

MINUTES OF THE REGULAR MEETING  
OF THE COMMISSIONERS OF THE  
HEART MOUNTAIN IRRIGATION DISTRICT  
JANUARY 09, 2018

The January 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 Tuesday, January 09, 2018. Commissioners present: President Brian Duyck, Vice President Pat Nelson, Brad Ferguson Scott Hecht and Travis Jackson. Staff attendances: District Manager Randy Watts and Secretary/Treasurer Tyler Weckler with guest attendance by attorney Mary Reed, landowner Bryan & Tina Riolo and Engineering Associates (EA) representative Bret Reed. The meeting was called to order at 8:58 a.m. by President Brian Duyck.

President Brian Duyck called for the reading of minutes from the Regular Meeting of Commissioners held on December 12th, 2017. After review and edits, Vice President Pat Nelson made a motion to approve the minutes as amended. Commissioner Scott Hecht 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 \$489,396.81. The New Equipment Money Market at Bank of Powell #...2439 has a balance of \$6,785.20; Money Market (MM) at Bank of Powell #...1233 has \$230,071.04; MM Bank of Powell #...2383 holds \$122,862.43. 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. Vice President Pat Nelson 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 December-January commitments at \$32,798.75. Vice President Pat Nelson made a motion to authorize payment of unpaid bills as presented. Commissioner Brad Ferguson seconded the motion; motion passed.

President Brian Duyck called on District Manager Randy Watts to provide his managers' report. Mr. Watts acknowledge landowner guests Bryan and Tina Riolo, regarding a delivery issue to their class 2 water right land. Easement documents, combined with aerial photography, identify an existence of an original open delivery ditch that ran within a neighbor's property line, which has subsequently been buried. This should be serviced by lateral 79 turnout 01 (H79-1). Mr. Watts passed out a copy of the easement and presented aerial photos and supporting documentation.

Commissioner Scott Hecht motioned to go into executive session for legal counsel. Vice President Pat Nelson seconded; motion carried. The landowner's were excused during this executive.

Commissioner Scott Hecht motioned to come out of executive session. Vice President Pat Nelson seconded the motion; motion passed.

Commissioner Scott Hecht so move to authorize Heart Mountain Irrigation District's Attorney to work with Mr. & Mrs. Riolo's attorney to resolve issues associated with water delivery from H79-1. Commissioner Travis Jackson seconded the motion; motion passes all in favor. The Riolo's thanked the Commissioners and left the meeting.

Mr. Watts asked Bret Reed with EA to speak in regards to the option of having EA complete the 5<sup>th</sup> Enlargement petition punch list from the State Engineers Office (SEO). EA provided a quote of \$30,000 to complete these initial SEO map edits. Mr. Watts also handed out an e-mail from Laura Shipley who initially worked on the maps and tabulations. Her e-mail was a response to his inquiry as her availability to work on the petition edits; Mr.

Watts noted an increase to her original wage was requested in her response. The District Manager also noted a possible increase in fees was referenced during a discussion he had with the current project engineer; the increase to be contingent upon direction taken in respect to the SEO punch list edit process.

Commissioner Scott Hecht made a motion to go into executive session. Vice President Pat Nelson seconded the motion; motion carried.

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

The commissioners asked for EA to confirm their review process prior to considering their bid. Mr. Reed will coordinate via e-mail and complete the punch list sheet by sheet. As one sheet punch list is completed, they will send it to Lynn Stutzman, the current project engineer, for review. Once the engineer is satisfied, EA will move on to the next sheets punch list from 1-5. A brief discussion was had on alternative Engineering options and scope of work increase if EA was to stamp the maps as well as completing the State of Engineers initial edits. Mr. Reed noted the primary work effort would focus on confirming the use of BLM cadastral and investigating county land grid alignment as it relates to the cadastral and land class maps. The budget vs. actual was reviewed; current fiscal year allotment for the 5<sup>th</sup> Enlargement budget line item is at \$28,700.

Commissioner Brad Ferguson made a motion to accept Engineering Associates bid for \$30,000 and continue with the enlargement edits from the SEO. Vice President Pat Nelson seconded the motion; motion passed. Mr. Reed thanked the board and left the meeting.

Mr. Watts continued his report by updating the Board on progress with preparations on the annual meeting; catering options, guests and agenda was discussed.

The District Manager confirmed a letter from Bureau of Reclamation Carlie Ronca's letter affirming gate closure notices and the newspaper notices let by HMID.

J.U.B. Engineering from Utah is coming to discuss final design on the Rattlesnake liner, with the Manager. The board asked Mr. Watts to get their qualifications during this meeting, for their review.

Mr. Watts noted the districts reduced Workman's Compensation Tax rate which was obtained by complying with drug testing standards and administering a safety program.

Mr. Watts passed out the recent expense report showing expenditures, labor and materials, by zone.

The Manager continued with update on the Higbie Subdivision plan review. He has not approved Sage Engineering's plat due to incomplete Water Distribution Plan identifying water delivery & waste water and water right detachments from under driveways. Mr. Watts also reminded the board about the Planning & Zoning meeting at 7pm, January 09<sup>th</sup>, 2018.

The districts equipment trailer has been wearing out tires at a rapid rate. The trailer is too small and axles need to either be upgraded or possibly look into a new one. The Manager sighted safety issues due to size and age of the axles; the board asked to see pricing on a new trailer vs upgrading the axles.

A new fuel dispensing and tracking system would like to be implemented by the manager, preferably using the card method. The current fuel key system is not functioning as required. Mr. Watts provided quotes ranging from \$6,400 to \$11,000. After discussions it was agreed that tracking and accountability of fuel usage within the district operations, was an important investment.

Commissioner Brad Ferguson made a motion to approve the fuel dispensing station and take the bid from Eaton, in Casper, in the amount of \$6,400. Commissioner Scott Hecht seconded the motion; motion passed.

Mr. Watts continued with discussion of By-Law amendments. General discussion on acreage, gross income thresholds required for a commissioner electorate, as well as review of other irrigation districts policies.

Vice President Pat Nelson so move to add the wording in the By-Laws, article IV, section f, subparagraph i, “to be a commissioner in the district, a person would need to own 30 acres of water right ground and have a gross agricultural income of a minimum of \$10,000 in the district you are running in”. Motion died for lack of second.

Vice President Pat Nelson so moved to amend HMID By-Laws Article IV, section f, Subparagraph I, to read “A Commissioner must be a Member in the District, be a landowner within the particular Commissioner’s District of which he/she is elected, own at least 30 acres of water right ground within that particular district, have a gross agricultural income at a minimum of \$10,000 and must receive a majority of all votes cast by the qualified voters of the Commissioner’s District”.

Commissioner Scott Hecht seconded the motion; motion passed unanimously.

Hearing no further business to come before the Board, President Brian Duyck adjourned the January 9th, 2018 Regular Meeting of the Heart Mountain Irrigation District’s Board of Commissioners at 11:47 a.m.

RESPECTFULLY SUBMITTED,

---

Brian Duyck, Board President

ATTEST:

---

Tyler Weckler, Secretary/Treasurer