

Monthly Board of Directors' Meeting
Monday, DECEMBER 17, 2018
9:00-10:30 a.m.
Teton Conservation District
420 W. Pearl Avenue, Jackson, WY 83001

MINUTES OF MEETING

In Attendance @ 9:00 a.m.: Lance Ash, Sandy Buckstaff, Lexey Wauters, Carlin Girard, Phoebe Coburn, Joe Burke, Franz Camenzind & Alice Widdess; 9:13 a.m. Johnny Ziem joined the meeting; 9:19 a.m. Tom Segerstrom joined the meeting; 10:05 a.m. Bill Wotkyns joined the meeting

- I. **Call to Order.** In the absence of Chairman Bill Wotkyns, Sandy Buckstaff called the meeting to order @ 9:00 a.m.
- II. **Approval of Minutes – November 12, 2018.** Lexey Wauters made a motion to approve the minutes as presented; Lance Ash seconded the motion; motion passed by a vote of 3-0.
- III. **Treasurer's Report (Lance Ash)**
 - a. **Bank Statements & Reconciliation Reports.** Lance Ash states he has reviewed the operating and reserve bank statements and reconciliation reports and they meet with his approval.
 - b. **P&L Budget vs. Actual (July 2018 through June 2019).**
 - i. Lance Ash confirmed we are still waiting on the receipt of \$12,000 from the Town of Jackson. **ACTION ITEM:** Lance Ash stated that he and Bill Wotkyns would follow up with the Town to obtain the \$12,000.
 - ii. Lance Ash reported we have received a little over \$12,000 in district property assessments.
 - iii. He also stated that we will continue to see costs for creek emergencies coming out of these assessments (e.g. this past weekend's work with emergency equipment being used for creek mitigation) and we do not need to dip into our reserve funds.
 - c. **FCWID Annual Requirements CHECKLIST.** Lance Ash stated we are in compliance with all items on the check list.
 - i. Alice Widdess confirmed that all items have been stated as "yes" except the bonding which is stated as "pending".
 1. The bonding requirement of \$100,000 was discussed and best practices were considered. Lance Ash noted that if our revenues exceed \$100,000, we will have to comply with different financial requirements for the state. As existing FCWID Board Treasurer he stated he's been keeping his eye on our revenues should they increase to \$100,000 and pointed out this would create additional expenses for FCWID.
 - d. **Bonding for THREE FCWID DIRECTORS – Pricing for Increase to \$100,000 coverage.**
 - i. Lance Ash stated we have not budgeted for it; however, he thinks it is a good step to take to increase the coverage so that all directors can be authorized check "signers", pointing out that two signatures are required on each check.
 - ii. Lance stated we will need to look at our existing budget line items to see where we can move amounts around in order to cover the bonding increase cost (e.g. line item 6540 is Liability Insurance and Bonding and is \$2,650 which is not a sufficient amount to cover all directors being bonded for \$100,000 coverage).
 - iii. Discussion took place on the Tegeler Insurance quote received - \$350/Director plus \$500 additional for the Treasurer.

1. **ACTION ITEM:** Alice Widdess to reach out to Pam Davidson, Tegeler Insurance, to obtain clarification and bring to next monthly meeting.
 - iv. The board agreed to carry this discussion over to the FCWID next monthly meeting.
 - e. **WY DOA Proof of Cash Form – Prepared by Valerie Linsenmann.** Lance Ash explained that, based on our revenue position, the district must hire an outside accounting firm to prepare the form and we used Linsenmann & Linsenmann. It involves a basic accounting that our check registers and bank statements cover all transactions that have taken place over the year. Lance pointed out, as of today, we have not received the invoice from Linsenmann & Linsenmann.
 - i. Lexey Wauters made a motion to accept the Proof of Cash Form as presented and authorized our Treasurer, Lance Ash, to sign and execute the letter of representation; Lance seconded the motion; motion passed by a vote of 4-0.
- IV. Secretary’s Report** (*Sandy Buckstaff*)
- a. **TCD/FCWID Calendar of Events 2018 (Revised with “Compliance Signing” date).**
 - i. Sandy Buckstaff stated that the compliance signing will be carried over to the Joint TCD & FCWID Joint Quarterly Board meeting taking place January 14, 2019.
- V. Approval of Vouchers.**
- a. Lance Ash gave a review of the vouchers to be approved.
 - b. Johnny Ziem made a motion to approve the vouchers as presented; Lexey Wauters seconded the motion; motion passed by a vote of 4-0.
- VI. INTRODUCTIONS FROM THE PUBLIC:**
- a. Joe Burke:
 - i. He reported on observations he has had on the creek with a focus on the choke points. He noted that the choke points coincide with the rock weir structures and he believes the structures should be removed. He also noted that when snow-blowing takes place on sidewalks, it creates slush in the creek.
 - ii. Beaver activity that has curtailed flow in the creek was discussed.
 - iii. Johnny Ziem reported sighting a beaver down by Decker’s and stated there is a great deal of frazil ice in the creek.
 - iv. Strategy on Saturday morning of this last weekend was to remove the ice dams caused by the frazil ice.
 - v. Bill Klyn’s flooding on his property was discussed.
 1. It was pointed out that a problem exists where we cannot get excavator equipment access to Klyn’s property.
 2. Johnny Ziem pointed out that the Klyn home has been built very close to the creek.
 3. Discussion took place about entering the creek on Kaz Hishimoto’s property; however, due to the telephone box location, it may prevent access.
 4. Sandy Buckstaff asked if we had access through Kaz’s property, would we be dealing with frazil ice scooping it out from the bottom of the creek.
 - vi. Joe reported observations of how the willow branches that hang over the creek prevent the forming of frazil ice.
 - vii. Johnny Ziem reported the excavator worked about 5 hours.
 - b. Sandy Buckstaff inquired about any structural damage that may have taken place at Bill Klyn’s property. Johnny Ziem answered there has not been any such damage to his knowledge.
 - c. Carlin Girard commented how written reporting on the creek conditions is extremely valuable for documentation.
 - i. Johnny Ziem’s “Recap of Flat Creek Flooding: December 13th-15th, 2018” was commended.

- ii. Alice Widdess pointed out that she received photos from a Creekside Village Condo property owner on a regular basis, as well as photos from Franz Camenzind – and all these received photos get posted on the FCWID.ORG website.

VII. Mitigation Projects

a. Alder Environmental LLC

- i. Sandy Buckstaff reported that Alder Environmental is monitoring the creek in real time and he has received, along with other board members, Alder Environmental's REMOTE WEBCAMS instructions for viewing the creek.
 - 1. Alice Widdess stated she did not receive and requested an email with these instructions.
 - a. Johnny Ziem forwarded instructions to Alice.

b. Diversion Project

- i. Sandy Buckstaff reported that Bob Norton reported to him on meeting that took place with Bill Wotkyns and Kelly Lockhart. Kelly wants a structure that goes all the way across the creek that would be laid down in the creek in the winter and raised in the summer. That structure has a preliminary cost (worked up by Nelson Engineering) of \$110,000. Sandy pointed out that the originally-conceived structure and project was \$25,000 - \$30,000; so, there's about \$75,000 difference between the structure costs. Sandy commented that a structure that goes all the way across the creek would work well and better than what we now have; and we don't know yet how much Kelly Lockhart is willing to chip in for payment.
- ii. Lexey Wauters questioned if Kelly has the rights to all that water.
 - 1. Sandy Buckstaff answered that there is no recorded water right on his behalf to all that water in the State Engineer's office; however, he has been using that water.
- iii. Johnny Ziem mentioned that FEMA has mitigation funds available for flood and landslide mitigations projects; all the information was submitted by December 7th; funding would be up to 75% with a 25% match.
 - 1. Sandy Buckstaff stated the success in acquiring this funding is dependent on whether we can pull together a funding package to support these funds.
- iv. Lexey Wauters questioned whether or not it is a good idea to have a structure go all the way across the creek.
 - 1. Sandy Buckstaff recommended we consider having a representative from Nelson Engineering come to a monthly board meeting with a preliminary draft and present the project to the board.
- v. Johnny Ziem inquired if we can get Nelson Engineering to design the project. Sandy Buckstaff replied that we authorized them to do a preliminary design for our older concept and suggested they may be able to do some basic rudimentary designs for the newer concept for us to consider.
- vi. Bill Wotkyns reported on the following after his arrival to the meeting @ 10:05 a.m.:
 - 1. Bill reported that Yellow Iron Excavators are still working in the creek removing frazil ice and putting it on the land near Bill Klyn's property. He reported that they entered the creek through Kaz Hashimoto's property where they were able to get through by the telephone box; Bill suggests we eliminate any project we were discussing on improvements to Kaz's property.
 - 2. Bill stated Bob Norton has given a verbal description of his recommended project for the diversion.

3. Bill pointed out If we go forward with the design Kelly Lockhart desires, it would require easements from property owners on the other (north) side of the creek where homes are located. He also stated that he will meet with Kelly Lockhart to explain that FCWID cannot afford the new concept.
4. Bill commented that we missed the deadline for grant funding through the Small Waters Grant.

VIII. New Business

- a. Flooding that occurred this last weekend was discussed and the mitigation that took place was commended as being more aggressive and responsive than it has been in the past. Positive comments received were shared.
 - i. **ACTION ITEM:** Johnny Ziem to talk to Parks and Rec and Pathways to cordone off the flooding area on the pathway (near Berger Lane) with orange cones and sign with “danger”.
 - ii. Carlin Girard inquired about approximate cost for excavating and was given the answer of around \$5,000.
- b. Franz Camenzind asked about the status of creek at Town Center/Creek Condominiums? Johnny Ziem stated there has been no communications received about any problems.
- c. Lexey Wauters inquired about the Stormwater project status.
 - i. Carlin Girard gave update:
 1. Currently there’s a project slated for spring at Powderhorn Lane near Sandy Buckstaff’s property where Nelson Engineering has designed a filtration system. Another filtration system has been designed to be installed near Mad River on Hwy 89 where it dumps into Flat Creek.
 - ii. Sandy Buckstaff reported on the digitization of the Stormwater Master Plan he developed in 2001.
 1. He sent a copy of this plan to the new Town of Jackson Public Works Director who has a stormwater management background. She voiced to Sandy that she plans to form a Stormwater Master-planning Committee.
 - iii. Johnny Ziem reported he met with Nelson Engineering last week who has been designing large 54” concrete lines to be placed along Hwy 89 for stormwater management. He mentioned one project (the Powderhorn Lane Project) will take place this spring and mentioned this system will be very expensive. Johnny mentioned the TOJ will attempt to get funding for the Hwy 89 Project through WDOT, FEMA, and perhaps even the DEQ.
 1. Discussion took place on putting out an RFP and inclusion of best management practices into our LDRs.
 - iv. Discussion took place on what to do with the \$250,000 in funds that presently exist for the stormwater management plan and the establishment of a stormwater utility.

IX. Old Business

- a. **ACTION ITEM:** Bill Wotkyns & Lance Ash to look into an increase in the bonding amount and explore prices for \$100,000 bonding for three FCWID Directors. Alice Widdess to obtain pricing from Tegeler Insurance. *Done.*
- b. **ACTION ITEM:** “Compliance Signing” added to TCD/FCWID Calendar– Review of TCD checklist via compliance and signing off by FCWID Board Director(s) and approval at last TCD/FCWID Joint Quarterly Board Meeting for the calendar year. *Done.*
- c. **ACTION ITEM:** Alice Widdess to review current TCD/FCWID Calendar to ensure all items on Checklist are included on the calendar. *Done.*

d. **ACTION ITEM:** Alice Widdess to follow up with Valerie Linsenmann on status of WY DOA Proof of Cash Form. *Done.*

X. **Executive Session** - None was needed.

XI. **Adjournment:** Lexey Wauters made a motion to adjourn; Bill Wotkyns seconded the motion; meeting adjourned @ 10:16 a.m.

Respectfully submitted:

Alice Widdess, FCWID Administrative Manager

Alice Widdess

The Minutes have been approved:

Bill Wotkyns _____
Chairman Date

Lane A/L 1/14/19 _____
Treasurer Date