

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

MINUTES OF MEETING

8:30 a.m. – Public Hearing – FCWID FY 2019 Tentative Amended Budget

In attendance: Bill Wotkyns, Sandy Buckstaff, Lance Ash, Tom Segerstrom, Joe Burke, and Alice Widdess

- I. **Call to order.** Bill Wotkyns, FCWID Board Chair, called the meeting to order @ 8:33 a.m.
- II. **Amended FCWID FY 2019 Budget**
 - a. Sandy Buckstaff made a motion to approve the Amended FY 2019 FCWID Budget as presented; Lance Ash seconded the motion.
 - i. Discussion: Sandy Buckstaff requested an explanation on where money had been moved around for the FY 2019 Budget.
 1. Lance Ash summarized pointing out we had the need to increase our flood control mitigation budget funds thereby transferring funds from the Reserve Account on paper only.
 2. Joe Burke inquired about the Teton Conservation District Funding and it was pointed out by Bill Wotkyns that FCWID has already requested funds for FY 2020.
 - ii. Vote: Motion passed by a vote of 3-0.
- III. **Adjournment.** Lance Ash moved to adjourn the meeting; Sandy Buckstaff seconded the motion; the Public Hearing adjourned @ 9:00 a.m.

9:00 a.m. – FCWID Monthly Board of Directors' Meeting

In attendance: Bill Wotkyns, Sandy Buckstaff, Lance Ash, Johnny Ziem, Tom Segerstrom, Franz Camenzind, Joe Burke, and Alice Widdess

- I. **Call to Order.** Bill Wotkyns, FCWID Board Chairman, called the meeting to order @ 9:02 a.m.
- II. **Approval of Minutes: 3/11/19 FCWID Monthly Board Meeting.** Johnny Ziem made a motion to approve the 3/11/19 FCWID Monthly Board Meeting minutes as presented; Lance Ash seconded the motion; motion passed by a vote of 3-0 (Sandy Buckstaff abstained from the vote due to lack of presence at the 3/11/19 meeting).
- III. **Treasurer's Report:**
 - a. **P&L Budget vs. Actual (July 2018 – June 30, 2019).** Lance Ash pointed out this P&L Budget vs. Actual does not reflect the amended FY 2019 Budget which was approved by a vote in the Public Hearing held previous to this meeting this morning.
 - i. **ACTION ITEM:** Lance Ash to contact Toran Accounting to shift budget line items to conform with the amended FY 2019 Budget.
 - ii. Lance Ash pointed out we are lagging a little behind in the collection of district member assessments. He stated all other income and expense tracking is progressing normal.
 - b. **Resolution for Additional Budget Amendment to FY 2019 Amended Budget as of Public Hearing held @ 8:30 a.m. today.**
 - i. Lance Ash explained the need for the Resolution.
 - ii. Sandy Buckstaff made a motion to accept the Resolution for additional budget amendment to FY 2019 Budget; Johnny Ziem seconded the motion; motion passed by a vote of 4-0.

- c. **Updates on Request for Funding/Reimbursement from TOJ.** Lance Ash stated two requests for funding have been submitted to the Town of Jackson; however, FCWID has not received any funds yet. Johnny Ziem pointed out that one request should be approved at tonight's Town Council meeting.
- i. **ACTION ITEM:** Johnny Ziem will follow up on status of request for funding.
 - ii. **ACTION ITEM:** Alice Widdess to forward Johnny both requests.
 - iii. Sandy Buckstaff inquired about dates for the creek mitigation invoices, as Dr. Kempema would like those dates for tracking purposes. Lance Ash referred Sandy Buckstaff to review the board packets that are posted on the FCWID website to find the date information he inquired about.
- d. **Bank Statements & Reconciliation Reports.** Lance Ash stated he has reviewed the bank statements for the Operating and Reserve accounts, and the reconciliation reports meet with his approval.
- e. **FY 2020 Draft Budget.** Lance Ash summarized the analysis behind the FY 2020 Draft Budget, explaining the reasoning to adopt a budget that will work more efficiently for the organization. He pointed out an analysis was developed with the help and oversight of Tom Segerstrom and Emily Hagedorn (both of TCD) and Bill Wotkyns. Working with past budgets, FCWID has not been allowed to expense more than the "cash on hand". The FY 2020 budget has been adjusted to allow for our history of past expenses by shifting some reserve funds over to the FY 2020 budget for "cash on hand," thus avoiding the need for future special Public Budget hearings and replacement with Amendment Resolutions as needed. Lance also stated that the FY 2020 draft budget shows a total income of \$96,560 – and if we keep this income level below \$100,000, we only need to submit a Proof of Cash document to the WY Department of Audit; however, if we go over that income level, it requires a more robust accounting process for the state. Lance then proceeded to review details on the various FY 2020 Draft Budget line items with the board.
- i. The MOU (Memorandum of Understanding) between FCWID and the Town of Jackson was reviewed for Johnny Ziem by Bill Wotkyns and Lance Ash.
 1. **ACTION ITEM:** Alice Widdess to forward the existing FCWID-TOJ MOU to Johnny Ziem.
 - ii. Lance Ash pointed out the next steps will be to vote on the FY 2020 Draft Budget at the June 10, 2019, FCWID Monthly Board Meeting with advance notices appearing in the newspaper after next month's board meeting. In May 2019, the FY 2020 Draft Budget must be sent to all required entities (e.g. Teton Conservation District, Teton County Commissioners, Town of Jackson, Wyoming Department of Audit).
 - iii. Johnny Ziem inquired if capital projects will be broken out and specified within the FY 2020 budget (e.g. the Lockhart project)?
 1. Bill Wotkyns pointed out that these projects are included in the \$26,600 from the TCD funding which supports private property mitigation and some on-the-ground projects.
 2. **ACTION ITEM:** Lance Ash and Bill Wotkyns agreed that projects will be specified and broken out into sub-line items before the May 13, 2019, Monthly Board of Directors meeting.
 - iv. It was pointed out the election of Directors for two open positions (Bill Wotkyns and Lance Ash) takes place November 5, 2019, and those replacements take office the first Monday in January 2020. Lance Ash proposed that his work as Treasurer be transferred over to an accountant after he leaves the board and that he be hired on by FCWID as a consultant to assist the newly-appointed Treasurer to support the process.
 1. Bill Wotkyns voiced his support that the FCWID Board hire Lance Ash as a consultant to work with whoever takes over his Treasurer duties.
 2. Johnny Ziem inquired if we have any candidates for the Board of Director replacements? The reply from all was we do not.
 - a. **ACTION ITEM:** Alice Widdess to send current list of all District Members to all board members for their review and to identify any possible candidates.
 - b. Alice clarified the date to register to run for FCWID Director is from August 7 – 27, 2019.
 - v. Franz Camenzind questioned if there is red flag by the state on the amount of money being held in reserves? Lance Ash replied there has never been a dollar amount communicated to the

district. Bill Wotkyns replied that when Larry Pardee was on the board, Larry pointed out we need ½ as much in reserve as our annual budget amount. Tom Segerstrom stated that the state looks at your purpose as a Special District and if that purpose is executed; if money is just sitting in reserve without being used for anything, that raises a red flag with the state. Lance added that when we fill out our Department of Audit form annually, there is a paragraph that requires us to state what our reserve is for.

- vi. Joe Burke inquired if the District Member assessment of \$240 could be reduced or changed if FCWID stated an intention to increase our reserve so that we could reduce the amount being taxed to District Member stakeholders. Discussion took place to address the question summarizing with the basic premise – if we don't need funding, we can reduce the assessments.
 - 1. Johnny Ziem suggested FCWID build out a 5-year plan where we target projects and make placeholders for them. Then, eventually, we could possibly reduce/eliminate District Member assessments. He added if the TOJ creates a Storm Utility Plan it could possibly eliminate the need for the FCWID.
- vii. **ACTION ITEM:** Bill Wotkyns asked the board members, If they have any questions while reviewing the FY 2020 budget, to please email Alice Widdess who will track all responses received and forward them to Bill Wotkyns and Lance Ash on Friday.

IV. Secretary's Report:

- a. **Joint TCD & FCWID Calendar – 2019.** Sandy Buckstaff stated there are no changes to our calendar.
- b. **3-30-19 FCWID LETTER REPORT TO THE TOWN OF JACKSON** – Sandy Buckstaff stated he received Bill Wotkyns review and submitted to the TOJ on April 1st.
- c. **Draft Letter for FCWID DISTRICT MEETING to be held May 16, 2019 @ Teton County Library.** Sandy Buckstaff stated comments were received from the draft Alice Widdess prepared and they have been included.
 - i. Alice Widdess asked if she should include the FY 2019 FCWID Budget in the mailing to district members? Bill Wotkyns stated it should be included in the mailing with the letter.
 - ii. Alice also mentioned she has been working with Carlin Girard on putting together a short PowerPoint to show projects that have taken place, etc.
 - iii. Joe Burke stressed the importance of having complete transparency at this meeting to explain things to the district members. Bill Wotkyns replied that if Joe's HOA needs Bill and Lance to attend a meeting to help provide transparency, they would be happy to.

V. **Approval of Vouchers** – Johnny Ziem made a motion to approve the vouchers as presented; Sandy Buckstaff seconded that motion; there was no discussion; motion passed by a vote of 4-0.

VI. Introductions from the Public.

VII. Mitigation Projects

- a. **Thaw Wells Update** (*Sandy Buckstaff*)
 - i. Sandy Buckstaff presented his report, and it was discussed by the board members. Sandy stressed the intent to not cause environmental damage in the consideration of installing 2-3 new thaw wells in Flat Creek.
 - ii. Effectiveness of thaw wells were discussed.
 - iii. Sandy pointed out he did not include the use of other mitigation efforts in this report (e.g. raising pathways, using sandbags, etc), as these items are being reviewed and discussed by other board members.
 - iv. Sandy Buckstaff encouraged consideration of FCWID funding for the installation of 2-3 new thaw wells.
 - v. Environmental consequences of thaw wells were discussed:
 - 1. How warmer water impacts fish in the creek;
 - 2. Riparian effects;
 - 3. What about the rock weirs?
 - vi. **ACTION ITEM:** Alice Widdess to scan and send out Sandy's report to all board members and Alder Environmental.
 - vii. Johnny Ziem inquired where all files like this information are accessed.

1. Alice Widdess pointed out most everything can be found on our website in board packets.
 2. Bill Wotkyns stated Alder Environmental has all the collected data on their server.
- viii. Franz Camenzind asked if an environmental report will take place to determine any thaw well impacts? Bill Wotkyns stated we may hire an environmental firm to access this information for Flat Creek. Franz also commended Sandy on his work for this report.
- ix. Sandy pointed out that Dr. Kempema and Brian Remlinger both feel that thaw wells are the answer for mitigation on the creek.
- x. Joe Burke inquired if downstream problems are created by putting more water in the creek with thaw wells?
1. Bill Wotkyns responded that we will not be putting a lot more water into the creek via use of thaw wells.
- xi. Joe Burke asked if there are any solar mechanisms that would help to reduce ice formations in the creek? Discussion took place.
- xii. Bill Wotkyns suggested the board review Sandy's report to gather thoughts and questions for discussion and put as a separate item on next month's agenda. Franz Camenzind stated these questions could be used to frame items for the environmental review.
1. **ACTION ITEM:** Board members to send their questions to Alice Widdess before the next monthly board meeting.
- xiii. Johnny Ziem pointed out that FCWID has followed Dr. Kempema's suggestion to use thaw wells and excavators.
- xiv. Raised pathways and rock weirs were discussed. It was suggested that a couple of rock weir locations may need to be altered or removed to allow a better creek flow.
- xv. Bill Wotkyns and Johnny Ziem stressed that any locations for new thaw wells will need to be tested first.
- b. FCWID long-term goals & strategy reports on plans of action:**
- i. **Thaw Wells** (*Sandy Buckstaff*)
 - ii. **Pathways** (*Lexey Wauters*) – Because Lexey Wauters was not in attendance, her reporting will be received at next month's meeting.
 - iii. **Individual Property Owner Mitigation** (*Lance Ash*) – Lance Ash reviewed and pointed out there are funds set aside for projects in the FY 2020 budget that include Peggy Douglas' property and Kaz Hashimoto's property. FCWID will work with these property owners to inquire how we can help and what do we need to do.
 - iv. **Access Agreements** (*Bill Wotkyns*) - Bill Wotkyns pointed out there is one Access Agreement that is still up in the air – that being the Jordan Epstein property @ 100 Hidden Spur Lane. Bill stated Epstein has not signed the agreement we spent money on to create; however, he has verbally given us approval for access over his property when needed in the past. Bill reported Mr. Epstein has sent letter to the Hidden Ranch HOA informing that is installing a real fence and locking it. The board pointed out the importance that a gate be installed in that fence for access. The issue will be resolved by the lawsuit that is taking place.
- Bill Wotkyns also stated he with work this summer with Kaz Hashimoto who must give us an easement in order for any work by FCWID to take place. Sandy Buckstaff offered to provide a draft easement.
- v. **Stormwater Treatment** (*Lexey Wauters*) - Because Lexey Wauters was not in attendance, her reporting will be received at next month's meeting.
 1. **SPET Proposal - deadline for proposals is April 8; deadline for ballot language is July 17**
- c. Alder Environmental Monitoring Update** - Lance Ash expressed we are waiting for the final delivery of a contract from Alder Environmental.

VIII. **New Business.** There was no new business to discuss.

IX. **Old Business:** **ACTION ITEMS - -**

- a. (Lance Ash & Alice Widdess) Lance to prepare and send Alice FCWID Amended Budget in WORD doc; Alice to request posting in newspaper legal section on 3/27 & 4/3 forwarding the WORD doc. *Done.*
- b. (Sandy Buckstaff & Alice Widdess) Sandy to prepare FCWID Annual Report to TOJ and send to Alice for forwarding to Mayor Muldoon & Town Council. *Done.*
- c. (Alice Widdess) Alice to update FCWID Wintertime & Spring Runoff Action Plan with 3/11/19 date and send to Rich Ochs (Teton County Emergency Management) and post on FCWID website. *Done*
- d. (Alice Widdess & Lexey Wauters) Draft District Member Letter for invitation to May 16, 2019 meeting @ 5:30 p.m. sending to board members for edits. *Done*
- e. (Alice Widdess) Reserve Ordway Auditorium @ Teton County Library for May 16, 2019 District Member meeting @ 5:30 p.m. *Done*
- f. (Lexey Wauters & Alice Widdess) Alice to obtain details for submission of SPET initiative and report back to Lexey Wauters. *Done*

X. Executive Session. There was no need for an executive session.

XI. Adjournment. Sandy Buckstaff made a motion to adjourn the meeting; Lance Ash seconded the motion; meeting adjourned @ 10:16 a.m.

Respectfully submitted:

Alice Widdess, FCWID Administrative Manager

Alice Widdess

The Minutes have been approved:

W. H. Wity - 5/16/19
Chairman Date

Lance Ash 5/13/19
Treasurer Date