

Flat Creek Water Improvement District (FCWID)
Public Hearing for FCWID FY 2019 Draft Budget & Monthly Board of Directors' Meeting
Monday, JUNE 11, 2018
9:00-10:30 a.m.
Teton Conservation District
420 W. Pearl Avenue, Jackson, WY 83001

MINUTES OF MEETINGS (Draft)

PUBLIC HEARING FOR FCWID FY 2019 DRAFT BUDGET:

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

- I. **Call to order.** The Public Hearing was called to order @ 8:33 a.m. by Bill Wotkyns.
- II. **Flat Creek Water Improvement District FY 2019 Draft Budget.** There were no questions nor objections to the FCWID FY 2019 draft budget from attendees.
- III. **Adjournment.** Sandy Buckstaff made a motion to adjourn the Public Hearing; motion was seconded by Lance Ash; Public Hearing adjourned @ 8:59 a.m.

FCWID MONTHLY BOARD MEETING:

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

- I. **Call to Order.** The meeting was called to order by Bill Wotkyns @ 9:00 a.m.
- II. **Approval of May 14, 2018 FCWID Monthly Board Meeting Minutes.** Lexey Wauters made a motion to accept the May 14, 2018 Minutes as presented; Lance Ash seconded the motion; the motion passed by a vote of 4-0.
- III. **Treasurer's Report (Lance Ash)**
 - a. **Bank Statements & Reconciliation Reports.** Lance Ash stated he reviewed the two First Interstate Bank Accounts (Operating and Reserve Accounts) Statements and Reconciliation Reports, and they meet with his approval.
 - b. **P&L Budget vs. Actual (July 2017 through June 2018).** Lance Ash stated that this P&L Budget vs. Actual report reflects mostly what our P&L will look like at the end of our fiscal year that ends June 30 of this month. He reported that he received June Flat Creek District Member assessments this morning and 100% have been collected for the year (FY 2018).
 - c. **FY 2019 Preliminary Budget.**
 - i. Lance Ash reported that the Public Hearing took place this morning before this monthly board meeting, and there were no objections by the public to the FY 2019 Preliminary Budget. Sandy Buckstaff made a motion to approve the FY 2019 Preliminary Budget; Lexey Wauters seconded the motion; the motion passed by a vote of 4-0.
 - ii. Joe Burke asked:
 1. If this FY 2019 Preliminary Budget needed the approval of the Teton Conservation District?
 - a. Bill Wotkyns reviewed who it has been forwarded to.
 2. If there was any possibility of dropping down the current District member assessment amount (\$240)?
 - a. Bill Wotkyns answered pointing out that Joe's question is a good one and now that we are collecting enough funding from district assessments, FCWID can afford to do some on-the-ground projects.
 - b. Lexey Wauters pointed out that these projects will be determined from Drs. Kempema and Ettema's study recommendations.

- d. **Joint TCD & FCWID Calendar – 2018.** There were no changes to the existing TCD & FCWID Calendar for 2018.

IV. Approval of Vouchers. Lance Ash reviewed the vouchers to be approved for the month. Sandy Buckstaff made a motion to approve the vouchers as presented; Lexey Wauters seconded the motion; motion passed by a vote of 4-0.

- a. Lance Ash pointed out that \$14,110 will be transferred from the Operating Account over to the Reserve Account stating that this is an internal transfer that was approved last year and is a component of the District Member assessments.

V. Introductions and Comments from the Public

- a. Joe Burke commented that he has been attending most all of the FCWID monthly board meetings since the district was formed, and he expressed that the board has done a remarkable job, stating that the district could be a model for other organizations in our community.
- b. Bill Wotkyns recognized and thanked Joe Burke for his consistent attendance at the board meetings and the contributions he has made to our growth.

VI. Mitigation Projects

- a. **Pathways Flood Protection Work Updates** (*Bill Wotkyns*) Bill Wotkyns gave updates, reporting that Evans Construction won the bid for both projects. For the first project, they will be constructing an elevation of the pathway in the section where flooding always occurs just east of Garaman Park. Bill expressed that he doesn't think they will begin the work until the early fall. For the second project, a fence is to be built down by the tunnel that goes under Highway 89. He expressed concern on how attractive the proposed corrugated steel fence will be. Both projects are to be funded by the Pathways Department.
- b. **Drs. Kempema & Ettema's acceptance of Scope of Work – Signed Contract** (*Bill Wotkyns*) Bill Wotkyns reported that Drs. Kempema & Ettema have "accepted" the Scope of Work. Bill has received an email that documents their acceptance.
 - i. **ACTION ITEM:** Lexey Wauters to forward that email to Alice Widdess for the FCWID permanent files.
 - ii. **ACTION ITEM:** Bill Wotkyns to contact Drs. Kempema and Ettema to find out their progress on the present study/report, since he as requested to receive it before the FCWID July Monthly board meeting. Bill voiced that this study may not arrive until later in July.
- c. **Flat Creek Watershed Management Plan Revision Updates** (*Carlin Girard*). Carlin Girard reported there are no current updates. He is working on opportunities for input and revisions are taking place. Carlin anticipates completion on these revisions by the end of this summer. He will work on populating (?) maps and data analysis.
 - i. **ACTION ITEM:** This item to be included on the September 2018 FCWID Monthly Board Meeting Agenda. Put on Agenda 9/1/18.
 - ii. Joe Burke commented on the great ad appearing in the newspaper re: Clean Water. He inquired if the DEQ will be reporting on the possible effect of people/humans being in the creek.
 - 1. Carlin replied that the DEQ was approached to do a preliminary analysis; however, they replied that there is no assessment needed at this time until they perform a complete analysis. Carlin thinks it will be assessed again by the DEQ in a couple of years.
- d. **SPET Funds for Master Plan Downtown Storm Water Collection & Conveyance System Improvements Updates** (*Lexey Wauters*). Lexey Wauters reported a meeting took place with Dr. Earls (expert from Colorado), and that attendance at the technical portion of the meeting was pretty robust. The Snake River Fund paid for Dr. Earls visit to Jackson Hole. Lexey attended the public portion which had only about three people in attendance (not very well attended). She reported that Dr. Earls gave a comprehensive talk on approaches of managing storm water including examples of methodology used in other communities. Regarding the science piece, the audience was left with a big checklist. Lexey pointed out that progress now depends on the Town of Jackson. She stated that Larry Pardee, TOJ Town Manager, attended. She shared his primary comment: "We are ready to pull the trigger on a variety of things and need the cash in order to proceed." Lexey stated that the Town of Jackson has the \$250K SPET funds; however, it is not enough to cover all the expenses. Lexey expressed that it is not the

appropriate spot for NGOs to be the primary source of additional funds. She feels the next step is to get with the TOJ in order to find out exactly what they are prepared to do to move forward.

- i. Carlin Girard reported he believes the process has been jump started. He followed up after the meeting with things the Teton Conservation District has taken on (drafting a Master Plan for the Downtown Area).
 - ii. Bill Wotkyns asked if the Cache Tube is included in the SPET funds project? Carlin responded that the area of the Cache Tube (Cache Creek remnants) in the downtown area is where the project interest and impact is (area behind businesses like Persephone and Healthy Being) and as it continues its run towards Dairy Queen. He pointed out that funds for planning are available; however, actual infrastructure development lacks funding.
 - iii. Carlin Girard discussed the UTILITY tax aspect idea with the board.
 1. He asked, "Should stormwater runoff be a "utility" that is taxed? Do we want to create another tax mechanism?"
 2. He expressed that we have the 2% Lodging Tax where 60% of it is dedicated to marketing for offseason tourism event creation; 40% is dedicated to the Town of Jackson and Teton County general fund to address tourism mitigation (the impacts of tourism on our infrastructure, START, Parks and Rec, etc.).
 - a. As he looks at that Lodging Tax Budget (Travel & Tourism Board Budget), it keeps increasing; so, why not consider ear-marking a portion of that budget for stormwater mitigation? He feels it would be a more marketable idea for the public than establishing a separate Utility.
 - b. Bill Wotkyns suggested we get independent groups (Snake River Fund, FCWID, etc.) together in January 2019 and approach our electeds with this idea.
 - c. Sandy Buckstaff shared his thoughts on a stormwater utility pointing out that only one community in Wyoming has voted in a stormwater utility – Cheyenne, WY – however, he described it as a "toothless tiger," since it can only be funded by grants and donations (it was not elected into being with taxing ability).
 3. Discussion took place on getting the Lodging Tax passed in the next election as a SPET initiative (alternative?).
 - a. Lexey Wauters suggested to reach out to groups like JH Working (Mark Barron is involved) and the JH Chamber of Commerce to help with campaigning for the Lodging Tax and potentials for using this tax for stormwater runoff mitigation.
 4. **ACTION ITEM:** Carlin Girard, Bill Wotkyns and Lexey Wauters to sit down with Larry Pardee, TOJ Town Manager, to discuss the possibilities of a SPET initiative on the ballot or to use the Lodging Tax to cover stormwater mitigation.
 5. Joe Burke mentioned that the Board of Health is creating a candidate forum for County Commissioners to discuss the beverage serving regulations in the county, and he suggested confronting candidates with questions concerning how to pay for stormwater runoff mitigation at that forum.
- e. Irrigation Ditches, Head Gate and Conveyance System Improvements Updates** (*Sandy Buckstaff*)
- i. Sandy Buckstaff gave a summary of his updates and passed out a map of the Garaman Park area of Flat Creek.
 1. He met with Bob Norton of Nelson Engineering to discuss possible improvements to mitigate the flooding that is taking place in that area of the creek.
 2. He pointed out the area shown on the map that resembles a nipple where ice has had to be removed from the creek in years past in order to reduce the flooding and drop the level of the creek flow.
 - a. The nipple area was put in by Ralph Gill to divert Flat Creek water into the Wort irrigation ditch.

- b. Kelly Lockhart (Ralph Gill’s successor) and Sandy Buckstaff discussed the possibility of improving the flow into the irrigation ditch by removal of that nipple area and inserting sonotubes that contain removable boards instead.
 - c. **ACTION ITEM:** Sandy was given the “go-ahead” by the FCWID board members to proceed with working out a plan and obtaining a cost estimate with Nelson Engineering, once the study by Drs. Kempema and Ettema is received, that will have suggested mitigation efforts outlined.
 - d. Sandy believes the project could be accomplished this fall by a private contractor that uses the engineering plans, and it would get done by the private sector without going through public advertising (since we are working with Kelly Lockhart as the irrigator with water rights that manage that head gate).
 - i. Discussion took place on any repercussion possibilities and how to move forward.
 - e. Bill Wotkyns pointed out the advantages to this mitigation that affects the entire drainage of Flat Creek making for a better flow, and less flooding to areas like Elk Run and the Creekside Meadows Condominiums.
 - i. **ACTION ITEM:** Bill Wotkyns voiced his intent to meet with the HOA’s for these two developments to discuss an installation of a berm to prevent flooding to their properties.
3. Removal of the boulder in the creek near Sandy Buckstaff’s property that restricts water flow was discussed.
- f. **Flat Creek Area Behind Eagle Village near Smith’s and Possibility of working with WYDOT Updates** (*Bill Wotkyns*)
- i. Bill Wotkyns gave updates explaining he has been in touch with WYDOT re: the erosion and sediment that has occurred creating islands in the middle of Flat Creek (one with a tree on it). WYDOT agrees that erosion and sediment build up is occurring in this area.
 - ii. For the newer island that has formed that is in the WYDOT right of way, Bill reported that WYDOT is willing to put rip rap into the creek to stop erosion this summer.
 - iii. For the other island that has formed, and because it exists on privately owned property (RLM Jackson [Richard Martin] and Creekside Commercial), FCWID would have to work with these owners to discuss removal of that island.
 - iv. **ACTION ITEM:** Bill Wotkyns to follow up with WYDOT on their plans for this summer.

VII. Old Business

a. **ACTION ITEMS:**

- i. (*Bill Wotkyns*) Provide Drs. Kempema & Ettema’s signed contract for Scope of Work See attachment that Lexey has emailed to Alice Widdess that shows acceptance of Scope of Work and the email is documentation.
- ii. (*Sandy Buckstaff*) Engineering consult with Nelson Engineering’s comments on cost for improvements to irrigation ditches, head gate and conveyance system improvements Done
- iii. (*Lexey Wauters & Carlin Girard*) Provide (for board distribution) the Legacy Works report containing recommendations for the Snake River Fund to work with FCWID & TCD on watershed management projects Lexey Wauters forwarded to FCWID board members during this meeting.
- iv. (*Bill Wotkyns*) Flat Creek area behind Eagle Village near Smith’s. Discussion took place on owners of properties involved. **ACTION ITEM:** Alice Widdess to research and give Bill Wotkyns contact information.

VIII. New Business. There was no new business.

IX. Executive Session. No Executive Session was needed.

X. Adjournment. Sandy Buckstaff made a motion to adjourn; Lexey Wauters seconded the motion; motion passed by a vote of 4-0; meeting adjourned @ 9:56 a.m.

Respectfully Submitted,

Alice Widdess

Alice Widdess
Administrative Manager
Flat Creek Water Improvement District

The Minutes have been approved:

Widdess

Chairman Date

Lambert 7/9/18

Treasurer Date