**Hermiston Irrigation District**

**Board of Directors**

#### June 13, 2024

**Regular Board Meeting Minutes**

**CALL TO ORDER:** Chairman Findley called the June Regular Board Meeting of the Hermiston Irrigation District Board of Directors to order at 4:04 p.m.

**ROLL CALL:** Business Manager Nash recorded all in attendance. Present at the meeting were Directors Bryan Allstott, Ian Findley, and Steve Wallace; District Manager Annette Kirkpatrick; Field Manager Wyatt Cleaver; Business Manager Sonia Nash; Water Rights Specialist/CSR Karra Van Fossen; Bureau of Reclamation Umatilla Field Office Manager Chet Sater; Potential Patron Mark Rademacher; and Patron Greg Jared. Directors Jeremy Bolen and Bryon Zumwalt were not in attendance.

**PUBLIC COMMENT:** None

**GUESTS:** District Manager Kirkpatrick introduced Mark Rademacher to the Board and stated that he has requested to speak with them to discuss the possibility of HID applying for another boundary adjustment.

Mr. Rademacher stated to the Board that he had spoken to District Manager Kirkpatrick in regards to the requirements but still wanted to speak with the Board in regards to the feasibility of this project. Mr. Rademacher stated that he was unaware of all of the requirements that would need to happen in order for them to receive water until he spoke with District Manager Kirkpatrick a few days prior. He stated that there are several other landowners in that vicinity that would like to be a part of the project.

District Manager Kirkpatrick stated to the Board that Mr. Rademacher’s land is on the north side of Spearman Rd. He owns 3.90 acres of land and would like to be included into the District Boundary his property is closest to the end of the G-Line. Along with the boundary adjustment, HID would need to discuss how water will be delivered to the lands north of Spearman Rd. The G-Line is fully allocated and will not support any more acres for service. District Manager Kirkpatrick also stated that most of the lands near Rademacher’s property have state water rights.

District Manager Kirkpatrick also stated to the Board that she had spoken with BOR Umatilla Field Office Manager Chet Sater and HID’s legal counsel about the process and implications of this action. She was informed that this process would most likely take 10-15 years to complete, would require cultural surveys and NEPA (National Environmental Policy Act) compliance to consider the potential environmental impacts of the proposed action. This process would be costly and time consuming and stated she felt this should be considered a private delivery and at the potential patrons cost as she did not feel that this should be paid by all of the patrons of the District. HID will need to find irrigable lands to remove from the District’s boundary to swap for the new lands and depending on the number of acres involved in the transaction, this could also open HID’s 1954 contract with the BOR.

Mark Rademacher left at 4:23 p.m.

Patron Greg Jared requested to address the Board regarding flooding Hendon Construction and Wildwood Ln.

Mr. Jared stated to the Board that he wanted to start out by saying he purchased the worst property for criminality. He stated that he had 9 cows stolen and Bryon Zumwalt had 3 stolen. Mr. Jared also stated that Travis Rock did some work on his own property and that is what was causing the flooding issues. He states that the other landowners are the ones that do not watch their water and it floods his property and he gets blamed for flooding everyone out and therefore HID cuts his water time. Mr. Jared stated that he does flood his driveway when he receives water but denies flooding of Wildwood Ln and Hendon Construction. Mr. Jared reports that out of his 34.20 acres of water rights that he owns and pays for he is only scheduled for 24 hrs to receive water. Mr. Jared then stated that he can only flood irrigate 10 of the 34 acres of land due to Mr. Hontz removing the cement splitter that would send water to the east side of his property. Mr. Jared states that he cannot be there and manage his water when it is his time to receive water and that it is very “inconvenient for me”. Mr. Jared states he does not know how to fix this problem and hopes to sell the property as soon as he can. Mr. Jared then stated that he only receives 10 hours and asked if HID expected him to pay for 34. District Manager Kirkpatrick stated that he would need to pay for 34 as that is how much he owns and that he does not pay for the water, he pays for operations and maintenance of the system and that HID is still managing the system and that him not being able to manage his water over the entire property is the problem. She stated to him that he could take some of the water rights off of the property that he cannot water to decrease his bill but there would be no discount given. District Manager Kirkpatrick stated that there is no easement through Hontz property and HID has no authority. Field Manager Cleaver stated that Mr. Hontz could fill in that ditch and HID couldn’t do anything about that and Mr. Jared could potentially be waterlocked. Mr. Jared stated that nobody in the room was an attorney so they didn’t know what they were talking about.

District Manager Kirkpatrick stated that she spoke with Mr. Hontz on Mr. Jared’s behalf and Mr. Hontz stated that he does not intend to do any improvements on his land and that Mr. Jared could place a splitter on his own property and that when Mr. Jared would receive water it would flood out his property as he was not working his water and Mr. Hontz no longer wanted that nor did he want Mr. Jared on his property. District Manager Kirkpatrick also reported that there is no private easement and that Mr. Hontz does not have to allow Mr. Jared to receive water from that location and that HID does not have any authority to force Mr. Hontz to place it there. District Manager Kirkpatrick stated that Mr. Jared’s property to the east is 10’ higher in elevation than the property to the west.

District Manager Kirkpatrick stated to the Board that she would like it to be on the record that Mr. Jared cusses at our ditchriders and has been verbally abusive to almost every one of them over the last 17 years. She has instructed field crew to not take Mr. Jared’s phone calls and have him speak with the District Manager or the Field Manager as she will not tolerate Mr. Jared speaking to her employees that way.

Patron Greg Jared left at 4:49 p.m.

**NEW AGENDA ITEMS TO CONSIDER:** Patron Greg Jared

**MINUTES:** The Board reviewed the minutes of the May 9, 2024 Regular Board Meeting. Director Allstott moved to approve the minutes as presented. Director Wallace seconded the motion and it passed unanimously.

**FINANCIAL STATEMENTS & VOUCHERS:** The Board reviewed and approved the May 2024 Profit & Loss Report and Check Voucher Report. The Board reviewed and approved the accounts payable receipts and Bank Statements. Business Manager Nash gave a report of the District’s financial standing.

Business Manager Nash advised the Board that collection calls were made today and would continue to be made tomorrow, June 14, 2024 and that there remains approximately $169,296.11 in outstanding account receivables, with $8,254.47 of that remaining from previous years.

Business Manager Nash reported to the Board that she had transferred $360,000.00 to the Savings Account as HID received $317,000.00 from Oregon Emergency Management for the FEMA Project.

**FIELD MANAGER’S REPORT:** Field Manager Cleaver reported to the Board that the Field Crew members have been conducting regular maintenance, spraying & mowing throughout the District, and responding to patron phone calls and/or issues.

Field Manager Cleaver reported to the Board that on May 22, 2024 at about 5:00 a.m., HID received a call from Fewel’s crew to let us know that there was overtopping at the OT Split. When HID crew members went to the location, we found that the OT Split Canal had blown out. Crews quickly mobilized to the location and began moving material to fill-in the side of the canal and start repairs. Fewel loaned HID an excavator, that we used along with our own, so that we could make the repair as quick as possible. The office began calling the water users on the O, S & T Lines to inform them that they would be without water for a few days while repairs were being made. The field crew was able to get the canal rebuilt and shaped that same day. Teranap and a concrete wall were installed on May 23, 2024 and water was restored the morning of May 25, 2024. We are uncertain as to the cause of the failure. We believe that it may have been caused by an influx of water from users shutting off. This incident was reviewed at the HID Safety Committee meeting on May 30, 2024. Fewel’s field was damaged and there may be an insurance claim as a result of this failure.

Field Manger Cleaver reported to the Board that on Thursday May 23, 2024 the R-Line Pond overtopped and there was water on Bensel Rd. This was also discussed at the Safety Meeting. The pond was high the night before and the ditchrider was sending water down gate 18 that evening. That was not enough and the R-Line should have been turned down to prevent this from happening. There was no damage that we are aware of.

The night of June 11, 2024 the Maxwell Pump Station shut down due to a power outage. The Field Manager found the problem early the next morning and the pump station was restored. This made the Maxwell Canal low on June 12, 2024, but water was restored by the end of the day.

The District purchased and installed five cameras for observation and monitoring. Those cameras have been placed at the OT Split, Head of the B-Line, B-Line near Arne Pihl’s, the D-Line Academy Box, and Maxwell Pump Station. The monitoring cameras are new to HID’s system. We are considering getting a few more for locations that would benefit from more consistent monitoring.

Field Manager Cleaver stated that a lot of the equipment is breaking down and will be needing some new equipment in the near future.

**OLD BUSINESS**

Nothing to bring to the Board.

**NEW BUSINESS**

**BOUNDARY LINE ADJUSTMENT:** District Manager Kirkpatrick stated she believed Mr. Rademacher was content with the answers he received and was going to go a different route on trying to get water to his property. It was the consensus of the Board that was accurate.

**JARED PROPERTY:** District Manager Kirkpatrick is going to work with Field Manager Cleaver and the ditchriders to see what adjustments can be made to the O-Line schedule since Mr. Jared stated that he can only irrigate 10 acres.

**BANNER BANK EXTENDED LINE OF CREDIT:** District Manager Kirkpatrick reported that as a result of the two FEMA disasters, HID opened a $2.5MM line of credit with Banner Bank on December 31, 2022. HID has been reimbursed for everything except the Maxwell Pump Station and Pipeline. The line of credit expires on June 30, 2024. HID has requested a six-month extension to the credit repayment. District Manager Kirkpatrick is working with Banner Bank and bond counsel from Hawkins, Delafield and Wood LLP. She requested that the Board agree to have Chairman Findley sign the 2024 Resolution Amending HID 2022-6, Extending the Line of Credit, for District Manager Kirkpatrick to attest it and then all Directors sign. Director Allstott moved to have Chairman Findley sign the 2024 Resolution Amending HID 2022-6 as presented, District Manager Kirkpatrick attesting, and all Directors to sign. Director Wallace seconded the motion and it passed unanimously.

**RE-ADOPTING SAFETY & HEALTH PROGRAM POLICY:** District Manager Kirkpatrick reported to the Board that the Safety & Health Program Policy had been updated and needed to be re-adopted. Director Allstott moved to re-adopt the policy as presented. Director Wallace seconded the motion and it passed unanimously.

**RESCHEDULE AUGUST BOARD MEETING:** District Manager Kirkpatrick informed the Board that the August Board meeting is scheduled for August 8, 2024 which conflicts with Umatilla County Fair and Farm-City Pro Rodeo. District Manager Kirkpatrick requested to have the August Board meeting changed to August 15, 2024. Director Allstott moved to change the Board Meeting to August 15, 2024. Director Wallace seconded the motion and it passed unanimously.

**NON-ACTION ITEMS**

**FEMA-MAXWELL PUMP STATION AND PIPELINE PROJECT:** District Manager Kirkpatrick reported to the Board that HID received the reimbursement for the Newman Bypass from OEM. That check was for $317,998.16. District Manager Kirkpatrick will continue to work through the accounting for the FEMA project.

C&E Trenching has installed the concrete pad to divert the spray bar water back to the canal.

A tumbleweed and other debris got passed the screens at the Maxwell Pump Station and HID had to hire Purswell Pump to lift and clean out all four pumps. That cost the District $1,000/pump. District Manager Kirkpatrick called IRZ Engineering to let them know about the problem. IRZ is working on a new screening design that would protect the pumps from this costly problem.

G6 has received the module that will connect the Maxwell Pump Station to the BOR Hydromet system. BOR and OWRD need to have the flow rate from the pump station to accurately account for the water that HID is taking as live flow from the Umatilla River through the Maxwell Diversion. G6 will coordinate with BOR crew members to get this module installed. HID is also requesting that they see if an alarm can be added to the module that will notify an HID manager in the event that the pump station shuts down.

**WATERSHED PLAN-EA NRCS/FCA WORK:** District Manager Kirkpatrick reported to the Board that USDA Natural Resources Conservation Service (NRCS), Farmers Conservation Alliance and Bureau of Reclamation staff joined us in Hermiston on May 28, 2024. HID hosted a site visit of the lines that are part of the Modernization Plan. HID staff was joined by Chairman Ian Findley and Patron Dan Wood. Patron Aaron Basford met us on site at the B-Line as we were going through. It was an insightful and useful tour. Basford owns and operates over 300 acres at the northeast end of the B-Line. Engineers from NRCS have also scheduled an on-farm meeting with Basford to discuss the particular needs of his large acreage.

**CTUIR FEDERAL TRIBAL WATER RIGHT SETTLEMENT:** District Manger Kirkpatrick reported that HID has requested and is still waiting for the full Draft Settlement Language. Once the full settlement language is received, then we will proceed with negotiations.

**THEATER LANE LAND SALE:** District Manager Kirkpatrick reported to the Board that there has been no movement on this matter. The sale is scheduled to close on October 26, 2024.

**MANAGER’S REPORT:** District Manager Kirkpatrick went through the calendar of events with the Board as listed on the agenda.

**ADJOURNMENT:** There being no further business, Director Allstott moved to adjourn the meeting at 5:33 p.m. Director Allstott seconded the motion and it passed unanimously.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Ian Findley Sonia Nash

Chairman Recording Secretary