

**Fountain Creek Watershed, Flood Control, and Greenway District
Board of Directors
MEETING MINUTES
January 22, 2016**

This meeting was held at: Pueblo County Court House, Commissioners Meeting Room,
215 West 10th Street, Pueblo, CO 81003

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
Dennis Hisey	El Paso County
Melissa Esquibel	Lower Arkansas
Larry Atencio	City of Pueblo
Terry Hart	Pueblo County
Greg Lauer	City of Fountain
Jane Rhodes	Fountain Creek Land Owner
Andy Pico	City of Colorado Springs

Excused:

Coreen Toll	EPC Small Municipalities
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A quorum was noted. Also present was Larry Small, Executive Director and Cole Emmons, Attorney.

2. APPROVAL OF AGENDA

Director Esquibel proposed the agenda be amended to include an item for introduction of guests following Item 3.

Upon motion duly made, seconded, and unanimously carried, the agenda was approved as amended.

3. APPROVAL OF THE MINUTES OF THE DECEMBER 11, 2015 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

Director Hisey asked about the e-mail sent out earlier in the month concerning an event scheduled at the El Paso County Commissioners' meeting room at Centennial Hall on February 29, 2016. Larry Small introduced Elise Bergsten to talk about the event. Ms. Bergsten stated that the event was a showing of the movie "Great Divide" that portrayed Colorado water history followed by a panel discussion of Colorado water. She stated that all Board, TAC and CAG members were invited to attend and should RSVP to her. The event would start at 5:30 pm at Centennial Hall.

Director Atencio discussed past flooding of Pueblo, Fountain Creek and the lower Arkansas River basin in 1965. He showed articles and pictures from the Pueblo Chieftain from the 1965 storm as a reminder of the purpose of the District. He stated that he was excited to return to the Board after being away for the last four years and looked forward to helping improve Fountain Creek.

7. PUBLIC COMMENT - None

8. REGULAR REPORTS

8. A TECHNICAL ADVISORY COMMITTEE REPORT

Nancy Keller reported that the TAC met January 6, 2016 at 1:00 pm at the Fountain City Hall. She reported that the TAC approved the Sunshine Compliance criteria and elected officers: Dennis Maroney, Chair; Mark Shea, Vice Chair; Pat Coffee, Secretary. She reported the TAC voted to recommend the membership to the Board for reappointment in 2016. She reported that the TAC received a presentation from AFCURE on water quality issues in the Fountain Creek Watershed. She reported that the TAC adopted a policy on public comment that would give guidelines to the public on length of time for comments and the TAC's actions concerning comments. She reported that Elaine Kleckner reported that El Paso County was pursuing grants to fix the problems associated with Hanson Trail.

The next TAC meeting will be February 3, 2016 at 1:00 pm at the Fountain City Hall.

8. B CITIZENS ADVISORY GROUP REPORT

Irene Kornelly reported that the CAG meet January 8, 2016 at 9:30 am at Fountain City Hall. She reported that the CAG approved the Sunshine Compliance Criteria and elected officers: Irene Kornelly, Chair; Ross Vincent, Vice Chair; Jack Wallick, Secretary. She reported the CAG voted to recommend the membership to the Board for reappointment in 2016.

She reported the Outreach Committee has a long list of events for 2016 and asked that volunteers step forward to help with the events. She stated that a calendar of events would be forthcoming.

The next CAG meeting will be February 12, 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 December 31, 2015. The District had total assets of \$317,893.54 and no liabilities. Profit and Loss Budget vs. Actual report for the period January 1, 2015 through December 31, 2015 indicated total revenues were \$479,822.26 and total expenses were \$372,142.25 for a net positive income of \$107,680.01 resulting in a District total equity of \$317,893.54. The General Fund cash on hand as of December 31, 2015 was \$204,610 and the Restricted Fund cash on hand was \$75,412. The total cash on hand was \$280,022. Funds available for District administration as of December 31, 2015 were \$3,680.69. The District will need to find revenues in 2016 to meet the administrative budget. Chair Hart requested an item be placed on the February 26, 2016 agenda to discuss funding the District.

8. D LEGAL REPORT - Cole Emmons stated that he was happy to return to the Board meeting after his surgery. The Board welcomed Mr. Emmons back and stated they were happy his recovery was going well.

8. E EXECUTIVE DIRECTOR'S REPORT

Larry Small reported that CWCB notified him that the District had been awarded the Fountain Creek WARSSS Assessment Grant for \$30,000 that requires \$30,000 match from the District. The contract is estimated to arrive in March 2016. He reported that the Arkansas River Basin Roundtable approved the Evaluation of Flood Control Alternatives Grant on January 13, 2016. The application must be submitted to CWCB by February 1, 2016. The grant is for \$41,800 matched by \$25,500 from the District. It is expected that the CWCB Board will approve the grant at its March 2016 meeting and the contract is expected in June 2016. He reported that he received the contract for the Cheyenne Boulevard Drainage Improvement Project from the State and is currently reviewing it and coordinating with Colorado Springs to be sure the \$25,000 match and \$27,000 in-kind labor is still committed. He will bring a recommendation to the Board at the February 26, 2016 Board meeting. He reported that the Arkansas River Basin Roundtable is changing its by-laws to permit the District to have a voting membership on the Roundtable. He stated that the change should be done at the February meeting. He asked for consensus from the Board to accept the voting seat if it is offered and consensus was granted. He reported that he attended the El Paso Watershed Collaborative meetings on December 14, 2015 and January 11, 2016 and was a member of the leadership Committee. He reported that he met with John Fredell, SDS Project Manager, on December 16, 2015 to discuss District funding needs. He reported that Mr. Fredell said the monetary mitigation payment would not be made to the District in January 2016 and that it was contingent on SDS becoming operational and agreement to a Stormwater IGA between Colorado Springs and Pueblo County. He reported that the Monument Creek Watershed Master Plan stakeholders met December 17, 2015 and January 21, 2015 to review progress on the Master Plan. He reported that all work is on schedule. He reported that a 30% design was accomplished ahead of schedule for the Monument Branch mitigation project so that Colorado Springs and Colorado Springs utilities could begin early mitigation work on the sedimentation and erosion issues. He reported that there will be two land use hearings before the Board in February; one from CSU for a sludge line protection project and one from Xcell Energy

for a power line pole replacement. He stated that both projects are in the Corridor and will require district approval.

8. F MONETARY MITIGATION FUND ADVISORY COMMITTEE REPORT

Irene Kornelly reported that the Monetary Mitigation Fund Advisory Committee met January 21, 2016 at 1:00 pm at the Pueblo County Public Works Facility, 33601 United Way, Pueblo, Colorado. She reported that the Committee approved the Sunshine Compliance Criteria and elected officers: Irene Kornelly, Vice Chair; Mark Shea, Secretary. She reported that the Committee discussed draft evaluation scoring criteria for Fountain Creek projects so that projects could be prioritized. She reported that the criteria would continue to be discussed and developed in future meeting and presented to the Board when it was completely drafted.

The next Committee meeting will be February 18, 2016, 1:00 pm at the Pueblo County Public Works Facility, 33601 United Way, Pueblo, Co.

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

10. NEW BUSINESS (Board Action Required)

10. A LETTER FROM CSU REGARDING MONETARY MITIGATION PAYMENT

Larry Small presented the letter from CSU dated December 21, 2015 that detailed CSU's position on the first payment essentially stating that the first payment was not due until January of the year following SDS being fully operational and a Stormwater IGA was in place between Colorado Springs and Pueblo County. It stipulated that date would be January 2017. The Board did not agree with this position but recognized that the District was only a third party beneficiary of the Pueblo 1041 Permit Monetary Mitigation Condition and had no enforcement authority so the matter would remain between CSU and Pueblo County. Larry Small reported that he was not optimistic the District would receive the funding this year but said he would continue working with the parties to try to reach resolution this year.

No action was taken by the Board on this item.

10. B EXTENSION OF EXECUTIVE DIRECTOR CONTRACT FOR THE PERIOD 1 FEBRUARY 2016 THROUGH 31 JANUARY 2017

The Executive Director and the Board mutually agreed to extend the contract for a period of one year and change the monthly compensation to \$7000 with no other changes to the contract.

Upon motion duly made, seconded, and unanimously carried, the contract extension was approved as presented.

11. OTHER BUSINESS

11. A APPROVAL OF INVOICES

Presented for Payment 1/22/2016

General Fund				
Vendor	Date	Num	Amount	For
Larry Small				
	01/14/16	149	\$2,500.00	Monument Ck Grant Proj Mgmt
Matrix Design Group				
	01/04/16	17603	\$42,572.35	Monument Creek Grant
TOTAL - General Fund			\$45,072.35	

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

12. EXECUTIVE SESSION (IF REQUIRED) - None

13. CONFIRM NEXT MEETING TIME AND LOCATION

The next Board meeting will be held February 26, 2016 at 1:00 pm at City of Fountain City Hall, 116 S. Main Street, 2nd Floor, Fountain, CO 80817

14. ADJOURN

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