

RECORD OF PROCEEDINGS

100 LEAVES

MINUTES OF BOARD OF DIRECTORS MEETING OF THE PUEBLO CONSERVANCY DISTRICT MARCH 21, 1978

The meeting of the Board of Directors was called to order by P. Kelly, President, at 1:10 PM on the above date, in the Conference Room at the District's Office, 111 E. 5th Street, Pueblo, Colorado.

DIRECTORS PRESENT: P. Kelly and K. Farley

ABSENT : G. Sandstrom

ENGINEER PRESENT : R. Koester

ATTORNEY PRESENT : L. Ward

It was moved and carried that the minutes of February 26 meeting be approved as published.

The following vouchers were read:

16347	Pan-Ark Aviation, Inc.	\$43.90
16348	U. S. Postmaster	13.00
16349	K L H Engineering Consultants	430.00
16350	Kathleen M. Farley	40.00
16351	Patricia D. Kelly	40.00
16352	Gus F. Sandstrom, Jr.	40.00
16353	Predovich & Ward	150.00
16354	American Insurers, Inc.	156.00

All of the above vouchers were approved for payment with the exception of Voucher No. 16352 to Gus F. Sandstrom, which was marked Void.

It was regularly moved, seconded and carried to transfer \$872.90 from the First National Bank Savings Account to the checking account to cover the approved vouchers. The Treasurer's report as corrected will be made a part of these minutes.

The chairman asked Attorney Ward to rule on the authority of her own attendance at this meeting as her appointment expired on March 19, and we have no order of appointment from the Judge. Ward indicated, since no appointment has been made, Mrs. Kelly is to continue as a director in full capacity until another appointment is actually ordered.

Attorney Ward was asked to report on the liability and responsibility the District has for considering and acting on drainage flows on Wildhorse-Dry Creek area at the West 11th Street Bridge. Attorney Ward said it was difficult to answer the question as posed and pointed out the following matters:

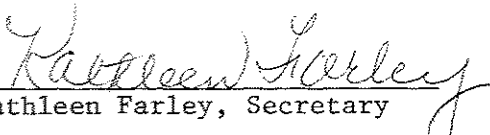
- " 1. The original plan of the District provided for certain works along Dry Creek at 11th Street, indicating that some consideration was given to Dry Creek flows in 1922.
2. The Conservancy statutes are to be liberally construed and provide for such things as cleaning, widening or altering streams, constructing ditches and retarding basins, and constructing, reconstructing or enlarging any bridges whether in or out of the District.
3. Thus, though the power of the District to do certain things seems clear, the problem is whether what is proposed to be done can be done by resolution of the directors as matters necessary or desirable to protect the works provided for by the official plan, or whether those things must have approval by the court as modification or additions to the original official plan and thus require hearings, appraisals and the like. Attorney Ward suggested that if investigation reveals that the Dry Creek flow was substantially greater than contemplated in the original plan and it was necessary to do certain improvements that the proposal be set forth and presented to Judge Phelps for his determination as to whether the directors have authority to carry out same or whether or not the hearings, appraisals, et al required by statute would have to be followed. He stated in his opinion that the amount proposed to be expended might be a determinative factor in such a decision."

Engineer Koester then reported that the inspection walk scheduled for the Directors today, has been re-scheduled for April 4th at 9:00 A.M. Upon conclusion of the inspection and after a report and list of maintenance items have been compiled, Koester will instruct Anthony Gradishar and Company, to perform the maintenance as soon as possible. This may include some items of material moving immediately east of the Santa Fe Bridge, as the inspection may indicate is necessary.

The Directors agreed to postpone discussion of their Officer Appointment Policy to the April meeting when all Directors are present.

The next regular meeting will be at 4:00 P.M., April 27, 1978.

There being no further business, the meeting adjourned at 3:00 P.M.


Kathleen Farley, Secretary

READ AND APPROVED

TREASURER'S REPORT

As approved
Date 3/21/78

Acct. #	Account	1978 Budget	Current Mo. Voucher	Total @	Unused Portion of Budget
#80	Attorney's Fees	\$ 1,800.	\$150.00	\$450.00	\$1350.00
#81	Director's Fees	1,440.	80.00	320.00	1120.00
#83	Engineer's & Adminis. Fees	4,560.	380.00	1140.00	3420.00
#90	Audit Fees	750.	---	475.00	275.00
#92	Insurance & Bond Premiums	500.	98.00	500.00	0.00
#96	Office Supplies, storage etc.	700.	13.00	184.36	515.64
#97	Office Rent	600.	50.00	150.00	450.00
#100	Professional Fees	2,000.	---	400.00	1600.00
#105	Repairs & Maintenance of Flood Protection	45,000.	43.90	976.90	44023.10
#106	Contingencies, Unforseen	11,500.	58.00	58.00	11442.00
#109	Capital Improvement on flood Protection Works	40,000.	---	---	40000.00
		<u>\$108,850.</u>	<u>\$ 872.90</u>	<u>\$4654.26</u>	<u>\$104115.74</u>

TOTAL EXPENDED THRU CURRENT MONTH \$ 4654.26

Vouchers # 16348 thru # 16354

Amount to be transferred \$ 872.90

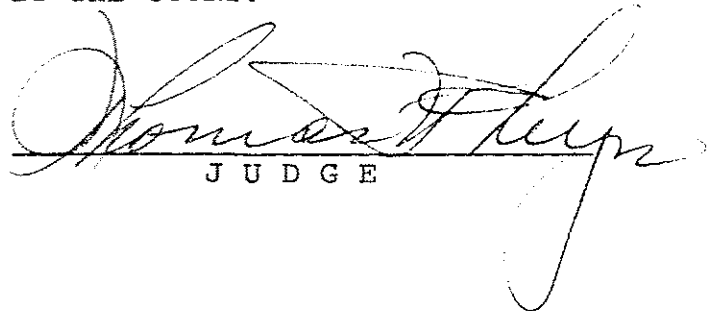
IN THE DISTRICT COURT IN AND FOR
THE COUNTY OF PUEBLO AND
STATE OF COLORADO
NO. 17664 DIV. B

IN THE MATTER OF THE	)	
	)	
PUEBLO CONSERVANCY	)	ORDER OF APPOINTMENT
	)	
DISTRICT	)	

This matter coming before the Court for the appointment of a director, the term of Patricia D. Kelly having expired on March 19, 1978, the Court does hereby appoint Patricia D. Kelly as Director of the Pueblo Conservancy District for the statutory term of five years beginning March 19, 1978.

Done this 23rd day of March, A.D. 1978.

BY THE COURT:


J U D G E

cc: Lester L. Ward (2)
Patricia D. Kelly