

Laramie County Conservation District

11221 U.S. Hwy. 30
Cheyenne, WY 82009

Regular Board Meeting

Thursday, Nov. 18th, 2021

4:00 p.m.

Attendance

Supervisors Present: Tom Farrell, Chairman; Ann Sanchez, Vice Chairman; Kevin Wells, Treasurer; Secretary; Jay Berry, Member, Casey Epler, Member.

District Employees Present: Shaun Kirkwood, Kathy Cooney, Dale Beranek, Clark Young.

NRCS Employees Present: Mason Peebles

FSA Employee Present: Vacant

Guest: Jeremy Manley

1. CALL TO ORDER

At 4:04 p.m. Tom called the board meeting to order.

2. AUDITORS REPORT, Rob Dickerson RLR, LLP – 2020/2021 report

Rob presented an overview of the audit for fiscal year '20-'21. Rob asked if everyone had received a copy of the audit. It was just received this afternoon, so the Board was sent a text and probably had not had an opportunity to review it.

Rob stated he would highlight the important topics, and would be glad to respond to questions from the Board if needed. Rob stated the Independent Audit Report on page 3 states the District received a "Clean Opinion" audit, which is good.

Rob next looked at the Management & Discussion & Analysis, and then the statement of net position and balance sheet on page 9. Rob explained each column amount with non-current assets stating this is the new building at the Cheyenne Business Park Natural Area that the District has taken possession of with a value. Rob next explained the liability side with current obligations noting the non-current maintenance liability being the long term contract with LEADS for the property at the CBPNA. RLR, LLP, calculated the overall expense, and that is reflected in the \$480,893.00 amount. Above is the current maintenance liability figure of \$7,000.00 which would be an annual cost to maintain the CBPNA. Shaun asked if this figure would vary each year as the District develops the area. Rob stated no, that this figure is a set amount, but will amortized off over time. Page 10 shows expenditures and revenue. The general fund column shows cash in-cash out. The adjustments columns reflects changes in those long term activities. This statement is set up in reverse order stating expenses over revenue.

Rob noted footnote #1 states how the District handles funds, and outlines how funds are categorized. Footnote #3 shows assets held by the District. Footnote #8 shows the main source of revenue is the Mill Levy, and that the Mill Levy was passed in 2020. Rob discussed the Pension Liability saying it is a lot of background accounting and computations and the District has little or no say in these figures. Jay asked when monthly payments are made to WY Retirement System, should the District be free of the obligation. Rob stated the District is accurate in what needs to currently be funded. Rob discussed the Budget disclosure on page 26. Capital Outlay being the largest as the District expected to build last year. Kevin asked about the increase in the Mill Levy increase amount. It is correct.

Rob discussed the Significant Deficiencies – 2021-01 Separation of Duties. This is a default every year, and with only one bookkeeper, and limited staff, there is no way around it. Rob stated the Board should be cognizant of this.

Jay asked about another employee taking credit card payments, and Rob stated the more the District can segregate duties, the better for the District.

Shaun stated the District will begin having him sit and reconcile the bank statements with Quickbooks to help with control, and be aware of a missing check number. Rob stated another way to track payments is to review the vendor list, and to review payment amounts made. Kathy stated the Board now opens bank statements to review, signs and dates them.

Shaun asked about checks going extinct, taking payments online, and maybe eventually paying vendors online. Rob stated when that happens, Kathy may key in the invoice, the Board should approve the list of payments to be made, and another employee or Board member should hit the “pay” button. Kevin asked about repeat vendors, and set monthly payments. Rob discussed “bill pay” with banks, less control, but more cost effective. Rob stated they could assist with this transition if and when the District is ready to move in that direction.

3. MINUTES OF THE PREVIOUS MEETING- Sept. 16, 2021

Casey moved to approve the minutes from the previous meeting & thanked Ann for the treats;
Ann seconded the motion. MOTION CARRIED.

4. TREASURER’S REPORT- Profit and Loss Statement – (Sept. & Oct. 2021) Profit and Loss Budget Overview July-Sept. (quarterly) 2021 Shaun

Kevin asked when the check to Recco/Five R would appear in the statements. Kathy stated it will be in the Nov. financials.

Shaun presented the Treasurer’s Report and Kevin recommended to submit it for audit.

5. PROGRAM REPORTS – –Education (Ann)

Ann asked how the volunteer is working out. Shaun stated Lori Chestnut is the volunteer and she is eager to work on projects, but the direction needs to come from Shaun and he doesn’t have the time right now. She is currently monitoring the trail cameras at the Nat. Area. Ann asked if this is the direction the District is wanting to go rather than hire another employee. Kevin asked about PR

for the District. Shaun stated he believes the image of the District should be the employees, so Shaun is currently limited on what he can have her assist with. Kevin asked if she was invited to the awards banquet. Shaun stated Lori is a recipient of one of the Conservation Awards from previous work with the District.

-Wildlife & Range (Kevin)

Kevin apologized for missing recent meetings. Kevin asked if anyone has seen the projects Kevin Monty does from the University of WY. Kevin stated there is a mule deer that has set the record for migration. She is 9 years old and has traveled an average of 255 miles a year. Also \$500,000.00 has been awarded for some deer overpasses. Kevin assisted with the Muley Fanatics Banquet on Saturday and, just in the auction alone, it made over \$80,000.00. Generally the banquets makes around \$40,000.00. Funds will be appropriated next spring into projects within Laramie County and a little bit in Albany County.

Shaun stated that the Pine Bluffs Pheasants Forever Chapter is going to be dissolved. Pheasants would like to give the District around \$15,000.00. Shaun stated guzzlers could use some maintenance.

Kevin stated he had attend National FFA Convention and WY was well recognized. Kevin suggested the District talk to the FFA Chapter in Pine Bluffs about getting involved in working on the guzzlers.

Jeremy Manley stated he had attended a public meeting for the Audubon chapter, and the speaker is a board member of the Common Outdoor Ground, COG. A group that does trail maintenance, cleanup, etc., and is looking for potential projects with public access in the area. Jeremy told the board member that the work that has been done historically on the town of Pine Bluffs property. The group is looking for projects other than on Pole Mountain. It was discussed if guzzlers are on public or private lands.

- Water (Tom)

Shaun stated Jeff is working on a grant with Fish & Wildlife Service, Mindy Meade, with a value of \$30,000.00. It would be used on the south side of Campstool to reseed into pollinator and monarch butterfly habitat. That corridor is one of the biggest used by monarch butterfly. Shaun is meeting with Audubon tomorrow, and is hoping to get \$5,000.00 to possibly pay for the seed. This would be the first project like this.

Kevin stated the state is working on getting the MS4 out for sewer and small water controls. Ongoing meetings with the city.

Jay referenced Rex & Jeff's narratives and asked about working on small water projects while Rex is out of the office. Shaun stated Rex is able to work some from home, and that he would be emailing some files to Rex. Shaun pointed out that time is being documented on both Jeff & Rex's narratives for work on the small water projects as they are labor intensive. Jay asked Mason, NRCS, about the 8 hours documented as Mason was a part of that day. Mason stated it took an hour to get to the site each way, driving around the property, viewing a lot of tanks, and paperwork with the landowner.

Kevin questioned how Rex will be logging his time working from home. Shaun stated he will be using sick leave, and it is an honor thing.

Shaun also stated the District attend and presented at the Ag Expo this year, and FFA members were to assist. Shaun stated he had never met Kevin's daughter, and wanted to relay that she did a great job of keeping the kids on task and focused.

- Trees (Casey, Dale, Clark)

Dale stated is doing a lot of windbreak designs. Dale stated word had been received WYDOT is thinking of starting up the Living Snow Fence Program again for \$100,000.00. A project would be the intersection of I-25 ramp to I-80 east. Dale submitted for almost \$52,000.00. Not many people are submitting for funds.

Jay asked about a county living snow fence on Road 222 that is going to have a huge drift problem. Dale stated funds have been obligated for 2022 for Happy Jack & Road 109, so it would have to be 2023. Dale will keep it mind as the county has said wherever Dale feels there is a need for tree rows, he can submit for funding.

Clark is also doing windbreak designs, and they are about half way through this year's requests, and tree calls. Clark assisted at the Ag Expo, hosted a pruning and a planting class. There has been a lot of interest in another planting class possibly this spring. Clark assisted with some work at the Natural Area, installing tree cages to help keep the deer off. Clark stated the CO Nursery has a low inventory on trees, and the District is sold out of several special already.

Casey stated great job and that his trees had survived.

- Administration (Jay, Shaun, & Kathy)

Kathy stated she had met with another furniture rep this morning, and that office desks are quite expensive. The district is trying to stay within a budget that is not excessive, and still serves a purpose. Kathy was asked if employees were given the choice of a standing or sitting desk, and yes employees were given that choice.

Shaun stated Jan. 22, 2022, the District will help host a Local Work Group at M Building at Archer. In the past the three counties had a joint local work group, and each county came up with their own priorities and counties argued, so this year it was decided each county would host their own and then approach the other counties. This is a Saturday, as it has been hard to get good attendance during the week. It will be advertised in the paper, the website, Instagram, Facebook, and it is in the newsletter which comes out Dec. 5. Shaun asked the Board to attend and give input. Mason stated Don Day would also be attending.

Jeremy Manley asked if a request to attend for cooperating agencies will be made. Jeremy said he would represent the State Engineer's office.

Shaun asked to begin thinking of a Legislative luncheon. In the past the District has hosted a luncheon, a breakfast, and not sure there would be attendance this year. Shaun stated legislature begins in Jan. and it is already Nov., so contact him with ideas.

Shaun stated the awards banquet will be Dec. 3, with recipients being Lori Chestnut, Chris Vercelli, Brenda Cowley, and Jackie Roaque, Forest Service. The staff will do the write-ups and present unless a board member would like to present. If a board member would like to present, please let him know.

Shaun stated the shop doors have been delayed. Tentative move in date is now April or March. The parking lot is hoped to be paved next week. Shaun met with the security people this week, the interior walls are being put up, the roof has been delayed until maybe Dec., and a secure parking lot has been added to the west end of the office. Shaun is working on the Annual Plan, Annual Report, and Executive Summary.

Kevin asked about the interior and if windows had been installed. Shaun said there is plastic over the window openings as the windows are on delay as well. Shaun asked if anyone wants to view the site, he goes every Monday.

Kevin asked if anyone is attending WACD state convention in Cody. Ann is interested. Kevin stated the state has done some studies on Horse Creek and found high levels of arsenic, which affects more of Goshen County, which really doesn't impact Laramie County. Kevin wasn't sure if DEQ would do a talk. Shaun stated the agenda for convention is light, it is a long way to go, there are no breakout sessions, and it is not offered in zoom. Kevin stated he didn't think there was a need for Shaun to attend for this reason.

Jay stated job well done.

-NRCS (Mason Peebles)

Mason stated NRCS is starting the next cycle of EQIP, and the application deadline is this coming Monday. Mason stated a lot of applications are urban ag, interested in high tunnels, tree plantings, which NRCS directs the tree plantings to the District. CRP is complete for the year with the new sign up in early 2022. A lot of CRP is expiring. More than this current year. NRCS will probably be working on quite a few renewals, and maybe some expiring CRP stock water type projects.

Mason mentioned the Local Work Group meeting Shaun had already mentioned, and asked for input to give the group guidance on what to focus on for the year with so many programs and the ability to do so many different things.

Mason stated staffing wise, Justin is still in Alaska, Tyler is on maternity leave for 3 months, and a new guy that will be replacing Justin just started last week and is from Minnesota's NRCS. His name is Thomas Tjepkes.

Kevin asked if the incentive to renew for CRP was good. Mason said Laramie County has been good the last couple of years, and Goshen and Platte Counties have been all over the place the last couple of years being really low two years ago, and last year they got an increase for as much as Laramie County, and Mason stated he was told someone made a mistake and numbers were going back down again.

Conservation Plans:

- ② (1) CRP, new x 10
- ② (2) CCR-G x 3

Ann moved to approve the listed Conservation Plans.
Kevin seconded the motion. MOTION CARRIED.

-FSA (vacant)

Mason stated Robin accepted a job in South Carolina due to family health issues. FSA CED position is vacant, it was posted and had exactly zero qualified applicants. Jay asked what it took to become a qualified applicant. Shaun stated a person had to go through a certain training program.

Discussion Items:

- 6. Board of Supervisors/District Manager signatures on documents** – needed flexibility by the District Manager due to time constraints and landowner coordination.

Shaun stated the District is running into some issues getting documents signed in a timely matter. A good example is a small water project needed signatures at the last minute. Shaun has done some research and inquired with Hunter, WACD, not taking signatures away from the Board, but the Board giving Shaun authorization to sign documents. Shaun stated anything he signs will be approved down the road.

Shaun stated it just needs to be documented in the Board Meeting Minutes that authorization was given.

Kevin asked about WACD's stance on doc-u-sign. Shaun said there was not a problem with that and the District has done so in the past. Kevin said he would be available via email as well.

Jay moved to approve Shaun Kirkwood, District Manager, can sign documents for LCCD.
Kevin seconded the motion. MOTION CARRIED.

- 7. LCCD employee benefits** – continued conversation of benefits provided.

Shaun stated these are on the agenda again as the employee's policy and the oversight policy manual contain this information and until something is decided on the employee benefits, those policy manuals can't be completed. The oversight policy just needs approval. The employee policy would need to go to an attorney for review.

Ann asked about how it was left with COLA's and employee raises. Shaun stated those have all been approved with FY '21-'22 Budget.

Tom stated it was discussed in the executive Board meeting held in September. Ann stated Jay took minutes of that meeting. Tom stated they had discussed with going with additional monetary support, and Tom thought Ann's plan was to not give the additional monetary support, but just enact the changes at the calendar year based on percentages. Ann stated she thought it was suggested the District would give the monetary support to assist with the cost, then it was discussed to let benefits go for two years, and then she wasn't sure what was decided.

Jay stated from his notes it was not specifically stated what was done. Jay stated it needs to be revisited to decide what the Board needs to do.

- 8. Oversight Policy Manual** – conversation, changes and approval?

Tom asked if changes were highlighted in the oversight policy. Shaun stated if it was a change, it was highlighted.

Shaun then noted a new item stating that if an employee/board member is scheduled to go to a meeting, and the individual bails, that individual must reimburse the District based on a determination of the Board. Shaun added this after reviewing policy manuals from city, state, counties, and other entities.

Shaun also noted another new item (#30) was added that was his idea by limiting the number of attendees to National Convention because it is super expensive and he wants to make sure it is benefitting Laramie County.

Tom suggested not limiting it to one Board member because of his experiences, and to go to meetings and bounce things off each another. Tom feels it is highly highly important Board members are able to go. Tom stated John Eklund stresses immensely how important it is for Board members to go.

Shaun stated it could be a combination of staff and Board members, and the staff has stated they do not get a lot out of National Convention because it is above and beyond Laramie County. Tom stated it should be left open to any Board member that wants to go. Shaun stated he needs to know who wishes to attend, because it could cost \$20,000.00 to send all of the Board members this year. That amount has not been budgeted. This year \$4,000.00 is budgeted for National Convention.

Kevin stated he agreed with Tom but wanted to know what was on the agenda and where it is. Shaun stated the agenda was out today. Kevin also stated it is imperative to establish some kind of a relationship with Hunter @ WACD as Kevin had been asked in the past to help present and represent Laramie County, and then WACD took over and he stood on the side line.

Shaun stated Bobbie Frank, WACD, had told him one year at National Convention she had Board members from WY walk past her and she had no idea who they were because she had never seen them at area meeting, state convention, or even from the Board meetings. Shaun stated that is wrong use of tax payer money by not doing anything for your county but go to National Convention.

Jay stated he disagreed completely. He couldn't get away to area meeting an hour away, and stated Shaun sat here tonight and told him he was probably wasting his time, and Jay had let Shaun know about 10 days ago, there was probably no reason to go to Cody for State Convention, that he wouldn't benefit from it. Jay stated and now he's being told he shouldn't try and go to National and try and feed in on that energy. Shaun stated he wasn't pin pointed Jay, he was just saying what Bobbie had told him that she had never seen the individuals at National on a local level. Jay disagreed one more time, saying he didn't know the guy that couldn't make to local events because that individual was out doing the guidance, providing the habitat, paying taxes, and Jay stated he could have been that individual. Jay stated that is the whole disconnect. If a Board member isn't willing to be politically active on a local level, that doesn't mean they can't go on a national level and watch the scheme of the big things and what is going on. He stated that's how we really got the big picture of how lost western water and western lands were and how the western coalition got started. Jay stated #30 could be passed if wanted to, but having the explanation from Jay, he suggested not passing it. Jay stated if the money spent is taking conservation off the land, then no one should go.

Shaun stated his job, as the District Manager, is being sure the District is being fiscally responsible.

Tom stated he is not going to National Convention this year, but had spoken with Ann about going. Tom stated that #29 would cover #30 if an individual backs out, they are responsible for the reimbursement.

Kevin suggested those that attend do come back and give a presentation on what was learned. Kevin asked for a printed copy, and Jay asked if the employee benefits section could also be printed to review in executive session.

9. Employee Policy Manual – conversation, changes and approval?

Shaun stated there will not be a Board meeting now until January. Shaun will print them all out again for the Board to review.

10. Community Enhancement-question and approval?

Shaun stated these were the projects that had been submitted, with the top two (2nd Graders & ROOTED) budgeted annually. Shaun discussed each, the amount of money requested, and stated if any funds were left over, he will implement the funds rather than have funds left over. Five projects were submitted, totaling \$4,437.00 with a total budget of \$5,000.00.

Tom asked if the District was over the budgeted amount this year. Shaun stated, with applications, the District is under budget.

Kevin moved to approve the Community Enhancement Projects for 2022.

Ann seconded the motion. MOTION CARRIED

Tom stated he had discussed with Jay about getting more conservation on the ground by possibly doing some kind of enhancement grant for small acreages. Shaun asked if he meant public land. Tom stated no, on private land. Shaun said it would apply in subdivisions with public access. Shaun stated Rex and Jeff have discussed an idea of landowners with leach fields getting a pollinator seed mix to reseed from the District. Shaun stated then the District would need to invest in something in the city.

Kevin stated there are 7-8 new subdivisions going in.

11. Other Business

*****Annual awards banquet is scheduled for Dec. 3, 2021 @ 6:30 @ Little Bear.*****

Shaun asked everyone to RSVP if they haven't after the meeting, and if any of the Board would like to present an award to please let him know.

Jeremy Manley asked to share some things from the State Engineer's Office and some unrelated items. Jeremy said he was notified the County Commissioners would resume their monthly update meetings on oil and gas production activities. The meeting was held on Monday in the chambers.

Jeremy stated the second topic is subdivision development in Laramie County. Jeremy stated development is state wide. Jeremy mentioned Whispering Hills Development off of Happy Jack. This subdivision was approved in 1978, lots were out there, roads were built, and then it was held under single ownership until very recently when a new developer bought it. This kicked off some discussion off in the general public. Jeremy said what he tries to relay to people is the State Engineer does have the authority not to issue, but it is very stringent on what it can and can not do. Under Wyoming statute," the State Engineer shall issue unless not in the publics water interest." Jeremy

stated what that means in the case of subdivisions is the actual subdivision development is the jurisdiction for that is under Title 18, which is county jurisdiction. The County Commissioners and counties have full jurisdiction to approve or disprove, reject, deny subdivision applications. Under Title 18, depending on the size of the lot, some things that are required are subdivision plan, water, waste water, fuel inadequacy, underlying water recs that need to be handled in some fashion. Under Title 18 and the section that applies to that, there is pretty strict things that the DEQ & the SEO get to be an advisory capacity only. Either of the agencies can recommend not to approve or to approve, and the County Commissioners can do what they see fit. Once they approve a subdivision, it's very hard for the State Engineer to not issue a domestic and stock permit.

The SEO's office is getting a lot of flak over that. Probably within the last two months there have been probably 10 subdivisions in Laramie County. Everything from 5-10 acres, to 2 to 3 to 4 hundred acres. A huge amount of subdivision activity going on.

Jeremy stated in the Groundwater division there has been quite a bit of staff turnover. Jeremy then led into what is going on with proposed irrigation wells in Laramie County. No decision has been made. Also the State Engineer has tended his resignation. An interim or a state engineer has to be appointed and approved by the senate.

Casey stated the hearing officer constructed an 84 page document recommending that there is unappropriated water and that the permits be granted. Jeremy stated these are recommendations and the State Engineer has to make a decision off of that. Jeremy stated there is policy, science, and emotion, and all of those three go into the current situation and none of them work together.

The legal process was discussed. The Board of Control makes the final decision. Mason asked if other states water laws are written the same way. Jeremy stated most of the 11 western states use prior appropriation documents. Somewhere in there the priority of rights come into play.

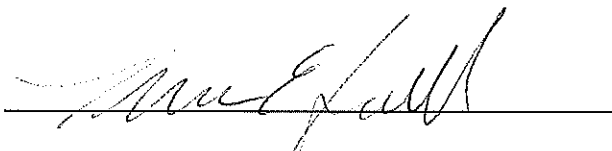
Tom asked when the District needs to know for people wanting to go to National Convention. Shaun stated he had no idea. Registration, and the agenda is online and anyone interested needs to book their planes and hotels.

Ann moved to adjourn to executive session to discuss benefits for staff.


Casey seconded the motion. MOTION CARRIED

12. Adjournment-Tom


Tom adjourned the meeting at 6:45 p.m.



Thomas E. Farrell, Chairman



Jay Berry, Secretary



Transcribed by Kathy Cooney, Financial Coordinator