

SUNNYSIDE VALLEY IRRIGATION DISTRICT
MEETING OF THE BOARD OF DIRECTORS

The regular meeting of the Sunnyside Valley Irrigation District (SVID) was held in-person and via conference call, and was called to order by Chairman Simpson on January 9, 2024, at 1:40 PM. Present in addition to Chairman Simpson was Director Kevin Golob, Dave Michels, Mike Hogue and Paul Groeneweg; Lori Brady, SVID Manager/Secretary/Treasurer, Ron Cowin, Assistant Manager-Engineering, Dave Bos, Assistant Manager-Operations, Nikki Musson, SVID Deputy Treasurer/Office Manager; and Larry Martin, Legal Counsel for the Sunnyside Valley Irrigation District. Also in attendance were David Felman, incoming Manager and Daniel Leach, Upper Division Employee.

The minutes of the December 12, 2023 Board Meeting were reviewed. Upon a motion by Director Golob, that was seconded and unanimously carried, the minutes were approved as written.

Chairman Simpson presented the SVID 2023 Employee of the Year to Daniel Leach. Mr. Leach left the meeting after the presentation.

The Board proceeded to organize for 2024. Director Michels moved that the current officers, Chairman Simpson and Vice Chairman Hogue be re-elected by unanimous consent. The motion was seconded and carried.

Upon a motion by Director Groeneweg, the following officers were appointed:

- General Manager/Secretary/Treasurer – Lori A. Brady
- Deputy Treasurer – Nikki Musson
- Auditing Officer – David Bos
- Deputy Auditing Officer – Ron Cowin

The motion was seconded and unanimously carried.

The Board considered the Consent Agenda as shown below:

	Parcel	Facility or Description
<u>Easement</u>		
Judith K Harvey	1-2095-300-0002-000	58.75
<u>Amended Supplemental Water Right Contract</u>		
Ignacio and Elena Navarrete	1-3394-200-0002-001	51.87 #2
<u>Release of Easement</u>		
City of Grandview	230922-31492	48.04 A#2

Upon a motion by Director Michels that was seconded, the motion carried, and the Consent Agenda was approved.

Ms. Musson presented the vouchers. The Status of Funds listed investments and other funds totaling \$10,308,659. Vouchers numbered 83539-83693 in the total amount of \$710,702.22 were submitted for approval. Ms. Musson presented a graph showing current funds compared to historical levels. Upon a motion by Director Golob, which was seconded and unanimously carried, the Board approved and authorized payment of the vouchers as listed above.

Ms. Musson updated the Board on the foreclosure process. The attorney letters went out on June 10th and title reports have been ordered. As of January 9, 2024, 5 parcels are in the foreclosure process. The foreclosure sale is scheduled for Friday January 19th.

Mr. Cowin presented Change Order #1 for Ferguson Waterworks. The change order is a net increase of \$334.58 due to a change in pipe length bringing the total to \$198,583.16. A motion was made by Director Hogue which was seconded and unanimously carried, authorizing change order #1.

Mr. Bos updated the Board on field operations. Crews are performing winter maintenance such as piping, beat repair, lining, drain maintenance, and equipment maintenance, and building components for the various projects. The Lower Division will be replacing 700 feet of pipe on 51.36A line. The homeowner has been difficult to contact and has several aggressive dogs on the property. The Benton County Sheriff has advised the Lower Division Supervisor to use caution when dealing with the landowners. The decision was made to hire the Benton County Sheriff's department to be on-site during the piping to secure the safety of the employees.

Resolution 2024-1-01 is an amendment to Section 7.F. of the Bylaws, Rules, and Regulations on the Board of Directors Compensation. The resolution amends the language to refer to the current state amount. Upon a motion by Director Golob that was seconded, and unanimously carried, Resolution 2024-1-01 was approved. Said resolution is attached and by this reference incorporated into these minutes.

Ms. Brady updated the Board on Roza Irrigation District's (RID) appeal process on the NPDES permit. Roza Irrigation District postponed the settlement meeting with Department of Ecology until the end of January.

Ms. Brady informed the Board on the L & I appeal process. The mediation sidebar agreement will be drafted within the next several months. The agreement will include additional safety steps to be adopted by the District.

Staff reminded the Board that ELIPS Phase IID was completed and assets will be transferred to SVID year-end financials per Resolution 2018-06-01.

The Management Contract between SDBOC and SVID was brought before the Board. The contract was reviewed. Upon a motion by Director Michels that was seconded and unanimously carried, the contract was approved.

The Oath of Office was presented to Director Michels.

Ms. Brady updated the Board on the 2024 legislative session. The short 60-day (regular session is 105 days) session began on Monday January 8, 2024 and will end on March 17, 2024. The Senate pre-filed 332 and the House pre-filed 267 bills.

- SB 5709-Irrigation District Elections Bill-This bill is considered live and begins at the highest point in the process, where it left off at the end of the 2023 session. The bill is eligible to go

directly to the Senate floor. The bill as it is currently presented, will be acceptable for the districts.

- HB 1752-Columbia Basin Bill-The bill introduced by Representative Dye is narrow in scope and concerns the water rights in the Columbia Basin Districts.
- HB1868 and HB2051- Both bills are very similar and eliminates the use of small gas-powered equipment (equipment under 25 HP). This is a concern for irrigation districts and will be watching this bill closely.
- SB 5517-Water Resource Mitigation aka Foster Fix Bill-This bill establishes a ground water to surface water relationship. When a department considers on proposed withdraw of public groundwater, it must not impair surface water rights. This bill will be tracked by irrigation districts.
- SB5924-Access to Personnel Records-Amendment of an existing bill. Employer must provide personnel files within 21 days after an employee requests file, at no cost to employee. This bill is expected to have quite a bit of opposition from employers. Employer must also give written notice of termination.
- SB 5846-Beaver Ecosystem Management-This bill sets the frame work to set a management plan with grant programs, education, outreach, assistance and resources to assist landowners in living with beavers on their property. There are many concerns with this bill. Irrigation facilities are not an ecosystem for beavers.
- The capital, operating, and supplemental budgets will begin their public meetings this week.

Ms. Brady updated the Board on the NWRA Irrigation Caucus. After a brief discussion and upon a motion by Director Hogue that was seconded and unanimously carried, the Board approved the dues payment of \$400 to the NWRA Irrigation Caucus.

At 2:20 PM Chairman Simpson announced the Board would convene into Executive Session pursuant to RCW 42.30.110(1) (i) for approximately 30 minutes hour. The purpose of the meeting was to discuss personnel evaluations. Mr. Cowin, Mr. Bos, Mr. Felman, and Ms. Musson left the executive session.

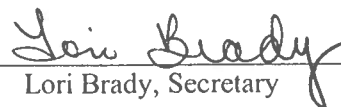
At 2:50 PM the Board reconvened into open session.

The Board discussed the proposed 2024 Non-Union Salary Schedule. Upon a motion by Director Michels that was seconded, the motion carried, and the 2024 Non-Union Salary Schedule was approved.

The Board discussed the new medical insurance for the Non-Union Staff which began on January 1, 2024. Upon a motion by Director Hogue that was seconded, the motion carried, and the \$41.67 health care deduction will be discontinued. The employee contribution, if any, will be evaluated on an annual basis.

The Board discussed the current Union Salary Schedule and the possibility of increasing all classes by 2%. Upon a motion by Director Golob that was seconded, the motion carried, and the current Union Salary Schedule to be amended to a 2% increase for all classes was approved.

There being no further business, the meeting was adjourned at 2:55 PM.


Lori Brady, Secretary

Attest:


G. Doug Simpson, Chairman

January 9, 2024

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Regular

**RESOLUTION OF THE BOARD OF DIRECTORS
2024 - 01 - 01
Amending Section 7. F of Bylaws, Rules, and Regulations
Board of Directors Compensation**

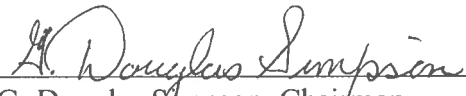
WHEREAS, Sunnyside Valley Irrigation District (SVID or District) is an irrigation district duly organized under the laws of the State of Washington; and

WHEREAS, the Board of Directors (Board) must conduct its business practices consistent with state statutes; and

WHEREAS, the Board routinely reviews the Bylaws, Rules and Regulations to assure compliance with state statutes and amends its Bylaws, Rules, and Regulations as necessary.

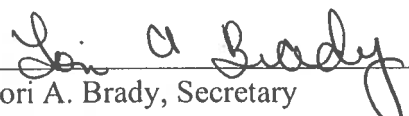
NOW, THEREFORE IT IS RESOLVED, that Section 7 of the Bylaws, Rules and Regulations is hereby amended as shown on Exhibit "A", attached.

DONE this 9th day of January, 2024



G. Douglas Simpson, Chairman

Attest:



Lori A. Brady, Secretary

EXHIBIT

“A”

SECTION 7: BOARD OF DIRECTORS 2024-01-01**A. ORGANIZATIONAL MEETING**

The Directors shall organize as a board at the Board Meeting held in January of each year and shall elect a Chairman and Vice-Chairman from their number and appoint a Secretary, Treasurer, and Auditing Officer and such other officers as they deem necessary and appropriate to serve during the ensuing year.

B. REGULAR MEETINGS

Regular monthly meetings of the District’s Board of Directors shall be held at the District Office on the first Tuesday of each month at 1:30 p.m. If the regular monthly board meeting falls on a holiday or the day after a holiday, the meeting will be held on the second Tuesday of the month.¹ Any of the said meetings may be adjourned from time to time as may be required for the proper transaction of business. All meetings of the Directors shall be public unless permitted to be executive sessions² to consider transactions regarding real estate, personnel matters, or pending litigation. A majority of the directors shall constitute a quorum for the transaction of business and in all matters requiring action by the Board there shall be a concurrence of at least the majority of the Directors present.

C. SPECIAL MEETINGS

A special meeting³ may be called at any time by the Chairman of the Board or by the majority of the Board of Directors by delivering notice personally or by mail to each Board Member. Such notice must be delivered at least twenty-four hours before the time of such meeting. The notice shall specify the time and place of the special meeting and the business to be transacted. Final disposition shall not be taken on any other matter at such meetings by the governing body. Such notice may be dispensed with as to any member who at or prior to the time the meeting convenes files with the Secretary of the Board a written waiver of notice. Such waiver may be given by email. Such written notice may also be dispensed with as to any member who is actually present at the meeting at the time it convenes. The notices provided in this section may be dispensed with in the event a special meeting is called to deal with an emergency involving injury or damage to persons or property or the likelihood of such injury or damage, when time requirements of such notice would make notice impractical and increase the likelihood of such injury or damage.

¹ RCW 87.03.115

² RCW 42.30.110

³ Chapter 42.30 RCW

D. ADJOURNMENTS

The Board of Directors may adjourn any regular, adjourned regular, special or adjourned special meeting to a time and place specified in the order of adjournment. Having less than a quorum may require such adjournment from time to time. If all Board Members are absent from any regular or adjourned regular meeting, the Secretary of the Board may declare the meeting adjourned to a stated time and place. Whenever any meeting is adjourned a copy of the notice of adjournment shall be conspicuously posted immediately after the time of the adjournment on or near the door of the place where the regular, adjourned regular, special or adjourned meeting was held. When a regular or adjourned regular meeting is adjourned as provided in this section, the resulting adjourned regular meeting is a regular meeting for all purposes. When an order of adjournment of any meeting fails to state the hour at which the adjourned meeting is to be held, it shall be held at 1:30 p.m.

E. NOTICE TO MEDIA

Notice of regular meetings, adjourned regular meetings, special meetings, and adjourned special board meetings shall be given to any local new media which has on file with the Board a written request to be notified of such meetings. Notice will be delivered electronically.

F. COMPENSATION

The Directors shall receive no salary but shall receive compensation for attending meetings or when otherwise engaged in District business in the maximum amount set by statute.⁴ Directors shall also receive reimbursement for the necessary expenses of food, travel, lodging, parking, etc., when attending meetings or when otherwise engaged in District business. A Director using a personal automobile on District business shall be entitled to mileage compensation for the actual and necessary number of miles traveled. The allowable rate shall be the IRS allowable rate.

G. POWER AND DUTIES

The Board shall have the power and it shall be its duty:

1. To adopt a seal for the District.
2. To manage and conduct all the business and affairs of the District.
3. To authorize all necessary contracts.
4. To employ and appoint such agents, officers, and employees as may be necessary and define their duties and fix their compensation.

⁴ RCW 87.03.460. The maximum current allowable daily rate.

5. To establish such Bylaws, Rules, and Regulations as may from time to time be prudent and necessary, for the government and management of the District for the distribution of water to the lands within the District.
6. To enter upon any land to make surveys and locate the necessary irrigation works, power plants, and power sites for any canal or canals or waste ways and the necessary branches or laterals for the same on any lands which may be deemed best for such locations.
7. To acquire either by purchase, condemnation or other legal or other legal means all lands, water, water rights, and other property necessary for the construction, use, supply, maintenance, repair and improvement of all canals, laterals, pipelines, conduits, power sites, power lines, telephone lines, waste ways, reservoirs for the storage of water, irrigation works and all necessary appurtenances lying within or without the boundaries of the District.
8. To assess, levy and collect assessments as provided by law.
9. To pay the debts and expenses of the District as provided by law.
10. To grant or deny petitioner applications for water rights from owners of lands who do not have water rights, and to establish price at which said water rights shall be granted.
11. To perform any and all other acts provided by these Bylaws, Rules, and Regulations or by the laws of the State of Washington reasonably necessary to carry on and conduct the business and affairs of the District.