



The regular meeting of the Board of Directors of the Central Oregon Irrigation District (COID) was called to order by Carroll Penhollow, at 9:06 AM May 9, 2017 In the District office.

Directors present were Carroll Penhollow, Tom Burke, Terry Blackwell, Paul Kasberger and Robert Borlen. Also attending were Craig Horrell, Secretary-Manager; Danee Phillips, Assistant Secretary; Larry Roofener, Operations Manager; Cary Penhollow, Water Master; Leslie Clark, Water Rights Manager; Joshua Peed, Hydro Manager; Jenny Hartzell-Hill, Administrative Assistant; ShanRae Hawkins, Communications Consultant; Matt Singer, Legal Counsel. Visitors present see Exhibit "A".

1. OPEN FORUM

Chuck Wright, concerned citizen. His property is adjacent to COID property off Brookswood Road in Bend. They have noticed activity in the area and on COID property and asked what the District has planned for this property in the future. Craig Horrell explained that COID is conducting research in the area and exploring responsible development of the property. He also explained that the canal within that area will be piped in the next year and a half as COID was awarded a SmartWater grant.

Vance Fortenberry, a patron, who's address is: 3791 NW Hwy 97, Redmond, came before the Board to request consideration in vacating his water right. He explained the rotation and what his irrigation uses and needs are. He does not receive his water because four years ago his neighbor removed the pipes and ditch that at one time delivered his water. The Board explained how to get beneficial use back in compliance and discussed possible options.

2. MINUTES:

A motion to approve the minutes for April 11, 2017 Regular Session was made by Robert Borlen. Following a second by Terry Blackwell the motion passed unanimously.

3. TRANSFERS / INCLUSIONS:

A water management report was provided to the Board prior to the meeting, Exhibit "B". Carroll Penhollow made a motion to approve the transfers as presented. Following a second by Tom Burke, the motion passed unanimously.

5. REPORTS:

A. Watermaster Report –

A written report (Exhibit "C") was mailed to the Board prior to the meeting. Cary Penhollow provided a verbal update to his report.

B. Capital Projects –

A written report (Exhibit "D") was mailed to the Board prior to the meeting. Craig Horrell updated the Board on the Cline Falls project. The environmental clean-up is set to begin, Maul, Foster and Alongi have submitted their quote for this portion of the work. The amount is \$27,390.

- B. Operations and Maintenance Report –
A written report (Exhibit “E”) was mailed to the Board prior to the meeting.
- C. Hydro Report -
A written report (Exhibit “F”) was mailed to the Board prior to the meeting.
Joshua Peed updated the Board on the current position of the budget.
- D. Public Relations/Communications-
A written report (Exhibit “G”) was mailed to the Board prior to the meeting.
ShanRae Hawkins updated the Board on current outreach program scheduling.
- E. Finance Report-
A written report (Exhibit “H”) was mailed to the Board prior to the meeting.
- E. Manager Report-
Craig Horrell will report in the Executive Session.

6. **BILLINGS & PAYROLL:**

Paul Kasberger made a motion to accept the payroll registers and billings as presented. The motion was seconded by Robert Borlen and passed unanimously.

7. **OLD BUSINESS:**

- **Merkley PL 566**

This is still in process and on track. Craig Horrell provided an update from his visit to Washington DC. Following the trip to DC, Craig then went to Salem and began work at the State level. It is expected that we could have \$80,000,000 of money for projects in the next two years with the potential of getting funds for 3 years. (See Exhibit “I” DBBC Press Release). Matching funds will be the next step in this process. Staff is working with outside contractors to get projects ready to go. Craig suggested that COID get an engineer qualified list with a few engineering firms that we can use as the projects gear up. Kevin Crew would be the owner’s representative and would then pass the design build phase to the contractor that is selected through the RFP.

- **Public Records Request by Earth Justice**

Nothing new to report. The letter in response to the request was sent per Board recommendation. (Exhibit “J”)

- **WOTUS**

Through research it has been determined that the identified wetlands are not correct because they are seasonal due to irrigation season. It will require a map amendment and the Patron’s will need to be the seekers to get them removed/remapped if they are identified on their property. FCA has issued a letter that is helpful in pursuing this matter.

- **Patron Request for Grazing on COID Property at J-3 in Terrebonne**

Larry Roofener summarized the request from the April Board meeting. A request has been made by Mike Duggan to lease the property at J-3. Board discussion followed. Staff will proceed as instructed.

7. **NEW BUSINESS:**

○ **Resolution 2017-9 Volunteers**

The Volunteer Resolution was presented to the Board, Exhibit “K”. A motion was made by Robert Bolen to approve as presented. Following a second by Paul Kasberger the motion was approved unanimously.

○ **J-6-4-1 Pond Breach**

Craig Horrell provided an overview of the pond breach and Larry Roofener provided more detail regarding the incident. There was a pond breach due to burrowing animals that cause damage to the adjacent property. A letter was sent to all patrons involved from Cary Penhollow regarding the incident, see Exhibit “L”. Board discussion followed.

○ **Right of Way Consideration in Edgecliff Sub-Division**

Craig Horrell gave a summary of the issue and the details were provided in Exhibit “M”. Robert Borlen made a motion to approve the quit claim of the easement as presented. Following a second by Tom Burke the motion passed unanimously.

○ **Land Use Matters**

○ **Fee Schedule Review**

Craig Horrell provided an overview of this issue. Staff has been reviewing the current fee schedule and will bring a proposal to the Board meeting in June.

○ **Minor Encroachment Considerations**

Craig Horrell has been on a site visit to the area of concern that was presented at the April Board meeting. Craig explained to the Board that in the urban areas where we have our canals we need to update our approach with the land owners and work with them.

○ **Cline Falls Clean-Up**

Tom Burke made a motion to approve the amount of \$27,390 for the Environmental Clean-Up contract with Maul, Foster and Alongi as well as grant Craig Horrell signing authority for the contract. Following a second by Robert Borlen the motion was approved unanimously.

At 11:35 AM the Board recessed the General Session and asked the Board to convene into Executive Session per:

- ORS 192.660(2)(e) to conduct deliberations with persons designated by the governing body to negotiate real property transactions.
- ORS 192.660(2)(h) to consult with counsel concerning the legal rights and duties of a public body with regards to current litigation or litigation likely to be filed.

Following the Executive Session, the Regular Session of the COID Board was reconvened at 1:05P.M.

A motion was made by Terry Blackwell to approve the design work on the SPP Property. Following a second by Robert Borlen the motion passed unanimously.

9. **BOARD COMMENTS:**

None

The meeting was adjourned at 1:08 P.M. following a motion by Terry Blackwell that was seconded by Robert Borlen.

Carroll Penhollow, President

Paul Kasberger, Vice-President

Terry Blackwell, Treasurer

Robert Borlen

Thomas Burke

Craig Horrell, Secretary-Manager

APPROVED