

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

September 23, 2011

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

Chairman Hisey 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

Dennis Hisey	El Paso County
Jeff Chostner	Pueblo County
Gabe Ortega	City of Fountain
Max Stafford	EPC Small Municipalities
Leroy Mauch	Lower Arkansas
Richard Skorman	CAG Liaison
Jane Rhodes	Fountain Creek Land Owner
Larry Atencio	City of Pueblo

Excused:

Tim Leigh	City of Colorado Springs
Leroy Mauch	Lower Arkansas

A quorum was noted. Also present were Dan Kogovsek, Legal Counsel, Cole Emmons, Legal Counsel and Larry Small, Executive Director

2. APPROVAL OF THE AGENDA

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

3. APPROVE MINUTES OF PRIOR BOARD MEETING

Upon motion duly made, seconded, and unanimously carried, the minutes of the board meeting of August 26, 2011 were approved.

4. PUBLIC COMMENT

Jane Green, a resident of El Paso County and owner of land South of the City of Fountain along Old Pueblo Road along both sides of Fountain Creek reported that her land suffered serious damage from the storm of September 14, 2011. She reported that approximately 4-1/2 inches of rain fell in her area. And the jetty on her property built by the Corp of Engineers in 1998 was destroyed. The iron, rock blanket and rocks were all carried away by the flood waters. Ms. Green asked what should she do and who should she talk to. Director Chostner responded that the two agencies who might be of help were

the Corp of Engineers and NRCS. He stated that it was unfortunate that the District did not currently have the funds necessary to help curtail these types of events. Hopefully in the near future the District will be better funded and will be able to make a real difference in dealing with flood conditions, since that is part of the District's mission.

Director Rhodes commented that her land at Pinion also borders the creek and saw 13,600 CFS at 9:30 am September 15,2011. She said the two jetties on her property held but she was aware of other property owners along the Fountain who also suffered damage from the storm. Director Skorman suggested that anyone who had photographs of the storm event should send them to the District so the district could keep them for historic reference.

5. REGULAR REPORTS

5.A. TAC UPDATE – Dennis Maroney

Mr. Maroney reported that the TAC met September 7, 2011 and compiled comments to the draft Master Plan. He stated that the TAC recommended approval of the Master Plan subject to incorporation of comments. He recommended that the Master plan be posted on the web site for public review prior to Board approval.

Mr. Maroney reported that the next TAC meeting would be Wednesday, October 5, 2011 at 1:00 pm in Fountain City Hall.

5.B. CAG UPDATE – Terry Hart

Mr. Hart reported that the CAG met September 9, 2011 and reviewed the Public Notice Procedure and voted to recommend approval to the District board.

Mr. Hart reported that the CAG provided written comments to the Master Plan. He stated the CAG weighed in on water quality discussions in the plan and recommended they be expanded. He reported the CAG voted to recommend approval by the District board subject to incorporation of comments. He reported the vote to recommend approval was not unanimous.

Mr Hart reported that the CAG had a brief discussion on the web site redesign and upgrade and verified that their prior comments had been incorporated.

Carol Baker reported that the Outreach Subcommittee met and discussed communicating that the CSU wetlands planting at Clear Spring ranch would be done September 24, 2011.

The next meeting of the CAG will be 9:30 am, October 14, 2011 at the Fountain City Hall.

5.C. FINANCIALS AND APPROVAL OF INVOICES

Larry Small presented the Fountain Creek District Balance Sheet as of August 31, 2011. The District has total assets of \$640,451.54 and total liabilities of \$44,191.25. Profit and Loss Budget vs. Actual report for the period January thru August 2011 indicated total revenues were \$382,488 and total expenses were \$234,583 for a net positive income of \$147,906 resulting in a District total equity of \$596,260.29. The General Fund cash on hand as of August 31, 2011 was \$165,100.20 and the Restricted Fund cash on hand was \$333,482.58. The Flood Control Study 12-month CD value was

\$102,527.51. The total cash on hand was \$601,110.29.

Invoices presented for payment were:

Master Plan Fund

THK	Invoice #3361	\$12,008.27	Master Plan development
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General Fund

Larry Small	Invoice 14	\$2,500.00	Ex Director – 1 month
BiggsKofford	Invoice BKC54175	\$5,000 .00	2010 Audit

Upon motion duly made, seconded, and unanimously passed, payment of the invoices as presented was authorized.

5.D. LEGAL REPORT – None

5.E. EXECUTIVE DIRECTOR'S REPORT

Larry Small reported that he presented the Fountain Creek District Update presentation to the Colorado Springs Kiwanis Club on August 31, 2011 and to the Green mountain Falls Town Council on September 20, 2011. He reported that he would be giving the presentation to the Palmer Lake Town Council on October 6, 2011 and to the Colorado Springs Downtown Development Authority on October 11, 2011.

Mr. Small reported that the final Master plan would be posted on the web site for public review on October 18, 2011 for public review and he would issue a press release to advise the public it was available and comments were sought.

6. OLD BUSINESS

6.A PRELIMINARY 2012 BUDGET

Larry small reported that the preliminary 2012 budget was substantially the same as presented in draft to the Board in August with the exception that the budget for Grant matching had been increased from \$30,000 to \$60,000 based on the fact that most grants would require a 20% match rather than the 10% initially estimated.

Upon motion duly made, seconded, and unanimously passed, the Preliminary 2012 Budget was accepted by the Board.

7. NEW BUSINESS

7.A MEMORANDUM OF AGREEMENT (MOA) WITH THE CITY OF PUEBLO TO PROVIDE \$10,000 DISTRICT MATCHING FUNDS FOR THE GOCO PLAZA VERDE TRAIL CONSTRUCTION GRANT

Upon motion duly made, seconded, and unanimously passed, the MOA was approved by the Board.

7.B. MEMORANDUM OF AGREEMENT (MOA) WITH THE CITY OF COLORADO SPRINGS TO PROVIDE \$16,000 DISTRICT MATCHING FUNDS FOR THE GOCO FRONT

RANGE TRAIL EXTENSION DESIGN THROUGH CLEAR SPRING RANCH GRANT

Upon motion duly made, seconded, and unanimously passed, the MOA was approved by the Board.

7.C EXTENSION OF THE THK MASTER PLAN CONTRACT TO OCTOBER 31, 2011

Larry Small explained that the THK contract expired September 30, 2011 and THK would need until the end of October to complete incorporating comments and deliver the final master Plan. There would be no increase in contract price.

Upon motion duly made, seconded, and unanimously passed, the contract extension was approved.

7.D PUBLIC NOTICE PROCEDURE

Elaine Kleckner presented the Public Notice procedure stating that the TAC felt that this was the first procedure needed by the District and that other procedures would be developed in the future. She stated that the procedure was very similar to what Counties do and that the District is different but statutorily controlled similar to Counties. She stated that the procedure had been reviewed by the CAG and the CAG recommended approval.

Upon motion duly made, seconded, and unanimously passed, the Public Notice Procedure was approved.

8. OTHER BUSINESS

8.A DISCUSSION OF DISTRICT INSURANCE REQUIREMENTS

Larry Small stated that he had become aware that the district might need Contractor's Insurance for future grants and that the District also might require Errors and Omissions insurance for the district and its Directors. He asked the board permission to seek providers for such insurance and asked the Board to set a monetary limit he could use in dealing with insurance companies.

Upon motion duly made, seconded, and unanimously passed, the Board authorized the Executive Director to seek insurance with an authorized limit of \$3000 per year for purposes of dealing with insurance companies.

9. EXECUTIVE SESSION – None was required.

10. CONFIRM NEXT MEETING TIME AND LOCATION

The next meeting will be held October 28, 2011 at 1:00 pm at the Fountain City Hall, Council Meeting Room, Fountain, Co.

12. ADJOURNMENT

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