

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

October 28, 2016

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 Hart called the meeting to order at 1:20 pm. In attendance were the following duly designated members of the Board of Directors of the District:

Name:

Terry Hart	Pueblo County
Coreen Toll	EPC Small Municipalities
Jill Gaebler	City of Colorado Springs
Richard Skorman	CAG Liaison
Larry Atencio	City of Pueblo
Jack Gobel	Lower Arkansas
Jane Rhodes	Fountain Creek Land Owner

Absent

Dennis Hisey	El Paso County
Greg Lauer	City of Fountain

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 THE SEPTEMBER 16, 2016 BOARD MEETING

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

4. INTRODUCTION OF GUESTS

Chair Hart asked the guests in the audience to introduce themselves.

5. PRESENTATION - NONE

6. BOARD MEMBER COMMENTS - None

7. PUBLIC COMMENT - None

8. REGULAR REPORTS

8. A TECHNICAL ADVISORY COMMITTEE REPORT

Mark Shea reported that the TAC met October 5, 2016 at 1:00 pm at the Fountain City Hall. He reported that the TAC received reports from Larry Small on the State Highway 47 eroding bank issue, the Evaluation of Flood Control Alternatives project, the WARSSS project, the Masciantonio Trust project, the Monument Creek Watershed Master Plan project, and the Pueblo Levee Dredging Project. The TAC received a briefing on the DCM Project from the contract team. The TAC received an update on Creek Week. He reported that the TAC was evaluating the 30% Design Criteria provided by Larry Small for tailoring to be used as criteria for Land Use Applications where 30% designs are presented.

The next TAC meeting will be November 2, 2016 at 1:00 pm at the Fountain City Hall.

8. B CITIZENS ADVISORY GROUP REPORT

Irene Kornelly reported that the CAG met October 14, 2016 at 9:30 am at Fountain City Hall. She reported that the CAG received a report from Larry Small on the State Highway 47 eroding bank issue, the Evaluation of Flood Control Alternatives project, the WARSSS project, the Masciantonio Trust project, the Monument Creek Watershed Master Plan project, and the Pueblo Levee Dredging Project. She reported that over 2400 people in 65 groups participated in Creek and 14 tons of garbage was collected. She reported that Allison Plute would give a complete report at the December Board meeting.

The next CAG meeting will be November 16, 2016 at 9:30 am at the Fountain City Hall.

8. C FINANCIAL REPORT

Larry Small presented the Fountain Creek District Balance Sheet as of September 30, 2016. The District had total assets of \$132,700.64 and no liabilities. Profit and Loss Budget vs. Actual report for the period January 1, 2016 through September 30, 2016 indicated total revenues were \$391,585.50 and total expenses were \$588,222.90 for a net negative income of \$196,637.40 resulting in a District total equity of \$121,256.14. The General Fund cash on hand as of September 30, 2016 was \$91,123 and the Restricted Fund cash on hand was \$1159.63. The total cash on hand was \$92,282.63.

8. D LEGAL REPORT - None

8. E EXECUTIVE DIRECTOR'S REPORT

Larry Small presented pictures of the Masciantonio Trust Wood Valley Ditch diversion that he visited after the last Board meeting where Directors asked if something could be done about the diversion. He reported that the creek had moved east away from the ditch and had dropped at

least three feet below the intake level of the ditch. He stated that he would evaluate the possibility of moving the diversion to the location of the bank restoration project as part of that project. He stated that it would require an infiltration diversion at that location.

He reported he received the Water Activity Service Agreement for the DCM add-ons signed by Colorado Springs and would present it at the Water Activity Board meeting.

He reported that the Evaluation of Flood Control Alternatives project would be presented to farmers and ranchers in the Arkansas River basin in November as part of the ongoing water rights protection task.

The Fountain Creek Corridor WARSSS project is further evaluating five high priority projects as the next step to determining project requirements for those sites. He reported that the next meeting of the Monetary Mitigation Fund Advisory Committee would be at Matrix in November to start the process of evaluating the 215 projects for inclusion in the ten year spending plan.

He reported that the Monument Creek Watershed Restoration Master Plan was complete and ready for delivery to DOLA on November 1, 2016. He reported that he met with the DOLA Program Manager on September 29, 2016 to start the close-out process for the grant.

He reported that the Massantonio Trust Bank Restoration Project had surveyed and evaluated a reference and its characteristics to the design alternatives being evaluated.

He reported that the DCM project progress was presented to the TAC and that storm criteria and flood plain policy requirements were discussed.

He reported that he attended the CWCB Board meeting on September 22, 2016 in Edwards, Co. He reported that the Board approved the grant application for the Feasibility Assessment of Flood Control Alternatives for \$93,300 and that the contract should arrive in the next three months.

He reported that he met with Scott Campbell, consultant to the Center for Regional Advancement, to discuss his work in developing a plan for greenways in Colorado Springs and how the greenways relate to streams.

He reported that he attended the Arkansas Basin Roundtable meeting October 12, 2016.

He reported that he held a kickoff meeting with Pueblo Stormwater Enterprise and Matrix on October 18, 2016 to discuss the Pueblo Levee Dredging Project and review the approach to the project.

He reported that he met with the Trust for Public Lands and the Masciantonio trust to discuss TPLs interest in a conservation easement and the need for a reliable diversion for the property.

8. F MONETARY MITIGATION FUND ADVISORY COMMITTEE REPORT

Irene Kornelly reported that the Monetary Mitigation Fund Advisory Committee met October 20, 2016 at 1:00 pm at the Pueblo County Public Works Facility. She reported that the committee received a report from Larry Small on the Massantonio Trust Bank Stabilization Project, the DCM project, the WARSSS project, the Pueblo Levee Dredging project, the Monument Creek Watershed Master Plan project and the Evaluation of Flood Control Alternatives project. She reported that Larry Small gave a briefing on the State Highway 47 eroding bank issue. The committee recommended Larry Small discuss the issue with CDOT to see what their interest would be in participating in a project to address the issue.

The next Committee meeting will be November, 2016, 2:00 pm at the Matrix Design Group office, 2435 Research Parkway, Suite 300, Colorado Springs, Co 80920.

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

10. NEW BUSINESS (Board Action Required)

10. A APPROVE AND ADOPT MONUMENT CREEK WATERSHED RESTORATION MASTER PLAN

Graham Thompson presented the Monument Creek watershed restoration Master Plan. The Monument Creek Watershed has a drainage area of 236.8 square miles, an elevation range from 6,000 feet to 9,727 feet and is the largest sub-watershed in the Fountain Creek Watershed. It includes the communities of Colorado Springs, Monument, Palmer Lake and unincorporated Black Forest and portions of El Paso County. It includes the United States Air Force Academy and a large area of National Forest. The plan identified an actionable list of 250 projects and developed designs and cost estimates for the projects ranging from \$112,000 to over \$7 million. Director Pico asked what the total of the project cost was. Larry Small replied that the total was not stated since it could be misleading because the actual total cost would be dependent on the time the projects were accomplished, the procurement method and which agency owned the project. He stated that he would bring the Board a total at the December meeting.

Upon motion duly made, seconded, and unanimously carried, the Monument Creek Watershed Restoration Master Plan was approved and adopted by the Board.

10. B 2016 AUDIT ENGAGEMENT LETTER WITH LOGAN & ASSOCIATES

Larry Small presented the audit engagement letter from Logan & Associates for the 2016 audit. He stated that the audit would be a full audit and that the fee for the audit would be \$5,500.

Upon motion duly made, seconded, and unanimously carried, Logan & Associates was approved to be the auditor for FY 2016 and the Chair was authorized to sign the letter.

10. C RESOLUTION NO. 2016-06-GENERAL, A RESOLUTION ADOPTING A POLICY OF NONDISCRIMINATION ON THE BASIS OF DISABILITY

Upon motion duly made, seconded, and unanimously carried, Resolution 2016-06 was approved.

10. B RESOLUTION 2016-07-GENERAL, A RESOLUTION ADOPTING A GRIEVANCE PROCEDURE TO MEET THE REQUIREMENTS OF SECTION 504 OF THE REHABILITATION ACT AS AMENDED AND THE AMERICANS WITH DISABILITIES ACT OF 1990 (ADA)

Upon motion duly made, seconded, and unanimously carried, Resolution 2016-07 was approved.

11. OTHER BUSINESS

11. A APPROVAL OF INVOICES

Presented for Payment 10/28/2016

General Fund				
<u>Vendor</u>	<u>Date</u>	<u>Num</u>	<u>Amount</u>	<u>For</u>
Larry Small				
	10/13/16	163	\$1,500.00	Monument Ck Grant Proj Mgmt
			\$5,500.00	Executive Director
Matrix Design Group				
	10/17/16	19169	\$28,022.10	Monument Creek MP Engineering
Larry Small				
	10/13/16	164	\$48.58	District Expenses - September 2016
Matrix Design Group				
	10/21/16	19171	\$6,526.00	Fountain Ck WARSSS Grant Engineering
MWH				
	09/21/16	1724160	\$11,444.50	Eval of Flood Ctrl Grant
TOTAL - General Fund			\$53,041.18	

Master Plan Fund				
<u>Vendor</u>	<u>Date</u>	<u>Num</u>	<u>Amount</u>	<u>For</u>
CAG				
			\$1,000.00	Creek Week Contrib. from CSU
TOTAL - Master Plan Fund			\$1,000.00	

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

11. B BOARD MEMBER TERMS TO EXPIRE ON JANUARY 31, 2017

Larry Small advised the Board that the terms of Directors Jill Gaebler, Coreen Toll, Dennis Hisey, Terry Hart and Richard Skorman would expire January 31, 2017. All are eligible for reappointment to another two year term beginning February 1, 2017.

12. EXECUTIVE SESSION (IF REQUIRED) - None

13. CONFIRM NEXT MEETING TIME AND LOCATION

Upon motion duly made, seconded, and unanimously carried, the regularly scheduled meeting of November 25, 2016 was cancelled and the regularly scheduled meeting of December 23, 2016 was rescheduled to December 9, 2016.

The next Board meeting will be held December 9, 2016 at 1:00 pm at the Pueblo County Courthouse, Commissioners Meeting Room, 215 West 10th Street, Pueblo, CO 81003

14. ADJOURN

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