



## Minutes

Regular Meeting of the KID Board of Directors  
 Carl W. Petersen Board Room  
 Tuesday, February 16, 2010, 9:00 a.m.

**Call to Order/Roll Call:** President Jaksch called the meeting to order in open session at 9:00 a.m. and District Manager Freeman called the roll.

**Directors Present:**

Gene Huffman  
 Patrick McGuire  
 John Jaksch  
 David McKenzie  
 John Pringle

**Staff Present:**

Charles Freeman, District Manager  
 Joetta Rupert, Real Estate Manager  
 Brian Iller, Legal Counsel  
 Scott Revell, Planning Manager  
 Darrell Stewart, Accounting Manager  
 Beth Smith, Deputy Operations Manager  
 Con Higley, Operations Supervisor  
 Doris Fiske, Executive Assistant

**Approval of Agenda:** Vice President Huffman moved to approve the agenda. Director Pringle seconded the motion and it carried unanimously.

**Consent Agenda:** Director Pringle moved to approve the consent agenda. Director McKenzie seconded the motion and it carried unanimously.

Items on the consent agenda were:

1. KID O&M Vouchers

**Accounts Payable**

Numbers:	59123 through	59186	\$	47,776.94	
	59187 through	59187		944.93	
	59188 through	59188		8,194.89	
	59189 through	59191		355.94	
	59192 through	59232		55,482.22	
<b>Total Accounts Payable</b>					112,754.92

**Payroll**

Numbers:	31378 through	31387	\$	7,701.13	
	31388 through	31389		3,066.79	
Direct Deposit					64,853.57
<b>Total Payroll</b>					75,621.49
<b>Total Disbursements</b>					\$ 188,376.41

**Voided Checks**

None

2. Minutes, KID Board Meeting, February 2, 2010
3. Authorize District Manager to sign Procedure 2.12 Voucher Certification Rev. 1
4. Approve Policy 3.1-3 Education & Training Guidelines Rev. 6 and Authorize District Manager to sign Procedure 3.1-3 Education & Training Guidelines Rev. 5

**Unscheduled Visitors:** Jim Wade, residing at 1813 S. Rainier Place, responded to Mr. Freeman's letter dated February 12, 2010. He asked Mr. Freeman to show him where KID has an obligation to provide its employees with whatever they need or want and the law or statute requiring KID to have workstations ergonomically compliant to individual employees. Mr. Wade said he weighed the cost against potential risk to KID in terms of loss and workers comp and found that a \$250 chair or \$15 safety glasses or face shields would have done the job just as well. He said he found no need for driving gloves at a cost of \$350. He thanked Mr. Haueter for providing the information from realtors which Mr. Wade said proved that residential homes or lots with irrigation water are no more expensive than those with city water.

President Jaksch asked Mr. Freeman to get back to Mr. Wade.

**Scheduled Visitors/Presentation: None**

**New Business:**

**1. Award Contract for Cost of Service/Rate Study:** Mr. Freeman presented the proposals received in response to the Request for Proposals and the selection committee's recommendation to contract with FCS. He noted that this is a budgeted expense. Director McGuire moved to award a contract to FCS Group for the purpose of conducting a Cost of Service and Rate Study. Director Pringle seconded the motion and it carried unanimously.

**2. Appoint Members of Water Rate Advisory Committee:** Mr. Revell presented the selection committee's recommendation for appointment to the WRAC. Director McGuire moved to appoint Les Adams, Kirk Rathbun, Time Berk, Jeff Lutz and Garry Hall to the Water Rate Advisory Committee. Vice President Huffman seconded the motion and it carried unanimously. Director McKenzie thanked Kirk Rathbun for volunteering for the committee and attending the Board meeting.

**3. Surplus 1979 GMC Boom Truck:** Ms. Smith presented the Finance Committee's recommendation to request to surplus the 1979 GMC Boom Truck. Director McKenzie moved to surplus the 1979 GMC Boom Truck. Director McGuire seconded the motion and it carried unanimously.

**4. Approve Benton County Agreement - Quarry:** Mr. Freeman discussed the history of agreements with Benton County for rock from County quarry and reviewed details of agreement. He reported that the agreement has been reviewed by legal counsel. Vice President Huffman moved to approve the Interlocal Cooperative Purchasing Agreement and Resolution 2010-06. Director Pringle seconded the motion and it carried unanimously.

**5. Policy 5.7 Use of District Equipment and Supplies:** Mr. Freeman presented the proposed policy intended to clarify that personal use of District equipment and supplies is not allowed. Director McGuire moved to approve Policy 5.7 entitled "Use of District Equipment and Supplies." Vice President Huffman seconded the motion and it carried unanimously.

**6. Policy & Procedure 2.17 Cellular Telephone Allowance:** Mr. Freeman presented the proposed policy and procedure to allow reimbursement for use of personal cell phones for District business. Mr. Freeman confirmed that allowances for the District Manager and the Real Estate Manager will be determined by the Board of Directors. Director McKenzie moved to approve Policy 2.17. Cellular Telephone Allowance, and to authorize the District Manager

to sign the accompanying procedure. Director McGuire seconded the motion and it carried unanimously.

7. **SB 6841 and HB 3179:** Mr. Iller asked to review this item before the Board acts on it. Mr. Revell said time may be on the essence regarding this legislation. Mr. Revell gave a brief description of the bills before the House and Senate. He discussed the possible impacts to irrigation districts and expected costs to the District of around \$420,000, starting next year, if it is passed. Mr. Iller recommended that the Board only authorize action to the extent that the Irrigation District has the authority to present the issues to the legislature. Director McGuire moved to authorize staff to oppose SB 6841 and HB 3179 on behalf of the District to the extent that the District has authority to present the issues to the legislature. Vice President Huffman seconded the motion and it carried unanimously.

8. **2010 Water Forecast and Pro-rationed Water Supply Preparations:** Mr. Revell reported on the 2010 water forecast and preparations being made by staff on the assumption that pro-rationing will likely occur this year. He said more will be known after the next River Operations meeting with the USBR to be held on March 8th. He addressed the 2001 and 2005 droughts and the effects of the Acquavella Conditional Final Order. Discussions ensued.

President Jaksch asked Mr. Revell to bring more information on drought planning and irrigated acreage to the next Operations & Engineering Committee meeting. Community education regarding the merits of deep watering in the spring was discussed as was participation in the Progress Edition of the Tri-City Herald. President Jaksch asked to be provided list of topics to be discussed in the newsletter.

Mr. Iller reported that the next March water day is the 11<sup>th</sup>. He said the USBR preparing a motion which he will review.

9. **February 8, 2010 Ecology Meeting Report:** Mr. Revell said the report is specific to Acquavella litigation and will be discussed in executive session.

10. **District Manager's Report:** Mr. Freeman reported that the four respondents for canal sealing were non-responsive and an addendum will be issued. Discussion ensued. A special meeting was scheduled for February 19<sup>th</sup> at 9:00 a.m.

Mr. Freeman said the Special Audit is well underway and the field work is almost done.

He reported that the fraud investigation has been closed by the Kennewick Office of the State Auditor and we are waiting for the Olympia office to make a determination. KID Employees are adjusting well. The ethics and diversity training meeting was well attended and further training will continue be provided. Mr. Freeman discussed improving communication within the organization.

Mr. Freeman said a draft of progress edition submission was sent to Board members for comment and reviewed the topics to be discussed.

President Jaksch addressed linear parks and expressed concern about liability due to use of restricted pesticides near some orchards. Mr. Iller questioned whether KID's rights-of-way and easements could extend to allowing people to enter properties for recreation. Discussion ensued.

**Realty: None**

President Jaksch called a break at 9:40 a.m.

At 9:55 a.m., the meeting reconvened in executive session for one hour to discuss with legal counsel litigation regarding Acquavella and to review the performance of a public employee.

Executive session was extended for 15 minutes at 10:50 a.m.

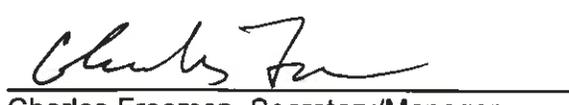
The meeting returned to open session at 11:05 a.m.

**Director McKenzie moved to adjourn the meeting at 11:05 a.m. Vice President Huffman seconded the motion and it carried unanimously.**

Attest:

Witness:

  
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John Jaksch, Board President

  
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Charles Freeman, Secretary/Manager

Prepared by Doris Fiske, Executive Assistant