

CALL TO ORDER

At 7:00 PM, President Bailey called the March 9, 2021 Regular Board Meeting of the Moses Lake Irrigation and Rehabilitation District to order. The record shows that Vice President Teals and General Manager Chris Overland were present. President Bailey, Director Dexter, 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. Vice President Teals 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 02/09/2021 Regular Meeting, the Bills/Checks (#17918-#17946), and Voucher #1000234 totaling \$56,670.86. Director Foster made a motion to approve the consent agenda. Vice President Teals 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 1042.49 as of March 9, 2021.
- Preparations are underway for Connelly Park seasonal opening on April 14
- MLIRD Staff has begun hauling dredge spoils to the Port of Moses Lake. There have been sixty-seven loads to date, with approximately eight loads a day. President Bailey, Director Dexter, and General Manager Chris Overland have a meeting on Tuesday, March 16, to discuss MLIRD equipment.
- Recent activity includes; the Aquatechnex plan and agreement, collaboration with the Moses Lake Watershed Council on Patty Murray's request for infrastructure ideas, the 2021 lake sampling plan, and the MLIRD equipment list.
- As far as financials, MLIRD assets are currently about \$2.7 million.
- Lakeshore Cleanup is scheduled for Saturday, March 20, 2021. General Manager Chris Overland gave special thanks to Director Foster for donating PPE packages for volunteers.

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 legal 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. Director Foster asked Legal Counsel Brian Iller to provide a proper response to Escrow and Title Companies when inquiries are made about unpaid balances on MLIRD assessments. Legal Counsel Brian Iller provided language that accurately reflects the court ruling. He stated the court has ruled that the MLIRD's 2021 assessments are not authorized, and therefore the court ruling prevents MLIRD from collecting the 2021 assessments. The ruling is under appeal and could be reversed by the court of appeals.

WORKSHOP/DIRECTOR QUESTIONS and/or COMMENTS

Discussion was then had on Patty Murray's infrastructure ideas request for grant funding. Staff is collaborating with the Moses Lake Watershed Council with certain strategies to mitigate harmful algae blooms in Moses Lake. Director Selmann stated MLIRD and the Moses Lake Watershed Council have been looking for stimulus money. He understands MLIRD tries to do a lot through the MLWC. However, he feels MLIRD would be the best lead agency because MLIRD has the permits. He asked how the Board felt about MLIRD asking for grant money for the sediment deactivation project this summer as it is shovel-ready and has economic COVID-19 recovery. Director Selmann stated the sediment deactivation project is something that MLIRD can put together, budget for, has the permits for, and can have this as part of the submittal.

The project could cost upwards of \$12-15 million dollars. General Manager Chris Overland stated he has preliminary planning done on all these projects and believes there is enough data collected to complete the initial application. Director Dexter would like to see dilution water being used and feels if MLIRD spends the money on treatments, in a few years, there will be no more money, and the lake will stop being treated. Director Dexter is more for figuring out ways to get dilution water into Moses Lake because it has a longer-lasting effect rather than just treating the years that will be treated and then have it go back to the way it was before treatment. Director Selmann stated sediment deactivation could have effects that can last up to a decade. He stated the ultimate solution would be all of the projects. However, the sediment deactivation project is shovel-ready now, and the others still have years of engineering and environmental impact studies needed. Director Selmann stated he thinks asking for the funding for the engineering of the projects would be great to ask for in this round of potential funding. He said the reason he is bringing up the Alum sediment deactivation treatment is that it is the project where MLIRD can make the application under the existing permit and is a critical piece to getting the water quality where it needs to be. General Manager Chris Overland stated he believed the document for Patty Murray's request is consistent with what staff is working on with Harold Crose, the Chairman of the Moses Lake Watershed Council. Director Selmann stated MLIRD should be asking for planning money with this comprehensive submittal. President Bailey asked the Board who should submit the comprehensive submittal. Vice President Teals stated he feels the Moses Lake Watershed Council should submit the

comprehensive submittal with the help from MLIRD as General Manager Chris Overland and Harold Crose have a good working relationship. Director Selmann is concerned about the logistics of some legal entity forming the Moses Lake Watershed Council. Director Selmann believes it makes sense for MLIRD to be the lead agency and the Moses Lake Watershed Council, which includes numerous entities.

Director Foster would like it agreed to that should the conditions of receiving any money be cumbersome that MLIRD does not sign off on something it can't handle. President Bailey agreed and said that he doesn't think MLIRD should receive a grant without knowing all the conditions. He would want, whether it is the MLWC or MLIRD or a combination of the entities, for the grant to have Board approval after knowing the conditions and agree that the conditions can be fulfilled. General Manager Chris Overland stated he would set up a phone conference with himself, President Bailey, and Harold Crose the next day to discuss what the Moses Lake Watershed Council is comfortable with on how to go about getting the comprehensive submittal completed. President Bailey made a motion to pursue the infrastructure projects in particular for Rocky Ford Arm, which should include phosphorus stratification and any Alum Water Column work that can be funded this year, in addition to requesting money for the funding of the other projects as well. Vice President Teals seconded the motion. The motion carried unanimously.

Vice President Teals received a letter from the Department of Air Force National Museum stating that MLIRD can access an F-86 fighter aircraft or an F-104 fighter-bomber aircraft. He suggested one could be displayed at Connelly Park. Vice President Teals stated he looked into it, and it is a big expense, and the planes would have to be crated to Moses Lake and then set up functionally. Director Foster mentioned discussing the letter with the Port of Moses Lake and seeing if they would like MLIRD to contribute them to the Port of Moses Lake to have on display. Vice President Teals stated he liked Director Foster's idea and let the Port of Moses Lake decide if it were something they would like to go ahead with because it is a big logistical issue and a monetary expense. Director Selmann mentioned it might be nice to have one displayed near Highway 17 in conjunction with the Port of Moses Lake and possibly a sign saying the Moses Lake Airport is the next left. The Board agreed to have Vice President Teals speak to the Port of Moses Lake on the matter.

ADJOURNMENT

The meeting was adjourned at 8:34 PM.

Bill Bailey, President

Richard Teals, Vice President

Kris Dexter, Director

Kaj Selmann, Director

Jeff Foster, Director

By: _____
Secretary to the Board of Directors