

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

March 27, 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 Snider 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:

Terry Hart	Pueblo County
Dennis Hisey	El Paso County
Richard Skorman	CAG Liaison
Val Snider	City of Colorado Springs
Jane Rhodes	Fountain Creek Land Owner
Coreen Toll	EPC Small Municipalities
Dennis Flores	City of Pueblo
Greg Lauer	City of Fountain
Melissa Esquibel	Lower Arkansas

Excused: None

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 FEBRUARY 27, 2015 BOARD MEETING

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

4. PRESENTATION - TURKEY CREEK CONSERVATION DISTRICT

Bill Alt, representing the Turkey Creek Conservation District in Pueblo County gave the presentation on their Noxious Weed Control Program. The District started in 1943 and has been working with soil and water issues for 72 years. The District is a grassroots service to help local landowners obtain funds, find technical assistance and provide information on issues and programs aimed at enhancing and protecting natural resources. For at least seven years, an intergovernmental agreement between the pueblo Board of County Commissioners and the District has been signed and funded. The IGA assigns the District responsibility for managing the control of noxious weeds on unincorporated private lands in Pueblo County. Noxious weed management in Pueblo County is seen to be a significant task requiring aggressive management

attention for an indefinite period. The District's plan is to make the control of noxious weeds a voluntary, cooperative effort. Mr. Alt stated that there at least ten noxious weeds found along Fountain Creek, the most prevalent being Tamarisk and Russian olive. These weeds interfere with water resources by using up water, clogging waterways and causing various accessibility issues for both people and wildlife. Mr. Alt stated that noxious weed mitigation is a necessary part of managing Fountain Creek. He stated that projects that build structures and change wetlands along Fountain Creek need to be well maintained to avoid further invasive weed issues. He stated that these projects will require on-going supervision following well-constructed long-term noxious weed management plans that include revegetation of the area. He encouraged the Fountain Creek Watershed, Flood Control and Greenway District to make noxious weed control a part of its Fountain Creek management strategy.

5. BOARD MEMBER COMMENTS - None

6. PUBLIC COMMENT

Mark Shea, Colorado Springs Utilities, stated that the CWCB had approved a \$240,000 grant plus \$25,000 from the Arkansas River Basin Roundtable to establish the Arkansas Basin Collaborative as part of the Roundtable. He stated that the mission of the collaborative is to promote watershed health in the Arkansas basin.

7. REGULAR REPORTS

7. A TECHNICAL ADVISORY COMMITTEE REPORT

Larry Small reported that the TAC did not meet March 4, 2015.

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

7. B CITIZENS ADVISORY GROUP REPORT

Irene Cornelly reported that the CAG met March 13, 2015 at 9:30 am at the Fountain City Hall.

Ms. Kornelly reported that the CAG Outreach Subcommittee completed ordering supplies and equipment funded from the CDPHE Communications Grant. She reported that the CAG completed preparing a series of briefings about the District that anyone could give. Ms. Kornelly reported that the first CAG outreach event will be the April Stools Day event on April 4, 2015 to promote cleaning up pet waste. The CAG will also participate in the Arkansas River Basin Water Forum, April 21 - 23, 2015. The next event following that would be at the CSU Water Festival in May.

The next CAG meeting will be April 10, 2015 at 9:30 am at the Fountain City Hall.

The next Outreach Subcommittee meeting will be April 8, 2015 at 2:00 pm at Fountain City Hall.

7. C FINANCIAL REPORT

Larry Small presented the Fountain Creek District Balance Sheet as of February 28, 2015. The District had total assets of \$149,042.44 and liabilities of \$1,164.05. Profit and Loss Budget vs. Actual report for the period January 1, 2015 through February 28, 2015 indicated total revenues were \$24,292.89 and total expenses were \$86,628.03 for a net negative income of \$62,335.14 resulting in a District total equity of \$147,878.39. The General Fund cash on hand as of February 28, 2015 was \$129,955 and the Restricted Fund cash on hand was \$76,360. The total cash on hand was \$206,315.

7. D LEGAL REPORT - None

7. E EXECUTIVE DIRECTOR'S REPORT

Larry Small presented the Stormwater Management and Post-Fire Debris Basin Legislation conceptual level language. He stated that the bill is Senate Bill 15-212 and the Senate sponsor is Sonnenberg and the House sponsor is Winter. He stated that the conceptual language defined a stormwater detention and infiltration facility and a post-wild land fire mitigation facility. He stated that the bill now had language concerning a rebuttable presumption that stormwater detention and infiltration facilities and post-wild land fire facilities constructed after the effective date of the Act do not injure water rights. He stated the bill now contains language allowing any person to bring an action to determine if injury had been sustained but the burden of proof was on the complainant.

He reported that he was continuing to work on the Arkansas River Basin Water Forum Planning Committee and Program Committee and that the forum was being held at Pueblo Community College on April 22 - 23, 2014. He stated that all Board members had received an invitation to the Tuesday, April 21 VIP dinner. He stated that Fountain Creek would be a featured discussion at the dinner and at a regular session on April 23. He encouraged everyone to attend both the dinner and the forum events.

He reported that he had submitted a CDBG-DR grant application on March 16, 2015 for a Cheyenne Boulevard Drainage Improvement demonstration project based on the Master Plan currently being developed.

He reported that he toured the completed Maxwell Trail and Hanson Trail projects and was impressed by the work that had been done to restore the trails along Fountain Creek.

He reported that he had been contacted by Sean Cronin, Executive Director of the St. Vrain and Lefthand Water Conservancy District requesting he visit them in Longmont and give a presentation on the creation of the Fountain Creek District.

7. F IGA COMMITTEE REPORT

Director Hart reported that the IGA Committee did not meet.

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

9. NEW BUSINESS (Board Action Required)

9. A RESOLUTION 2015-02 REQUESTING PUEBLO COUNTY AND COLORADO SPRINGS TO REDIRECT PAYMENT OF THE 1041 PERMIT MONETARY MITIGATION FUND TO THE FOUNTAIN CREEK WATERSHED WATER ACTIVITY ENTERPRISE

Larry Small presented a hypothetical work sheet showing the impact of the District receiving the funds and the impact the funds would have on the TABOR spending limits if received in 2015.

He presented the resolution and stated that because of other activities of the District and the Water Activity Enterprise it was important that Pueblo County and Colorado Springs Utilities act in a timely fashion to redirect the funds as requested by the resolution.

Cole Emmons stated that this item would require a super majority of at least seven affirmative votes to pass.

Upon motion duly made, seconded, and unanimously carried, Resolution 2015-02 was approved as presented.

9. B RESOLUTION 2015-03 REQUESTING EXEMPTION FROM AUDIT FOR FISCAL YEAR 2014

Larry Small presented the Audit Exemption prepared by Logan and Associates and Resolution 2015-03 requesting the State Auditor to accept the Exemption from Audit. He stated that there were no issues identified by the Auditor and that the books of the District are accurate and complete for Fiscal Year 2014.

Upon motion duly made, seconded, and unanimously carried, Resolution 2015-03 was approved as presented and the Exemption from Audit was authorized to be submitted to the State Auditor's Office

9. C APPOINTMENTS TO THE MONETARY MITIGATION FUND ADVISORY COMMITTEE FOR CALENDAR YEAR 2015

Larry Small stated that the Pueblo County Board of County Commissioners passed a resolution nominating Alf Randall and Joan Armstrong to be the regular members to the committee and Dave Benbow and Jeff Woeber to be the alternate members to the committee.

Upon motion duly made, seconded, and unanimously carried, the Board appointed Alf Randall and Joan Armstrong to be regular members of the committee and Dave Benbow and Jeff Woeber to be alternate members of the committee representing Pueblo County.

9. D APPROVAL TO SUBMIT GRANT APPLICATION FOR CHEYENNE BOULEVARD DRAINAGE IMPROVEMENT PROJECT

Larry Small presented the grant application for the Cheyenne Boulevard Drainage Improvement project. He stated that the application had been submitted to DOLA on March 16, 2015 as required. He stated that the project was a Low Impact Development project to demonstrate LID techniques in controlling storm drainage. He stated that the grant application was for \$290,000 with \$25,000 matching funds from the City of Colorado Springs and \$52,380 in-kind from Colorado Springs and other coalition members for a total budget of \$367,380. He stated that the work was anticipated to start July 1, 2015 and complete May 31, 2016.

Upon motion duly made, seconded, and unanimously carried, the grant application was approved as presented

10. OTHER BUSINESS

10. A APPROVAL OF INVOICES

Presented for Payment 3/27/2015

General Fund				
Vendor	Date	Num	Amount	For
Larry Small				
	3/9/22015	139	\$2,500.00	Executive Director
Ferris Frost				
	02/17/15		\$164.05	Magnets for CAG Outreach
	03/04/15		\$23.98	Tablecloth & Markers for Cag Outreach
			\$188.03	
Lalla Vigil				
	03/05/15	1	\$1,000.00	Web Site Upgrade
Eva Grant				
	03/16/15		\$555.00	CAG Outreach Intern
Irene Kornelly				
	03/16/15		\$58.10	Cag Outreach Material
	03/16/15		\$16.13	Cag Outreach Material
			\$74.23	
Logan and Associates				
	03/18/15		\$1,900.00	2014 Audit exemption
Matrix Design Group				
	03/20/15	16220	\$1,000.00	CAG Outreach posters
Matrix Design Group				
	03/20/15	16175	\$29,651.25	Upper Fountain CK/Cheyenne Ck MP
Duane Helton Consulting LLC				
	03/23/15		\$4,902.40	Water Rights Protection Task
Eva Grant				
	03/25/15		\$180.00	CAG Outreach Intern

City of Colorado Springs				
	03/25/15	OS5573	\$1,000.00	CAG Outreach Brochure Printing
TOTAL - General Fund			\$42,950.91	

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 April 24, 2015 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.