

BOARD MEETING MINUTES

October 14, 2025
64697 Cook Avenue
Bend, Oregon 97703

BOARD: Ron Cochran, Martin Warbington, Steve Putnam, Carol Shull
STAFF: Chris Schull, April Harris Spath
ATTORNEY: Mark Reinecke
GUESTS: Susie Hart, Baron Braatz, Jack Farley, Greg Mohnen, Yves Teirlynck, David Arnold, Nunzie Gould. Zoom Attendees: Jeff Stuermer

Chairman Cochran called the regular board meeting to order at 10:00 a.m. and appointed April Harris Spath scribe.

EXECUTIVE SESSION ANNOUNCEMENT

At 10:00 a.m. the Board recessed the regular session and entered executive session per:

- ORS 192.660(2)(e): To conduct deliberations with persons you have designated to negotiate real property transactions.
- 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.

RECONVENE

Following the executive session, Chairman Cochran reconvened the regular session at 10:32 a.m. and announced that Patron Susie Hart was recording the meeting.

APPROVE MINUTES OF SEPTEMBER 2025 BOARD MEETINGS

Director Putnam made a motion to approve the minutes for both September 2025 board meetings. Vice Chair Warbington seconded the motion. Chairman Cochran and Director Shull voted in favor, and it passed unanimously with a 4-0 vote.

WATER SUPPLY REPORT

Manager Schull stated that we ended the season with almost 17,000 AF in Crescent Lake. The current water supply report and graph indicated that Crescent Lake was now 20% full at ~ 17,700 AF. The Drought Monitor graph indicated that the Upper Deschutes is still considered to be in abnormally dry status. Schull is hopeful for another good winter. Schull confirmed that Crater Creek has been shut off, and that the field crew recently spent some time up there repairing drains and culverts.

STOCK RUNS

TID typically does three stock runs outside of the regular irrigation season, with the first run occurring in November. However, we will not be able to run water this year before January due to the concrete repairs being completed on TID's main diversion. Therefore, we will only have two stock runs for the 2025/26 maintenance season, which have been scheduled for the week of January 12, 2026 and the week of March 23, 2026. *(All stock run dates are subject to change without notice and stock runs may be cancelled or modified at any time due to construction, maintenance, winter weather, inadequate creek levels, and/or for safety reasons.)*

TUMALO RESERVOIR ROAD IMPROVEMENT PROJECT

Deschutes County submitted a proposal to acquire a portion of TID's property at the corner of Tumalo Reservoir Rd and Mock Rd. The County is expanding Tumalo Reservoir Road for safety purposes and offered to pay \$750 for 250 sq ft of land. A motion was made during the regular session of last month's meeting to counteroffer at \$1,500. Manager Schull informed the Board that they accepted the counteroffer, and he signed the documents to complete the transaction.

TUMALO DIVERSION

A special board meeting was held on September 23rd to review the two bids that Manager Schull received for repairing the concrete slab at TID's main diversion. The project was awarded to K&E Excavating, and they have begun the work. Manager Schull stated that the project was going well and that the concrete would be poured soon. Schull also stated that TID will complete the steel work inhouse, building and installing a trash rack for the point of diversion at Tumalo Creek.

Patron Susie Hart had been communicating with Manager Schull through email, requesting clarification on the repairs and work being done. She stated that she still had concerns about the requirements of paying prevailing wages. Schull stated that because the project is funded by district funds, not State or Federal, that we are exempt from that requirement. Schull went over the contractor's sketch with Hart and answered her questions.

DELINQUENT ACCOUNTS

The Board reviewed the updated list of patrons that had outstanding assessments. The collection letters that Bookkeeper Towfiq mailed with the September statements were a success. Since then, more than 20 accounts have been paid in full. There were 15 remaining accounts with outstanding balances that were not on a payment plan, with seven accounts owing first and second installments, eight accounts owing just the second installment, and one account still owes their 2024 assessment. The Board directed that these accounts be turned over to the attorney to receive official notice of a potential lien if they do not make payment arrangements.

Patron Baron Braatz asked about the time frame of sending letters, and how the district determines when to send them. Office Manager Spath explained that we follow TID's adopted Rules and Regulations by beginning the process in September, but that to be more understanding of their circumstances we notify patrons by sending letters before proceeding with filing liens.

(The Board, at the September regular board meeting, shall review the delinquencies, and unless there is a signed payment contract with the District, the Board shall by resolution instruct the secretary to file a Notice of Claim of Lien under ORS 545.494, as to each such delinquent property. The Board at the November regular Board meeting, shall review all claim of Liens filed as set forth above, and then by Resolution, may direct that delinquent charges remaining unpaid, whether for operation or maintenance, construction, BOR Contract repayment, interest, or other purposes, shall be foreclosed by the District.)

2025 ELECTION

An election was declared for Directors of Division 1 and Division 3 for the three-year term beginning January 2026 and ending January 2029. Two qualifying petitions were submitted for Division 1, by Baron Braatz and Yves Terilynck. Two qualifying petitions were submitted for Division 3, by Carol Shull and Jack Billings. Ballots will be mailed to qualified electors in these divisions October 23, 2025. The election will be held Wednesday, November 12, 2025, at 8:00 p.m.

Director Putnam made a motion authorizing Manager Schull to take nominations and appoint three judges for the election proceedings. Director Shull seconded the motion. Chairman Cochran and Vice Chair Warbington voted in favor, and it passed unanimously with a 4-0 vote.

OTHER

Vice Chair Warbington commented that it was nice to see that we made close to \$9k of interest income on the new MM account for the month of September, compared to the \$400-500 we had been receiving.

The Board reviewed information on the current cell tower leases and discussed negotiation strategies during executive session. They were in agreement that the current offer from American Tower for the Verizon tower was too low, and they would like to see it match the current Yellowknife agreement, which has an annual increase of 4% vs American Tower's offer to remain at a 10% increase every five years. Patrons Yves Teirlynck and Baron Braatz provided input on the subject. Teirlynck suggested TID negotiate leases for all three towers and require they all pay a standard rate that the District sets. Braatz stated he also leases land to Verizon for a tower in Eugene and receives an excessive amount of similar letters and proposals offering to negotiate and threatening to remove their tower. Nunzie Gould questioned the Board about why the lease negotiations were not on the regular meeting agenda. Attorney Reinecke explained that executive session is where all real estate negotiations are discussed. Copies of the communications that were provided in the Board packet were informational, as the Board is open to input from patrons. But it was made clear that the Board has been discussing these negotiations for years in executive session and takes the matter seriously.

Chairman Cochran addressed Patron Susie Hart's concern from last month about there not being a motion to purchase the 2024 Dodge Ram last January, as required by the Bylaws. Cochran stated that it was the Board's recollection that they had approved the purchase of the truck. Vice Chair Warbington made a motion ratifying their decision to declare the 2022 Chevy Tahoe surplus and purchase the 2024 Dodge Ram. Director Putnam seconded the motion. Chairman Cochran and Director Shull voted in favor, and it passed unanimously with a 4-0 vote.

PUBLIC COMMENT

Patron David Arnold asked for an update on funding for planned piping projects and what the proposed cost of those projects was. Manager Schull provided the following update:

Group 6B: \$4.6M – \$2.2M State funds already approved. Waiting for Federal match of \$2.2M

Group 6C: \$6M – 100% funded by EPA grant funds that have been confirmed

Group 5: \$8.4M – Federal drought funds were being reviewed by DOGE

Arnold expressed his opinion that the Board should be more aggressive in considering other funding options to complete these projects, such as taking out a loan or bond until grant funds are received. Chairman Cochran stated that he feels it is a risk to count on receiving Federal funds before the grants are awarded, but that he would do some research on bonds. Vice Chair Warbington stated he feels they are being as aggressive as possible while remaining conservative. Patron Baron Braatz stated that he spoke with another TID patron recently who had experience working with the Port of Portland and is familiar with what options a Special District has, and that he would be willing to come down to the office and have a discussion with the Board. Patron Nunzie Gould asked if TID could apply for a grant through the Deschutes Soil & Water Conservation District. Manager Schull explained that they only have small grant programs for on-farm efficiency for patrons. Gould also stated that TID should make sure that patrons understand the difference between private laterals and the laterals that the District maintains and plans to pipe. Arnold asked for clarification on whether the pipelines will go all the way to their Point of Delivery (POD), as it was his understanding that every patron was assigned a POD and that the District was responsible for water delivery up to that POD and the patron was responsible for anything beyond that. Schull confirmed that was correct, the Carey Act easements cover laterals up to those POD's and that once the pipe is installed, they will work with the patron to connect their system to the pipeline at that POD. Gould expressed her opinion that the big picture needs to be addressed, and that TID's Water Conservation Plan should include water conservation for the entire water right and not just the laterals that have easements under the Carey

Act. Gould also stated once again that she believes copies of the board packets should be posted on the website, and not just available upon request.

MOTION TO APPROVE OCTOBER 2025 VOUCHER LIST

Director Putnam made a motion to approve the October 2025 voucher list. Vice Chair Warbington seconded the motion. Chairman Cochran and Director Shull voted in favor, and it passed unanimously with a 4-0 vote.

NEXT MEETING DATE

The date of the next board meeting was set for Tuesday, November 12, 2025, at 10:00 a.m. (Executive session at 10:00 a.m. and returning to regular session at approximately 10:30 a.m.)

The date for a special board meeting was set for Monday, November 17, 2025 to certify the 2025 Election, as required by ORS 545.149. It was decided that it would be efficient to also have a budget meeting that day while the Board is assembled and the newly elected Directors are present. The time of the meeting will be determined at the November 11th regular board meeting.

ADJOURN

Director Putnam made a motion to adjourn the regular board meeting at 11:55 a.m. Director Shull seconded the motion. Chairman Cochran and Vice Chair Warbington voted in favor, and it passed unanimously with a 4-0 vote.

10/14/2025 TID Minutes Addendum
From Susie Hart

During this meeting:

Without any discussion, Chairman of the Board, Ron Cochran, suddenly asked for a motion to ratify the 2022 Tahoe (that was sold as a trade in on January 15, 2025) as surplus property. He was glancing a typed statement on a paper.

Vice Chair Martin Warbington immediately made the motion, Board Member Steve Putnam, seconded the motion. Those 2 plus the other 2 Board members present, Mr Cochran and Carol Shull all voted unanimously to pass the motion. Board Member Ed Galazzo was not present.

I then asked about the buying of the Dodge truck. Mr Cochran said it was already taken care of.

(To "Ratify" means that the decision was made informally outside of an official Board Meeting. This violates TID Bylaws which require that Board decisions must be made in a Public Meeting with a quorum of Directors and a majority vote prior to any action on such decision. There is no allowance in TID Bylaws for "ratifying" a board decision made outside of a public meeting and after an action has been taken. An open public meeting and a vote by the board to make decisions is the only option available to the TID Board to make a legal decision.)