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K.I.D. Recall

Press Release

KID Recall Signatures Delivered to District Office

Countdown begins for what could be Oregon's first-ever irrigation district board recall

**Klamath Falls, Oregon
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Three Klamath Irrigation District (KID) patrons earlier today delivered petitions signed by dozens of KID customers demanding a vote to recall three board members currently being investigated for alleged violations by the Oregon Government Ethics Commission.

There is no official register detailing prior recall efforts involving an irrigation district board in Oregon, and the KID petitioners could find no one in the regional irrigation district community who has any recollection of a similar past occurrence. Many are speculating that this could mark the first time since Oregon's statehood in 1859 that a recall vote for an irrigation district will be conducted.

"Recall election procedures are different for an irrigation district than they are for typical recall elections," said Ed Bair, one of the petitioners. "We're farmers and want to farm and irrigate. We're following a reasonable procedure to get these destructive influences out of office."

KID irrigators Bair, Jason Chapman and Ross Fleming handed over petitions signed by nearly twice the number of patrons required by law to trigger the recall vote. KID board members Ken Smith, Grant Knoll and Brent Cheyne are each targeted for recall, driven by concerns over escalating legal fees being paid to a new out-of-town team of attorneys, the alarming departure of several long-time district employees, and the secretive nature of decision-making being employed by the KID board majority.

Last November, KID's constituents elected Smith to KID's board of directors. Along with newly elected Board Chairman Cheyne and Director Knoll, the election resulted in a dramatic change in the makeup of the board members.

"In our opinion, this has led to a sharp departure from KID's previous priorities and the board's fiduciary responsibilities," said Mr. Chapman.

The Oregon Government Ethics Commission is currently investigating Cheyne, Knoll and Smith for alleged violations of public meeting law.

Concerns of KID patrons became further inflamed earlier this summer over the board majority's handling of the C Canal Flume contract process. Relying on the counsel of a newly hired attorney from New York City, their delaying tactics seriously threatened water supplies of C Flume users and public safety in the vicinity of Henley Elementary School.

Earlier in the year, 95% of KID's patrons voted in favor of moving forward with making critical repairs to the aging C Flume project. When it came time to sign the paperwork with the contractor to replace the flume, the majority faction of the Board of Directors reversed course and delayed

signing the finalized paperwork by inexplicably avoiding two public board meetings, including an emergency meeting.

In the end, Chairman Cheyne reluctantly signed the paperwork, but only after KID patrons raised concerns and after R&G Excavating, the firm hired to oversee replacement, graciously extended the acceptance deadline. Notably, not one word of the contract signed by Chairman Cheyne had been changed, despite Cheyne, Knoll, and Smith paying nearly \$130,000 of KID's funds to New York City attorney Larry Kogan.

Because of the board's inaction, the C flume project is expected to take two construction seasons to complete, rather than one season

"This will undoubtedly pile on additional costs that KID patrons will have to bear," said Mr. Bair. "There are also water delivery restrictions and failure risks for another season. The KID patrons had already approved the project, the Board had already approved the contracts, the contractors relied on the approvals, and now risks and costs will be extended into another year. All because of the unconscionable delay of these three board members."

KID was recently billed by Mr. Kogan for work completed in May, June and part of July, shortly before he was terminated by the KID board and the Siskiyou County Board of Supervisors. KID patrons will pay nearly \$130,000 for the March-July time period Mr. Kogan spent working for the new KID board majority.

"I'm voting to recall these three board members, and I urge others to do the same," said KID irrigator Luther Horsley. "It's time get our district into the hands of those who understand its purpose and will not yield to outside special interests who appear to have hijacked it for their own political ends."

In the past month following the resignation of interim general manager Hollie Cannon, KID staff have delivered water and paid district bills with virtually no oversight from the board or general manager. The full KID board has yet to discuss the recall effort in a public meeting with Nathan Reitmann of Salem, who is KID's attorney, and also part of the reason for the recall occurring. Mr. Reitmann already represents interests like Tom Mallams who oppose KID in Klamath River water rights disputes, a possible conflict of interest that is currently being investigated by the Oregon State Bar.

KID officials are required by law to verify that the required number of signatures have been obtained by September 2. Following certification, a recall election must be held 35 days later. At the time of the recall election, if a majority of the patrons (for each KID board division) vote in favor of the recall, that director would be terminated from the board, and the remaining board members would select a replacement from the division to serve in his place.

"Brent Cheyne, Grant Knoll, and Ken Smith, after seven destructive months of service, can now be recalled from the KID board of directors," added Mr. Bair. "If successful, the remaining KID board members can appoint competent, reasonable and accessible patrons to serve until new board members are elected to serve out the remainder of the terms for the recalled members. The new KID board can quickly take constructive actions to right the ship and get KID back to doing what it is intended to do: safely and efficiently deliver water to KID patrons who so desperately need it."

For more information on the recall, please visit the joint website that incorporates the concerns of all three recall actions: kidrecall.org.