**Hermiston Irrigation District**

**Board of Directors**

#### February 27, 2025

**Regular Board Meeting Minutes**

**CALL TO ORDER:** Chairman Findley called the February Regular Board Meeting of the Hermiston Irrigation District Board of Directors to order at 4:00 p.m.

**ROLL CALL:** Business Manager Nash recorded all in attendance. Present at the meeting were Directors Bryan Allstott, Jeremy Bolen, Ian Findley, Steve Wallace, and Bryon Zumwalt; District Manager Annette Kirkpatrick; Field Manager Wyatt Cleaver; Business Manager Sonia Nash; Water Rights/Land Use Specialist Karra Van Fossen; and Developer Maggie Rodgriguez.

**OATH OF OFFICE-DIVISION 2:** Stephen (Steve) Wallace submitted the sole nominating petition for Division 2. District Manager Kirkpatrick read aloud the Oath of Office for the position of Director of Division 2 of the Hermiston Irrigation District for the term of January 1, 2025 through December 31, 2027. Steve Wallace agreed to the Oath as read, signed it and it was subscribed by Secretary Kirkpatrick.

**PUBLIC COMMENT:** None

**GUESTS:** Maggie Rodriguez- Rodriguez Estates-Moved down to New Business.

**NEW AGENDA ITEMS TO CONSIDER:** None

**MINUTES:** The Board reviewed the January 9, 2025 Organizational Board Meeting Minutes. Director Bolen moved to approve the minutes as presented. Director Zumwalt seconded the motion and it passed unanimously.

**FINANCIAL STATEMENTS & VOUCHERS:** The Board reviewed and approved the January 2025 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 standings.

Business Manager Nash advised the Board that collection calls were made on February 12, 2025 and that there remains approximately $660,855.63 in outstanding account receivables, with $19,140.35 of that remaining from previous years.

**FIELD MANAGER’S REPORT:** Field Manager Cleaver reported to the Board that over the last month the field crew has been working on maintenance on trucks and equipment, cleaned up the easement on the M-Line off of Theater Ln, replaced a culvert in the Maxwell, rebuilt headgates throughout the system, replaced a delivery on the R-Line for a patron, cleaned and repaired the roll tubs throughout the system. poured 4 delivery boxes, worked on the Maxwell Diversion headgate that was leaking, and will be placing geo-form liner under the bridge on Highland Ave. He also stated that the Grader is still in the shop for an unknown amount of time waiting on repairs.

**OLD BUSINESS**

No Old Business.

**NEW BUSINESS**

**RODRIGUEZ ESTATES SUB-DIVISION:** Abraham and Margaret Rodriguez have purchased a piece of property along the R-Line Canal and have partitioned the land. They plan to sell the empty lots for development. They have four lots that abut the R-Line Canal and they would like to request a variance for the fencing on this subdivision, discuss fees and the developer’s agreement.

HID submitted comment to Umatilla County Community Development Department on this subdivision in July 2024. HID notified the County and the developer that this land has a 60’ federal easement for the R-Line Canal. The letter also stated that HID had no objections to the subdivision, but HID has policies and stipulations when granting consent to a subdivision along our canals and rights-of-way. The landowner should contact the District and BOR for a list of fees and restrictions if they plan to build on the lots.

The Umatilla County Planning Commission Staff Report and Preliminary Findings stated concerns over the significant impacts of the development to the HID canal. At that time, I gave testimony that the District would require piping or fencing.

In our experience, urbanization around an open canal creates more traffic on the ditch roads, more debris in our canals, and complaints of what is currently considered normal operations and maintenance. It is HID’s policy to have developers pipe an open canal or fence along the easement with 6’ chain link fencing. Lands outside of the urban growth boundary are required to fence at the edge of the easement with appropriate fencing to keep livestock out of canals and ditches. Variances to the fencing policy can be approved by the Board.

Rodriguez is requesting to be allowed to forego the fencing since they are selling the undeveloped lots. The problem that HID has had with this scenario in the past is that the information does not get clearly related to the new land owner and HID has to monitor the area to make sure that fencing is not installed within the easement. The new owners do not have water rights and will not be aware of the District’s policies. Rodriguez has agreed to put language in their Covenants, Conditions and Restrictions agreements with the buyers. This is a great addition to the CC&R’s, but it has been the experience of the District that the new buyers do not always comply with the CC&R’s. This causes the District to have to have uncomfortable conversations with the new owners in the future. Situations like this are the reason why HID had to create Developer’s Agreements and Policies. The District is required under BOR contract to protect the federal easements. Fences within the easement limit the District access to operate and maintain our system. As we have seen with many developments, new landowners often have a problem with HID operating and maintaining our system. This ditch is traveled daily during irrigation season. Complaints about normal and necessary HID maintenance operations which may cause noise, dust, smoke, odors and other impacts considered by non-agricultural land users or trespassers to be a nuisance. We find that once the land is sold, previous agreements with the developer are not always honored.

According to our fee schedule, a development of three or more lots is charged a $1,500 base fee and $150 per lot. HID also charges $1,000 per lot for every lot that runs adjacent to the HID/BOR easement. The purpose for these fees is because HID has to monitor these lots and respond to the landowner requests and problem in the future. HID burns and sprays the easement along open canals for weed control. When a variance to the fencing policy is allowed, it creates additional maintenance time for the field crew. Fees can be reviewed and assessed by the Board on a case-by-case basis.

There are no private irrigation easements within this development, so only the four lots that are adjacent to the canal would be eligible for water rights in the future.

It is my understanding that the developer cannot afford to pipe the R-Line. If the impacted ditch is not piped, then the District will follow the fencing policy. I understand the Rodriguez request to let the buyers decide on what type of fencing they want. If HID agrees to forego the fencing within the Rodriguez Estates, then HID will have to have agreements with all four land buyers. The land buyers will be responsible for the costs of these agreements. I would recommend that if the Board allows Rodriguez Estates to not pipe the R-Line and to postpone fencing, that the full amount of fees be charged for the development for future issues and work that will need to be addressed by the District.

Maggie Rodriguez requested a fencing variance of a 4 ft barbwire or no-climb fence and a discount on the developer’s agreement fees by 50%.

Maggie Rodriguez left at 4:44 p.m.

After some discussion, The Board requested that District Manager Kirkpatrick inform Maggie that she would need to submit a plan to the Board as to what the fence would look like with some guidelines and then the Board could approve the variance. The Board agreed there would be no discount on the developer’s agreement fees. District Manager Kirkpatrick stated she would inform Maggie that she could submit at the March 13, 2025 Board Meeting.

**RATIFY PICK UP BIDS:** District Manager Kirkpatrick reported to the Board that she was seeking a motion to ratify the decision of approving Pierre Ford for the purchase of 2 new 2024 Ford F-250 pick-up trucks. Bids were sent via email to the Board and found comparable. Pierre Ford submitted a bid for $45,489.46 along with a second truck for $45,328.07. Rogers GMC submitted a bid for 2 pick-up trucks for $47,867.00 each and Sherell Chevrolet submitted a bid for 2 pick-up trucks for $48,631.65 each. The Board awarded the contract with a 3/5 approval via email & in-person for Pierre Ford in the amount of $90,817.53. Director Zumwalt moved to approve to ratify the award to Pierre Ford of Hermiston. Director Bolen seconded the motion and it passed unanimously.

**NON-ACTION ITEMS**

Nothing to bring to the Board

**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 Bolen moved to adjourn the meeting at 4:59 p.m. Director Zumwalt seconded the motion and it passed unanimously.

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Ian Findley Sonia Nash

Director Recording Secretary