

WESTLAND IRRIGATION DISTRICT
Monthly Board Meeting
January 30, 2018

The Regular Monthly Meeting of the Westland Irrigation District Board of Directors was held Tuesday, January 30, 2018 at the Westland Road Fire Station, 78760 Westland Road, Hermiston Oregon.

Board members present were Chairman Bob Levy, Jordan Bennett, Justin Terry, and Jack Bellinger. Others present were General Manager Mike Wick, and Office Manager Tami Sherer. Patrons in attendance were, Art Prior, David Prior, Hoss Hodges, Bill Quick, Dixie Echeverria, Lon Wadekamper, Patty Horn, Kevan Horn, Phil Sharkey, Brock Linnell, Dean Cherry, Teres Fair, and Mike Taylor. Visitors Duane Carroll and Craig Coleman, County Line Water Improvement District; Rob Cox, Vern Frederickson, and Marika Sitz, NOWA/Oregon Water Coalition.

Chairman Levy called the meeting to order at 7:02p.m.

MINUTES: The minutes for the December 19, 2017, regular monthly Board meeting, and January 3, 2018 organizational meeting were presented for review with Director Terry making a motion to approve and Director Bennett seconding. The motion carried unanimously.

FINANCIALS: On a motion by Director Bellinger and seconded by Director Bennett, the December 2017 financial reports were approved as presented. The motion carried unanimously.

MANAGER'S REPORT: Manager Wick gave the crew report for Bobby Bailey. Canal mowing continues; Steven is doing flow meter inspections; the guys are building a bridge to replace a wooden one. County Line recharge is being monitored.

River Operations: Live flow currently is approximately 1,100 cfs, with 300 cfs flowing into McKay Reservoir. McKay is now slightly over one-half full at a little over 33,000 acre-feet compared to the same time last year when it held just over 15,000 acre feet.

County Line Recharge: Water was turned into the Westland canal for recharge to County Line Water Improvement District on the morning of January 15 and continues to be diverted at between 70 & 75 cfs at the Westland gauge.

Westland PLC: The programmable logic controller (PLC) which regulates the water elevation in the Westland site forebay had to be replaced. It was the original unit from the mid-1980's and was non-repairable.

Columbia River Permits: The conveyance of the two Columbia River applications (S-88161, now Permits #S-55061, and S-88162) is expected to be completed this week with the Port of Morrow.

Lamb Weston Plant Expansion: The expansion of the Lamb Weston Facility on Westland Road has caused the F1 pump station pipeline to be re-routed. Field Supervisor Bailey has been coordinating with the project engineer on pipeline route options, and IRZ Consulting has been retained as the District's engineering consultant. Lamb Weston is paying for all materials and is laying the new pipeline at their expense in addition to reimbursing expenses to the District for IRZ's work and any easement related costs.

CTUIR Settlement: I have requested river model run information from the Tribal Negotiation Team, and also requested any updated draft agreements being negotiated between the tribe and Hermiston I.D., and also Stanfield I.D.

SDAO Planning Session: George Dunkel with SDAO will be in Hermiston on Thursday to lead another priority planning session with the board and staff at the Stafford Hansell Government Center.

UNFINISHED BUSINESS:

1. Litigation expenses; 2018 draft budget
 - a. Due to the District being expected to incur a large amount of litigation expenses in 2018, the District's auditors suggest two budgets be drafted--one for usual income and expenses, and one for litigation and other uncommon expenses which may be funded from the District's reserve accounts or special assessments. Manager Wick distributed a draft income and expense budget, and then used the white board to explain how a reserve fund budget could be used for litigation expenses.
No action was taken; the board may discuss further when they meet later in the week for a planning meeting.
2. County Line Recharge Agreement
 - a. Chairman Levy made a motion for manager Wick and Director Bellinger form a subcommittee to review the contract proposals between CLWID and WID to develop a recharge and extraction project using CLWID facilities. When completed, report their findings and recommendations to the board. Director Terry seconded the motion. The motion carried unanimously.
3. Water project opportunities; past reports and studies
 - a. Chairman Levy tabled this topic due to the ongoing litigation.
4. District bylaws/policies
 - a. Manager Wick presented Resolution # 2018-B for the purpose of ratifying, confirming, and approving District bylaws.
 - b. Director Terry made a motion to approve the Resolution. Director Bellinger seconded the motion. The motion carried unanimously.
 - c. Chairman Levy asked manager Wick to find out from District's legal counsel if this issue has to be voted on twice.
 - d. Manager Wick reported two quotes for updating WID's bylaws &

policies have been requested—one from Stoel Rives and one from Schwabe Williamson & Wyatt.

NEW BUSINESS:

1. Cynthia Parks has resigned as Division 3 director.
 - a. Manager Wick read ORS 545.188 – Replacement of a board of director.
 - b. Board needs to appoint a patron from Division 3 to replace Director Parks for the remainder of this year.
 - c. In November 2018, an election will be held to elect a patron to serve the rest of the original 3 year term—through 2019; In November 2019, an election for a three-year term as director for division 3 will take place.
 - d. Chairman Levy made a motion nominating Phil Sharkey to serve as Division 3 director. Director Terry seconded the motion. The motion carried unanimously.
2. Disbursement of remaining Central Project funds
 - a. Legal counsel advised the method of disbursement of the \$136,000 remaining funds would be to give patrons a check or credit to their account.
 - b. Funds cannot be used for any other projects.
 - c. Chairman Levy asked manager Wick to check with legal counsel on a resolution for disbursement of funds.
3. Incurred charges for 2018 were discussed with Director Bellinger stating he doesn't feel right about raising these charges since there is already expected to be a special litigation assessment this year.
4. Director Bellinger requested that the meeting minutes be sent to directors no later than 4 working days after board meetings.
5. Chairman Levy discussed setting a limit that manager Wick can sign contracts. Any contracts over that limit needs board approval. He directed manager Wick to bring a limit amount to the next board meeting.
6. Chairman Levy made a motion stating that Manager Wick and Director Bellinger form a subcommittee to review the CTUIR settlement proposal and report their findings and recommendations to the board. Director Terry seconded the motion. The motion carried unanimously.
7. A date for a dinner with the other irrigation districts in the area was set for February 22.

No executive session.

Chairman Levy opened the floor for public comment.

Mike Taylor asked if funding is available for the A-Line/B-Line gate telemetry. *WID is working on a grant proposal.*

Bill Quick asked if Special Districts provides a lawyer for districts being sued. Why didn't WID use the attorney provided. *Due to the complexity of the lawsuit, Special Districts agreed to have attorneys with water law experience from Stoel Rives be directly involved and are paying one-half of their expenses.*

Bill Quick criticized Director Terry for statements he made at the last board meeting.

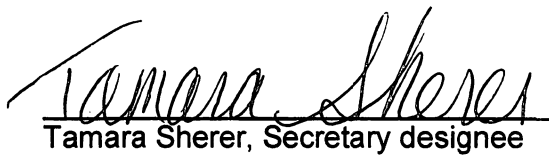
Dixie Echeverria asked about the line item for Information/Outreach in the proposed budget. *Manager Wick explained that is for website maintenance & improvements, and other communications to patrons and groups.*

Dixie Echeverria asked about the Floodwater contracts and why the change from acre-feet to per-acre when charging for the water. *Manager Wick explained charging per-acre provided a more consistent expense for those receiving floodwater and a more consistent income amount to the District.*

Dixie Echeverria asked how long WID has used David Filippi and Stoel Rives as the District's legal counsel. *Stoel Rives began being used as legal counsel in the early to mid-1990s.*

ADJOURNMENT: There being no further business before the Board, the meeting was adjourned at 8:31pm.


Robert Levy, Chairman


Tamara Sherer, Secretary designee