

Tuesday, November 14, 2017

Farmers Union Ditch Meeting

Board Present:

Sam Rosti, Lloyd Akins, Tom Foster

Craig Waddell, Ditch Rider

Rosalie Cope, Secretary/Bookkeeper

Jerry Kiser, Attorney for FUD

Guests: Jake Nelson and Rob Gronowski with Keller Associates, Felisa Waste and representative from Idaho Power, Star Sewer & Water representatives, Don Newell from Roselands subdivision, John Tensen.

Sam Rosti called the meeting to order at 5:03 p.m.

Don Newell and Kevin McCarthy representing Roselands subdivision are planning to install a static irrigation system for Roselands. The bare ground is currently not being farmed so this is the time to evaluate the water system as there is a shortage of water for the entire property. The existing pump station needs some work in order to properly operate the irrigation system. There currently is no license agreement in place with Farmer's Union and Mr. Newell would like to get everything in order before turning over to the HOA. Jerry said a crossing agreement is simple, basically they need to not obstruct the canal right-of-way, not interfere with the canal and Farmer's Union agrees to deliver water to their designated point of delivery. Jerry stated they would need to work out an agreement with Peterson for an easement to where the pump station currently is. Mr. Newell says originally the water delivery system was designed to also serve as a water feature and poses a couple of problems, water is being wasted and is now flooding neighboring properties. Mr. Newell asked the board if the existing pump station could be relocated to the north side of the canal. In order to relocate power would need to be run under the canal. By redoing the system Mr. Newell believes there would be enough water to satisfy the existing homes and irrigate the farm ground for now. Sam stated the system will not work on the north side of the canal and shouldn't require that much fill to get proper elevation in the existing location. Mr. Newell asked if the Board is ok with the new station being relocated to the north side of the canal. Sam said Farmer's Union does not own the ground so they are free to move it if that is what they choose to do. Jerry reiterated a crossing agreement would be necessary if the pump station is to be moved. They are going to price the project and report back to the Board.

Representatives from Star Sewer & Water reported the district is planning to build a second water tank next to the existing tank. They will be drilling a new well and

extending a 24" water main to the tank. The current water main is 14" and runs under a bridge that crosses the Farmer's Union canal. They will need to go under the canal with the new main and electrical also. There are a couple of options for crossing locations.

It was brought up that when the existing tank is drained or happens to overflow the water is discharged into the Farmer's Union canal. This is not as much of a problem during irrigation season, but in the off season the water causes a "wet ditch" and ice is allowed to build up. At this time they are not intending to modify the current system and may need to add an overflow to the new pump. There should not be that much water discharged from the tank. The only times it is drained are for maintenance and if the well doesn't turn off for some reason or a mechanical problem occurs. They have some control over when it is drained and will work toward a solution. Craig said there is a natural drain along the access road that dumps into a drain in Roselands subdivision, then drains into a field where the old dairy barn was. The pipe runs through Roselands, but Lloyd doesn't know how far. He said there are 2 drains and one may be a pipe that runs under the canal. Craig said since they are already digging under the canal this might be the time to run the drains under the canal and correct the problems. Sam asked if they could tell us how much water is being drained and how often and said Farmer's Union will work with them.

They plan to dig a test well and are looking at a couple of alternative sites. Even if the new well is not installed at that location the second tank will be installed. The tank will be 500,000 to 750,000 capacity. Craig would like to see the new main and electrical 8' under bottom of the canal. It needs to be sleeved and extend out 25' from the top of the bank on either side. The existing main is 4' under the canal and encased in concrete. They are planning to go 4' with the new main and it will be encased in steel. Craig said he will cut a 25' road on the north side that parallels the canal while they are doing construction so the Farmer's Union right-of-way will be apparent. The group presented a set of plans and referred the board to exhibit C405. The exhibit shows where the overhead power line will run. The closest 3-phase power comes from the Roselands subdivision pump station. Idaho Power plans to install an overhead crossing of the canal. Lloyd asked how high the lines would be. Craig said they need to be a minimum of 15' above the canal road and posts need to be at least 35' outside the bank from the edge of the road. Star Sewer & Water will send a letter with plans and diagrams to Jerry so he may review and prepare a crossing agreement. Jerry said Idaho Power will need a separate crossing agreement.

Sam asked where they are with plans for the waste water site. A feasibility study was done and the project is feasible but not cost effective at this time. It is phase II of this project and is 5-10 years out.

John Tensen had previously sent Jerry a revised copy of the plans for the Whitewater Park and has been working with Craig. Jerry asked Mr. Tensen for clarification on a couple of items; is the #3 spillway at the old swing location and are they going to be

doing the bank restoration work at Veterans Memorial Park pond as part of their scope of work this fall? John confirmed the #3 spillway is at the old swing location and the work at the pond is slated to be done next year. Mr. Tensen explained the pipe will go under what is going to be the new greenbelt. They plan to fill in part of the bank along the pond, but just enough to set the pipe for now. Jerry also informed Mr. Tensen that Farmer's Union has a signal wire that controls the head gates which runs from the red building along the canal access road. If they plan to dig the road down they will cut the wire.

The board asked if the plans had been revised to put a spill in where the low spot is along the greenbelt which was in danger of flooding last winter. Mr. Tensen stated work is being done now to repair the bank and they are going to look at the elevation of the greenbelt to try to resolve the flooding issues. The board also told Mr. Tensen that the check board slots need bolts. With the high water last year the boards were being pushed out.

Craig said he does not have any issues with the current design plans. John said the two piers under the bridge will be removed and replaced with one pier that is shorter. Craig and John have been working together as concerns arise. Jerry asked if the bridges are going in this fall. Mr. Tensen said yes. Mr. McMillen sent Jerry a copy of the old agreement and Jerry is currently reviewing. John reiterated this work is part of the Whitewater park flood control. The weir work is what has been in question. Jerry asked if the crossing agreement with McMillen is subject to the attorney fees of the 2014 agreement with the exception of a measuring device. John said the attorney fees will remain in place and their use of the Farmer's Union canal should be enough to cover the cost of the weir. We will need a new agreement for the work to be done in 2018. Use of the canal for diversion will be addressed in approval of the final phase. Jerry asked if John could send a general letter or email outlining what has been agreed upon.

Sam said Black Canyon Irrigation uses old railroad track to protect the weed rack on their head gate. They keep the large debris off the rack and a track hoe won't damage them when cleaning off the debris. Sam and Craig have already talked about it and would like to install something similar in front of the Farmer's Union head gate. Sam is trying to locate some old railroad track.

Minutes were read by Rosalie Cope.
Minutes approved with corrections.

Sam asked Craig for a report on Kendall Rivers. Craig reported he informed Kendall he did not have to test anymore and that his job was secure until spring.

Craig Waddell reported the new pickup is still in the shop but is close to being done. He would like to put a winch on the back bumper. Craig also reported the backhoe is repaired and the cost was around \$4,000.

Sam reported he, Lloyd and Jerry met with representatives from Belmar Estates. Sam asked Craig if he has enough concrete to stabilize the bank there.

Craig reported he is going to remove the old head gates next week. He said there is water spilling into the canal from either Boise City or the geothermal from the greenhouse. This was discussed at the June meeting and Mr. Harrison from Boise City Canal stated he believes the water spilling into the FUD canal is ACHD drainage along with geothermal. The board directed Craig to locate the pipes draining into the canal so the source of the water can be identified.

Sam asked if Lloyd had heard anything back on the appraisal of the Clover property. Lloyd stated he had not heard but will follow up on the appraisal before contacting the owner of the property FUD is interested in.

Jerry reported he received a call from the engineer for the Vine Estates project and received a copy of the plans and diagrams. The plans are not close enough to being complete to present at this meeting. Jerry prepared a crossing agreement for Idaho Power. Intermountain Gas was required to go 6' under the bottom of the canal and Idaho Power is requesting to go 4' and sleeve the line. Lloyd thinks 4' is sufficient. Sam stated the agreement needs to specify they go out at least 25' on either side of the canal.

Jerry reported he sent an email to Mr. Dvorak, council for Belmar Estates regarding tree removal and canal maintenance. In the email Mr. Dvorak outlines a wrought iron fence will be built along the easement line as was staked. Jerry asked Craig if he would document where the stakes are. The fence will have no gates and will not fence the common areas. Jerry stated Belmar is not going to agree to maintain the trees. They are going to trim once the dead and leaning trees are removed. Craig has been working with them to identify the trees that need attention this year. In the email Jerry also reiterates Mr. Dvorak's statement that "As the property owner this is Bel Mar's responsibility anyway."

Jerry spoke to Mr. White with Abco Engineering and he requested minutes from the September meeting. Mr. White requested the minutes so he could document to his client Mr. Ostrogorsky what the Farmer's Union board had told him in regards to stabilizing the bank below Mr. Ostrogorsky's home. Jerry sent Mr. White a redacted copy of the September minutes.

The BOR told Jerry the final numbers for 2017 Lucky Peak O&M should be similar to 2016 and charges for 2018 should be the same. However, approximately \$2 million in "trued up" extraordinary expenses will fall into 2019.

Jerry presented a document he received outlining proposed guidelines for Idaho NFIP Communities. He stated FEMA is trying to place regulations on cities across the United States in flood plains. The BOR has been dealing with FEMA along with

representatives from IDWR. Jerry said FEMA presented this document however he understands IDWR drafted it. The document poses much concern.

The board reviewed the proposed 2018 budget and voted to increase employee bonuses from \$500 to \$600 each for 2018. Sam asked Rosalie to find out if Cap Ed Credit Union or Idaho Central offers interest bearing checking accounts.

Rosalie provided the board with an A/R Aging Summary showing the shareholders who are delinquent on their assessments. At this time there is still the one outstanding assessment for \$165.72. Jerry plans to send them another letter. Rosalie is going to send Jerry a November statement reflecting additional finance charges.

Rosalie provided the board with the Third Quarter financial statement prepared by Crandall –Swenson.

Lloyd Akins moved to adjourn the meeting; motion was seconded by Tom Foster. Meeting adjourned at 9:46 p.m.