

BOARD MEETING MINUTES
January 10, 2023
64697 Cook Avenue
Bend, Oregon 97703

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

Vice-Chair Farley called the regular board meeting to order at 10:33 a.m. and appointed April Harris Spath scribe.

OATHS OF OFFICE

Directors Steve Putnam and Carol Shull read their oaths of office and signed them in front of a notary.

NOMINATION AND APPOINTMENT OF THE CHAIRPERSON FOR THE BOARD

Director Farley nominated Ron Cochran for the position of Chairman of the Board for 2023. Although Cochran was not present for the meeting, he had communicated with both Vice-Chair Farley and Manager Schull prior to the meeting and expressed that he would accept the position should he be nominated. Director Warbington seconded the nomination, and the appointment was approved by all.

NOMINATION AND APPOINTMENT OF VICE-CHAIR FOR THE BOARD

Director Putnam nominated Martin Warbington for the position of Vice Chair of the Board for 2023. Director Farley seconded the nomination, and the appointment was approved unanimously.

APPOINT MANAGER/SECRETARY TO THE BOARD

Director Putnam made a motion to appoint Chris Schull to the position of Manager and Secretary to the Board for 2023. Director Warbington seconded the motion, and the appointment was approved unanimously.

EXECUTIVE SESSION ANNOUNCEMENT

At 10:40 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 11:32 a.m.

APPROVE MINUTES OF DECEMBER 2022 BOARD MEETING

Director Putnam made a motion to approve the minutes of the December 2022 board meeting. Director Warbington 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 had gained some and was now 10% full, with 9 cfs being 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 contractor is currently running a couple of weeks behind schedule but that they are confident they will still reach substantial completion before April 1, 2023.

STEIDL DAM

The next phase of Steidl Dam Maintenance has been going well and staying on budget. The concrete patching will be done in approximately 6 weeks.

FRAZIER LEASE

In 2017 Brett Frazier was leasing an acre of TID land off Gerking Market Road before moving his equipment to adjoining state land. The State needs that land back temporarily for ODOT's project on Hwy 20 so TID is reinstating its land lease with Frazier. This will be a month-to-month lease. Once the State's land is available again, Frazier will be moving back.

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 11:30 to 11:00.

2023 BOARD MEMBER MEETING FEES

Director Putnam made a motion to leave the board member meeting fees at \$50.00 per meeting for those members who choose to accept it. Director Shull seconded the motion and it passed unanimously.

2023 ANNUAL ASSESSMENTS

As previously discussed, and included in the 2023 budget that was approved at the December 2022 board meeting, the total increase to assessments will be a total of \$14 per account and the Stop-the-Pipe lawsuit line item of \$132 was removed for 2023. Director Farley made a motion approving the new rates for the 2023 annual assessments. Director Putnam seconded the motion and it passed unanimously.

2023 DISTRICT FEES

Director Putnam made a motion to approve the fee schedule for 2023 with the adjustments that were discussed at the budget meeting in November 2022, which included an increase in the hourly rate for the use of district equipment and an increase to the cost of a title search for water transfers. Director Warbington seconded the motion and it passed unanimously.

COMMENTS TO THE COUNTY

The Board reviewed the letter that was submitted to the Deschutes County Board of Commissioners with TID's comments concerning their Community Development Department Work Plan and the proposed expansion of the Wildlife Overlay.

SDIS TRAINING

Oregon Water Resources Congress and Special Districts Association of Oregon are teaming up for an annual training in Hermiston on January 18, 2023. This training is designed for board members and will be discussing their roles and responsibilities as special district board members. Topics will include public meetings, government ethics, board member decorum and conduct, and indemnity and protections. Directors Farley and Shull have registered to attend the training virtually.

OTHER

The Board received a copy of GSI Water Solutions “White Paper” document which was prepared for Central Oregon Cities Organization on the topic of Understanding Upper Deschutes Basin Groundwater Levels.

A copy of a brief was also distributed to the Board about a final rule that was established to provide a more “durable” definition of “Water of the United States” (WOTUS). This was announced by the U.S. Environmental Protection Agency (EPA) and U.S. Army Corps of Engineer (Corps).

PUBLIC COMMENT

No public comments were made.

MOTION TO APPROVE JANUARY 2023 VOUCHER LIST

Director Putnam made a motion to approve the January 2023 voucher list. Director Shull seconded the motion and it passed unanimously.

NEXT MEETING DATE

The date of the next board meeting was set for February 14, 2023, at 10:00 a.m.

ADJOURN

Director Putnam made a motion to adjourn the regular board meeting at 12:20 p.m. Director Shull seconded the motion and it passed unanimously.