

**Fountain Creek Watershed, Flood Control, and Greenway District  
Board of Directors  
MEETING MINUTES  
October 23, 2015**

This 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**

Chair 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:**

Richard Skorman	CAG Liaison
Jane Rhodes	Fountain Creek Land Owner
Dennis Hisey	El Paso County
Melissa Esquibel	Lower Arkansas
Coreen Toll	EPC Small Municipalities
Jill Gaebler	City of Colorado Springs

**Excused:**

Dennis Flores	City of Pueblo
Terry Hart	Pueblo County
Greg Lauer	City of Fountain

A quorum was noted. Also present was 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 THE SEPTEMBER 25, 2015 BOARD MEETING**

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

**4. PRESENTATION - None**

**5. BOARD MEMBER COMMENTS**

Director Toll stated that Manitou Springs was focusing on flood restoration and drainage planning and a lot of work is yet to be done but the citizens have pointed out that there are other issues that need to be addressed now that the storm season is past.

**6. PUBLIC COMMENT - None**

## **7. REGULAR REPORTS**

### **7. A TECHNICAL ADVISORY COMMITTEE REPORT**

Nancy Keller reported that the TAC met October 7, 2015 at 1:00 pm at the Fountain City Hall. She reported that the Design Criteria Subcommittee is continuing work on the scope of work to tailor the Colorado Springs Design Criteria Manual and the SOW will be given to the Executive Director to get quotes so a recommendation could be made to the Board on scope and funding requirements. She reported that Keith Curtis, El Paso County Floodplain Administrator give a presentation to the TAC on the FEMA revised floodplain maps and that FEMA will presented the maps at a public meeting at 2880 International Circle, Colorado Springs at 5:30 pm, October 6, 2015. She reported that the TAC had completed the Land Use Application Check List and it would be presented to the Board at this meeting for consideration.

The next TAC meeting will be November 4, 2015 at 1:00 pm at the Fountain City Hall.

### **7. B CITIZENS ADVISORY GROUP REPORT**

Ferris Frost reported that the CAG meet October 9, 2015 at 9:30 am at the Fountain City Hall. She reported that nearly double the people participated this year from last year in Creek Week and that significantly more trash was collected from the streams than last year. She reported that Allison Plute will give the Board a full recap of Creek Week at the December 11, 2015 meeting.

The next CAG meeting will be November 13, 2015 at 9:30 am at the Fountain City Hall. Ms. Frost stated that the CAG would not meet December 10, 2015.

### **7. C FINANCIAL REPORT**

Larry Small presented the Fountain Creek District Balance Sheet as of September 30, 2015. The District had total assets of \$380,189.69 and no liabilities. Profit and Loss Budget vs. Actual report for the period January 1, 2015 through September 30, 2015 indicated total revenues were \$406,866.38 and total expenses were \$236,889.95 for a net positive income of \$169,976.43 resulting in a District total equity of \$380,189.69. The General Fund cash on hand as of September 30, 2015 was \$160,317 and the Restricted Fund cash on hand was \$75,389. The total cash on hand was \$235,706.

### **7. D LEGAL REPORT - None**

### **7. E EXECUTIVE DIRECTOR'S REPORT**

Larry Small reported that he attended the Pueblo County Board of County Commissioners meeting and the Pueblo City Council meeting on September 28, 2015 for the joint Proclamation for Creek Week. He reported that he met with Tim Katers of DOLA on September 30, 2015 to review the HUD criteria for Monument Creek Watershed Master Plan Grant. He reported that he held a meeting of stakeholders on October 14, 2015 to review the final report for the Water Rights Protection Task and presented the final report to the Arkansas River Basin Roundtable the

same day. He reported that the task was now completed. He reported that he met with Mayor John Suthers and members of his staff on October 14, 2015 to present a briefing on the District and discuss future work with the City of Colorado Springs. He reported that he held a stakeholders meeting on October 15, 2015 to review progress on the Monument Creek Watershed Master plan project. He reported that the stakeholders discussed applying for an upcoming CDBG\_DR project grant for a bridge replacement in Green Mountain Falls that was identified as a restoration project in the Upper Fountain Creek/Cheyenne Creek Flood Restoration Master Plan. He reported that he met with KC McFarlan of DOLA on October 16, 2015 to discuss the upcoming CDBG\_DR project grant cycle. He reported that he attended the El Paso Regional Watershed Collaborative meeting on October 19, 2015. He reported that the district has a seat on the executive committee for the collaborative. He reported that he met with Chris Lieber, Colorado Springs Parks Department, on October 21, 2015 to discuss future opportunities for the District to work with the Parks Department on future trails and wetland projects. He reported that the Environmental Assessment for the Cheyenne Boulevard drainage Improvement Project was complete and that funds could now be released for the grant. He reported that DOLA had not identified when the grant contract would be sent to the District because they were behind in issuing contracts.

## **7. F MONETARY MITIGATION FUND ADVISORY COMMITTEE REPORT**

Mark Shea reported that the Monetary Mitigation Fund Advisory Committee met October 15, 2015 at 1:00 pm at the Pueblo County Public Works Facility, 33601 United Way, Pueblo, Colorado. He reported that the Committee reviewed the proposed Statement of Work for the tailoring the Design Criteria Manual for both the District prepared by the TAC and evaluated the TAC request to fund the tailoring using Monetary Mitigation Funds. The committee discussed the recommendation and concluded that a decision could not be made until the cost was known. The Committee asked Mr. Shea to bring back from the TAC the cost of tailoring and any other identified sources for funding so the recommendation could be further considered.

Mr. Shea reported that Larry Small gave the Committee an update on the 2016 District and Water Activity Budget presentation made to the Board and the Boards direction relative to a final budget proposal to be presented at the December 2015 Board meeting.

Mr. Shea reported that Larry Small discussed the WARSSS grant application that was submitted to CWCBC and the Committee discussed the use of \$30,000 of Monetary Mitigation Funds to match the \$30,000 grant if it is awarded. The Committee agreed in principal that the work performed by the grant project was consistent with the use of the funds but would have to make a final decision if and when when the grant is awarded.

The next Committee meeting will be November 19, 2015, 1:00 pm at the Pueblo County Public Works Facility, 33601 United Way, Pueblo, Co.

**8. OLD BUSINESS (Board Action May Be Required) - None**

**9. NEW BUSINESS (Board Action Required)**

### **9. A APPLICANT STATEMENT OF ASSURANCES AND CERTIFICATIONS FOR THE CDBG GRANT PROGRAM**

Larry Small stated that the Applicant Statement of Assurances and Certifications for the CDBG Grant Program applies to the Monument Creek Watershed Master Plan Grant as well as any other CDBG-DR grants awarded by DOLA that uses federal HUD funds.

**Upon motion duly made, seconded, and unanimously carried, the Applicant Statement of Assurances and Certifications for the CDBG Grant Program was approved.**

### **9. B CITIZENS PARTICIPATION PLAN FOR THE CDBG PROGRAM**

Larry Small stated that the Citizens Participation Plan for the CDBG Grant Program applies to the Monument Creek Watershed Master Plan Grant as well as any other CDBG-DR grants awarded by DOLA that uses federal HUD funds.

**Upon motion duly made, seconded, and unanimously carried, the Citizen Participation Plan for the CDBG Program was approved.**

### **9. C DAVISBACON EXCEPTION CHECKLIST FOR THE CDBG PROGRAM**

Larry Small stated that the Davis Bacon Checklist for the CDBG Grant Program applies only to the Monument Creek Watershed Master Plan Grant.

**Upon motion duly made, seconded, and unanimously carried, the DavisBacon Exception Checklist for the CDBG Program was approved.**

### **9. D RESIDENTIAL ANTI DISPLACEMENT AND RELOCATION ASSISTANCE PLAN FOR THE CDBG PROGRAM**

Larry Small stated that the Residential Antidisplacement and Relocation Assistance Plan for the CDBG Grant Program applies to the Monument Creek Watershed Master Plan Grant as well as any other CDBG-DR grants awarded by DOLA that uses federal HUD funds.

**Upon motion duly made, seconded, and unanimously carried, the Residential Anti Displacement and Relocation Assistance Plan for the CDBG Program was approved.**

### **9. E RESOLUTION 2015-03-GENERAL ADOPTING A STATEMENT OF POLICY PROHIBITING EXCESSIVE FORCE FOR THE CDBG PROGRAM**

Larry Small stated that Resolution 2015-03-General adopting a statement of policy prohibiting excessive force for the CDBG Grant Program applies to the Monument Creek Watershed Master Plan Grant as well as any other CDBG-DR grants awarded by DOLA that uses federal HUD funds.

**Upon motion duly made, seconded, and unanimously carried, Resolution 2015-03-General adopting a policy prohibiting excessive force for the CDBG Program was approved.**

#### **9. F 2015 AUDIT ENGAGEMENT LETTER**

Larry Small presented the audit engagement letter from Logan & Associates for preparation of the 2015 exemption from audit. He stated that the fee of \$1900 was the same as the fee for preparation of the 2014 exemption from audit.

**Upon motion duly made, seconded, and unanimously carried, the 2015 Audit Engagement letter was approved.**

#### **9. G LAND USE APPLICATION CHECK LIST**

Nancy Keller, Chair of the TAC, presented the Land Use Application Checklist prepared by the TAC. The checklist is to guide applicants for land use within the Corridor under the District's jurisdiction.

**Upon motion duly made, seconded, and unanimously carried, the Land Use Application Check List was approved.**

### **10. OTHER BUSINESS**

#### **10. A APPROVAL OF INVOICES**

**Presented for Payment 10/23/2015**

<b>General Fund</b>				
<b>Vendor</b>	<b>Date</b>	<b>Num</b>	<b>Amount</b>	<b>For</b>
Larry Small				
	10/15/15	146	\$2,500.00	Monument Ck Grant Proj Mgmt
Matrix Design Group				
	10/08/15	17111	\$18,394.25	Monument Creek Grant
Allison Plute				
	10/15/15		\$78.02	CAG Outreach materials
<b>TOTAL - General Fund</b>			<b>\$20,972.27</b>	

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

Larry Small requested that if the Board decided to cancel the November 2015 meeting, he would like the Board to consent to issuing checks in November to pay the invoices associated with the Monument Creek Watershed Restoration grant since the reimbursement requests to DOLA are due monthly. He stated that he would bring any invoices paid in November for that purpose to the Board at the December 2015 for ratification. The Chair asked the Board if there were any objections and the Board agreed by consensus.

**11. EXECUTIVE SESSION (IF REQUIRED) - None**

**12. CONFIRM NEXT MEETING TIME AND LOCATION**

The Board discussed the holiday season and Board meeting dates as they relate to Thanksgiving and Christmas holidays. It was recommended that the November 27, 2015 meeting be cancelled and the December 25, 2015 meeting be rescheduled to December 11, 2015.

**Upon motion duly made, seconded, and unanimously carried, the November 27, 2015 meeting was cancelled and the December 25, 2015 meeting was rescheduled to December 11, 2015**

The next Board meeting will be held December 11, 2015 at 1:00 pm at the Pueblo County Building, Commissioners Meeting Room, 215 West 10<sup>th</sup> Street, Pueblo, CO 81003.

**13. ADJOURN**

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