

# Regular Meeting Minutes

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**2018 Klamath Project Drought Response Agency  
Regular Board Meeting  
July 25, 2018  
11:00 PM**

## **CALL TO ORDER**

Jerry Enman, called the Regular Board of Directors meeting of the 2018 Klamath Project Drought Response Agency (DRA) to order at 11:07 a.m. on Wednesday July 25, 2018 in the KDD conference room, located 250 Main Street, Klamath Falls Oregon.

## **ROLL CALL**

Appointed Directors Present: Marc Staunton & Jerry Enman.  
Absent: Luther Horsley

Guests: Lee Berget, Bob Bailey, Nancy Lyon, Gary Derry, Rowena Chase, Laura Hall, Mark Johnson, Mark VanCamp, Holly Dillemoth, Rob Unruh, Luke Robison, Debbie Caldwell, Richard Fairclo, Bill Ganong, Chelsea Shearer, Don Russell, Laura Williams, Richard Deitchman & Ross Fleming.

**Three appointed directors are from the 1<sup>st</sup> three irrigation districts that signed the intergovernmental agency. There will be four other seats to be held by other directors. Shasta View, Malin and Van Brimmer irrigation districts purposed; Mike McKoen, Luke Robison, Rob Unruh, and Gary Derry.**

## **Selection of additional directors and swearing in**

Board member Marc Staunton accepted the nominations, he opened the floor for other nominations for any of the four open board of Director position. With none being heard, nominations closed.

Motion: To close nominations and cast a unanimous vote for the appointed boards nomination recommendations.

Motion by: Marc Staunton                      Second by: Jerry Enman

Action: Motion carried unanimously

Richard Fairclo spoke on behalf of Luther Horsley and asked if the board would also consider electing alternates. Request was heard, no action taken.

Board members Jerry Enman, Gary Derry, Mike McKoen, Luke Robison, and Rob Unruh is sworn to follow the oath of office under the State of Oregon. Luther Horsley will swear in and sign oath upon his return. Marc Staunton swore to follow the oath of office under the State of California.

## **Selection of Officers and Staff**

Marc Staunton opened the floor for nominations for President. Gary Derry Nominated Marc Staunton. No additional nominations for President were made.

Motion: To close nominations and cast a unanimous vote for Marc Staunton as President

Motion by: Gary Derry                              Second by: Michael McKoen

Action: Motion carried unanimously

Marc Staunton opened the floor for nominations for Vice President. Luke Robison nominated Gary Derry. No additional nominations for Vice President.

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Motion: To close nominations and cast a unanimous vote for Gary Derry as Vice President  
Motion by: Luke Robison Second by: Rob Unruh  
Action: Motion carried unanimously

Marc Staunton opened the floor for nominations for Secretary. Mike McKoen nominated Rob Unruh. Rob stated that he would accept the nomination only he could designate a note/minute taker. Legal counsel confirmed no restrictions. Rob Designates Chelsea Shearer as note/minute taker. No additional nominations for President.

Motion: To close nominations and cast a unanimous vote for Rob Unruh as Secretary and Chelsea Shearer to take notes/minutes.

Motion by: Mike McKoen Second by: Jerry Enman

Action: Motion carried unanimously

Marc Staunton opened the floor for nominations for Treasurer & Auditor. Legal counsel noted that this position does not have to be a board member. On behalf of Luther Horsley, Richard Fairclo suggested that Amy Chandler who is employed at the Isler Group be contracted to hold this position. The group discussed the nomination.

Gary Derry nominated Marc Staunton. No additional nominations for Treasurer & Auditor.

Motion: To close nominations and cast a unanimous vote to authorize Luther Horsley to look at contracting with Isler group for Treasurer & Auditor and bring back information to the board at the next meeting.

Motion by: Gary Derry Second by: Michael McKoen

Action: Motion carried unanimously

## **Financials**

Richard Fairclo stated that the three primary districts (TID, KID, & KDD) agreed they would provide a onetime contribution with the understanding said contribution amount would be 100% refunded once Reclamation funding was released. The contribution would be calculated at 20% of the number of acres in each primary district at \$1.00. the purpose of this contribution would be to fund the agency until reclamation funding is made available. Marc Staunton asks when the contribution needed to be available. There was no definitive answer yet.

The board acknowledges the idea of contributions funding the agency. It was agreed that this topic should be revisited at another meeting once Isler of such group is appointed. If needed, a special meeting will be set up prior the next meeting on August 8 to handle a bank account.

## **Contract**

Richard Fairclo led the discussion of the status of the proposed contract with the United States regarding acquisition of water made available by Klamath Project Contractors. The lawyers for the 3 primary districts are currently working with the solicitors on how drought funds will be issued.

It the contracts current draft state, parties will be between the United States and the DRA. Then through the districts water would be made available to project contractors. Under the current designation of the Drought Relief Act; the funding would be non-reimbursable provided the water can be made available to the refuge. Only after water is made available would the United States provide the funding.

Lee Berget with the Klamath Reclamation Area Office stated that the contract should be ready in draft form by end of day Friday, July 27, 2018. The districts would need to be able to review the contracts before their meeting with Reclamation's Regional Director, David Murillo.

Marc Staunton clarified that the discussed contracts are for funding the DRA not the contracts that the applying producer will sign for the program. Richard Fairclo stated that the DRA could began taking applications for the

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program to gain an understanding of the need. However; no contracts with the applicants and DRA should happen unless there is a secure contingency clause. Jerry Enman reminded the members that they need to be present during district contract signing and steer the discussion in the right direction. He also stated that the contract for KID must indicate what sources the purchased water is coming from as to protect the district or they will not sign.

Audience member Bob Bailey asked the board if they have any idea what the "water purchase acre number" is? He was answered with uncertainty. However, Jerry Enman stated that at one point they BOR was asking to purchase 40TAF.

### Staff/Consultants

Michael McKoen requested that the agency stay as lean a possible, suggests that the agency partner with another agency that has space to be housed out of. Jerry Enman suggests that Mark VanCamp with MBK Engineers run the program as they are already set up and ready to take applicants. Marc Staunton agrees MBK should handle the contracting and Isler should handle the financials. Bill Ganong suggests that the agency hire an attorney. The board asks Richard Deitchman to draft a list of "to do's" to get the agencies administrative duties running such as IEN numbers, registering with SAM, and staffing. There is no action taken on these items. The board may call a special meeting to deal with the subjects.

### Public Comment

Mark VanCamp with MBK stated that their firm is on standby to run the program. They have all the KWAPA's 2015 files. The board will need to submit rules and guidelines so that an applications can be created, and the firm is ready to do that. VanCamp asks the board if they saw an issue with advertising a request for those patrons wishing to participate in the program to gain a better understanding of how many acres are idling in good faith and how much ground water pumping was pumped retroactive to April. The board agreed that they needed that information and did not see an issue as long as those submitting knew nothing was final. After discussion, no motion or affirmative direction was given to proceed with advertising.

Gary Derry reminded the board that they are all volunteers and they need to coordinate effectively with each other. This topic will be addressed in the next special meeting. For the time being Ritch Deitchman will organize the meetings and correspondence.

Being no further business, Marc Staunton adjourned the meeting at 12:48pm

### Next Meeting

*Meeting will be held every 2<sup>nd</sup> and 4<sup>th</sup> Wednesday of the month at 11am with locations to be announced.*

Approved: Marc Staunton , President

Approved: Rob Unruh , Secretary