**Hermiston Irrigation District**

**Board of Directors**

#### August 15, 2024

**Regular Board Meeting Minutes**

**CALL TO ORDER:** Director Zumwalt called the August Regular Board Meeting of the Hermiston Irrigation District Board of Directors to order at 4:03 p.m.

**ROLL CALL:** Business Manager Nash recorded all in attendance. Present at the meeting were Directors Bryan Allstott, Steve Wallace, and Bryon Zumwalt; District Manager Annette Kirkpatrick; Field Manager Wyatt Cleaver; Business Manager Sonia Nash; Water Rights Specialist/CSR Karra Van Fossen; and Employee Donald Mote. Directors Jeremy Bolen and Ian Findley were not in attendance.

**PUBLIC COMMENT:** None

**NEW AGENDA ITEMS TO CONSIDER:** None

**GUESTS:** Employee Donald Mote- Extension of leave of absence.

District Manager Kirkpatrick requested to Director Zumwalt that we move Old Business up to the top to allow Donald Mote to leave sooner if needed. Director Zumwalt approved.

**OLD BUSINESS**

**EMPLOYEE LEAVE OF ABSENCE:** District Manager Kirkpatrick reiterated that the previous determination was approved for leave of absence until August 15, 2024 and is currently on a non-work-related unprotected leave. She then had Donald Mote take over from there. Donald Mote requested an extension to his leave of absence due to his non-work-related injury stating that he was trying to get the CT scan completed but that there was some miscommunication on the date. Originally scheduled for August 12, 2024 and then turned into August 21, 2024. District Manager Kirkpatrick asked Donald Mote if he was requesting the extension until August 26, 2024 as that is the initial Physicians note that HID has as a return-to-work date. Donald Mote stated yes, or later. District Manager Kirkpatrick then asked if he had submitted the paperwork to his physician and Donald Mote stated he had not submitted any paperwork to his physician. District Manager Kirkpatrick asked Donald Mote if he had been in any communication with them in regards to what he is needing or wanting in order to return to work. Donald Mote stated that he had not as he has tried calling his physicians office and they have not returned his phone calls. Director Zumwalt asked if they needed to make a decision based on this information. District Manager Kirkpatrick stated yes, and that her recommendation is to grant him the leave until August 26, 2024 as that is the date he is supposed to return to work full duty. Director Zumwalt asked Donald Mote to clarify what his request is. Donald Mote stated that he would like an extension passed the August 26, 2024 date as the CT scan is not scheduled until August 21, 2024 and would like to know more information. District Manager Kirkpatrick stated to the Board that even if the Board chooses to extend the leave after August 26, 2024 Donald Mote would still need to bring in a physicians note to cover those dates in order to continue with the extension process. District Manager Kirkpatrick stated if she was understanding correctly that the appointment that Donald Mote is trying to set up is to evaluate what they find on the CT and that he would need a full release in order to return to work that shows he is able to do all of his job duties on the job description and he has not turned that into a physician.

Director Zumwalt requested instead of holding another Special Board Meeting if HID could change the September 12, 2024 Board meeting to September 5, 2024 at 4:00 p.m. Director Allstott moved to approve to change the Board meeting to September 5, 2024. Director Wallace seconded the motion and it passed unanimously.

**DETERMINATION OF LEAVE OF ABSENCE:** Director Allstott made the motion to approve Donald Mote’s leave of absence until September 5, 2024 along with a physician’s note dated August 26, 2024 -September 5, 2024 and then re-evaluate the leave at that time. Director Wallace seconded the motion and it passed unanimously.

Director Zumalt requested that District Manager Kirkpatrick provide the determination in a letter and to CC the Board members on Friday, August 16, 2024. Director Zumwalt asked Donald Mote if he understood the determination and Donald Mote stated he did. Business Manager Nash stated to the Board that Donald Mote has chosen to leave his 34.25 vacation hours on the books and that he would not be receiving pay and that he would need to reimburse HID for his insurance.

Donald Mote left at 4:20 p.m.

**MINUTES:** The Board reviewed the minutes of the July 11, 2024 Regular Board Meeting and the August 1, 2024 Special Board Meeting Minutes. Director Wallace moved to approve the minutes as presented. Director Allstott seconded the motion and it passed unanimously.

**FINANCIAL STATEMENTS & VOUCHERS:** The Board reviewed and approved the July 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 the last two days, July 14 & 15, 2024 and that there remains approximately $39,098.78 in outstanding account receivables, with $8,023.74 of that remaining from previous years.

Business Manager Nash requested a motion from the Board to make a transfer in the amount of $1,743.54 for the Mid Year interest earned from the reserve account to the savings account. Director Allstott moved to approve the transfer as presented. Director Wallace seconded the motion and it passed unanimously.

**FIELD MANAGER’S REPORT:** District Manager Kirkpatrick reported to the Board that the Field Crew members have been conducting regular maintenance, treating for algae & pond weed, spraying & mowing, responding to patron phone calls and/or issues, piezometers, meter reading, and minor repairs throughout the District.

**O-LINE PROBLEM:** District Manager Kirkpatrick reported to the Board that on July 27, 2024 the eastside ditchrider noticed that water was backing up in the O-Line. The line was turned down and dipped on Monday, July 29, 2024. There was some overtopping but no structural damage.

**A-LINE PROBLEM:** District Manager Kirkpatrick reported to the Board that Dency Jo Paluso notified the District that there is groundwater coming onto her property and into her basement apartment. While HID is not responsible for groundwater and there is no active leak, we wanted to do what we could to make sure that we were not adding to the problem. It appears that the water is coming from the south side of Highland Ave where it crosses the A-Line. There was an old diversion box that was filled in, but could possibly have been leaking. HID crews went in and added bentonite & dirt and compacted the area. The water at Ms. Paluso’s receded and then came back. HID found some cracked panels under the Highland Ave bridge. The A-Line Canal was turned down on August 5, 2024 and repairs were made on August 6, 2024. The water seepage receded and returned again. HID has done everything that we can to eliminate our water from the historical groundwater problem in this area.

**HID WATER DUTY AND EXCHANGE:** District Manager Kirkpatrick reported to the Board that as of August 6, 2024, there was 8,558 af of water in Cold Springs Reservoir and 10,153 af left in exchange credits that can be pumped from the Columbia. HID used 9,033 af in July. District Manager Kirkpatrick requested that the Bureau of Reclamation increase the amount of diversion from the Columbia River to assure that HID receives all of its exchange water before the end of season.

**BOR:** District Manager Kirkpatrick reported to the Board that Umatilla Field Office Manager Chet Sater is on special assignment in Boise, ID for the next 60-120 days.

**NEW BUSINESS**

**2023 REPRESENTATION LETTER (AUDIT):** Business Manager Nash requested a motion to have Director Zumwalt, District Manager Kirkpatrick and herself sign the 2023 Representation Letter from the Audit. Director Wallace moved to approve to have Director Zumwalt, District Manager Kirkpatrick, and Business Manager Nash sign the 2023 Representation Letter. Director Allstott seconded the motion and it passed unanimously.

**RE-ADOPTING DISTRICT COMPLIANCE WITH PUBLIC MEETING AND RECORDS LAWS RESOLUTION:** District Manager Kirkpatrick reported to the Board that the Public Meeting and Records Laws had been updated and needed to be re-adopted in order to receive a 2% discount with SDAO. Director Allstott moved to re-adopt the resolution as presented. Director Wallace seconded the motion and it passed unanimously.

**WATER RIGHTS PURCHASING/RESERVE TRANSFER:** District Manager Kirkpatrick reported to the Board that she sold water rights from the Pool in 2022 and 2023. New water rights, such as those from the Pool, require HID to apply for a new water right certificate with OWRD. A new Water Right Certificate is a different process than a Water Right Transfer. There is an excess of water rights within the District that need to be transferred off of dry properties and new developments. These water rights should be transferred prior to applying for a new water right certificate.

Water Right Specialist Van Fossen has confirmed and District Manager Kirkpatrick agrees that it would be beneficial for the protection of the water rights to purchase 10 acres of water rights from a current patron and transfer those water rights to the new patrons instead of applying for a new water right certificate. We are requesting a motion that allows us to purchase 10 acres of water rights from a current patron, so that we can fulfill our water rights transfers and to be allowed to pay for the purchase of those water rights out of the Gate Tower Bridge Reserve Account. This is the account that water right sales proceeds go into. We are requesting to spend no more than $15,000. Director Wallace moved to approve a one-time transfer of $15,000.00 to be moved from the Gate Tower Reserve Account to the Checking Account for the purpose of purchasing 10 acres of water rights. Director Allstott seconded the motion and it passed unanimously.

**ELECTIONS- DIVISION 2, 3 & 5:** Business Manager Nash reported that the term of office of the Directors for Divisions 2, 3 and 5 are due to expire December 31, 2024. Nominating petitions are to be turned in at the District office with no less than ten qualified signatures by 4:00 p.m. on October 8, 2024.

**NON-ACTION ITEMS**

**FEMA-MAXWELL PUMP STATION AND PIPELINE PROJECT:** District Manager Kirkpatrick reported to the Board that the Maxwell Pump Station and Pipeline Project are substantially complete to the best of her knowledge. The connection of MAXO gauge to the Hydromet site was the final item to be completed. The only outstanding item is for IRZ to submit the as-builts and specs to HID and BOR. District Manager Kirkpatrick can now submit everything regarding the FEMA/OEM disaster relief projects for reimbursement.

**WATERSHED PLAN-EA NRCS/FCA WORK:** District Manager Kirkpatrick reported to the Board that FCA continues to meet with interested parties, work on cultural resources, and engineering of the B-Line Piping Project.

**CTUIR FEDERAL TRIBAL WATER RIGHT SETTLEMENT:** District Manager Kirkpatrick reported to the Board 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 LN 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.

Director Zumwalt asked District Manager Kirkpatrick if there had been any movement on the coordination between the BOR and HID in regards to clean up of the Elm St. property. District Manager Kirkpatrick stated there has been no movement and that Chet Sater is on an extended special assignment at the moment.

**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 4:50 p.m. Director Wallace seconded the motion and it passed unanimously.

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Bryon Zumwalt Sonia Nash

Director Recording Secretary