

MINUTES OF THE REGULAR MEETING
OF THE COMMISSIONERS OF THE
HEART MOUNTAIN IRRIGATION DISTRICT
SEPTEMBER 14, 2017

The September regular meeting of the Heart Mountain Irrigation District's (HMID) Board of Commissioners was held at the Heart Mountain Irrigation District office located at 1206 Road 18, Powell, Wyoming on Thursday, September 14, 2017. Commissioners present: President Brian Duyck, Vice President Pat Nelson, Brad Ferguson Scott Hecht and Travis Jackson. Staff attendances: District Manager Randy Watts, Secretary/Treasurer Tyler Weckler and GIS Technician Laura Shipley. The meeting was called to order at 9:05a.m. by President Brian Duyck.

President Brian Duyck called for the reading of minutes from the Regular Meeting of Commissioners held on August 08, 2017. Review followed with name and month corrections noted. Commissioner Pat Nelson made a motion to approve the minutes, as amended. Commissioner Travis Jackson seconded the motion; motion passed.

President Brian Duyck called for the reading of minutes from the Special Meeting of Commissioners held on September 05, 2017. Vice President Pat Nelson made a motion to accept the minutes as amended. 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 \$37,720.10. The New Equipment Money Market at Bank of Powell #...2439 has a balance of \$6,778.44; Money Market (MM) at Bank of Powell #...1233 has \$229,670.22; MM Bank of Powell #...2383 holds \$122,648.28. Bank of Powell Enlargement fund #...2382 holds \$301.82. The MM at Pinnacle Bank #...5232 stands at \$300,000. Pinnacle bank MM #...5231 has \$203,838.02. Commissioner Brad Ferguson made a motion to accept the treasurer's report as amended. Commissioner Brad Ferguson seconded the motion; motion passed. A copy is filed with 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 \$41,990.56. After review, Vice President Pat Nelson made a motion to authorize payment of unpaid bills as presented. Commissioner Brad Ferguson seconded the motion. Discussion was had with President Brian Duyck asking for confirmation of two Garland Light and Power pump meters. Motion passed unanimously.

President Brian Duyck called on District Manager Randy Watts to provide his managers' report. Mr. Watts began with a request from Diana Welch to review an updated Surface Water 2 (SW2) state permit. After determining the landowner will not be breaking new ground, assessing the pump permit limit and confirming a legal easement is in place for a pump suction line to be ran within their neighbor's property boundaries, the SW2 permit was approved.

Mr. Watts handed out a budget amendment provided by District Attorney Mary Reed for the District Presidents' signature. This was a budget resolution passed in July and is the notarized copy to be filed with the court. Commissioner Scott Hecht advised Tyler Weckler to get his notary commission.

The District manager followed up with the Wyoming Water Development Commission (WWDC) grant application for the Rattlesnake Liner replacement. Mr. Watts read aloud the completed permit and provided a resolution for President Brian Duyck to sign under notary. The Rattlesnake liner design and funding motion from the August 08, 2017 Regular Meeting of the Commissioners was clarified with a motion.

Commissioner Travis Jackson made a motion to move forward with Cost Alternative #1, the trapezoid design, with a 4% loan schedule over a 40 year re-payment period for replacement of the Rattlesnake Liner. Vice President Pat Nelson seconded the motion; motion passed.

Mr. Watts continued discussions regarding the fall maintenance schedule on the Rattlesnake Liner; the prep and coating of poly-urea. Mr. Watts suggested moving from the Aqualastics trade name product and use a similar formulation of poly-urea, which is considerably cheaper. Also needed is a brush adaptor for the excavator to reach the top trapezoidal sidewall during preparation. The prep process in terms of manpower and time was discussed. The board of commissioners agreed for prepping of the liner in the fall and spray in the spring of 2018. In the meantime, the district manager will be looking into acquiring a brush adaptor for the Mini-Excavator.

The district manager provided an update on Mr. Ringler's usage of the HMID easement. A letter from the Bonner Law Firm, representing Mr. Ringler asked for more time to resolve the issue, before the gates are closed. The original timetable had been extended from its original 6 month period and the district manager will move forward with advertising closure notifications.

Mr. Watts discussed the National Resource Conservation (NRCS) Service and Carter/Fowler/HMID cost sharing proposal. In this proposal NRCS would contribute \$39,484.33 for materials with \$20,000 left over for labor. An internal cost analysis by Mr. Watts showed the labor effort would exceed the \$20,000 left over after materials were purchased. Commissioner Scott Hecht asked the district manager if the condition of the ditch was adequate. Mr. Watts confirmed as correct. Commissioner Travis Jackson asked if the district has met their obligations by maintaining this delivery at the historical high point of the land. This was confirmed by Mr. Watts. The Board of Commissioners agreed as long as the ditch delivery is adequate and meeting its required obligations, HMID would not commit to participation at this time. Before any final decisions, the district manager will go and re-study the area and ask the Ditchrider for some additional information.

The district manager asked the board about soliciting alternative contractors for managing the weed screen hardware and software. The costs and responsiveness with the current contractor, Canyon Electric, has been inadequate over the years. After discussions the Board of Commissioners asked the manager to collect proposals for a new weed screen maintenance agreement, for their review.

Mr. Watts continued his managers report with an update of the districts re-seeding project. Vice President Pat Nelson noted the district has not re-seeded on private property in the past. Mr. Watts suggested the positives outcomes of good stewardship measures and landowner relations as reasoning to implement these practices.

District Manager noted long time employee Jeff Livingston will have his last work day when the irrigation season ends.

Mr. Watts commented on a handout showing Grand View Association as having a blanketed water right, making current water service contracts (WSC) obsolete. The conclusion is to have the association meet and the Watermaster provide the % of usage for revising the assessments; this will be determined based upon the total blanketed adjudication and divided by whom uses what portions within the subdivision. Current billing of WSC will remain effective for the 2018 billing season and assessments adjusted prior to the 2019 billing cycle.

President Brian Duyck reminded everyone of driver safety after a landowner complaint; a rock hit a vehicle window after a district vehicle drove by, during the Rattlesnake liner emergency mobilization.

President Brian Duyck asked Mr. Watts to continue his report. He continued, referencing a letter from Carlie Ronca which gave HMID notice of an abandoned Cottonwood Creek Bentonite mine owned by the Bureau of Land Management (BLM). This was to notify of the possible use of an HMID easement, by the BLM to access this mine. The board of commissioners agreed to provide access if the mine is reclaimed.

The district manager read a University of Wyoming invitation to discuss "Small Acreage issues" in Park County. This is on November 14th between 10 a.m. – 2 p.m. at the Park County courthouse. The board of Commissioners

said it would be a good idea to have HMID representation. Vice President Pat Nelson mentioned she may be able to attend and would put it on her calendar.

Mr. Watts commented on the acreage, total income earned and expensed occurred as a result of the 5th and final enlargement. District employee Laura Shipley was then asked to provide a status on her and PE Lynn Stutzman's petition submittal progress. Ms. Shipley read a letter from the state engineer's office, identifying the work effort conducted by the district thus far as being exemplary and tabulations are being finalized for submittal. President Brian Duyck asked when this would be finalized; Ms. Shipley confirmed she is working with Ms. Stutzman the following week and they will have it completed by the end of the month.

Ms. Shipley continued her report noting the petition workload is going well but didn't leave time yet to complete some landowner assessment reviews. Ms. Shipley also noted her conversations with the Willwood Irrigation District. She will be providing consultation on their own enlargement effort, on evenings and weekends, while also confirming she will not be using any HMID equipment or be conducted during work hours.

Commissioner Travis Jackson made a motion to go into executive session to discuss employee issues. Vice President Pat Nelson seconded the motion; motion carried.

Vice President Pat Nelson made a motion to come out of executive session. Commissioner Brad Ferguson seconded the motion; motion carried. No decisions were made in this executive.

Vice President Pat Nelson made a motion to table employee wage discussions at a later time. Commissioner Scott Hecht seconded; motion carried.

Hearing no further business to come before the Board, President Brian Duyck adjourned the September 14th, 2017 Regular Meeting of the Heart Mountain Irrigation District's Board of Commissioners at 12:08 p.m.

RESPECTFULLY SUBMITTED,

Brian Duyck, Board President

ATTEST:

Tyler Weckler, Secretary/Treasurer