



Board of Directors Meeting
 Tuesday, February 4, 2020, 9:00 a.m.
 Carl W. Petersen Board Room
 2015 S. Ely St., Kennewick, WA 99337

President Rathbun called the meeting to order at 9:00 a.m. and Mr. Freeman called roll.

Directors Present:

Kirk Rathbun, President
 David McKenzie, Vice President
 Gene Huffman
 Arland Ward

Staff Present:

Charles Freeman, District Manager
 Kipp Drummond, Comptroller/Treasurer
 Jason McShane, Engineering/Operations Manager
 Seth Defoe, Land and Water Resources Manager
 Lynda Rosenbaum, Real Property Manager
 Matt Berglund, Public Relations Coordinator
 Lori Gibson, Executive Assistant to Engineering
 Melissa Olheiser, Accountant II
 Doris Rakowski, Executive Assistant

Absent: Raman Venkata

Other Persons Present:

John Crotty, Legal Counsel
 Joe Brogan, Legal Counsel by telephone

Director Huffman moved to excuse Director Venkata’s absence. Vice President McKenzie seconded the motion. All present voted in favor and the motion carried.

APPROVAL OF AGENDA: Director Huffman moved to approve the agenda. Director Ward seconded the motion. All present voted in favor and the motion carried.

CONSENT AGENDA: Vice President McKenzie moved to approve the consent agenda. Director Huffman seconded the motion. All present voted in favor and the motion carried.

Items on the consent agenda were:

1. Final Plat – Jolianna Heights Phase 2
2. Final Plat – SUB 2019-007 – Dove Ridge
3. Short Plat 19-17 – Rebolledo
4. Ratify Binding Site Plan 19-08 - Knutzen
5. Vouchers/Warrant Approval

Accounts Payable:

Numbers:

80056	through	80056	\$	1,130.24
80057	through	80111	\$	85,721.49
80112	through	80112	\$	142.50
80113	through	80117	\$	97,449.78
80118	through	80168	\$	161,094.20
80169	through	80173	\$	757.00
Bank Drafts	FSA		\$	-
Bank Drafts	General		\$	-
Bank Drafts	AP		\$	123,363.48
Total Accounts Payable			\$	469,658.69

Payroll:

Numbers:

34233	through	34234	\$	688.87
Direct Deposit		1/17/2020	\$	137,051.44
Total Payroll			\$	137,740.31
Total Disbursements			\$	607,399.00

Voided Checks: None.

PUBLIC COMMENTS:

Chuck Torelli, 3314 S Dennis Ct., stated he was attending the meeting in no official capacity. He reported that he had attended a conference that addressed culverts and salmon. He said the Department of Fisheries app showed nothing in Benton County, but he wanted to give KID a heads up about the matter.

John Trumbo, 3510 S Garfield Pl., stated that he was on the City Council, but was not here as councilman, but as a private citizen. He spoke about Senators Schoesler and Hunt's bill SB 6514, which he said would make dramatic changes in how irrigation district elections were run. He noted that he was not involved in the legislation, which he learned about only recently.

Mr. Trumbo said he heard Vice President McKenzie and Mr. Drummond's recent testimony regarding the bill. He said he did not think SB 6514 was workable, and that there was an easier solution which would not burden the county assessors or treasurers.

Mr. Trumbo said he was reviewing KID's 2019 voting records, and was concerned with low voter participation. He said he thought all parcels in the district were included in the voting registry. He said large land owners including the BLM (Bureau of Land Management), an agricultural land owner, and the KID could vote the many acres they owned, whether they paid assessments or received water. He said this issue needed to be clarified.

PRESENTATIONS:

Public Officials Liability – Rich Romm: Mr. Romm provided training to the Board of Directors. Topics covered included:

- Determining liability: Duty of ordinary care, breach of that duty, damages or injuries occurred, and proximate cause
- Organization liability (current issues): Personnel issues, confidentiality, electronic misuse, and public records requests
- Definition of board liability: Liabilities other than general liability, errors and omissions, wrongful acts, and decision making and policy actions
- Minimizing risks: Follow well-written policies and procedures; seek legal counsel; act within scope of duties; and maintain clear distinction of board and manager roles
- Deliberate individually, decide as a board
- Leadership team roles of the board and managers
- Board expectations of manager, and advice for managers
- Manager expectations of board, and advice for board members
- Most difficult things to learn: Know your role; always more to learn; individual power doesn't exist, setting policy vs. administering the organization; accept and support board decisions; represent all constituents; respond appropriately to complaints and concerns; realize change comes slowly; and you can't solve everyone's problems
- Forging group leadership
- Board procedures: Open Public Meetings Act; executive sessions; Public Records Act; confidentiality; media policy; and board meeting disturbances
- Establish and maintain a leadership team
- Trust

PUBLIC HEARING: None

BOARD REPORTS: President Rathbun and Director Huffman reported about attendance at the Water Strategies Operations and Maintenance conference.

Vice President McKenzie reported regarding providing testimony on SB 6514.

ACTION ITEMS: None

RESOLUTIONS: None

STAFF REPORTS:

Finance Manager: Mr. Drummond reported regarding:

- Preparations for 2020 assessment billing
- Testimony regarding proposed treasury function changes
- Historically low bonding rates
- Year-end accounting completed

EXECUTIVE SESSION: At 10:05 a.m., Mr. Freeman announced on behalf of the presiding officer that the board would go into executive session for approximately 50 minutes, starting at 10:10 a.m. following a break and ending at 11:00 a.m. unless extended, to discuss with legal counsel representing the agency litigation, pursuant to RCW 42.30.110(1)(i), regarding two matters.

At 11:00 a.m., executive session was extended for 20 minutes.

OPEN SESSION: At 11:20 a.m., the meeting returned to open session.

STAFF REPORTS:

Engineering/Operations Manager: Mr. McShane reported regarding:

- Off-season construction and maintenance schedule
- Canal lining preparation on Badger East Canal
- Cleaning out canals
- Cleaning out Red Mountain reservoirs and decant chambers
- Cleaning of in-town canals
- Evaluation, and sealing or lining, of section of canal near Webber Road
- Rebuild of pump stations: Vancouver and 27th Avenue, and PSA 141
- Willowbrook SEPA (State Environmental Policy Act) progress
- Operations and Engineering Committee - February 6th
- YBIP (Yakima Basin Integrated Plan) - February 6th

In response to a question from Director Huffman, Mr. McShane spoke about the bridge now referred to as the "Scott Sohler Bridge", which would benefit the Horse Heaven Hill Homeowner Association members. He reported that Rodney Cox brought out a drill rig for a load test without permission, and was told it was not allowable and should not be done in the future. Their engineer, Cliff Burke, did not know about it until afterward and apologized.

Mr. McShane said KID had concerns about the bridge. KID's has provided open access for now, with an agreement to be signed by Mr. Sohler in the next week, which would require certain steps toward getting the bridge ready for whatever code the USBR (U. S. Bureau of Reclamation) would establish it. He said he thought it reasonable to give them until April 2021 to make final improvements to the bridge, though if a deadline were missed in those 14 months, the bridge would be closed again.

Mr. McShane said restricted access with a locked gate would be part of the agreement.

Land & Water Resources Manager: Mr. Defoe reported that the water supply outlook was now up to 90% of average. He displayed and discussed web pages including:

- usbr.gov - Yakima River Five Reservoir Diagram, and Water Year Graph
- noaa.gov - Precipitation and Temperature graphs,
- nrcs.usda.gov – Snow pack map
- noaa.gov - El Niño/Southern Oscillation (ENSO) Diagnostic Discussion

Mr. Defoe reported regarding Tri-State Meeting attendance last week.

District Manager: Mr. Freeman reported regarding:

- Congressional committee testimony and bill progress
- National Water Resources Association (NWRA) 2020 Leadership Forum
- USBR meeting - March 18th
- Water On meeting training plan
- Potential historical dump being investigated

Director Huffman spoke briefly about Mr. Freeman's participation on a panel at the Leadership Forum. He said he noted that KID constituents' problems were usually resolved by management and staff, and rarely needed to be brought directly to the Board.

Director Ward noted that KID crews had worked efficiently and professionally in his neighborhood, and left the area better than they found it.

WORKSHOP: None

At 11:40 a.m., there being no further business, President Rathbun called for a motion to adjourn.

Director Huffman moved to adjourn. Director Ward seconded the motion. All present voted in favor and the motion carried.

Attest:

Witness:



Kirk Rathbun, President
Minutes Approved February 18, 2020



Charles Freeman, Board Secretary

Prepared by Doris Rakowski