

**MINUTES OF MEETING OF JOINT COMMITTEE  
OF THE OWYHEE PROJECT**

February 22, 2022

A meeting of the Joint Committee of the Owyhee Project was held on February 22, 2022, at the Owyhee Irrigation District office located at 422 Thunderegg Blvd., Nyssa, Oregon, at 1:00 p.m. Eric White, Chairman of the Joint Committee presiding.

The following members of the Joint Committee were present:

Eric White	Frank Ausman
Chris Landa	Bruce Corn
Dan Tschida	Brett Nielsen

Also present were: Clancy Flynn, Manager of the Hydro Projects; Michael W. Horton, Secretary and Legal Counsel; Jerry Nagaki, Outgoing OID Board Member; Monte Culbertson, Old Owyhee Manager; John Eells, South Board Manager; Brian Bachelder, Greg Clark, Weston Schulthies, Harvey Manser, Darla Sebasto, and Linda Henderson, Members of the Public.

MEETING NOTICE. The meeting agenda showed that public notice of the meeting was given on February 17, 2022.

PLEDGE OF ALLEGIANCE. Chairman Eric White led the Pledge of Allegiance.

MINUTES. The minutes of the regular meeting of the Joint Committee held on January 18, 2022, were reviewed by the Committee members. Chairman White noted a correction to the minutes in the section relating to equipment for dam maintenance. He said that the minutes need to make clear that OID was considering the possibility of renting its backhoe to the Joint Committee for usage up at the dam. The minutes were amended accordingly. A motion was made by Mr. Corn, seconded by Mr. Tschida, and unanimously carried approving the minutes as amended.

TUNNEL #1 POWER PROJECT.

Tunnel #1 Financial Report. Mr. Flynn handed out financial reports for the Tunnel Power Project which were reviewed by the Committee members. Mr. Flynn said that staff are going through the wicket gates today. He said that the hydraulics are ready to go.

Tunnel #1 Power Project Accounts Payable. The Committee members reviewed the accounts payable listed on the agenda for the Tunnel #1 Power Project. A motion was made by Mr. Ausman, seconded by Mr. Landa, and unanimously carried approving payment of the accounts payable as follows:

Five Rivers Law, P.C.	\$795.50
AT&T	91.75
Nichols Accounting Group	425.00
SDIS	72,510.50
Oregon-Idaho Utilities	<u>717.18</u>
Total	\$74,539.93

OWYHEE DAM POWER PROJECT.

Owyhee Dam Financial Report. Mr. Flynn handed out financial reports for the Owyhee Dam Power Project which were reviewed by the Committee members. Mr. Flynn said that staff are working on repairing a power pole cross arm.

Owyhee Dam Accounts Payable. The Committee members reviewed the accounts payable listed on the agenda for the Owyhee Dam Power Project. A motion was made by Mr. Corn, seconded by Mr. Tschida, and unanimously carried approving payment of the accounts payable as follows:

AT&T	\$126.30
Nichols Accounting Group	425.00
Oregon-Idaho Utilities	940.86
SDIS	<u>\$35,586.50</u>
Total	\$37,078.66

WATER OUTLOOK. Mr. Flynn gave a computer presentation on the water situation. The presentation showed that if water deliveries were to start today, there would only be enough water for a 1.1 acre allotment. He presented some graphs on historic storage at the reservoir. He said that the snow course will be flown on the first of March. He said that if the reservoir receives normal runoff, the Districts may be able to get to 2 acre feet allotment. He said there is no prediction from the National Weather Service yet. He said the snow/water equivalent is still holding.

STAFFING AT OWYHEE DAM. Mr. Flynn said that the dam tender position at the Owyhee Dam has been filled. He said an OID ditch rider has taken the position. He said the new employee has completed virtual training and will begin on-site training in March.

EQUIPMENT NEEDS FOR OWYHEE DAM. Mr. Flynn said that last month OID suggested they may be willing to rent their backhoe to the Owyhee Dam. He said he did some research and the trade in value for the backhoe is \$42,000. Chairman White said that OID is proposing to have OID rent the backhoe to the Joint Committee, but to keep the backhoe at the dam. Mr. Nielsen said that he would prefer to have the Joint Committee own the backhoe itself. The matter was discussed and after discussion, it was determined that that OID needs to decide if it wants to sell the backhoe to the Joint Committee and for what price. Chairman White said that OID should have a decision on the matter next month.

GENERATOR FOR ELEVATOR AT DAM. Mr. Flynn said that the used generator which was purchased has been gone through and that it was only low on oil and otherwise runs great. He said the next step will be to move the generator up to the dam and then get it wired in.

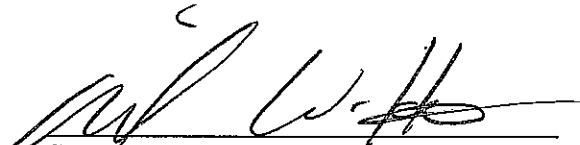
WATERSHED COUNCIL FIELD DAY. Mr. Flynn said that he has been getting contacted about doing school tours and limited field day events again. He said that he will be moving forward with that.

WATER USAGE MEMORANDUM OF UNDERSTANDING. Mr. Flynn said that he, Mr. Culbertson, and John Eells will be meeting to go over the MOU between the Districts which was done back in 2015, and discuss how it worked for that low water year. Mr. Corn said that he would like to see some training for the current staff and Board Members to be brought up to speed on the provisions in the MOU as he thought it worked quite well in 2015.

NEXT JOINT COMMITTEE MEETING. It was noted that the next Joint Committee meeting will be held March 22, at 1:00 p.m.

ADJOURNMENT. There being no further business to come before the Committee, the meeting was adjourned at 1:35 p.m.

Respectfully submitted,

  
Secretary

APPROVED: \_\_\_\_\_

**MINUTES OF REGULAR MEETING OF THE BOARD OF DIRECTORS  
OF THE OWYHEE IRRIGATION DISTRICT**

February 22, 2022

A regular meeting of the Board of Directors of the Owyhee Irrigation District was held on February 22, 2022, at Owyhee Irrigation District office located at 422 Thunderegg Blvd., Nyssa, Oregon, at 10:00 a.m. Dan Tschida, President of the District presiding.

The following Directors were present:

Dan Tschida	Bruce Corn
Eric White	Frank Ausman

Also present were: Clancy Flynn, District Manager; Michael W. Horton, Attorney; Jerry Nagaki, Outgoing Director; Brian Bachelder, Linda Henderson, Darla Sebasto, Greg Clark, Mike Peterson, and Harvey Manser, Members of the Public.

MEETING NOTICE. The meeting agenda showed that public notice of the meeting was given on February 17, 2022.

PLEDGE OF ALLEGIANCE. President Tschida led the Pledge of Allegiance.

MINUTES. Minutes of the meeting of the Board of Directors held on January 18, 2022, were mailed to the Directors prior to the meeting. Director Corn noted that the minutes listed Clancy Flynn as the Manager of the Hydro Project and that they should have listed him as District Manager, and that under the Incurred Water Charges paragraph, it needs to be made clear that an additional \$.50 per acre is being taken out of the Mitchell Butte Project and put towards revenues. The minutes were corrected. A motion was made by Director Corn, seconded by Director White, and unanimously carried approving the minutes as corrected.

DISTRICT FINANCIAL REPORT. Mr. Flynn handed out a financial report for the month. The Directors reviewed and discussed the financial report. Mr. Flynn said that the PPP 2 loan has been forgiven.

DISTRICT ACCOUNTS PAYABLE. Two lists of District accounts payable for the month were included in the Directors' packets. The lists were reviewed and discussed. Mr. Flynn explained that the Commercial Tire billing is messed up and that the District actually has a credit. President Tschida asked if government surplus tires can be purchased at auction. Mr. Flynn said that normally tires which the District could use are not available. A motion was made by Director White, seconded by Director Corn, and unanimously carried approving payment of the accounts payable.

MITCHELL BUTTE POWER PROJECT:

Financial Report. A financial report for the Mitchell Butte Power Project was included in the Directors' packets. The Directors reviewed the report.

Accounts Payable. The agenda listed the accounts payable for the Mitchell Butte Power Project. A motion was made by Director Corn, seconded by Director Ausman, and unanimously carried approving payment of the following accounts payable:

Tekfinity	\$47.90
Nichols Accounting Group	185.00
Century Link	<u>182.90</u>
 TOTAL	 \$415.80

DIRECTOR NAGAKI'S POSITION. Mr. Nagaki said that he has sold all of his real estate in the District and that he is no longer eligible to be a director. It was determined that the vacancy now created will be discussed later in the meeting.

SURPLUS PROPERTY. Mr. Flynn said that there are items which the District no longer needs that need to be surplused. He said that the items consist of the following: 1968 Chevrolet K2500 Burner truck, 2008 Ram 1500 ditch truck, 2004 Chevrolet Silverado 1500, John Deere 850 tractor, chairs and office furniture in the Ontario office, and a 2005 JMC Yukon which was Jay's rig. The matter was discussed. Mr. Flynn said that two pickups have been purchased. The Directors discussed keeping Jay's Yukon. A motion was made by Director Ausman, seconded by Director Corn, and unanimously carried that the items recommended for surplus by Mr. Flynn, except for the 2005 GMC Yukon, which was Jay's rig, be declared surplus property and that such items be sold, donated to charity, or donated to another government entity.

DISTRICT OWNED RENTAL PROPERTY. Mr. Flynn said there are a number of houses which the District owns that are rented to District employees. He said that the rent has not been increased for a number of years and that he is increasing the rents to help keep up with maintenance on the properties. He said that he is also thinking of renting out part of the Ontario office to help with upkeep. Mr. Horton said that he would discourage renting District houses to anyone other than District employees.

POTENTIAL PROPERTY SALE. Mr. Flynn reported on his investigation into selling the District owned property across from the District office. He presented a letter and map from a surveyor which the Directors reviewed. Mr. Flynn said that the only use for the property for the District would be for parking and that if the property is retained for that purpose, that the District should look into fencing the property. The matter was discussed. After discussion, it was the consensus of the Directors to hold off for now on listing the property for sale.

FEDERAL APPROPRIATION – (EARMARK REQUEST). Mr. Flynn said that Oregon Senators have opened up earmark requests. He said he thinks piping 5,800 feet of the Kingman Lateral would be a good project. He said the estimated pipe cost is 1.4 million dollars. He said that the earmark requirement would also require the District to sign into borrowing money from

the State Clean Water Fund. He said he would like to see the District apply for 4 million dollars of the earmark funds. The matter was discussed. Mr. Horton said that there may be potential funding coming from Idaho Power if they decide to place some of the structure for the B2H power line near the Kingman Lateral. Director White said that he heard that the power line would not be located in that location. The matter was discussed and after discussion, it was the consensus of the Directors to have Mr. Flynn continue to move forward with the earmark application so long as the District can back out.

CONCRETE PUMP. Mr. Flynn said that he started to look into purchasing a concrete pump since it was budgeted for. He said that he was able to locate a new machine for just under \$83,000 after getting competitive quotes. He said that he went ahead and committed to purchase the pump, but that it will not show up until April. Mr. Flynn said that the pump will come with a short training session. The matter was discussed.

FUEL STORAGE. Mr. Flynn said that he is still looking into purchasing fuel storage tanks. He said that it looks like the District could save at least \$5,000 per year in fuel costs and the District could possibly trade in an old tank which it has towards the purchase of a new one. The matter was discussed and it was determined that Mr. Flynn will continue to move forward with acquiring fuel storage.

MALHEUR SIPHON REPAYMENT. Mr. Flynn said that there are two more payments still owing on the loan for the Malheur Siphon repairs. He said that the special assessment was also supposed to remain in place until the reserves were up to 2 million dollars. The matter was discussed. Mr. Flynn said that the District may have hit the 2 million reserve number already and that the assessment should be able to be removed once the Oregon loan is completely paid off.

DEAD OX PUMPING PLANT PROJECT. Mr. Flynn said that the Dead Ox Pumping Project is progressing well. He said that the screens have not come in yet. He said they are waiting for a truck to deliver the screens. He gave an update on the overall project status.

DISTRICT STAFFING. Mr. Flynn said that he brought a couple of seasonal staff back to work. He said a ditch rider has been hired after one of the District's ditch riders took the job up at the dam as dam tender. He then gave an update on ditch rider staffing. The Directors discussed ditch riders locking and unlocking head gates. The consensus of the Board is that they would support ditch riders locking and unlocking head gates.

DISTRICT NEWSLETTER AND BILLINGS. Mr. Flynn said that the District newsletter and billings have been sent out through the new software program. He said that office staffing will most likely turn over after the water is started up. He said that he is looking into getting the District set up for accepting credit card payments.

STAFF TRAINING. Mr. Flynn gave an update on staff training.

BLM MENDIOLA FIRE. Mr. Flynn updated the Board on a recent phone conference he, Mr. Chamberlin, and Mr. Horton had with USBR and BLM on the Mendiola fire and how to avoid such a situation in the future.

DITCHING. Mr. Flynn said there are about 9 days left of ditching to be done. He said that the feedlot lateral is done and that the Esplin pipe has now arrived.

ISSUES IN DIRECTOR WHITE'S DIVISION. Director White said that there are a couple of concerns with laterals and crossings in his area. He explained those concerns.

BOARD VACANCY. Mr. Flynn said that the District received two applications for Mr. Nagaki's vacant director position. He handed out the applications, which the Directors reviewed. President Tschida asked each of the applicants to make a verbal presentation on why they want to serve on the Board and the skills they would bring to the District. Greg Clark made a presentation which was then followed by Brian Bachelder. The Directors asked Mr. Clark and Mr. Bachelder questions. Mr. Nagaki said that he recommends Brian Bachelder for the position. The Directors each stated which applicant they would prefer to fill the vacancy. A motion was made by Director White and seconded by Director Corn that Brian Bachelder be appointed to fill the Board vacancy. A vote on the motion was had. Directors White and Corn voted in favor of the motion and Directors Ausman and Tschida voted against the motion which failed. Mr. Horton said that the position would remain vacant until three of the four remaining Directors vote in favor of one candidate. It was determined that the matter would be taken up again after the Joint Committee meeting this afternoon.

MEMORANDUM OF UNDERSTANDING WITH SOUTH BOARD AND OLD OWYHEE. Director Corn said that he would like to see some training on the MOU between the District, South Board, and Old Owyhee since the Districts have new Board members and both OID and South Board have new managers since the MOU was done in 2015.

MEETING RECESSED. At 11:52 a.m., President Tschida declared the meeting in recess to reconvene after the Joint Committee meeting.

MEETING RECONVENED. At 1:36 p.m., the meeting was reconvened.

DISTRICT EQUIPMENT NEEDS. Mr. Flynn said that he recommends that a Gradeall be purchased instead of a backhoe. He said that a used Gradeall can be obtained for between \$40,000 to \$60,000 with low hours. The Board discussed the matter along with parts availability. Mr. Flynn said that he will gather more information.

DIRECTOR VACANCY (Continued). It was determined that the Director vacancy issue be put as the first thing on the agenda for next month's meeting.

PUBLIC COMMENTS. President Tschida asked if there are any public comments. Darla Sebasto asked if the District is planning on having an annual meeting this year, or if they will ever have one again. Mr. Flynn said that he was not planning on having one this year. Linda Henderson and Weston Schulthies said they would like to have an annual meeting. The matter was discussed, along with the reasons why annual meetings were started back during low water years and the problems and costs of having them. The need to keep the District's website updated was discussed. Mr. Schulthies asked about the annual incurred charges being increased and Director White said they were increased by \$1.00.

JERRY NAGAKI. The Board members thanked Mr. Nagaki for being on the Board and serving the District for 26 years.

ADJOURNMENT. There being no further business to come before the Board, the meeting was adjourned at 2:05 p.m.

Respectfully submitted,



Michael W. Horton, General Counsel

APPROVED: \_\_\_\_\_