

RECORD OF PROCEEDINGS

O'Brien Prtg. & Stat. 85836

MINUTES OF BOARD OF DIRECTORS MEETING OF THE PUEBLO CONSERVANCY DISTRICT NOVEMBER 23, 1977

The meeting of the Board of Directors was called to order by the President at 3:30 P.M., November 23, 1977, in the Conference Room of the District's Office, 111 E. 5th Street, with the following present:

DIRECTORS PRESENT: Pat Kelly, Kathy Farley and Gus Sandstrom, Jr.
ENGINEER PRESENT : R. F. Koester
ATTORNEY PRESENT : Lester Ward
OTHER PRESENT : Dennis Flores, Steel City Agencies; Ed Prenzlów and two staff people from Colorado Division of Wildlife.

It was moved, seconded and carried that the minutes of Oct. 17, 1977 be approved as published.

President Kelly asked for the Treasurer's Report. The Treasurer gave the report as prepared, showing budget items and total expended to Nov. 1, 1977. Vouchers were read and approved for payment as follows:

16310	Chem-Way	\$900.00
16311	Star Journal Publishing Co.	11.96
16312	KLH Engineering Consultants, Inc.	662.50
16313	Kathleen M. Farley	40.00
16314	Patricia D. Kelly	40.00
16315	G. F. Sandstrom, Jr.	40.00
16316	Predovich & Ward, Attorneys	150.00
13617	KLH Engineering Consultants, Inc.	430.00
13618	U. S. Postmaster	13.00

A transfer of \$2287.46 was ordered to cover the above vouchers.

President Kelly announced that the Directors would hear a presentation from Dennis Flores, for Steel City Agencies, a firm offering to do Insurance Consulting for the District.

Mr. Flores presented what they believed to be insurance coverage of the several kinds deemed advisable and necessary, as follows: *(amended minutes 1/26/78)*

1. Director's Bonds plus Treasurer's Bond.
2. Liability Insurance (similar to policy expiring 11-23-77) with 3 recommended additions:
 - a. Contractors Liability coverage.
 - b. Completed operations exposure
 - c. Non-owned auto coverage.
3. Workman's Compensation (State of Colorado) for Directors and any sub-contractor if the District were ever acting as Contractor.
4. Fidelity Exposure
5. Public Official Liability to Indemnify Board Member against unlawful acts suits.

At the conclusion of the presentation, Mr. Flores recommended that the Bonds (No. 1. above) already purchased, be presented to Judge Phelps for confirmation; and that the expiring Liability Insurance (No. 2 above) be purchased from Maryland Casualty Co, Ray Bryant, Agent, with \$300,000. BI and \$100,000 PD Limits. ** See 1/26/78 minutes for amendment per*

It was moved, seconded and carried to (1) forward bonds to Judge Phelps with a cover letter asking that he review and confirm the coverage by American Insurers, (2) that Maryland Casualty Co. write Liability Insurance as recommended, and that coverage for completed operations exposure be included at this time. *

The Directors took the other ideas of insurance recommended above, under advisement. Mr. Flores was thanked for his well prepared review.

The Colorado Division of Wildlife then made their presentation. Mr. Prenzlów gave a slide presentation along with verbal highlights of a "Proposal" prepared especially for the District, called "Pueblo Flood Control Board", with copies to each Board Member.

The Division asked that the Directors be aware of the direction they were trying to go and help beautify and enhance the looks of the Arkansas River in any work they would be doing on the Levees.

*added and approved by minutes dated 12/8/77)-This was done without cost and with the understanding this agency would not be a broker for the District.

RECORD OF PROCEEDINGS

100 LEAVES

Attorney Ward made a report as follows: 1. He indicated that the Department of Local Affairs had received our 1978 Budget without comment and 2. he recommended that if the Directors wished to include items of beautification and recreation and wished to use money beyond the limits of normal improvement and maintenance, that they expand their Service Plan for this purpose.

The Employment Agreement prepared for K L H Engineering Consultants, Inc. was reviewed and amended. The Agreement as amended was approved effective October 1, 1977 (copy attached to these minutes)

The Directors approved the Fall 1977, Engineer's Inspection Report as prepared on October 18, 1977. (copy attached to these minutes)

The Directors then discussed the advisability of allowing the District property, Lots 29 to 32, Block 23, Adee Chamberlin & Wiley's 2nd Filing, to be sold by the County to cover special assessments and taxes accumulated against it. It was regularly moved, seconded and carried to reverse the decision of the May 25, 1977 Directors action in this matter, and pay the penalties in the amount of \$786.64 and redeem the property. With this the Directors authorized a voucher be drawn to the order of the Pueblo County Treasurer and this same amount be added to the amount to be transferred from Savings to Checking.

The next meeting was set for 4:00 P.M., December 8, 1977.

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


Kathleen Farley, Secretary

READ AND APPROVED:

TREASURER'S REPORT

Acct. #	Account	1977 Budget	Oct. 31 Bal.	
81	Directors' fees	\$2,700.	\$1,215.	
80	Attorney's Fees	1,800.	300.	
83	Engineer's Fees	900.	225.	
75	President Salary	1,800.	1,350.	
76	Secretary- Tres, Sal.	1,500.	1,125.	
77	Bookkeeper Sal.	1,320.	330.	
102	Social Security Taxes	500.	393.87	
105B & 105C	Professional Fees	2,000.	476.00	
100	Audit Fees	750.	365.	
97	Office Rent	2,640.	610.	
95, 96 & 110	Office Supplies etc. Storage	700.	448.	
92	Insurance & Bond Prem.	500.	15.67	
105, 105E & Part 105A	Repairs & Maint. of Flood Protection Works	20,000.	13,630.48	
106	Contingencies, (Taxes)	1,500.	113.98	
105A	Reserves for Emergency Flood Repairs	<u>34,590.</u>	<u>0.00</u>	
		\$73,200.	\$20,598.00	Remaining of Total Budgeted

TOTAL EXPENDED TO NOV. 1 - \$ 52,602.00

Oct. 31 Balance Transfer Account \$38,000.00

Oct. 31 Balance in Checking acct. = \$144.94

Nov. Vouchers 22,871.46 + 786.64

Amt. to be transferred 3074.10

Cash Bal.

\$ 35,074.84

EMPLOYMENT AGREEMENT AND LEASE

COMES NOW THE PUEBLO CONSERVANCY DISTRICT and KLH Engineering Consultants, Inc. and agree as follows: -

1. The Pueblo Conservancy District hereby retains KLH Engineering Consultants, Inc. as Chief Engineer for the District and agrees to pay to them the sum of Three Hundred Eighty (\$380.00) Dollars per month for ordinary and necessary services to be rendered to the District as Chief Engineer including twelve hours of engineering services at \$25.00 per hour and eight hours of clerical-bookkeeping services at \$10.00 per hour.

2. The Pueblo Conservancy District hereby agrees to pay to KLH Engineering Consultants, Inc. for services rendered above and beyond twelve hours of engineering services per month and eight hours of clerical-bookkeeping services per month at the rate of \$25.00 per hour for engineering services and \$10.00 per hour for clerical-bookkeeping services.

PDK
PAC

3. KLH Engineering Consultants, Inc. hereby leases to The Pueblo Conservancy District a meeting space and furnishings *and space for storage of current working record* located in the building owned by KLH Engineering Consultants, Inc., commonly addressed as 111 E. 5th Street, Pueblo, Colorado. The Pueblo Conservancy District hereby agrees to pay the sum of \$50.00 per month to KLH Engineering Consultants, Inc. as rental for this meeting space.

4. This agreement shall commence the 15th day of OCTOBER, 1977 and be binding upon each of the parties until such time as it is terminated or amended as hereinafter set forth.

5. KLH Engineering Consultants, Inc. agrees to attend monthly meetings of the Board of Directors of The Pueblo

Conservancy District and to report all engineering matters concerning the District to the Board of Directors.

6. The agreement may be terminated by either party upon giving ten (10) days notice to the other party. This agreement may be amended by mutual agreement of the parties at any time. All amendments shall be in writing.

Dated this 23rd day of November, 1977.



THE PUEBLO CONSERVANCY DISTRICT

By Patricia B. Kelly

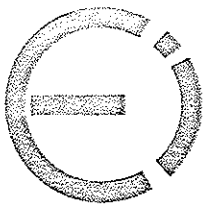
Kathleen M. Farley
Secretary



KLH ENGINEERING CONSULTANTS, INC.

By Raymond D. Kessler

Ronald C. Nilton
Secretary



K L H ENGINEERING CONSULTANTS, INC.

ENGINEERING • SURVEYING • LAND PLANNING

Post Office Box 234 • 111 East Fifth Street • Pueblo, Colorado 81002 • (303) 544-6823

October 18, 1977

To: The Directors
Pueblo Conservancy District

Re: Inspection of Flood
Protection Works

On October 17, 1977, you all accompanied me as the walking portion of the inspection of the flood protection works was made through Pueblo.

We found no need for immediate repairs or maintenance work, and such annual maintenance such as clearing the channel of trash and debris can be deferred until spring maintenance work is undertaken. Most of the debris is lodged against center piers of the bridges located in the channel, but not to a quantity to be of any threat to river flows.

It was noted that the weed control in the channel was successful, but that some small trees were not killed with the summer spraying program. A later inspection (mid-November) will have to be made to determine if Chem-Way has completed this work, and are eligible for payment for the last portion of their contract. Chem-Way indicated earlier that sometimes 2 or 3 years are required for the chemical they are using to be effective for the weed control desired. It appears that after this year's application appropriate kill is being achieved.

The City has completed its repair on the sewer near Homestead Place, and that the surplus material at that site has been removed and the channel is cleared sufficiently to assure the carrying capacity of the river at this point.

The backwater dike flood gates at the Power Company outlet have been oiled and exercised recently (as part of the special inspection requested by the Corps of Engineers in August) and all are clear and operating properly.

Although no work is deemed necessary at this time, following are specific items noted on inspection:

1. A rodent hole on top of levee at 1+410
2. A power line anchor on the south side, but set near the channel floor at station 9+100 (near USC sign). Although the installation was made without seeking permission, it does not appear to be a problem for the flow in the channel.

3. A few weeds in unfilled cracks at 13+005.
4. Debris and rail in bed at 19+100.
5. Holes beginning on south face of concrete, near water line between stations 22+300 and 23+000. Close inspection and a repair description will be made in the spring.

Respectfully submitted,

Raymond F. Koester
Engineer for the District