

FCWID BOARD OF DIRECTORS MEETING
January 9, 2017
9:00 – 10:30 AM
Teton Conservation District Offices
420 W. Pearl Avenue, Jackson, WY 83001

*Lance Ash, Joe Burke, Alice Widdess, Bill Wotkyns, Lexey Wauters, Randall Large (Mtn. Property Management), Sandy Buckstaff,
Larry Pardee (arrived @ 9:20 a.m.)*

MINUTES OF MEETING

- I. **Call to order** – Bill Wotkyns called the meeting to order @ 9:01 a.m.
- II. **Approval of Minutes** (*Board of Directors Meeting December 12, 2016*) – Lexey Wauters made a motion to approve the minutes of the FCWID Board of Directors Meeting held December 12, 2016; Lance Ash seconded the motion; motion approved by a vote of 4-0.
- III. **Treasurer’s Report** (*Lance Ash*)
 - a. **Bank Account Reconciliation & FIB Bank Statements** – Lance Ash reported that the two bank account statements (Operating and Reserve Accounts) and reconciliations met with his approval.
 - b. **Financial Reports (Budget)**
 - i. Lance Ash reported he refers only to the YTD actual budget and that budget will be augmented based on our discussion from the last board meeting.
 - ii. He reported an amended budget hearing would take place before our February FCWID Monthly Board Meeting.
 - iii. Discussion took place on expenses and the relation to budget line items and any possible reimbursement of funds from the Town of Jackson \$15,000 being held in reserve.
 1. Bill Wotkyns pointed out the lack of clarity in the MOU between TOJ & FCWID pertaining to the reimbursement of funds, noting that when/if FCWID reaches our \$15,000 limit, we would then submit an invoice to the TOJ for these expenses.
 2. Lance Ash pointed out we presently have \$15,000 in our Reserve Account and, as we collect tax assessments (\$39,360), we will increase that Reserve Account to \$30,000, moving \$15,000 over to that account.
 3. Lance Ash and Bill Wotkyns summarized the budget line items and the amount in the FCWID Reserve account and reporting for Lexey Wauters.
 - c. **Statement of Investment Policy**
 - i. Lance Ash summarized the FCWID Statement of Investment Policy for the current fiscal year, a State Statue requirement that is due on a calendar-year basis.
 - ii. Motion to approve the Statement of Investment Policy was made by Sandy Buckstaff; Lance Ash seconded the motion; motion passed by a vote of 4-0.
 - d. **TCD/FCWID Calendar of Events (updated)**
 - i. Lance Ash pointed out the updated 2017 TCD/FCWID calendar for board members to reference.
 - ii. He explained that after we elect FCWID Board Officers in today’s meeting, we would update the bank account signers.
- IV. **Approval of Vouchers** – Lance Ash presented the current vouchers to approve. It was pointed out we have spent \$17,719 to date for Alder Environmental, LLC and the full contract is around \$33,000. Sandy Buckstaff moved to approve all vouchers; Lance Ash seconded the motion; motion passed by a vote of 4-0.
- V. **Introductions & Comments from Public**
 - a. Randall Large, Mountain Property Management, introduced himself, explaining he is representing the Town Creek (formally Meadowbrook) development and came to this board meeting to inquire why there is no representation in the Flat Creek Water Improvement District north of the bridge over Broadway near Staples and what steps needed to take place in order to expand the FCWID to include Town Creek.
 - i. Bill Wotkyns summarized the original creation of the FCWID boundaries, pointing out that the reasons for creating the Staples bridge as a boundary were somewhat arbitrary, except for consideration that because the Town of Jackson was such a large property owner south of that bridge, the current district boundaries made sense at that time.

- ii. Bill also explained that it has been the FCWID's intention to look at plans to extend the district borders to include areas north of the bridge and south of High School Road in order to mitigate flooding.
- iii. Bill also addressed that at one point in time there were rock weirs installed where flooding occurred by the Town Creek development in the past and they were effective for almost a decade in mitigating flooding; however, FEMA had the weirs removed. Since then we have had two flooding situations in that area. Bill addressed the LOMAR remapping project that is currently taking place by the TOJ and Teton Conservation district to submit to FEMA in order to get permission to raise the flood plain of the creek.
- iv. Discussion took place on expansion of the district.
 - 1. Sandy Buckstaff commented he felt the entire town should be in the district, with a graduated assessment scheduled determined on various properties and their proximity to the creek..
 - 2. Lexey Wauters inquired re: the process to expand the district boundaries.
 - a. **ACTION ITEM:** Lance Ash suggested the FCWID obtain legal counsel from Matt Turner on what the State Statutes set forth for the required process to follow. Bill Wotkyns to call Matt Turner.
 - 3. Bill Wotkyns encouraged Mountain Property Management representatives to attend the FCWID Board of Director Meetings for the next couple of months in order to be kept abreast of the plans for expansion of the district and getting ownership support.
 - a. Joe Burke pointed out the support would come from more than just property owners and include votes from renters who are registered voters and out of state owners.
 - 4. Joe Burke questioned how far south the district could be expanded and if it is controlled by any charter under the Town of Jackson. It was pointed out the district could expand all the way down south where it enters the Snake River.
- b. Joe Burke mentioned he has spoken with Pete Karns, Jr. who owns property on south side of Flat Creek over the bridge located next to Willow Park and that Pete wants to be kept informed on any information pertaining to FCWID.
 - i. Larry Pardee pointed out that the Pete Karns, Jr. property is not in the Flat Creek Water Improvement District and that a small portion near that property is owned by the TOJ.
 - ii. **ACTION ITEM:** Joe Burke is to forward Pete Karns, Jr.'s email address to Alice Widdess so she can include him on board meeting notifications and other similar matters.
 - iii. Joe Burke questioned about Willow Park being taxed for a small access portion, in addition to their own properties, stating the development felt they may be "double dipped" on the tax assessment.
 - 1. Bill Wotkyns suggested Willow Park obtain legal counsel to determine best action to take (i.e., making it one piece of property which would require a survey and re-filing for the property or a petition to be removed from the district for that small access portion.
- c. **Center for Watershed Protection Association and Storm Water Teamwork in Jackson for Better Care of Flat Creek and Cache Creek.**
 - i. Bill Wotkyns explained that Len Carlman, Executive Director Snake River Fund, could not be in attendance at this board meeting, and stated that Len would be attending the February 2017 FCWID Board Meeting.
 - ii. Lexey Wauters summarized why Len Carlman wanted to address the FCWID on these two items.
 - iii. Discussion took place on the SPET-approved \$250,000 for Cache Creek Storm Water improvements, with Larry Pardee explaining the process.
 - iv. Bill Wotkyns expressed that the stormwater issue is very important to FCWID.
 - v. **ACTION ITEM:** Lexey Wauters to work with Len Carlman and come back to the FCWID board with updates on communications that have taken place with Town Council and a discussion on best ways to move forward with SPET funds.
 - vi. Lance Ash urged that any FCWID expenses that may be incurred need to be decided upon in next 60 days so that it can be included in our fiscal budget.
 - vii. Joe Burke inquired if there were alternate sources for funding (i.e., grants).
 - 1. Bill Wotkyns pointed out that Ed Kempema has referred a name of a Water Board person to get in contact with to explore having research done by a graduate student.

VI. Election of Officer Positions

- a. Bill Wotkyns pointed out it is healthy for organizations to change their officer positions; however, suggested we keep Lance Ash as Treasurer, due to the terrific job he is doing and because he would be a good mentor to a successor someday, and if he (Bill) stays on as Chairman, he would need the Vice-Chairman to share the responsibility.
 - i. Lance Ash voiced that he would be willing to continue as Treasurer.
- b. Lexey Wauters expressed that she cannot take on an officer position at this time; however, she would be willing to take point on projects.
- c. Sandy Buckstaff suggested Larry Pardee take on the Chairmanship for a year, and Larry Pardee said he would be willing.
- d. Joe Burke inquired if we could have a Member at Large, and it was pointed out that Larry Pardee has been in that position; however, it is now Lexey Wauters.
- e. The FCWID Board of Directors 2017 Slate of officers was determined:
 - i. Chairman: Bill Wotkyns
 - ii. Vice-Chairman: Larry Pardee
 - iii. Secretary: Sandy Buckstaff
 - iv. Treasurer: Lance Ash
- f. Sandy Buckstaff made a motion to approve the FCWID slate of officers stated above; Lexey Wauters seconded the motion; motion passed by a vote of 5-0.

VII. FIB Bank Account Signatures Updated

- a. **ACTION ITEM:** Lance Ash to find out requirements needed for the bank signature cards and take care of obtaining that documentation and signatures.

VIII. Bonding for Treasurer's Position

- a. Lance Ash explained the requirements for the Treasurer's bonding and reported it is due for renewal in March 2017.

IX. Mitigation Projects

- a. **Non-Exclusive Data Use and Sharing Agreement with Kempema & Ettema** (*Bill Wotkyns*)
 - i. Bill Wotkyns reported on the development of the Agreement, including on the comments from those that worked on it.
 - ii. Lance Ash made a motion to approve the Non-Exclusive Data Use and Sharing Agreement with Kempema and Ettema; Sandy Buckstaff seconded the motion; motion passed by a vote of 5-0.
 - iii. **ACTION ITEM:** Bill Wotkyns to sign and send to Kempema & Ettema for their signatures.
- b. **Updates on Flat Creek Flooding**
 - i. Bill Wotkyns gave background of events that took place on December 23, 2016 when the creek was flooding at Creekside Condominiums.
 - ii. Existing Thaw Wells were discussed along with the installation of another thaw well.
 - 1. Turning off the thaw well at Garaman Park or leaving it on was discussed. Larry Pardee stated his requirements to run a test every time we turn a thaw well off.
 - 2. Installing an additional thaw well in the creek was discussed, as Larry Pardee suggested there is an abandoned thaw well system (Thaw Well No. 1) that could be moved to a different part of the creek.
 - a. Easements and appraisal process of properties required was discussed.
 - 3. **ACTION ITEM:** Bill Wotkyns to contact Brian Remlinger, Alder Environmental, LLC, to discuss a decision on whether to turn off or leave on the Garamond Thaw Well.

X. Old Business

- a. **ACTION ITEMS from 12/12/16 Meeting:**
 - i. (*Bill Wotkyns*) **Alder Environmental, LLC Proposal – corrected date and signatures obtained** (*Copy in Board Packet*). Bill Wotkyns reported action completed.
 - ii. (*Alice Widdess*) **Preparation of FCWID 2017 Budget Legal Notice for JHN&G publication.** Alice Widdess reported action completed.
 - iii. (*Lance Ash & Alice Widdess*) **Updated FCWID Calendar of 2017 Events** (*Updated calendar in Board Packet*). Lance Ash reported action completed.
 - iv. (*Bill Wotkyns*) **Non-Exclusive Data Use and Sharing Agreement with Kempema & Ettema drafted by legal counsel.** Bill Wotkyns reported he would forward to obtain Kempema and Ettema's signatures.
 - v. (*Bill Wotkyns*) **Decision on future dates and times for Joint Quarterly Meetings with TCD & FCWID.** Lance Ash reports this action is completed.

- vi. *(Alice Widdess)* **Request from board that meeting notices be sent out a week prior to the meeting.** Alice Widdess reports action completed.
- vii. *(Franz Camenzind)* **Access Agreements from Jim Sobieski.** This action is still being completed.
- viii. *(Sandy Buckstaff)* **Updates on Century Link removal and replacement of phone box on Kaz Hashimoto's property.** Sandy Buckstaff reports no action has been taken.
- ix. *(Bill Wotkyms)* **Contact Len Carlman to determine who gave permission for the installation of the staircase near Karns bridge.** Bill Wotkyms reported he has not contacted Len Carlman.
 - 1. **ACTION ITEM:** Lexey Wauters to discuss with Len Carlman and report back to the FCWID board.
- b. **TCD/FCWID Joint Quarterly Board Meeting Minutes (12/8/16)** – Alice Widdess reported that those minutes are included in the board packets.

XI. New Business

- a. **2017 CRIPE Workshop on River Ice – Whitehorse, Yukon, Canada – July 9-12, 2017**
 - i. Bill Wotkyms shared information he learned from Ed Kempema about this workshop and suggested Larry Pardee attend.
 - 1. **ACTION ITEM:** Larry Pardee to ask Town of Jackson to fund a trip for him to attend this workshop.
- b. **Greg Kerr, Office of Water Programs – Funding possibilities for Flat Creek:** <http://www.uwyo.edu/owp/>
 - i. **ACTION ITEM:** Sandy Buckstaff was assigned to look into this funding possibility.

XII. Executive Session (if needed) – No Executive Session was required.

XIII. Adjournment of Meeting – Sandy Buckstaff made a motion to adjourn the meeting; Lexey Wauters seconded the motion; motion approved by vote of 5-0. Meeting was adjourned @ 10:33 a.m.

Respectfully submitted,

Alice Widdess, FCWID Administrative Manager

Alice Widdess

The Minutes have been approved:

<u><i>Bill Wotkyms</i></u>	<u><i>2/13/17</i></u>
Chairman	Date
<u><i>Larry Pardee</i></u>	<u><i>2/13/17</i></u>
Treasurer	Date