

**BOARD MEETING MINUTES  
December 13, 2022  
64697 Cook Avenue  
Bend, Oregon 97703**

BOARD: Ron Cochran, Jack Farley, Steve Putnam, Carol Shull, Martin Warbington  
STAFF: Chris Schull, April Harris Spath  
ATTORNEY: Mark Reinecke  
GUESTS: Greg Mohnen, Todd Peplin

Chairman Cochran called the regular board meeting to order at 10:37 a.m. and appointed April Harris Spath scribe.

**EXECUTIVE SESSION ANNOUNCEMENT**

At 10:37 a.m. the Board recessed the regular session and entered executive session per:

- 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, the regular session was reconvened at 11:35 a.m.

**APPROVE MINUTES OF NOVEMBER 2022 BOARD MEETINGS**

Director Warbington made a motion to approve the minutes of the November 2022 board meetings. Director Putnam seconded the motion and it passed unanimously.

**WATER SUPPLY REPORT**

Manager Schull reviewed the current water supply report and attached graph, which indicated that Crescent Lake was still 8% full and 7 cfs was continuing to be released from Crescent Lake to support the Oregon spotted frog and instream water rights.

**GROUP 6A**

Manager Schull updated the Board on the progress of construction, stating that the project is still going well and that he was surprised that they have not been hitting too much rock.

**STEIDL DAM**

JAL Construction began the next phase of Steidl Dam Maintenance and Manager Schull stated their progress has been going well.

**OWRC CONFERENCE**

Manager Schull, Vice Chair Jack Farley, and Office Manager April Harris Spath attended the OWRC Annual Conference in Hood River this year. Schull stated that the conference was very informative. He learned a lot about geology. Several different representatives from different parts of Oregon government spoke about their plans and intent to assist irrigation districts in the future. Also, OWRC announced the launch of the Oregon Water Resources Foundation (OWRF), a 501(c)3 nonprofit with the mission to

support and provide educational opportunities related to water and irrigated agriculture. Farley and Schull pledged a donation of \$500 on behalf of TID to support the new program.

### **2023 ANNUAL BUDGET**

The Board reviewed the annual budget for 2023. At the special meeting in November, the Board discussed increasing annual assessments \$14 per account and removing the Stop-the-Pipe lawsuit line item for 2023. The Board discussed the COL increase for current staff and decided on keeping it at 7%. The Board decided to leave most District fees the same, except for increasing the hourly rate for the use of District equipment and increasing the cost of a title search for water transfers. Director Putnam made a motion to approve the 2023 Annual Budget with the discussed changes. Director Shull seconded the motion and it passed unanimously.

### **UPDATED EMPLOYEE MANUAL**

Along with assistance from Attorney Reinecke, Manager Schull worked with Chairman Cochran and Director Warbington to update TID's Personnel Manual. Copies of the updated manual were made available for all board members. The previous employee handbook had not been updated in several years. The new proposed manual will become effective January 1, 2023 and would supersede the previous handbook. The Board agreed to move forward with adopting the updated manual.

### **GENERAL COUNSEL CONTRACT**

It was brought to the District's attention that our contract with Attorney Reinecke's firm, Bryant Lovlien and Jarvis, had ended. Reinecke provided Manager Schull with a new contract to review with the Board. Attorney Reinecke answered the Board's questions about his firm and then left the meeting while the Board discussed their thoughts and which direction they wanted to go for future counsel. The Board agreed that they have been happy with the firm and made the decision to contract with Bryant Lovlien and Jarvis to be the District's attorney of record for general counsel for another five years.

### **DRC INSTREAM LEASING**

TID staff reviewed the latest MOU for the DRC instream leasing program, and it was determined that no changes were made from previous years. Deschutes River Conservancy provided the District with an updated Exhibit A for 2023 instream leases, which remains the same from year to year except for the rate that the patron is charged to cover the cost of mapping. Manager Schull discussed the need to leave as much water in the system as possible during the drought. The Board agreed that the District should discourage leasing during this time but that we should continue with the DRC instream leasing program for those who choose to participate.

### **FINANCIAL AUDIT PROPOSALS**

Chairman Cochran recommended that we request proposals for financial audit services on a periodic basis. District staff prepared a Request for Proposal and submitted it by email to local CPA firms that are licensed municipal auditors in the state of Oregon, and our current auditor Richard Winkel. Proposals should be received by January 31, 2023.

### **DBBC SWOT ANALYSIS**

Manager Schull met with the other members of the Deschutes Basin Board of Control (DBBC) to review the SWOT Analysis that had been prepared for them. The Board was provided with a copy of the summary. Schull and the DBBC also met with Deschutes County to discuss the County's Comprehensive Plan Update for the County's growth and development over the next 20 years. Schull updated the Board on the meeting and a copy of the summary of the project was provided.

**PUBLIC COMMENT**

No public comments were made.

**MOTION TO APPROVE DECEMBER 2022 VOUCHER LIST**

Director Putnam made a motion to approve the December 2022 voucher list. Director Warbington seconded the motion and it passed unanimously.

**NEXT MEETING DATE**

The date of the next board meeting was set for January 10, 2023 at 10:30 a.m.

**ADJOURN**

Director Shull made a motion to adjourn the regular board meeting at 1:00 p.m. Director Warbington seconded the motion and it passed unanimously.