



**Minutes**

President Huffman called the meeting to order at 9:02 a.m. and Mr. Freeman called roll.

**Directors:**

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

**Staff Present:**

Charles Freeman, District Manager  
 Jason McShane, Engineering/Operations Manager  
 Seth Defoe, Land and Water Resources Manager  
 Kipp Drummond, Comptroller/Treasurer  
 Ben Woodard, Assistant Operations/Engineering Manager  
 Matt Berglund, Public Relations Coordinator  
 Melissa Olheiser, Accounting Supervisor  
 Lori Gibson, Executive Assistant to Engineering  
 Kim Scharnhorst, Executive Assistant to Engineering  
 Doris Rakowski, Executive Assistant

**Other Persons Present:**

John Crotty, Western Legal  
 One member of the public

**APPROVAL OF AGENDA:** At Mr. Freeman's request, President Huffman added to the agenda consideration of Travel Authorization for an Irrigation Leader Workshop in Washington D.C.

**Director Dennis moved to amend the agenda to add the Washington D.C. trip authorization. Director McKenzie seconded. The motion carried.**

**Director McKenzie moved to approve the agenda as amended. Director Ward seconded. The motion carried.**

**CONSENT AGENDA: Director Dennis moved to approve the consent agenda. Director Ward seconded. The motion carried.**

Items on the consent agenda were:

1. Minutes, KID Board Meeting, September 21, 2021
2. SP 21-06 - 801 S. Kellogg St. - Ranchette Estates Rec Club
3. BSP2021-102 - 1769 Leslie Rd. - Stack
4. SP 21-05 - 3311 W. 4th Ave. - Camacho
5. Vouchers/Warrant Approval

**Accounts Payable:**

Numbers:

	82890	through	82891	\$	1,755.05
	82892	through	82957	\$	235,027.79
	82958	through	82962	\$	89,353.50
Bank Drafts	FSA			\$	-
Bank Drafts	General			\$	-
Bank Drafts	AP			\$	88,874.08
<b>Total Accounts Payable</b>				<b>\$</b>	<b>415,010.42</b>

**Payroll:**

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Numbers:

	34367	through	34368	\$	1,351.82	
Direct Deposit			9/20/2021	\$	138,537.82	
<b>Total Payroll</b>						<b>\$ 139,889.64</b>

**Voided Checks:**

	None			\$	-	
<b>Total VOID</b>						<b>\$ -</b>
<b>Total Disbursements</b>						<b>\$ 554,900.06</b>

**PUBLIC COMMENTS:** None

**PRESENTATIONS:** None

**PUBLIC HEARING:** None

**BOARD REPORTS:** None

**ACTION ITEMS:**

**SP 21-07 - 5622 W. Metaline Ave. – Rathbun:** Vice President Rathbun recused himself and left the meeting.

Mr. McShane presented the short plat to create lots off the West Metaline project. He said this was a routine action and recommended approval contingent upon developer's compliance with KID conditions.

**Director Ward moved to approve the Proposed Short Plat 21-07, 5622 W Metaline Avenue, Rathbun, contingent upon the developer's compliance with KID's conditions of approval. Director McKenzie seconded. All present voted in favor and the motion carried.**

Vice President Rathbun was readmitted to the meeting.

**Travel Authorization – National Water Resources Association Annual Conference:** Mr. Freeman presented the request for up to two Directors and three staff members to travel to Chandler, Arizona for the NWRA Annual Conference, which would be held November 8-10, 2021. He noted that one of the travelers would be Mr. Berglund, whom Ian Lyle selected to serve on a Public Relations Task Force.

Director Dennis spoke about the usefulness of previous NWRA meetings.

**Director McKenzie moved to authorize up to two directors and three staff members to travel to Chandler, Arizona, to attend the National Water Resources Association Annual Conference. Director Ward seconded. The motion carried.**

**Travel Auth WADC:** Mr. Freeman reported that Water Strategies asked KID to be a presenter at an upcoming Title Transfer and Private Financing of Capital Projects workshop. He spoke about other workshop participants, including Kyle Weaver, who provided vital assistance with accomplishing title transfer, and Tom Tebb of Ecology, who continued to be a partner on water conservation projects.

Mr. Freeman said the rough estimate should be high, but he needed to start making travel arrangements, and would bring more accurate details to the next board meeting.

**Director Dennis moved to authorize attendance at the Water Strategies workshop of up to two employees and or directors, estimated to be no more than a total of \$6,000, and direct staff to provide the board the travel authorization at the October 19, 2021 Board meeting. Director Ward seconded. The motion carried.**

#### **RESOLUTIONS:**

**Resolution 2021-34, Verification and Approval of Submission to the Commissioner of Reclamation and to Congress the KID Title Transfer Agreement Package:** Mr. Defoe presented the resolution and supporting materials. He noted that title transfer could only be stopped by a joint resolution of Congress by December 17<sup>th</sup>, which was highly unlikely.

Mr. Freeman thanked Mr. Defoe for the thoroughness of the report and materials.

Mr. Defoe said the resolution was to approve of the packet being sent to Congress. He said the Board could call special meeting when title transfer was complete or put it on agenda of first meeting in January 2022.

**Vice President Rathbun moved to approve Resolution 2021-34 Verifying and Approving for Submission to the Commissioner of Reclamation and to Congress the Draft Final Title Transfer Agreement Package. Director Ward seconded. The motion carried unanimously.**

**Resolution 2021-35, Declaration of Surplus Personal Property:** Mr. McShane presented action to declare surplus GPS equipment for the District's GPS machine-controlled equipment. He spoke about the condition, remaining life of the units, and trade in value.

A sole source purchase would address replacement GPS units later in the meeting.

**Director Dennis moved to approve Resolution 2021-35, Declaring Surplus Personal Property. Director Ward seconded. The motion carried.**

**Resolution 2021-36, Sole Source Purchase – D6N Dozer:** Mr. McShane noted that a slightly revised packet had been distributed. He described the used D61 Dozer proposed for purchase, including blade size.

Mr. McShane said Western State had the most competitive price staff found nationwide. Sole source purchasing was appropriate for this used item, with price and terms best set by negotiation.

Mr. McShane spoke about cost, hourly cost, and savings over new units. He said the undercarriage was replaced recently, but not yet repainted so it was easy to see there was no damage to it. He said review of the rental history showed low usage over its lifespan. He recommended purchase.

The unit's slope assist without GPS was discussed.

The State Auditors' concern with appropriate process for sole source purchases was discussed. Mr. Drummond said KID's documentation was good and he had no concerns.

**Director Ward moved to approve Resolution 2021-36, Authorization to Waive Competitive Bidding and Award a sole source contract to Purchase a Used D6N Dozer from Western States Equipment Company; pursuant to RCW 87.03.435(3)(c), with funds from this purchase to come from the Capital Upgrade and Improvement Fund. Director McKenzie seconded. Motion carried.**

Mr. McShane reported that the unit was here on demo and would be deployed immediately.

**Resolution 2021-37, Sole Source Purchase – (2) Water Trucks:** Mr. McShane spoke about the condition of KID's old truck, which needed repairs and was scheduled for replacement. He said it had a new engine that matched the proposed new trucks and could be used as a reserve machine until inoperable.

Mr. McShane spoke about alternatives to mobile water units that were considered, including tender, and articulated or rigid dump trucks. He referred to the cost analysis and spoke about value to the district.

Mr. McShane noted that one truck would be purchased with funds from the Equipment Replacement Reserve fund and the other from the Capital Upgrade and Improvement Fund.

Potential benefits from water towers, and methods to fill water trucks were discussed.

**Director McKenzie moved to approve Resolution 2021-37, Authorization to Waive Competitive Bidding and Award a sole source contract to Purchase a two 2016 Peterbilt Water Trucks from Iron Lot, LLC; pursuant to RCW 87.03.435(3)(c), with funds from this purchase to come from the Equipment Replacement Reserve fund and the Capital Upgrade and Improvement Fund. Director Ward seconded. Motion carried.**

Mr. McShane spoke briefly about the Iron Lot, LLC company.

**Resolution 2021-38, Sole Source Purchase – DemTech Welder Parts:** Mr. McShane said replacement parts for KID's DemTech wedge welders were proprietary, so sole source purchase was necessary. He confirmed to Director Ward that the purchase would include spare parts.

**Director Ward moved to approve Resolution 2021-38, Authorization to Waive Competitive Bidding and Award a Sole Source Contract to Purchase DemTech Wedge Welder Parts; pursuant to RCW 87.03.435(3)(c). Director McKenzie seconded. The motion carried.**

**Resolution 2021-39, Sole Source Purchase – NorStar Spray Parts:** Mr. McShane said replacement parts for KID's truck #502 were proprietary. Aftermarket parts were not available, and Norstar Industries was the sole source for parts in our region.

**Director Dennis moved to approve Resolution 2021-39, Authorization to Waive Competitive Bidding and Award a Sole Source Contract to Purchase Norstar Spray Parts from Norstar Industries; pursuant to RCW 87.03.435(3)(c). Director Ward seconded. Motion carried.**

**Resolution 2021-40, Sole Source Purchase – SEPRO Contract:** Mr. McShane presented the annual purchase of KID's weed control program, which has been working well for the District. He said the program was expected to reduce in scope due to canal lining. This purchase was about \$15,000 lower, despite increased costs of the chemicals.

Mr. McShane spoke about the benefit of preemergent treatments, including less debris and reduced algaecide expense. He noted that SePRO provided Nautique as part of the preemergent program. He said he was reluctant to make a change to the program without serious evidence that it would work as well.

Discussion ensued regarding alternatives and the performance of the SePRO aquatic weed program. Mr. McShane said the warranty for the SePRO program was unique. Dilution and application methods and rates were also discussed.

**Director McKenzie moved to approve Resolution 2021-40, Authorization to Waive Competitive Bidding and Award a Sole Source Contract to Purchase SePRO Integrated Aquatic Weed Control Program; pursuant to RCW 87.03.435(3)(c), and to authorize Charles Freeman to execute the Integrated Aquatic Weed Control Agreement. Director Dennis seconded. Motion carried.**

**Resolution 2021-41, Official Resolution for FY2022 WaterSMART Grant: Drought Response Program: Drought Resiliency Project for Fiscal Year 2022:** Mr. McShane thanked Ben Woodard and Zach Petsch for preparation of the grant application. He spoke about the proposal, which included extension of the Cherry Creek project, and consolidation of three pump stations. He reviewed the cost of grant. He said the work was important for continuing adequate service and increasing usable storage in drought years.

**Director Ward moved to approve Resolution 2021-41, Appointing Charles Freeman as authorized representative and signature authority in matters relating to the 2022 WaterSMART Grant: Drought Response Program. Director Dennis seconded. Motion carried.**

**Resolution 2021-42, Sole Source Purchase – Trimble GPS Equipment:** Mr. McShane spoke about benefits gained from machine control features of heavy equipment, and the mastless option. He noted that Trimble equipment, but not Topcon, could be used on the Caterpillar motor grader. The more stable GPS antennae location had less vibration, resulting in greater accuracy.

Mr. McShane reported that the trade-in valuation on KID's 7-year-old Topcon equipment was higher than open market.

Mr. McShane confirmed to President Huffman that hardware and software updates were included in the proposed purchase. He recommended waiting to unlock the software libraries for specific pieces of equipment until needed. Also, equipment planned for mass haul projects would not be equipped at this time.

Mr. McShane expressed appreciation to Brett Flippo for learning about machine control and researching the value of this purchase.

Mr. McShane said a Wi-Fi-enabled option was offered, but staff preferred to continue using base stations, one mobile and one more stationary. He said Mr. Flippo investigated KID's licensing.

**Director Dennis moved to approve Resolution 2021-42, Authorization to Waive Competitive Bidding and award a Contract to Purchase Trimble GPS Equipment from SITECH Western States; pursuant to RCW 87.03.435(3)(c), and authorize Charles Freeman, District Manager, to execute the contract. Director Ward seconded. The motion carried.**

At 10:39 a.m., President Huffman called a short break. Open session resumed at 10:45 a.m.

**STAFF REPORTS:**

**Engineering/Operations Manager:** Mr. McShane reported regarding:

- Last full day of delivery October 10<sup>th</sup>
- Red Mountain delivery through the end of the month
- Baseline testing
- Water-off lining plans
- Hiring for temporary positions and engineers
- Plan to post maintenance positions
- Equipment purchasing plans
- Public meetings on bridges, private line areas
- New D11T dozer and two 657 motor scrapers en route to KID

**Finance Manager:** Mr. Drummond reported regarding 2022 budget planning and review.

**Land & Water Resources Manager:** Mr. Defoe reported regarding:

- usbr.gov - Yakima River Five Reservoir diagram and Water Year graph
- noaa.gov - Temperature and Precipitation graph; monthly and seasonal outlook maps
- U.S. Bureau of Reclamation storage proposals and modeling

**District Manager:** Mr. Freeman noted that an all-staff meeting would follow the board meeting.

**WORKSHOP:** None

**Executive Session:** At 11:02 a.m., Mr. Freeman announced that the board would go into executive session to discuss with legal counsel representing the agency potential litigation, in the form of litigation or legal risks of a proposed action or current practice, pursuant to RCW 42.30.110(1)(i)(iii), for approximately 15 minutes, unless extended.

The member of the public was moved to the Zoom waiting room until the end of executive session.

**OPEN SESSION:** Executive session ended at 11:18 a.m., the member of the public was re-admitted, and the meeting resumed in open session.

There being no further action, President Huffman called for a motion to adjourn.

**Director Dennis moved to adjourn. Director Ward seconded. The motion carried.**

Attest:

Witness:



Gene Huffman, Board President  
Minutes Approved October 19, 2021



Charles Freeman, Board Secretary

Prepared by Doris Rakowski