

Monday, December 8, 2025

## Farmers Union Ditch Meeting

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Board Present:

Sam Rosti, Paul Akins, John Schram, Bert Browen, Corey Blaine

Seth Kettering, Sean Kettering, Dale Wood – Ditch Riders

Rosalie Cope, Secretary/Bookkeeper

Andrew Waldera, Attorney for FUD

Sam Rosti called the meeting to order at 6:21 p.m.

Jacob Zwygart attended the meeting to express his concern regarding private records for shareholders of Farmers Union. As part of a records request he received personal information for non-Farmer's Union shareholders and people who are no longer shareholders. He views that as a privacy breach. Sam explained there is so much change on a daily basis that records have a hard time keeping up.

Mr. Zwygart asked what the process is for Board nominations. Andy explained that is typically outlined under the bylaws and articles of a corporation and in the case of Farmers Union they do not speak to the nomination. Therefore, it reverts to the Non-Profit Corporation Act Title 30 Section 30. In the past, the Company has solicited from the floor which is typical of how ditch companies operate.

There was some discussion about holding a vote at the annual meeting in regards to the Eagle Sewer District agreement. The Board is vested with the legal authority to make decisions to be in the best interest of the company by relying on the expertise of others consulted. The idea of the shareholders voting in retrospect to undo a contract the Board was legally authorized to enter into is allowing the shareholders to usurp the Board's authority and decision making abilities. Bert Browen made a motion to approve the opinion letter drafted by Andy to help answer some of the questions that have come up regarding Class A treated water and authorized Rosalie to send out to the shareholders; motion was seconded by John Schram. Motion was unanimously approved. The Board agreed to send a letter out to shareholders to help answer some of the questions that have come up regarding Class A treated water. If there are follow up questions they can be answered at the annual meeting but it will be made clear at the beginning of the meeting that only a certain amount of time will be allowed for the discussion.

## DITCH RIDER REPORT

The City of Boise has agreed to install gates and Trevor Kesner with Boise City Parks and Recreation was on the agenda to review the City's plans for gates on the canal at Willow Lane and Collister. Sam asked Seth to meet with Mr. Kesner on-site to go over the plans.

Minutes from the November meeting were e-mailed to the Board for review. John Schram moved to approve the November minutes with corrections; motion was seconded by Bert Browen. Motion was unanimously approved.

## ATTORNEY'S REPORT

In January the various pieces of legislation will be approved through the Water Users Association legislation committee. He will let the Board know what those Bills are when they actually move forward.

There is a piece of legislation that may move forward under 42-12-07 (*Ditch Relocation or Piping Statute*) where the Boise Project Board of Control seeks to amend the statute that will allow 12-07 to be used to unilaterally by irrigation ditch owners to move infrastructure on people's property provided that it is relocated within the existing canal or ditch easement. Andy has some concerns over unrelated consequences of the amendment.

## NEW BUSINESS

The surety bond for the Board is up for renewal in January. The current Bond only covers 3 Board members and the cost to add all five Board members is \$250 which is \$100 increase. The Board asked what the Company's overall liability policy is per occurrence and if something can be added per Board member as well. Rosalie will look into it.

Rosalie provided the Board with a revised draft of the 2026 budget for review. The proposed budget leaves the assessment rate at \$1,073.76 and includes the increase in administrative fee from \$25 to \$50 as voted on at the December 2024 meeting.

Rosalie provided the Board with a salary comparison for review. The Board agreed to continue the 3% C.O.L.A. increase in salaries. John Schram made a motion to raise Sean Kettering's salary to reflect \$25.25 per hour, Seth to \$31.25 and Rosalie to \$30; motion was seconded by Paul Akins. Motion was unanimously approved.

## COLLINA VISTA/TRAPPER RIDGE

An email was received from the Association Manager for Collina Vista HOA. The pumphouse residential roadway was recently paved and as a result the Association has received a significant increase in traffic through the community up to the pumphouse north of W Collina Vista Drive. They want to put a chain or some type of barrier across the road with Private Property signage/No vehicle or foot traffic is permitted beyond that point. Seth met with him on-site and Mr. Vickers is going to contact CBH Homes to see if they will install a barrier. The easement is too wide for a

gate or barrier to be effective. Any type of gate needs to be installed at the bottom, on the HOA's property. The Board suggested they have CBH Homes fix when they are there to install rip rap along the canal bank.

John Schram moved to approve the financials; motion was seconded by Bert Browen. Motion was unanimously approved.

John Schram moved to adjourn the meeting; motion was seconded by Bert Browen. Motion was unanimously approved. Meeting adjourned at 8:42 p.m.