

CALL TO ORDER

At 7:00 PM, President Bailey called the February 9, 2021 Regular Board Meeting of the Moses Lake Irrigation and Rehabilitation District to order. The record shows that Director Dexter and General Manager Chris Overland was present. President Bailey, Vice President Teals, Director Selmann, Director Foster, and Legal Counsel Brian Iller attended via-telephone. The record indicates that this meeting was recorded.

DISCUSSION OF AGENDA ITEM(S)

President Bailey called on the board members and anyone attending via-telephone for discussion on any agenda items, and nothing was brought forward.

DISCUSSION OF NON-AGENDA ITEM(S)

President Bailey called on the board members and anyone attending via-telephone for discussion on any non-agenda items, and nothing was brought forward.

APPROVAL OF THE AGENDA

President Bailey called on the board members to approve the agenda. Director Dexter made a motion to approve the agenda. Director Foster seconded the motion. The motion carried unanimously.

APPROVAL OF CONSENT AGENDA

President Bailey called on the Board of Directors to approve the consent agenda. The consent agenda consisted of the meeting minutes from 01/12/2021 Regular Meeting and 02/01/2021 Special Meeting, the Bills/Checks (#17885-#17917), and Voucher #1000233 totaling \$57,474.80. Vice President Teals made a motion to approve the meeting minutes from 01/12/2021 Regular Meeting and 02/01/2021 Special Meeting. Director Dexter seconded the motion. The motion carried unanimously. Director Dexter motioned to approve the Bills/Checks (#17885-#17917) and Voucher #1000233, totaling \$57,474.80. Director Foster seconded the motion. The motion carried unanimously. President Bailey abstained from voting on anything related to Basin Property Management, Inc.

MLIRD STAFF REPORTS

General Manager Chris Overland reported the following:

- Lake elevation was at 1041.9 as of February 9, 2021.
- Approval of Aquatechnex as the applicator for the 2021 Aquatic Treatments was discussed. In 2019, the Aquatic Weed Treatment RFP advertisement stated there would be an option for an additional three years of contract renewal each year. Director Foster stated he does not believe General Manager Chris Overland needs Board action to approve of Aquatechnex based on the current contract with them and what is already approved for Aquatic Weed Treatments in the 2021 Budget.
- Lakeshore Cleanup is scheduled for Saturday, March 20, 2021. A garbage truck and driver will be located at the MLIRD Office the morning of the event. Volunteers will be able to leave garbage bags in certain locations for MLIRD Employees to pick up if they cannot

haul the garbage bags to the MLIRD Office. Due to COVID-19, there will be safety measures requested, such as masks and social distancing.

- Moses Lake Carp Classic is scheduled for May 22, 2021 at Connelly Park.
- Director Selmann was sworn in via web-ex on January 21, 2021.

EXECUTIVE SESSION

The Board went into Executive Session at 7:15 PM to discuss with legal counsel pending litigation as authorized by RCW 42.30.110 (1)(i) and to discuss potential litigation in the form of risks of a current practice or proposed action as authorized by RCW 42.30.110 (1)(i)(iii). Possible action may be taken after Executive Session. The expected time was 30 minutes, and the Board was to return approximately at 7:45 PM.

At 7:45 PM, President Bailey asked General Manager Chris Overland to extend Executive Session 15 minutes. The Board was to return to Regular Session at approximately 8:00 PM.

The Board entered back into Regular Session at 8:00 PM.

Legal Counsel Brian Iller gave a brief summary on the MLIRD v. Pheasant case, followed by Director Foster making a motion to direct Legal Counsel Brian Iller to file and expedite the appeal. Vice President Teals seconded the motion and asked to add “in the MLIRD v. Pheasant case” to the motion, so it was clear on which case was being discussed. Director Foster agreed with the addition to the motion.

The motion carried unanimously.

WORKSHOP/DIRECTOR QUESTIONS and/or COMMENTS

President Bailey asked if General Manager Chris Overland could begin a dialog with the USBR and talk about the lowering of the lake so that when a question is asked, he has an answer on why it is lowered to that level or if USBR wants MLIRD to do something else, and whether or not that could change from year to year. General Manager Chris Overland stated there was no immediate plan to change the elevation this year. However, possibly next year, which is why he felt it appropriate to discuss the topic.

ADJOURNMENT

The meeting was adjourned at 8:31 PM.

Bill Bailey, President

Richard Teals, Vice President

Kris Dexter, Director

Kaj Selmann, Director

Jeff Foster, Director

By: _____
Secretary to the Board of Directors