

Flat Creek Water Improvement District (FCWID)
Board of Directors Meeting
Monday, November 2, 2015; 9:00-10:30 a.m.
Teton Conservation District
420 W. Pearl St., Jackson, WY

MINUTES OF MEETING (Draft)

*IN ATTENDANCE: FCWID-Bill Wotkyns, Franz Camenzind, Lance Ash, Missy Falcey, Larry Pardee, Alice Widdess;
TCD-Carlin Girard; FROM THE PUBLIC-Joe Burke, Sandy Buckstaff, Mike Welch*

- I. **The meeting began @ 9:05AM**
- II. **Approval of Minutes (10/5 & 10/13/2015)**
 - a. Motion to approve the Minutes of the 10/5 & 10/13/2015 meeting was made by Lance Ash; Motion was seconded by Missy Falcey; Motion approved.
- III. **Treasurer's Report**
 - a. Lance Ash reported that Kenny Phillips and Alice Widdess worked on the required reports this weekend. Toran Accounting supplied the reports. The YTD net income is \$17,535; there is a projected loss of \$12,000 for the year. The current FIB bank account balance is \$53,141. Lance Ash approved the Bank Reconciliation report.
 - b. Lance Ash reported he is waiting for Mullikin, Larson & Swift legal counsel to give the status for FCWID operating in an unbalanced budget situation, at a deficit.
 - c. Check #2022 to Mullikin, Larson & Swift for \$270 has not been cashed.
 - i. **ACTION ITEM:** Alice Widdess to follow up with Matt Turner.
 - d. Vouchers – Lance reported there were two vouchers to be paid. Missy Falcey made a motion to approve payment; Motion seconded by Franz Camenzind; Payment of vouchers approved.
- IV. **FCWID Community Meeting (November 2, 4-6PM @ Teton County Library Auditorium A)**
 - a. Agenda for the meeting was discussed.
 - i. Franz Camenzind pointed out the Mission Statement was incorrect.
 1. **ACTION ITEM:** Alice Widdess to correct the Mission Statement that appears on the Meeting Agenda and the poster display at the Welcome Table. Also to make the discussed edits to the agenda and then email the final agenda to all board members.
 - ii. Discussion took place on each appointed speaker's topics.
 - iii. Discussion took place on meeting handouts to be provided (includes the two Access Agreements –one for mitigation and the other for monitoring to obtain data, Franz Camenzind's "Winter Flooding on Flat Creek - Are You Ready" handout).
 - iv. Alice Widdess providing sign up sheets to capture email addresses and phone numbers, and a supply of name badges.
 - v. Bill Wotkyns suggested Carlin Girard speak to why the FCWID is "out there" – to mitigate flooding and ice build up, to eliminate the need for track hoes in the creek. Carlin Girard questioned if he is the best person to speak on this subject, as he has not been that involved to date. Bill Wotkyns stated he would speak to the topic.
 - vi. Missy Falcey stressed that going forward it would be good to have Carlin Girard be the communicator with Brian Remlinger (Alder Environmental).
 - b. Timeline for the meeting was addressed:
 - i. 4:00-4:20PM – mingle time for guests to view visual displays.
 - ii. Missy Falcey to conduct the Q & A's
 - c. Franz Camenzind suggested someone represent the taxpayer's standpoint, should they ask, "Why am I being taxed twice?"
 - i. Discussion took place.
 1. Sandy Buckstaff pointed out that the TOJ has never imposed assessments levied on property taxes since 1979.
 2. Joe Burke inquired about the timeline for district assessments, and given the answer that it would be in FY 2017.

- d. Visual displays for meeting
 - i. Carlin Girard was asked to add four more access points to his maps of the creek (originally had nine access points).

V. Data Collection

- a. Bill Wotkyns reported that funding to support the data collection work (Alder Environmental, LLC) is still in the process of being approved by the TCD.
 - i. Bill reported on his meeting with the TCD Board of Supervisors.
 - 1. He presented the Board with the Alder Environmental proposal, and reported that, in general, they were in favor of it, with Dave Adams commenting, "this is exactly what we want to invest in".
 - 2. The Board requested a formal bid or estimate process where they obtain a pure review, and Bill Wotkyns reported that Brian Remlinger reached out to TetraTech who agreed to review the plan and write up a report covering what needs to be done.
 - a. TetraTech will charge \$125/hour and it will take between 2-3 hours, so the estimate is \$300.
 - 3. Bill Wotkyns reported that Brian Remlinger's work to date is \$500 for which he is either submitting as part of his proposal or via a separate invoice.
 - 4. It was reported that Sandy Shuptrine and Dave Adams are overseeing and looking into funds available, and the TCD Board will have this information and the data collection process voted on at their next board meeting.
 - 5. Bill Wotkyns reported he has a scheduled phone conversation with Tom Campbell and Brian Remlinger to discuss the ordering of equipment needed for the data collection. The goal is to monitor before the water freezes, so there could be a timing issue to deal with.
 - ii. Lance Ash thanked Bill Wotkyns for his work on this.
 - iii. Missy Falcey recommended the FCWID get Carlin Girard's involvement; however, Bill Wotkyns stated that Carlin Girard's work schedule would not allow for that involvement.

VI. Town of Jackson MOU

- a. Larry Pardee reported that Audrey Cohen-Davis, TOJ Legal Counsel and Matt Turner, FCWID Legal Counsel, were to meet last week.
- b. Bill Wotkyns reported that he has heard nothing on this meeting.
- c. Discussion took place on the value and purpose of this MOU.
 - i. Lance Ash pointed out that he believes it is a way to demonstrate to our district members the role we are going to play; and if a member is being assessed, and the TOJ is doing any monitoring of the creek, we can point out that FCWID has an MOU Agreement with the TOJ – "being joined at the hip" in a joint relationship.
- d. Discussion took place re: the two remaining weirs that FEMA wants removed, but TOJ engineers would like to remain for the Lomar study (this study involves a survey that is given to FEMA to prove properties are in their 100 year flood plan).
 - i. Larry Pardee reported that a meeting is taking place between the TCD Board of Supervisors and the TOJ next week, and Kurt Stout, with Meridian Engineering will be attending.
 - ii. Missy Falcey asked if removal of those two weirs would affect any conclusions in Alder Environmental data.
 - iii. Franz Camenzind pointed out the weirs have two functions: One to prevent icing; and the other for environmental impacts (i.e., Fishery).
 - iv. It was pointed out that the removal of weirs could make the water level rise.

VII. FCWID Access Agreements for emergency mitigation and monitoring

- a. Lance Ash reported that he and Bill Wotkyns attended a monthly Creekside Condo HOA Board Meeting, and introduced the access agreements as well encouraged them to inform their members of our website, emails, etc. and why we were formed.
- b. Lance Ash also reported that he has not heard back from Matt Turner's office that is reviewing the FCWID Board of Directors Liability Insurance & Bonding in relation to these access agreements.

c. **CONTRACTORS**

- i. Bill Wotkyns reported that he had a discussion with Mimi Faller, Mullikin, Larson & Swift, re: where contractors lay in respect to damage liability.
 1. Larry Pardee reported that contractors in the past that the TOJ has used have their own liability insurance, and listed the TOJ as insured; and he suggested the FCWID do the same at \$1,000,000.
- ii. The Independent Contractor Agreement was passed around to the board for review.
 1. Bill Wotkyns reported that Larry Pardee has called all contractors on the list that was given to the FCWID.
 - a. **ACTION ITEM:** Alice Widdess is to place follow up calls to obtain insurance certificates, labor and equipment RATE SHEETS and attempt to get the Independent Contractor Agreement signed.
- d. Bill Wotkyns pointed out another access property be considered – the property next to Bill Klyn’s home (570 Dogwood Dr., Owner is Kaz Hashimoto) – has a phone pedestal which is not on the property line and should be removed, along with a stump, and some bushes that the property owner agreed to have removed for access. \$10,000 is the estimate for access.
- e. Larry Pardee discussed that the WID has a perfect reason to go after available grant money and low interest state loans – it is because the WID exists for one thing only – to mitigate ice buildup.

VIII. Flood Management Outline & Teton County Multi-Hazard Mitigation Plan

- a. Franz Camenzind reported that he is completing his handout for tonight’s Community Meeting, and it contains references to the pricing for water tubes and other suggested mitigating items.
- b. HOA Meetings
 - i. Bill Wotkyns reported more on his and Lance’s meeting with Creekside Condo HOA Board which takes place the 3rd Tuesday of each month @ noon.
 - ii. **ACTION ITEM:** Bill Wotkyns to follow up with a phone call to Tina Korpi.
 - iii. Elk Run Townhouses NE – It was reported that Grand Teton Property Management will work with us to get information to this HOA.
 - iv. 810 West HOA – **ACTION ITEM:** Missy Falcey reported that she could get something to their HOA Board; however, they only have pedestrian access to the creek.
 - v. Eagle Village Professional Building
 - vi. Flat Creek HOA
 - vii. Ponderosa Village Condo Association – November 11, 2015 is their Annual Meeting and Lance Ash reports that there are no property owners within the district – just a common area.
 - viii. Hidden Ranch HOA – **ACTION ITEM:** Bill Wotkyns will follow up with them since his home is in this HOA.
 - ix. Willow Park Townhouses – January 2016
- c. Monitoring of various points along Flat Creek was discussed.
 - i. Bill Wotkyns stressed importance of assigning individuals to monitor designated points along Flat Creek, pointing out it demonstrates that the FCWID is responsible, and points out we need at least 8 people to do the monitoring. “Observers” would have the responsibility to check the creek twice a day, take a photo, report water level and report the activity to Brian Remlinger and post on the FCWID website chat board. Even if nothing is observed that is different, Observers should report “no activity”.
 1. Stellaria Lane - assigned to Bill Wotkyns
 2. Willow Park Townhomes area & Karns Bridge – assigned to Joe Burke
 3. Shelby Lane – Lance Ash
 4. Dogwood – Bill Klyn
 5. More volunteer observers will be asked for at tonight’s Community Meeting
 - ii. **ACTION ITEM:** Bill Wotkyns to work with Brian Remlinger to create a detailed procedure that includes the monitoring date range and entries on the Daily Log for all “Observers”.
 - iii. Joe Burke suggested using fluorescent orange poles in the creek to create something tangible for creek observations.

- iv. Larry Pardee suggested creating an email group so that information gets passed around for a full view of what's occurring in the creek.
- v. Franz Camenzind inquired if Brian Remlinger will be monitoring the creek daily, and Bill Wotkyns answered that Brian Remlinger's current proposal is to monitor two days a week, and that he will be performing other specific things (i.e., on the scientific side) the rest of the week.

IX. FCWID Tax Assessment to District Property Owners – Update on meeting with TC Treasurer, Donna Bauer & Teton Assessor's Office & Emily Hagedorn's Summary of WID Information on Taxation Process

- a. Lance Ash reported on the meeting with TC Treasurer Donna Bauer & Teton Assessor's Office.
 - i. Must submit the FCWID assessment details by the 4th Monday in July 2016.
 - ii. Learned that the FCWID can assess the TOJ and TCSD.
 - iii. Must decide on how we assess pointing out that a flat tax would work best, since a formula or matrix requires at least 3 appraisals per property – a very expensive process.
- b. Bill Wotkyns suggested the following: **ACTION ITEM:** Beginning in January 2016 until April, FCWID Agendas for Board Meetings will include working on our FCWID Budget projections, so we know what amount to ask for assessments. Goal is to have this assessment amount and our budget projections decided by March 15th, 2016.
- c. **ACTION ITEM:** FCWID will need to change its name to Flat Creek Watershed Improvement District.

X. Grant opportunities for future funding – Update on HMGP Mitigation Grant Funding Meeting

- a. Discussion took place on the grant-funding meeting and how funds are dispersed to the FCWID should it apply for funding.
 - i. Larry Pardee points out that coming up with the project cost is the challenge, and there is a 3-year cycle for a full-blown project that presents some complications.

XI. Motion to adjourn the meeting was made by Larry Pardee; Motion seconded by Lance Ash. Meeting adjourned at 10:44AM.

Respectfully submitted:

Alice Widdess, FCWID Administrative Manager

Alice Widdess

The Minutes have been approved:

W Wotky - 12/7/15
Chairman Date

Lance Ash 12/7/15
Treasurer Date