

Approved & Signed

**Minutes of Meeting of the Board of Directors
of the Wood River Valley Irrigation District # 45
September 30, 2014**

A Special Meeting of the Board of Directors of the Wood River Valley Irrigation District # 45 was **called to order** by Director Super at 5:40 p.m. on September 30, 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.

ANNOUNCEMENTS

Jim White – announced that he had provided the audio recording of the last meeting of September 23, 2014 to the Directors, but that the formal minutes had not yet been prepared.

Jim Super – announced that counsel for the District, as had been authorized, had filed on September 29, 2014 a motion to intervene in the appeal filed by the individual plaintiffs and a responsive brief in support of the application for a Temporary Restraining Order/Preliminary Injunction filed by the individual plaintiffs in the appeal case.

PUBLIC COMMENT

Nick Purdy commented that he thought he and Steve Beevers had made it clear at the last meeting that they would leave the District if the litigation did not cease and that he asserted that he had assurances from Gary Frugard that the litigation would cease.

REPORTS

Kelly Shannon reported on the quantity of water in the ditch and the use being made of the water, his meeting with Chuck Brockway and Keith Myers and a call from Mr. Wolfram.

Jim White reported that he provided another weekly updated set of financial statements to the Directors; that we have approximately \$16,500 in the bank after the payroll of September 30; that the fiscal year ends October 31, 2014; that historically, because of some small remaining cash balance at the end of October, payments are able to be made in November and December and that some users pay their assessments in November and in early December ahead of the due date of December 20, 2014. Mr. White requested that the Directors address the issue of the status going forward of all employees, in light of the District's cash position. He also reported that Ralph Lapham, who has an antique business, has indicated he would rent the current space from Mr. Mirams going forward and allow the District to use the front office space and bathroom for its board meetings and elections for \$100.00 a month, on a month to month basis beginning October 1, 2014, which amount would include all utilities. This would save the District over \$400 a month.

Whereupon the board, on motion by Director Frugard, seconded by Director Super and unanimously passed, adopted the following resolution:

RESOLVED; that the offer by Mr. Lapham is accepted effective as of October 1, 2014 on a month to month basis for \$100.00 per month, all utilities included, and the Secretary / Treasurer is authorized to inform Mr. Mirams and Mr. Lapham and make all necessary arrangements.

Mr. White then reported that the Penalty and Interest project remains in process and that the first batch of project invoices was provided to the directors for review; and that we have received a rebate check for \$150 from District 37 for "Ditch Maintenance".

BUDGETING

Mr. Super led a discussion on the status and process for budget for the 2015

Water Year. Mr. Super provided copies of the latest draft budget which is being developed in two scenarios; one assuming the Partition stands and the other assuming that it does not. Mr. Frugard provided an up-dated proposal from Chuck Brockway for engineering work and a hand out sheet for the record and explained what he had learned about the measurement methodology used by Kevin Lakey of District 37 to determine the amount of water entering the District's system from the river. Mr. Frugard reported that questions remain regarding the accuracy of the measurements. Discussions continued on the development of the 2015 Budget. Mr. White pointed out that in light of the partition, as expenses may relate to the operations and maintenance of the system going forward, those would be responsibilities of the Board of Control, not the respective districts and that there are sharing issues for budgeting purposes that need to be recognized and adjusted for, principally, an adjustment for the relative percentages of wet acres in the two districts and adjustments for whatever is determined to be shared ditches as compared to non-shared ditches. Mr. Frugard announced that he had received indications that the "Triangle District" had expressed interest in being added to the District's insurance policies as an additional insured. After discussion, this idea was rejected and dropped. Mr. Super announced that Kelly Shannon Junior, the seasonal employee, is "off payroll" as of October 1, 2014 and that he has applied for unemployment insurance benefits.

STANDARD OPERATING PROCEDURES

Mr. Frugard led a discussion about the implementation of standard operating procedures for the district and he provided a hand out for discussion. On motion by Mr. Frugard, seconded by Mr. Super, the following resolution was unanimously adopted:

RESOLVED; that the officers, directors and the water master will embark on a best efforts basis for the creation within the next 60 days of a preliminary draft of a set of standard operating procedures for the conduct of the District's business.

PUBLIC COMMENT

Jan Super commented that it was unfair for the directors to allow Nick Purdy to speak out at length and out of order when others were restricted only to public comment times.

Sheila White commented that is was unproductive for the District's business for Mr. Frugard to continue to exclude Jim Super and Jim White from participating in discussions in his advisory committee group.

Mr. Frugard commented that he was working towards getting the group to be more inclusive.

SETTING DATE FOR NEXT MEETING


The Board then set the next MEETING DATE for October 6, 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 7:35 p.m..



Director Super

Director Frugard

*Provided by G. Frugard
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Reed*

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.