

BOXELDER BASIN REGIONAL STORMWATER AUTHORITY
MEETING MINUTES
May 26, 2011

DIRECTORS PRESENT: Larry Lorentzen
Vic Meline
Lee Tucker
Ken Sampley

DIRECTORS ABSENT: None

PRESIDING: Ken Sampley

ALSO PRESENT: Rex Burns, Authority Manager
James Rae, Poysti & Adams, LLC
Todd Juergens, Larimer County Engineering
Andrea Faucett, Ayres Associates

1. Call to Order

The meeting was called to order by Director Sampley at 4:05 p.m.

Director Lorentzen moved and Director Tucker seconded appointing Director Sampley to be acting President Pro-Tem for meeting. With all in favor the motion passed.

ADDITIONS OR DELETIONS FROM THE AGENDA

None

OLD BUSINESS

None

NEW BUSINESS

2. Review and approve minutes of April 15 and Aril 28, 2011

Director Meline moved to approve the minutes of April 15 as written. Director Tucker seconded. With all in favor the minutes were approved as written.

Director Sampley noted on Page 2, Item #4, 3rd bullet, the number should be \$3,137,080 dollars. He also requested in the first sentence after the bullets the language be changed to say: "Director Sampley requested an explanation of the difference between hydraulic dredging and mechanical dredging".

Director Meline moved and Director Lorentzen seconded approving the minutes of April 28, 2011 as corrected. The motion passed 3 to 1 with Director Tucker opposed.

3. Public comment

None

4. Election of Authority Board of Director Officers

The Board discussed election of officers and generally agreed it would be preferable to wait until the County made Board appointments so we had a full Board prior to electing officers. It was noted the County would not make an appointment until after a meeting to be held with the IGA members on June 20th. Director Lorentzen moved to table the election to the June meeting. Director Meline seconded and with all in favor the motion passed.

5. Presentation of Audit Report by James Rae, with Poysti & Adams.

Manager Burns explained this was the presentation of the draft audit with a request to the Board to review with the intent being to approve the final audit at the June meeting.

Mr. Rae reviewed the Independent Auditor's Report with the Board. He stated this was a clean opinion, the best opinion the Authority could receive. He went through the changes in revenues, expenses and fund balances between 2009 and 2010.

Director Sampley requested a correction to Note #10 of the Notes to the Financial Statements, stating the City of Fort Collins had not revised the Authority's service area, but rather had overpaid the Authority based on the Authorities fee rate resolutions.

Director Lorentzen asked about the Management Letter. Mr. Rae went through the letter with the Significant Audit Findings & Current Year Comments explaining those procedures which the auditing firm was recommending the Board implement to keep from having future problems in the financials.

6. Coal Creek Flood Hazard Mitigation Project

Todd Juergens distributed the project update report noting:

- The reimbursement from FEMA was received for expenses through March 31, 2011. The total to date federal reimbursements received is \$704,024.
- A pre-construction meeting with the contractor for the Clark Reservoir construction project was held and a Notice to Proceed (NTP) issued. The project is to begin May 23rd, with dredging scheduled to begin in early July.
- An adjacent property owners meeting is scheduled for June 2nd at 5 pm. Owners are to be notified by mail.

- Paving for the CR 7 bridge has been delayed several times due to weather but the bottom lift went on this day with the top lift scheduled for tomorrow.
- The ROW agreement with County's parcel is scheduled for completion Tuesday, May 24th.
- The remaining 2 agreements for the project are for the CDOT property and the railroad property. The railroad agreement is in final stages with anticipated approval in July. The CDOT agreement is anticipated to be finalized in August 2011. Both are needed for construction in fall 2011.

The Board discussed adding a project sign to identify the project to the public at the site. It was agreed no sign was necessary.

7. Eastside Storage and Middle Basin Projects - Consideration of Scope and Fee for Middle Basin Analysis

Andrea Faucett distributed the Eastside project update.

Ayres staff and Manager Burns meet with ARDEC staff for second time on Tuesday May 24th. Based on comments received, Ayres is revising the design of the dam site to include excavation of material from center pivot area to be used in the construction of the dam. The goal of this exercise is to reduce overall dam height and width at base of dam, which will reduce impact to ARDEC operations (cows and irrigation). Ayres is being asked to provide information on the residual flow north of Timnath for the negotiations with Timnath because the two previous rounds of master plans each used slightly different hydrology even from the current one that we are using,

CSURF staff told us Tuesday that the easement value would be based on 50% of appraised value.

Director Sampley requested engineering costs for the middle basin and east side storage be kept separately and not lumped together as shown in the budget as a single line item.

Andrea Faucett distributed a scope of services and fee estimate for preliminary engineering for the middle basin project.

The ultimate goal of the Middle Basin improvements is to minimize the Boxelder Creek westerly flowpath and reduce the potential for overflows into the Cooper Slough Basin. These improvements include: modifications to the Boxelder Creek embankment between County Roads 54 and 52 to assure that the residual flow (approximately 3,000 cfs) is contained within the 100-year floodplain of Boxelder creek, construction of two storm drainage channels to direct local runoff from the Boxelder Creek overflow path to Boxelder Creek, the enlarging of the crossings at County Roads 54 and 52, and lastly the construction of a siphon of the Larimer and Weld Canal to convey flows under Boxelder Creek. Ms. Ayres noted that the extent of the Middle Basin improvements are what was identified in the previous Master Plan prepared by PBS&J with the exception that with

the updated hydrology it may be necessary to extend the Middle Basin improvements further south and include road crossings at County Road 50 and 48 and additional flood bench between those road crossings as well.

First Ayres will need to obtain upstream and downstream cross sections at the road crossings. In addition a center line top of road cross section will need to be taken at both CR 54 and 52. The existing 2 foot contour data will be used for additional cross sections along Boxelder Creek for the HEC-RAS model.

Once Ayres, begins looking at the hydraulic models and incorporating the proposed changes they will know the extent of the improvements required to keep the Middle Basin flows contained within the easterly flow path. After the proposed improvements are identified an engineers estimate of probable cost will be prepared as part of this scope.

Director Lorentzen noted the cash flow spreadsheet Manger Burns had prepared did not include the Letter of Map Revision at an approximate cost of \$35,000. Ms Faucet stated the \$35,000 did not include the cost to have a surveyor certify the as-builds and the County did not include this in any of their work, so this would be an additional expense. It was noted cash flow in the first quarter of 2012 could be critical if a large part of the Clark Reservoir contingency fund was needed.

Director Lorentzen moved to approve the proposal from Ayres for Preliminary Engineering of the Middle Basin Project in an amount \$57,560. Director Meline seconded the motion. The motion passed 3 to 1 with Director Tucker opposed.

8. Financial Report for April, 2011

Manager Burns distributed the budget-to-date revenues, expenditures & cash position. He also went through the individual billings in the claims for goods and services.

Director Sampley questioned the disclaimers in the Rickard's report. Manager Burns stated the disclaimer is to explain they are not providing us with audited numbers. Our request to them is to get general monthly updates and we do not need to spend money for audited monthly figures as we comply with state law in getting a yearly audit.

Director Lorentzen moved to approve payment of the claims for goods and services in the amount of \$23,540.41 with Director Meline seconding. The motion passed 3 to 1 with Director Tucker opposed.

9. Manager's Report

Manger Burns distributed his monthly manager's report, outlining time spent on public relations activities noting he is sending meeting agendas to those on the website newsletter subscription list. The packet of materials for meetings being placed on the website.

He is continuing with development of a database for a revised Authority fee structure,

compiling an analysis of 553 properties from across the Service Area for use in examining the relationship between lot size and impervious surface

He has begun development of a database for billing properties in the unincorporated parts of the Service Area. Activities so far have included downloading a list of all properties in the unincorporated area of the revised Service Area and meeting with County staff to arrange a transfer of information from their files relating to their customer database.

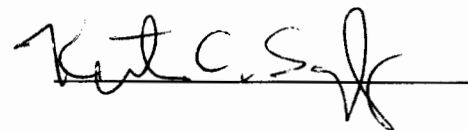
He continues to work with Ayres Associates to further investigate the feasibility of the Colorado State University Agricultural Research and Education Center (ARDEC) site

Local Government Solutions has developed an in house capability to place materials on the website.

10. Adjournment

Director Lorentzen moved to adjourn with Director Tucker seconding. With all in favor the meeting was adjourned at 5:35 p.m.

Approved this 23rd day of June, 2011

A handwritten signature in black ink, appearing to read "Kurt C. Salk", written over a horizontal line.