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**Minutes of Meeting of the Board of Directors  
of the Wood River Valley Irrigation District # 45  
October 21, 2014**

The Special Meeting of the Board of Directors of the Wood River Valley Irrigation District # 45 was **called to order** by Director Super at 5:30 p.m. on October 21, 2014 at the office of the district located at Unit 4B, 1411 S. Main Street, Bellevue, Idaho.

**QUORUM**

Director Super assumed the chair and declared that a *quorum* was present, consisting of Directors, Super and Frugard.

**APPROVAL OF MINUTES OF MEETING OF OCT. 13, 2014**

The minutes of the meeting of October 13, 2014 were corrected, unanimously approved and signed by the Directors with the *proviso* that Mr. Frugard requested that a report that he prepared regard the status of several contemplated projects be appended to the minutes. Mr. Frugard will supply to the Secretary a copy of the report that he wants appended to these minutes.

**REPORTS**

Kelly Shannon, the Ditch Manager, reported that the end of the season has arrived and that all of the gates in the main head gate at the river are now closed as much as possible and one gate has been sandbagged, that the customary rock berm behind the main head-gate has been installed to block further flow of water that seeps past the closed gates; that deliveries of water have ceased for the season; that representatives of Trout Unlimited are salvaging the fish from the pools in the system; that he is continuing to map and inventory the system and its gates; that he is working on project planning with the TID people; that he received a signed easement document from the Campbell's which he provided to Mr. White, the Secretary; that he proposes to continue to remove trees and suckers from the ditch

banks; that he is investigating certification and training classes for toxic chemical use; that the District's pick -up truck needs a tune up which the Car Doctor has estimated will cost \$450.00.

Nate Issacs, from HUB Insurance, provided a brief report on the insurance situation respecting current and future coverages, costs, and renewal timing for District 45, including the potential for lower cost insurance through the Idaho Counties Risk Management Program. Mr. Issacs reported having contact with Sarah Gardner, now of the Triangle Irrigation District (TID), and that his understanding is that the TID has not made any arrangements for Directors and Officers coverage for directors on the Board of Control (BOC) and that our current policy would not cover exposures for persons designated by District 45 to serve on the BOC and that in his opinion the BOC would need its own insurance coverages.

Jim White, the Sec/Treas reported having provided financial reports to the Directors prior to the meeting which demonstrated the limited funds remaining in the bank, the as yet unapproved and unpaid last invoice from the District's counsel and the projected financial needs of the district thru the end of the fiscal year ending October 31, 2014 and to November 15, 2014, assuming no change in status of the district's current payroll and related taxes for its two remaining employees; that he encouraged the directors to communicate with District's counsel respecting additional time for payment of the latest invoice.

Mr. Super reported that the Directors should discuss again in November the preparation of a proposed recordable document to give notice to landowners and title companies of the District's lien rights as against lands with unpaid assessments.

Mr. Super reported that now that he has been determined to have been the only person submitted a nominating petition for a seat on the board for Division 2, predicated on the original division lines of the district, and the sufficiency of his nominating petition has been certified by the county clerk and the Secretary, that we should move forward on the getting the map of new division lines, which map Mr. Super asserted was approved last week, to the county, which he will attend to this week.

#### **PUBLIC COMMENT**

Ralph commented that he was pleased to see the efforts to recover the fish

in the ditch at the end of the season.

## OLD BUSINESS

Gary Frugard -

Reported on his discussions and possible planning with Partition Petitioners and discussion and planning for possible BOC engagement and possible work to be done on the system; that the BOC had approved the work Keith Myers has proposed doing on the "stagnant lagoon area" for \$9,500 to reduce back pressure in the ditch; that he had informed the BOC members that they should do engineering and elevations to insure that the work they want Keith to do maximizes the ability to get water into the system, which Mr. Frugard reported they agreed to do the engineering and obtain elevations from Galena Engineering, as he had requested, before doing work on the ditch.

At which point, Mr. Frugard made a motion to approve a \$200 expenditure within a few days to support the expense of having Galena do the engineering and elevations; Mr. Super noted that he had included expenses for this sort of work in the proposed budget under discussion for November and he declined to second the motion and it therefore, died.

Mr. Frugard reported that the BOC has <sup>was working with</sup> ~~engaged~~ Kelly Shannon. 

At which point Mr. Frugard made a motion that he and Ray Goettsche be appointed as the District 45 representatives to the BOC for one year. Mr. Super explained at length why he would not support the motion and the motion died for want of a second.

Mr. Frugard reported on his discussions with the City which is planning on cutting off the protruding sections of re-bar off the check dam in the river; and he reported on his communications with the City respecting the history, plans and approvals for the ADA bridge and that he will be picking up a copy of the documentation for the bridge and his intent to continue to evaluate the options for dealing the restrictions of the bridge on the flow thru the ditch and his plans to

pursue the appropriate engineering for the project.

Mr. Super commented that based on the draft budget he was provided for the TID, there is nothing provided for engineering costs in their budget.

Mr. Frugard reported that he is informed that the next BOC meeting will be on Tuesday, October 28, 2014 at 9:00 a.m. at 227 Baseline Road. Mr. Frugard reported that it will be an open public meeting.

Mr. Frugard reported that he expected an answer soon from the BOC on the question of insurance for the officers and directors of the BOC.

### **BUDGETING**

Mr. Super led a discussion on the status and process for budget for the 2015 Water Year. Mr. Super provided updated copies of the latest draft budget which is being developed using two scenarios; one assuming the Partition stands and the other assuming that it does not. Mr. Super and Mr. Frugard reviewed line items and each proposed adjustments to several line items. Mr. Super commented on the lack of line items in the preliminary TID budget that he was provided for expenses related to the operations and maintenance of the ditch.

Public comments were received from Mr. Goettsche about the question of the authority or lack of authority for the District's roll in connection with the historical approval of the ADA bridge. Jan Super commented about budgeted for book keeping expenses and computer and software expenses.

Mr. Super commented that the Directors had received an extensive email from District's counsel respecting the budget for legal expenses for the coming fiscal year which the Directors will need to study. Mr. Super commented that based on his personal investigation of the legal expenses of other district, he has learned that other district report annually spending in the range of \$40,000 to \$60,000 for each 10,000 acres.

No other persons asked to comment on the budget matters.

The budget negotiations were not completed in this meeting.

## **PUBLIC COMMENT**

No further requests were made for public comment time.


## **SETTING DATE FOR NEXT MEETING**

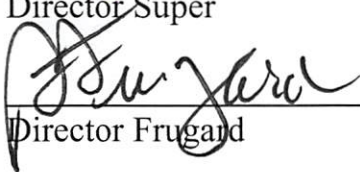
The Board then set the next MEETING DATE for Tuesday, October 28, 2014 at 5:30 p.m. at the office of the district located at Unit 4B, 1411 S. Main Street, Bellevue, Idaho.

## **ADJOURNMENT**

Mr. Super announced that the remaining items of the Agenda are tabled until the next meeting.

Whereupon, Mr. Frugard moved to Adjourn the meeting, seconded by Director Super, and having been unanimously agreed, the meeting was adjourned at approximately 6:45 p.m..

  
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Director Super

  
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Director Frugard

## **ADVISORY GROUP STATUS, September 30, 2014**

### **Background**

Mid July meeting with D37 WaterMaster revealed D45 water rights in jeopardy due to capacity constraints (opinion confirmed by D45 Counsel).

Advisory Group investigation identified 3 near term options to increase capacity:

- Increase water elevation at head gate fore bay (concrete blocks as in Hiawatha Canal, “wing wall” in fore bay).
- “Wing wall” at trailing edge of gate structure.
- Excavation of “stagnant lagoon” in back bay.
- Excavation of canal interior along the Gannett leg (trackhoe access favorable.
- Explore other canal sites to handle increased delivery

### **Advisory Meeting September 23, attendees:**

Ray Goetch, Keith Meyers, Kelly Shannon, Scott Porter, Chuck Brockway, Jerry Bashaw, John Stevenson, Sarah Garner, Steve Beevers, Gary Frugard

Consensus approach:

- Engineering study to assess/define elevations, fore bay to D37 measuring device.
- Cross section analysis to D37 measuring device, including the Preserve Bridge (to determine if it will interfere with increased capacity).
- Hydrology modeling to identify which options (or combination of options) above will produce greatest effects.
- Secure bids on the options identified.
- Commence required work to increase capacity as much as possible before the 2015 water season.
- Assess the existing water measuring devices.
  - Current D37 method ultrasound measurement of stream head, monthly current stream measurement, update 50-year-old charts based on “rated section,” look up cfs.
  - D45 flume device in ill repair, not reliable in current configuration, but would provide increased accuracy if rebuilt or replaced (current question, effect on flow capacity may have to move downstream).
- Phase 1 bid submitted by Brockway Engineering for BOD consideration/action September 30, 2014.