

**BOARD MEETING MINUTES**  
**January 14, 2025**  
**64697 Cook Avenue**  
**Bend, Oregon 97703**

BOARD: Ron Cochran, Martin Warbington, Steve Putnam, Carol Shull, Ed Galazzo  
STAFF: Chris Schull, April Harris Spath, Matt Lane  
ATTORNEY: Mark Reinecke  
GUESTS: Susie Hart, Steve Payer, Greg Mohnen, Doug Stout, David Arnold, Becky Arnold, Todd Peplin, Brian Puziss, Peter DeHaan, Casey Roscoe, Marianne Walker, Mary Wallis, Tom Bishop, Nunzie Gould

Chairman Cochran called the regular board meeting to order at 10:02 a.m. and appointed April Harris Spath scribe.

**OATHS OF OFFICE**

Director Cochran read his oath of office and signed it in front of a notary.

**NOMINATION AND APPOINTMENT OF THE CHAIRPERSON FOR THE BOARD**

Director Putnam nominated Ron Cochran for the position of Chairman of the Board for 2025. Director Warbington seconded the nomination, and the appointment was approved by the other four directors while Cochran abstained from the vote.

**NOMINATION AND APPOINTMENT OF VICE-CHAIR FOR THE BOARD**

Director Putnam nominated Martin Warbington for the position of Vice Chair of the Board for 2025. Director Shull seconded the nomination, and the appointment was approved unanimously.

**APPOINT MANAGER/SECRETARY TO THE BOARD**

Chairman Cochran made a motion to appoint Chris Schull to the position of Manager and Secretary to the Board for 2025.

**EXECUTIVE SESSION ANNOUNCEMENT**

At 10:07 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 11:10 a.m.

Guest Susie Hart announced that she would be recording the meeting via an audio recording device.

**APPROVE MINUTES OF DECEMBER 2024 BOARD MEETING**

Director Putnam made a motion to approve the minutes of the December 2024 board meeting. Director Galazzo 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 19% full at ~16,000 AF. It was noted that the lake had not been this full during the first part of the year since January 2021.

## **PIPING UPDATES**

Group 5 - Manager Schull met with the Bureau of Reclamation yesterday to discuss finalizing the application, which would pipe the entire Couch lateral.

Group 6B – Manager Schull expects an update on the Bureau of Reclamation grant by the end of the week. The Oregon Water Resources grant has been awarded.

Group 6C – EPA grant funds have been confirmed, but Manager Schull stated that there is still a lot of red tape to cut before the project can begin. The Oregon Water Resources grant has been awarded.

Manager Schull believes we will be able to begin Group 5 and Group 6B this fall. Once these three projects are complete, there will only be 5 miles left until the entire district is fully piped.

## **NOXIOUS WEEDS**

A link was posted on TID's website with important information about noxious weeds. Manager Schull encouraged everyone to take a moment to review it and there was a discussion about the importance of awareness.

## **PIPING LAWSUIT**

On December 18, 2024, a three-member panel of the U.S Ninth Circuit Court of Appeals issued an opinion affirming U.S. District Court for Oregon rulings concerning the piping of irrigation district canals and laterals. This ruling clarifies that Tumalo Irrigation District does have the right to make necessary improvements to modernize its water infrastructure within the district's easements. However, because the Federal government was also listed on the initial complaint, the timeline for appeals is different. This means the Plaintiff's have 90 days to request that the 3-judge panel reconsider, or they can request a review by a panel that includes all the judges. They also have 45 days to appeal to the Supreme Court.

## **SET REGULAR BOARD MEETING PLACE, DATE AND TIME**

The District will continue to hold the regular board meetings at the district office on the second Tuesday of each month at 10:00 a.m. However, the time that the Board reconvenes back into regular session will be changed from 11:00 to 10:30.

## **2025 BOARD MEMBER MEETING FEES**

Vice Chair Warbington made a motion to leave the board member meeting fees at \$50.00 per meeting for those members who choose to take the fee. Director Putnam seconded the motion, and it passed unanimously.

## **2025 ANNUAL ASSESSMENTS**

Director Putnam made a motion to keep the 2025 water assessments at the same rates as last year. Vice Chair Warbington seconded the motion, and it passed unanimously.

## **2025 DISTRICT FEES**

Vice Chair Warbington made a motion to approve the fee schedule for 2025, which remains the same as the prior year. Director Shull seconded the motion, and it passed unanimously.

### **2025 OPERATING BUDGET**

Director Putnam made a motion approving the 2025 operating budget. Director Galazzo seconded the motion, and it passed unanimously.

### **DBBC WATER CONSERVATION FORBEARANCE AGREEMENT**

Upon reviewing the Deschutes Basin Board of Control Conserved Water Forbearance Agreement, Director Putnam made a motion to authorize Manager Schull to sign the agreement. Vice Chair Warbington seconded the motion, and it passed with a vote of 4 in approval. Director Galazzo abstained from voting.

### **HIGH HAZARD ZONE PROPERTIES**

The Oregon Department of Forestry and Oregon State University recently developed statewide maps of wildfire hazard zones and the wildland-urban interface. The District received notice that seven of TID's properties fall within both of those boundaries. We are not yet clear on how, or if, this will affect district operations.

### **CHEVY TAHOE**

Manager Schull asked for direction from the Board on trading in the 2022 Chevy Tahoe. Chairman Cochran asked him to get updated quotes on the trade-in value and get back to them.

### **PUBLIC COMMENT**

Patron Susie Hart said that she felt that the December 2024 minutes regarding the history of her water delivery problem was not factually reported and very different than how she recalled the sequence of events. Among her concerns was that she did not have several discussions with Manager Schull and former Field Supervisor Bob Varco about the scope of work involved as reported in the minutes. But what she understood was that the work was to be completed on the District's side of the POD and there would be no cost for her. Also, she should have been told in advance when the work would specifically start, and she should have been given a written outline of the work to be done.

Patron Brian Puziss and realtor Steve Payer requested that a second delivery be installed on one of his lots, as they are selling an adjoining lot that is currently being served by the Point of Delivery on the lot that he is retaining. They presented maps to the Board showing where the existing delivery is and where they would like a new one. Manager Schull explained that this could be done for a fee, per District policy. Payer stated those two properties have always been uniquely separate and requested that the Board waive the new Point of Delivery fee. Vice Chair Warbington and Director Galazzo confirmed that the District cannot make exceptions to the policy for certain patrons. Manager Schull suggested that he add the cost to the sale price of the property.

Casey Roscoe commented on how knowledgeable TID was about the subject of noxious weeds, as discussed earlier in the meeting. Vice Chair Warbington recommended TID hold an annual meeting again this year at the beginning of the season and provide some education on the subject.

### **DELINQUENT ACCOUNTS**

Chairman Cochran requested an update on delinquent accounts. Attorney Reinecke stated that liens were being filed for the three accounts that still owe on their 2023 assessments. There are only two remaining accounts that have an outstanding balance on their 2024 assessments.

**MOTION TO APPROVE JANUARY 2025 VOUCHER LIST**

Director Putnam made a motion to approve the January 2025 voucher list. Vice Chair Warbington seconded the motion, and it passed unanimously.

**NEXT MEETING DATE**

The date of the next board meeting was set for Tuesday, February 11, 2025, at 10:00 a.m. (Executive session at 10:00 and returning to Regular session at 10:30.)

**ADJOURN**

Director Putnam made a motion to adjourn the regular board meeting at 12:26 p.m. Vice Chair Warbington seconded the motion, and it passed unanimously.

## Minutes addendum to TID Board Mtg 1/14/25

Minutes of what Susie Hart presented to the Board during the 14 January 2025 Board Meeting

Just before Board Chair Ron Cochran called the meeting to order I announced, as required by law, that I was recording the meeting. Board Chair Cochran seemed to think I was making this announcement after he had called the meeting to order and thus I was out of line. I apologized, explaining that I was trying to make the announcement before he called it to order so that I could comply with the law and let everyone know.

I then placed the recorder on the center of the table, but Mark Reinecke, the district's attorney, took exception to that and said there was nothing that said they had to allow the recorder to be on the table, and he handed the recorder back to me. I then stood during the rest of the meeting in order to hold the recorder out so that everyone speaking could be recorded. Since Chair Cochran was at the far end of the table from me, when he was speaking I moved along the wall so as to be closer to ensure picking up his soft voice.

Toward the end of the meeting the Agenda item under Public Comment was listed first as Susie Hart. Thus I was granted permission to speak.

I started with wondering why on the original Agenda for this meeting I was listed under Patron Concern, two items above Public Comment, but on the redone Agenda Patron Concern had been deleted and I had been moved down to a specific item under Public Comment.

Then I immediately moved on to explain that I took issue with in the minutes from the January 14, 2025 meeting. I explained that there were **comments attributed to me that were fabricated** and completely the opposite of what I had said. I asked the Board to delete the fabricated comments. After some rather lengthy discussion that went completely off the point of the minutes, Mark Reinecke, TID attorney, steered the discussion back to the minutes. I started to point out the exact sentences I wished to be deleted but Board Member Ed Galazzo asked me if at the next meeting I would bring a copy of the minutes for each board member with the lines I am specifically requesting to be deleted underlined so that the board can consider my request then. I agreed to do as he requested and take it up again at the next board meeting.

The meeting then continued per the Agenda.

Submitted by Susie Hart, TID Patron, to be included in the Minutes of the 14 January 2025 Board meeting.