

**Flat Creek Water Improvement District (FCWID)**  
**Board of Directors Meeting**  
**Monday, September 14, 2015**  
**9:00-10:30 a.m.**  
**Teton Conservation District**  
**420 W. Pearl St., Jackson, WY**

**MINUTES OF MEETING**

*In attendance: Franz Camenzind, Lance Ash, Missy Falcey, Kelly Lockhart, Mike Welch, Carlin Girard, Alice Widdess*

- I. **The meeting was called to order at 9:02AM.**
  - a. Franz Camenzind, Vice President, conducted the meeting.
  - b. Franz Camenzind requested that the minutes reflect the attendance of three FCWID Board of Directors, two guests and Carlin Girard from the TCD.
- II. **Approval of Minutes of 8/3/15 FCWID Board Meeting**
  - a. Motion to approve the minutes of the 8/3/15 FCWID Board meeting was made by Missy Falcey; motion seconded by Lance Ash; motion passed.
- III. **Treasurer's Report, Proposal by Toran Accounting, and Signer for Local Government Annual Report Summary FYE 6-30-2015 (Lance Ash, Treasurer)**
  - a. Lance Ash, Treasurer, presented the Treasurer's Report with the supported documentation contained in the Board Packets.
    - i. **ACTION ITEM:** Alice Widdess was directed to invoice the Town of Jackson and the Teton Conservation District for the FCWID 2016 Budget Requests.
    - ii. **ACTION ITEM:** Lance Ash reported on the WID's profit and loss statement for the period 7/1/15 to 9/30/15 (report in board packet dated 10/2/15). The WID's 2016 budget does not contain an expense line item titled "Postage & Shipping". Lance Ash stated that the "Postage & Shipping" expense line item will be eliminated from the profit and loss statement, and the following adjustments will be made within the profit and loss statement:
      1. Office Supplies – change from \$113.48 to \$109.
      2. Media/Outreach – change from \$100 to \$143.46
    - iii. **ACTION ITEM:** Lance Ash stated that he is concerned, with the upcoming elections, that the WID may need more funds in the "Advertising" budget. According to Wyoming State Statute 16-4-112, the WID can transfer funds between budget accounts through a Board Resolution. Lance Ash recommended that the WID have a resolution prepared and voted on that would allow all budget funds, which is \$500, with the "Miscellaneous" budget, to be transferred to the "Advertising" budget. Lance Ash will work with Matt Turner, the WID's legal counsel, on preparing a resolution.

Motion was made by Missy Falcey to transfer funds, as needed and explained above; Franz Camenzind seconded the motion. Discussion: Franz Camenzind asks if our current budget amount for "advertising" is sufficient. Lance Ash answered that we will know more after he and Alice Widdess meet with the Teton County Assessor's Office on the election process. Motion approved.
    - iv. Bank Reconciliation reports were reported correct by Lance Ash. Motion to approve was made by Missy Falcey; Franz Camenzind seconded the motion; motion approved.
  - b. **Toran Accounting Proposal**
    - i. Lance Ash reported that as we grow and get more revenue, it drives the type of reporting required by the state, and we need an additional layer of oversight for the accounting of use of public funds.

1. He reports he met with Toran Accounting and suggested transferring our budget line items to general ledger numbers that sync with the state special district account numbers.
  2. Toran Accounting proposes their services would run between \$50 and \$100 per month to reconcile bank statements and prepare reports, pointing out as the bank statements become more complicated and have more transactions, that fee may go up.
  3. Alice Widdess would still be doing the invoicing, paying of bills, and completing the deposits.
  4. Lance Ash recommends getting this process with Toran Accounting started now.
- c. Signer for Local Government Annual Report Summary FYE 6-30-2015 (F-32 Cash Report)
    - i. Lance Ash reported that this Summary is due by the end of this year (12-31-15).
    - ii. He is working on finding a person to sign off on this form.
  - d. Franz Camenzind gave special thanks to Lance Ash for the professional job he is doing.
- IV. Approval of Vouchers (Lance Ash)**
- a. Lance Ash reported seven vouchers totaling \$1,627.66.
  - b. Motion was made by Missy Falcey to approve the payment of all vouchers; Franz Camenzind seconded the motion; motion approved.
- V. MOU – FCWID and TCD (Franz Camenzind)**
- a. Franz Camenzind reported we reviewed this at the FCWID-TCD Joint Quarterly Board Meeting on 9/10/15.
    - i. The TCD expressed that they accept the present draft of the MOU, and felt it properly addressed emergency funding (MOU Item 4,b) and eminent domain (MOU Item 4,c).
    - ii. The TCD stated it is up to the FCWID to approve via a signature from Bill Wotkyns, and then Sandy Shuptrine would sign the document.
  - b. Missy Falcey stated she felt we are ready to move forward with the document.
  - c. Lance Ash pointed out that the document is not binding.
  - d. Franz Camenzind recommended the board approve the signing of the MOU.
  - e. Missy Falcey made a motion to approve the signing of the MOU by Bill Wotkyns; Lance Ash seconded the motion; motion approved.
  - f. **ACTION ITEM:** MOU to be signed by Bill Wotkyns, and Alice Widdess to take back to the TCD for Sandy Shuptrine’s signature.
- VI. Report on Flood Management Outline & Teton County Multi-Hazard Mitigation Plan (Franz Camenzind)**
- a. Franz Camenzind reported the FCWID has the emergency draft that Shawn O’Malley put together – an **ACTION PLAN** – and it is a top priority for the FCWID district for mitigation of any possible creek flooding to get this plan polished.
    - i. Franz Camenzind stressed the priority in getting this document off the ground and activated.
    - ii. **ACTION ITEM:** Franz Camenzind and Larry Pardee are to meet with Shawn O’Malley on the document to get more details added, and he asked the board of directors for any suggestions/additions and feedback be sent via email.
    - iii. Missy Falcey asked if we needed to develop a sub-group to polish it?
      1. Franz Camenzind responded that it would be helpful to have anyone in the district/community/or any landowners to be involved.
    - iv. Franz Camenzind pointed out the document identifies access points on properties, and that the FCWID legal counsel, Matt Turner, is working on an access agreement with property owners. He also reported that Bill Wotkyns has been working with Audrey Cohen-Davis to obtain the TOJ agreement.
      1. **ACTION ITEM:** Access Agreement to be drafted and presented at next FCWID Board Meeting October 5, 2015.
  - b. **ACTION ITEMS:** We need outreach to our district members, and –

- i. It was suggested we do a posting on our website that the FCWID is working on an emergency plan, and suggest members attend our meetings to contribute their ideas to the final plan.
- ii. Lance Ash suggested we send an email blast to all the email addresses we currently have for district members, keeping the messaging the same as that put on the website.
- iii. Carlin Girard, TCD, suggested that actual locations be marked on a visual map for the district members to view; and he mentioned that Rich Ochs, Teton County Emergency Management, would be important to include.
  - 1. **ACTION ITEM:** A laminated, large map that could be used at meetings was recommended by Carlin Girard, and he suggested the TCD create one for this use.
- iv. It was pointed out that the access points must be agreed upon for internal review.
- v. Franz Camenzind recommends having conversations with landowners of those access points.

**VII. FCWID Credit Card Resolution (Lance Ash)**

- a. Lance Ash reported in reviewing the WY State Guidelines for special districts, they are not in favor of using public funds for reimbursement of expenses; therefore, he is asking the board for permission to apply for an FCWID Credit Card with a \$500 limit.
  - i. Missy Falcey made a motion we apply for the FCWID Credit Card with a \$500 limit; Franz Camenzind seconded the motion; motion approved.
- b. Franz Camenzind inquired when it would be available, and Lance Ash replied we would have it in about a week or so.

**VIII. FCWID Statement of Investment Policy Resolution (Lance Ash)**

- a. Lance Ash reported that the Statement of Investment Policy Resolution is another WY State Statute requirement, and the document is valid for the calendar year.
- b. Missy Falcey made the motion to approve the FCWID 2015 calendar year Statement of Investment Policy Resolution; Franz Camenzind seconded the motion; motion approved.

**IX. Independent Contractor Agreement for Alice Widdess, Administrative Manager (Alice Widdess)**

- a. Alice Widdess reported the agreement has been reviewed by Bill Wotkyns and then submitted to our legal counsel, Matt Turner, who offered some minor edits and it is ready for the FCWID Board of Director's approval.
- b. Lance Ash moved to approve the Independent Contractor Agreement for Alice Widdess; Missy Falcey seconded the motion; motion approved.

**X. FCWID Taxing Committee**

- a. It was reported the Lance Ash and Alice Widdess will find out the assessment process, with details of dates and times from their requested meeting with the Teton County Assessor's Office (Andy Cavallero, Kristen Williamson) and Donna Baur, Teton County Treasurer.
- b. Franz Camenzind asks how the assessment funds come back to the FCWID? What that process involves. Is a list of district members who have paid to be available?
- c. Missy Falcey asked if we could borrow against those receivables? Lance Ash answered, yes, the FCWID has the power to borrow.
- d. District Members vs. Voting Members – Alice Widdess explained:
  - i. District members get one vote for their property; however, if there are other registered voters living on their property, each registered voter gets to vote;
  - ii. LLCs, Corps, Ltds, Trusts, and HOA's within the district have been separated out of the District Member list and Emily Hagedorn, TCD, and Alice are working on the required Affidavit Mailing to each of these entities where they are required to designate one person to vote. These are due to be given to the Teton County Clerk's office by October 3, 2015.
  - iii. Missy remarked that we need absolute clarity about the voting process and procedures and that identifying district members remains a top priority.

**XI. Report on Meeting with Tom Campbell**

- a. Franz Camenzind voiced he was not comfortable reporting on this meeting with Tom Campbell, since he was not in attendance.
- b. Franz Camenzind reported on the feedback received at the Joint Quarterly Board Meeting (9-10-15) from Tom Campbell, who expressed he was anxious for the FCWID to get going with our plans, and that the TCD will support the district any way they can.
- c. Franz Camenzind also reported the announcement made at the Joint Quarterly Board Meeting that Randy Williams will be retiring from the TCD.

**XII. FCWID Election for two (2) Director's positions – Candidates: Lance Ash, Sandy Buckstaff, Richard Lee Martin (Alice Widdess)**

- a. **ACTION ITEM:** Alice Widdess to obtain short bios for the three candidates and get posted on the FCWID website, as well as include in the ballot mailing which she will work on with Emily Hagedorn, TCD and the TC Clerk's office.
- b. **ACTION ITEM:** Alice Widdess will give bios to Carlin Girard, TCD, for posting on the TCD website.
- c. **ACTION ITEM:** Alice Widdess to meet with Emily Hagedorn to find out what the FCWID is required to do with public media (i.e., *JH News & Guide* and *Planet JH*).

**XIII. Review of TCD/FCWID Quarterly Joint Board Meeting**

- a. Franz Camenzind reported it was a good meeting that demonstrated the value of communications for the FCWID with the TCD.
- b. **ACTION ITEM:** Alice Widdess to send draft minutes of this meeting with attachments to all FCWID Board of Directors.
- c. Franz Camenzind reported it was suggested that the FCWID present more detailed reports at these joint meetings that include goals for the rest of the year, location of access points, etc.
- d. Lance Ash explained that part of our MOU with the TCD provides a process (i.e., financial statement) and Lance suggested following that structure mentioned in the MOU, reporting on here's what we have done and here is where we are going, keeping the TCD informed on our progress.
- e. **ACTION ITEM:** The FCWID board recommended the following: At each FCWID board meeting, we summarize and pull out points to be reported at the next Joint Quarterly TCD-FCWID Board meetings.
- f. Carlin Girard reported he felt the last Joint Quarterly Board Meeting had good interaction that took place. He reported he has heard some negativity expressed at the TCD board meetings re: FCWID functions and progress; so, he encouraged the FCWID to keep communications going, expressing that he cannot overstate the importance of the required reports and that they should be taken seriously in order to keep the TCD board informed.

**XIV. New Business**

- a. **Data Collection.**
  - i. Franz Camenzind stressed the need to collect data and get studies done.
    - 1. He asks what kind of data should be we collecting now? How should it be collected?
    - 2. He expressed the need to find someone now to assign this task to in order to prevent any damage to properties from winter flooding, should it occur.
  - ii. Missy Falcey expressed that Tetra Tech would come this winter; however, a date was never nailed down since Tetra Tech wants to come when there is icing.
  - iii. Discussion ensued about who else could collect data.
    - 1. Tom Wesche was discussed as possible person, and it was pointed out that Bill Wotkyns was to get Tom Wesche's data that was collected.
  - iv. **ACTION ITEM:** Franz Camenzind suggested FCWID have a workshop with expertise present, Carlin Girard present, where we could strategize on how, where to collect data, stressing that time is slipping away, and this is what FCWID is supposed to be doing. Franz will talk with Bill Wotkyns to keep trying to find resources for expertise.
    - 1. Franz Camenzind asked if we are speaking with the right consultants. Carlin Girard expressed that it is "iffy".

- 2. Carlin Girard said there are definitely people with expertise available; but not just over the phone. They need to be here in person in order to assess and collect data.
- 3. Possible person would be Dan Leemon.
- 4. It was asked if we could set a definite date for consultants to come (i.e. January)?
- 5. Outreach to the community was discussed to find expertise in the valley that exists under the radar. Franz Camenzind asks if we should be "casting out" to find such?
- v. Mike Welch, guest, suggested the FCWID email the members we have contact information for of our needs, and they will tell others in the district.
- vi. Kelly Lockhart was asked if he has thoughts for the district; however, he expressed he has lots of thoughts; but the purpose of his attendance at this meeting was to simply observe.

b. Election of FCWID Directors

- i. Mike Welch asked if an elected director has to be in the district to be elected, and what are our requirements for attendance for an out of state resident?

1. Lance Ash pointed out the FCWID Bylaws allow for electronic attendance.

c. Grant Opportunities and future funding

- i. Franz Camenzind inquired about grant opportunities through Teton County.
- ii. Franz Camenzind reported that Tom Campbell mentioned there could be more funds from the TCD once the FCWID got moving forward with progress in the mitigation of damage from Flat Creek.

XV. Meeting was adjourned at 10:12AM.

- a. Motion to adjourn made by Lance Ash; in lieu of the absence of a quorum since Missy Falcey had left the meeting, the motion was approved.

Respectfully submitted:

Alice Widdess, FCWID Administrative Manager

Alice Widdess

*The Minutes have been approved:*

WFW/10/16/15      10/16/15  
Chairman      Date

Lance Ash      10/16/15  
Treasurer      Date