

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

March 23, 2012

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 Chostner 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

Dennis Hisey	El Paso County
Jeff Chostner	Pueblo County
Max Stafford	EPC Small Municipalities
Richard Skorman	CAG Liaison
Brandy Williams	City of Colorado Springs
Gabe Ortega	City of Fountain
Jane Rhodes	Fountain Creek Land Owner
Eva Montoya	City of Pueblo
Leroy Mauch	Lower Arkansas

Excused:

None

A quorum was noted. Also present were Cole Emmons and Dan Kogovsek, Legal Counsel and 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 PRIOR BOARD MEETING

Upon motion duly made, seconded, and unanimously carried, the Minutes of the February 24, 2012 Board meeting were approved.

4. BOARD MEMBER COMMENTS

None

5. PUBLIC COMMENT

Chris Woodka, reporter for the Pueblo Chieftain, asked about the story in the Gazette about Colorado Springs discussing the need to fund stormwater management at a level of \$13- \$15 million as had been done by the Stormwater Enterprise prior to its abolishment by the voters and

how would that affect the District's upcoming mil levy question. Director Williams responded that those discussions were preliminary between the Colorado Springs City Council and the Mayor, that the level of funding was consistent with what had been funded in the past, and that options to replace the funding were being examined. Chair Chostner stated he felt the public wanted to see a solution to stormwater management in the watershed and that the funding for municipal stormwater and the District's funding were not mutually exclusive – they would both be directed toward the improvement of the watershed but in different ways. Executive Director Small stated that the District would be working in conjunction with member governments in the District to find a mutual solution to issues affecting our waterways. Director Skorman stated that he had talked to Mayor Bach and that the Mayor was committed to finding a funding solution to the City's problem.

6. REGULAR REPORTS

6. A TECHNICAL ADVISORY COMMITTEE REPORT

Elaine Kleckner reported that the TAC met on March 7, 2012. Ms. Kleckner reported that the TAC continued discussion on the Flood Control Study objectives and progress. The discussion focused on the work plan, the model and scenarios and refining the modeling activities to insure that outcomes match objectives and that sediment transport and future development would be considered.

Ms. Kleckner reported that the TAC continued discussion on the on the CWCB Public Policy Grant activities in support of the drainage Criteria Manual. There will be further periodic meetings to be sure the activities lead to a successful regional meeting to roll out the manual.

Ms. Kleckner reported that the TAC discussed establishing a fee schedule for the District and was examining both El Paso County fees and pueblo County fees as a basis for determining appropriate district fees.

Ms. Kleckner reported that the TAC is looking at other issues in support of the Board objectives, namely, the future mil levy, land use procedures and fees, and water rights and flood control.

(The following discussion was conducted later in the meeting during item 9. A. since Mr. Muzzy was not available to speak during the TAC report)

Rich Muzzy reported that a group of waste water dischargers met at PPACG to find a way to comply with new EPA regulations for nutrient discharge and how as a group they could monitor the waterways through periodic testing. He stated the group was looking at creating either a non-profit to do the work or the group could contract with the District to do the work. Chair Chostner asked if CSU Pueblo had been considered to support this activity since Pueblo County had funded this type activity and would like to see synergy between the two activities. Larry small stated this is an activity that the district could easily administer and could generate revenue for the district.

The next TAC meeting is scheduled April 4, 2012 at 1:00 PM at Fountain City Hall.

6. B CITIZENS ADVISORY GROUP

Irene Kornelly reported that the CAG met March 9, 2012 at Monument City Hall. She reported that the CAG received a briefing on Oil and Gas Fracking Practices and Regulations from Dr. Bob Reynolds from the Denver Museum of Nature and Science and Mr. John Munson, an attorney representing El Paso County in fracking discussions. The discussions focused on the technology used in fracking and how fracking operations worked as well a regulatory processes that were in place to monitor and control the operations.

Ms. Kornelly reported that the CAG had an update on the development in Fountain and how that development could affect Fountain Creek and concluded that there was no impact, that the land use was being redirected to mixed use to be consistent with the surrounding neighborhood.

Carol Baker presented the Outreach Subcommittee report. She stated that the focus of the Outreach Subcommittee was on the upcoming Adopt a Creek event to be held April 21, 2012 at Clear Spring ranch. She said the objective was to have an event that would be highly visible to the public to raise awareness of the District and its benefit to the watershed.

Ms. Kornelly reported that the next CAG meeting would be April 13, 2012.

6. C FINANCIAL REPORT

Larry Small presented the Fountain Creek District Balance Sheet as of February 29, 2012. The District has total assets of \$434,620.21 and total liabilities of zero. Profit and Loss Budget vs. Actual report for the period January – February 2012 indicated total revenues were \$342.06 and total expenses were \$96,152.26 for a net negative income of \$95,810.20 resulting in a District total equity of \$434,620. The General Fund cash on hand as of January 31, 2012 was \$114,491 and the Restricted Fund cash on hand was \$290,059. The Flood Control Study 12-month CD value was \$103,040. The total cash on hand was \$507,590..

6. D LEGAL REPORT

None

6. E EXECUTIVE DIRECTOR'S REPORT

Larry Small reported that he had attended the Fountain City Council meeting on February 28, 2012 and presented the Fountain Creek District progress report. He reported that he had attended a Stormwater Study stake holders meeting on March 6, 2012 to review progress to date on the Stormwater Study and to validate some of the findings of the study before it is finalized. He reported that he had attended the Colorado Springs Park and Recreation Board meeting on March 8, 2012 and presented the Fountain Creek District progress report. He stated the Parks Board was very much interested in working with the District in the future since both organizations had common interests in promoting improvements to the watershed. He reported that he had attended the El Paso County Board of County Commissioners meeting on March 13, 2012 to

support the GOCO Grant application presentation and that the County Commissioners had voted unanimously to support the application.

Mr. Small reported that he had met with Matrix Engineering on March 15, 2012 to review progress of work for the Drainage Criteria Public Policy Grant and that effort was underway for a June 2012 completion. He stated the drainage criteria survey had been sent to member governments to assess any changes in criteria since the last review and responses were expected soon.

Mr. Small reported that he had received and reviewed an application submitted to El Paso County for the Marlborough Metropolitan District Service Plan to create a reservoir east of Fountain and saw no impact to the District from the service plan, although when land use applications are submitted in the future further impact analysis will need to be done concerning impacts from potential water use on creeks in the watershed.

Carol Baker reported that the GOCO Grant Application in an amount of \$5.04 million was submitted on March 16, 2012. She reported that GOCO representatives would tour the application area on March 29, 2012 and that Board members would be invited to meet the representatives at stops along the tour. She reported that we will give an oral presentation to the GOCO Board on April 9, 2012 in Golden. The grant awards would be announced by the GOCO Board on June 18, 2012.

7. OLD BUSINESS (BOARD ACTION REQUIRED)

None

8. NEW BUSINESS (BOARD ACTION REQUIRED)

None

9. OTHER BUSINESS (BOARD ACTION REQUIRED)

9. A. AUTHORIZATION TO EXPEND UP TO \$400 TO REHOST THE WEBSITE

Larry Small explained that we must move our website off PPACG's site to our own standalone site so we can administer it. We have a quote for 10 hours work at \$40 per hour to complete the rehosting activities, then Jeff Besse will be our web administrator. The request is to authorize funding of the \$400 from our General Fund account where \$2000 are budget for miscellaneous expenses. Rich Muzzy presented the technical details and schedule for the rehosting.

Upon motion duly made, seconded, and unanimously carried, not to exceed \$400 was approved to be paid from the General Fund to rehost the web site.

9. B APPROVAL OF INVOICES

The following invoices were presented for approval to pay:

Master Plan Fund				
<u>Vendor</u>	<u>Date</u>	<u>Num</u>	<u>Amount</u>	<u>For</u>
THK Associates, Inc.				
	03/05/12	3655	\$10,988.10	GOCO Grant Application Preparation
TOTAL – Master Plan			\$10,988.10	

General Fund				
<u>Vendor</u>	<u>Date</u>	<u>Num</u>	<u>Amount</u>	<u>For</u>
Larry Small				
	03/09/12	25	\$2,500.00	Executive Director
TOTAL - General Fund			\$2,500.00	

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

10. EXECUTIVE SESSION (IF REQUIRED) - None

11. CONFIRM NEXT MEETING TIME AND LOCATION

The next Board Meeting will be held at the City of Fountain City Hall, second floor Council Chambers, 116 S. Main Street, Fountain, CO 80817 at 1:00 PM on April 27, 2012

12. ADJOURN

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