

March 10, 2020

Arnold Irrigation District
Monthly Board Meeting

The meeting was called to order by Bren Hirschberg at 3:06 pm. Board members present were Bren Hirschberg, Walt Warchol, Bob Schuur and Rob Rastovich via conference phone. Office staff members present were Colin Wills and Juanita Harvey. Also present were Mark Reinecke, the District's attorney and patrons Steve & Rena Keffer.

1. APPROVAL OF THE FEBRUARY BOARD MEETING MINUTES: Bob motioned, and Walt seconded his motion to approve the minutes. The vote was unanimous in favor.
2. APPROVAL OF ACCOUNTS PAYABLE: Walt motioned, and Bob seconded his vote to approve the accounts payable. The vote was unanimous in favor.
3. REPORTS:
 - a. MANAGER'S REPORT: Max, ditchrider gave his two-week notice. His last day will be 03/13/2020. Colin interviewed 4 applicants through Mid-Oregon Personnel. He will decide tomorrow and request the drug, DMV and criminal background checks.

- i. WATER REPORT: The snow report does not look good. Irish Taylor and Summit Lake SNOTEL sites are down and that is worrisome. The Oregon Water Resource Department (OWRD) reports that the 2020 outlook of natural flow in the Upper Deschutes Basin is estimated to be 80% below normal.

Mark asked if we knew what to expect this summer. Is there a possibility of a reduction? Colin stated there is possibility of a reduction but not in the shoulder seasons. Colin will meet with the Water Master's office in peak season to discuss storage. Peak season or high water demand is typically July through August.

- ii. FINANCIALS: Colin had Local Ledgers make 2 transfers into the LGIP accounts. One transfer was for money received for the Lava Flow property lot line adjustment and the other was the insurance reimbursement. As of 03/05/2020 the checking account had a balance of \$127,196, the AID Piping account had a balance of \$138,120, and the reserve account had a balance of \$142,691.

Per Walt's request, Colin and Local Ledgers are working on a cash flow report. It still requires some work to make it understandable to follow.

- b. FIELD SUPERVISOR'S REPORT: All four staff members attended CPR training.

There is a new structure on the Rastovich lateral. This delivery is being tested during the stock run.

Improvements were made to the levy on the Main canal at Baker Pond. The inmates shored up with area with rocks. The landowner says this is the best condition the levy has been in 25 years.

Ditch riders have been prepping for the stock run and working on the rental house. Matt is working on a Standard Operating Procedure (SOP) policy for the drone.

Matt has his Commercial Driver's License (CDL) test on March 27, 2020.

If the board approves, the projected season start date will be April 12, 2020. The board agreed that date would be acceptable. The notice will be posted on the web page.

c. OFFICE REPORT: Assessments received to date are \$242,469.42.

All previous transfer maps are being reviewed and then uploaded to Parametrix for them to proceed with the mapping audit.

Time has been set aside to work on the new web page. The goal is to have the website up and running by the beginning of irrigation season.

Colin and Juanita gathered district fees of other irrigation districts for comparison to Arnold's. Juanita suggested that since we do an audit of each property at escrow we raise our fees for water right inquiries and ownership transfers. Other do not do an audit but most of their fees are higher than AID's. Doing an audit causes more work but it is beneficial because it helps the buyer (new patron) and keeps the district's waters in good standing. Colin and Juanita also suggested that the District increase their price per acre when selling water rights.

Bob motioned to increase the water rights inquiry fee from \$50 to \$75 and the ownership transfer fee from \$125 to \$150. Walt seconded his motion. The vote was unanimous in favor.

There was a in depth discussion about the increase of water rights for sale. Mark suggested that Colin speak with the Deschutes Basin Board of Control (DBBC) at their next meeting to see if there is a scale price for 1 ac. vs 15 ac. or 20 ac. The board agreed to re-visit the idea of raising the price per acre of water rights.

4. NEW BUSINESS:

- a. OREGON DEPARTMENT OF FISH AND WILDLIFE (ODFW) WATER RIGHT PROTEST: In 1990 Rex Barber protested a proposed new water right. At that time the proposed new water right was for 250 cfs but at that time there weren't any water rights available. This application for water rights has been in the files at the Oregon Water Resource Department (OWRD) since the 90's and it seem like OWRD is trying to clean up old applications. Some type of litigation will likely stem from OWRD bringing this application up again. The Deschutes Basin Board of Control (DBBC) will hire an attorney to assist the Districts with this litigation. AID's portion would be about \$300. Central Oregon Irrigation District (COID), North Unit Irrigation District (NUID) and Tumalo Irrigation District (TID) will be backing the

protest. Walt made a motion for AID to participate in the protest. Bob seconded his motion. The vote was unanimous in favor.

5. OLD BUSINESS:

- a. RENTAL HOUSE: Colin informed the board that the rent for the rental house would be raised by 7% to \$1525 per month. The last tenant did not pay her water bill, so the water had been shut off for most of the month of February. This could have caused many problems in the house. Because of this Colin asked the board if they would approve him raising the rent another \$50 to include the water bill. The District would pay the water for the house. \$50 was the average of the water bills over the past year. The board agreed this would be a good idea.

Progress to date on rental house.

- The house was spot painted.
- The garage doors were re-coded and new openers were purchased.
- A contractor was hired to make repairs necessary to one of the bedrooms.
- The previous tenant will be given until May 22, 2020 to pick up the abandoned property. A letter was sent to the tenant's last known address.
- The house was thoroughly cleaned by a cleaning company.
- A damaged window screen has been scheduled for repair.
- The garbage disposal was repaired.
- The carpets are being removed to prepare for new carpet installation.

Colin stated that we would like to list the house for rent by April 1, 2020 if possible.

- b. UPDATE ON IRRIGATION WATER MANAGEMENT (IWM) WORKSHOP: The board gave Colin the authority to spend up to \$700 for this workshop. The actual amount spent was \$458.22. Swalley Irrigation District (SID) paid for postage of informational postcards and TID and AID split the cost of printing the informational postcards. Mark suggested that Colin check with the other Districts to see if they are having a knowledgeable staff member attend (i.e.ditchrider) and if so, we should send one of ditchriders as well.

6. OPEN FORUM: Steve Keffer inquired about various aspects of the Arnold piping project such as engineering, subs, contractors, easements, pipe purchase and storage of pipe. Colin answered that none of these items have been decided on yet. There are still many steps that must be completed before we can move onto the steps Steve is inquiring about.

Colin stated that the Watershed Plan was submitted to the NRCS. Hopefully by February of 2021 the Watershed Plan will be ready to go for public comment. During the winter of 2020, the surveying, grubbing and cutting trees will be the beginning stages of the project. It has not been determined who will be doing the engineering for the project. It may be the Farmers Conservation Alliance (FCA), the Natural Resources Conservation Service (NRCS) or a private engineer

Mark noted that the City Club of Bend is holding an event at the Riverhouse Convention Center on March 17, 2020 from 11:15 to 1:00 pm regarding the Habitat Conservation Plan (HCP). Speakers will be Bridgett Moran from Oregon Department of Fish and Wildlife (ODF&W) and Todd Heisler of Water Watch. The cost is \$25 for members and \$45 for non-members. Bob, Walt and Colin will be able to attend. Juanita will send an email to Rob so that he could check his schedule.

TID and SID will be holding ribbon-cutting ceremonies for their piping projects. Once the dates are determined, the board and staff will be notified.

Bren noted that we still need a board member for Zone 3. A copy of the Zone 3 patrons will be sent to the board for them to review to see if there is anyone they know on the list who may be interested.

Bren also noted that on February 24, 2020 a special meeting was held which was not an executive session. The minutes from this meeting should be sent to the board members for review and approval and should be kept in the minute book and posted on the webpage with regular monthly meeting minutes.

Bren also noted that at the NRCS meeting there were objections from patrons regarding the piping project. They inquired about ponds for wildlife. There were questions about patrons who had property adjacent to the canal who have land available to put in ponds for wildlife. There are questions surrounding this proposition such as the number of ponds, who would pay for the digging of the ponds and maintenance. Would the water rights be with the landowner or would the water rights be included as part of the District's water rights

Bren was concerned about emails sent to all board members from Colin or Mark and how individual board members occasionally reply all. Although the replies are generally innocuous, they should still be directed only to Colin or Mark to avoid any perception of communications required to take place in publicly noticed meetings. At 4:50 pm, Steve & Rena Keffer left the meeting.

At this time, Bren called to suspend the regular meeting session and call an Executive Session to order pursuant to ORS 192.660(2)(h) to consult with counsel concerning the legal rights and duties of a public body regarding litigation likely to be filed.

The Executive Session adjourned at 5:13 pm and Bren called the regular session back to order.

7. ADJOURNMENT: The meeting adjourned at 5:13 pm.

ARNOLD IRRIGATION DISTRICT

