



FEBRUARY BOARD OF DIRECTORS MEETING

West Extension Irrigation District

2/16/23 9:00 AM

Columbia Improvement District Office

501 E. Columbia Avenue, Boardman Oregon

–AGENDA TOPICS–

1. Call Meeting To Order / Introductions
2. Approval of Agenda
3. Special Business—Public Comments
4. Monthly Business
Approval of Minutes - January meeting
A/P List - January
5. Reports and Correspondence
Operations Report
Canal prep for Water start-up
Several customer updates—Matthews, Wetzell, Broadbent
2023 Pick-up ordered / 1994 Chev repair transmission or surplus?
Administrative Report
Info from District Attorney
Report from SDAO conference
Best Practices 2023
Managers Report
James Cross irrigation line issue (Quail Lane)
Report/potential drainage water reuse
Lateral 17 project/Morrow Co/funding options
6. District Business
Canal ROW Trespass/Umatilla area
Use of AIC crews/local labor crews
Eagle Crest Subdivision/water right request
Al Philips subdivision, Irrigon/easement/connect to pressure
7. Executive Session - An executive session may be called per ORS 192.660
8. Other Business
9. Adjournment

Meeting Procedures: Agenda items will be taken in the order listed, unless changed by the Chairman. The public is reminded not to interrupt the Board members during their discussion. If you have specific questions that are not on the agenda or addressed during the meeting, please ask a Director or staff prior to or after the meeting.

Public Comment: Public comments are welcome during the public comment section of the meeting. These should be relative to District policies, Board actions or items of general interest to the public. All speakers must be recognized by the Chairman prior to speaking. The Chairman reserves the right at any time to limit public comments due to time constraints and content. The public is reminded that all comments are directed to the Board.

How To Get an Item on the Agenda: First, be sure that your item is a matter of district policy or Board oversight. The Board sets the Policies of the District and delegates the authority of management of those policies to staff. Some of the questions you have may be management or operational questions and can be answered by staff. We encourage you to do so during regular office hours. If Staff is unable to answer your question, they will bring the issue to the Board as an agenda item. A Director may also request an agenda item. All requests go to the Board Secretary, Bev Bridgewater. Anyone having agenda items for the next meeting are asked to submit the request five business days in advance of the meeting in order to be included on the meeting agenda.

Executive Session: The Board may convene in an executive session. By law, an executive session is closed to all except the Board, District staff, legal counsel, members of the press, and persons reporting to it on the subject of the executive session or otherwise involved. Before convening such a session, the Chairman will make a public announcement and explain the necessary procedures.

If there are any questions about the agenda or Board procedures, please contact Bev Bridgewater, Secretary to the Board and District Manager, at 541-922-3814.

Upcoming Board meetings for 2023:

March 23, 2023

April 20, 2023

May 18, 2023

June 15, 2023

July 20, 2023

Sept. 21, 2023

Oct. 19, 2023

Nov. 16, 2023

Dec. 21, 2023

WEST EXTENSION IRRIGATION DISTRICT

P.O. BOX 100 IRRIGON, OREGON 97844
PHONE: (541) 922-3814 FAX: (541) 922-9775

January 19, 2023

Organizational Meeting 2023

Monthly Board Meeting

Chairperson Philippi called the Board meeting to order on January 19, 2023 at 9:05 a.m. at the Columbia Improvement District meeting room located at 501 E. Columbia Ave. in Boardman. Those in attendance were: Board members, Dalarie Philippi, Vern Frederickson, Abe McNamee, Bob Mueller and newly-elected member, Von Studer; Board Secretary/Manager, Bev Bridgewater was available by Zoom; Administrative Services Manager, Lisa Baum; Field Superintendent, Ben de los Santos; Employees, Alan Svantonsky, Shara Weiss, Daniel Rector, Bob Schlosser; Reclamation Field Officer Manager, Chet Sater. Director Abe McNamee was not able to attend.

Introductions were made.

Chairperson Philippi welcomed the employees and asked if they had any comments for the Board or special needs for the crew. Svantonsky mentioned that they need a few things for the new shop with a hoist topping the list. There is a budget line item to help with new shop equipment. Discussion. He also talked about the need to gravel the canal roads. The Desert, Gattenbein area and upstream of Kurz were mentioned as high priority. More discussion. The crew thanked the directors for their wage increases.. Philippi reminded them to bring any concern or needs to Ben or Bev. If an issue is not adequately addressed, they can always come to a board meeting. The crew left at 9:20 a.m.

ANNUAL ORGANIZATIONAL BUSINESS

OATH OF OFFICE: The following newly elected directors took their oath of office:

Division Three (Irrigon): Von Studer (three-year term)

Division Five (Boardman West): Dalarie Philippi (three-year term)

OFFICER ELECTION / APPOINTMENT:

CHAIRMAN: Philippi asked for nominations for officers of the Board. Mueller nominated Dalarie Philippi to continue as Chairman. Studer seconded the nomination. With no further nominations, they were closed. A unanimous vote was cast thus electing Dalarie Philippi as Chairman of the Board of Directors.

VICE CHAIRMAN: Philippi asked for nominations for Vice Chair of the Board. Philippi nominated Vern Frederickson to continue as Vice Chairman. Mueller seconded the nomination. With no further nominations, they were closed. A unanimous vote was cast thus electing Vern Frederickson as Vice Chairman of the Board of Directors.

SECRETARY: In accordance with ORS 545.181 (b), Manager Bev Bridgewater was appointed as Secretary for the Board of Directors.

RESOLUTION NO. 23-001: REGULAR BOARD MEETINGS FOR 2023 and ORGANIZATIONAL MEETING FOR 2024. Discussion. Frederickson has a conflict on March 16. Mueller moved to adopt the Resolution, as amended. Second by Frederickson. Motion passed. The Board meetings will be held on the third Wednesdays except for March, which will be the 4th Wednesday. There will be no meeting in August.

RESOLUTION NO. 23-002: AUTHORIZATION FOR BOARD MEETINGS TO BE HELD OUTSIDE THE WEID BOUNDARIES. Frederickson moved to adopt the Resolution which allows the board to meet at location outside the district, such as the CID office that we currently use. Mueller seconded. Bridgewater pointed out that this Resolution will stay in effect until changed, so won't need to be addressed each year. Motion passed.

BANKING: Baum reminded the Board where the District has its bank accounts. Studer moved to continue banking with Banner Bank of Oregon, the Bank of Eastern Oregon and Local Government Investment Pool (LGIP). Frederickson seconded. The signers on the accounts will be the five Directors, Dalarie Philippi, Vern Frederickson, Bob Mueller, Abe McNamee and Von Studer, and the Manager, Beverly Bridgewater, with two signatures required for checks. Lisa Baum is authorized to transfer funds and obtain information from the banks. Motion passed unanimously.

AGENDA: Chairperson Philippi asked for additions to the agenda. Mueller wanted to discuss trespass issues near Umatilla. This will be added to District business. Mueller moved to accept the agenda. Frederickson seconded. Motion passed.

MONTHLY BUSINESS

APPROVAL OF MINUTES: Frederickson moved to approve the minutes of the December Board meeting. Mueller seconded. Discussion. Motion passed.

BILLS PAYABLE: Mueller moved to approve the December accounts payable list in the amount of \$61,919.74. Frederickson seconded. Motion passed.

FINANCIAL REPORT: The Financial Report dated November 30, 2022 was reviewed and discussed. Baum went over the cash flow projected for the end of the year. Discussion.

2022 PROJECTED YE & CASH CARRYOVER: The Board reviewed a report of anticipated YE for 2022. Several items planned for 2022 did not happen. Bridgewater presented recommendations that cash be carried over from 2022 to 2023 where these projects will be completed and that several reserves be funded.

- 1) The communication tower behind the office. Estimated cost \$13,000. The District received \$6500 from insurance to help cover this cost. Carryover recommended is \$6500.
- 2) The District did not work on its WMCP in 2022 although budgeting \$20,000 in several line items for this work. There is also an excess in telemetry funding for 2022 that could be carried over to help with the Canal study grant in 2023. Carryover recommended for the WMCP and Canal Study is \$30,000.
- 3) She recommended the conservation reserve be funded for \$5,000. This is done annually, but we weren't sure if we would have the funds this year. She also recommended that we bring the Emergency Reserve funds to its contractually required amount of \$35,000 which would be adding \$16,985 to that reserve in 2022. Total used for reserve funding is \$25,139.

Frederickson moved to accept the Manager's proposal of \$25,139 to cash reserves and \$41,500 to be carried over to the 2023 budget. Mueller seconded. Motion passed.

REPORTS AND CORRESPONDENCE

OPERATIONS: The Board had some questions and discussed several operational issues with Ben including the need for a Porta-Potty along the canal in Boardman, canal cleaning update, AIC crew update, and repairs on the dump trucks.

ADMINISTRATIVE REPORT: Baum gave updates on several administrative issues she is working on.

CREDIT CARD: Bridgewater pointed out that Baum will be doing more travelling this year as she is our representative on the OWRC Board. She recommends a second credit card for the District in Baum's name. Studer moved to authorize Lisa Baum to have a company card in her name. Frederickson seconded. Motion passed.

IRRIGON WATER SAVINGS PROGRAM: Baum reported on the program from 2022 and asked for it to continue in 2023. Discussion. Frederickson moved to continue the program in 2023. Studer seconded. Bridgewater stated that the funds come from the District's conservation reserves. During discussion, it was decided to keep the program for Irrigon folks only and to raise the amount of individual match to \$250 with a total of \$2500 currently authorized. The motion passed unanimously.

MANAGER'S' REPORT:

WATERSMART GRANT RECEIVED/RELOCATION CANAL GATES:

Bridgewater reported that the District got notice that they were approved for the grant that would help it purchase and install three automated gates in the Relocation canal. The contract won't be written until likely summer, so this will be a 2023-24 project. She noted that Sen. Merkley mentioned this in a press release and she attended his recent town hall meeting in Irrigon.

RECHARGE POTENTIAL: Frederickson brought up a recent conversation he had with Port of Morrow representatives about the possibility of WEID providing recharge to assist with nitrate issues in Irrigon and Boardman. Bridgewater had previously talked with the City of Irrigon Manager. If sites can be identified, we would sure want to work on a good plan. Discussion.

SDAO DIRECTORS WORKSHOP: The workshop was held in Hermiston yesterday. Philippi, Frederickson and Mueller attended. They thought it was worthwhile. They learned about the new laws relating to smoke and heat and wanted to be sure we had the policies in place and are keeping up on the training. Baum assured them we do and we have COLD weather policy as well. Discussion about having water available to the crew.

DISTRICT BUSINESS

VANDALISM CONCERNS: Mueller reported there has been increased activity along the canal road off Powerline Road. Discussion. He will bring a plan to the next meeting. With all the new homes and new school planned above the canal, the activity will increase. Studer pointed out that any signs we put up should be in Spanish as well. Sater said he can get his folks into the schools. He can also get new signs.

BUDGET 2023: The Board had held a budget meeting last week. They reviewed and discussed the resulting 2023 Budget. It represented a 17.5% increase over last year, due to inflation and the increased cost of wages. Included in the budget is new programming for the telemetry gates, new communication tower, purchase of a new pickup, consultant costs for updating the Water Management and Conservation Plan (WMCP), and work on the canal study. The Board asked de los Santos to try to cut the overtime. We have an open position, but may try to hold off by using temps.

On the income side of the budget, the Board will carry over \$41,500 from 2021 for work not yet completed (mentioned above), we no longer have funds coming from BPA as that contract was terminated. After discussion, a 10% increase on O&M fees and all other fees was decided.

RESOLUTION NO. 23-003 – 2023 BUDGET: Frederickson moved to pass the budget as presented.. Mueller seconded. Discussion. Motion passed unanimously.

RESOLUTION NO. 23-004 – CHARGES AND COLLECTIONS: Frederickson moved to accept Resolution No. 23-004 that states the annual charges and fees and also the collections procedures. Studer seconded. Motion passed unanimously.

OTHER BUSINESS

RECLAMATION UPDATE: Sater reported that Reclamation has vacancies in the Area Manager and Deputy Area Manager positions that they are trying to fill. They are working on the Area Manager position first with plans to hire in March or April. Then they will open the Deputy position.

There have been some trespass issues at Three Mile East and at Westland. We should keep gates closed and be observant. The fiber optics agreements with Windwave and others are ramping up and we should see the contracts soon. There are new things in the agreement, part of our discussion with Reclamation at the OWRC conference. He also mentioned a company from Colorado that called about using turbines in the canal to generate power. Reclamation is not interested in Phase 2, but the Districts may want to explore. Sater commented that once the water is in the canal, it is managed by the Districts, so the Tribal water right settlement won't have any effect on such a project.

CITY OF UMATILLA: They have contacted Sater about putting water in the canal east of Powerline Road. Bev has met with them and the District agrees to move this project forward. The City may want to pull some water out for use on the new houses going in above the canal. Brief discussion on this and other potential data center issues.

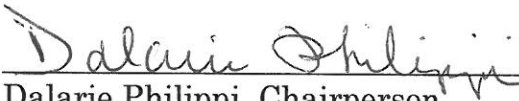
ADJOURNMENT

With no further business, Chairperson Philippi adjourned the meeting at 11:20 am.

Signed:

Bev Bridgewater, Secretary

Attest:



Dalarie Philippi, Chairperson

WEST EXTENSION IRRIGATION DISTRICT
2023 BUDGET

Cash carry-over from 2022				41,500	
INCOME:					
CUSTOMER BILLINGS:					
	O&M CHARGES			1,124,434	
	CONSERVATION CHARGES				
	PRESSURIZATION CHARGES			45,942	
	IMPROVEMENT CHARGES/IPS			22,662	
	IMPROVEMENT CHARGES/MC			124,621	
	LEGAL FUND CHARGE			59,845	
	SUB-TOTAL CUSTOMER BILLINGS				1,377,504
FEES EARNED:					
	CONTRACT ADMINISTRATION			0	
	DRAINAGE FEES			5,750	
	DEVELOPMENT FEES			2,000	
	WATER RIGHT TRANSFERS			8,000	
	LIEN SEARCHES/MISC			8,600	
	SUB-TOTAL FEES				24,350
	FINANCE CHARGES/ASSESSMENTS			8,500	
	INTEREST EARNED/INVESTMENTS			2,500	
	SALE OF WATER RIGHTS			2,500	
	CUSTOMER POWER BILLINGS			16,500	
	SALE OF ASSETS			-	
	PATRONAGE REFUND			9,500	
	WELL WATER USERS			24,000	
	WATER MARKETING			1,500	
	SUB-TOTAL OTHER INCOME				65,000
	TOTAL INCOME				1,466,854
	TOTAL AVAILABLE CASH FOR BUDGET				1,508,354

WEST EXTENSION IRRIGATION DISTRICT
2023 BUDGET

GENERAL EXPENSES:			
ADMINISTRATIVE:			
	ADVERTISING/ELECTION	100	
	DIRECTORS/MTG EXPENSE	900	
	DUES, FEES, LICENSE	17,200	
	FEES, WATER RIGHT TRANSFERS	7,600	
	INSURANCE/LIABILITY/BONDS	54,000	
	Less Longevity Credit	-4,000	
	MAP/WATER RIGHT SUPPLIES	2,500	
	OFFICE SUPPLIES & POSTAGE	13,000	
	TRAVEL/MEETINGS/MLGE	7,200	
	SUB-TOTAL ADMINISTRATIVE		98,500
	AUDIT	12,600	
	ENGINEERING	3,000	
	LEGAL	5,500	
	LEGAL/CONSULT/WATER ISSUES	3,000	
	CANAL STUDY/WMCP	30,000	
	SUB-TOTAL PROFESSIONAL FEES:		54,100
UTILITIES:			
	GAS/WATER/GARBAGE	7,700	
	POWER	2,500	
	TELEPHONE	3,300	
	SUB-TOTAL UTILITIES		13,500
	TOTAL GENERAL EXPENSES		166,100

WEST EXTENSION IRRIGATION DISTRICT
2023 BUDGET

OPERATION & MAINTENANCE:					
OPERATIONAL SUPPORT					
	COMMUNICATION EQUIP		10,900		
	EMPLOYEE TRAINING		2,000		
	FACILITIES R & M		4,500		
	SAFETY TRAINING/EQUIPMENT		3,200		
	SHOP, TOOLS, & SUPPLIES		12,200		
SUB-TOTAL OPERATIONAL SUPPORT					32,800
PUMPING:					
IRRIGON PUMP STATION					
	PUMPING COSTS		29,000		
	REPAIR/MNTNCE		3,000		
	CONJUNCTIVE USE		165,000		
UMATILLA PUMP STATION					
SUB-TOTAL PUMPING COSTS					197,000
SYSTEM OPERATONAL COSTS					
DIVERSION WORK					
	THREE MILE SITE		2,500		
	EQUIPMENT REPAIR/MNTNCE		26,500		
	EQUIPMENT RENTAL		12,000		
	FUEL/EQUIPMENT		12,700		
	LATERAL REPAIRS		14,880		
	MAIN CANAL REPAIRS		44,000		
	PUMPING STATION REPAIRS		18,000		
	TELEMETRY/WATER MEASUREMENT		12,000		
	WEED CONTROL		96,000		
SUB-TOTAL OPERATION COSTS					238,580
VEHICLE EXPENSE:					
	VEHICLE FUEL		28,500		
	VEHICLE REPAIR/MNTNCE		8,000		
	VEHICLE/PRIVATELY OWNED		1,500		
SUB-TOTAL VEHICLE EXPENSE					38,000
TOTAL OPERATING EXPENSES					506,380

WEST EXTENSION IRRIGATION DISTRICT
2023 BUDGET

PAYMENTS/CAPITAL EXPENDITURES					
PAYMENT ON ASSETS					
	US CONTRACT		2,961		
	FLEX LEASE LOAN - IPS REBUILD		45,513		
	DITCHRIDER PICK-UP		12,000		
	SUB-TOTAL ASSET PAYMENTS				60,474
IMPROVEMENTS					
	SHOP IMPROVEMENTS		7,500		
	SYSTEM IMPROVEMENT/RLC GATES		10,000		
	SYSTEM IMPROVEMENT/TOWER		13,000		
	BOARDMAN PIPING PROJECT FUND		20,000		
	REFUNDS				
	SUB-TOTAL SYSTEM IMPROVEMENTS				50,500
	TOTAL CAPITAL EXPENDITURES				110,974
RESERVES FUNDED:					
				-	
	CONSERVATION RESERVE				0.00
	EQUIPMENT PURCHASE RESERVE			-	
	GRANT MATCH/WR SALE RESERVE				2,500
	TOTAL RESERVES FUNDED:				2,500
OTHER INCOME/EXPENSE					1,500
TOTAL EXPENDITURES					1,507,044
FUND BALANCE					1,310
Fund Balance is the excess or (deficit) from the annual budget that contributes to the overall cash assets of the District					

West Extension Irrigation District
 Check Register / Accounts Payable List
 January 2023

CHECK#	DATE	VENDOR	DESCRIPTION	TOTAL	WEID EXPENSE	PAYROLL EXPENSE	OTHER REIMB.
			WEID GENERAL ACCOUNT:				
WBF-TRANSIT 4-2022c	1/3/23	OR Dept. of Revenue	Payroll	0.37		0.37	
SUI 4-2022c	1/3/23	OR Unemployment Dept.	Payroll	0.18		0.18	
OR 1/12/23	1/17/23	OR Tax Deposit	Payroll	884.07		884.07	
US 1/12/23	1/17/23	US Tax Deposit	Payroll	3,781.34		3,781.34	
PERS 1/12/23 RHIA	1/27/23	Oregon PERS	Payroll	0.51		0.51	
PERS 1/12/23 Pension	1/27/23	Oregon PERS	Payroll	2,145.79		2,145.79	
PERS 1/12/23 IAP	1/27/23	Oregon PERS	Payroll	508.52		508.52	
PERS 12/27/22 Pension	1/9/23	Oregon PERS	Payroll	1,744.04		1,744.04	
PERS 12/27/22 IAP	1/9/23	Oregon PERS	Payroll	440.63		440.63	
US 1/27/23	1/31/23	US Tax Deposit	Payroll	3,704.84		3,704.84	
OR 1/27/23	1/31/23	OR Tax Deposit	Payroll	971.80		971.80	
36275	1/10/23	A-1 Industrial Supply	Mower	104.45	104.45		
36276	1/10/23	Lisa Baum	2022 Health Deductible	177.08		177.08	
36277	1/10/23	Commercial Tire	4 tires PU#7	715.00	715.00		
36278	1/10/23	Ben De Los Santos	Tool Allowance	300.00		300.00	
36279	1/10/23	Devin Oil Company	Fuel	1,391.90	1,391.90		
36280	1/10/23	Express Services	Leased Labor	1,255.69		1,255.69	
36281	1/10/23	First BankCard	Office, Travel (OWRC)	1,317.54	1,317.54		
36282	1/10/23	City of Irrigon	Utilities	429.41	429.41		
36283	1/10/23	John Deere Financial	Mower	267.77	267.77		
36284	1/10/23	Morrow County Clerk	Deed Copy	7.75	7.75		
36285	1/10/23	NW Farm Supply	Hitch PU#2, flags	144.97	144.97		
36286	1/10/23	Oxarc	Shop	80.56	80.56		
36287	1/10/23	Petty Cash	4/1/22-12/31/22 Pstg, Shp, Brd	144.44	144.44		
36288	1/10/23	Pro Rental	1/2 day vacuum pump	208.00	208.00		
36289	1/10/23	Daniel Rector	Tool Allowance	300.00		300.00	
36290	1/10/23	Bob Schlosser	Tool Allowance	300.00		300.00	
36291	1/10/23	Special Districts Insurance Serv.	Health Insurance	6,531.50		6,531.50	
36292	1/10/23	Smitty's Ace Hardware	Safety, Work Crew, Shop	1,106.14	1,106.14		
36293	1/10/23	Staples Business Advantage	Office Supplies	21.48	21.48		
36294	1/10/23	Alan Svatonsky	Tool Allowance	300.00		300.00	
36295	1/10/23	Tom Denchel Ford Country	PU#7 (not starting)	1,063.46	1,063.46		
36296	1/10/23	Umatilla Electric Coop	Power	234.26	234.26		
36297	1/10/23	RWC International	Int'l Dump Trk (Tensioner, Switc	2,424.91	2,424.91		
36298	1/10/23	Express Services	Leased Labor	862.85	862.85		
36299	1/10/23	Hermiston Auto Parts	Filters Equipment	455.40	455.40		
36300	1/16/23	Lisa Baum	Payroll	1,860.00		1,860.00	
36301	1/16/23	Bev Bridgewater	Payroll	2,259.03		2,259.03	
36302	1/16/23	Ben De Los Santos	Payroll	1,745.10		1,745.10	
36303	1/16/23	Daniel Rector	Payroll	1,737.53		1,737.53	
36304	1/16/23	Bob Schlosser	Payroll	1,418.86		1,418.86	

West Extension Irrigation District
 Check Register / Accounts Payable List
 January 2023

CHECK#	DATE	VENDOR	DESCRIPTION	TOTAL	WEID EXPENSE	PAYROLL EXPENSE	OTHER REIMB.
36305	1/16/23	Alan Svatonsky	Payroll	950.50		950.50	
36306	1/16/23	Shara Weiss	Payroll	1,028.21		1,028.21	
36307	1/16/23	Bev Bridgewater	Health Reimb.	695.45		695.45	
36308	1/16/23	Bailey Heavy Equipment Repair	JD Excavator	7,488.75	7,488.75		
36309	1/16/23	Bob Schlosser	Platt Elec. Reimb	248.08		248.08	
36310	1/30/23	Lisa Baum	Payroll	1,860.00		1,860.00	
36311	1/30/23	Ben De Los Santos	Payroll	1,864.44		1,864.44	
36312	1/30/23	Daniel Rector	Payroll	1,540.18		1,540.18	
36313	1/30/23	Bob Schlosser	Payroll	1,728.81		1,728.81	
36314	1/30/23	Alan Svatonsky	Payroll	1,058.69		1,058.69	
36315	1/30/23	Shara Weiss	Payroll	1,209.08		1,209.08	
36316	1/30/23	Bev Bridgewater	Payroll	2,259.03		2,259.03	
36317	1/31/23	Abadan	Copier	93.42	93.42		
36318	1/31/23	Bureau of Reclamation	Semi-Annual Loan Pmt	1,480.25	1,480.25		
36319	1/31/23	Capital Press	1-year subscription	80.00	80.00		
36320	1/31/23	Cascade Natural Gas	Utilities	203.82	203.82		
36321	1/31/23	CenturyLink	Office Telephone	256.56	256.56		
36322	1/31/23	Concrete Special Ties	MC Repairs	82.90	82.90		
36323	1/31/23	Devin Oil Company	fuel	714.86	714.86		
36324	1/31/23	Express Services	Leased Labor	2,986.15		2,986.15	
36325	1/31/23	J-U-B Engineers	Cons. Plan Scope of Work	60.00	60.00		
36326	1/31/23	K.I.E. Supply	Sunrise PS, Telemetry	371.81	371.81		
36327	1/31/23	McCrometer	Meters - Grant	29,013.57	29,013.57		
36328	1/31/23	OR Dept. of Corrections	Prison Crew	8,970.00		8,970.00	
36329	1/31/23	RWC International	Int'l Dump Trk (Service, DOT)	2,064.46	2,064.46		
36330	1/31/23	Special Districts Association	Annual Conference-Bev/Lisa	620.00	620.00		
36331	1/31/23	Staples Business Advantage	Office Supplies	21.59	21.59		
36332	1/31/23	Verizon Wireless	Cell Phones	505.30	505.30		
		TOTALS		112,803.08	53,174.73	59,628.35	-

Lisa

From: Zach Williams <zwilliams@co.morrow.or.us>
Sent: Wednesday, February 08, 2023 3:25 PM
To: lisa@westextension.com
Cc: Julia Finch
Subject: Follow-Up Re Whitman Coffman, MCSO Theft Case

Hi Lisa –

I wanted to thank you and Bev for taking the time to meet with Julia and I last week. I always find it helpful to be able to discuss the facts with the victims in our cases, and you were both very gracious in answering our questions.

As I mentioned on Friday, Theft in the First Degree requires proof of “intent” – i.e. that Ms. Coffman was intentionally attempting to deprive your organization of the \$2,000 at issue. A person’s intent is often the most difficult thing to prove in criminal cases. Here, the suspect denied that her conduct was intentional – she claimed that it was an accidental transfer of money, which she paid back immediately upon law enforcement contact. The case officer reviewed what her Banner Bank deposit screen looked like and it had a number of accounts - her kids, her personal, her various realtor ones, and WEID – so he did not feel comfortable ruling out that this was an incidental transfer. From our discussion, it seemed that you all had a similar view – while Ms. Coffman’s conduct (specifically the lack of contact/corrective action) seemed tremendously suspicious, but we remained somewhat unsure about her underlying intent.

In criminal matters, we have to prove the charge at issue to the level of “beyond a reasonable doubt.” While attorneys generally like to avoid the “percentage analogy,” it creates the easiest analysis – the State has the burden to demonstrate what happened with 100% certainty, so even a 5% chance of an alternative leaves us short of what is needed. In this case, IDK that we reached a group consensus, but even if we were 85% sure that Ms. Coffman meant to steal the money, that would still leave us well below the standard for BARD. Because of this, the case will be declined in our system. I have uploaded detailed notes as to this decision and our conversation on Friday, and I will also upload this correspondence as well. If similar issues arise in the future (or more evidence develops) we could re-review the matter and/or utilize it in our analysis of a future case.

Lastly, I would commend you for your detailed record keeping and for your diligence in reaching out to our office. Even in relatively straightforward cases we can be left without the materials needed to corroborate what is reported. That was not at all an issue here - you did an excellent job of providing records to the officer. Similarly, I can see from our computer system that you’ve reached out to Julia/VAP repeatedly for updates. While I know this outcome is not what you wanted, I’d always encourage you to touch base with our office for status checks to ensure that your issue is being addressed and that you know the outcome and reasoning behind it.

If you have further questions, please do not hesitate to reach out as I am always happy to discuss.

ZW

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