

FCWID Monthly Board of Directors' Meeting
Monday, JULY 8, 2019
8:30 – 10:30 a.m.
Teton Conservation District
420 W. Pearl Avenue, Jackson, WY 83001

MINUTES OF MEETINGS

8:30 a.m. – 9:00 a.m. – PUBLIC HEARING for Draft FCWID FY 2020 Budget

In attendance: Sandy Buckstaff, Lance Ash, Johnny Ziem, Lexey Wauters, Bill Wotkyns, Tom Segerstrom, Joe Burke, Carlin Girard, & Alice Widdess

- I. **Call to order.** The public hearing was called to order @ 8:34 by Sandy Buckstaff, FCWID Board Secretary (in absence of Bill Wotkyns).

Bill Wotkyns joined the meeting @ 8:35 a.m. and took over conducting the hearing.

II. **FY 2020 Budget.**

- a. Lance Ash, Treasurer, presented a review of the FY 2020 Budget, going over various budget line items and explaining how they were revised for this budget.
- b. Discussion took place regarding any percentage rules on the amount of funds a state district can put into reserves. Johnny Ziem inquired if there was a threshold required by the state. Lance Ash stated there are no written rules we have received from the state. Bill Wotkyns reminded everyone that Larry Pardee suggested we keep at least ¼ of our cash in reserves. Carlin Girard pointed out the state requires a statement of reserves that dictates how those funds will be used.
- c. Bonding: Joe Burke inquired what is required by the state, and the subject was discussed for FCWID Directors.
- d. Private Property Mitigation Projects: Lexey Wauters asked about how funds can be used for private district properties. Lance Ash pointed out funds can only be used if the project benefits the entire Flat Creek Water Improvement District.
 - i. Lance Ash stated that he and Alice Widdess are working with Toran Accounting in order to get more specifics for projects broken out to create better tracking via the creations of “jobs” in our QuickBooks Accounting software that Toran Accounting oversees.
 - ii. Prioritizing projects: **ACTION ITEM:** Bill Wotkyns stated he will meet with Alder Environmental to begin prioritizing projects and will report to the board at the August FCWID Monthly Board Meeting.
- e. Consulting/Professional Fees: Lexey Wauters asked at what point do we stop investing in studies and data collection or scale back this expense using the \$12,000 set aside in the FY 2020 Budget.
 - i. Lance Ash stated in the recent FY 2019 (that just ended), we spent approximately \$31,000 and are scaling back for FY 2020 to \$13,000 for studies and spending the \$12,000 consulting/professional fees for base monitoring and data collection with funds available to interpret that collected data. He pointed out that consulting/professional fees also applies to more than just wintertime events; it also applies to any special projects we may take on.
 - ii. Joe Burke inquired if there was someone else in the Town of Jackson or within the Teton Conservation District that can analyze collected data?
 1. Discussion took place on this subject. Lance Ash stated much of the consulting/professional services will cover those recommendations needed for the private property projects the district undertakes (vs. the labor which in many cases will be paid by the property owner).
 2. The Wort Ditch Diversion Structure Conversion Project involving Kelly Lockhart was discussed. Bill Wotkyns pointed out that consulting fees will be required in order to analyze hydrologic impacts so other properties are not flooded.
- f. Joe Burke commented re: creating trout and riparian habitat for the creek as they relate to rock weirs.

- i. Bill Wotkyns pointed out the first goal for the Karns Meadow project was to mitigate flooding; the second goal dealt with trout habitat.

III. Public Hearing Adjournment:

- a. Lexey Wauters made a motion to close the FY 2020 Budget public hearing; Sandy Buckstaff seconded the motion; motion passed, and the public hearing adjourned @ 9:05 a.m.
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9:00 a.m. – 10:30 a.m. FCWID Monthly Board of Directors' Meeting

In attendance: Sandy Buckstaff, Lance Ash, Johnny Ziem, Lexey Wauters, Bill Wotkyns, Tom Segerstrom, Joe Burke, & Alice Widdess

- I. **Call to order** – The meeting was called to order @ 9:06 a.m. by Chairman Bill Wotkyns.
- II. **Approval of Minutes: 6/10/19 TCD & FCWID Joint Quarterly Board Meeting & 6/10/19 FCWID Monthly Board Meeting** – Johnny Ziem made a motion to accept the 6/10/19 TCD & FCWID Joint Quarterly Board Meeting Minutes and the 6/10 FCWID Monthly Board Meeting Minutes as presented; Lexey Wauters seconded the motion; motion passed by a vote of 5-0.
- III. **Treasurer's Report: (Lance Ash)**
 - a. **FY 2020 Budget Approval -**
 - i. Johnny Ziem made a motion to approve the FCWID FY 2020 Budget as presented; Sandy Buckstaff seconded the motion; there was no discussion; Lance Ash stated he was recusing himself from voting due to that portion of the budget set aside for his consulting services; motion passed by a vote of 4-0.
 - ii. Lexey Wauters stated she felt it was important to state within the above motion that a system will be developed that defines and itemizes each FCWID mitigation project.
 1. Lexey Wauters made a motion to rescind the previous vote on acceptance of the FY 2020 Budget; Johnny Ziem seconded the motion; motion passed by a vote of 4-0 (Lance Ash recusing).
 - iii. A new motion was made by Lexey Wauters to approve the FCWID FY 2020 Budget with the adjustments to view itemized lines in each budget category to cover projects as identified by the FCWID Board; Johnny Ziem seconded the motion; Sandy Buckstaff opened a discussion to define the FCWID projects – e.g. Wort Ditch Diversion; Rock Weirs modifications; modification of private bridge above 810 West; Peggy Douglas property work; Kaz Hashimoto property access to Flat Creek; Bill Klyn's property restoration and mitigation; tree and island removal near Eagle Village Professional Building; and other projects as identified by the board. The vote passed by a vote of 4-0 with Lance Ash recusing himself from the vote.
 - b. **P&L Budget vs. Actual (July 1, 2018-June 30, 2019) –**
 - i. Lance Ash pointed out P&L statement in board packet is not correct as it should be showing the FCWID 2020 Budget.
 - c. **Bank Statements & Reconciliation Reports** – Lance Ash stated he had reviewed both June 2019 bank statements (operating & reserve accounts), and they met with his approval.
 - d. **WYOMING DEPT OF AUDIT – 2019 F-32 Survey of Local Govt Finances (due 9/30/19)** – Lance Ash stated this is an annual report he prepares for the WYDOA. He suggested that all board members who are continuing their terms after January 2020 get involved in the completion of this survey/report and work with him on filling out this report in order to receive proper training.
- IV. **Secretary's Report: (Sandy Buckstaff)**
 - a. **Joint TCD & FCWID Calendar for 2019** – Sandy Buckstaff stated there are no current revisions to the existing Joint TCD & FCWID Calendar for 2019.

- V. **Approval of Vouchers** – Lexey Wauters made a motion to approve the vouchers as presented; Sandy Buckstaff seconded the motion; no discussion was required; motion passed by a vote of 5-0.
- VI. **Introductions from the Public** – There were no new introductions made.
- VII. **Mitigation Projects:**
 - a. **DELCON’s Automation of Thaw Well #2** –
 - i. Johnny Ziem stated that he has submitted the Delcon document to TOJ.
 - ii. Sandy Buckstaff inquired if the Teton Conservation District has included this project in their FY 2020 budget? Bill Wotkyns replied “yes” – they are on the same page as FCWID. He also stated once the Delcon document is executed, it will allow for the project to move forward with the purchase of equipment to get the project underway.
 - iii. The Delcon document was discussed:
 - 1. Lexey Wauters and Lance Ash pointed out the document appears to be a quote/proposal and not a contract.
 - 2. She also noted it contains exclusions and needs more clarification.
 - 3. Discussion took place.
 - a. Lance Ash pointed out that it should be the TOJ’s responsibility to execute the contract and require what they need for clarification for the document.
 - 4. **ACTION ITEM:** Sandy Buckstaff made a suggestion to submit a cover letter on the FCWID letterhead to the TOJ stating our support with our commitment of \$7,000 investment for the project along with the Teton Conservation District’s investment of \$7,000. Bill Wotkyns requested Lexey Wauters draft the letter and send it to Alice Widdess to put on FCWID letterhead; obtain Bill Wotkyn’s signature and send to Larry Pardee along with the Delcon document. Sandy Buckstaff made a motion to authorize Bill Wotkyns to sign said letter on behalf of the District. Lance Ash seconded the motion; motion passed by a vote of 5-0.
 - a. Johnny Ziem requested he be cc’d on the letter addressed to Larry Pardee and that he receive an emailed copy as well.
 - b. Lexey Wauters suggested that moving forward in our transitioning of FCWID administrations, that the board consider having Sandy Buckstaff and herself authorized to sign letters such as this.
 - i. **ACTION ITEM:** The FCWID Directors all agreed that there needs to be some agreed-upon procedure stated on authorizing a board director to sign on behalf of the FCWID board.
 - b. **FCWID Director Reports on Plans of Action for Mitigation Efforts – Prioritize (*Action item from 6/10/19 FCWID Monthly Board Meeting*)** – Bill Wotkyns asked for any updates from the FCWID Directors.
 - i. **Thaw Wells (Sandy Buckstaff)** – Sandy Buckstaff had no updates to report on.
 - ii. **Pathways (Lexey Wauters)** - Lexey Wauters stated she has reached out to Brian Schilling who stated he is not planning on any pathway elevations at this time. Brian asked why such was needed for private property? Bill Wotkyns stated it aids public use and safety on expensive public infrastructure that can become dangerous. Bill also pointed out the FCWID mission is to mitigate flooding. Lexey asked if we are spinning the message to meet our mission? Bill repeated that this is part of our mission to keep water off the pathway for the public’s safety. It is the TOJ’s property, and they are part of our district. Bill also suggested Lexey ask Brian why he fixed the pathway portion located in our district this last year?
 - 1. **ACTION ITEM:** Lexey Wauters to speak further with Brian Schilling for possibilities of Pathways proceeding with more elevated areas within our district to prevent flooding to properties and create enhanced safety for the public users.
 - iii. **Individual Property Owner Mitigation (Klyn, Hashimoto, Brumberg, Douglas) (Lance Ash).** Bill Wotkyns stated he hasn’t heard from Bill Klyn and we still are not in receipt of an ACCESS AGREEMENT that holds FCWID harmless.
 - iv. **Access Agreements (Bill Wotkyns)**
 - v. **Stormwater Treatment (Lexey Wauters)**

- c. **JH CLEAN WATER COALITION – How will FCWID participate?** Tom Segerstrom reviewed how the coalition governance is set up: Initial Core Group members consist of the steering committee; the Coalition members participate in-kind or financially. Bill Wotkyns suggested the FCWID participate at the highest level possible and consider being on the board.
 - i. Lexey Wauters confirmed her support to participate at a “partner level,” not a governance level, at this time, and this will put the FCWID into the conversation as a major stakeholder. Johnny Ziem stated his support of this type of support.
 - ii. Lance Ash made a motion for FCWID participate at a “partner level,” authorizing Bill Wotkyns to sign the FCWID in-kind commitment level; Johnny Ziem seconded the motion; no discussion was required; motion passed with a vote of 5-0.
 - iii. **ACTION ITEM:** Bill Wotkyns to sign on behalf of FCWID to commit to an in-kind contribution to the Clean Water Coalition.

VIII. New Business

- a. **Natural Resources Conservation Service (NRCS) – receipt of \$150 million for nationwide obligation of Watershed and Flood Prevention Operations (WFPO): Draft Proposals due July 15, 2019**
 - i. Tom Segerstrom stated he doesn’t know a great deal about the grant that can be used to prevent flooding and take pre-emptive actions.
 - ii. Lexey Wauters asked if any projects in this area have been funded with these funds? She also inquired if funding would be awarded for planning or just on the ground projects?
 - iii. Bill Wotkyns pointed out it is too late to apply for projects this year.
 - iv. **ACTION ITEM:** To be put on the Joint TCD & FCWID calendar of events for January 2020 and add to that January meeting agenda.

IX. Old Business: ACTION ITEMS - -

- a. Alice Widdess – Email all FCWID Board Directors the FY 2020 Draft Budget in WORD doc. **DONE**
- b. Lance Ash & Alice Widdess – Work with Toran Accounting to create “capital projects/job listings” in our QuickBooks to show all individual projects. **DONE – WORK IN PROGRESS**
- c. Tom Segerstrom & Sandy Buckstaff – Peggy Douglas Property & 810 West Development - Follow up to check the Water Layer Map to determine who owns the ditches and if they are abandoned; proceed to get the process to abandon by working with the State Engineer’s Office. **To be continued as ACTION ITEM.**
- d. Lexey Wauters – Work with Brian Schilling (Pathways) before 7/8/19 FCWID Board Meeting to discuss installation of some elevated pathways within District.
To be continued as ACTION ITEM – Lexey to discuss with Brian Schilling the Decker’s area down to Gregory Lane; LDR’S – are pathways exempt? Yet they are in flood plain.
- e. Alice Widdess – Send Bill Klyn an ACCESS AGREEMENT FOR RIGHT OF ENTRY for execution. Received by FCWID? **ACTION ITEM to be continued and we will wait and see what Bill Klyn comes back with. FCWID has not received this agreement from Bill Klyn. Lance Ash suggested the FCWID board needs to consider the value of each private property, and if you don’t sign ACCESS AGREEMENT we cannot help. As we get closer to next winter, FCWID board to notify Bill Klyn we are terminating the offer/agreement. Johnny Ziem asked if FCWID can refuse to go on his property in case of emergency?**
- f. Sandy Buckstaff & Alice Widdess – Review 11 submissions Alice Widdess drafted for the Teton Hazard Mitigation Project Form giving any edits, so Alice can post online by June 21st. **DONE**
- g. Bill Wotkyns – Meet with Alder Environmental LLC and Nelson Engineering to create calculations for different Wort Diversion designs. **To be continued as ACTION ITEM.**

X. Executive Session – No executive session was required.

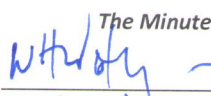
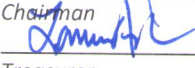
XI. Adjournment – Sandy Buckstaff made a motion to adjourn; Lance Ash seconded the motion; meeting adjourned @ 9:58 a.m.

Respectfully submitted:

Alice Widdess, FCWID Administrative Manager



The Minutes have been approved:

	<u>8/12/19</u>
Chairman	Date
	<u>8/12/19</u>
Treasurer	Date