

MINUTES OF THE REGULAR MEETING
OF THE COMMISSIONERS OF THE
HEART MOUNTAIN IRRIGATION DISTRICT
FEBRUARY 13, 2018

The February 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, February 13, 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 and Engineering Associates (EA) representative Bret Reed. The meeting was called to order at 1:08 a.m. by President Brian Duyck.

Vice President Pat Nelson called on nominations for Board President; Brian Duyck was nominated for President. Commissioner Travis Jackson motioned to elect Brian Duyck as President of the Heart Mountain Irrigation District Board of Commissioners. Commissioner Brad Ferguson seconded the motion; motion carried.

Commissioner Travis Jackson moved to hold all positions as they are, to include Vice President Pat Nelson to the Joint Powers Board and Tyler Weckler as Secretary Treasurer. Commissioner Scott Hecht seconded the motion; motion passed.

President Brian Duyck called for the reading of minutes from the Special Meeting of Commissioners held on January 8th, 2018. After review Vice President Pat Nelson made a motion to approve the minutes as amended. Commissioner Brad Ferguson seconded the motion; motion passed.

President Brian Duyck called for the reading of minutes from the Regular Meeting of Commissioners held on January 9th, 2018. 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 \$411,781.50. 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 \$123,229.91. 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 January-February commitments at \$64,179.36. Commissioner Scott Hecht 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 began with discussions on subdivisions and noted his meeting with the City of Cody administrator in regards to city subdivision requirements. Mr. Watts pointed out that the last Planning and Zoning meeting with the Higbie Subdivision as an agenda item, would be next week. Vice President Pat Nelson read her proposed subdivision requirement for inclusion into the Rules and Regulations. After the statement was read, discussions and revisions were conducted.

Vice President Pat Nelson so moved to add Article 3, section 2, subsection 4 into the Rules and Regulations that states “Subdividers and subdivisions will be required to implement a sprinkler only water plan for all water users within the subdivision. Exceptions to this requirement will be evaluated on a case by case basis. Items to be considered by the district will include, but not limited to, lot size, drainage issues and topography of the land. Commissioner Brad Ferguson seconded the motion; motion passed.

Mr. Watts continued with updating the board on the upcoming HMID canal road closure notice. Attorney Mary Reed completed her review of Bureau of Reclamation (BOR) manager Carlie Ronca’s letter, supporting the closure of BOR roads to the public. Mr. Watts noted the district has followed the code of federal regulations (CFR) for closures and recommended clarifying the Rules and Regulations 2.8.1.1 to include “Trespassing” along with “traveling at your own risk”. After the 30 day notice of closure is completed, discussions will continue on including “Trespassing” statements in the Rules and Regulations; a letter to the District Attorney Office from Mary Reed advising of CFR compliance and the closure authority from the BOR will also be sent after the closure notice period.

Manager Randy Watts continued his report by sighting Rules and Regulations, 2.7.4, Handing of Disputes. Mr. Watts pointed out that it states the enforcement authority is given to the district manager and at his discretion.

Continued landowner issues between Riolo and Hamman were discussed. Mr. Watts will be locking the headgate if the parties are unable to cooperate. Commissioner Scott Hecht mentioned a letter should be written to the landowners before the headgate is locked. Mrs. Reed will draft a letter to Riolo and Hamman regarding the possibility of a lock being placed on the headgate until matters are resolved.

Mr. Watts noted he will be attending the February 20, 2018 Planning and Zoning (P&Z) meeting where the Higbie Subdivision will be discussed and he will let the P&Z commission know about the sprinkler only requirement voted on during this regular meeting.

Mr. Watts will also be attending the Small Acreage meeting this upcoming Friday, hosted by the Wyoming Extension Office.

Engineering Associates Bret Reed briefed the board on the mapping edit process. In reviewing this first round of edits, he found some double appropriation errors (not on the original edit list from the SEO) and asked for board approval to correct these and 23 other errors. He said it would be better to fix now when they are found, than to submit the edits knowing there are errors and have the SEO return the maps and ablutions in subsequent reviews. Secretary Treasurer Tyler Weckler asked Mr. Reed if it would be possible to get a list of landowners and their corresponding petition acres after the maps and tabulations are approved. Mr. Reed discussed the possible process for this data request and said it could be possible at that time.

Commissioner Scott Hecht motioned to go into Executive Session to discuss personnel issues. Vice President Pat Nelson seconded the motion; motion passed.

Vice President Pat Nelson motioned to come out of Executive Session. Commissioner Travis Jackson seconded the motion; motion passed.

Mr. Watts continued his report by discussing unemployment claims the district is currently paying on. Mr. Watts recommended paying into the Wyoming Unemployment Insurance to avoid directly paying claims against non-permanent employees, after brief or temporary employment periods. The board suggested looking into this during the upcoming budget programming cycle.

Mr. Watts noted the By-Laws 30 acre amendment and signature pages were the final steps in completing the amended HMID By-Law, Rules & Regulations and employee manual documents.

Mr. Watts presented a Future Farm Alliance (FFA) donation request. The board asked if the donation was directly to FFA or the Powell Tribune add sponsorship. The latter was the case and the board declined the donation request.

The district manager inquired on burning/destroying archived and obsolete records. The district auditor recommended a 7 year record retainage. Water order cards and accounts payable/receivable records 8 years or older were discussed and authorized. No historical documents were to be destroyed, like assessment binders, employee files or project history.

Mr. Watts continued with his upcoming meeting with Carlie Ronca from the BOR. Topics to be discussed are land class billing, subdivision issues and creation of a raw water utility. Vice President Pat Nelson noted a landowner request to partner with the Joint Powers Board (JPB) to purchase a building using grant applications via JPB. District Attorney Mary Reed noted the JPB only has powers that legislature has set forth specifically, and has limits in its scope. Mrs. Reed will look up statutes; she noted there should also be an organization document filed with the county clerk and a copy should also be with the districts who signed the JPB organization document.

Hearing no further business to come before the Board, President Brian Duyck adjourned the February 13th, 2018 Regular Meeting of the Heart Mountain Irrigation District's Board of Commissioners at 4:25 pm.

RESPECTFULLY SUBMITTED,

Brian Duyck, Board President

ATTEST:

Tyler Weckler, Secretary/Treasurer