



**Minutes**

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

**Directors:**

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

**Staff Present:**

Charles Freeman, District Manager  
 Stuart Dezember, Comptroller/District Treasurer  
 Seth Defoe, Land and Water Resources Manager  
 Ben Woodard, Assistant Engineering Manager  
 Melissa Olheiser, Accounting Supervisor  
 Matt Berglund, Public Relations Coordinator  
 Lori Gibson, Executive Assistant to Engineering  
 Doris Rakowski, Executive Assistant

**Other Persons Present:**

John Crotty, Western Legal  
 Three members of the public

**APPROVAL OF AGENDA: Director Rathbun moved to approve the agenda. Director Ward seconded. The motion carried.**

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

Items on the consent agenda were:

1. Minutes, KID Board Meeting, August 16, 2022
2. Minutes, KID Board Meeting, September 6, 2022
3. Water Off Letter to USBR
4. SUB-2022-0021 - The Village at Southridge Phase 4
5. SHP-2022-023 - 3415 S 674 PR SE
6. BSP-2022-0021 - 216 W. 10th Ave
7. BSP-2022-0022 - 6100 W Brinkley Rd
8. SP-2022-0047 - Kingwood St
9. Acceptance of Irrigation Easement - 5105 N Canyon View PR NE, Benton City, WA
10. Confirm Job Description – Operations Manager
11. Vouchers/Warrant Approval

**Accounts Payable:**

Numbers:

	84487	through	84487	\$	1,145.31
	84488	through	84544	\$	87,091.54
	84545	through	84549	\$	85,434.16
	84550	through	84551	\$	106.35
Bank Drafts	FSA			\$	-
Bank Drafts	General			\$	-
Bank Drafts	AP			\$	91,067.96
<b>Total Accounts Payable</b>				<b>\$</b>	<b>264,845.32</b>

**Payroll:**

Numbers:

	0	through	0	\$	-
Direct Deposit			9/20/2022	\$	145,773.05
<b>Total Payroll</b>					<b>\$ 145,773.05</b>

**Voided Checks:**

	83828	VOID and Cancel Payable		\$	(62.40)
<b>Total Disbursements</b>					<b>\$ 410,555.97</b>

**PUBLIC COMMENTS:**

**Kat Espinda:** Ms. Espinda addressed the board regarding the first lien position of irrigation districts in Washington. She spoke about KID working with homeowners associations to install systems without contracts. She said KID needed wet signatures on contracts with all customers. She listed elements needed for a contract to be legal. She said the U.S. Constitution was the supreme law of the land and no one was bound to follow unconstitutional laws. She said KID was running in a grossly unlawful manner.

**PRESENTATIONS:**

**Blair Kok, Clear Risk Solutions - Risk Management Award:** Mr. Kok presented the Scott Kellams Risk Management Award to the Kennewick Irrigation District. He spoke about Mr. Kellams's legacy of helping to make people safer.

**PUBLIC HEARING:** None

**BOARD REPORTS:** President Huffman reported that Brad Crawford safely weathered the storm in Florida.

**ACTION ITEMS:**

**Purchase of Heavy Haul Trailer:** Mr. Woodard presented the request to purchase a heavy haul Fontaine trailer which had just become available for the purchase price of \$121,389.16.

**Director Ward moved to authorize the purchase of the Heavy Haul Trailer and authorize Charles Freeman, District Manager, to execute Contract PC2022-47 Purchase of Heavy Haul Trailer to the only responsible bidder, Great Western Leasing & Sales. Director Rathbun seconded. The motion carried.**

**RESOLUTIONS**

**Resolution 2022-35, Authorization for Collection of Surcharges for PLA properties in the Highland Valley Estates Benefit Area:** Mr. Woodard presented the resolution which was modeled on a previous agreement with Mr. Farncroft. He said the model included that there would be enough participation before KID proceeded with the project. He described the project and location.

Mr. Woodard pointed out a clerical error in section 6 of the resolution in the packet. The surcharge should read \$10,422.72 per lot and had been corrected in the copy to be signed if the resolution was approved.

Mr. Woodard reviewed the repayment options.

Discussion ensued about level of development in the area and how to accommodate installation of the service over time.

**Director Rathbun moved to approve Resolution 2022-35 Authorization of Collection of Surcharges for PLA properties in the Highland Valley Estates Benefit Area. Director Ward seconded. The motion carried.**

**Resolution 2022-38, Approving the Sale of Real Property, KID #7115 11B, Stoneridge, Lot 11B:** Mr. Defoe reviewed the November 2021 authorization of the sale. He reported that the sale had been completed and closed on August 12, 2022. He asked the board to memorialize the sale by resolution.

**Vice President moved to approve Resolution 2022-38 approving the sale of KID #7115 11B, Stoneridge Block 1, Lot 11B, to Ambrosia QSR Chicken Real Estate, LLC, for a total purchase price of \$1,843,888.00. Director Ward seconded. The motion carried.**

**Resolution 2022-40, Authorization for Collection of Surcharges for Properties in the MC 11.9-1, 12.2-1, 12.2-2, and 12.5-1 Service Areas:** Mr. Woodard presented the resolution to establish surcharges. He displayed a map to show the location adjacent to a section of canal lined under a WaterSMART grant. He said installation of a larger transmission pipe would consolidate a number of service areas at a single turn out. Connection to system would provide pressurized water.

Mr. Woodard noted that the Board previously approved on demand service to the area. Owners in this area would have a choice of which delivery method to use.

Discussion ensued regarding the costs under the different payment options.

**Director Rathbun moved to approve Resolution 2022-40 Authorization for Collection of Surcharges for Properties in the MC 11.9-1, 12.2-1, 12.2-2, and 12.5-1 Service Areas. Director Ward seconded. The motion carried.**

**Resolution 2022-41, Sole Source Purchase – SePRO:** Mr. Woodard reviewed the success of KID's use of SePRO's aquatic vegetation control products. He noted that the company offered an unprecedented guarantee of the efficacy the product.

He presented the request to approve the sole source purchase of the product. He reported that the agreement, if approved, locked in prices before they were set to rise.

**Director Ward moved to approve Resolution 2022-41 Authorization to Waive Competitive Bidding and Award a Sole Source Contract to Purchase SePRO Integrated Aquatic Weed Control Program; Pursuant to RCW 87-033-435(3)(c) and affirm execution of the Integrated Aquatic Weed Control Agreement by Charles Freeman. Director Rathbun seconded. The motion carried.**

**Resolution 2022-44, 2022 Authorized Positions and Salary Ranges, Rev 2:** Mr. Dezember presented the updated chart of authorized positions and salary ranges.

The proposed changes were:

- Reduce Operations full time employees (FTE) by one
- Reduce overall FTE by one

- Change title of Assistant Operations Manager to Operations Manager.

Mr. Dezember said there would be no increase to the 2022 budget, and the changes would be taken into account in the 2023 budget.

**Vice President McKenzie moved to approve Resolution 2022-44, 2022 Authorized Positions and Salary Ranges, Revision 2. Director Ward seconded. The motion carried.**

At 9:36 a.m., President Huffman called a five-minute break.

The meeting resumed in open session at 9:41 a.m.

**STAFF REPORTS:**

**Finance Manager:** Mr. Dezember reported regarding:

- Letter to Ms. Espinda
- State audit beginning October 16<sup>th</sup>

**Engineering/Operations Manager:** On behalf of Mr. McShane, Mr. Woodard reported regarding:

- Last full day of irrigation delivery Wednesday, October 12<sup>th</sup>
- System shutdown process
- Baseline testing plans
- New hires and recruitment
- Aquatic weed management
- Update of surcharge along Willow and Tranquility Lane (approved at the last meeting)

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

- New water year started October 1<sup>st</sup>
- Reservoirs at 132% of average
- La Niña Advisory
- River Ops meeting tomorrow
- Realty Committee meeting following board meeting

**District Manager:** Mr. Freeman reported regarding:

- Meeting to discuss concerns regarding the request to indemnify a federal agency in the dam safety cost share contract
- Budget planning and goal to avoid a rate increase
- Reviewing all positions
- 2023 Budget expected before board in November
- Realty Committee to discuss agricultural leases, Real Property Manager position, and realty activity

**WORKSHOP:** None

**EXECUTIVE SESSION:** At 9:57 a.m., Mr. Freeman announced on behalf of the presiding officer that the board would go into executive session beginning at 11:00 a.m., following a short break, to discuss with legal counsel 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 about 30 minutes unless extended. Mr. Freeman said action was possible following executive session.

Members of the public left the board room or were moved to the Zoom waiting room.

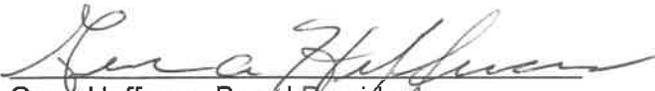
**OPEN SESSION:** At 11:30 a.m., the public was re-admitted, and open session resumed.

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

**Director Rathbun moved to adjourn. Vice President McKenzie seconded. The motion carried.**

Attest:

Witness:



Gene Huffman, Board President  
Minutes Approved October 18, 2022



Charles Freeman, Board Secretary

Prepared by Doris Rakowski