

MINUTES OF MEETING (draft)

In attendance: Bill Wotkyns, Johnny Ziem [arrived @ 9:11 a.m.], Sandy Buckstaff, Lance Ash, Lexey Wauters, Tom Segerstrom, Carlin Girard, Franz Camenzind, Joe Burke and Alice Widdess

- I. **Call to order.** Bill Wotkyns, President, called the meeting to order @ 9:00 a.m.
- II. **Approval of Minutes:**
 - a. **1/14/19 FCWID Monthly Board Meeting and 1/14/19 TCD & FCWID Joint Quarterly Board Meeting Minutes.**
 - i. Lance Ash made one correction to the 1/14/19 FCWID Monthly Board Meeting Minutes:
 1. Change the amount the Town of Jackson has in reserve from \$12,000 to \$15,000.
 - ii. Lexey Wauters moved to accept both meeting minutes, with the correction made by Lance Ash, as presented; Lance Ash seconded the motion; motion passed by a vote of 4-0.
- III. **Treasurer's Report (Lance Ash)**
 - a. **Bank Statements & Reconciliation Reports.** Lance Ash reported he has reviewed, and the statements and reconciliation reports as presented met with his approval.
 - b. **P&L Budget vs. Actual (July 2018 – June 30, 2019).** Lance Ash reported he has reviewed and pointed out we are using account #4061 – Flood Control and Mitigation includes the “lion’s share” of the recent flood mitigation that has taken place on the creek.
 - c. **Request for Funding Letter to Larry Pardee, TOJ Town Manager.** Lance Ash gave background on the request for funding letter to Larry Pardee, Town of Jackson (TOJ) Town Manager citing the existing 2015 MOU with the TOJ. He explained that part of this MOU states an agreement, subject to the TOJ’s budget appropriations, for reimbursement of 50% of flood mitigation expenses on Flat Creek. Lance stated this offsets a portion of the \$11,211.25 that has been paid to date this year for flood mitigation. Lance requested authorization for Bill Wotkyns to sign the Request for Funding Letter to Larry Pardee. The Board voiced their support of the letter submission.
 - d. **Toran Accounting LLC – 1099’s for 2018.** Lance Ash stated he has reviewed the 1099’s for 2018 and the submission to the IRS.
 - e. **Annual Report due to Teton Conservation District by March 1, 2019, refer to W.S. 41-8-112(b) for report requirements (include FCWID Checklist – contained in board packet).** Lance Ash suggested using last year’s submission to guide us as a template and pointed out Sandy Buckstaff prepared it for last year.
 - i. **ACTION ITEM:** Alice Widdess to forward last year’s submission to Sandy Buckstaff and the board and to work with Sandy to get submitted before March 1, 2019.
 - f. **First Interstate Bank Document re: Public Funds.** Lance summarized the purpose of the document that is received each year from the bank to ensure coverage of our deposits received.
- IV. **Secretary's Report (Sandy Buckstaff)**
 - a. **Joint TCD & Flat Creek Water Improvement District Calendar – 2019 (Updated 01/31/19).** Sandy Buckstaff reviewed the calendar updates re: process for obtaining \$100,000 Bonding for all signers of FCWID checks noting those updates that appear in March and July of 2019.
- V. **Approval of Vouchers.** Sandy Buckstaff made a motion to approve the vouchers as presented; Lance Ash seconded the motion; motion passed by a vote of 4-0.
- VI. **Introductions from the public.** Joe Burke stated he will reserve any questions until the discussions come up on the below agenda items.
- VII. **Mitigation Projects.**
 - a. **Current Conditions on Flat Creek & Flooding Status .**
 - i. Sandy Buckstaff noted the current existence of anchor ice and shelf ice. He questioned if the thaw well near his property near Garaman Park clears the creek down to Hwy 89? Bill Wotkyns confirmed that it does keep the creek clear down to the highway. Sandy Buckstaff asked if ice forms upstream from that thaw well, and Joe Burke answered that shelf ice forms upstream along with a small amount of anchor ice and the existence of slush and gave his observations from the bridge over the creek off Snow King Avenue. He cited the problem last year

from the ice jam that occurred in the Town Creek development that caused the shelf ice to get blown out. Joe Burke inquired if there were any problems reported this year in the Town Creek area, which is not in the FCWID district?

- ii. Discussion took on the changes in the hatches of bugs that has occurred on the creek by Willow Park and downstream and did the thaw wells shock the bugs into early metamorphosis? Carlin Girard reported there exists a formidable amount of anchor ice in Karns Meadow at this time.

b. Alder Environmental LLC Wintertime Data Collection

- i. **Flat Creek 2015-2019 Air Temp Analysis.** Bill inquired if the board members has reviewed the Alder Environmental temperature data report that shows 30-day period of temperature changes? Franz Camenzind pointed out on his stretch of the creek, when the temperature got colder, anchor ice began to form in the creek. Sandy Buckstaff reported that the earliest he can recall when ambient air temperature began to affect the creek was on November 10th (45 days ahead of the winter solstice).

c. Diversion Project. Bill Wotkyns stated there is nothing new to report.

d. Jordan Epstein (Hidden Ranch Property Owner) Flat Creek Emergency Maintenance Access Agreement Status. Bill Wotkyns reported that no signed Access Agreement by Jordan Epstein has been received. Other updates include: 1) The Town of Jackson has filed a lawsuit at the request of the Hidden Ranch HOA; 2) a “declaratory judgement” has been requested. Bill Wotkyns stated this situation as a “moot point” presently for this year since no access is needed.

e. Kaz Hashimoto Property – Damage from Track Hoe Access. Bill Wotkyns suggested we wait until the snow clears to determine what damage was done to Kaz’s property. Franz Camenzind asked if Kaz Hashimoto has requested damage repair? Bill Wotkyns responded with explanation on what occurred.

VIII. New Business

a. Re-evaluation of FCWID long-term goals and strategy for reaching them.

i. Discussion/Assignment of Tasks for long-range flooding mitigation measures:

1. **Thaw Wells:** Sandy Buckstaff will take on this task. He has prepared a document illustrating possible places for new thaw wells along with possible costs, possible assessments, and possible loans to obtain to cover the costs from the State Investment Board. He handed out his packets to board members.
 - a. Joe Burke expressed he feels the District will receive some “push back” on the installation of additional thaw wells as it may cause additional water to run downstream. He pointed out when Mark Barron was the Major, Mark had mentioned concerns about diminishing our ground water and the expense of electricity to run the thaw wells. Sandy Buckstaff responded to these concerns referring to them as “red herrings” and voiced his thoughts on correcting this patently incorrect misinformation. Discussion took place on past history of thaw well operations and their impact on stream flow. Carlin Girard suggested that data collection received makes for a good basis for feasibility studies.
 - b. Franz Camenzind addressed the necessity of creek flooding over the years that maintains the environment and creates a habitat along the creek, stating that if we stop flooding it may affect our natural environment. He pointed out this must be taken into consideration in our reevaluation of goals and it must be in the FCWID’s perspective of the constant growth in our community as it relates to our ground water.
2. **Pathways:** Lexey Wauters will take on this task. She will work with Pathways to determine possible locations where an increased elevation would be effective for pathway users’ safety and protection created for adjacent property owners. Berms and flood walls were suggested to protect pathways and properties. Franz Camenzind suggested targeting those areas on the creek that need attention to protect properties – and it may involve Pathways, or it may involve other suggested measures.
3. **Individual Property Owner Mitigation and In-stream Modifications:** Lance Ash will take on these tasks. Discussion took place on the following to be addressed: flood walls built; berms built; ditches that need redirecting/removed; working with District property owners on what they need to do individually to protect their own properties through landscaping, etc.; working with any instream modifications. Johnny Ziem gave updates on a potential tree removal in Garaman Park. Sandy Buckstaff responded that he prefers low limb removal since that tree exists on part of his property. Lexey Wauters brought up idea of moving Thaw Well #2 upstream to give better protection to Garaman Park pathway.

4. **Access Agreements:** Bill Wotkyns will take on this task. Franz Camenzind emphasized the need for access during the summertime as well as wintertime.
 5. **Stormwater Treatment** – Lexey Wauters will take on this task. Johnny Ziem reported on the stormwater treatment going in presently at the end of Powderhorn Lane as well as the project planned for next year near S. Hwy 89 which will cost over 1/2 million dollars. A stormwater utility was discussed. Lexey Wauters inquired about the new Public Works Director and where she is in the discussion and plans for stormwater treatment? Johnny Ziem stated it would be discussed along with a Stormwater Master Plan at an upcoming Town Council meeting. Tom Segerstrom mentioned a Bill in the Wyoming Legislature re: Utility for Stormwater. Johnny Ziem also reported about recent spike in sewer flow into the sewer treatment plant which could be sewer manholes located near the creek or property owners who may be pumping crawl space water into the sewer, which is against the law. He also mentioned two streetsweepers that have been added. Johnny Ziem stressed importance of adherence to the Comp Plan. Discussion took place on including Stormwater Utility on a SPET initiative.
- ii. **Strategy for moving forward was discussed.**
1. The Board members agreed to keep the reevaluation on the monthly FCWID meeting agendas and by May or June, work on obtaining updates from each task and then put together a draft plan that represents a collection of ideas and updates for actions and then find funding sources to cover the expenses.
 2. Franz Camenzind suggested having workshops to get to these goals since some of these tasks may take a great deal of time.
 3. Lexey Wauters suggested intermittent meetings that involve District Members (e.g. Bill Klyn) to be involved on committees.
- b. **Tom Segerstrom's (TCD) MOA Partner Meeting** – see this link to the TCD Strategic Plan: https://static1.squarespace.com/static/59c944de59cc68469d159b28/t/5c2f7c2e88251b2a5b1d4cee/1546615855894/TCD_2015_Strategic_Plan_Updated_01_2019.pdf
- i. Tom Segerstrom gave the background on the existing MOA with FCWID and the TCD requested meeting to learn of FCWID needs. He stated the first draft goes to the TCD Board of Supervisors in March with a final vote to take place in June.
 - ii. Bill Wotkyns pointed out that funding for science has been the TCD focus in the past for which we have been receiving an average of \$30,000, and the FCWID needs to determine the needs we want to proceed forward with for TCD funding.
 - iii. Lexey Wauters asked Tom Segerstrom if on the ground projects could be considered for these FCWID needs.
 - iv. **ACTION ITEM:** Include this subject on the FCWID Monthly Board Meeting scheduled for March 11, 2019 where FCWID Board Director's input can be received and the FCWID needs can be compiled into a paragraph can be developed to submit to TCD.
- c. **Phoebe Coburn's Blog – "Freezing and Flooding on Flat Creek"**. Bill Wotkyns expressed that Phoebe did a great job. Lexey Wauters suggested a link on the blog to the FCWID website. **ACTION ITEM:** Alice Widdess to request and discuss with Phoebe.
- d. **Conservation District & Special District Training – Feb. 27-28, 2019 (available online @ TCD offices).** Bill Wotkyns advised board members to attend, especially if they have not participated in the past. Lexey Wauters asked if there will be a PowerPoint summary, and, if so, she requested it be distributed to the board. **ACTION ITEM:** Alice Widdess to obtain and include in next FCWID Monthly Board Meeting packet.

IX. Old Business

- a. **ACTION ITEMS:**
- i. *(Sandy Buckstaff)* Obtain Nelson Engineering Invoices for FCWID Payment **Done**
 - ii. *(Sandy Buckstaff & Alice Widdess)* Updates to Joint TCD/FCWID Calendar of Events for 2019 re: Bonding Increase dates & Checklist Included in Annual Report to TCD **Done**
 - iii. *(Lance Ash)* Submit Recommended Changes to Emergency Maintenance Access Agreement Document **Done**
 - iv. *(Bill Wotkyns)* Kaz Hashimoto Property – Determine the Project for FCWID **TBD after snow melts**
 - v. *(Johnny Ziem)* Talk to Parks & Rec and Pathways about Providing Proper Signage for Pathway Flooding Areas **Remove**

vi. (Alice Widdess) Obtain Letter from Larry Pardee & TOJ re: Acceptance of Johnny Ziem as Larry Pardee and TOJ's replacement on FCWID Board. *(Done and in board packets)*

X. **Executive Session.** No session was required.

XI. **Adjournment.** Sandy Buckstaff made a motion to adjourn; motion was seconded by Lexey Wauters; meeting adjourned @ 10:19 a.m.

Respectfully submitted:

Alice Widdess, FCWID Administrative Manager

Alice Widdess

The Minutes have been approved:

W.H.W. Ty _____
Chairman Date

Lynn Ail _____ 3/11/19
Treasurer Date