by El Paso County and Pueblo County from the Citizens Advisory Group.

11. SIGNING OF LEGISLATION BY GOVERNOR RITTER

Gary Barber reported that the Governor's Office had expressed a preference for signing SB 09-141 in the City of Fountain around the middle of May, 2009, perhaps the week of May 18, 2009. Mr. Barber stated that he would keep the Board informed.

12. OTHER BUSINESS:

Commissioner Hisey led a discussion concerning the expected funding and support from the governmental bodies which were signatories to the IGA. It was the unanimous opinion of the Board that the governmental entities were expected to provide appropriate staff to advise and support the Governing Board but that future monetary funding would be at the discretion of the local governing bodies.

13. PUBLIC COMMENT:

None.

14. EXECUTIVE SESSION:

None.

15. DATE, TIME, AND LOCATION OF NEXT MEETING:

Upon motion made, duly seconded and unanimously carried, it was resolved that the next meeting of the Governing Board would be 10:00 a.m. on Friday, May 29, 2009, at the Fountain City Hall, 116 S. Main Street, 2nd Floor, Fountain, CO 80817.

16. ADJOURN:

The meeting adjourned at 3:15 p.m.

J. E. Chostner, Secretary