

STATE ASSOCIATION OF WASHINGTON IRRIGATION DISTRICTS

MINUTES - Board of Directors meeting, Spokane, Washington, Monday, February 15, 1954:

Present - Fred Beisner, Paul Booker, J. K. Cheadle, R. W. Hendrick, Clifford Kail, Chris Larsen, A. D. MacKelvie, G. L. Sterling, Directors, and David P. Brown and Ted Newstrum.

The minutes of the Board of Directors meeting of November 14, 1953 were read and approved.

There was again discussion regarding an attorney to be asked to serve as a member of the Legislative Committee. Mr. Cheadle stated it was his and Mr. Powell's recommendation that Harry Olson be asked to serve, and after some discussion regarding compensation for the work, it was suggested that Mr. Beisner talk this over with Mr. Olson to see if he will serve.

During this discussion Mr. Cheadle mentioned that the State Dept. of Conservation & Development probably has an attorney assigned to it from the office of the Attorney General, and suggested some help on legislative matters might be secured through that Department.

Again discussing the subject of voting in irrigation district elections, it was agreed that it might be necessary to prepare two amendments - one to cover the situation on the Columbia Basin and one for the other districts in the State. It was thought the amendment for other than the Basin should be based on the Colorado law, which regulates the voting privilege according to the use made of the land, whether agricultural or horticultural. The Arizona law, which might be used as a basis for the Columbia Basin amendment, authorizes the board of directors of any irrigation district to "change the system of voting in a district from an individual and personal one to an acreage system of voting". (The Secretary is trying to secure a complete copy of the Arizona law.)

It was moved, seconded and approved that the Legislative Committee work up two amendments, one for the districts on the Columbia Basin and one for other districts in the state, and submit them to the Board for further consideration.

It was moved, seconded and approved that the Association scale of dues for 1954 be the same as for the year 1953.

After considerable discussion on the subject of the Association paying expenses of Directors who attend Director meetings, no agreement was reached and upon motion the subject was tabled.

The Secretary inquired whether there was any interest in trying to have the Internal Revenue ruling changed to enable irrigation districts to withhold income tax from their employees' earnings. It was pointed out that disrupting the classification of such employees as "Agricultural labor" might cause trouble, and decided that no action should be taken.

Because of lack of time, there was little discussion regarding the Second Progress Report of the Water Resources Policy Committee.

Mr. Hendrick brought up the matter of storage water and a survey of the water of the Okanogan River. A request had been made to the Dept. of Conservation & Development some time ago that a survey be made of the waters of the Okanogan River but no action had been taken by the Department. The Oroville-Tonasket I.D. recently passed a resolution requesting the Department to proceed with this survey and would like the cooperation of the Association. It was agreed that if the Oroville-Tonasket I.D. would send the Board a copy of their resolution and the Board approved such action, a letter would be written to the Department asking that they act favorably and promptly on this request.

There being no further business, the meeting adjourned.

Ted Newstrum, Secretary

STATE ASSOCIATION OF WASHINGTON IRRIGATION DISTRICTS

Minutes - Board of Directors meeting Ephrata, Wash., Tuesday, May 12, 1954:

Present - Fred Beisner, Paul Booker, R. W. Hendrick, Clifford Kail, Chris Larsen, C. O. Matson, A. D. MacKelvie, G. L. Sterling, C. M. Zediker, Directors, and Ted Newstrum. Also present were: Robert S. O'Brien and Mrs. Margaret Harris (Grant County Treasurer and Deputy), Paul Lemargie, Keith McDaniels, Roy Mundy and Ed Neal.

The Board met at the request of Mr. O'Brien, who is a member of the County Treasurers Association committee appointed to work on revision of state laws. Mr. O'Brien was chiefly concerned with an amendment to Section 87.32.160 which governs the sale of certificates on delinquent irrigation district assessments. The wording of this section which is causing the most difficulty is that "the person who will take the least quantity of the land.....is the purchaser". Mr. O'Brien proposed an amendment to the law which would delete this wording, and also suggested that the law be amended to encourage competitive bidding and permit sales to the highest bidder. He suggested that any excess received above the amounts due against each tract sold be retained in trust by the County Treasurer, as is done in sales of property for delinquent real estate taxes, and subsequently turned over to the owner of record if the property is not redeemed.

Upon motion, the Board agreed that the Association go on record as favoring the elimination of the least acreage provision of the law, retain the present time of one year for redemption, and refer to our Legislative Committee the question of the disposal of any excess funds received. Mr. Lemargie agreed to prepare a draft of such an amendment and submit copies to the Legislative Committee and to Mr. O'Brien.

Another change in the laws suggested by Mr. O'Brien concerned Section 87.32.140, the posting of delinquent lists. Mr. O'Brien proposed a revision of this law which would permit the publication of the delinquent list in place of posting.

Upon motion, the Board agreed that this suggested amendment should be studied by our Legislative Committee and that the committee should recommend any change in the law for further study by the Directors.

A letter from Mr. J. V. Rogers, Chairman of the Interstate Compact Commission, requesting that the Association appoint a representative to a council for the study and discussion of the Interstate Compact when drafted, was discussed by the Board. Mr. Beisner was suggested as the representative from the Association, with the understanding that should he be unable to undertake the job he should appoint an alternate.

There was discussion regarding the rates for Class 8.6, State Industrial Insurance and Medical Aid. It was agreed that the Secretary should attempt to get more information on the manner in which the basic rates are established by the Department of Labor & Industries, and whether court decisions in suits brought against the Department by injured employees affect the rates established.

There was again discussion regarding a proposed change in the law to restrict voting by city lot owners and owners of small tracts of land in irrigation district elections. It was again brought out by that the Association would prefer the proposal of one amendment, if possible, rather than one for the Columbia Basin districts and another for the other districts in the state. Mr. Lemargie suggested that after discussion of the matter with the Boards of the three Columbia Basin districts, he should prepare a draft of an amendment, based on the Colorado and Arizona laws, stating that upon petition by 51% of the landowners in a district the Board of Directors of that district would revise the district's voting procedure, basing the voting privilege upon either an acreage or land use basis. This would give the districts the alternative of using either basis for voting, and not affect in any way those districts which are not concerned with the problem. This met with the approval of the Board.

Mr. Beisner reported that the Mayor of the City of Yakima had appointed a committee to work on the problem of covering open irrigation ditches which run within the city limits. It was proposed at a meeting in Yakima that payment of the cost be shared by the city, the canal companies concerned, and the landowners through whose property the ditches run.

After general discussion the meeting adjourned.

Ted Newstrum, Secretary

On May 25th copies of a draft to amend Section 87.32.160, sales of delinquent certificates, was received from Mr. Lemargie. He also sent copies of this draft to Mr. O'Brien. It was thought that before the annual meeting of the County Treasurers Association, which is to be held in Wenatchee beginning June 7th, Mr. O'Brien should have a very clear understanding of the thinking of the Association Board on the proposed amendment to the law, and it was therefore decided to arrange another meeting with Mr. O'Brien and Mr. Lemargie before the Treasurer's meeting. Thursday, May 27th, was the only date available to Mr. Lemargie before the date of this meeting, which allowed very little notice to our Directors.

Present at this meeting in Ephrata were: Fred Beisner, A. D. MacKelvie, G. L. Sterling, Ted Newstrum, Paul Lemargie, Robert S. O'Brien and Mrs. Margaret Harris.

There was a thorough discussion of all the aspects of the proposed amendments, particularly of Section 87.32.160, sale of delinquent certificates, and it was generally agreed that an amendment should be prepared, after discussion by Mr. O'Brien at the County Treasurers' meeting, to change this section as follows:

1. Sales shall be to the highest and best bidder for cash.
2. If sold for more than the amount due against the property, the excess to be held in trust by the County Treasurer.
3. If the property is redeemed within one year, the excess, without interest, shall be refunded to the purchaser of the certificate.
4. If not redeemed, the excess, without interest, shall upon application be delivered to the owner of record at the time of sale, within three years from the date of the deed.
5. If no claim is received for the excess, it should be remitted to the district.

Regarding the posting of the delinquent lists, it was agreed that Section 87.32.140 be amended to read post or publish which will permit those districts who wish to continue their present method to do so if they wish.