

RECORD OF PROCEEDINGS

100 LEAVES

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS

OF THE PUEBLO CONSERVANCY DISTRICT

January 22, 1947

A special meeting of the Board of Directors of The Pueblo Conservancy District was held at the office of the District, 113 West Fifth Street, at 7:30 P. M. o'clock on January 22, 1947.

Directors Present: John M. Holmes, W. T. Mathis, Frank Pryor.

The minutes of the meeting of December 4, 1946 were read and approved.

Upon motion of Mr. Mathis, the sale of Certificates listed below was approved because they were sold in a manner believed to be in the best interest of the District and the property holder.

Receipt Pages 206 -- 225 inclusive

Certs. Nos.	83197; 85377	7.73	Willie A. Jorman
	97727	18.89	Theresa E. Simonich
	100168	103.09	Irma McDaniel
	100169	432.94	Irma McDaniel
	88155	25.00	Onorio Izzi-Rocco
	97604; 99994	198.01	Viola M. Arthur
	97605; 98721; 99995	144.21	Viola M. Arthur
	97607; 99997	254.24	Viola M. Arthur
	78057; 90595	16.45	John Tomsick
	2357; 56265; 58105	18.35	Arthur Baros
	88043	332.05	Robert B. Kyle
	98649	279.98	Robert B. Kyle
	94705; 96346; 97622; 98743;		
	100008	815.58	Annie Litvack
	100084	6.14	Elsie H. Crawford
	90823; 92812; 94632; 96279;		
	97845; 98695; 99952	1,332.67	Sam Bernstein
	94646; 96290; 97568; 98707;		
	99958	3,667.42	Bernstein Bros.
	70783; 75117; 77885 A; 83251	10,181.16	No. Colo. Loan Assn.
	101022	731.09	Bernstein Bros.
	88155 (Bal) 90918 (Partial)	24.50	Onorio Izzi-Rocco
	101954	113.64	Hammond Cigar Store

The following vouchers were read and approved for payment:

11027	J. E. Creel, County Treasurer	2.55
11028	" "	4.05
11029	" "	2.50
11030	" "	1.25
11031	First National Bank of Pueblo	181,700.00
11032	J. E. Creel, County Treasurer	2.75
11033	Wilmington Savings Fund Society	1,250.00
11034	J. K. Mullen Investment Co.	600.00
11035	Elbert D. Greene (December)	40.00
11036	Elbert D. Greene (December)	161.10
11037	Collector Internal Revenue	23.90
11038	Mt. St. Tel & Tel Co.	1.76
11039	J. E. Creel, County Treasurer	7.40
11040	" "	.60
11041	Postage - 1.96 For Coupons .25	2.21

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11042	J. E. Creel, County Treasurer	2.60
11043	" Adv. 1946 Certs	354.25
11044	Blackburn Engineering Co.	528.41
11045	Middelkamp Agency Co.	92.50
11046	Pueblo Agencies Inc.	92.50
11047	Greene & Company	277.50
11048	J. E. Creel, County Treasurer	1.00
11049	First National Bank	77.88
11050	Elbert D. Greene	9.37
11051	John M. Holmes	10.00
11052	W. T. Mathis	10.00
11053	Frank Pryor	10.00

Mr. Holmes read a letter dated January 13, 1947, from the U. S. Engineer's Office at Albuquerque, N. M. The letter and Mr. Holmes' reply is attached hereto. The Directors discussed at considerable length the condition of the river channel below Santa Fe Avenue and all agreed that any lessening of the capacity of the channel in this vicinity was probably due to flood water in the Fountain River backing up into the Arkansas River and depositing silt. It was the concensus of opinion that a good flow of water in the Arkansas if it should occur when the Fountain was not high would do a great deal to clean out the channel. Mr. Holmes said he would like to make an inspection of the River bottom east of Santa Fe Avenue. It was agreed that eventually a large scale job of dredging might be necessary but would not be considered until Mr. Holmes as well as the other Directors, had taken the opportunity to look over the channel. It was pointed out that in inspecting the channel, special attention should be given to the question of whether the Fountain Sand and Gravel Co., through its operations was creating a menace.

Secretary Greene reported that a committee of citizens living near the 1000 block of West Abriendo Avenue had called on the County Commissioners complaining about R. N. Wade keeping pigs and cows and other livestock on the old D&RG right-of-way, which is owned by the District. The Secretary and County Commissioner John H. Reece called on Charles M. Rose. Mr. Rose phoned R. N. Wade and Mr. Wade agreed to vacate the property on which he is trespassing by January 25, 1947. A letter supplementing Mr. Rose's phone call was written to Mr. Wade and sent to him by registered mail. A copy of the letter is attached hereto.

The Secretary read a letter from The J. K. Mullen Investment Company dated December 16, 1946, with which they sent \$24,000 of the District's 5% Bonds which were registered in the name of Mary Dean Reed. The Mullen Company requested that these Bonds be re-registered in the name of The J. K. Mullen Investment Company. They enclosed copies of various papers having to do with the Estate of Mrs. Reed, deceased. The papers were in order and accordingly the Bonds were re-registered as requested and returned to The J. K. Mullen Investment Company. The Bonds were numbered 51 to 64, inclusive, 78 to 83, inclusive, and 86 to 89, inclusive; all of Series due 1949. The Secretary requested that a motion be passed ratifying his action in registering these Bonds.

Mr. Pryor moved that the Secretary's action be ratified. Mr. Mathis seconded the motion and the motion was passed by unanimous vote.



ARMY SERVICE FORCES
U. S. ENGINEER OFFICE
ALBUQUERQUE DISTRICT
P. O. BOX 1538
ALBUQUERQUE, N. M.

SWKGH

REFER TO FILE NO. _____

13 January 1947

Subject: Possible Flood Hazard at Pueblo, Colorado

To: Pueblo Conservancy District
113 W. Fifth Street
Pueblo, Colorado

Gentlemen:

This office is making studies of the adequacy of the Pueblo flood protection works in connection with its review report on flood control on the Arkansas River and tributaries and also as a result of your request for an investigation of the adequacy of said works. These studies have progressed sufficiently so that it is considered advisable at this time to inform you of the conclusions drawn.

The Rock Canyon Barrier Dam appears to be adequate in stability for the maximum probable flood to be expected, and the floodway through Pueblo to the Santa Fe Street bridge (U. S. Highway 50) has sufficient freeboard to safely discharge a flood somewhat greater than 125,000 c.f.s. However, downstream from the bridge the levee is too low to safely carry a flood of more than 35,000 c.f.s. It appears that a flood of 125,000 c.f.s. would overtop the levee a short distance downstream from the bridge and back upstream approximately to the vicinity of the roundhouse in the railroad yards. Lesser floods would, of course, back up a lesser distance, with a flood of 50,000 c.f.s. backing up approximately to Santa Fe Street. While the backwater would not have destructive velocities, nevertheless considerable damage would be caused from flooding and sediment deposition.


It is possible that the inadequacy of the levee downstream from the bridge has been caused by aggradation of the stream bed as a result of sediment deposited by the Fountain River, however, this office has no measurements of stream bed levels as they existed prior to the present time. In this connection it should be pointed out that should the onset of the flood be relatively gradual, it is possible that the stream bed would be scoured

SWKGH - SUBJECT: Possible Flood Hazard at Pueblo, Colorado

hazard so that you might have an independent check made or take such other action as you deem advisable.

If this office can be of assistance in furnishing further information, please feel free to request it at any time.

Sincerely yours,

for 
HENRY F. HANNIS
Colonel, CE
District Engineer

*F. A. Gurner,
U. S. Engineers
Albuquerque, N. Mex.
Chief of Operations.*

January 17, 1947

Army Service Forces
U. S. Engineer Office
Albuquerque District
P.O. Box 1338
Albuquerque, New Mexico

Gentlemen:

Reference is made to your letter of January 13, 1947, -
File SWCCH, regarding possible flood hazard at Pueblo, Colorado.
Thank you for the information given regarding the Rock Canyon
Barrier Dam and the river channel, from its start West of the
city to the Santa Fe Avenue bridge on U. S. Highway 50 East of
the city.

As regards the river channel downstream from the Santa
Fe Avenue bridge. As I remember it this has filled in very
materially due to more high water in the Fountain river, which
carries a very heavy percentage of silt. This backs up into the
Arkansas River at the point mentioned and causes the silt to pre-
cipitate and fill in the channel. It is my memory that in times
past, when we have had reasonable runs of water in the Arkansas,
that it keeps that part of the channel mentioned reasonably clear.
However, there has not been sufficient high water in the Arkansas
to properly clean it out.

It is my belief that the levee running from the North
side of the Santa Fe Avenue bridge in a Northeast direction should
be raised very materially, - and possibly some type of riprapping
put along the face of that levee. In that manner we would be safe
from the back up of the water until such time as the Arkansas
might clean its channel by the effects of a reasonably good run
of a reasonable amount of water. The channel downstream, or East
from Santa Fe Avenue, was originally designed by Morgan to carry
the full flow of the water as it would come through the river

U. S. Engineer Office
Albuquerque District

January 17, 1947

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channel as it exists through the city. We will investigate this further with our own engineers and give you more information at a later date.

Thank you for your interest, and the information which you gave us.

Yours very truly

John M. Holmes
President

THE PUEBLO CONSERVANCY DISTRICT

JMH/mks

THE PUEBLO CONSERVANCY DISTRICT

BOARD OF DIRECTORS
JOHN M. HOLMES, CHAIRMAN
W. T. MATHIS
FRANK PRYOR, JR.

JOHN M. HOLMES, PRES.
WINIFRED CROSS, SECY
R. C. THATCHER, TREAS.

PUEBLO, COLORADO

January 20, 1947

Mr. R. N. Wade,
1011 W. Abriendo Avenue,
Pueblo, Colorado.

Dear Sir:

Mr. Rose reports that you have agreed to vacate the premises on the old railroad right-of-way, immediately, and to remove all your property, and leave the place in good condition this week. We are relying upon that promise, and in the meanwhile, withholding legal action.

You must be out of there and remove all your property and leave the premises free and clear of rubbish and nuisances this week.

Very truly yours,

THE PUEBLO CONSERVANCY DISTRICT

By

Elbert D. Greene, Secy-Treas.

EDG/lmg

Reg. Mail.

See letter of May 14, 1945 written to Wade.

Secretary Greene reported that upon authorization from Mr. Holmes, the three bonds totaling \$50,000 on J. E. Creel, County Treasurer, for the years 1947 and 1948 had been renewed with the same agents who wrote the bonds for the period 1945 and 1946. The bonds for the years 1947 and 1948 are:

Fidelity & Deposit Co.	\$10,000
Agent - Pueblo Agencies Inc.	
American Surety Co.	\$10,000
Agent - Middelkamp Agency Co.	
General Casualty Co.	\$15,000
Agent - Greene & Company	
Standard Accident Insurance Co.	\$15,000
Agent - Greene & Company	

The Bonds were submitted by the Secretary to the Directors for examination, following which, Mr. Mathis moved that they be approved. Mr. Pryor seconded the motion, which upon vote, was unanimously carried.

Secretary Greene reported that the property known as 309 South Union Avenue, more specifically described as

The SE 70 feet of the SW 13 feet of Lot 20,
Block 48, South Pueblo,

had been conveyed to the Conservancy District by a Deed dated January 22, 1947, issued by the Treasurer of Pueblo County. It was agreed that this property was probably not worth in excess of \$500.00 and that quick sale of it for \$400.00 would probably be to the District's advantage. The Secretary was authorized to see if he could get any offers to purchase the property.

See Minutes of April 16, 1945

Secretary Greene reported that on January 8, 1947, the Pueblo Gas & Fuel Co., requested that in Paragraph 2 of the "Grant of Permit Agreement" made on November 16, 1945 between the Pueblo Conservancy District and The Pueblo Gas & Fuel Company, the specified size of the pipe line be changed from eight inches to fourteen inches. Mr. Holmes was consulted and said he approved of the change. Mr. Charles M. Rose was consulted and stated it was not necessary to amend the agreement. Mr. Rose advised that the word "eight" be crossed out and the word "fourteen" substituted, this change to be ratified at the next meeting of the Board of Directors. Mr. Pryor moved that change of the specified size of the pipe line from 8 inches to 14 inches be ratified and approved. Mr. Mathis seconded the motion which upon vote was unanimously carried.

A copy of a letter written January 17, 1947 by Secretary Greene to The Pueblo Gas & Fuel Company is attached hereto.

THE PUEBLO CONSERVANCY DISTRICT

BOARD OF DIRECTORS
JOHN M. HOLMES, CHAIRMAN
W. T. MATHIS
FRANK PRYOR, JR.

JOHN M. HOLMES, PRES.
WINIFRED CROSS, Secy
R. C. THATCHER, TREAS.

PUEBLO, COLORADO

Jan 17, 1947.

The Pueblo Gas and Fuel Company,
815 North Main Street,
Pueblo, Colorado.

Gentlemen:

On January 8, 1947 you requested that in Paragraph 2 of the Grant of Permit Agreement made by the Pueblo Conservancy District and your Company on November 16, 1945, the specified size of the pipe line be changed from eight inches to fourteen inches.

I asked Mr. Holmes the President of the Pueblo Conservancy District if it was agreeable to him to make the change you requested and he said he approved the change.

I then asked Mr. Charles Rose, the attorney for the District, if it was necessary to amend the Grant of Permit Agreement or to O.K. and initial the change. Mr. Rose said all that was necessary was to change the word "eight" to fourteen and at the next meeting of the board of directors to ratify the change.

The board has not met since January 8th, but this matter will be taken up at the next meeting. Until that time this letter will serve as a memorandum to the effect that the substitution of the word fourteen in place of the word eight was made by the under-
signed.

Very truly yours,

Elbert D. Greene, Secy-Treas.
THE PUEBLO CONSERVANCY DISTRICT

EDG/lmg

Secretary Greene reported that the rent on the land near the Barrier Dam which Arthur & Allen are renting for grazing purposes was paid to January 1, 1947. The rental has been at the rate of \$120.00 per year. The Secretary reported that Arthur Allen had said he would send a check for \$480.00 as rent for the next four years. After some discussion it was agreed that the District would not now accept four years rent but would accept \$120.00 as rent to January 1, 1948 and that Arthur & Allen be informed that the District would in all probability continue renting to them after January 1, 1948, but would not at this time definitely agree to do so and that if the District did continue in the future to rent the land to them that the amount of rental would be subject to change if conditions warrant.

Mr. Holmes reported that at Mr. Rose's request he had a meeting with him to discuss the matter of Mr. Rose being on a retainer basis. Mr. Holmes reported that Mr. Rose had represented the District since it was first established and that for upwards of fifteen years he had received very little compensation. Mr. Rose in his conference with Mr. Holmes asked that he receive a monthly retainer of \$100.00. The various angles of this matter were discussed at considerable length and it was agreed that Mr. Rose had been underpaid in the past and that it now appeared to be expedient to comply with his request for the retainer fee mentioned. Mr. Pryor thereupon moved that Mr. Rose receive a monthly retainer of \$100.00 commencing January 1, 1947 and that Mr. Holmes be authorized to settle with Mr. Rose the question of what compensation Mr. Rose was to receive from July 1, 1946 to December 31, 1946 - Mr. Rose having rendered a statement in July which was paid for, which were his services to July 1, 1946.

Mr. Holmes reported that at a meeting held by the Directors January 5, 1946, the compensation of the Secretary which included his salary, rent and office expense be fixed at the rate of \$225.00 per month for the period ending December 31, 1946. Mr. Mathis moved and Mr. Pryor seconded the motion which was unanimously carried, that the same rate of compensation be paid the Secretary during the year 1947.

There being no further business, the meeting adjourned.


Secretary

Read and approved:

