

Arnold Irrigation District
Monthly Board Meeting

October 10, 2023

The meeting was called to order by Bob Schuur at 3:10 pm. Board members present were Bob Schuur, Walt Warchol, and Rob Rastovich and Roger Fadness via phone. Staff members present were Steve Johnson, Chris Webb, and Juanita Harvey. Also present was the District's attorney, Mark Reinecke.

1. APPROVAL OF SEPTEMBER BOARD MEETING AND STRATEGIC PLANNING MEETING MINUTES: Bob motioned, and Roger seconded his motion to approve the board meeting and the strategic planning meeting minutes. The vote was unanimous in favor.
2. APPROVAL OF ACCOUNTS PAYABLE: Walt motioned, and Bob seconded his motion to approve the accounts payable. The vote was unanimous in favor.
3. NEW BUSINESS:
 - a. EMERGENCY PLAN – BOARD ADOPTION: Through SDAO (Special Districts Association of Oregon), we receive discounts on our liability coverage when we adopt policies that benefit the District.

Steve recommends that the board approve the District emergency plan. We have an existing emergency plan which was set in place and approved in 2011 and then again in 2016. The current plan can be adopted with suggested additions presented at the next board meeting. Bob motioned, and Walt seconded his motion to approve the emergency plan. The vote was unanimous in favor.

At this point in the meeting, Rob had to leave but requested an update on the project.

Steve gave the board an outline of how the project is progressing. All the trees from mid-project to the east have been removed and trenching has begun. They have started installing and welding pipe to the east. Removal of trees and grubbing has begun to the west and should be complete in the next couple of weeks.

The bi-weekly meetings with TNW (Taylor Northwest) will move to weekly meetings. These meetings are held to discuss project progress, and discuss any problems or issues. David Prull, the operations engineer is out at the project everyday and provides a daily report.

The District is awaiting approval from the NRCS (Natural Resources Conservation Service) for the extension area of the project. Once we have received approval we can have KrahUSA start making pipe and TNW can start preparations for work on the extension.

NRCS has signed for full funding.

The DEQ (Department of Environmental Quality) was concerned by the challenge to NEPA (National Environmental Policy Act), and did not want to sign the application. Steve sent them a copy of the judges order and they agreed to approve.

There is a potential government shut down in November which could slow down the payments. Steve is submitting the request for reimbursement in the next couple of days.

We cannot submit for the certain funds until we receive final approval for Phase 2. We will be able to cover the cost of the pellets to KrahUSA until we receive the approval for Phase 2 funding.

The OWRD (Oregon Water Resources Department) will only reimburse upon delivery of the 1.2 million dollar funding.

A field trip for the board will be scheduled for next month's board meeting.

4. MANAGER'S REPORT:

- a. WATER REPORT: All districts are powering down water to the end of August when the project will commence.

The carryover water has been let out to Wickiup.

This winter an El Nino has been forecasted; wet but warm.

The District we are not losing anything with Roats and Avion being converted to groundwater.

We will have 13 ½ cfs conserved water with the piping of the extension.

b. MODERNIZATION PROJECTS:

- i. The flume is being lined and the process is going well. They stopped at 1200 feet instead of 1300 feet. Mark inquired about the extra weight on the flume with the lining. It is about 150 pounds per 700 feet of lining.

- ii. The euro drive and all of the sensors have been wired to the drives at the radial gate. Once everything is in place, OS Engineering will come to test the gate. The fabricator built an anti-theft, water-proof lid. Walt suggested extra guards by the chains.

If a sink hole were to occur before the piping was finished, the gate would be automatically open further if it senses it needs more water. We will have to make sure OSE Engineering programs it for this possibility.

- iii. Out of the 13 flume sections that were marked, so far, 9 have been replaced. These will be sealed with caulking and then the liner should solve the rust problem. They are installing 2 rolls of liner a day in 8 hour shifts.
- iv. There may be parcels in DRW portion of our system that may have to be declared as remnant, not for the usual reasons but the pipe is in need of major repair and most of the pipe cannot even be located. If the pipe was to be repaired, the expense would be that of the landowners which would have to be shared. We can offer them the option to pay for that improvement which will most likely not be affordable.
- v. The Deschutes County inmate crew was hired to clear out the weeds on Knott Rd to China Hat Rd.
- vi. The Estes lateral people are anticipating to have this project completed this winter. We will get licensed or certified to weld the pipe or we will rent the equipment to do our own. We will start on this project right after the liner has been installed.
- vii. Steve is working with Geo-Form to promote the lining with the possibility of getting 2 full rolls for free which we would use on the Ropp-Billadeau lateral.
- viii. After locating the West Tekampe pipe it was found that a patron's garage and pavers are located over the "T" of the pipe. We have the right to correct the problem but we don't know how far we should go. We could use a meter lock system or we could work with Avion to deliver their water since Avion's pipe is very close. A fix will have to be determined before the 2024 season.

Walt suggested that the group be taken out as a team building project (ie. go-karts).

- c. WATER MARKETING REPORT: The Roats application is ready for submission and we are waiting for Gen at DRC (Deschutes River Conservancy) to finalize a few things.

We will send out a letter to the remaining Avion customers that still haven't sent in or come in to have their affidavit notarized.

The groundwater mitigation proposal has been received by Avion and City of Bend. Both proposals are exactly the same. City of Bend will schedule an appointment and Avion is interested. There are certain water rights which need to be leased in 2024 but these water rights being leased will not negatively affect the mitigation water application.

- d. FINANCIALS: All expenses are as expected. The wild card is the legal expenses with the Save Arnold Canal lawsuit.

We will be \$65,000 below our budget in our operating funds.

Is there an option we could consider instead of assessing patrons' additional money than the \$30 per acre line item on the assessment. We could also use the interest gained from the modernization money in the LGIP. The board will re-think what to do about legal expenses before the next board meeting and budget approval.

Regarding the budget, there are many line items that are pre-determined. There is a wild card of 100 acres which would bring \$85,000 we would receive for water to go to Avion and City of Bend.

The Challenge to Modernization is a variable which goes up and down.

Dylan's pay will be bumped quite a bit because he didn't get a raise after his 90-day review. If we do not have two different job descriptions for the ditchriders and they are doing the same job, and have the same title, they must receive the same pay.

5. OFFICE REPORT:

- a. ASSESSMENTS: There are only 3 patrons who are delinquent in their 2023 assessment payments for a total of \$2000.39.
- b. TRANSFERS: Juanita is currently working on the transfers.
- c. REMNANT PARCELS: There are 3 remnant parcels which haven't been completed.
- d. EASEMENT RELEASES AND ENCROACHMENTS: Since our last meeting there have been no easement releases and encroachments completed.

6. OPEN FORUM: There were no items brought up for discussion during the open forum.

7. EXECUTIVE SESSION: At 5:05 pm Bob called to suspend the regular session and call to order an Executive Session pursuant to ORS 192.660(2)(h) To consult with your attorney regarding your legal rights and duties in regard to current litigation that is more likely than not to be filed.

8. ADJOURNMENT: The board resumed the regular session at 6:11 pm and adjourned immediately following.

