

MINUTES OF THE REGULAR MEETING  
OF THE COMMISSIONERS OF THE  
HEART MOUNTAIN IRRIGATION DISTRICT  
NOVEMBER 6, 2017

The November 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 Monday, November 6<sup>th</sup>, 2017. Commissioners present: President Brian Duyck, Vice President Pat Nelson, Brad Ferguson and Travis Jackson; Commissioner Scott Hecht was unable to attend this meeting. Staff attendances: District Manager Randy Watts and Secretary/Treasurer Tyler Weckler. The meeting was called to order at 9:00 a.m. by President Brian Duyck.

President Brian Duyck called for the reading of minutes from the Regular Meeting of Commissioners held on October 10<sup>th</sup>, 2017. After review, Commissioner Brad Ferguson made a motion to approve the minutes. Commissioner Travis Jackson 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 \$32,376.46. 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 \$300,000.00. Pinnacle bank MM #...5231 has \$203,838.02. Commissioner Travis Jackson made a motion to accept the treasurer's. Commissioner Brad Ferguson seconded the motion; motion passed.

President Brian Duyck called for the review of unpaid bills. Secretary/Treasurer Tyler Weckler presented the unpaid bill detail identifying October-November commitments at \$44,289.67. Mr. Weckler noted, and provided examples, of pending unpaid bills that will be invoiced to the district after the amended November regular meeting. Vice President Pat Nelson agreed to come in and sign checks for recurring bills in the coming week so there would be no late penalties. Commissioner Travis Jackson made a motion to authorize payment of unpaid bills as presented. Vice President Pat Nelson seconded the motion; motion passed.

President Brian Duyck called on District Manager Randy Watts to provide his managers' report. Mr. Watts began by passing out a report showing historic accrued sick payments paid to employees upon leaving the district, either retired, quit or let go from their positions; report shows 47K in payments from 2002 to current. Also discussed was accruing of sick/vacation while using sick or vacation, Ditchrider comp days and a medical reimbursement program. The board asked Mr. Watts to ask Mary Reed to draft an amendment within the employee handbook which would change the sick time cap and specify sick time as used only for sick, not to be paid upon leaving the district. Discussion concluded by noting potential changes with the employee handbook by modifying general benefit parameters and accrual or payment limit thresholds. Further discussions were postponed for the next regular meeting.

President Brian Duyck updated the board on his meeting with Ditchrider Tim Harvey and his winter work schedule. Further discussions were needed.

President Brian Duyck asked Mr. Watts to continue his managers' report. Mr. Watts asked the board to review the maintenance agreement for Rubicon totaling \$5,800 per year. The costs were weighed against current issues had with the Rubicon hardware including wind/weather/damage, varmint destroying wiring systems, telemetry issues and lack of head pressure unique to this district. The gates can be run manually in the instance the software malfunctions and there is no software update agreement in place. If the district decided to update the software without any agreement, there would be an update cost to Oracle in the amount of \$12,000 plus the annual \$5,800 installment to Rubicon.

Commissioner Travis Jackson made a motion to discontinue the software agreement with Rubicon. Commissioner Brad Ferguson seconded the motion; motion passed with all present commissioners.

Mr. Watts continued with landowner George Farms who is having difficulty utilizing Natural Resource Conservation Service (NRCS) funds due to easement issues with an adjoining neighbor. Mr. Watts suggested moving the headgate onto George Farms property so the pivot and valve would no longer be within another neighbors land boundaries.

Vice President Pat Nelson made a motion to allow Heart Mountain Irrigation District move headgate 65-12-4 approximately 90' to the east of its present location, onto George Farms Property. Commissioner Brad Ferguson seconded the motion; motion passed with all present commissioners.

The district manager updated the board on the Bureau of Reclamation (BOR) assistance by Jeremy Schoonover in finalizing road closure documents. A parallel issue with landowner Mark Ringler, who has yet to secure an easement with his neighbors in lieu of utilizing the districts easement, was discussed. Mr. Watts has been corresponding with Ringler's attorney Mrs. Mendez from Bonner Law firm, who has requested an extension to the gate closure date. An extension of one month was agreed as appropriate. Mrs. Menendez also requested the easement documents from the Bureau of Reclamation that grants an easement to HMID. It was noted, the documents that reference HMID easement on BOR land is part of the 1890 Canal Act; this would be the document to reference.

The district manager provided a handout showing the 5<sup>th</sup> and Final enlargement final summary, including acres and accounts receivable. A list of edits required for completing the petition submitted to the state engineer's office (SEO), as sheets and tabulations are reviewed, are being forwarded from the SEO and consolidated by the district manager. Some edits include hash marks on the map and tabulation edits.

Mr. Watts asked for input on the strategy for completing these edits and if there was a preference to who should finalize the mapping process; either moving forward with a new engineering firm or utilizing prior employees to finalize the punch list. Vice President Pat Nelson asked if an engineering firm was hired to finalize the GIS ArcMap work, would they be able to take the current punch list from the SEO and complete the tasks; Mr. Watts confirmed this would be possible. The board discussed both options in depth; Vice President said she doesn't have reservations with Laura Shipley returning to do the work as long as there itemized work items and she acknowledged reporting directly to the district manager; commissioners agreed they don't have issues with Lynn Stutzman stamping the final maps however, the board was open to both options and asked Mr. Watts to continue evaluating alternative completion methods while the punch list from the SEO was finalized. Mr. Watts will contact Lynn Stutsman to discuss the punch list. This discussion will be evaluated at the next regular meeting.

A brief update on the Rattlesnake liner and the managers Casper trip was discussed. Mr. Watts noted he spoke to the Wyoming Water Development Committee during the legislative session and spoke about some discrepancies he had with their funding models, specifically the discrepancy between procurement and contract funding options. The attorney general's office was going to evaluate its funding models and look into including alternative options. The District manager asked the board to consider contractor options and the commissioners agreed however reiterated the need to maintain maintenance schedules if HMID were to act in a prime contracting capacity.

The board of commissioners discussed the annual Christmas dinner and agreed to a 2017 Christmas dinner. Invitations will be for board members, current HMID staff and their guest. The board and management agreed on a local dinner setting vice pot luck as in the prior year and evaluated a hand full of options.

Approval by the BOR for construction of a concrete pad under the syphon gland to conduct yearly maintenance was approved and work will be scheduled within the following month. The district manager checked on the option for welding the leaking Gland but was not approved.

Mr. Watts asked Carlie Ronca from the BOR for input on various topics including streamlining assessed land classes and any conflict with HMID forming a raw water utility. The BOR's office was receptive and will be providing comment on these items at a future date.

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

Commissioner Travis Jackson made a motion to come out of executive session. Vice President Pat Nelson seconded the motion; motion passed.

Hearing no further business to come before the Board, President Brian Duyck adjourned the November 6th, 2017 Regular Meeting of the Heart Mountain Irrigation District's Board of Commissioners at 12:11 p.m.

RESPECTFULLY SUBMITTED,

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Brian Duyck, Board President

ATTEST:

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Tyler Weckler, Secretary/Treasurer