

MINUTES OF THE JULY 23, 2014
REGULAR MEETING
OF THE PUEBLO CONSERVANCY DISTRICT

Directors Present: Paul Willumstad, Matt Cordova

Also Present: Administrator Rick Kidd, Counselor Don Banner

Guests: Carla Sikes, City of Pueblo Representative
John Kenney, Colorado City Representative
Barbara Bernard, Pueblo West Metro Representative
Dennis Maroney, Retired City of Pueblo Storm Water Engineer
Kim Kock, NorthStar Engineering
Bill Hoffman, CTL Thompson (NorthStar team)
Shanna Lewis, freelance reporter
Thuy Patton, Colorado Water Conservation Board
Dawn Gladwell, FEMA
Chris Woodka, Pueblo Chieftain

With a quorum present, the regular meeting of the Pueblo Conservancy District was called to order at 10:33 am.

Minutes:

The minutes of the June 25, 2014 regular meeting were reviewed. Cordova moved to approve the minutes. Motion passed.

Treasurer's Report:

The June 2014 accountant's compilation reports were presented for review. Kidd reported that \$818,000 of maintenance fund assessment fees had been collected this year to date. In the current set of checks and expenditures for the month is \$15,814.54 in refunds. Previously \$15,983.01 had been approved and the checks signed. This brings the total and final amount of the refunds to \$31,797.55. Banner and Kidd explained that the refunds were due to adjustments needing to be made for properties that crossed the flood boundary line, and some that were inadvertently included within the flood plain (Tier 3) area. Cordova moved to receive and file the reports and pay the bills. Motion passed.

Bills -- The following bills were posted for review and approval:

\$ 450.00	Black Hills Energy, Runyon Lake Electricity and Lighting
\$ 350.00	MBD&G, Monthly Accountant fees
\$ 500.00	Banner and Bower, Attorney fees
\$ 600.00	Kidd Engineering, Administrator/Engineer fees
\$ 945.00	Kidd Engineering, Meetings with NorthStar and State Engineer, and with NorthStar for walk along Levee. Reviews of draft letter to FEMA/CWCB
\$ 184.70	Cordova, Director's Fee
\$ 184.70	Phillips, Director's Fee
\$ 184.70	Willumstad, Director's Fee
\$ 2,128.75	NorthStar Engineering, Arkansas Levee "As-Constructed" Survey and Conditional Evaluation Contract Progress Payment
\$ 46,742.50	NorthStar Engineering, Design, Permitting and Regulatory Approvals Contract
\$ 275.40	U.S. Treasury, 2 nd Quarter 941 W/H
\$ 700.00	Spaccamonti Excavating, Cleaning trash rack and Thomas Phelps Creek culverts
\$ 655.00	Chem-Way Lawn Care, Weed Spraying and Levee Sterilant

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\$ 15,814.54 Numerous Entries -- Refund adjustments on 2012 Maintenance Fund Assessment

FEMA –

FEMA and CWCB had been requested to attend to address questions about the impending City of Pueblo revised flood plain mapping and the current FEMA criteria concerning certification requirements. Dawn Gladwell said that when they started working with the City for updated mapping in 2005 the need for levee certification came up. Several coordination meetings were held with the City and the District was invited to a couple. At the time, there was a Provisionally Approved Levee (PAL) program offered to allow levee owners up to 24 months, after revised flood plain mapping came out, to correct any deficiencies and have their levees certified. The certification requirements and the PAL program are stated in CFR 65.10. Occurring National disasters diverted interest and resources so the Pueblo revised mapping program did not stay on the original schedule. The City of Pueblo, the Pueblo Conservancy District and other entities across the United States objected to the criteria and short time frame being imposed for levee certification. FEMA responded with discussing a new program in 2012. The new program allowed credit for existing levees and gave the owners more time to meet certification requirements. This program was approved in 2013 and allowed projects to move forward using a Seclusion Agreement. This program keeps the "with levee" flood plain mapping in place and allows the owners time to make improvements and get the certification requirements met. The owners must demonstrate intent and be working with a reasonable schedule. Thuy Patton said that the CWCB held a meeting with the City of Pueblo, Pueblo County, and the Pueblo Conservancy District to discuss the seclusion agreement program and how it could be used to allow revised mapping to move forward.

The preliminary revised flood plain mapping will come out in digital form. They are close to being ready to release the new mapping. These maps will show the seclusion areas protected by the existing levees. There is usually a month allowed for review of the preliminary maps. Then FEMA will meet to gather comments regarding the proposed mapping. It will take about one year from when the preliminary maps are issued until their effective date. When certification of the levees is completed there will be a formal map update. The seclusion areas shown on the preliminary mapping will show these areas as being a higher risk zone but the risk is to-be-determined. This means that flood insurance in these areas will be available but it will not be required. Gladwell affirmed to Banner that the protected areas within the levee system will be the same as it is now. She said that how mapping may affect the areas can be discussed when the preliminary maps come out. Kidd asked how the areas affected by potential out of bank flows between 15th to 18th Streets along Wildhorse/Dry Creek may be affected with the preliminary mapping plan. Gladwell said that she would have to check to see if the new accepted flood flow rate in Wildhorse/Dry Creek still goes around the north end of the current levee. Banner asked for FEMA's comments on the engineers' proposed concept of lowering the height of the Arkansas River Levee. Gladwell said that this is a decision that is up to the designers that will be certifying the Levee, but that the explanation she received sounds like a reasonable approach. The engineering team will still be using the requirements of the CFR 65.10 approved process. Therefore, FEMA does not see a problem with the designers' concept. When asked about landside elevations Gladwell responded that FEMA recommends 3-ft of freeboard at the toe of the levee. At the point at which the landside provides 3-ft of freeboard then that levee section does not require certification. She went on to state that geotechnical considerations, drainage, anticipated performance, etc. are all a consideration of the designer's to make regarding the non-certified need areas within the certified need reaches. Delineation of non-certified versus certified required areas is a problem when it comes to maintenance and performance reviews. However, FEMA will leave this to the certifying engineer. All documentation must be maintained with keeping out any compromise between certified versus non-certified areas. Maroney asked if there was a requirement to mark flood elevations along the levee. Gladwell responded that CFR 65.10 still applies so it would have to be reviewed to see if there is a requirement, as part of the certification, to mark anticipated flood elevations.

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Arkansas River Levee Assessment Study, NorthStar –

Kim Kock reported that they are making good headway. They are in the process of 404 permitting through the Army Corps of Engineers. They are going back in and getting additional detail and assessment surveys of some areas in question. They still have not received a response from Steve Oliver, of the Union Pacific Railroad. Kock asked if the District could work with them to go over Oliver's head. Banner suggested sending them a letter saying specifically what the engineered and construction plan is to do and put the Railroad on notice, and move on. Copies of this notice should be sent to all Railroad personnel who have been contacted along the way. Kock said that Joan Armstrong, Pueblo County Director of Planning and Development, requested that she be kept in the loop with information flowing to them.

President's Report –

Willumstad was called by Corinne Koehler. She told him that she had received an appointment to be a new Board member.

Administrator's Report-

None.

Old Business:

Website Development – Banner requested biographies from the Board members and Kidd. The site is about ready to be released and they are just trying to get some final inclusions for the initial roll-out. He would also like to have the minutes for the past year posted on the site.

Regarding "skip certification" Banner said that his opinion is that it makes more sense to do the entire Levee. The designers have the data and it would put the certifying engineer on the hook for any problems that would develop along the entire Levee.

New Business:

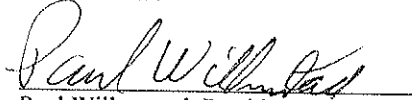
Willumstad said that we need to be planning for the inclusion of six new members. He requested that we schedule the next meeting to begin at 10:00 am to allow time for completion of IRS forms, oath of office, etc. He suggested that we plan for a new member orientation, possibly at a luncheon. Short presentations could be made by Kock, Kidd, and Banner, and maybe even Gus Sandstrom.

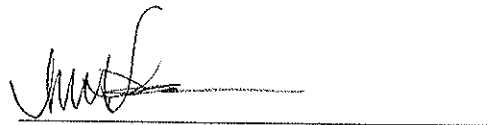
Other Business:

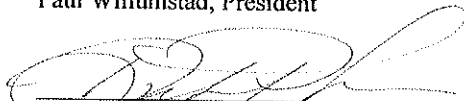
None

There being no further business to come before the Board, the business meeting was adjourned at 11:50 am. The next regular meeting date will be August 27, 2014, at 10:00 am.

APPROVED:


Paul Willumstad, President


Matt Cordova, Treasurer


Donna Phillips, Secretary