

MEDFORD IRRIGATION DISTRICT

Regular Board Meeting Minutes

August 9th, 2023 @ 1:30 pm

Present: Sean Naumes, Henry Vaninetti, Matt Borman, Dave Urton, Jack Friend-Manager/Secretary

Absent: Dennis O'Donoghue

Call meeting to order: Chairman Naumes called the meeting to order at 1:32 pm.

Minutes: Chairman Naumes asks if there are any comments or corrections to the minutes. Chairman Naumes called for a motion to approve the regular board meeting minutes. Director Vaninetti motions to approve the July 12th, 2023, minutes, Director Borman seconds the motion, and the motion carries.

Financials: Chairman Urton: Is the lighting through the Energy Trust? Friend: Yes, the vendor that installed the lighting received the Energy Trust funding. They were all metal halide bulbs before and now they are LED which uses less energy and cost efficient for replacement as well. Chairman Borman: On the Drought Relief Projects for the EC Lateral, those weren't budgeted because they were? Friend: We received \$135K last year and we are using that funding for some of the repair projects that are a larger cost. We still need to report where the funding is going too. Chairman Naumes called for a motion to approve the July 12th, 2023, financials. Director Borman motions to approve the July 12th, 2023, financials, Director Vaninetti seconds the motion, and the motion carries.

Delinquent Accounts: Flanakin: Our balance is down to \$98K. Continues to drop which is a good thing. The question that was brought up a couple of times in our prior meetings was the loss of water rights of the patrons that are several years delinquent. I placed a call to counsel regarding this issue and will be hearing back next week. I had a concern if we were to remove those water rights with a balance still owing, would that take away the leverage for the unpaid balance? Director Urton: What happens to our certificate if we remove those water rights? Friend: There are two different issues. I spoke with April Snell of the OWRC, and she said Central Oregon Irrigation District has a policy to deal with this issue before the 5-year mark. I am going to reach out to them to get a copy. It will be something that the board will have to vote on and add to our policies. You would have to petition the OWRD for those rights to be moved to a different piece of land. I do not believe you can take it and lease it or instream it. The needs to be an affidavit that states that the water has not been used in the last 5 years to be able to lose those rights. It needs to be put to beneficial use. If the rights were moved; they would be put to beneficial use and that needs to be shown to OWRD. If we could find a way to do a temporary transfer, that would be another way to do it. I have used that this year, but they would have to sign on for that. They probably are not going to sign off for that. In the meantime, the delinquent accounts are starting to shrink, especially the 4-year past due since the foreclosure policy was put in place and implemented. Flanakin: The other issue regarding the removal of the water rights is the fees that are involved. Do we want to add more debt for these particular properties? Regarding the foreclosure accounts, we added 2 more to the list, and one of them has paid. For the King account, we were going to enter into a payment plan, however, when he returned the contract and the check for the legal fees, they were altered, and we cannot accept that per council. This is now being handled by our attorneys. We have instructed no contact with the patron's son. If Mr. King agrees in court to sign a new contract and issue MID a new check for the legal fees, we will pause the Foreclosure process. MID will still have the option to move forward with foreclosure if payments are late or cease. Regarding Taylor's property, it is moving forward to go to auction. Garrett's account will remain for a while until the county finishes its foreclosure process. Friend: What happens to the cashier's check that we have now? Flanakin: It is on file and will need to be turned back in for another to be issued.

Elections: Flanakin: Nominating petitions begin August 24th. Divisions ACDE are up for election this year. The petitions are due no later than 5 pm on October 10th. If there are patrons in your division that are not registered that they can call or come into the office and register. Chairman Naumes: If there is anyone that wants to run they can get the petitions here? Flanakin: Yes, I have already put them out in

Administration: Friend: We are continuing to bring Fourmile water down to Fish Lake. Fourmile is at 22% capacity and 51% of the average. Fish Lake is at 51% capacity and 97% of the average for this date. The Talent

system is at 40% capacity and 66% of the average. Our allotment is 2,586 A/F as of today. We are using 53 A/F per day. At that rate, we would have water for 48 more days. That puts us into the 2nd half of September.

TID has decided to shut off on September 15th. Fish Lake and Fourmile are projected to have enough supply to get us into Mid-September. I would propose that we consider a shutoff date for September 15th as well. If demand drops and we have storage left, we can save it for next season. It will take some time for the canals to be ramped down and there will be water in the ditch into the 3rd week of September in most areas. I have attached some graphs showing the reservoirs compared to last year and the 20-year average. Borman: I know looking at the long-term projections with El Nino and that, the last one I heard took us out to March of next year was not overly optimistic for our area. I think storage, anything we can hold on to makes some sense. Chairman Naumes: I think trying to run in conjunction with TID seems to be the more efficient way of running. I think we can set the date the same as theirs, September 15th, then if conditions allow, we can push it a little farther and we can have that discussion at the next meeting. Friend: That is a good point as well. We have learned over the last couple of years, running with TID is much more efficient than trying to do it alone. Chairman Naumes asked for a motion to set the target date for shutoff on September 15th. Chairman Borman motions to approve September 15th as a shutoff date for irrigation water. Chairman Urton seconds the motion, motion carries.

The board now has a username and password to access the portal that FCA created to keep all of our projects organized. If you need that sent to you again just let us know. You can find the most up-to-date information regarding our work with FCA as well as all the data and documents that have been created along the way. It is updated every Monday after our meeting.

I posted an RFP for engineering for phase 1 of the Joint System Canal Project on OregonBuys on July 31st. Monday I will be holding a proposers' conference and we will need to have the selection committee rank the proposals on August 31st with the selection announced on September 7th. The selection committee will be the Boards members from RRVID and MID. Please let me know if you can make the August 31st date work.

We are still waiting for a decision from EPA on the Categorical exclusion and cost share waiver. Once those details are known we will hopefully have a signed grant agreement and begin the preliminary design work. Final design and construction would follow. If we do not qualify for the CAT-Ex, then we would need an environmental review after the preliminary design is complete. That could potentially delay the project.

The in-person scoping meeting for the Watershed Plan EIS will be held on the 17th 6-7 pm at the Medford Library. We will also be holding a virtual meeting on the 22nd 6-7 pm.

The solar project interconnection went through so no one could jump in and take that project from us. The Department of Energy sent the final letter for the packet that they need for our grant agreement through them. FCA is working on that right now. This should be the last hurdle to being able to access those funds to move the project forward for this year. The county wanted a better site plan, and we are following up on that.

We have not heard anything from OWRD regarding Fourmile and we have continued to operate as normal under the Stay that was put in place when we filed the PJR.

Rubicon will be here for a meeting on the lower end to see if there is a possibility to improve the delivery of water to those patrons that are affected the most each water year. He is going to be here for 3 days to evaluate and scope the area.

Old Business: By-Laws discussion. Chairman Naumes asks for a motion for the by-laws. Director Borman motions to approve the by-laws, Director Urton seconds the motion, and the motion carries. Policy Resolution # 2023-02. Chairman Naumes: I see Financial Policy and Procedures as the next one to evaluate. Flanakin: I put that one next based on my opinion of the next most important. We will look at that at the next meeting.

RBWUCI: \$2,207.32 Chairman Naumes requests a motion for approval of the RBWUCI bill to be paid. Director Urton motions to approve the RBWUCI bill to be paid, Director Vaninetti seconds, motion carries.

Adjourn Regular Session: Meeting adjourned at 2:39 pm

Sean Naumes – Chairman

Jack Friend – District Manager/Secretary