

MINUTES OF THE REGULAR MEETING OF THE
BOARD OF DIRECTORS OF THE
EAST COLUMBIA BASIN IRRIGATION DISTRICT

April 5, 2023

The regular meeting of the Board of Directors of the East Columbia Basin Irrigation District was called to order at 10:00 a.m. by President Duaine Anderson.

Present were:

Directors

Duaine Anderson
Kevin Lyle
Reid Baker
Don Osborne
Dennis Swinger, Jr.

Staff

Craig Simpson
Rosa Dekker
John McCourtie
Nate Andreini
Jon Erickson
Wendy Lange
Anna Franz

Visitors present: Marc Maynard and Amy Rodman, USBR; Darvin Fales, CBHP; Gavin Johnson, Jennifer Korfiatis, Lynn Olsen, Phil Friehe, Orman Johnson, Mike LaPlant and Paul Wollman.

Visitors

Visitors via teleconference: Jennifer Hickenbottom, USBR; Mike Schwisow, Government Relations Consultant; Brian Kuest, Kirk Rathbun and Jake Wollman.

Minutes of the regular meeting of March 1, 2023, had been mailed to the Directors. Following discussion, Director Osborne moved to approve the regular meeting minutes of March 1, 2023, as written. Director Swinger seconded, and the motion carried.

Minutes
Approved

Manager Simpson presented the following contracts a. through d., for board consideration:

District
Improvements

Contracts

- a. Renewal Interruptible First Phase Continuation Water Service Contract, WA State Dept of Natural Resources, 390-005, 320 acres
- b. Interruptible First Phase Continuation Water Service Contract, Chris & Nancy Hyer, 390-071-809, 600 acres
- c. Interruptible First Phase Continuation Water Service Contract, Citation Farms, LLC, 390-069-809, 504 acres
- d. Draft Interruptible First Phase Continuation Water Service Contract, Stahl HB Trust, 390-072-809, 135 acres

Manager Simpson reported WHB Trust has had this same combination for several years but with changes to the combination policy in 2022 it doesn't comply with policy. They are asking for a variance for the 2023 irrigation season. He reported the combination is for 1,106 acres and is over the 500 acre maximum per District policy. Following discussion, the variance request failed to receive a motion. Mr. Paul Wollman commented that the combination is for 290 water service contracts that are not eligible to purchase excess water and requested the board reconsider the variance request.

Vouchers audited and certified by the Auditing Officer as required by RCW 42.24.080 and those expense reimbursement claims certified as required by RCW 42.24.090 have been recorded on a listing, which has been made available to the Board. After reviewing the vouchers submitted for payment approval, Director Baker moved to approve for payment check nos. 323210 through 323420 in the amount of \$973,638.75 and electronic Payroll and AP transfer in the amount of \$485,431.92 for a total of \$1,459,070.67 from the O&M Fund. Director Swinger seconded, and the motion carried.

Vouchers

Manager Simpson presented Resolution 2023-06, District Cell Phone Policy. Following discussion, Director Swinger moved to adopt Resolution 2023-06 as presented and discussed. Director Baker seconded, and the motion carried.

Resolution 2023-06

Manager Simpson reported staff has been working on updating the District's Personnel Practices & Procedures Manual. The updated Manual and resolution will be presented in May.

PP&PM Update

Manager Simpson presented the following Orders for Petition for Inclusion of Land:

Order for Hearing for Petition for Inclusion of Land

- a. Loeffelbein Family Trust, Inclusion No. 235
- b. Kevin J. Lyle, Inclusion No. 236

Following discussion, Director Osborne moved to approve Inclusion No. 235 for Loeffelbein Family Trust, as presented. Director Baker seconded, and the motion carried. Director Lyle stated his conflict of interest for Inclusion No. 236 and abstained from further discussion on this matter. Director Swinger moved to approve Inclusion No. 236 for Kevin J. Lyle, as presented. Director Osborne seconded, and the motion carried, with Director Lyle abstaining.

Development Coordinator Erickson reported the proviso language in the proposed State budgets has been crafted to allow for the flexibility to utilize the funds for several delivery systems currently under design rather than tied up on one system.

OGWRP:

Development Coordinator Erickson reported IRZ continues to work towards 60% design of the EL11.8 Delivery System.

EL11.8 Delivery System Update

Development Coordinator Erickson reported the 60% design of the EL22.1 Delivery System has been submitted to Reclamation for review.

EL22.1 Delivery System Update

Development Coordinator Erickson reported the District is moving forward with RH2 Engineering for the 60% design. RH2 is moving forward with title work for the easements.

EL80.6 & EL84.7 Delivery System Update

Development Coordinator Erickson reported design work continues along with obtaining closing documents for easements.	<u>EL86.4 Delivery System Update</u>
Development Coordinator Erickson reported Grant and Adams counties have submitted funding requests for the replacement of four bridges. He also reported Senator Murray's office is working on a package for replacement of all the necessary bridges.	<u>ELC Bridges</u>
Ms. Jennifer Korfiatis gave an update of the District's website. She reported the "Open Positions" page is the highest visited lately. The current project in the works is a fact sheet of each system's status.	<u>Public Relations Update</u>
Manager Simpson reported an update will be provided during executive session.	<u>Grant PUD Wheeling Claim</u>
Special Projects Administrator Bischoff reported the required information sheet has been submitted to Reclamation for their review. Reclamation is currently working on an MOA.	<u>Partial Title Transfer</u>
CBHP Manager Fales provided an update on current activities and the transition to Avista as our power purchaser.	<u>Columbia Basin Hydropower</u>
Manager Simpson reported interviews with the three consultants were held. Casne Engineering has been selected and the South District will negotiate the contract with them.	<u>SCADA</u>
Manager Simpson briefly reported on Reclamation's Water Right Permit S-328586, to be proofed up to a certificated water right. He reported this is for 50,000 acres, including our 10,000 acres of 190 water service contracts	<u>CBP Water Rights</u>
Manager Simpson reported on the renewal quote from PayneWest for 2023 Major Property, and the Engineer Professionals, and other insurance coverage. He reported a 7.5% increase is expected from the 2022 premium. However, this still needs to be verified. Manager Simpson requested authorization to approve the insurance renewal upon clarification of the percentage of increase to the policy. Following discussion, Director Baker moved to approve the Major Property and Engineer Professions 2023 insurance coverage conditioned upon clarification of the premium increase. Director Swinger seconded, and the motion carried.	<u>Insurance Renewal</u>
Manager Simpson requested time in executive session to discuss the Wagner tort claim.	<u>Wagner Tort Claim</u>
Assistant Manager McCourtie requested authorization to call for 2023 SUV and two used dump truck bids. Following discussion, Director Swinger moved to approve calling for 2023 SUV bids and two used dump truck bids, as requested. Director Lyle seconded, and the motion carried.	<u>Quotes & Bids</u>
Manager Simpson reported he will be attending the NWRA Federal Water Issues Conference later this month in Washington, D.C. Some topics of discussion will be PL-566 funding, congressional approval for the Watershed Plan, Farm Bill funding, CBP completion and the Columbia River Treaty.	<u>NWRA FWIC Topics</u>

Manager Simpson reported the August board meeting date conflicts with the NWRA Western Water Summit and recommended changing the board meeting date to the following week. Following discussion, Director Osborne moved to approve changing the August board meeting date to Tuesday, August 8, 2023. Director Lyle seconded, and the motion carried.

August Board Meeting Date

EFO Manager Maynard gave a brief update on the Potholes Supplemental Feed Route and reported Reclamation staff is looking to schedule a CBP SCADA meeting towards the end of May.

USBR Report

Safety Supervisor Walraf presented the monthly safety report.

Safety Supervisor

Assistant Manager Andreini introduced the new District Engineer Julio Gonzalez. District Engineer Gonzalez reported he is working on getting familiar with the District and crews.

Engineer Report

Assistant Manager Andreini reported on a meeting with Ecology staff to work through the comments provided by the Districts for the NPDES permit. He reported the Engineering department is planning for next winter's projects, selection, design, and incentive applications.

Asst Manager Technical Services

Treasurer Dekker reported the front office has been kept busy with landowners paying assessments, RRA paperwork and combinations. She reported online payment is expected to be available to landowners in June. There were three maturities and six investments last month.

Treasurer Report

Treasurer Dekker reported an error in Springbrook was discovered, 600 units were not billed the complete one acre minimum charge per District policy but had been billed a portion of the one acre charge. Letters and updated billings have been mailed out to those 600 landowners explaining full payment for the 2023 assessment year. She asked the board if they would like staff to bill the landowners for all the previous years that were assessed incorrectly. Following discussion, it was the consensus of the board to move forward from this point and not bill for the previous years as it was likely the cost of collection would exceed the unbilled amounts.

Assistant Manager McCourtie reported on both Watermaster sections and startup of the ELC. He also presented a slideshow of District crews performing repairs.

Assistant Manager O&M

Manager Simpson requested ratification for signing the NRCS grant amendment awarding additional funding. Following discussion, Director Osborne moved to ratify Manager Simpson's execution of the NRCS grant amendment, as discussed. Director Baker seconded, and the motion carried.

Manager Report

Manager Simpson requested ratification for signing the OCR legacy grant. Following discussion, Director Osborne moved to ratify Manager Simpson's execution of the OCR legacy grant, as discussed. Director Swinger seconded, and the motion carried.

Manager Simpson reported Special Projects Administrator Bischoff has begun the application process for the next Ag Forestry class.

Manager Simpson reported historically the District has sent a director with CBDL for their annual trip to Washington, D.C. He requested authorization for a director to travel with CBDL if desired. Following discussion, Director Swinger moved to approve travel for a director to Washington D.C. with CBDL. Director Lyle seconded, and the motion carried.

Mr. Paul Wollman respectfully requested the board to reconsider WHB Trust's request for a variance to the District's combination policy.

Public Comment
Period

The meeting recessed for lunch at 12:20 p.m., and the meeting reconvened at 1:20 p.m.

Executive
Session

President Anderson declared an executive session at 1:45 p.m., for a total of 15 minutes, to discuss potential litigation with legal counsel under RCW 42.30.110(i) and to review the performance of a public employee under RCW 42.30.110(g). The meeting came out of executive session at 2:00 p.m.

Director Swinger moved to approve payment to Tony Wagner in the amount of \$5,200.00, to resolve the filed tort claim. Director Lyle seconded, and the motion carried.

Director Lyle requested Manager Simpson respond to Paul Wollman's statement that the WHB combination variance request involved 290 water service contracts, for which excess water is not available. Manager Simpson responded that he needs additional information about WHB's system to understand why a combination is needed and will report to the board in May.

At 2:05 p.m., there being no further business to come before the Board at that time, President Anderson adjourned the meeting.

Meeting
Adjourned



President



Secretary