

**Fountain Creek Watershed, Flood Control and Greenway District
BOARD OF DIRECTORS MEETING MINUTES
September 26, 2014**

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 Snider called the meeting to order at 1:02 pm. In attendance were the following duly designated members of the Board of Directors of the District:

Name:

Terry Hart	Pueblo County
Dennis Hisey	El Paso County
Richard Skorman	CAG Liaison
Val Snider	City of Colorado Springs
Melissa Esquibel	Lower Arkansas
Greg Lauer	City of Fountain

Excused:

Michael Maddox	EPC Small Municipalities
Jane Rhodes	Fountain Creek Land Owner
Eva Montoya	City of Pueblo

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 AUGUST 22, 2014 BOARD MEETING

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

4. PRESENTATION - None

5. BOARD MEMBER COMMENTS

Director Hart stated that he attended the Lower Ark Board meeting on September 17, 2014 to review the September 16, 2014 letter from the District to the lower Ark concerning the use of Master Plan funds. He stated that he had a good conversation and it was well received. He stated that he assured the Lower Ark Board that the District wanted to work with the Lower Ark and that the Lower Ark Board responded in-kind. Director Skorman stated that he was happy with the outcome and that we need the Lower Ark to be our partners.

Director Hisey stated that the El Paso County Regional Stormwater Authority ballot question had been placed on the ballot and the campaign was under way. El Paso County, Colorado Springs, Manitou Springs, Fountain and Green Mountain Falls was included in the Authority.

Director Skorman stated that the El Paso County Regional Stormwater Authority fund raising was going well and that the campaign would begin October 1, 2014. He stated that there was good support for the ballot question from a number of business organizations. He stated that ballots would be mailed out October 14, 2014. He stated that there were three announced candidates for Mayor of Colorado Springs for the 2015 election.

6. PUBLIC COMMENT

Jane Green, a property owner on Fountain Creek in El Paso County stated that she had received a \$62,000 grant from NRCS and would be looking for matching funds. Director Hisey asked how much was required and Ms. Green responded that she did not have quotes from a contractor so she did not know how much the total project would be. Mr. Small stated that he would talk to NRCS and the contractors to determine what would be required. Director Hisey stated that he would help find a solution.

7. REGULAR REPORTS

7. A TECHNICAL ADVISORY COMMITTEE REPORT

John Chavez reported that the TAC met September 3, 2014 at the Fountain City Hall. He reported that the TAC followed up on alternate members and would have a recommendation next month. He reported that the TAC had voted to recommend the Board appoint Dennis Maroney to the TAC as the Pueblo Water Conservation District representative. Mr. Maroney had previously represented the Pueblo Stormwater Enterprise on the TAC until his retirement. He reported that Rich Muzzey had formed a subcommittee to review the drainage Criteria Manual to develop a recommendation to the Board. He reported that Steve Gardner had agreed to present a briefing to the TAC on the adopted DCM. Director Hart stated that he has asked Pueblo County Staff to review the DCM and develop a recommendation to the Pueblo Board of County Commissioners for adoption and encouraged all Governments in the Watershed to consider adopting the DCM.

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

7. B CITIZENS ADVISORY GROUP REPORT

Irene Kornelly reported that the CAG met September 12, 2014 at the Fountain City Hall. She reported that the CAG received a briefing on the completion of the Frost Ranch Bank Stabilization Project. Ms. Kornelly reported that the CAG also received a briefing on the Birding Festival that would be held in May 2015 but made no commitment to support the event.

Ms. Kornelly stated that the Outreach Subcommittee Creek Week event officially starts September 27, 2014 and thirty-two groups had signed up covering over forty creek miles. She

stated that there had been a number of public service announcements. The debrief will be on October 21, 2014, time and place to be announced.

The next CAG meeting will be October 10, 2014 at 9:30 am at the Fountain City Hall.

The next Outreach Subcommittee meeting will be October 21, 2014 at 10:00 am at Fountain City Hall.

7. C FINANCIAL REPORT

Larry Small presented the Fountain Creek District Balance Sheet as of August 31, 2014. The District had total assets of \$284,289.81 and no liabilities. Profit and Loss Budget vs. Actual report for the period January 1, 2014 through August 31, 2014 indicated total revenues were \$304,456.62 and total expenses were \$216,610.50 for a net income of \$91,846.12 resulting in a District total equity of \$284,289.81. The General Fund cash on hand as of August 31, 2014 was \$104,978 and the Restricted Fund cash on hand was \$79,312. The total cash on hand was \$184,290.

7. D LEGAL REPORT

Cole Emmons reported that the El Paso County Attorney's office would cut back services to the District beginning January 2015 because of increased County workload. He reported that as of that date he would no longer attend Board meetings but would provide on-call services on an as-needed basis. Director Hart expressed that the District had planned to use part of the requested CSU Indexed Revenue for outside legal support but since CSU had not agreed to provide that funding the District had no funds to acquire outside legal support. He stated that the District would need more and more legal support as we prepare for the receipt of the Monetary Mitigation funds from CSU in 2017. He thanked Mr. Emmons for his service. Director Hisey expressed appreciation for the support Mr. Emmons had given the District from its inception.

7. E EXECUTIVE DIRECTOR'S REPORT

Larry Small reported that he had received a letter of resignation from Michael Maddox, the Small Municipalities Representative on the Board, and would start the replacement process. He reported that the first Water Rights protection Task meeting would be held in La Junta on October 17, 2014 at 10:30 am at Otero Junior College as part of the Winter Water Storage Program held by the Southeastern Colorado Water Conservancy District. He reported that he went on the Colorado Springs Utilities Water Tour on September 4 & 5, 2014 and was able to have discussions on a number of District items with various local and State Government representatives and business representatives. He reported that he attend a meeting at the Urban Drainage and Flood Control District office in Denver on September 8, 2014 to discuss issues with regional storage facilities and water rights. He reported that he attended the Arkansas Basin Roundtable meeting on September 10, 2014. He reported he attended the El Paso County Board of County Commissioners meeting on September 18, 2014, the Pueblo City Council meeting on September 22, 2014, the Colorado Springs City Council meeting on September 23, 2014 and the

Fountain City Council meeting on September 23, 2014 - all for proclamations in support of Creek Week.

7. F IGA COMMITTEE REPORT

Director Hart reported that the IGA Committee met August 29, 2014. In attendance was Mark Shea representing Colorado Springs Utilities, Jay Winner representing the Lower Ark and Terry Hart representing the District. He reported that the committee discussed how to find funding to implement projects in the Fountain Creek Corridor Restoration Master plan.

Director Hart also discussed an item not related to the IGA Steering Committee, that being establishment of a committee by the Board to start the planning of how the Monetary Mitigation funds would be used when they are received from CSU, that date projected to be January 2017. He stated that planning is necessary so the funds can be used effectively. He requested that the Board agree to an action item to allow the Executive Director to bring back to the Board in October a concept for such a committee. The board agreed by consensus to the action item and the Executive Director stated that he would have a report to the Board at the October 2014 meeting.

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

9. NEW BUSINESS (Board Action Required)

9. A PROPOSED DISTRICT 2015 BUDGET

Larry Small stated that by State Statute the Board must receive a proposed budget for the next Fiscal Year by October 15, 2014. He presented the proposed budget for Fiscal Year 2015. The General Fund revenue was \$274,037 and expenses were \$265,737. TABOR reserve was \$8,300. Mr. Small stated that the General Fund revenue included \$9,024 of revenue to be determined that would need to be earned to meet expenses. Restricted Fund revenue was \$51,381.85 and expenses were \$51,286.85. The District fund balance at the end of Fiscal Year 2015 was \$95.

Mr. Small stated that he would advertise the District's budget hearing in El Paso County and Pueblo County newspapers by November 12, 2014 and the Budget hearing would be at the Board meeting on December 12, 2014.

9. B. APPOINTMENT OF DENNIS MARONEY AS THE PUEBLO CONSERVATION DISTRICT TAC REPRESENTATIVE

Upon motion duly made, seconded, and unanimously carried, Dennis Maroney was appointed to the TAC as the Pueblo Conservation District representative.

9. C CSU-PUEBLO WATER QUALITY EVALUATION PROPOSAL

Del Nimo and Scott Herman, retired professors from CSU-Pueblo's Department of Biology, presented their research study on mercury and selenium in fish tissue from fish, primarily Trout,

found in Monument and Fountain Creeks. Fish stomach content was also evaluated for mercury content. The study covered Monument Creek from Palmer Lake to the confluence with Fountain Creek and Fountain Creek from Green Mountain Falls to the confluence with the Arkansas River. Selenium was the initial element being studied. The study scope extended to mercury in the streams as well as the atmosphere. Pueblo Reservoir was also considered in the study. The findings of the study indicated that mercury content in fish tissue was below the EPA danger level of 500 ppb. Mr. Nimo indicated that the study should be performed again to account for the impact of the Waldo Canyon and Black Forrest fires. Director Hart stated that he believed that this study had data pertinent to local Governments MS4 permits and encouraged the local governments to take advantage of this data. It was recommended that this presentation be given to the TAC and the CAG at a future meeting. Mr. Small stated that he would get this item on the TAC and CAG meeting agendas in November.

10. OTHER BUSINESS

10. A APPROVAL OF INVOICES

Presented for Payment 9/26/2014

General Fund				
<u>Vendor</u>	<u>Date</u>	<u>Num</u>	<u>Amount</u>	<u>For</u>
Larry Small				
	09/07/14	126	\$2,500.00	Grant Project Management
Larry Small				
	09/16/14	127	\$165.00	Colorado Watershed Assembly Conf
Matrix Design Group				
	09/03/14	15105	\$70,037.12	UFC/CK Watershed Rest Plan
TOTAL - General Fund			\$72,702.12	
Post Burn Analysis Fund				
<u>Vendor</u>	<u>Date</u>	<u>Num</u>	<u>Amount</u>	<u>For</u>
USGS				
	9/12/2014	90287946	\$3,000.00	Post Burn Water Quality Sampling
TOTAL – Post Burn Analysis Fund			\$3,000.00	

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 October 24, 2014 at 1:00 pm at the City of Fountain City Hall, City Council Chambers, 116 S. Main Street, 2nd Floor, Fountain, CO 80817.

13. ADJOURN

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