

**Minutes of Meeting of the Board of Directors
of the Wood River Valley Irrigation District # 45
February 11, 2013**

The meeting of the Board of Directors of the Wood River Valley Irrigation District # 45 noticed for February 11, 2013 was **called to order** by Director Super at 5:00 p.m. on February 11, 2013 at its regular place of meeting located at 110 Honeysuckle Street, Bellevue, Idaho.

Director Super declared that a *quorum* was present, consisting of Directors Super and Gardner. Director Super noted that Director Wilson was absent, as he had explained he would be out of the country on business at this time.

The minutes of the prior meeting of January 14, 2013 were read and approved by Directors Gardner and Super.

Director Super opened the meeting for initial “Public Comments”: No one asked to speak at this time.

REPORTS

Director Gardner **introduced Kelly Shannon** as the district’s new manager.

Director Super announced he was still working on updating the assessment book, and he described, at length, some of the steps he has taken and other steps he will continue to pursue to improve the detail and accuracy of the assessment book. Director Super indicated it was a laborious task, but that he was making considerable progress. He expected to have an updated version available for further review by the Board at the next meeting.

Secretary/ Treasurer White provided the Board with a report on overdue assessments based on Aged Receivables report provided by the bookkeeper, Stacie Brew.

The Directors and Mr. White discussed the details of individual balances of those items appearing as overdue on the report. Director Super offered some additional details on several line items in the AR report which related to the work he was doing to update the assessment book.

Director Gardner noted that last month the board had agreed to forgive the small Swenke balance (interest and fees) and Director Gardner requested his balance be revised to reflect a zero balance. Director Gardner stated she had forgotten to inform Stacie Brew of this change, but would contact her the following day to request this change be made to Mr. Swenke's balance.

The Directors and Mr. White discussed the status of individual members with over due balances.

As to property # 104, Farmer's National Bank, Director Super indicated he had spoken with Matt Bunn at the bank and that they will be paying the bill.

As to property # 124, Cartwright/ Breen. Director Gardner noted that the member had paid half of last year's assessment, but then appears to have sold the property and the new owners (BuckWestfall and Barbara Mercer), may not have received the bill. Director Gardner indicated that the new owners need to be contacted and provided with an invoice for the second half of last year. Mr. White will attempt contact the new owners.

Mr. White noted that property # 128, Dion, shows an arrearage back to 2008, but Director Gardner and Mr. White noted that Director Wilson had been working with the property owner and it was agreed by the Board to await Director Wilson's return before considering the matter further.

Director Gardner noted that property # 131, Gene Drussel, reflected an overpayment. Mr. White is to review the matter with the book keeper.

Mr. White noted that property # 137, Jay Feris, appears to have been sold and the new owner likely is not aware of the overdue amount. Mr. White will review the matter with the bookkeeper.

Director Gardner noted that as to property # 138 and 139, Figge Realty and James Figge, they are out of the country and expected back at the end of February. Director Gardner expects that bill will be paid upon the members' return to town.

Director Gardner noted that as to property # 148, Betty Grant, the property is for sale and the member has indicated a present inability to pay at this time. Director Super noted that it has been for sale for a very long time. The Board and Mr. White will continue to evaluate the situation.

As to property # 149, Gregory Ranch, LLC, Miles Stanislaw, Mr. White is to seek to make contact.

As to property #152, Daniel and Wes Purdy, Director Gardner indicated she tried numerous times in 2012 without success to make contact with Wes.

As to property # 156 Diane Jarmusz, Mr. White is to try to make contact.

As to property # 159, James and Angie Jones, Director Wilson is currently working with the Jones' who are making payments and Mr. White is to follow up with Director Wilson.

As to property # 160, Gail Kearns, Mr. White will contact her to be sure she received the assessment invoice.

Director Super noted that as to property # 166, High Track, LLC, Director Super indicated this related to Jimmy Walker and Director Super asked Mr. White to get him a copy of the invoice and Director Super indicated he would get it to Mr. Walker's secretary, Stacy McLaughlin, for expected prompt payment.

As to property # 174, Mel O'keon, Director Super indicated the member had been contacted in the past. Director Super and Mr. White are to follow up.

As to property # 177, James Oosting, Director Super noted we need a new address. Mr. White to follow up.

As to property # 181/ Wes Purdy, Director Gardner noted the arrears include both 2010 and 2011 as well as 2012. Director Gardner indicated she has heard this property may be for sale and as a result, the district should move forward to protect lien rights. Director Gardner made several attempts to contact Mr. Purdy in 2012 but was never able to make contact. Mr. White to follow up.

As to property # 182, Redstone Partners, Director Gardner noted is a large over due and will provide Mr. White with the contact information she has and Mr. White is to follow up.

As to property # 188, Soares, Mr. White is to follow up to be sure they received the invoice.

As to property # 209, Whitaker, Mr. White is to follow up.

Mr. White then provided a brief overview of the statutory provisions respecting the process for asserting the district's lien rights.

APPROVAL OF BILLS

The meeting then proceeded to reviewing and approving bills: the Verizon Wireless bill and requests for reimbursement by Mark Gower for his out of pocket expenses for the By-Law committee work were approved. Mr. Gower is to submit a copy to Mr. White.

REVIEW OF IDAHO WATER ENGINEERING PROPOSAL

Director Super then noted that the directors had considered the proposal from Dave Tuttle, of Idaho Water Engineering, presented last month. Directors Super and Gardner indicated they had had contact with several persons, including, Al Barker, Pete Van Der Mulen and Rob Struthers. The Board decided by motion, seconded and unanimously passed, not to pursue the matter further at this time. Mr. White was directed to send out a letter (see attached, to be a part of the

record) which Director Gardner provided to Mr. White for transmission to Mr. Tuttle.

MANAGER'S REPORT

The new manager, Kelley Shannon, reported on his preliminary evaluation of portions of ditch which he has walked. He reported that he is generally getting up to speed regarding various water measuring devices in the ditch which he has seen and/or heard about and gates which need repair. Director Super suggested Kelley speak with Steve Gower, a concrete contractor, and the brother of Mark Gower for bids for any concrete work that may need to be done.

The manager reported on several meetings he has had with some members and reports that he is working with members about plans to clear debris and make repairs as problems arise. The manager reported he will continue to try to make contact with members in advance of the season to assess their particular concerns.

Director Gardner provided the manger with some printed materials (the name and number of Mr. Cennerusa with the extension office) she had acquired respecting chemical use in and around our ditches.

BY-LAW COMMITTEE REPORT

The By-Law committee report was then presented by Mark Gower. Directors Super and Gardner noted they had received a written report from Mr. Gower and Mr. Gower indicated he wanted it made a part of the record of the District's Board (see attached). Mr. Gower offered to read his letter to the board but the board indicated that would not be necessary. Directors Super and Gardner each expressed their appreciation of the hard work by the committee and they asked the committee members to continue with their efforts and perhaps seek out additional members.

Director Super then continued to comment regarding his efforts to update the assessment book. Director Super noted that he understood that the work of the By-Law committee would take considerable time, just as the efforts he has been involved in pursuing to update the assessment book. He asked Mr. Gower and the committee members not to get discouraged, but to press on.

Director Gardner also expressed her appreciation, indicating that "the board

is behind you” and asked they committee to keep up the effort and to not take the criticism personally.

OTHER ITEMS THE BOARD DEEMS PERTINENT

Director Super then updated the board on his continuing investigation on Stevenson related rights, noting that it was still an ongoing investigation and that he intended to meet soon with a representative of the Stevenson properties. Director Gardner indicated she would facilitate getting such a meeting set up.

NEW BUSINESS

The meeting then addressed “New Business” matters, with Director Super announcing that he had received materials from IDWR about conjunctive management matters, which he understood is being supplied to the interested parties in the valley.

ADDITIONAL PUBLIC COMMENT TIME

The meeting was then opened again for additional “Public Comment”. No one asked to speak.

NEXT MEETING DATE SET

The date for the next meeting on March 11, 2013 at 5:00 p.m. was announced.

ADJOURNMENT TO EXECUTIVE SESSION

The meeting then adjourned into executive session pursuant to Idaho Code section 67-2345 with Attorney James D. White, who has been previously engaged by the board to look into a potential legal matter.

After approximately 20 minutes in executive session, the meeting was adjourned at 6:17 p.m..

Minutes Read and Approved at meeting of March 11, 2013 to be included and maintained in the book of Minutes of the Board: