

BOARD MEETING MINUTES
March 9, 2021
64697 Cook Avenue
Bend, Oregon 97703

BOARD: Ron Cochran, Jack Farley, Martin Warbington, Carol Shull
STAFF: Kenneth Rieck, Chris Schull, April Harris Spath
ATTORNEY: Mark Reinecke
GUESTS: Scott Maricle (joined virtually via Microsoft Teams)

Chairman Cochran called the regular board meeting to order at 10:05 a.m. and appointed April Harris Spath scribe.

EXECUTIVE SESSION ANNOUNCEMENT

At 10:07 a.m. the Board recessed the regular session and entered executive session per:

- ORS 192.660(2)(a) To consider the employment of an officer, employee, staff member or agent.
- ORS 192.660(2)(f): To consider information or records that are exempt from disclosure by law, including written advice from your attorney.
- ORS 192.660(2)(h): To consult with your attorney regarding your legal rights and duties in regard to current litigation or litigation that is more likely than not to be filed.

DIRECTOR FOR DIVISION #3 VACANCY

Carol Shull was appointed to fill the position of Director of Division 3. Shull read her oath of office and signed it in front of a notary. This fall an election will be held to fulfill the remainder of the current term for Division 3, which expires the first week of January 2023.

APPROVE MINUTES OF FEBRUARY 2021 BOARD MEETING

Director Warbington made a motion to approve the minutes of the February 2021 board meeting. Vice Chair Farley seconded the motion and it passed unanimously.

WATER SUPPLY REPORT

Assistant Manager Schull reviewed the current water supply report and attached graphs. Crescent Lake was 27% full. The District is still planning on a rotation schedule beginning mid-July but will not know until later this spring what type of rotation will be needed. Once a plan has been established, a letter or postcard will be mailed to patrons with the details.

GROUP 3

Assistant Manager Schull updated the Board on the progress of Group 3. Taylor NW has completed the installation of the 36" pipe and has begun connecting it to the 60" pipe. The next step will be putting fences back up and starting the seeding for restoration.

STEIDL DAM

Maintenance operations on Steidl Dam are almost complete. Assistant Manager Schull shared pictures of the completed work and stated that the concrete looks great and should last for the next 100+ years. They are now in the planning phase for next year's maintenance.

WATER CONSERVATION POLICY

The Board reviewed the final draft of the District's conserved water policy with the minor revisions that Attorney Garrett Chrostek made. Director Warbington made a motion approving the revised policy. Vice Chair Farley seconded the motion and it passed unanimously. All board members present signed Resolution #2021-01.

PROJECT FUNDING – GROUP 6

The District is beginning the process of applying for grants for the next piping project, Group 6 of the Watershed Plan. Vice Chair Farley made a motion authorizing the manager to sign grant applications for Group 6. Director Warbington seconded the motion and it passed unanimously.

PROJECT FUNDING – GROUP 3

Vice Chair Farley made a motion to approve the renewal of a line of credit with First Interstate Bank for another year because it seems very likely the funds will be needed this year to finish the Group 3 project. Director Warbington seconded the motion and it passed unanimously.

PATRON LETTERS

The Board reviewed a couple of letters that were submitted by District patrons stating they were unhappy with the Legal Defense line item that was added to the annual assessments this year and respectfully declined to pay. The Board discussed the matter and although they understand their frustration, after considering all the available options, they determined that all patrons need to share the costs equally. Also, Attorney Reinecke reminded the Board that Oregon Revised Statutes Chapter 545 lays out the rules and regulations that irrigation districts must follow. Basically, irrigation districts have a duty to treat all patrons equally, regardless of size of property or amount of water used. As such, the District cannot allow certain patrons to not pay portions of their assessments. If a patron refuses to fully pay their annual assessment, the District must pursue any unpaid balance through the procedures included within ORS Chapter 545, including property lien and foreclosure. A letter will be mailed to these patrons to inform them of the Board decision.

DISTRICT MANAGER RESIGNATION

Ken Rieck resigned as District Manager, effective today March 9, 2021. As discussed with the Board, he will be using his accrued time off beginning March 10, 2021. After taking his requested time off, he would like to discuss the possibility of returning as a part time employee in a different capacity. The Board unanimously agreed that he had done an outstanding job as Manager for these past 7 years and thanked him for his service to the District. Rieck recommended Assistant Manager Schull for the position of District Manager. Director Warbington made a motion appointing Assistant Manager Schull as Interim Manager. Director Farley seconded the motion and it passed unanimously.

PUBLIC COMMENT

No comments were made.

MOTION TO APPROVE MARCH 2021 VOUCHER LIST

Vice Chair Farley made a motion to approve the March 2021 voucher list. Director Warbington seconded the motion and it passed unanimously.

NEXT MEETING DATE

The date of the next regular board meeting was set for April 13, 2021.

ADJOURN

Director Warbington made a motion to adjourn the regular board meeting at 12:23 p.m. Vice Chair Farley seconded the motion and it passed unanimously.