

WESTLAND IRRIGATION DISTRICT
Monthly Board Meeting
December 19, 2017

The Regular Monthly Meeting of the Westland Irrigation District Board of Directors was held Tuesday, December 19, 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, and Mechanic Steven Cleveland. Patrons in attendance were, Art Prior, David Prior, Hoss Hodges, Bill Quick, Gary Garrard, Joe Howard, Jim Kooch, Leroy Smart, Dixie Echeverria, Patrick Echeverria, Rawley Stanley, Lon Wadekamper, Vince Vazza, Jan Lohman, Ray Vogt, Patty Horn, Kevan Horn, Phil Sharkey, and Jari Boettcher. Visitors Duane Carroll, County Line Water Improvement District; Rob Cox and Vern Frederickson.

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

MINUTES: The minutes for the November 28, 2017, regular monthly Board 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 Terry, the November 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; silt removal with the 90/30 is ongoing. Steven is doing flow meter inspections. All three ditch riders attended a Canal Operator Training this month.

River Operations: Hermiston Irrigation District began diverting water at the Feed Canal on 11/29, then had to end diversions due to diminished river flows on the afternoon of 12/7. Live flow currently is approximately 200 cfs.

ELH et al v Westland Litigation: Present Westland employees Bobby Bailey, Alex Troppmann, Steven Cleveland, and Tami Sherer, plus former employees Mike Hiatt and Stacey Wells, gave their depositions December 12 and 13 in Hermiston. The last week in January may be when the next depositions scheduled.

2017 SDAO Legislative Report: The Special Districts Association of Oregon (SDAO) legislative report for 2017 is available here: <http://tinyurl.com/ycatbhm2> In the board packets are summaries of two bills that passed; one pertaining to recalls and one to public records requests.

Oregon Water Coalition: The Oregon Water Coalition 2017 recap is in the board packets.

SDAO Planning Session: George Dunkel with SDAO is confirmed to lead another priority planning session with the board and staff on Thursday, February 1 in Hermiston.

UNFINISHED BUSINESS:

1. Water Mass Balance – next steps
 - a. Levy handout – “Conservation and Ditch Improvements”
 - b. Gather previous reports for review at next board meeting
 - i. GSI report on Ordinance Gravel Aquifer
 - ii. IRZ report on A-Line flows and fluctuations
 - iii. Other district reports and studies re line gravel pit; pipe open canal.
 - c. Irrigation scheduling by other districts – what works?
2. Litigation Expenses
 - a. Manager reported on discussion with legal counsel on alternatives for raising funds; recommended board schedule a budget and planning session prior to January regular meeting.
 - b. Chairman Levy put motion on the floor for board approval of past expenditures made to Stoel Rives above budgeted level. Directory Terry seconded the motion. The motion carried unanimously.
3. County Line Recharge Agreement
 - a. Board discussed draft in board packet; discussed alternatives of incorporating a Westland recharge and extraction project into terms of County Line recharge agreement or first finalizing a County Line recharge agreement, then working on creating a Westland recharge/extraction agreement. The board agreed to move forward with finalizing County Line agreement first, then work on Westland recharge/extraction.
4. Columbia River permits conveyance
 - a. Manager reported on discussion to convey permits. Port of Morrow may be the entity to hold permits; updates to be provided at next meeting.
5. Director Recall
 - a. Manager reported signature gathering form had been turned in by recall proponents as required by Oregon Statute; form to be reviewed, then returned to proponents for gathering signatures.

NEW BUSINESS:

1. CTUIR Settlement Meeting
 - a. Board discussed 12/14 meeting with tribal settlement team.
 - b. Manager Wick directed to:
 - i. Request river model run information from CTUIR.
 - ii. Request agreements between CTUIR and Hermiston ID; and Stanfield ID.

2. Public Records Request Policy Update
 - a. Board reviewed and approved update to existing policy to reflect legislative changes passed in 2017.
 - b. Director Bellinger made a motion to approve the updated policy. Director Parks seconded the motion. The motion carried unanimously.
3. District Bylaws and Policies
 - a. Board approved Manager Wick getting two work proposals to update existing documents—one from Joe Hobson of Schwabe Williamson and the other from Stoel Rives.

Chairman Levy opened the floor for public comment.

Bill Quick asked why the comment section of the last meeting had been removed from minutes.

Jim Kooch commented that bylaws have to be in place for the district to run properly. Manager Wick answered that the district is governed by ORS Chapter 545, known as Irrigation District Law, as well as ORS Chapter 198, which applies to Special Districts Generally; the district has bylaws—the question is more about when they were adopted by past board of directors.

Hoss Hodges asked if the upcoming planning meeting is open to the public. *Yes.*

Art Prior commented that he thought Joe Hobson is very expensive to hire. He also asked if the payments to Stoel Rives for litigation are being paid from reserve accounts. *Yes.*

Phil Sharkey asked if Stoel Rives is charging interest on bills. *No.*

The Board went into Executive Session pursuant to ORS 192.660(2)(h), which allows the Board to meet in executive session to consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.

ADJOURNMENT: The Board came out of Executive Session at 9:13 pm and continued the public meeting. There being no further business before the Board, the meeting was adjourned at 9:15 pm.


Robert Levy, Chairman


Tamara Sherer, Secretary designee