

Regular Meeting Minutes

Klamath Project Drought Response Agency
Regular Board Meeting
December 5, 2023
1:30 pm

MEETING CALLED TO ORDER

Marc Staunton, the President, called the regularly scheduled Board of Directors meeting of the Klamath Project Drought Response Agency (KPDRA) to order on Tuesday, December 5, 2023, at 1:31 pm at KWUA boardroom at 2312 South Sixth Street and via the online conference platform called Zoom.

ROLL CALL

Directors Present: Marc Staunton, Rob Unruh, Paul Crawford, Tim O'Conner, Luke Robison, and Mike McKoen
Guests: Chelsea Shearer, Nathan Ratliff, Moss Driscoll, Dustin Bohn, Nick Grounds, Brad Kirby, Marcio Nunes, Kelsey Gill, Gene Souza, Paul Simmons, and Kyle Knutson.

Agenda

The board was presented with the agenda. The board approved the proposed amended agenda by consensus.

Public Comment

No Public Comment

Review/Approve and/or Ratify Bills, Invoices and Financial Reports

Nathan stated that he submitted a reprint for the MBK check as the signature line got ripped off. There is a copy of the damaged check on invoice 2112. Nathan also reviewed the audit and asked for approval. After motion was seconded and discussion ensued, Mike had to step out for a call.

Motion: Approve financials, pay the invoiced bills, and approve the audit as presented.

Motion by: Paul Crawford Second: Luke Robinson

Roll call: Unanimous (Mike McKoen not present during vote)

Motion Passes

Minutes

The board reviewed the September 2023 and November 2023 minutes.

Motion: Approve the September 2023 and November 2023 minutes as presented.

Motion by: Paul Crawford Second: Tim O'Connor

Roll call: Unanimous

Motion Passes

Receive Report Regarding 2023 Program Administration

Nathan directed the board to the ASAP sheet. The new grant total is \$7,086,233, with some additional funds of \$1,878,828, leaving a total of \$8,841.78 available for the program. Paul Crawford asked how much money will have to be returned to the Cares program. Nathan stated approximately \$48,000, which will leave about \$300,000 to use in 2024 to add to the \$144,278 balance. Marc Staunton thanked KWUA and Nathan for putting pressure on Reclamation to release the funds.

Kyle Knutson reviews the acres with the board. 508 applications with an applied acre count of 34,377.90 are recommended for approval.

Motion: Motion to approve applications and acreages recommended for categories 1 and 2, approved in full or in part.

Motion by: Tim O'Connor Second: Mike McKoen

Roll call: Unanimous

Motion Passes

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Kyle went on to state that there were 3 late applications. (1) Terry Brown KDR230393 (1) Erick Johnson KDR230506 (1) Greg Carleton KDR23057

Mr. Brown did not reach out once notified of the late application. Mr. Johnson and Co-owner Marcio Nunes are present and requested to approach the board. Mr. Johnson introduced himself and Mr. Nunes, then deferred to Mr. Nunes. He stated that they applied for the program in 2022; however, the former owner helped them fill it out and submit it. He did not receive nor know about a program for 2023. The postcard that was mailed to the address was stolen with other mail items, and they had no idea a program was running otherwise. Weeks later, after the mail was recovered on the roadside, they saw the postcard and submitted the application that day. He is appealing to the board to allow his application to be submitted for entry into the program. He also recommends a more streamlined form of communication.

Marc Staunton stated that approving this late application on the basis of "not knowing" would set a precedent and open up a "can of worms." He said his understanding of being the 1st time they themselves have applied, they missed the deadline. He also agrees that DRA communication can be improved. Nathan stated that if approved, the DRA would open to everyone reapplying for the program. He went on to state that the DRA does not have a legal obligation to search everyone out and make sure they are given the opportunity to apply.

Nathan stated that KDR230506 and KDR230393 are in the previously denied category and that if the board takes no action it will remain in the denied category.

Nathan Ratliff addressed the 3rd late application submitted by Greg Carleton KDR23057. Nathan stated that Greg reached out to his office after he believed his application was submitted, and he did not receive a letter verifying his application. He stated that Mr. Carleton stated he believed he submitted his application via email through his AOL account on the final day. He has had trouble with AOL not sending emails and he spent many hours on the phone with AOL tech support trying to find some trail of his email. Mr. Carleton submitted photos with a time stamp (within the deadline) of his completed applications. Board members agreed it's hard to say whether he did or believes he did hit send on the email. Nathan stated he is in the denied category, so unless there is a motion to move the application out of the category, it would be denied. Mike McKoen stated that Mr. Carleton's character is honest and above par, and if he says he sent it, he believes him. McKoen continued that the DRA has never had an applicant state that they emailed it and we didn't get it, but it is completely possible as emails are lost daily.

MBK presented a summary of applications deemed denied, Category 5, applications for lands not within the Program boundaries, Category 6, applications not verified by districts per policy, Categories 7 & 10.

Motion: Move to approve the late applications submitted by Greg Carleton to the approved category, subject to district verification.

Motion by: Mike McKoen Second: Paul Crawford

Roll call: Mike: Aye, Paul, Aye, Tim O'Connor Aye, Luke Robison Aye

Marc Staunton: No

Rob Unruh: No Vote

Motion Passes

Motion: Move to deem Category 5 (withdraw apps) as denied.

Motion by: Tim O'Connor Second: Mike McKoen

Roll call: Unanimous

Motion Passes

Motion: Move to Deny Category 6 for the reason that applications are for land not within the 2023 Program Policy

Motion by: Mike McKoen Second: Tim O'Connor

Roll call: Unanimous

Motion Passes

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Motion: Move to Deny Category 7 & 10 for the reason that applications have been denied by district verification.

Motion by: Tim O'Connor Second: Mike McKoen

Roll call: Unanimous

Motion Passes

Motion: Move to authorize payment to the assignee of assigned, approved claim in a form approved by legal counsel and board president.

Motion by: Mike McKoen Second: Tim O'Connor

Roll call: Unanimous

Motion Passes

Kyle continued with a wrap-up spreadsheet. There are \$8,841,246.32 of funds available. With the current numbers and projections in the spreadsheet, the program could pay full season idle at \$310.46 and partial \$155.23.

Tim O'Connor leaves the meeting at 3:27 pm.

Paul Crawford asked for clarification on the fact that if \$310 was paid per acre, the DRA would not "borrow" from any future programs. He does not want to pay more this year and go into the negative. Kyle confirmed this number is with no borrowing.

Motion: Move to pay \$310 per acre for full-season applications.

Motion by: Mike McKoen Second: Paul Crawford

Roll call: Unanimous

Motion Passes

Provide direction to staff in relation to payment and future administration

The Board directed Nathan to issue payment and direct the accountant to issue and mail checks out by year-end.

It was requested that the DRA be standardized in terms of how it will advertise in the future and the term limits of board members during the next meeting.

Motion: Adjourn meeting.

Motion by: Mike McKoen Second: Paul Crawford

Roll call: Unanimous Pass

The next meeting date will be January 30, 2024 at 1:30 pm. . Being no further business, the meeting was adjourned by consensus at 2:36 pm.

Minutes prepared by Chelsea Shearer

Approved: Marc Staunton , President

Approved: Rob Unruh , Secretary