

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

January 16, 2024

A meeting of the Joint Committee of the Owyhee Project was held on January 16, 2024, at the Owyhee Irrigation District office located at 422 Thunderegg Blvd., Nyssa, Oregon, at 2:22 a.m. Eric White, Chairman of the Joint Committee presiding.

The following members of the Joint Committee were present:

Eric White	Gregory Clark
Gregory Clark	Frank Ausman
Chris Landa	Brett Nielsen

Also present were: Clancy Flynn, Manager of the Hydro Projects; Michael W. Horton, Secretary and Legal Counsel; Dan Tschida, OID Alternate; Dellas Waldo, Darla Sebasto and Linda Henderson, Members of the Public.

MEETING NOTICE. The meeting agenda showed that public notice of the meeting was given on January 11, 2024.

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

MINUTES. The minutes of the meeting of the Joint Committee held on December 19, 2023, were mailed to the Committee members prior to this meeting. Mr. Flynn noted a correction to the minutes regarding Wyoming Irrigation District's charge for each additional acre. The amount needs to be amended from \$6.00 to \$36.00. The minutes were amended accordingly. A motion was made by Mr. Nielsen, seconded by Mr. Corn, and unanimously carried approving the minutes as amended.

REORGANIZATION. Chairman White stated that this, the first meeting of the year, is the time for the reorganization of the Joint Committee.

Representatives. Mr. Horton said that the OID Board has designated Frank Ausman, Eric White, Bruce Corn, and Gregory Clark as representatives to the Joint Committee with Dan Tschida being the alternate. Chris Landa said that the South Board has designated Brett Nielson and Chris Landa as representatives to the Joint Committee with Steve Clapier being the alternate. He said that Carl Seiders is now the manager of South Board.

Chairman. Chairman Eric White opened nominations for the office of Chairman. Eric White was duly nominated and elected as Chairman.

Vice-Chairman. Chairman White opened nominations for the office of Vice-Chairman. Chris Landa was duly nominated and elected as Vice-Chairman of the Joint Committee.

Secretary and Legal Counsel. Mr. Horton stated that he is willing to serve as Secretary of the Joint Committee and that his law firm, Five Rivers Law, P.C., would agree to act as attorneys for the Joint Committee at an hourly rate of \$282.00 per hour, plus expenses. A motion was made by Mr. Nielsen, seconded by Chairman Ausman, and unanimously carried that Michael W. Horton be appointed Secretary and general counsel for the Joint Committee and that his law firm of Five Rivers Law, P.C., be appointed as attorneys for the Joint Committee all at an hourly rate of \$282.00 per hour, plus expenses.

BANKING. A motion was made by Mr. Ausman, seconded by Mr. White, and unanimously carried that the Joint Committee continue to maintain bank accounts with Umpqua Bank with two signatures required for checks and authorized signers to be:

Clancy Flynn, Manager
Michael W. Horton, Secretary
Eric White, Chairman
Frank Ausman, Committee Member
Bruce Corn, Committee Member
Chris Landa, Committee Member
Brett Nielsen, Committee Member
Gregory Clark, Committee Member
Dan Tschida, Alternate Committee Member
Steve Clapier, Alternate Committee Member

and adopting any required form banking resolution.

INSURANCE AGENT OF RECORD. A motion was made by Mr. Ausman, seconded by Mr. Landa, and unanimously carried appointing Waldo Agency as the Insurance Agent of Record for the Joint Committee with Dellas Waldo as the contact person.

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.

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

AT&T	\$90.76
Five Rivers Law, P.C.	1,390.00
E4 Connect	114.14
Spiegel & McDiarmid, LLP	380.50
SDIS	<u>69,159.50</u>
TOTAL	\$71,134.90

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.

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

SDIS	\$69,159.50
E4 Connect	114.14
Spiegel & McDiarmid, LLP	380.50
Five Rivers Law, P.C.	<u>1,390.00</u>
 TOTAL	 \$71,044.14

COMMITTEE ON REVENUE DIVISION. The Joint Committee members discussed forming an advisory committee to work on plans for sharing revenues from the hydro projects now that the loans are paid off. A motion was made by Mr. Ausman, seconded by Mr. Landa, and unanimously carried creating a Revenue Sharing Committee and appointing Mr. Flynn, Mr. Seiders, Mr. Horton, Mr. Corn, and Mr. Niesen to the Committee.

INSURANCE ON HYDRO FACILITIES. Dellas Waldo passed around a handout to the Committee members and gave a presentation on the insurance renewal for the hydro facilities. He said that SDIS is not offering the longevity credit anymore and there is an increase of 14.38%.

TOUR – REAL OREGON. Real Oregon will be touring the dam facilities on February 7, 2024.

JET FLOW VALVE COATING. Mr. Flynn said that the coating on the jet flow valve at the dam was just completed.

TUNNEL #1 RECOATING. Mr. Flynn said that the recoating on Tunnel #1 will be started next.

RING GATE. Mr. Flynn said that the ring gate is ready if needed.

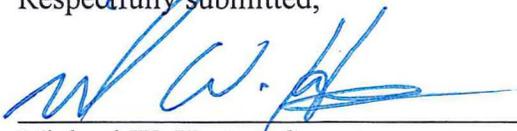
SNOWPACK REPORT. Mr. Flynn said that before the recent snow, the forecast was 220,000 acre feet of inflows which would put the reservoir at 640,000 acre feet of storage.

QUAGGA MUSSELS. Mr. Nielsen said that Fish & Game gave a presentation to the South Board regarding quagga mussels. He said that Fish & Game reported that the quagga mussels were treated and it was fixed within six weeks and that it was unprecedented and interested agencies were involved and all in favor. Helicoptered boats and equipment were used in testing and it showed that it got all of the quagga mussels within a 15 mile stretch. 2.8 million dollars was spent on the project. The Joint Committee would like to hear the presentation. Mr. Flynn said that boat check stations are being proposed at Owyhee Junction and in Fruitland. A check station at the wildlife viewing area near Snively was discussed. Mr. Flynn said that he will work on arranging a presentation from Fish and Game.

BOAT RAMP. Mr. Nielsen asked if growers or boat owners are asking about the boat ramp. Mr. Flynn said that he talked to Judge Joyce and the county is willing to contract again. Mr. Flynn will set up a meeting with the county and USBR to discuss it.

ADJOURNMENT. There being no further business to come before the Board, the meeting was adjourned at 2:00 p.m.

Respectfully submitted,



Michael W. Horton, Secretary

APPROVED: _____

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

January 16, 2024

A regular meeting of the Board of Directors of the Owyhee Irrigation District was held on January 16, 2024, 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:

Bruce Corn	Gregory Clark
Eric White	Dan Tschida
Frank Ausman	

Also present were: Clancy Flynn, District Manager; Michael W. Horton, Attorney; 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 January 11, 2024.

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

MINUTES. Minutes of the meeting of the Board of Directors held December 19, 2023, were mailed to the Directors prior to the meeting. A motion was made by Director Corn, seconded by Director White, and unanimously carried approving the minutes as mailed.

DISTRICT FINANCIAL REPORT. Mr. Flynn handed out a financial report for the month. The Directors reviewed and discussed the financial report.

DISTRICT ACCOUNTS PAYABLE. Two lists of District accounts payable for the month were included in the Directors' packets. The Directors reviewed the accounts payable. President Tschida asked about employee payments. Mr. Flynn said that the employees were reimbursed for their cell phones and safety checks were issued to them. The Board could not remember safety checks being issued in the past. Mr. Flynn said that the safety check amounts were based on accident-free and years of service. He said that he believes that in the past the payments were listed as a lump sum instead of broken down by employee. Darla Sebasto noted that Cliff Sebasto used to get the checks. The discussion continued with questions asked and answered. The Board suggested to Mr. Flynn to investigate the matter further and report back at the next meeting. A motion was made by Director White, seconded by Director Corn, and unanimously carried approving payment of the accounts payable. Credit card purchases were discussed.

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 one unit is out and a bearing is being repaired.

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

AT&T	\$47.84
FATBEAM (Tekfinity)	42.95
Century Link	200.92
Spiegel & McDiarmid, LLP	<u>380.50</u>
 TOTAL	 \$672.21

REORGANIZATION. President Tschida stated that it is time to reorganize the Board.

ELECTION OF PRESIDENT. President Tschida opened nominations for the election of President. Dan Tschida was duly nominated and elected as President.

ELECTION OF VICE-PRESIDENT. President Tschida opened nominations for the election of Vice-President. Frank Ausman was duly nominated and elected as Vice-President.

ELECTION OF SECRETARY. President Tschida opened nominations for the election of Secretary. Bruce Corn was duly nominated and elected as Secretary.

APPOINTMENT OF LEGAL COUNSEL. Mr. Horton said that his proposal for this new year is for a monthly retainer in the amount of \$1,525.00, which shall be for up to 6.5 hours of work with any additional hours in such month to be billed at \$282.00 per hour. A motion was made by President Tschida, seconded by Director White, and unanimously carried appointing the law firm of Five Rivers Law, P.C., as attorneys for the District for the year 2023, and authorizing that a monthly retainer be paid in the amount of \$1,525.00 which shall be for up to 6.5 hours of work with any additional hours in such month to be billed at \$282.00 per hour, with travel time to be billed at half the hourly rate and that out-of-pocket expenses be paid by the District in addition to the retainer amount. Mr. Horton thanked the Board for continuing to allow his firm to provide legal services to the District. The Directors expressed their appreciation to Mr. Horton for the work that he does for the District.

INSURANCE AGENT OF RECORD. A motion was made by Director White, seconded by Director Corn, and unanimously carried appointing Waldo Agency as the Districts insurance agent of record with Dellas Waldo as the contact person.

DISTRICT BANKING. Mr. Flynn explained that the District currently has accounts at Umpqua Bank. A motion was made by Director Ausman, seconded by Director Corn, and unanimously carried that the following individuals have signing authority on the accounts with two signatures required for all District checks:

Dan Tschida	Director
Bruce Corn	Director
Eric White	Director
Frank Ausman	Director
Gregory Clark	Director
Clancy Flynn	Manager
Michael W. Horton	Attorney

and that any required form banking resolution is hereby adopted.

JOINT COMMITTEE REPRESENTATIVES. A motion was made by Director Corn, seconded by Director White, and unanimously carried appointing Gregory Clark, Eric White, Frank Ausman, and Bruce Corn as representatives to the Joint Committee with Dan Tschida being the alternate.

2024 BUDGET. Mr. Flynn presented slide presentation and presented a draft 2024 budget with handouts to each of the Directors. Mr. Flynn said that if more funds were taken from Mitchell Butte, a second fuel tank could be purchased. A discussion was had and after discussion, it was the consensus of the Board to take a total of \$2.00 per acre from Mitchell Butte which will help to purchase a second fuel tank with potentially taking another .50 cents per acre later in the year. Mr. Flynn continued to go through the changes made from the previous draft of the budget.

A motion was made by Director White, seconded by Director Clark, and unanimously carried amending the draft budget and adopting the budget as amended.

INCURRED CHARGES. Incurred charges for the 2024 water year were discussed. After discussion, a motion was made by Director Corn and was seconded by Director Clark setting the incurred charge at \$76 per acre with a \$1.50 per special assessment for a total incurred charge of \$77.50, and that a service charge be imposed on subdivided and small tract lands consisting of 5 acres or less at the rate of \$85. A vote on the motion as had and it passed unanimously.

GRANT APPLICATIONS TO OREGON WATER RESOURCE DEPARTMENT. Mr. Flynn said that he submitted grant applications for the Kingman project and the Snake River pumps to get variable speed pumps. He said he got feedback on last year's grant application for the Kingman project. He said that a contractor may need to be hired to help write future grant applications. He said that he may use the engineering firm that Central Oregon uses in the future. He said that the applications will be submitted tomorrow.

USBR GRANTS. Mr. Flynn asked for an okay to apply for two small USBR grants by submitting a group application with other agencies with OID being the lead agency. The consensus of the Board is to proceed.

PICKUP PURCHASE. Mr. Flynn said that a Nissan pickup was purchased.

OWEB WATER QUALITY GRANTS. Mr. Flynn reported that the rules for OWEB grants are potentially changing.

FCA PRIORITY PROJECT LIST. Mr. Flynn presented a slide show presentation regarding the FCA Priority Project List. He said the siphons were removed from the list because of high cost of engineering needed to just figure out how much it would cost to fix them.

CONFERENCES COMING UP. Mr. Flynn updated the Board on conferences coming up.

SMALL POWER PRODUCTION COMPANY. Mr. Flynn said that a small power production company contacted him about the company wanting to make a presentation to the Board on small turbines to be placed in District facilities. The Board is not interested in such a presentation.

BOARD MEMBERS REIMBURSEMENT. A discussion was had regarding the Board member reimbursement. After discussion, it was the consensus of the Board to pay the Board members \$50 per meeting and the IRS rate for mileage.

KINGMAN COLONY IRRIGATION DISTRICT. Mr. Horton updated the Board on the Kingman Colony property and said he has more research to do. The consensus of the Board is to have Mr. Horton do further research.

MEETING RECESSED. At 12:05 p.m., President Tschida declared the meeting in recess to reconvene after the Joint Committee meeting this afternoon.

MEETING RECONVENED. At 2:00 p.m., the meeting was reconvened. Dellas Waldo joined the meeting.

INSURANCE UPDATE. Dellas Waldo made a presentation on the District's insurance. He said that there has been an increase of 10.14% for the District. He said that the Dead Ox claim is still being worked on, along with another small claim.

DIRECTOR COMMENTS. Director White reported that he was asked to be on the Owyhee Watershed Council.

ADJOURNMENT. There being no further business to come before the Board, the meeting was adjourned at 2:21 p.m.

Respectfully submitted,



Michael W. Horton, General Counsel

APPROVED:
