



The regular meeting of the Board of Directors of the Central Oregon Irrigation District (COID) was called to order by Brad Clarno, at 9:02 AM on November 8, 2022, in the District office.

Directors present were Brad Clarno, Paul Kasberger, Tom Burke, Dan Ellingson and Carroll Penhollow. Craig Horrell, Secretary - Managing Director, Kelley O'Rourke, Internal Business Manager; Jenny Hartzell-Hill, HR Manager; Gina Brooksbank, Assistant Water Rights Director participated in person. Participating remotely by Zoom were Cary Penhollow, Water Master; Kelley Hamby, Operations and Maintenance Managers; Heidi Dennison, Finance & Accounting Manager, Erin Bathke, Executive Assistant to Finance & Accounting Manager; Doug Watson, Hydro Manager, and Baxter Davies, Operations Technician. In-person guests are listed in Exhibit "A". Joining via Zoom, Owen Murphy (9:00 – 9:30); Michal Bromund joined Zoom at 9:59 a.m.

1. OPEN FORUM:

Patron Roy Povey, Address: 4802 NW Ice Ave, Terrebonne. He addressed the board with the complaint that he has not been getting his allotted water for the past two years. Has talked to his ditchrider and Cary Penhollow and flows have not improved. He is at the end of the H Lateral. He had to start feeding hay in July because he didn't have enough pasture for his cattle. Has 171.32 irrigated acres.

Jack Ettinger, patron from Alfalfa. Addressed the Board and asked about the priority date for COID water rights. He also expressed that he had a ditchrider problem earlier in the season. Priority date was explained to him, and he did agree that the ditchrider issue had been resolved.

2. CONFISCATION HEARINGS:

None.

3. MINUTES:

A motion was made by Tom Burke to approve the September 13, 2022, meeting minutes. Following a second by Dan Ellingson the minutes were approved unanimously. A motion was made by Tom Burke to approve the October 11, 2022, meeting minutes. Following a second by Carroll Penhollow the motion was approved unanimously. A motion was made by Tom Burke to approve the Special Meeting minutes for the October 28, 2022. Following a second by Dan Ellingson the motion was approved by majority, Paul Kasberger abstained as he was not present at the special meeting.

4. TRANSFERS / INCLUSIONS:

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

5. **REPORTS:**

- A. Watermaster Report –
A written report (Exhibit “C”) was provided to the Board prior to the meeting. Craig Horrell updated the Board on the End of Season Review meeting with DBBC and partners on December 8, 2022. Cary Penhollow updated the Board on the current water situation and how reservoirs are filling. The weather patterns are helping with filling. Currently the flows in the Deschutes are not high enough to do stock water runs. Flows will need to increase to allow winter stock water runs. Craig Horrell updated the board on the year end delivery calculations. He also reviewed how the flows are affecting the Oregon Spotted Frog and what the agencies are requiring of the districts. Craig also referenced the Editorial in The Bulletin last week and talked to the misinformation that was within it.
- B. Operations and Maintenance Report –
A written report (Exhibit “D”) was provided to the Board prior to the meeting. Kelley Hamby provided a verbal update to the Board. Crews are out working on projects and things are going well. Pipe inspection on last year’s project will be performed next week. We have also focused on safety and trainings with field staff. The pipe located at Mel’s Tractor is getting close to life and staff will need to start working through getting the notice out to all surrounding property owners regarding their cost share.
- C. Hydro Report -
A written report (Exhibit “E”) was provided to the Board prior to the meeting. Doug Watson updated the Board that due to low flows; production has stopped, and he does not foresee running the turbine again in 2022. He also updated the Board on winter projects. Pipe inspections: Juniper Ridge was inspected last year. Siphon Pipe is going to need attention in the future, staff will develop a plan for presentation at a later date.
- D. Internal Operations & Communications-
A written report (Exhibit “F”) was provided to the Board prior to the meeting. Craig Horrell will be bringing a communications plan to the Board in New Business.
- E. Finance -
The written report (Exhibit “G”) was provided to the Board prior to the meeting. Heidi Dennison will join the meeting during New Business.
- F. Manager Report-
Craig Horrell updated the Board on the NWRA Conference he attended last week. He said it was a good meeting and great opportunity to network with many of the Representative that are from DC. He also told board members to let Kelley O know if they would like to attend OWRC and/or the Family Farm Conference.

6. **BILLINGS & PAYROLL:**

Paul Kasberger made a motion to approve the Billings and Payroll as presented. Following a second by Carroll Penhollow the motion was approved unanimously.

7. **OLD BUSINESS:**

• **Merkley PL 566**

Craig Horrell updated the Board:

- Phase 1 Construction Close-Out
Finishing up with the final work. Should be closed by December.
- Environmental Impact Study (EIS)
Craig Horrell has been questioned why the EIS takes so long? He has explained that it is due to agency requirements. It will take an additional year so we will need to apply for more grants to cover consultant costs for additional studies that they ask for.

8. **NEW BUSINESS:**

• **Landwatch Public Information Request / Fee Waiver**

A letter from Landwater for public information request was provided to the Board, see Exhibit “H”. They are asking COID Board to consider waving the fees. Carroll Penhollow made a motion to waive COID’s internal costs but to charge for consultant fees. Following a second by Dan Ellingson the motion was approved unanimously.

• **Water Lottery**

Brad Clarno read the summary of the Water Lottery requirements. Tickets were drawn for the water that was available in the Lottery. See Exhibit “I”. The winners will be notified.

• **Draft 2023 Budgets**

Heidi Dennison joined the meeting in person. Craig Horrell discussed the 5-year fleet plan that was provided to the Board, Exhibit “J”. Craig also discussed shortfalls and NUID’s payment. Craig has discussed the NUID agreement with their management and has asked for a decision from the NUID Board following their November meeting. There are other parties interested in the water and we can make this work if NUID is out. The final draft of the budget will be presented at the December Board meeting and then approve it in January. Capital Asks were discussed.

• **Beneficial Use/Communications Plan**

Tom Burke made a motion to move forward with the two-year pilot beneficial use plan as proposed with the communication plan as presented and the Board reserves the right to forfeiture on egregious non-users. Following a second by Carroll Penhollow the motion was approved unanimously.

9. **BOARD COMMENTS:**

None

At 10:29 a.m. the Board recessed the General Session and moved to Executive Session.

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

The executive session recessed and returned to general session at 12:19 p.m.

Carroll Penhollow made a motion to approve Craig Horrell taking his additional 40 hours PTO and cashing it out before the year end. Following a second by Tom Burke the motion was approved unanimously.

The meeting was adjourned at 12:22 p.m. following a motion by Tom Burke and a second by Carroll Penhollow.

Craig Horrell, Manager

Tom Burke

Brad Clarno

Dan Ellingson

Paul Kasberger

Carroll Penhollow