

MINUTES OF THE REGULAR MEETING  
OF THE COMMISSIONERS OF THE  
HEART MOUNTAIN IRRIGATION DISTRICT  
SEPTEMBER, 13 2016.

The September 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, September 13, 2016. Commissioners present: President Brian Duyck, Vice President Pat Nelson, Brad Ferguson, Scott Hecht and Travis Jackson. Staff attendances included District Manager Randy Watts, Secretary/Treasurer Tyler Weckler and assistant Sec/Treas. Toni Perrine. Landowner attendances included Tom Hamman, Steve Knopp and Emily Zalewski. Attorney Joey Darrah, representing landowner Tom Hamman was also present. Professional service guests David Solie with Coulter Bay Computers, James Seckman with Seckman Accounting and Mary Reed with McCarty & Reed Law Firm. The meeting was called to order at 8:55 a.m. by President Brian Duyck.

President Brian Duyck called for the reading of minutes from the Regular Meeting of Commissioners held on August 9th, 2016. After review, Vice President Pat Nelson made a motion to approve the minutes. Commissioner Brad Ferguson seconded the motion; motion passed.

President Brian Duyck called for the Treasurers report presented by Secretary/Treasurer Tyler Weckler. After the payment of the bills presented, the O&M checking account will have a balance of \$40,706.63. The New Equipment Money Market at Bank of Powell #...2439 has a balance of \$86,257.29; Money Market (MM) at Bank of Powell #...1233 has \$59,497.78; MM Bank of Powell #...2383 holds \$121,793.49; Certificate of Deposit (CD) at Big Horn Federal #...1489 stands at \$112,848.02; CD at First Bank of Wyoming #... \$389,813.41. Commissioner Scott Hecht made a motion to accept the treasurer's report as presented. Vice President Pat Nelson seconded the motion; motion passed. A copy is attached to these minutes.

President Brian Duyck called for the review of unpaid bills. Secretary/Treasurer Tyler Weckler presented the unpaid bill detail identifying August-September commitments at \$31,721.63. After review, Commissioner Brad Ferguson made a motion to authorize payment of unpaid bills as presented. Commissioner Travis Jackson seconded the motion; motion passed. A copy of the unpaid bills detail is attached to these minutes.

President Brian Duyck opened the floor to landowner Tom Hamman. Mr. Hamman discussed a letter, drafted by his attorney Joey Darrah, sent to the district and Board of Commissioners. This letter expressed concerns of a Heart Mountain easement and road maintenance, located within Mr. Hamman's property boundaries. District attorney Mary Reed and Mr. Hamman's attorney Joe Darrah discussed and acknowledged the districts right to an easement within these property boundaries. Landowner Steve Knopp briefly shared options to mitigate impact of a district road. Mr. Hamman asked the board to assess the need of this road; the district manager will bring members of the board to the location for further analysis of access to the south side of lateral 179 between Brian Riolo and the main canal. A letter from the Districts attorney responding to Mr. Darrah and Tom Hamman was discussed and determined by all parties present, to not be needed.

President Brian Duyck opened the floor to District Accountant, James Seckman. Mr. Seckman briefed the board on results of the FY16 (July 01, 2015 – June 30, 2016) audit by presenting the district's financial statements. Mr. Seckman also provided an analytical summary highlighting current trends, notably showing the current cash to equity trend is down. District auditor advised the board of current staffing, fringe & retirement benefits and operating expense rates should be addressed and weighed against out-year assessment evaluations to reverse this trend. Budgetary deficits were reconciled by leveraging capital to operating expenses, producing a balanced FY 2016 budget. Mr. Seckman concluded by noting current accounting practices were in accordance with government standards and principals generally accepted in the United States.

President Brian Duyck continued the board meeting, acknowledging landowner Emily Zalewski and inviting her to present her concerns. Ms. Zalewski had requested permission to ride her horses on the District canal road. Discussions were had on the area of concern, with details drawn on whiteboard. District Attorney Mary Reed noted it was not her recommendation for the district to allow recreational use of the canal roads due to liabilities.

President Brian Duyck opened the floor to District Manager Randy Watts for the managers' report. Mr. Watts spoke of concerns with current network capabilities and called on David Sole of Coulter Bay Computers to present options for consolidation of the districts computer hardware systems within a main server application. These options would support the additional computer and plotter stations supporting the districts enlargement while providing protection of software and data assets. Handouts detailing three primary options were described by Mr. Sole. Consideration is currently under review by the Board of Commissioners.

Manager Randy Watts presented a WWDC resolution, prepared for President Brian Duyck. The resolution will accompany a WWDC application for Level III funds in rehabilitation and improvements within Lateral H41 (open ditch to low pressure system), N. Alkali Creek pick-up and check structure (for reuse of district wastewater) and Alkali Creek pick-up, same as North Alkali. Vice President Pat Nelson so moved to pass a resolution for President Brian Duyck to sign and authorize the WWDC application and submittal. Scott Hecht seconded the motion. Motion passed unanimously.

District Manager continued his report by providing a handout of the draft class 6 water service contract letters to landowners. This is an initial informative newsletter is intended for participants of the district enlargement and was reviewed for comments.

Final topic item was a discussion on Heart Mountain Irrigation District subpoena letter, commanding specific documentation regarding Harold Martin V.S. Cayuse Livestock Company and Trail Creek Partners, overseen by the District Court Fifth Judicial District. Manager Randy Watts had discussed this letter with the districts' attorney and afterwards, directed office staff to obtain applicable documents, obligating subpoena requirements.

Hearing no further business to come before the Board, President Brian Duyck adjourned the September Regular Meeting of the Heart Mountain Irrigation District's Board of Commissioners at 1:00 p.m.

RESPECTFULLY SUBMITTED,

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Brian Duyck, Board President

ATTEST:

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Tyler Weckler, Secretary/Treasurer