

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

December 20, 2022

A regular meeting of the Board of Directors of the Owyhee Irrigation District was held on December 20, 2022, at Owyhee Irrigation District office located at 422 Thunderegg Blvd., Nyssa, Oregon, at 10:00 a.m. President Dan Tschida presiding.

The following Directors were present:

Dan Tschida	Bruce Corn
Eric White	Frank Ausman
Gregory Clark	

Also present were: Clancy Flynn, District Manager; Michael W. Horton, Attorney; Tyler Sweet, Accountant; Linda Henderson and Darla Sebasto, Members of the Public; Dellas Waldo, Insurance Agent; and Brian Hartley, Manny Valero, and Robert Bair, Employee Committee Representatives.

MEETING NOTICE. The meeting agenda showed that public notice of the meeting was given on December 15, 2022.

PLEDGE OF ALLEGIANCE. Chairman Dan Tschida led the Pledge of Allegiance.

MINUTES. Minutes of the meeting of the Board of Directors held on November 22, 2022, were mailed to the Directors prior to the meeting. Director White noted a correction to the minutes. The minutes were corrected. A motion was made by Director Ausman, 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. President Tschida noted that there is still a little bit of operating money. Mr. Flynn explained that there is but it will run right to the end

DISTRICT ACCOUNTS PAYABLE. Two lists of District accounts payable for the month were included in the Directors' packets. The Directors reviewed the lists and asked questions about specific bills. A motion was made by Director White and was seconded by Director Ausman to pay the bills. A vote on the motion was had and it passed unanimously.

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. Mr. Flynn said that a bushing on a transformer is leaking and needs replaced at a cost of around \$8,000. Director Ausman asked about the trash rack repair cost and Mr. Flynn said the cost is estimated to be under \$10,000.

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:

AT&T	\$55.36
Oregon-Idaho Utilities	425.00
Nichols Accounting Group	<u>112.76</u>
TOTAL	\$593.12

YEAR END FINANCIALS. Tyler Sweet handed out a financial report to help the Board with making year end financial decisions. The Directors reviewed the report as Mr. Sweet went through it. The Directors discussed the special assessment for the Malheur Siphon and getting reserves where they need to be. Mr. Sweet said PERS will be going up. He said that every one percent increase in employee wages requires a 32 cent increase per acre in the assessment. He explained the extra payroll cost to cover the new Oregon Paid Leave payroll tax.

INSURANCE. Dellas Waldo said that the District hit the maximum discounts for the year for a savings of \$35,000 in premiums. He said the premiums still went up 7.7%. He said the workers compensation rates for the District are better than last year. He said the District will have insurance coverage in 2023 starting January 1. Mr. Waldo left the meeting at 10:40 am and will come to next month's board meeting to give a full report.

EMPLOYEE COMMITTEE. Brian Hartley said the employee group considered the Board's last proposal and are coming back with a request for a 10% wage increase. Director Ausman said that he appreciates the crews' work but explained that he thought the 7% offer was fair and closer to the inflation rate. He said he is floored at the request. President Tschida said as a patron, he can't afford a 10% increase. The other Board members all agreed that they are sticking with their 7% offer. They expressed their appreciation of the employees and the job they do, but explained the short water years have hurt the local farmers. The Employee Committee members will meet with the employees again and explain the Board's position. At 10:50 a.m., the Employee Committee members left the meeting. Mr. Flynn explained his thoughts on compensating employees who get or have their CDL's and spray licenses an extra fifty cents per hour for each of the two licenses they have or get. He said he factored this amount into the budget. The Directors discussed the idea and agreed with it. Mr. Flynn said he will let the employee committee know of the idea. The Directors discussed the water situation and its impact on assessments.

2023 BUDGET. Mr. Ausman said he would like to see if more items can be cut from the budget. Mr. Flynn said the Board would have to choose what levels of service to cut. The matter was discussed and Director Ausman suggested that maybe some spraying could be cut back. Mr. Flynn explained the current spraying program and the hope of getting ahead of the weeds to save future spraying costs. Mr. Flynn also explained some planned automation which should result in future savings in employee costs.

Spraying and mowing throughout the District was discussed. The potential for variable speed pumps to save electricity costs was discussed. President Tschida suggested that Mr. Flynn talk to our Congressmen to see if they could help with legislation to help with pumping costs.

The Board decided to have a special board meeting at 10 a.m. on January 10 to discuss the budget further.

FCS RATE STUDY. Mr. Flynn explained that FCS made a proposal to him to conduct a rate study for the District at a cost of \$38,000. The consensus of the Board is that they are not interested.

At 11:35 a.m., Tyler Sweet left the meeting.

COLLECTIONS POLICY. Mr. Flynn explained a proposed collections policy for delinquent accounts. He also asked about getting reimbursed for water transfers as the cost to the district is around \$3,000. The matter was discussed.

MEETING RECESSED. At 11:52 a.m., the meeting was recessed to reconvene after the Joint Committee meeting.

MEETING RECONVENED. At 1:25 p.m., the meeting was reconvened.

JONES REQUEST. Mr. Flynn said that the Jones's are requesting a reduction in the amount necessary to bring their father's old water bill current. He explained the situation and an issue with the water turn out. He said the bill includes \$7,631.20 of water charges and \$5,000 of interest and penalties. The matter was discussed, and after discussion, a motion was made by Director White, seconded by Director Corn, and unanimously carried to forgive interest and penalties on the account, if \$7,631.20 is paid by March 1, 2023 and if not paid by that date, the full amount owing will be reinstated.

COMBINATION POLICY. Mr. Flynn said that the combination policy on water ordering will be ready for Board approval next month.

KINGMAN LATERAL DESIGN GRANT. Mr. Flynn said that he put together an application for a grant from USBR for funding the design of the Kingman lateral pipeline. He said a resolution is needed to move forward. The matter was discussed, and after discussion, a motion was made by Director White, seconded by Director Ausman, and unanimously carried to

adopt the resolution attached to these minutes. Mr. Flynn said we should know if the piping project legislation passes by the end of the week. The project was discussed.

ARABIAN PROJECT. Mr. Flynn said the Arabian pipeline project is moving along and is going pretty good.

WATERSHED PLAN. Mr. Flynn said that the watershed plan is still being worked on.

ODF&W AGREEMENT WITH TRIBE. Mr. Flynn reported on an agreement ODF&W recently entered into with the Burns Paiute Tribe.

WATERSHED PLAN RFP. Mr. Flynn said the watershed plan RFP has been completed and he will be looking at going out for proposals soon.

CLARICH WATER TRANSFER. Mr. Flynn said that Warm Springs has approved the Clarich water transfer proposal. Mr. Horton said the District now needs to analyze the steps needed with the Bureau and the state to move forward.

EQUIPMENT. Mr. Flynn reported on issues with the District's heavy equipment. He said staff has put together a checklist for pre-operation of equipment and pre-trip inspection that is being installed on operators' phones.

DIRECTORS COMMENTS. Director White explained he was approached by a patron who also does piping projects who is having a difficult time getting the District's engineer to call him back. Mr. Flynn said he will look into it.

PIPING PROJECTS. Mr. Flynn reported on piping projects throughout the District.

PUBLIC COMMENT. President Tschida asked for public comment and Linda Henderson asked about the status of the Owyhee legislation.

ADJOURNMENT. There being no further business to come before the Board, the meeting was adjourned at 2:22 p.m.

Respectfully submitted,



Michael W. Horton, General Counsel

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

**OWYHEE IRRIGATION DISTRICT**  
**Water Conservation Field Services Grant Application**  
**for the Kingman Lateral Piping Project**  
**Resolution 2022-7**

WHEREAS, the Owyhee Irrigation District has had difficulty with seepage and slope stability along the first mile of the Kingman Lateral since at least the 1970's; and

WHEREAS, these difficulties resulted in reduced flows in the Kingman Lateral to lessen seepage and protect slope stability in the 2021 water year; and

WHEREAS, the District has identified piping this lateral as the most viable option to resolve this persistent problem; and

WHEREAS, the District has applied for Oregon state monies to complete the construction of the pipeline; and

WHEREAS, the funding program of the State requires a more formal design for the pipeline; and

WHEREAS, the USBR has available the Water Conservation Field Services grant opportunity to help with designing of projects.

NOW THEREFORE, BE IT RESOLVED that the Owyhee Irrigation District authorizes the Managers application to the USBR for securing design funding through the Water Conservation Field Services program to complete the design of the Kingman Lateral project.

BE IT FURTHER RESOLVED that Owyhee Irrigation District is capable of and commits itself to providing the funds/in-kind contributions outlined in the grant application and to work with Reclamation to meet established deadlines for entering into a grant or cooperative agreement.

Dated this 20th day of December 2022.

**OWYHEE IRRIGATION DISTRICT**

  
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**Dan Tschida, Chairman**

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

December 20, 2022

A meeting of the Joint Committee of the Owyhee Project was held on December 20, 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
Bruce Corn	Brett Nielsen
Dan Tschida	

Also present were: Clancy Flynn, Manager of the Hydro Projects; Michael W. Horton, Secretary and Legal Counsel; John Eells, Manager of South Board; Gregory Clark, OID Alternate; J.L. and Darla Sebasto and Linda Henderson, members of the public.

MEETING NOTICE. The meeting agenda showed that public notice of the meeting was given on December 15, 2022.

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

MINUTES. The minutes of the November 22, 2022, meeting of the Joint Committee were mailed out prior to the meeting. A motion was made by Mr. Corn, seconded by Mr. Tschida, and unanimously carried approving the minutes as mailed.

TUNNEL #1 POWER PROJECT.

Tunnel #1 Financial Report. Mr. Flynn handed out a financial report for the Tunnel #1 Power Project which was reviewed by the Committee members. Mr. Flynn said the Bureau is doing an inspection in January. He said a five inch valve is leaking between the gates and needs replaced. He said a diver may have to be hired to do the work.

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

AT&T	\$42.19
Nichols Accounting Group	901.01
Oregon-Idaho Utilities	112.76
ODOE	100,000.00
Five Rivers Law, P.C.	<u>555.00</u>
Total	\$101610.96

OWYHEE DAM POWER PROJECT.

Owyhee Dam Financial Report. Mr. Flynn handed out a financial report for the Owyhee Dam Power Project which was reviewed by the Committee members. Mr. Flynn said that he has nothing major to report on the Dam Power Plant.

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. Tschida, seconded by Mr. Ausman, and unanimously carried approving payment of the accounts payable as follows:

Nichols Accounting Group	\$425.00
AT&T	55.36
Oregon-Idaho Utilities	<u>112.76</u>
Total	\$593.12

AUDITOR. Mr. Flynn said that Brian Richins is no longer going to do audits. He said he will be seeking proposals from interested auditors.

GRANT OPPORTUNITIES. Mr. Flynn reported that ODOE has some grant programs available which he is going to look into.

VARIABLE SPEED PUMPS. A discussion was had on the possibility of using variable speed pumps at Dunaway Pumping Station. Possible grants were discussed. It was noted that when variable speed pumps are operated at low speeds, they tend to overheat.

RING GATE REPAIR. Mr. Flynn said that they haven't started pouring concrete yet.

DAM COMPOUND PUMP HOUSE ROOF AND WOODSHOP ROOF. Mr. Flynn said that the materials for the roofs of the pump house and woodshop have come in.

BACKHOE AT DAM. Mr. Nielsen asked if OID is still looking at selling its backhoe to the Joint Committee to use at the dam. Mr. Flynn said right now OID is planning on keeping the backhoe and loaning to the dam when needed.

B2H. Mr. Flynn said that he hasn't been able to talk to anyone at Idaho Power on the proposed powerline. The matter was discussed.

ADJOURNMENT. There being no further business to come before the Committee, the meeting was adjourned at 1:25 p.m.

Respectfully submitted,

  
Secretary

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