

FCWID BOARD OF DIRECTORS MEETING
October 10, 2016
9:00 – 10:30 AM
Teton Conservation District Offices
420 W. Pearl Avenue, Jackson, WY 83001

MINUTES OF MEETING

IN ATTENDANCE: Bill Wotkyns, Franz Camenzind, Lance Ash, Sandy Buckstaff, Larry Pardee and Alice Widdess

- I. **Call to order.** The meeting was called to order @ 9:00 a.m. by Bill Wotkyns, President.
- II. **Approval of Minutes** (*Board of Directors Meeting 9/12/16*). Franz Camenzind made a motion to approve the Board of Directors Meeting Minutes 9/12/16; Lance Ash seconded the motion; motion passed by a vote of 5-0.
- III. **Treasurer's Report** (*Lance Ash*)
 - a. **Bank Account Reconciliation & FIB Bank Statements**
 - i. Lance Ash reported that he approves the reconciliation reports for both bank accounts for end of September (operating account and the reserve account).
 - ii. He reported that \$5,520 in assessment income will be posted to the FCWID bank account tomorrow (10/10/16). Franz Camenzind inquired asking what was the total projected amount of assessments? Lance answered \$39,360.
 - iii. He stated that at the end of today (10/10/16), if all vouchers are approved for payment, our operating account balance will be a total of \$21,276.69.
 - b. **Financial Reports (Budget)**
 - i. Lance Ash explained that he is working with Toran Accounting to get them up to speed on the budget line items.
 1. Lance Ash pointed out we had \$10,000 budgeted for consulting fees, of which \$7,500 is allotted to the Kempema/Ettema study. He asked the board about the Alder Environmental, LLC invoice and voucher, asking for approval from the board to apply it to the consulting fee line item. The board agreed to keep this invoice and voucher under "consulting fees" for now and take a look at it again in the future when we deal with this winter's data collection.
 - ii. Lance Ash reported that he has looked at the budget reports and they meet with his approval.
- IV. **Approval of Vouchers**
 - a. The vouchers were presented by Lance Ash and reviewed. Lance stated they all met with his approval. Bill Wotkyns asked if we are on budget, and Lance replied we are.
 - b. Sandy Buckstaff made a motion to approve the vouchers as submitted; Franz Camenzind seconded the motion; motion passed by a majority vote of 5-0.
- V. **Introductions & Comments from Public**
 - a. Joe Burke was asked if he had any comments to share. There were none.
- VI. **Mitigation Projects**
 - a. **Alder Environmental, LLC (Brian Remlinger) Scope of Work Proposal for Winter Monitoring and Data Collection**
 - i. Bill Wotkyns reported that he asked Brian Remlinger to revise the Alder Environmental, LLC original proposal (\$28,000) for winter monitoring and data collection so that it included the recommendations contained in the Kempema/Ettema draft report.
 - ii. Because the revised Alder Environmental, LLC proposal is an estimate of \$32,837 (\$2,837 over the \$30,000 FCWID requested in funds from the Teton Conservation District Board of Supervisors), a discussion took place on how to move forward.
 1. Bill Wotkyns reviewed the Alder Environmental, LLC proposal with the board, pointing out all items listed in red represent the revisions from Alder Environmental, LLC's previous proposal.
 2. Discussion followed on the proposal.
 - a. Bill Wotkyns pointed out that the Kempema/Ettema report recommended additional equipment be installed and gave some proposed costs for that equipment; however, it did not include the installation costs for that equipment. Brian Remlinger included the installation costs in his proposal.
 - b. Joe Burke inquired about the pressure sensors and air temperature gauges.
 - c. Bill Wotkyns suggested the FCWID Board write and submit a detailed request for the \$32,837, including our current budget, to the Teton Conservation District so that they can review the request at their next board meeting.

3. Sandy Buckstaff made a motion to accept Brian's \$32,837 proposal; Larry Pardee seconded the motion; motion passed by a majority vote of 5-0.
4. Franz Camenzind made a motion to formally request \$32,837 from the Teton Conservation District Board of Supervisors in order to move forward with Alder Environmental, LLC's work; Sandy Buckstaff seconded the motion; motion passed by a majority vote of 5-0.
 - a. **ACTION ITEM:** Lance Ash to work with Bill Wotkyns to create the formal request letter to the Teton Conservation District.
 - b. **ACTION ITEM:** Bill Wotkyns to contact Emily Hagedorn to let her know the FCWID Board request letter will be submitted, and ask her to include it in the TCD Board packet. Bill Wotkyns also requested at least two to three FCWID Board members attend the next TCD Board of Supervisor's meeting (scheduled for Wed., October 19 – Bill Wotkyns to find out from Emily Hagedorn and email the board).

b. Kempema/Ettema Draft Report

- i. **Comments from Teton Conservation District Board of Supervisors.** No comments have been received.
- ii. Sandy Buckstaff pointed out some minor grammar corrections; however, the content is acceptable.
- iii. Franz Camenzind made a motion to accept the Kempema/Ettema draft report and make it a final report; Sandy Buckstaff seconded the motion; motion passed by a majority vote of 5-0.

c. Kaz Hashimoto Estimate from Barn Hill Landscaping for \$4,255

- i. Franz Camenzind voiced that the \$4,255 estimate is reasonable.
- ii. Bill Wotkyns voiced that it will take 1/3 of funds from our reserve account before winter, and he is hesitant to move forward with this project before this winter, suggesting we consider putting this project on hold until next year. The board agreed to postpone moving ahead with this project this year.
- iii. Lance Ash stated that he will need to check with the State on how to proceed with the project, when we decide to move forward with it.
- iv. Franz Camenzind asked if the Barn Hill Landscaping estimate will hold for another year.
- v. Discussion took place on moving the phone box to the property line this year.
 1. **ACTION ITEM:** Sandy Buckstaff is to contact the phone company to arrange for the phone box to be moved to a proper location.
- vi. Joe Burke asked if this low flow of water at this time of year is setting things up for ice problems this winter. Discussion took place and Franz Camenzind suggested we track and look at the water flow records for the past years.

VII. Access Agreements with Jackson Hole Land Trust suggestions

- a. Bill Wotkyns gave background information in his discussion with the Jackson Hole Land Trust on why we are revising the two Access Agreements to meet with their requested addition.
- b. He pointed out there are two properties within the district that have conservation easements with the Jackson Hole Land Trust – Karns and Sobieski properties.
- c. Franz Camenzind voiced that he agrees that we must honor the Jackson Hole Land Trust requested addition to the Access Agreements stating their easement.
- d. Bill Wotkyns stated that he has sent the requested addition to the Access Agreements to Matt Turner, legal counsel; however, he has not heard back from Matt.
- e. Sandy Buckstaff made a motion to include the Jackson Hole Land Trust suggested wording in our two Access Agreements; Larry Pardee seconded the motion; the motion passed by a majority vote of 5-0.
- f. **ACTION ITEM:** Franz Camenzind to reach out to Jim Sobieski to advise of the revised Access Agreements, and get him to sign. Alice Widdess to provide Jim Sobieski's contact information.
- g. **ACTION ITEM:** Alice Widdess to post the revised Access Agreements on the FCWID website.
- h. Discussion took place on other Access Agreements needed for this winter's access by Alder Environmental, LLC.

VIII. Candidates Forum on Water Resources (10/12/16)

- a. Bill Wotkyns encouraged FCWID board members to each do their own outreach to get attendance at the forum.
- b. Franz Camenzind asked if the Teton Conservation District knew how many Town Council, Mayor and Commissioner candidates would be attending? Sandy Buckstaff replied that he attended a meeting on the Forum last week, and they thought all Town Council candidates would attend, including the Mayoral candidates; however, they were not sure if all Teton County Commissioner candidates would attend.

IX. TCD/FCWID Joint Quarterly Board Meeting 9/15/16 Summary

- a. Bill Wotkyns reported that it was a good meeting; however, no TCD Supervisors attended the tour portion.
- b. Bill Wotkyns also stated that it was nice that some FCWID District Members attended and County Commissioner Natalia Macker attend the tour.

X. FCWID Director Election Update

- a. Bill Wotkyns reported that there has been no word back from Richard Manning, Jr. who registered as a candidate but does not own property in the Flat Creek Water Improvement District.

- b. The candidates for FCWID Director include Bill Wotkyns and Lexey Wauters.
- c. Franz Camenzind stated he would be glad to help with the election oversight, if he is available.
- d. Discussion took place on when the newly elected directors take office. Lance Ash pointed out that newly elected Directors are to take their Oath of Office within 10 days after the election date, and when they take their Oath, they take office.

XI. Old Business

a. ACTION ITEMS FROM 9/12/16 MEETING:

- i. *(Bill Wotkyns)* Contact Brian Remlinger (Alder Environmental) re: Scope of Work Proposal for Winter Monitoring and Data Collection. Bill Wotkyns stated this has been done.
- ii. *(Carlin Girard)* Ask Emily Hagedorn, TCD, to include the Kempema/Ettema draft report in the TCD Board Packet for their review and comments. Bill Wotkyns stated this has been done.
- iii. *(Carlin Girard)* Was asked to include agenda item on TCD Board of Supervisors' meeting re: FCWID Director Election Candidate, Richard Manning, Jr.-re: opinion from Teton County Attorney. Bill Wotkyns stated this has been done.
- iv. *(Bill Wotkyns)* Following up on documentation that is on record re: appointment by TOJ of Larry Pardee to FCWID Board as the representative of the Town of Jackson, and who replaces him should he leave the FCWID Board.
 - 1. Bill Wotkyns stated he followed up with Bob McLaurin and Larry Pardee. There was a letter written by former Mayor Mark Barron appointing Larry Pardee to represent the TOJ on the FCWID Board of Directors; however, he has not received a copy of it yet. Bob McLaurin told Bill Wotkyns if they cannot find that letter, he would write a new letter.
 - 2. Discussion took place on the concerns regarding not having anything in writing on file that details the TOJ appointing a representative to the FCWID Board of Directors upon its formation and documentation on who replaces their representative should Larry Pardee not be available.
 - a. Franz Camenzind pointed out the problem of not having some documentation on file from the Town that states they require a representative and who replaces that representative could jeopardize the status of past voting that has taken place by the FCWID Board of Directors and Larry Pardee's ability to serve on the board. He points out if someone challenged this, it could cause everything that has been voted on to become null and void. He stated that the FCWID needs to make sure it is documented in their formation paperwork and the TOJ needs to state that they want a representative either on the board or in the audience at each meeting.
 - b. Bill Wotkyns asked whether the FCWID Bylaws state such, or is it stated in an MOU with the TOJ?
 - c. Joe Burke questioned if it is legal to have someone on the FCWID Board of Directors who does not own property in the District?
 - 3. **ACTION ITEM:** Bill Wotkyns to work with Larry Pardee to secure documentation via a letter from the Town of Jackson that covers the above-mentioned concerns.
- v. *(Bill Wotkyns)* Follow up with Lisa Delaney to clarify monthly fees, etc. in order for FCWID to take over. Bill Wotkyns stated this was discussed in the approval of the vouchers.

XII. New Business. There was none.

XIII. Executive Session. An Executive Session was not needed.

XIV. Adjournment of Meeting. Franz Camenzind made a motion to adjourn the meeting; Larry Pardee seconded the motion; meeting adjourned at 10:30 a.m.

Respectfully submitted,

Alice Widdess, FCWID Administrative Manager

Alice Widdess

The Minutes have been approved:

Bill Wotkyns - *11/14/16*

 Chairman Date

Lance Ash *11/14/16*

 Treasurer Date