

**MINUTES OF MEETING OF THE BOARD OF DIRECTORS
OF THE WOOD RIVER VALLEY IRRIGATION DISTRICT #45
APRIL 14, 2015**

Definitions of abbreviations: Irrigation District 45 (D45), D45 Board of Directors (BOD), Triangle Irrigation District (TID) and Board of Control (BOC).

1. **CALL TO ORDER:** By director Jim Super at approximately 5:30 PM, April 14, 2015, at the office of the district located at Unit 413, 1411 S. Main Street, Bellevue, ID 83313.
2. **ROLL CALL:** Directors Jim Super and Jolyon Sawrey were present, and Gary Frugard was absent.
3. **READING AND CORRECTION OF THE MINUTES FOR APPROVAL:** Mr. Sawrey spoke of Mr. Frugard's health issue preventing him from being present. Motion to approve minutes for March 10, 2015, by Mr. Sawrey and seconded by Mr. Super – approved.
4. **PUBLIC COMMENT TIME:**
 - a. **Ray Goettsch:** Mr. Goettsch resigned from the BOC due to personal reasons. Motion to open the position (BOC for D45) for replacement by Mr. Super and seconded by Mr. Sawrey.
 - b. **Judy Grigsby:** Nominated Jan Super to replace Mr. Goettsch on BOC for D45.
 - c. **Florence Blanchard:** Promoted working on the Howard Preserve requesting a committee with D45 and others (TID & BOC). Requested contact list of directors.
 - d. **Mr. Sawrey** recognized Cade Seibold as new Water Master. Mr. Super welcomed Mr. Seibold. Mr. Super advised of recent ownership changes. Mr. Sawrey advised Mr. Seibold of creating a standard operating procedure which he would talk about later. Mr. Super read email from Kevin Lakey re: priority flows and cut off's. Jan Super made recommendations re: notifying patrons about cut-offs – going door-to-door. Mr. Seibold working with Mr. Lakey.
5. **OLD BUSINESS:**
 - a. **Litigation and appeals:** Mr. Super said that Atty. Andy Waldera was directed by 2 BOD (Mr. Frugard and Mr. Sawrey) to not appeal on any of cases. Mr. Super chose not to comment on action.
 - b. Mr. Sawrey said that working final map of joint works was issued, servicing 5 areas. New version to be forwarded to TID/BOC. Mr. Sawrey pointed out some recommended changes. Mr. Super has not reviewed. To be discussed later. Mr. Super said that add in charges, etc. and joint works needed to be added. Mr. Super agreed to send this on to be evaluated later. Mr. Sawrey motion to send on maps as amended. Seconded and approved by Mr. Super, to be reviewed in September.
 - c. **Prairie Sun Status:** Mr. Sawrey has not done homework yet. Mr. Super asked Poppy Englehardt if they have been assessed yet. She does not know. Mr. Sawrey will work with Ms. Englehardt, then Atty. Mr. Super not sure of what Judge Elgee said.

- d. Rinker Property Status: Property is not in D45 as well as Myers. No annexation. Water administration through TID. Water delivered through joint works system. Money should come back to D45 (38%). Mr. Sawrey to follow-up.
- e. Truck Sale: Mr. Super said that this should have been done in open public forum. Truck was sold for \$500. Retro-action motion to ratify sale for \$500 by Mr. Sawrey and seconded by Mr. Super, approved. Mr. Frugard ratified by email. \$500 should be split asset.

6. REPORTS:

- a. BOC/Mr. Goettsch: BOC approved transfer of David Johnson water rights for water bank. Regarding operating rules: provides BOC would approve water transfers of joint works, D45 and TID same. Mr. Goettsch voted against because BOC would approve all transfers. Mr. Sawrey said that Mr. Stevenson provided an amendment striking word "affect". Must be reviewed by D45 later to agree or not. Mr. White said that we need to inform IDWR, after D45 approves. Mr. Super not comfortable giving BOC this responsibility. Water bank, transfers, and splits of water rights must be approved by both TID and the D45 BOD's. IDWR Rules and Idaho Statutes require that the District(s) must approve these actions before the IDWR can approve. The "confusion comes in when the BOC insists that it is their job without any authority to do so. Mr. Sawrey asked Mr. Johnson where his application stands. Signed by owners. Received D45 approval. Waiting for TID consent letter. Mr. Sawrey wanted to make sure Mr. Johnson wasn't waiting for us. Call Mr. Sawrey if he needs help to complete request. Poppy Englehardt (TID) will follow-up with TID. Mr. Super explained the individual water right owners' options for various transfers/splits.
- b. Secretary/Jim Spinelli: Working on getting minutes out sooner and refining the future agendas.
- c. Treasurer/Shirley Spinelli: Receiving money from patrons. We have several checks to be signed. Need to establish a better method for approval of accounts payable checks (19 on hand). Lengthy discussion about D45 portion of expenses, accountability from TID, joint and separate projects, no actual contract for services with TID and BOC. All accounts payable relating to labor/payroll were deferred due to no joint services agreement, and most others approved, with some withheld due to more research for validity. Mr. Sawrey requested a detailed budget report regarding budget vs. actual.

7. NEW BUSINESS:

- a. Mr. Super: Brockway request, Ferguson Berman Trust letter for approval to the IDWR. MOTION: Mr. Super to send D45 approval. Mr. Sawrey seconded, motion passed.
- b. Mr. Sawrey:
 - 1-Wants to create a document, "cliff notes" to educate patrons on the standard operating procedures of the D45 and the BOC procedures, especially for new patrons to expedite learning curve. Mr. Super thinks that everyone should already know basics. Judy Grigsby: There is lots of information I would like to know as a patron, and who do I talk to get info.

2-Computer/Software for Bookkeeping: Software has been purchased. What about a computer? Mr. Sawrey has spare PC. He does not need it. He can donate it to us for use. There was a general discussion about back-up capability, and accessibility to working on the computer remotely.

3-Office and Meeting Location: Mr. Super: Must have open public meeting place within the boundaries of your district. We have agreement with landlord to meet at the current location. Mr. White: You have license to meet for board meetings and elections which \$100 per month. Mr. White is willing to work out agreement to share space at the meeting location (30 boxes). There is a record keeping space issue. Mr. Sawrey is offering office space for work station with internet. Mr. Sawrey needs to check on availability of storage space for files. Mrs. Spinelli likes to have work station at her house, and then she can be flexible with her time. Mr. Super: Technology allows working anywhere. Still need to store records that are accessible to the public. Mr. White: Public must make a public information request that would allow access upon request. Mr. Sawrey will look for storage at his rental.

4-Water Bank Rental: Has documents that he doesn't understand. Mr. Super: That is Ferguson Berman Trust of 1994. Send letter to IDWR.

5-Not on Agenda – 3rd Party Joint Services agreement: Mr. Super: not on agenda. Mr. Sawrey: Can it be added this meeting. Mr. Super: As deemed important by the Board. Mr. Super: There was an unofficial agency agreement prior, but not legal. Mr. Sawrey, on his own initiative, started the process of putting together a draft 3rd party agreement. Second document – what does the BOC have as a working agreement with TID and D45 and accountability? Mr. Sawrey used an agreement from E. Oregon as a template. He met with several individuals with BOC and TID for comments and suggestions. Mr. Sawrey did research on the idea of “transparency” and reached out to Atty. Andy Waldera for his advice: It is not a requirement that we share with public these types of documents. Then share draft with D45/TID/BOC. He received major resistance with TID and BOC. TID and BOC were alarmed at attorney involved. After this, with few modifications, document went back to Mr. Waldera for review. He said that the documents were still good. There is a clause that allows us to amend document or get out of agreement at any time. Mr. Sawrey phoned Atty. Tom Arkoosh; he suggested changes to labor bookkeeping. Atty. Waldera was satisfied. Mr. Sawrey found out that Mr. Arkoosh represents TID and BOC.

Mr. Super: He has not been not been informed, just got this information, not prepared to vote. Yes, he believes public should be able to read and comment. Must have separate accounting system. Let's set special meeting 5 days out, especially since Mr. Frugard isn't here. He believes that transparency is the best practice especially if you want to heal wounds. This doesn't require an emergency meeting. Post it tomorrow, for Tuesday, April 21, 5:30 PM, here at meeting place. The sole purpose of the meeting will be public comment and decision of 3rd party agreement. Comment on

how to post/advertise to get best attendance. Put it on website. Mr. White will contact his interested parties. Mr. Super: We will do what we are legally required. Mrs. Super has concerns about financial accountability. Mr. Sawrey mentioned that BOC can cut off water. Mr. Super vehemently challenged this statement as inaccurate and unfounded. Mr. Sawrey appealed for progressive cooperation in resolving these issues. Mr. White reviewed the draft - there is a shortcoming of protecting D45 interests, and said so to Mr. Sawrey. Mr. Sawrey did not incorporate his ideas due to wanting to wait for public comment. Mr. Spinelli confirmed that Mr. Super has not reviewed this document. He wants to know why the urgency to get this done from a time perspective, to slow down to make sure we approach this with the best way to make it work the 1st time. Mr. Super indicated that he has been working on this for a long time. He is concerned about accountability to the organization and patrons.

Mr. Sawrey: He received private envelope. Mr. Super hasn't read it, to do with issues before the partition. Mr. Super: Probably has to do with divisions of assets. Mr. Sawrey: He received letter from D37 about unpaid fees from D45 patrons. Also, Sara Gardner contacted Mr. Sawrey for list of delinquent D45 patrons. Mr. Super: We won't have list until tomorrow to give to Cade. Mr. Super, close of business tomorrow.

8. **PUBLIC COMMENT:** Mr. Johnson: Feels like he is getting "run-around" on water banking issue. Mr. Sawrey will help follow up.

9. **SETTING DATE FOR NEXT MEETING:** Second Tuesday, May 12, 2015, 5:30 PM, here.

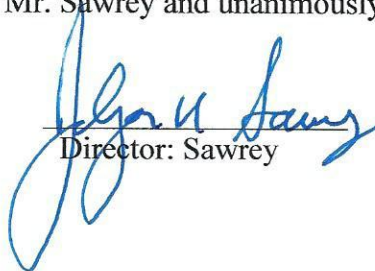
10. NO EXECUTIVE SESSION

11. ADJOURNMENT

On a motion by Mr. Super, seconded by Mr. Sawrey and unanimously approved on 12 MAY 15



Director: Super:



Director: Sawrey