

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

**December 13, 2013**

The meeting was held at  
Pueblo City Hall, City Council Chambers (3<sup>rd</sup> Floor)  
1 City Hall Place, Pueblo, CO 81003

**1. CALL TO ORDER AND ESTABLISHMENT OF A QUORUM**

Chair Ortega called the meeting to order at 1:40 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
Jane Rhodes	Fountain Creek Land Owner
Richard Skorman	CAG Liaison
Eva Montoya	City of Pueblo
Gabe Ortega	City of Fountain
Val Snider	City of Colorado Springs
Melissa Esquibel	Lower Arkansas

**Excused:**

Michael Maddox	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**

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

**3. APPROVAL OF THE MINUTES OF OCTOBER 25, 2013 BOARD MEETING**

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

**4. PRESENTATION – None**

**5. PUBLIC COMMENTS – None**

**6. BOARD MEMBER COMMENTS**

Director Montoya stated that a group of motorcycle riders from different clubs along the Front Range came to Pueblo and presented certificates to veterans and service units. She stated that the Code Talkers were in Pueblo November 6 for four days to tell their story of World War Two

service. She stated that Pueblo Toys for Tots had kicked off sponsored by the Salvation Army and PASADA.

Director Hart stated that 2013 had been a good year in spite of all the disasters from storms, fires and flooding.

Director Hisey congratulated Director Ortega on his election to the office of Mayor of the City of Fountain.

## **7. REGULAR REPORTS**

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

There was no report from the TAC because there was no meeting in November and December 2013. Director Hart expressed concern over the fact that the TAC had not met in three months and asked for a status of TAC membership. Mr. Small stated that he would provide the Board with a status of TAC members. There were a number of vacancies due to recent resignations because members changed employment and had to discontinue service on the TAC.

The next TAC meeting is scheduled for January 8, 2014 at 1:00 PM at Fountain City Hall.

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

Irene Kornelly reported that the CAG met November 8, 2013 at Fountain City Hall but did not meet in December because of the early Board meeting. She stated that the CAG received a report from Rich Muzzy on water quality classifications of parts of Fountain Creek and standards for pollutants such as selenium and e-coli and water temperatures. Director Hart asked if Mr. Muzzy could present that information at a future Board meeting. Mr. Small stated that he would arrange for it to be presented at a meeting early in 2014.

Ms. Kornelly reported that the Outreach Committee met November 18, 2013. She stated that the Outreach Committee discovered a large 3-D model of Upper Fountain Creek owned by the Cascade Fire Department. She stated that the Fire Department wanted to donate it to someone since it was taking a lot of room in the Headquarters building. She stated that the outreach Committee was trying to decide how the District could place it in a prominent location within the District.

Ms. Kornelly reported that the Outreach Committee was investigating the cost for T-shirts with the District Logo for CAG members to wear at Outreach events.

Ms. Kornelly reported that Perry Cabot had resigned from the CAG because he was relocating to Montrose, Colorado. The CAG was looking for a replacement.

The next CAG meeting will be January 10, 2014 at 9:30 am at the Fountain City Hall. The next Outreach Subcommittee meeting will be scheduled at the CAG meeting.

## **7. C FINANCIAL REPORT**

Larry Small presented the Fountain Creek District Balance Sheet as of November 30, 2013. The District has total assets of \$164,556.06 and total liabilities of \$568.33. Profit and Loss Budget vs. Actual report for the period January through November indicated total revenues were \$14,105.07 and total expenses were \$107,331.61 for a net negative income of \$93,226.54 resulting in a District total equity of \$163,987.73. The General Fund cash on hand as of November 30, 2013 was \$36,611 and the Restricted Fund cash on hand was \$126,945. The total cash on hand was \$163,556.

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

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

Mr. Small reported that he attended the Regional Stormwater Task Force meeting on October 28. The Task Force discussed plans for future meetings with local governments.

Mr. Small reported that he attended the Pueblo City Council meeting on October 28, 2013 to deliver the request for Represented Governments Contribution.

Mr. Small reported that he met with LeAnn Wolf, owner of the Flying W Ranch to discuss the fire and storm damage to the ranch. He reported that he took a tour of the ranch, Glen Erie and the Colorado Springs Autistic Center on November 8 to see the mitigations put in place to deal with future storm runoff.

Mr. Small reported that he met with Jordan Vana and Ray Holtz, Natural Resource Restoration and Conservation, to tour the Greenview Trust property to assess the feasibility of receiving financial support from NRRC for wetland restoration on the property that would qualify as a match for any future acquisition grant.

Mr. Small reported that he attended a meeting on November 5 to discuss the CWCB Special Release of Watershed Restoration Grant funds and held a strategy meeting with interested parties on November 8 to form a coalition led by the District to pursue a grant. He stated that he worked with Matrix Design Group for the next week putting the application together and submitted it to CWCB on November 18, 2013. He stated CWCB advised him November 30 that the application had been approved for funding.

Mr. Small reported that he met with the Coalition for the Upper South Platte in Lake George, Colorado to investigate how CUSP was formed and how it operated to determine if the District could assume CUSP's responsibilities in El Paso County. This was in response to a request from El Paso County Commissioner Sallie Clark, who was interested in the District assuming that role.

Mr. Small reported that he attended a meeting with CDOT on November 13 as a member of the I-25/Cimarron Interchange Aesthetics Committee to discuss the design of the Interchange.

Mr. Small reported that he visited the Green Mountain Falls Town Council meeting on November 19 to further discuss the Represented Governments Contribution. He reported that the Council voted to contribute \$150 to the District.

Mr. Small reported that he met with El Paso County Parks Department to review why the Wedgewood Farm GOCO Grant Application was not selected for funding and to see if there was a strategy to resubmit the application in a future grant cycle.

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

**9. NEW BUSINESS (BOARD ACTION REQUIRED)**

**9. A PUBLIC HEARING FOR 2014 BUDGET**

Chair Ortega opened the public Hearing.

Larry Small stated that the Public Hearing had been advertised in the Fountain Valley News and the Colorado Tribune as required.

Larry Small presented the proposed 2014 Budget. He stated that revenues were projected to be \$541,726, General and Administrative expenses were projected to be \$40,278, Master Plan Fund expenses were projected to be \$114,500, and Grant performance expenses were projected to be \$461,000. Income versus expenses for 2014 was projected to be a deficit of \$74,052 and the District would have a projected cash balance of \$57,772 at the end of 2014. Mr. Small stated that the proposed 2014 budget was the largest budget in the District's history since it was established in 2009.

Chair Ortega opened the floor to public comments. None were given.

Chair Ortega closed the Public Hearing.

**9. B RESOLUTION 2013-07 - RESOLUTION TO ADOPT 2014 BUDGET, RECOGNIZE REVENUE, AND APPROPRIATE SUMS OF MONEY FOR THE YEAR BEGINNING JANUARY 1, 2014, AND ENDING DECEMBER 31, 2014.**

Larry Small presented Resolution 2013-7 which stipulated that the appropriated expenditures for 2014 would be: General Fund - \$40,278; Master Plan Fund - \$114,500; and Grants Received Fund - \$461,000; for a total 2014 expenditure of \$615,778.

**Upon motion duly made, seconded and unanimously carried, Resolution 2013-07 was approved.**

## **9. C TRANSFER FUNDS FROM GENERAL FUND TO FLOOD CONTROL STUDY FUND**

Larry Small presented the request for authorization to transfer the sum of \$6,602.06 (Six Thousand Six Hundred Two and 06/100 dollars) from the Fountain Creek District - General Fund, account number 00S186-183, to the Fountain Creek District – Master Plan account number 00S186-028. This transfer is necessary to cover, in part, the Flood Control Study Fund deficit of \$9,761.33. Mr. Small also asked the Board to approve applying the accrued Restricted Funds interest of \$3,159.27 to cover the balance of the deficit.

**Upon motion duly made, seconded and unanimously carried, the transfer of \$6,602.06 from the General Fund to the Flood Control Study Fund and the application of \$3,159.27 of accrued Restricted fund interest to the Flood Control Study fund was approved.**

## **9.D RATIFICATION OF CWCB GRANT APPLICATION FOR UPPER FOUNTAIN CREEK AND CHEYENNE CREEK FLOOD RESTORATION MASTER PLAN**

Larry Small presented the CWCB Grant Application for Upper Fountain Creek and Cheyenne Creek Restoration Master plan. Mr. Small stated that the application was made in response to a special release of funds on October 31, 2013 for restoration master plans restricted to the eighteen Colorado Counties affected by the September floods. Mr. Small stated that the applications were due to CWCB on November 15, 2013. He stated that a meeting was held in Colorado Springs on November 5 by interested parties to determine if an application could be submitted. Mr. Small stated that the decision was made that the District would lead the submission and would pull together a coalition of interested parties to support the application. Mr. Small stated that the District would provide \$25,000 matching funds and Colorado Springs Utilities and El Paso County would each provide \$25,000 and the City of Colorado Springs would provide \$100,000. He stated that \$87,500 of in-kind support would be provided by the Pikes Peak Regional Building Department (\$37,500) and a total of \$50,000 from the other coalition partners – Manitou Springs, Green Mountain Falls, Woodland Park, Teller County and the Coalition for the Upper South Platte. He stated that CWCB would provide \$175,000 under the Grant for a total project of \$437,500. Mr. Small stated the he received notification from CWCB on November 30 that the application had been approved for funding. Mr. Small stated that he proceed with the grant application because the response time was short and advised the Board by e-mail that the application was in process. Mr. Small asked that the Board ratify his actions in submitting the application.

**Upon motion duly made, seconded and unanimously carried, submission of the District's CWCB Grant Application for Upper Fountain Creek and Cheyenne Creek Flood Restoration Master Plan was approved.**

## **10. OTHER BUSINESS**

**10. A APPROVAL OF INVOICES**

The following invoices were presented for approval to pay

<b>General Fund</b>				
<u>Vendor</u>	<u>Date</u>	<u>Num</u>	<u>Amount</u>	<u>For</u>
Larry Small				
	12/05/13	90	\$5,000.00	Executive Director
Shopper Press Inc.				
	11/27/13	1238	\$32.76	Public Notice – Budget Hearing
Colorado Tribune				
	11/23/13		\$42.16	Public Notice – Budget Hearing
Special District Association	11/18/13	2013111823552848866	\$493.41	2014 Membership Dues
Colo Special Dist Prop & Lia Pool				
	12/05/13	27C28004-156	\$1,997.88	2014 District Insurance
<b>TOTAL - General Fund</b>			<b>\$7,566.21</b>	

<b>Master Plan Fund</b>				
<u>Vendor</u>	<u>Date</u>	<u>Num</u>	<u>Amount</u>	<u>For</u>
Matrix Design Group				
	12/10/13	14116	\$1,318.30	Grant Preparation
<b>TOTAL - Master Plan Fund</b>			<b>\$1,318.30</b>	

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

**11. EXECUTIVE SESSION - None**

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

The next Board meeting will be held January 24, 2014, 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.**