

HEART MOUNTAIN IRRIGATION DISTRICT
MINUTES OF THE REGULAR MEETING
OF THE COMMISSIONERS OF THE
HEART MOUNTAIN IRRIGATION DISTRICT
MARCH 12, 2019

The March Regular Meeting of the Heart Mountain Irrigation District's (HMID) Board of Commissioners was held at the Heart Mountain Irrigation District office at 1206 Road 18, Powell, Wyoming on Tuesday, March 12, 2019. Commissioners present: President Brian Duyck, Vice President Pat Nelson, Scott Hecht and Travis Jackson. Commissioner absent: Brad Ferguson. Staff attendances: District Manager Tyler Weckler, Secretary/Treasurer Tiara Wagar, Field Operations Supervisor Rusty McKeen, Ditch Rider Tim Harvey and District Attorney Mary Reed. Guest attendances: Larry Nelson, Cole Linebaugh, and Dave Wadman. The meeting was called to order at 8:53 a.m. by President Brian Duyck.

President Brian Duyck called for the reading of minutes from the Regular Meeting of Commissioners held on February 12, 2019. Vice President Pat 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 Tiara Wagar. After the payment of the bills presented, the O&M checking account will have a balance of \$430,192.17. The New Equipment Money Market at Bank of Powell #...2439 has a balance of \$6,826.89; Money Market (MM) at Bank of Powell #...1233 has \$168,536.72; MM Bank of Powell #...2383 holds \$124,876.87. The MM at Pinnacle Bank #...5531 stands at \$304,283.22. Pinnacle bank MM #...5232 has \$206,017.87.

After discussions, Commissioner Travis Jackson made a motion to accept the Treasurer's Report. Commissioner Scott Hecht seconded the motion; motion passed.

President Brian Duyck called for the review of unpaid bills. District Manager Tyler Weckler presented the unpaid bill detail identifying February-March commitments at \$25,632.66. Vice President Pat Nelson made a motion to authorize payment of the unpaid bills as presented. Commissioner Scott Hecht seconded the motion; motion passed.

President Brian Duyck introduced the first agenda guest, Larry Nelson, Water Master for his water association. Mr. Nelson will be turning off the headgate until the landowners within his subdivision clean their waste ditch. In the form of a letter, Mr. Nelson asked for support from the Board of Commissioners that explains to the landowners that it is their responsibility. District Attorney Mary Reed stated that Mr. Nelson needs to send the landowners a letter when the District sends theirs backing up his concerns.

President Brian Duyck introduced the next agenda guest, Dave Wadman, Water Master for his water association. Mr. Wadman reiterated his concerns with the Shumard S.S. He informed the board that he gave Brian Shumard the option for an easement through his property to install pipe; eliminating the delivery issues within the subdivision. Mr. Shumard will not use the proposed easement. Being the Water Master, Mr. Wadman has the authority to shut off the headgate. When the lots go through escrow, the District will tell the Title Company that there are delivery issues and to contact the Water Master, that is all the District can do.

District Manager Tyler Weckler asked District Attorney Mary Reed to confirm the procedure when buying and selling items. If a purchase is over \$7,500, the District will need to advertise for sealed bids and be opened at the board meeting the following day. If the purchase is under \$7,500, the District can set the policies considering there are no requirements. There is not a state statute about a dollar figure when selling an item. Field Operations

Supervisor Rusty McKeen asked if the District can trade items through local businesses. Attorney Mary Reed stated that as long as the District receives fair market value for the item(s), there is no issue with that.

District Manager Tyler Weckler stated the crew needs a more efficient way to prep surfaces when spraying Aqualastics. At the Swensons Auction, there is a brush attachment for the Skidsteer - cutting prep time drastically.

Commissioner Scott Hecht made a motion to authorize Rusty to purchase a brush up to \$3,500 in the auction. Commissioner Travis Jackson seconded. After discussion, Commissioner Scott Hecht amended the motion to \$4000. The amendment passed unanimously; then motion passed unanimously.

Mr. Weckler informed the board that RRA forms are due March 31. The office will begin compiling a list of all delinquent Tax Assessments and Excess bills to give to the Ditch Riders. And Mr. Weckler will start working on the budget for review at the April board meeting.

District Manager Tyler Weckler inquired about the district easement that lies within private property boundaries. Which party would be responsible if the District damaged property within the district easement? Field Operations Supervisor Rusty McKeen used the example of the upcoming burning season. If a power pole caught fire within the easement, which party would be responsible for replacement? Attorney Mary Reed said that it would be the responsibility of the district if the district caused the damage.

Mr. Weckler asked if the board would be interested in donating to the National FFA Organization at Powell High School. Vice President Pat Nelson asked if the donation would be going to the members or their advertising. Mr. Weckler was unsure. Until the board knows the answer, they cannot determine if they will donate.

At the Joint Powers Board (JPB) meeting, Shoshone Irrigation District board member, Klodette Stroh, discussed the contract with the Bureau of Reclamation. Mrs. Stroh knows of other districts in other states that have amended their contracts - They ended up losing control over their water rights. Shoshone Irrigation District had a washed-out sand bar in the river that was preventing them from receiving their allotments. District Manager of Shoshone Irrigation District, Trent Reed, called Casper Control to release more water to push the sand down the river, Casper Control said it was not beneficial use and would not fulfill the request. If an issue like that arises again, the JPB will act as back-up. Lastly, JPB will cost-share on the repair of fencing around Newton Lakes, as well as the weed control efforts.

A landowner requested not to renew his grazing permit. After discussion, the board decided he needed to pay his \$200 outstanding balance, then let it go to bid fall of 2019.

The canal water turn on date was discussed. The board decided to turn the water on April 11 but to advertise for April 15.

District Manager Tyler Weckler is coordinating with the Bureau of Reclamation to get a date for the kick-off meeting. The Environmental study will take place once the growing season begins.

Ben McDonald, Park County Public Works Department, invited the Heart Mountain Irrigation District Board of Commissioners to the April Park County Commissioner meeting. The County would like to start the dialog about establishing and maintaining a positive working relationship.

Tim French reached out about the pending Memorandum of Understanding (MOU). Mr. French's Attorney will be contacting the District's Attorney, Mary Reed, to discuss one more revision. There will be no further revisions made, said the Board of Commissioners. Mr. French either signs the MOU, or it will not be valid.

Mr. Weckler gave an update on the 5th and Final Enlargement. He informed the board that Bret Reed, Engineering Associates, send out the maps to Jay Smith, State Engineers Office, for what he hopes is the last review.

Hearing no further business to come before the Board, President Brian Duyck adjourned March 12, 2019, Regular Meeting of the Heart Mountain Irrigation District's Board of Commissioners at 12:41 p.m.

RESPECTFULLY SUBMITTED,

ATTEST:

Brian Duyck, Board President

Tiara Wagar, Secretary/Treasurer