

**WESTLAND IRRIGATION DISTRICT**  
**Monthly Board Meeting**  
**November 28, 2017**

The Regular Monthly Meeting of the Westland Irrigation District Board of Directors was held Wednesday, November 28, 2017 at the Westland Road Fire Station, 78760 Westland Road, Hermiston Oregon.

Board members present were Chairman Bob Levy, Jordan Bennett, Justin Terry, Jack Bellinger and Cindy Parks. Others present were General Manager Mike Wick, Office Manager Tami Sherer, Supervisor Bobby Bailey and Mechanic Steven Cleveland. Patrons in attendance were, Art Prior, David Prior, Maurice Ziemer, Lawrence Smart, Todd Dimbat, Dixie Echeverria, Hoss Hodges, Bill Quick, Patty Horn, Kevan Horn, Rob Cox, Joe Howard, George Newman, Ray Vogt, Dan McCarty, Mike Taylor, Patsy Taylor, Dale Ternes, Lon Wadekamper, Vince Vazza, Greg Harris, Dona Lewis, Jay Nicodemus, Jake Madison, Harry Bither, Terrel Tovey, and Malcolm Skinner. Visitor Gibb Evans, IRZ; JR Cook, Northeast Oregon Water Association Executive Director; Duane Carroll and Craig Coleman, County Line Water Improvement District; and Jared Robbins.

Chairman Levy called the meeting to order at 7:00p.m.

**MINUTES:** The minutes for the October 19, 2017, regular monthly Board meeting, were presented for review with Director Bellinger making a motion to approve and Director Terry seconding. The motion carried unanimously. The minutes for the Special Board meeting November 20, 2017 were presented for review with Director Terry making a motion to approve and Director Bellinger seconding. The motion carried unanimously.

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

**MANAGER'S REPORT:** Bobby Bailey gave the crew report. The crew is winterizing; The temporary dam at Westland was removed; The canal is drained and pumped out; The rental tractor to help with mowing has been returned. Mowing continues; Bobby attended a pesticide seminar in Pendleton last month; Future projects are rip rap the canal, flow meter repair, and locates.

Irrigation Season & Reservoir Storage: Westland diversions from the Umatilla River ended October 31 at approximately 3:00pm. November 2 was the first day of the Hermiston Irrigation District (HID) Phase Two Exchange. The exchange target flow was 300 cfs until November 15, then is 250 cfs from November 16 – June 30.

Election: The election for the director of division #4 was held November 14 at the Westland office. The judges tally of ballots showed Jack Bellinger with 107 votes and Ray Vogt with 95 votes. The returns were canvassed at the November 20 special

meeting and Jack Bellinger was declared elected. A special thank you to is noted to the election judges who volunteered their time on November 14: Dale Ternes, Janice Witherspoon; Gary Garrard, Jim Davison, Chris Huffman, Brandy McCarty, Jay Nicodemus, Stephanie Delorme, Michelle Mesecher, Janice Dollarhide, Debby Wilson, and Colleen Ige.

ELH et al v Westland Litigation: Current Westland employees plus former employees Mike Hiatt and Stacey Wells are scheduled to give depositions December 12 & 13 in Hermiston. Manager Wick will attend these depositions. Total legal expenses from defense of this complaint through October has exceeded \$640,000 with Westland's share more than \$320,000.

Trainings for Field Staff: Alex and Steven attended an excavation and trenching safety training October 30 in Hermiston; All the field staff will attend a canal operator training session December 14 in Richland, WA.

Fish Screen Rehab: The contract with the Washington Dept. of Fish and Wildlife screen shop for the rehab work on one drum screen at the Westland diversion site has been executed, and the screen will be picked up from the site some time in December.

Retirement at SID: Long time employee at Stanfield Irrigation District, Larry Platt, has retired and a reception was held for him November 15 at the Stanfield ID office.

#### **UNFINISHED BUSINESS:**

Gibb Evans from IRZ presented a Mass Balance worksheet showing WID's 2017 water season. The total loss is 13,450 acre-feet or 19%. Chairman Levy commended the field staff on running the canal.

Director Levy read from information George Dunkel of SDAO sent regarding Duties and Responsibilities of the Board. He also referenced the draft Job Description for the district manager that George sent. He then requested Manager Wick distribute copies of the current district policies and bylaws to the board for further discussion.

The board asked Manager Wick to talk with George Dunkel about scheduling another workshop to continue the work they started.

The board decided to have the yearly Organizational meeting on January 3, 2017 at 7:00pm.

#### **NEW BUSINESS:**

The Board reviewed the spreadsheet that Manager Wick prepared showing the ELH et al vs Westland litigation expenses so far. Wick reported he talked to attorney Dave Filippi about how long the litigation may take; Filippi indicated it may be at least another year if not longer. Director Levy wondered how much longer would the district's insurer pay for half the attorney's fees? Director Parks asked if the district's insurance policy has a maximum amount that will be paid out.

Director Bellinger requested Manager Wick to talk to our legal counsel to see if he has alternatives for the board to consider to generate money to cover the legal fees being incurred by the district.

JR Cook from NOWA explained the permits S-88161 & S-88162 to the board. After much discussion Director Terry made a motion to authorize Manager Wick to convey the permits back to NOWA for another entity to make use of them. Director Bennett seconded the motion. Chairman Levy asked each director for their vote. The motion passed unanimously.

The draft recharge agreement received from County Line Water Improvement District's attorney was presented. Chairman Levy asked Manager Wick to send the draft County Line recharge agreement to the district's legal counsel for review.

Director Bellinger recommended the district manager also talk with County Line about restarting discussions for developing a recharge and extraction project to provide additional water for Westland patrons. The board agreed, and County Line will be contacted.


End of system accounting was discussed. Chairman Levy asked Manager Wick to discuss this issue with the district's legal counsel. Chairman Levy tabled further discussion until the December 2017 meeting, when the board may meet in executive session to consult with legal counsel.

A group of Westland patrons gave a letter to the board requesting an immediate recall of Director Parks. Manager Wick stated that the patrons proposing the recall have to lead the process using Oregon statutes for guidelines.

Chairman Levy opened the floor for public comment.

No Executive Session was held.

**ADJOURNMENT:** There being no further business before the Board, the meeting was adjourned at 8:40pm.



Robert Levy, Chairman



Tamara Sherer, Secretary designee