

MINUTES OF THE REGULAR MEETING  
OF THE COMMISSIONERS OF THE  
HEART MOUNTAIN IRRIGATION DISTRICT  
OCTOBER 13, 2015

The October regular meeting of the Heart Mountain Irrigation District's Board of Commissioners was held at the Heart Mountain Irrigation District office located at 1206 Road 18, Powell, Wyoming on Tuesday, October 13, 2015. Commissioners present: Brian Duyck, Pat Nelson, Brad Ferguson, Travis Jackson and Scott Hecht. District employees in attendance were Manager Gary Kellogg and former Treasurer Crystal Bennion. Additional scheduled appearances were Paul Blough, Ben McDonald, Bill McJunan and accountant James Seckman.

The meeting was called to order at 8:58 a.m. by President Brian Duyck.

President Brian Duyck called for the reading of the minutes from the regular meeting of Commissioners held on September 08, 2015. Discussion was had on the minutes from the September regular meeting. Commissioner Scott Hecht made a motion to approve the minutes of the September 08, 2015 regular meeting. Commissioner Pat Nelson seconded the motion. Motion carried.

President Brian Duyck called for the Treasurer's Report; a copy is attached to these minutes.

Secretary/Treasurer Crystal Bennion reported that after the payment of the bills presented, the O&M checking account will have a balance of \$41,071.97. The Money Market at Bank of Powell has a balance of \$227,921.29. Certificate of Deposit, #...951 at Bank of Powell has a balance of \$55,309.10. Certificate of Deposit, #...952 at Bank of Powell has a balance of \$25,140.50. The Certificate of Deposit at Big Horn Federal Savings has a balance of \$112,529.63. The Certificate of Deposit at First Bank of Wyoming has a balance of \$388,254.83. The New Equip MM at Bank of Powell has a balance of \$40,042.19. There is a total of \$920,156.64 in outstanding accounts receivable. As of October 13, 2015, there is a grand total of \$890,269.33 available in District funds. Commissioner Travis Jackson made a motion to approve the Treasurer's Report. Commissioner Brad Ferguson seconded the motion. Motion carried.

President Brian Duyck called for the review of unpaid bills in the amount of \$24,488.86. Review and discussion followed. Commissioner Brad Ferguson made a motion to pay the current bills for a total amount of \$24,488.86 as presented. Commissioner Pat Nelson seconded the motion. Motion carried.

Manager Kellogg spoke about the Districts intended water shut off date. Commissioner Brad Ferguson made a motion to shut water off on October 20, 2015. Commissioner Pat Nelson seconded the motion.

Brief Discussion noting bridge over Alkali Creek; scope completed.

Discussion was held on lateral 141; failing in two separate locations.

Discussion was held on fixing Alkali Creek siphon/expansion joints. No quotes due to unknown labor.

Discussion was had regarding two legitimate R15 bids. Big Horn Truck & Equipment was winning bid, held at \$430,580.46. Triple LLL bid was lower but did not meet bond requirements. R15 commencement date is targeted for winter of 2015 noting initial scope of 1 head gate, 1 valve, 85 yards of concrete and estimated labor costs of \$35,000.

Discussion was held with Holm Blough & Company (HBC) regarding assignment of legal water rights to Class 6 land. HBC submitted their cost proposal and outline for professional engineering services. District noted larger maps were needed and overall estimate of 6 to 9 months required for scope accomplishment. Point of contact identified as Jason Feltner, state employee which HBC would be going through. Commissioner Scott Hecht made

a motion to accept HBC proposal, having them draw up a contract and have information ready for the annual meeting. Brad Ferguson seconded the motion. Motion carried.

A brief discussion regarding Lloyd Butler and his need to hire a surveyor was noted. District will need to look at Butler's paperwork; may cover water rights under his road.

Discussion was held regarding Rubicon Bill. A letter will be drafted to Rubicon outlining system failures and addressing payment obligations which will not be committed to until system is operational. May need to request state (WWDC) assistance. Commissioner Scott Hecht made a motion to halt all payments until HMID manager approves the project and interfaces with WWDC over performance concerns. Brad Ferguson seconded the motion. Motion carried.

Manager Gary Kellogg discussed moving headgate (lateral 41).

A discussion with accountant/auditor James Seckman was conducted providing a general overview of: "Heart Mountain Irrigation District Shoshone Project Financial Statements, July 1<sup>st</sup>, 2014 to June 30, 2015". James summarized positive trends within financial statements including cash and expenses.

Commissioner Pat Nelson motioned to go into Executive Session regarding employee issues. Travis Jackson seconded. Motion carried.

Commissioner Travis Jackson made a motion to come out of Executive Session. Commissioner Pat Nelson seconded the motion. Motion carried.

Hearing no further business to come before the Board; President Brian Duyck adjourned the October regular meeting of the Heart Mountain Irrigation District's Board of Commissioners at.

RESPECTFULLY SUBMITTED,

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Brian Duyck, Board President

ATTEST:

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Gary Kellogg, District Manager