

**MINUTES OF THE BOARD OF DIRECTORS OF THE WOOD  
RIVER VALLEY IRRIGATION DISTRICT #45  
September 19<sup>th</sup>, 2017**

- 1. CALL TO ORDER:** Director Johnson called the meeting to order at 6:30 p.m., September 19<sup>th</sup>, 2017 at the meeting place, Clearwater Landscaping on Kingsbury Lane, Bellevue, ID.
- 2. ROLL CALL TO ESTABLISH QUORUM:** Director Johnson, Director Bertoni and Director Casey were present.
- 3. READING AND CORRECTION OF MINUTES FOR:** Director Johnson attested to the meeting minutes for August 15<sup>th</sup>, 2017 were correct. Motion to accept the minutes passed unanimously.
- 4. PUBLIC COMMENT:**  
  
NONE.
- 5. OLD BUSINESS:**

**a. Shared Asset Ownership Documents Updates:**

There are two parts to this item.

--The first being the Quit Claim Deed for the property within the city of Bellevue for each sub-district TID & D45 to be listed on the title. The Quit Claim Deed has been recorded and copies of this recording have been sent to TID and Andy Waldera.

--The second part is the Shared Ownership of the canal mitigation rights. Andy Waldera sent a letter to IDWR and he is still waiting to hear back from them.

For this work Mr. Waldera estimated \$600. However, his bill to date presented for payment at today's meeting slightly exceeded this estimate, and there will probably be some additional charges when the IDWR gets back with Andy. Director Johnson asked the treasurer to present the bill to the TID and request they consider accepting the minimum overrun by Andy, since the estimate was very reasonable and the TID had agreed to these actions with the understanding of splitting the cost.

**b. District Boundary and Joint Works Maps Update:**

At the August 15<sup>th</sup> meeting the directors approved the Joint Works content of the map presented. However, there were several questions regarding the boundaries and point of uses, so this aspect of the Joint Works Maps will be tabled and addressed at a later meeting.

**c. Gannett Road Property Quiet Title Process Update:**

Director Bertoni reported on his discussion with TID's legal counsel Al Barker. They discussed the different approaches for acquiring ownership of this parcel of property. The TID is proposing filing a Quiet Title Legal Action during this coming budget year, and Al has proposed a budget

of \$10,000 to accomplish this task, which D45 would be responsible for budgeting our percentage (\$1400). The premise is that no matter how long the districts pay the property taxes or show 'presence' on the property at some point an action needs to take place to formally acquire ownership. Since this issue has been under discussion for many years, the TID believes now is the appropriate time to take action.

**d. BOC Workshops Update & 2018 Budget Process:**

BOC workshop is Thursday, September 21<sup>st</sup>, 2017, 6:30 at the TID Clubhouse on Baseline road.

## **6. REPORTS:**

**a. Jolyon Sawrey, BOC Representative:**

**1. BOC Budget Workshop Meeting:**

Jolyon was not present at the September meeting as he was at home working diligently on ground work for the BOC Workshop meeting for Thursday night, September 21<sup>st</sup>.

**b. John Wright, Water Master:**

**1. Closing the Main Head gate Early**

Mr. Wright is asking the remaining users if he can close the headgate and shut the water off to patrons. The irrigation season officially continues until October 15<sup>th</sup>. However, there are some really important maintenance items (gravel bars & retaining walls) that need to be addressed earlier rather than later. So John is asking to shut the water off to dry the canals out so this work can be done.

Director Casey motioned that D45 gives permission that the Water Master may close the head gate and stop delivery of water rights as long as the remaining users have been notified. Motion was seconded and the motion passed unanimously. The Directors will help contact the few patrons that may still be irrigating. There is not expected to be any resistance as the weather is getting cold and rainy.

**2. Water Cuts**

The last water cut made was for the 6/30/1884 water right priority in September. Bellevue Farms patrons are some of the last water rights and users that will be affected by the early shutdown.

**3. Trout Unlimited**

Trout Unlimited has salvaged the fish from the canals in the past and John will contact them for salvaging this year.

4. Taking Steps to utilize available money in the 2017 budget by reallocating budgets between line items for important maintenance activities:

It was discussed extensively that Justin Stevenson and John Wright to continue to follow the process of asking both sub-districts for approval to reallocate funds from one line item to another. They need to get this approval before actually starting the work with the assumption that the money is available. Both districts are very willing to quickly address requests of moving money within the budget to accomplish canal maintenance work.

5. New property that tree clearing budget has been transferred to:

The two parcels to the North of the original parcel are Keith Myers property & Sun Valley Bronze Property. The parcel to the south is owned by the City of Bellevue. The planned tree maintenance work will take place on these three parcels of land within the city of Bellevue.

6. Clearing Trees Posing Risk:

John shared the philosophy for removing trees along the canal and information gathered from a canal workshop attended this summer. He explained how cutting down a large tree and killing the root with chemicals can potentially weaken the canal bank as the root ball decays. The better practice would be removal of the root ball and reestablishing the canal bank with fill, which is very expensive. He is an advocate of just removing the deadfall and dead/dying standing trees along the canal at risk of falling into the canal and jeopardizing the ability to delivery water.

Director Casey suggested that perhaps the BOC need not budget another \$10,000 for tree work for 2018 until we see how the work done this fall in 2017 appears and maintains during the 2018 irrigation season.

c. **Treasurer, Shirley Spinally:**

1. Bankruptcy

D45 has a property going thru bankruptcy and Shirley has been receiving inquires of various natures regarding this property. This has enhanced her concerns and she took the time to inquire into more detail concerning the necessary actions for securing our water assessments past due. She was advised that we should wait it out, and when the bankruptcy is finalized we should receive our assessments for 2017 as part of the settlement of creditors against this property. However, she foresees that this could take well into 2018 and that we would not be able to claim 2018 assessments because the bankruptcy was filed in May 2017 and all money owed is frozen at that time, and further acquired indebtedness will not be included in the balance due any creditors.

Shirley is asking the board if there is a preferred action they would like her to proceed with.

Director Johnson motioned that the board gives permission for Shirley to contact D45 council Andy Waldera for information regarding the action that she could or should take regarding this bankruptcy and having success collecting 2017 assessments and 2018 assessments. Motion was seconded and the motion passed unanimously.

2. IRS letter

The letter is in regard to the 941 Form for the New Year that Shirley needs to file.

3. Checks

- Secretary and Treasurer
- BOC for \$1500
- South Valley Storage
- D45 Lawyer
- ICRMP
- TID lawyer Al Barker for conversation with Director Bertoni

Director Bertoni asked the Treasurer about consequences of the proposed BOC budget exceeding \$100,000. How does this affect the district and would this require an audit? What is the cost for an audit? He also asked for clarification of the use it or lose it philosophy with regard to a quasi governmental entity's budget and accountability to the patrons/people being assessed.

d. **Secretary, Bette Gower;**

Bette clarified again that the directors need to be very clear on their motions - state clearly actions/permissions for items, and follow the procedures with motions, seconding, and passing by vote.

**7. NEW BUSINESS AND OTHER ITEMS THE BOARD DEEMS PERTINENT:**

a. **2018 Budget:**

Director Johnson lead the review of each line item for D45 budget for 2017 with discussion and changes made for completion of the preliminary 2018 budget.

b. **BOC IWUA Membership:**

Shirley will contact a TID Representative and suggest having the IWUA membership through the BOC, instead of both TID and D45 being a member individually, and have it on the BOC Budget.

**8. PUBLIC COMMENT:**

Jan Super: Asked for clarification of what the Directors were discussing under the Old Business Item 5.a 'the Quit Claim Deed for the property within the city of Bellevue and the Shared Ownership of the canal mitigation rights'.

She also asked for clarification of the District Boundary & Joint Works Map.

**9. SETTING DATE FOR NEXT MEETING:** The next meeting will be held on October 10<sup>th</sup>, 2017 at 6:30 p.m.

**10. ADJOURNMENT:** Director Johnson motioned to adjourn the meeting at 7:30 p.m. Director Casey seconded the motion.

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Director Johnson

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Director Bertoni

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Director Casey