

BOARD MEETING MINUTES
November 14, 2017 10:00 a.m.
TUMALO IRRIGATION DISTRICT OFFICE
64697 Cook Avenue
Bend, Oregon 97703

BOARD: Shirley DeMaris, Wally Zimmerman, Steve Putnam, Martin Warbington
STAFF: Kenneth Rieck, April Harris-Spath, Chris Schull
ATTORNEY: Mark Reinecke
GUESTS: Greg Mohnen, John Roberts, Dale Callen, Tom Bishop, Brianna Cadwell

Vice Chair DeMaris called the regular board meeting to order at 10:04 a.m. and appointed April Harris-Spath scribe.

EXECUTIVE SESSION ANNOUNCEMENT

At 10:00 a.m. the Board recessed the Regular Session and asked the Board to convene into Executive Session per:

- ORS 192.660(2)(f) to consider information or records that are exempt from disclosure by law, including written advice from your attorney.
- ORS 192.660(2)(h) to consult with counsel concerning the legal rights and duties of a public body with regards to current litigation or litigation likely to be filed.

RECONVENE

Following the Executive Session, the Regular Session was reconvened at 11:31 a.m.

APPROVE MINUTES OF OCTOBER 2017 BOARD MEETINGS

Director Putnam made a motion to approve all of the board meeting minutes for the month of October. Director Zimmerman seconded the motion and it passed unanimously.

WATER SUPPLY REPORT

Manager Rieck reviewed the current water supply report and the attached graphs, noting that Crescent Lake had gained 4% since last month. Rieck stated that the District will need to increase the outflow of Crescent Lake carefully due to the Oregon spotted frog issues, because if the lake fills to maximum capacity the District would have to do an uncontrolled release.

WATERSHED PLAN – PL 566

The Watershed Plan is still in progress with only fine tuning to be completed before the federal reviews.

GRANTS & LOANS

Manager Rieck stated that the District will receive a \$400k grant from the Oregon Watershed Enhancement Board. However, the PL 566 grant is contingent on the completion of the Watershed Plan. Plus, the application for the CWSRF loan is still under review. Also, it was determined that the District's finding of no significant impact (F.O.N.S.I) for the Tumalo Feed Canal project is outdated. Fortunately, the Watershed Plan will most likely include an updated F.O.N.S.I. Therefore, the CWSRF loan may also be contingent on the completion of the plan.

PHASE 5 UPDATE

The construction contract, awarded to Latham Excavation, was signed and they are expected to begin work soon. Manager Rieck displayed a map, showing how far the District expects to pipe with the amount of materials that we have committed to purchasing so far. Depending on when grants and/or funding arrives, additional pipe will be ordered. The District's pipe supplier has agreed to hold the price of the pipe that was included in their bid.

Engineer Kevin Crew recommended that the District, along with the Deschutes Basin Board of Control (DBBC), hire a cathodic protection specialist to develop a treatment plan for the steel pipes for all the Districts in the DBBC.

SWALLEY WATER RIGHTS

Manager Rieck stated that the District currently has a high demand for water rights, while the Swalley Irrigation District has an abundance of water rights and that they would like to sell some but currently have no buyers. Rieck and District Watermaster Chris Schull have discussed an idea in which the District would purchase 5 acres of water rights from Swalley. This would be a pilot program, using the same process that the District has used in the past when purchasing water rights from Central Oregon Irrigation District to sell to interested buyers in the District. TID would become a customer of Swalley and these water rights would have an 1899 priority date. The District would be using the standard transfer process through the State. If the program is a success, the District would revisit the option of purchasing additional rights in the future. Director Putnam made a motion to continue with the process of implementing this program. Director Warbington seconded the motion and it passed unanimously.

EASEMENT ENCROACHMENT

Patron Kelly Ausland recently purchased property within the District and has requested permission to build a deck on an existing easement, held by the District. Watermaster Schull suggested that the District create a policy and fee structure for granting permission for encroaching on a District easement. Schull hopes to have a policy ready for review by the December board meeting. The Board agreed that a policy should be created for semi-permanent structures only.

HARASSMENT POLICY

At the previous Regular meeting the Board was presented with a new policy that clearly establishes Tumalo Irrigation District's commitment to provide a work environment free from harassment. The policy was reviewed by the District's legal counsel. No suggestions or recommendations were made. Director Zimmerman made a motion approving the policy. Director Putnam seconded the motion and it passed unanimously.

SAFETY AND HEALTH PROGRAM

At the previous Regular meeting the Board was presented with a Resolution stating that the safety and health of all workers/employees is a shared goal of all who work for the District and that all managers, supervisors, and all other employees share responsibility for taking reasonable steps to engender a safe and healthful workplace. The Resolution was reviewed by the District's legal counsel. No suggestions or recommendations were made. All Board members present signed the Resolution.

GIS MAPPING

Manager Rieck informed the Board about the closure of the GIS mapping company that the District has been using for creating transfer, instream lease, and other miscellaneous maps. A breakdown was provided to the Board of the expenses the District has paid over the last couple of years for these

mapping services. Rieck and Watermaster Schull are looking at alternate options for mapping services, including the possibility of doing them in-house. Rieck predicts this option may be more expensive, but would have better results with a higher rate of accuracy and quicker turnaround time.

BISHOP v. TID LAWSUIT

The lawsuit that was filed by Tom and Dorbina Bishop against the District last May was dismissed by the Court. In October, the Bishop's appealed the Court's decision.

PUBLIC COMMENT

Patron John Roberts expressed his concerns over the lack of stock runs, stating that it causes a financial hardship for him and his family due to the cost of water hauling. The average cost of water per delivery, via water hauling, is approximately \$100 per truck load. Roberts stated that he generally must order between 2 and 3 loads per season when irrigation water is off. Last month, Manager Rieck provided the Board with a few ideas and options on the matter and requested that they consider the matter further, keeping in mind the District does not deliver domestic water since the passage of the Clean Drinking Water Act.

Dale Callen asked about elections, how Directors are chosen, and when. The Board explained that the District is made up of five different divisions. Elections are held every November, alternating years between the five divisions. Each Director serves a three year term and any qualified elector may run for the position in the division in which they live. More details on elections can be found on the District's website.

MOTION TO APPROVE NOVEMBER 2017 VOUCHER LIST

Director Putnam made a motion to approve the November 2017 voucher list. Director Warbington seconded the motion and it passed unanimously.

ADJOURN

A special board meeting was scheduled for November 20, 2017 at 10 a.m. to certify the 2017 election. The next regular board meeting date was set for Thursday, December 14, 2017. Director Putnam made a motion to adjourn the regular board meeting at 12:18 p.m. Director Warbington seconded the motion and it passed unanimously.