

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

February 28, 2014

The meeting was held at: City of Fountain City Hall, 116 S. Main Street, and 2nd Floor
Fountain, CO 80817

1. CALL TO ORDER AND ESTABLISHMENT OF A QUORUM

Chair Montoya called the meeting to order at 1:07 pm. In attendance were the following duly designated members of the Board of Directors of the District:

Name:

| | |
|------------------|---------------------------|
| Richard Skorman | CAG Liaison |
| Greg Lauer | City of Fountain |
| Val Snider | City of Colorado Springs |
| Jane Rhodes | Fountain Creek Land Owner |
| Eva Montoya | City of Pueblo |
| Melissa Esquibel | Lower Arkansas |

Excused:

| | |
|----------------|--------------------------|
| Terry Hart | Pueblo County |
| Dennis Hisey | El Paso County |
| Michael Maddox | EPC Small Municipalities |

A quorum was noted. Also present were Cole Emmons, 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 JANUARY 24, 2014 BOARD MEETING AND THE MINUTES OF THE JANUARY 24, 2014 ANNUAL BOARD MEETING

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

4. PRESENTATION - TOWN OF PALMER LAKE WILDFIRE RISK REDUCTION GRANT APPLICATION, JUDITH HARRINGTON

Judith Harrington stated that she was a volunteer working with the Town of palmer lake Volunteer Fire department and other volunteers to put together a grant application for the Colorado Department of Natural Resources Wildfire Risk Reduction Program. She stated that the application requires a 25% match and that she was hoping to raise \$25,000 to obtain a \$100,000 grant. She stated that the applications were due March 13, 2014 and that funding notifications would be made May 5, 2014 and the grant period of performance would be through November 5, 2015. She stated that Palmer Lake was at the top of Monument Creek and the town

was concerned about the amount of fire fuel in the town and adjacent forests. She stated that the grant would be used to reduce fire fuel on both private and public property. She stated that the work would be performed by the volunteer fire department and community volunteers. In response to a question from Director Esquibel about how the funds would be used and how much would go to management and administration, Ms. Harrington stated that all management and administration would be done by volunteers so all the funds could be used for the project. In response to a question about what support was being asked of the District, Ms. Harrington responded that she hoped the district could contribute \$3000 but any support would be appreciated. In response to a question from Chair Montoya about where the contribution would come from, Larry Small responded that there was \$600 in the District 2014 budget for miscellaneous expenses and it would come from that fund. Director Skorman asked what was planned for the \$600 and Mr. Small responded that the \$600 was for unplanned expenses that might occur during the year. In response to a question from Chair Montoya about how to proceed, Cole Emmons stated that any action the Board takes needs to be on the agenda. He stated that the board could make a commitment at this meeting but would have to ratify that commitment as business at the March meeting. After discussion by the Board it was decided by consensus that the request for funding should be put on the March agenda and acted on at that meeting since a number of Board members were absent from this meeting. Ms. Harrington stated that any contribution would be appreciated but it would not be eligible to be used as matching funds unless it was committed when the application was submitted.

5. BOARD MEMBER COMMENTS

Director Rhodes stated that she enjoyed the tour of the SDS Fountain Creek Realignment Project.

Director Snider stated that the Regional Stormwater Taskforce is near the end of its work and will make final recommendations.

Chair Montoya stated that she too enjoyed the tour of the SDS Fountain Creek Realignment Project. She stated that the difference in the creek at the site as a result of the work was a great example of what could be done on the entire stretch of Fountain Creek from Colorado Springs to the confluence.

Director Skorman stated that the Regional Stormwater Taskforce follow-on work will transition to a citizens committee that will work toward public awareness in preparation for a November ballot question.

6. PUBLIC COMMENT

Mark Shea, Colorado Springs Utilities, thanked Director Montoya and Director Rhodes for attending the tour of the SDS Fountain Creek Realignment Project conducted earlier in the morning at Clear Spring Ranch. He stated that he appreciated the work that the District was doing and encouraged the Board to continue its support to the issues facing the watershed, particularly in view of the effect of the fires. He also reported that the two Colorado Springs GOCO Grant projects were well underway. He stated that the America the Beautiful Park

project and the Clear Spring Ranch Front Range Trail project would be under construction in late spring.

Scott Hobson, City of Pueblo, reported on the GOCO Grant Project at the El Centro Park. He stated that the design was complete and construction of the project would begin soon. Project objects are to build the Wheel Park, improve access to Fountain Creek by reconstructing the trail nearer to the creek and improving the creek channel from Eighth Street to the Confluence. He stated that the City was working with Pueblo County on the channel improvements.

7. REGULAR REPORTS

7. A TECHNICAL ADVISORY COMMITTEE REPORT

Nancy Keller reported that the TAC met February 5, 2014 at Fountain City Hall. She reported that the TAC elected officers for 2014 and John Chavez would continue as Chair, she would serve as Vice Chair and Tasha Brackin was elected Secretary. She reported that the TAC would like to explore having alternate members just as the Board had because it was sometime hard to get a quorum at meeting because of member business commitments. Cole Emmons, Attorney, stated that he would explore what it would take to authorize the TAC to have alternate members.

She reported that J. Chavez updated the group that the Board is interested in a presentation of watershed restoration projects completed in the Waldo Canyon area. John will coordinate with Tim Mitros from the City of Springs to develop a presentation.

She reported that John Chavez updated the group regarding new El Paso County funding agreement with NRCS and State Office of Emergency Management (OEM) for Waldo Canyon burn restoration projects. A new funding agreement to address three urgent projects is in process. The City of Fountain has received preliminary notice from NRCS that Fountain may be receiving funds to address a project in Fountain.

She reported that John Chavez updated the group that it should be receiving a presentation from USGS on the final Flood Control Study in March .

The next TAC meeting is scheduled for March 5, 2014 at 1:00 PM at Fountain City Hall.

7. B CITIZENS ADVISORY GROUP

Irene Cornelly reported that the CAG met February 14, 2014 at Fountain City Hall. She reported that the CAG received the presentation from Judith Harrington concerning the Palmer Lake Wildfire Mitigation Grant application but took no position on the request other than to suggest that the Executive Director send a letter of support. She reported that the CAG received a briefing on the progress of the Frost ranch bank restoration project from Graham Thompson and reviewed the potential restoration techniques. She reported that the CAG will receive a presentation on the final Flood Control Study from USGS at its March meeting.

Ms. Kornelly reported that the Outreach Subcommittee met February 18, 2014. She stated that Jerry Cordova was selected to chair the Outreach Subcommittee. She stated that the Subcommittee reviewed the draft brochure and gave final suggestions. She stated that the Subcommittee is preparing banners and other handouts and is looking into logo tee shirts to wear at events. She stated that the Subcommittee decided to support the CSU Pueblo Water Festival on May 6, 2014 and will have a demonstration for third and fourth graders about how a watershed works. She stated that the Subcommittee is putting together a calendar of events for 2014 and already has a number of events scheduled.

The next CAG meeting will be March 14, 2014 at 9:30 am at the Fountain City Hall.

The next Outreach Subcommittee meeting will be March 17, 2014 at 10:00 am at Fountain City Hall.

7. C FINANCIAL REPORT

Larry Small presented the Fountain Creek District Balance Sheet as of January 31, 2014. The District has total assets of \$191,926.15 and no outstanding liabilities. Profit and Loss Budget vs. Actual report for the period January 2014 indicated total revenues were \$5,023.26 and total expenses were \$5,540.80 for a net negative income of \$517.54 resulting in a District total equity of \$191,926.15. The General Fund cash on hand as of January 31, 2014 was \$56,701 and the Restricted Fund cash on hand was \$129,266.56. The total cash on hand was \$185,967.56. Mr. Small reported that as of February 28, 2013, \$26,400 had been received as Represented Government Contributions and \$22,500 was still pending..

7. D LEGAL REPORT - None

7. E EXECUTIVE DIRECTOR'S REPORT

Larry Small reported that he attended a meeting on January 28, 2014 to discuss the Wedgewood farm Grant reapplication. It was decided to reapply in March based on discussions with GOCO. Additional funding partners are being explored. He stated that he attended a Regional Stormwater Governance Subcommittee meeting on January 28, 2014 to discuss the recommendations of the attorney concerning structure and governance of the activity. Preliminary indications are that a new Regional Stormwater Authority would be the selected structure. He reported that he attended CDOT Environmental/Aesthetics/Trails Committee meetings on January 30, 2014 and February 20, 2014 to continue to develop criteria for the I-25/Cimarron Interchange. He reported he attended a meeting on February 3, 2014 with the contractors designing the Colorado Avenue improvements from Limit Street to Manitou Springs to discuss the criteria for improving Fountain Creek in that stretch. He reported that he gave a presentation on February 5, 2014 at the Southern Colorado Business Forum about how waterways can be an amenity to business development. He reported that he attended the Waldo Canyon Fire Recovery group meeting on February 10, 2014 to discuss the status of activities to improve the burn area. He reported that he made a presentation to the Regional Stormwater Engineering Subcommittee on February 18, 2014 about what it would take to do a Fountain Creek Watershed Restoration Master Plan. He reported that he conducted Project management

reviews of the Frost Ranch Bank Restoration Project on February 13, 19 and 21, 2014 to review the project design and meet with potential constructions contractors to get bids for the construction work.

8. 0 OLD BUSINESS (BOARD ACTION MAY BE REQUIRED REQUIRED) - None

9. NEW BUSINESS (Board Action Required)

9. A AUTHORITY TO PROCEED WITH UPPER FOUNTAIN CREEK AND CHEYENNE CREEK RESTORATION MASTER PLAN GRANT WORK PRIOR TO CONTRACT ISSUE

Larry Small stated that he had been advised by CWCB that any work done on the project after the date of notification of award, December 13, 2013, would be reimbursable even though the contract had not been issued by the State of Colorado. Mr. Small stated that he would like to begin work since the grant schedule was to begin January 1, 2014 and complete by December 31, 2014. He stated that although work might begin, he would incur no financial liability on behalf of the District for work performed by the District’s contractor. It would be made clear that the contractor was proceeding at its own risk because the District would not issue any contract until the State of Colorado contract was executed.

Upon motion duly made, seconded, and unanimously carried, approval to begin work on the Upper Fountain Creek and Cheyenne Creek Restoration Master Plan Grant was approved as requested subject to the stipulation that no financial liability would be incurred by the District for work performed prior to receipt of the State of Colorado Contract and the issuance of District contracts..

10. OTHER BUSINESS

10. A APPROVAL OF INVOICES

The following invoices were presented for approval to pay.

| General Fund | | | | |
|-----------------------------|-------------|------------|-------------------|--------------------|
| Vendor | Date | Num | Amount | For |
| Larry Small | | | | |
| | 02/19/14 | 103 | \$2,500.00 | Executive Director |
| | | | | |
| TOTAL - General Fund | | | \$2,500.00 | |

| Master Plan Fund | | | | |
|---------------------------------|-------------|------------|-----------------|------------------------------|
| Vendor | Date | Num | Amount | For |
| Matrix Design Group | | | | |
| | 2/6/14 | 14298 | \$802.50 | Frost Ranch Bank Restoration |
| | | | | |
| TOTAL - Master Plan Fund | | | \$802.50 | |

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

11. EXECUTIVE SESSION (IF REQUIRED) - None

12. CONFIRM NEXT MEETING TIME AND LOCATION

The next Board meeting will be held March 28, 2014 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.