

RECORD OF PROCEEDINGS

100 LEAVES

MINUTES OF BOARD OF DIRECTORS MEETING OF THE PUEBLO CONSERVANCY DISTRICT AUGUST 17, 1977

The meeting of the Board of Directors was called to order by the President at 4:00 P.M., August 17, 1977, in the Columbine Room of Railway Division, Midland Federal Savings, with the following present:

DIRECTORS PRESENT: Pat Kelly, Kathy Farley, Ralph Adkins

ENGINEER PRESENT : S. F. Elliot

ATTORNEY PRESENT : Lester Ward

OTHERS PRESENT : Rose Hutchison and Raymond Koester of KLH Engineering Consultants, Inc.

It was regularly moved, seconded and carried to approve the minutes of the July 19, 1977 meeting, as published.

The Treasurer presented the following accounts payable vouchers for payment:

16282	S. F. Elliot (Aug. Rent)	\$220.00
16283	Anthony E. Gradishar Const. Co.	\$14,043.10
16284	K L H Engineering Consultants, Inc.	27.50
16285	Ralph Adkins	40.00
16286	Kathleen M. Farley	40.00
16287	Patricia D. Kelly	40.00
16288	S. F. Elliot	75.00
16289	Predovich & Ward Attorneys	150.00
16290	Rose M. Hutchison	70.56
16291	S. F. Elliot (Sept. rent)	220.00

It was regularly moved, seconded and carried that the above vouchers be approved for payment.

The Treasurer reported a checking account balance of \$40,908.61.

The June accounts payable that were not approved at the July meeting were brought up for discussion. Mrs. Farley stated the only item she was concerned about was the Director's fee check to Mr. Adkins for \$75.00. Now that the judge has set a fee of \$40.00 per meeting attended, she felt that \$35.00 of the amount should be refunded. Mr. Adkins stated that the judge's order setting the \$40.00 fee was issued after the July meeting, specifically July 21, that the \$75.00 fee had been in effect since July 20, 1973 and if any refund was to be made it should apply to all fees paid since July 20, 1973. Attorney Ward observed that the auditors were aware of these payments and had raised no objection, the the court had filed with it each year a copy of the financial statement and audit and had raised no bojection. This would seem to be tacit approval of the fees as paid. Mrs. Kelly stated she wanted the matter referred to the supervising judge for a decision.

Elliot reported a letter had been received from Lonco, Inc. Contractor making repairs to the South Union Ave. bridge, stating the repair work was expected to take 2 1/2 months, starting Aug. 8, and that no interference with the flow section of the channel was expected to occur. No action was deemed necessary.

Elliot reported no Directors' Bonds had been received. After considerable discussion, Mrs. Kelly stated she would follow up and clear up the matter of the bonds for Secretary-Treas.

Engineer Elliot reported the St. Charles Mesa Water Association had advised it was in the process of transferring a water right from Cottonwood Creek at Buena Vista to a pumping plant just east of the Santa Fe Ave. bridge across the Arkansas River and when that transfer was completed it would ask the District for an easement to construct a collection gallery and pumping plant. The gallery

would be below the channel flow line and the pumping plant would be south of the confined channel of the river. The request is now made for permission to construct and then enter into an agreement for as built. It was agreed that plans and specifications should be submitted to and approved by the directors before construction starts so there will be no chance of any work having to be done over.

It was moved, seconded and carried that the Agreement be referred to the Attorney for review and recommendation and to change one paragraph to read that the Directors be given an opportunity to review any plan for construction. The Chairman was authorized to sign the agreement after the above change is made.

Engineer Elliot reported the Gradishar contract for filling the joints of the levee slab had been completed at a cost of about \$40,000 as compared to a beginning estimate of \$65,000. He also stated that he estimated a total cost of work and cleanup for the entire year to be under \$45,000.

He also recommended that the semi-annual inspection of the works be made sometime in October.

Engineer Elliot reported a letter had been received from Sellards and Grigg, by the Corps. Consulting Engineers who have a contract with the City of Pueblo, to design of Army Engrs. separation of sanitary and storm sewers. The letter stated that two of the back-water valves were inoperative. Immediately upon receipt of this letter the Engineer had instructed Ray Koester, who has the valve operating equipment at his office, to check and verify the condition of these valves. The Corps of Army Engineers will be notified of the condition of the valves.

Attorney Ward distributed a copy of the Court Decree establishing the Pueblo Conservancy District to each of the Directors and the Engineer.

Mr. Ward then passed out his legal opinion of the proposals set forth in District Attorney Joe Losavio's memorandum proposing dissolution of the District and turning over all monies to the City or County of Pueblo.

In Attorney Ward's opinion, only the legislature can dissolve the District. It was order that this report and the Court Decree be placed on file in the permanent records of the District.

It was regularly moved and unanimously approved that the Resolution of the First National Bank be executed by the Board so that all three Board members signatures will be acceptable by the Bank.

In the matter of the Safety Deposit Box, all three board members will have to sign the card at the bank.

The following Resolution was unanimously adopted by the Board:

BE IT RESOLVED THAT any one of the following three Directors by authorized on the following accounts:

Patricia D Kelly
Patricia D. Kelly, President

Kathleen M. Farley
Kathleen M. Farley

Ralph W. Adkins, Sec'y-Treas.

At the First National Bank of Pueblo - Checking Account # 069-978-0
Safety Deposit Box # 1811

At Railway Division of Midland Federal Savings - Certificates of Deposit #10-910618-6
At Midtown National Bank #413

Attorney Ward presented the proposed termination of the District's building lease with Si Elliot. It was moved, seconded and carried to approve the document for signature by the chairman of the board.

It was regularly moved, seconded and passed that a general map be prepared by K L H Engineering Consultants, Inc. to establish the boundaries of the District as presented in the proposal submitted by K L H Engineering.

RECORD OF PROCEEDINGS

100 LEAVES

Koester was instructed to write a letter of authorization to give him access to the District records stored at Weickers and have one of the Directors sign it.

Si Elliot stated he had not prepared a list of maintenance work and capital projects projected for activation in the future because he felt such a list should be prepared in consultation with his successor when chosen.

Ray Koester presented two proposals, one for engineering only and one for total services. These were taken under advisement by the Directors for consideration and future action. Mrs. Kelly stated she would get news coverage out so any other interested consultants could submit a bid. Mrs. Farley stated she had someone who was interested in doing the bookkeeping for the District.

It was moved, seconded and carried that the Proposals, Inventory of the District properties, Attorney Losavio's report at the July meeting and the report submitted by Attorney Ward be placed on file and made a permanent record of the district.

The next meeting of the board of directors was set for 4:00 PM, September 19, 1977 at the Columbine Room of Railway Division, Midland Federal Savings, at 119 West 5th Street.

There being no further business to come before the Board, the meeting adjourned at 6:00 P.M.

Ralph W. Adkins, Secretary

READ AND APPROVED:

Patricia D Kelly

Kathleen M. Farley