

BOARD MEETING MINUTES

April 08, 2025  
64697 Cook Avenue  
Bend, Oregon 97703

BOARD: Ron Cochran, Martin Warbington, Steve Putnam, Carol Shull, Ed Galazzo  
STAFF: Chris Schull, April Harris Spath  
ATTORNEY: Mark Reinecke  
GUESTS: Greg Mohnen, Susie Hart, Christine Larson, Patricia Spyrka, Jessie Long, Hana Cooper, David Hampton, Todd Peplin, Burnell Johnson, Nunzie Gould, Doug Stout  
Zoom attendees: Jeff Stuermer, Catherine Stout

Chairman Cochran called the regular board meeting to order at 10:04 a.m. and appointed April Harris Spath scribe.

EXECUTIVE SESSION ANNOUNCEMENT

At 10:04 a.m. the Board recessed the regular session and entered executive session per:

- ORS 192.660(2)(e): To conduct deliberations with persons you have designated to negotiate real property transactions.
- 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, Chairman Cochran reconvened the regular session at 10:35 a.m. and announced that Patron Susie Hart was recording the meeting.

Cochran also stated he would be following the Robert's Rules of Order for board meetings going forward. He stated that comments from meeting guests would be allowed during the Public Comment period only. He requested questions about the District's financials and payment registers be directed to Office Manager Spath after or before the board meeting, and that if someone has specific questions that they want the Board to address, they need to submit them to Office Manager Spath at least one week prior to the meeting.

APPROVE MINUTES OF MARCH 2025 BOARD MEETING

Director Putnam made a motion to approve the minutes of the March 2025 board meeting. Director Shull seconded the motion. Chairman Cochran, Vice Chair Warbington, and Director Galazzo voted in favor and it passed unanimously with a 5-0 vote.

WATER SUPPLY REPORT

The current water supply report and graph indicated that Crescent Lake was 24% full at ~20,445 AF. Manager Schull stated that if the lake reaches 30-35,000 AF by July, there won't be a need to rotate.

WASHINGTON D.C. TRIP

Manager Schull went over some information about the trip he took to Washington D.C. with the Oregon Water Resources Congress. He stated that the trip went well and received some clarity on the status of the Federal funding the District had expected to be awarded last year.

### SB 1153

The Board reviewed a letter that was drafted expressing the District's opposition to Senate Bill 1153, which is currently being considered. Summary of SB 1153: *“Directs the Water Resources Department to consider whether certain water right transfers will result in a loss of in-stream habitat for sensitive, threatened or endangered aquatic species in stream reaches not protected by an existing water right or contribute to water quality impairment in water quality limited streams.”*

### WATER TRANSFERS

The Board reviewed five proposed water transfers. N25.001 transfers 2.0 acres from Kyle & Lindsey Coats Trust to McClain Revocable Trust. N25.002 transfers 4.0 acres from ERMK LLC to Williams Family Revocable Trust. N25.003 is a self-to-self transfer of 0.8 acres for Moore Traustason Family Trust. N25.004 is a self-to-self transfer of 1.8 acres for the Dugan Trusts. N25.005 is a self-to-self transfer of 7.7 acres for Lawrence & Constance Locher Family Trust. Vice Chair Warbington made a motion approving all five transfers. Director Galazzo seconded the motion. Chairman Cochran, Director Putnam, and Director Shull voted in favor and it passed unanimously with a 5-0 vote.

### BY-LAWS REVIEW

The Board reviewed the drafted copy of the revised version of the District's Bylaws. The Board had no questions at that time and stated they will review it once more at the next board meeting.

### OTHER

The Board reviewed and discussed a drafted Easement Encroachment for Nicholas Roberts at the last two meetings. Manager Schull stated that the property owner was able to relocate the proposed ADU and no longer needs the encroachment.

The Board reviewed a drafted easement for Central Electric Cooperative. Director Putnam made a motion granting Manager Schull the authority to sign the easement. Vice Chair Warbington seconded the motion. Chairman Cochran, Director Shull, and Director Galazzo voted in favor and it passed unanimously with a 5-0 vote.

Manager Schull presented a flyer containing talking points for the Deschutes Basin Water Collaboration being led by the Central Oregon Intergovernmental Council and stated he will continue to provide updates as it moves forward. The Collaboration is a group effort to collaborate on critical water allocation and management issues in the Deschutes Basin, and develop strategies to meet stream flow, ecological, agricultural, and community needs for water.

The Board discussed the unsolicited offer they received from Pahlisch Homes several months ago on the 540-acres that TID owns. It was stated that they do not feel it was a fair offer and Chairman Cochran has some ideas he would like to present to the Board on how to get a more accurate idea of the current fair market value of the property. Vice Chair Warbington agreed that it is important to have a complete understanding of the market before making a decision.

TID had an excess of wood chips that needed to be disposed of. Manager Schull discussed it with TID's Field Supervisor and they suggested selling the wood chips. It was determined the best way to do that would be to announce that the District would be selling them, and that it would be a one-time offer that would take place on a single day to be scheduled in the future. The price they discussed was \$5-10 per yard. Schull stated they were large chips that had been run through the chipper only once, and that they were mostly Junipers and some Cottonwoods.

## PUBLIC COMMENT

Christine Larson asked for clarification on the District's role in supporting or opposing SB 1153. She was told that TID did not support SB 1153. She also asked if the Board had ever supported or been involved in any transfers related to the Tree Farm or Thornburg Resort. Manager Schull stated that TID supports the District's right to retain our water rights and has no intention nor has TID ever transferred them outside of the District.

Nunzie Gould asked questions about the proposed revisions to the Bylaws. Her questions were answered by the Board. She also suggested that the Bylaws contain digital links that include the year and that take you directly to the cited ORS. She asked about TID assets and whether there should be a set amount listed in the Bylaws. Chairman Cochran stated that the current amount is \$1,000, which he believes is listed in the Rules & Regulations. He also stated the Rules & Regulations were next on the list to be reviewed. Attorney Reineck explained that the Bylaws are guiding principles that reference the Rules & Regulations, which may be changed more frequently than the Bylaws.

Gould also inquired about how many properties currently have water rights that are not mapped and what the timeline would be to have those rights mapped. Office Manager Spath explained that there are currently approximately 185 properties and that the District does not have any intention of mapping them as it would not provide any benefit to the District to do so, and there is currently no process for that other than a District water transfer which would be timely and expensive. It was determined by the State during the process of HB 3111 that they would not require water rights to be mapped on lands that were assessed at 5 acres or less. Gould asked why the board packets were not being posted on the website anymore. Office Manager Spath explained the Department of Justice released new requirements that small districts must comply with. The new rules require compliance in ensuring that all uploaded PDFs are ADA Compliant. TID's annual web hosting subscription was upgraded to include an ADA Dashboard to assist with the process of making all accessed documents accessible. However, so far it has proved to be extremely time-consuming with there being almost 300 files that need to be reviewed and corrected.

Manager Schull responded to Gould's request for clarification on the Central Electric Cooperative easement. Jesse Long added to the conversation about the Central Electric (CEC) easement, stating that he has had issues with ground electricity for an extended amount of time following a CEC upgrade and wanted TID to be aware that he has not been successful in finding a resolution with them.

Susie Hart asked the Board about the best way to bring up questions and concerns they may have with the revised Bylaws. It was suggested that the best way for patrons to do this would be to submit any questions or concerns in writing to the Board prior to the next board meeting. Hart expressed her concerns about the Board's fiduciary responsibilities and inquired about why the District does not have a Treasurer or a Surety Bond. Attorney Reinecke stated that he would follow up about a Surety Bond and whether there is a requirement to have one. Hart suggested that those responsible for District funds should have a background check completed to prove financial responsibility. Other concerns that Hart brought up were about the number of new tools that had been purchased recently and asked if TID keeps an inventory of them. Manager Schull stated that with the new field staff, they have been working on replenishing tools that had been lost or disposed of over the years and were never replaced, and that only broken tools were disposed of. Hart expressed her concerns over the cost of Manager Schull's travel expenses and purchase of a new truck. Chairman Cochran offered to sit down with her to go over her concerns at another time and stated that as a Quasi-municipality, we are not held to the same standards with per diem rates for travel expenses, so it is a matter of discretion instead. Hart asked why TID's assessments seem to be higher than other districts. It was explained that some districts, for example Central Oregon and Swalley, have other sources of revenue such as Hydro plants.

MOTION TO APPROVE APRIL 2025 VOUCHER LIST

Director Putnam made a motion to approve the April 2025 voucher list. Vice Chair Warbington seconded the motion. Chairman Cochran and Director Shull voted in favor, and it passed unanimously with a 4-0 vote. (Director Galazzo had left the room.)

NEXT MEETING DATE

The date of the next board meeting was set for Tuesday, May 13, 2025, at 10:00 a.m. (Executive session at 10:00 a.m. and returning to Regular session at approximately 10:30 a.m.)

ADJOURN

Director Putnam made a motion to adjourn the regular board meeting at 11:55 a.m. Director Shull seconded the motion. Chairman Cochran and Vice Chair Warbington voted in favor, and it passed unanimously with a 4-0 vote.