

CALL TO ORDER

At 7:00 PM, Chairman Foster called the February 26, 2019 Special Board Meeting of the Moses Lake Irrigation and Rehabilitation District to order. The record shows that all Directors were present except Director Teals. General Manager, Chris Overland and Legal Counsel, Brian Iller was also present. The record indicates that this meeting was recorded. The Pledge of Allegiance was then recited.

DISCUSSION OF AGENDA ITEM(S)

Chairman Foster called on the board members and the audience for discussion on any agenda items and nothing was brought forward.

DISCUSSION OF NON-AGENDA ITEM(S)

Chairman Foster called on the board members and the audience for discussion on any non-agenda items and nothing was brought forward.

APPROVAL OF THE AGENDA

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

APPROVAL OF CONSENT AGENDA

Chairman Foster called on the Board of Directors to approve the consent agenda. The consent agenda consisted of the meeting minutes from 01/08/19 Regular Meeting and 01/08/19 Special Meeting, the Bills/Checks (#16991-#17041) and Voucher #1000209 totaling \$74,151.13. Director Dexter made a motion to approve the consent agenda. Vice Chairman Bailey seconded the motion and abstained from voting on anything related to Basin Property Management, Inc. The motion carried unanimously.

EXECUTIVE SESSION

Executive Session was moved before Item 4 on the agenda. The Board went into Executive Session at 7:05 PM to discuss with Legal Counsel pending litigation as authorized by RCW 42.30.110 (1)(i) as it relates to the Hansen v. MLIRD and MLIRD v. Pheasant and to discuss potential litigation in the form of the legal risks of a proposed action or current practice as it relates to bids, bid process, assessments and assessment protests as authorized by RCW 42.30.110 (1)(i)(iii). The expected time was 30 minutes, and the Board was to return approximately at 7:35 PM. Legal Counsel, Brian Iller indicated that there may or may not be further action taken after as a result of the discussion in Executive Session.

Chairman Foster entered back into the boardroom at 7:35 PM to extend Executive Session 15 minutes. They were to return to Regular Session approximately at 7:50 PM.

Chairman Foster entered back into the boardroom at 7:50 PM to extend Executive Session 15 minutes. They were to return to Regular Session approximately at 8:05 PM.

Chairman Foster entered back into the boardroom at 8:05 PM to extend Executive Session 25 minutes. They were to return to Regular Session approximately at 8:30 PM.

Chairman Foster entered back into the boardroom at 8:30 PM to extend Executive Session 15 minutes. They were to return to Regular Session approximately at 8:45 PM.

The Board entered back into Regular Session at 8:45 PM.

MLIRD STAFF REPORTS

General Manager, Chris Overland reported the following:

- Lake elevation was at 1042.89 feet as of February 26, 2019 at the Hallmark gage station.
- MLIRD is hoping to have a large amount of USBR water flows as it has a huge impact on the water quality of Moses Lake.
- The \$50,000 Ecology Grant was then discussed. This grant would help in conducting a study of Moses Lake to include watershed, nutrient loading, water withdrawals, number and location of septic systems, concerning contaminants, and potential carp problems. Vice Chairman Bailey made a motion to present the \$50,000 Ecology Grant that MLIRD has been researching to the Moses Lake Water Quality Meeting being organized by the Grant County Conservation District on 2/27/19 and suggest that GCCD might want to take a look at taking on this grant that MLIRD is no longer pursuing. Director Dexter seconded the motion. Further discussion on the motion then took place. Director Selmann made a motion to amend and remove part of Vice Chairman Bailey's motion stating that MLIRD is no longer pursuing the \$50,000 Ecology Grant. Director Dexter seconded the motion. The motion carried unanimously. Chairman Foster then restated the amended motion to read that MLIRD would offer the Grant County Conservation District to take MLIRD's position in the \$50,000 Ecology Grant at the Moses Lake Water Quality Meeting on 2/27/19. The motion carried unanimously. More discussion was then had on the \$50,000 Ecology Grant. Director Selmann asked that MLIRD's decision on the grant if GCCD does not take it be tabled until the March Regular Board Meeting to give MLIRD staff more time to look at what is involved in the grant. It was decided to see what decisions are made at the Moses Lake Water Quality Meeting on 2/27/19 and the matter will be readdressed at the March Regular Board Meeting.
- MLIRD has the option to renew the contract with last year's Aquatic Weed Treatment contractor or advertise an RFP for 2019 Aquatic Weed Treatments. Legal Counsel, Brian Iller stated he would review the existing contract and the previous RFP and report back to the Board at the March Regular Board Meeting.
- Projects still in progress are the Walmart Dredge Project, the Causeway Dredge Project, the Fountain Side Dredge Project and the Picnic Pavilion at Connelly Park. Discussion was then had on the concerns of the sewer line regarding the Fountain Side Dredge Project. Legal Counsel, Brian Iller stated if MLIRD is aware of a hazard, MLIRD could advise the contractor without doing any research on the matter. Vice Chairman Bailey made a motion to table action item 8a, the bid consideration and possible award until the April Regular Board Meeting. Director Selmann seconded the motion. The motion carried unanimously. Discussion was then had on the public hearing with the City of Moses Lake on February 21, 2019 regarding the Fountain Side Dredge Project. General Manager, Chris Overland mentioned there was some concern discussed about removing the existing spoils pile and any future piles by the end of the project. Chairman Foster asked General Manager, Chris

Overland to come up with a timeline that shows when and where permit documents went from the beginning of the process to what is suspected next. Vice Chairman Bailey updated the Board on the Connelly Park Pavilion and stated the framework is in the process of being built at Moses Lake Steel. The Moses Lake Rotary Club is hoping to have it finished by the end of May.

- 2019 income is at 71% of budget and expenses are at 89% of budget.
- MLIRD will be attending the Moses Lake Water Quality Interagency Meeting on 2/27/19 that is being organized by the Grant County Conservation District.
- Lakeshore Cleanup is scheduled for Saturday, 3/23/19.
- Discussion on MLIRD advertising for bids for the dredge spoils relocation was then had. Vice Chairman Bailey suggested MLIRD advertise for bids in regards to removing the existing spoils pile and have an addendum in the event that MLIRD awards the Fountain Side Dredge Project, then there would be an additional 50,000 cubic yards to move as well. It was decided that General Manager, Chris Overland and Legal Counsel, Brian Iller would come up with an advertisement to get the dredge spoils relocation out to bid.

ADJOURNMENT

The meeting was adjourned at 9:21 PM.

Jeffrey B. Foster, Chairman

Bill Bailey, Vice Chairman

Kaj Selmann, Director

Kris Dexter, Director

Richard Teals, Director

By: _____
Secretary to the Board of Directors