

REGULAR MEETING

BOARD OF DIRECTORS

October 11, 2022

The Board of Directors of Lake Chelan Reclamation District met for their regular Board meeting at the office of the District on October 11, 2022. The meeting was called to order at 8:00 a.m. by Board President Dave Clark. Those in attendance were:

BOARD

Dave Clark
Chad Steiner, via Zoom
Carl Peterson
Allan Torgesen

STAFF

Rodney L. Anderson
Mary Lou Brooks
Jennifer Collins

GUESTS

Jared England
Robert Siderius, Attorney
Phyllis Gleasman
Clyde Lay, USBR
Toby McKay, IFC
Tony Goedde
Tim McLaughlin
Troy Waters, USBR

MINUTES – FINANCIAL REVIEW – STATUS OF FUNDS

A motion was made by Director Torgesen and seconded by Director Peterson to approve the September 13, 2022 minutes, budgets, and investments, as mailed. Motion carried unanimously.

ACCOUNTS PAYABLE

Secretary-Manager Anderson presented the accounts payables for review and approval. Accounts payable checks 17625 through 17663 (including EFT payments) totaled \$244,045.60 and were broken down as follows:

Irrigation O & M Investment	\$ 60,904.72
Irrigation Construction	\$ 0.00
Bond Proceeds – MCC Upgrade Costs	\$ 316.63
Domestic O & M Investment	\$110,153.44
Domestic Construction	\$ 17,192.53
Sewer O & M Investment	\$ 52,456.84
Sewer Construction	\$ 3,021.44

A motion was made by Director Torgesen and seconded by Director Peterson to approve the accounts payables as listed. Motion passed unanimously.

MANAGER’S REPORT

Irrigation: Irrigation water shut off is Friday, October 14th.

The Board of Equalization will be set for Tuesday, November 8th, at 8:15 am.

Domestic: Nothing to report.

Sewer: Nothing to report.

Administrative: Audit is on-going.

Field employee over-time is steadily declining, with less call outs and down time, largely due to the irrigation system upgrades. Currently it is at the lowest level in the last 10 years.

OLD BUSINESS

USBR Contract – Title Transfer Discussion: Troy Waters from the Bureau of Reclamation in Ellensburg, gave a slide presentation entitled Transferring Title for Reclamation Project Facilities. The first steps in the process are (1) Initial request for title transfer; (2) Completion of Title Transfer Information Sheets; (3) Commissioner approval to proceed; and (4) Memorandum of Agreement. The Bureau also will want to determine the future plans of the District once title is transferred.

The analysis process includes developing a communication plan and identify all stakeholders. Perform all necessary activities to comply with environmental and cultural applicable laws and regulations. Review all requested land or interest in land. Conduct on-site pre-transfer review of facilities. A draft title transfer agreement and title eligibility report will be prepared.

Since the Dingell Act was initiated, the title transfer process includes submitting paperwork to the Department of Interior for approval. Congress has a 90-day review period, then there's a 30-day public notice period. At the conclusion, the documentation will be signed, and ownership transferred. The initial estimated cost is \$150,000, plus the payoff amount for the Contract, which could total \$950,000. The time frame depends on the other entities in front of us, as well as how much time and work the Bureau needs to spend on transferring easements.

Some entities decide not to transfer title even after they pay off their contract. A district in Idaho paid off their contract 15 years ago and decided it was in their best interest to stay with the Bureau as a backup mechanism. The main reason for transferring title is the urbanization aspect, as the Bureau is slow when dealing with easements. The other aspect is if the district has a sour relationship with the Bureau and they're happy not to deal with them any longer. Since the Bureau has a good working relationship with the District, the urbanization aspect may be the reason for LCRD to transfer ownership at this time. Other districts have done a partial transfer, which is another option available for discussion. After considerable discussion, it was the consensus of the Board for Manager Anderson to pursue the matter further by sending an email to Clyde Lay at the Bureau inquiring further about the Contract payoff amount.

RH2 Contract Amendment: RH2 has submitted a contract amendment to include 'services during construction' during Phase 3 of the MCC Upgrade Project for pumping plants B, C, D & F. The original engineering Contract came in at 24% under budget, which was put into the Amended Contract being proposed. The Contract covers processing pay requests from the contractor, as well as inspections of the facilities during the upgrade process. After some discussion and all questions answered, a motion was made by Director Peterson and seconded by Director Torgesen to approve and for Manager Anderson to sign RH2 Engineering's Contract Amendment as presented. Motion carried unanimously.

NEW BUSINESS

2023 Budgets: Manager Anderson stated that the budgets are preliminary at this time, as he still has some issues to finalize.

Coral Street Encroachments: It was recently brought to the attention of the District that 2 properties on Coral Street have encroachments that burden District property. Lot 3 of Lake Vista Plat has a non-permitted above ground swimming pool that extends approximately 3-5 feet onto District land and lot 3 of Rozanski Short Plat has started to build a non-permitted retaining wall approximately 16' onto District property and it is located over the top of a sewer mainline. Manager Anderson will discuss with the Districts' legal counsel for a recommendation on the Districts next course of action.

Coral Street Easement: There is an old easement in the lower 10' feet as shown on the Lake Vista Addition to Manson. Three of the four parcels no longer have an active sewer line within that easement and it is being requested for the District to relinquish their interest. The fourth property, lot 5 does have an active sewer line and a clean out, which cannot be abandoned. The owner of lot 3 has hired attorney, Jeff Feher to draft a Relinquishment of Easement for lots 2, 3 and 4. Manager Anderson stated that he does not see any issues with signing the request as the District has no utilities in that old easement. After considerable discussion a motion was made by Director Torgersen and seconded by Director Peterson to relinquish and abandon said easement. Motion carried unanimously.


Contractor Fine: It was recently discovered that a contractor moved one of the District meters in the new Manson Grove development without approval of the District. He shut off the District's mainline and spliced into the service line without our knowledge or approval. The RCW, as well as District rules and regulations state that we can fine a contractor up to \$1,000 for tampering with our infrastructure, as there is potential for considerable damage and risk to public health if broken. After considerable discussion, a motion was made by Director Peterson and seconded by Director Torgesen to fine the contractor \$1,000 for tampering with District infrastructure. Motion carried unanimously.

PUBLIC COMMENT


No public comment at this time.

ADJOURNMENT


Being no further business to come before the Board, President Dave Clark adjourned the meeting at 9:43 a.m.

Signed: 
President







Attest: 
Secretary-Manager

October 2022