

# WESTLAND IRRIGATION DISTRICT

## Monthly Board Meeting March 22, 2017

The Regular Monthly Meeting of the Westland Irrigation District Board of Directors was held Wednesday, March 22, 2017 at the Westland Road Fire Station, 78760 Westland Road, Hermiston Oregon.

Board members present were Chairman Bob Levy, Jack Bellinger, Justin Terry, Jordan Bennett and Cynthia Parks. Others present were Manager Mike Wick, Christine Hewlett, Field Supervisor Robert Bailey and Marika Sitz. Patrons in attendance were Dixie & Patrick Echeverria, Hoss Hodges, Jim Kooch, Art Prior, Bill Quick, Patty Horn, Leroy Smart, Maurice Ziemer, Dean Cherry, Glen Saul, Jay Nicodemus, Mike Turner, Jerry Friend, Mary & Craig Buckallew, Terrel Tovey, Salem Salem, Teres Fair, Jim Key, Vern Frederickson, Michelle Mesecher, Jake Madison, Ray Vogt, Gregg Harris, Joe Howard, Ruben Harris and Craig Parks. Guests in attendance were J.R. Cook, Northeast Oregon Water Association Executive Director and Gibb Evans, IRZ Consulting.

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

**MINUTES:** The minutes for the February 21, 2017 regular monthly Board meeting were presented for review with Director Terry making a motion to approve and Director Parks seconding. The motion carried unanimously.

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

**MANAGER'S REPORT:** Field Supervisor Bailey reported on crew activity. Alex has been ditch riding for the recharge to County Line. The flow meters have been reinstalled and everything is being prepped to start the water. A new weed rack was built for the A-Line Recharge. The water will be turned on once the repair has been made on the Dillon turnout box.

Manager Wick reported that Field Supervisor Bailey noticed a wet spot at the Dillon turnout, indicating a possible leak at the site. The original contractor, JZD Construction, is on another job and cannot get back to address the leak but has agreed to have another contractor do the work needed; JZD will pay for the work necessary to investigate and make repairs at the site.

Manager Wick stated that McKay Reservoir is about 85% full at this time and the Bureau of Reclamation is releasing approximately 250 cfs for flood control. He also reported content continues to be added to the District the website at [www.westlandirrigation.com](http://www.westlandirrigation.com).

Manager Wick reported that the County Line recharge started on February 22 and that 2,000 acre-feet has been delivered so far and that the A-Line recharge is ready to begin once the water is back on.

He also reported he had held a meeting with the small ditch companies, Dillon, Courtney, Pioneer, and Allen, to discuss the CTUIR water rights claims settlement proposal and share any concerns about the proposal.

He also reported that Amazon is purchasing land on Westland Road for more Data Centers and has approached Westland about canal crossings and possibly taking some of their reuse water.

He also reported that on Monday, March 20, the U.S. District Court for the District of Oregon issued an Opinion and Order, which granted Westland's Motion to Dismiss, and dismissed the Plaintiffs' federal case. The State Court should hear oral arguments regarding Westland's Motion to Dismiss in April or May.

**UNFINISHED BUSINESS:** Manager Wick presented a power point presentation on the Central Project. He reviewed the concepts and benefits. J.R. Cook and Gibb Evans both offered input as well relating to the cost and work to be done. A decision needs to be made by the District to implement the project by mid-July. Manager Wick described three options for the Westland Directors to consider: (1) try the subscription agreement process again; (2) district wide approach with a district wide vote; or (3) abandon the project. Manager Wick recommended option number two to the board and begin exploring project details in preparation for a July vote. Chairman Levy read a motion to allow Manager Wick to begin work on Option 2. Director Terry made the motion and Director Bellinger seconded it and it passed unanimously.

Manager Wick also presented a one-year water use agreement with Jake Madison to use 12.75 cfs of the new Columbia River water rights applied for by Westland, with Madison paying the associated base and use fee. Director Bennett made a motion to accept and Director Bellinger seconded. It passed unanimously.

**NEW BUSINESS:** Manager Wick reported that correspondence had been received from patron Dixie Echeverria regarding Director Bellinger's 2014 nominating petition. Discussion followed regarding information the district office received several years earlier as to which district patrons may sign nominating petitions as well as the period during which past petitions may be challenged. Wick noted that past signatures gathered over the years between board elections had not prevented any other eligible patron from running for the board. The Directors agreed to take no action on the correspondence and move forward.

Manager Wick presented a Resolution regarding Recreational Immunity recommended by Special Districts Association of Oregon to be adopted. On a motion by Director Bellinger and a second by Director Terry it was passed unanimously.

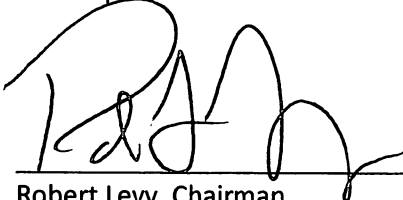
A Resolution was also presented that would provide Whistleblower protection to Westland employees. Director Bennett made a motion to accept and Director Parks seconded. It was passed unanimously.

Chairman Levy requested that the board authorize Manager Wick to have Westland legal counsel write letters to the small ditch companies and other Basin irrigation districts regarding the CTUIR settlement proposal. Levy also requested the board authorize Wick to work with legal counsel in drafting a Westland water delivery policy statement. The board approved the authorizations.

At 8:56 p.m. Chairman Levy announced that the Board would be meeting in Executive Session pursuant to ORS 192.660(2)(h), which allows the Board to meet 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. Director Bennett and Director Parks were excluded as they have a conflict of interest regarding the litigation.

**EXECUTIVE SESSION:** Executive Session concluded at 9:15 p.m. and the regular meeting reconvened.

**ADJOURNMENT:** There being no further business before the board, the meeting was adjourned at 9:15 p.m.



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Robert Levy, Chairman



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Christine Hewlett, Secretary designee  
*Kami Shover*