

CALL TO ORDER

At 7:00 PM, Chairman Foster called the June 11, 2019 Regular Board Meeting of the Moses Lake Irrigation and Rehabilitation District to order. The record shows that all Board of Directors were present. Legal Counsel, Brian Iller and General Manager, Chris Overland was also present. The record indicates that this meeting was recorded.

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 Chairman Foster stated he would like to have a discussion regarding the DOE grant.

APPROVAL OF THE AGENDA

Chairman Foster called on the board members to approve the agenda. Director Dexter made a motion to approve the agenda as amended. 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 05/14/19 Regular Meeting, the Bills/Checks (#17150-#17178) and Voucher #1000213 totaling in \$65,080.10. Vice Chairman Bailey made a motion to approve the consent agenda and abstained from voting on anything related to Basin Property Management, Inc. Director Dexter seconded the motion. The motion carried unanimously.

PRESENTATIONS

Chairman Foster introduced David Beitz with Beitz and Daigh Geographics via telephone. Beitz and Daigh Geographics provide web mapping applications for various organizations that need to visualize data. David Beitz then presented a model that Beitz and Daigh Geographics and CORE Logic has been working on, which shows all the parcels that are in the MLIRD boundaries. There was a misunderstanding at last month's Board Meeting where the Board authorized a contract with Beitz and Daigh Geographics for a startup fee of approximately \$7,000 and an annual fee of approximately \$1,000. There is also an additional annual fee that goes to CORE Logic for approximately \$780. Legal Counsel, Brian Iller and Chairman Foster did not enter into the contract when the additional annual fee was brought up. Chairman Foster believes that even with the additional \$780 annual fee, it is still reasonable for what the District will be getting. Chairman Foster stated that the Board was also informed by Legal Counsel that having an updated map is something the District needs to have. Legal Counsel, Brian Iller said it is good for the Board to fully understand and make another motion agreeing to authorize a contract with the additional fee. Vice Chairman Bailey made a motion to amend the motion from the May 14, 2019 Board Meeting to add the additional fee of approximately \$780 for CORE Logic to provide the information for quarterly updates to the application with Beitz and Daigh

Geographics. Director Dexter seconded the motion. The motion carried unanimously.

Abel Sabedra addressed the Board for a possible easement for road access and electricity from MLIRD's Parcel #171028001 to Parcel #161745002. Legal Counsel, Brian Iller stated the District could only provide Abel Sabedra with a Personal License because of the language in the deed and the Board is precluded from granting any property interest. If the Board decides as a matter of policy to grant a Personal License to Abel Sabedra, the license has value as personal property and the Board would be obligated by statute to receive fair market value. In order to determine what the fair market value of the Personal License would be, the Board would need to have an appraisal done of the value of the license to provide access to Abel Sabedra's property. Legal Counsel, Brian Iller also stated that the Personal License would be revocable and any future Board could decide to revoke at any time. The Board would also have Abel Sabedra pay the cost of the appraisal because it is something that only benefits Mr. Sabedra and his property. Also, if Abel Sabedra decided to sell his property, he would not be able to use that specific access as the Personal License would be only for Mr. Sabedra to utilize. Legal Counsel, Brian Iller urged Mr. Sabedra to discuss all options with a property lawyer and if he still wants to proceed under those terms, he could contact General Manager, Chris Overland to start looking for an appraiser. Director Dexter also mentioned that even if Mr. Sabedra paid for an appraisal, there is still no guarantee the current Board would approve a Personal License. Legal Counsel, Brian Iller agreed and said the Board would have to make a policy decision to grant such a Personal License and the Board has to consider everything involved.

MLIRD STAFF REPORTS

General Manager Chris Overland reported the following:

- Lake elevation was at 1046.73 feet as of June 11, 2019.
- Rocky Coulee Wasteway flows are at 0 CFS as of June 9, 2019.
- Water testing results from the end of May with Rocky Coulee Wasteway flowing at 1,150 CFS show the clear benefit of having the Columbia River water flows going through Moses Lake.
- Connelly Park Picnic Shelter has now broken ground and expressed thanks to Vice Chairman Bailey and the Moses Lake Rotary Club.
- General Manager, Chris Overland would like to set up a barrier/curtain in the swimming area at Connelly Park this year. This will hopefully help with the algae control by treating the water when needed. General Manager, Chris Overland said otherwise MLIRD risks shutting down the beach area.
- There are no changes to the three-year employee Collective Bargaining Agreement contract. Using the formula within the contract, the 2019 COLA will have a 2.6% increase. Director Teals made a motion to approve the employee Collective Bargaining Agreement 3-year contract. Director Selmann seconded the motion. The motion carried unanimously. General Manager, Chris Overland asked to give the administrative assistant the same COLA increase. Chairman Foster said it is within General Manager, Chris Overland's budget parameter and does not need Board approval.
- Mark Shumaker's Land Petition had legal advertisements ran on 5/23, 5/30, and 6/6. MLIRD has prepared Resolution 2019-001. Director Dexter made a motion to accept Resolution 2019-001, accepting the land petition of Mark Shumaker, Parcel # 170075000. Vice Chairman Bailey seconded the motion. The motion carried unanimously.

- Aquatechnex aquatic weed treatment survey will begin on Wednesday 6/12, and if needed will continue to Thursday 6/13 and Friday 6/14.

WORKSHOP/DIRECTOR QUESTIONS and/or COMMENTS

Chairman Foster stated MLIRD is getting requests from the Department of Ecology to reconsider the Freshwater Algae Control Program Grant. DOE said all MLIRD would have to be is the conduit. Director Dexter said it appears it may cost more money to do all the requirements than the grant money being received. Legal Counsel, Brian Iller stated if DOE only wants MLIRD to be the conduit, then DOE needs to modify the agreement to reflect that MLIRD is just the conduit and is not exposing the District and it’s ratepayers to potential liability if another entity is supposed to do all the requirements. Director Selmann stated he does not have a problem approving the grant with saying under the conditions that DOE adds in that MLIRD is just the conduit. Legal Counsel, Brian Iller said he could draft an amendment to the agreement and if DOE can agree on the amendment, then the Board can proceed with the grant.

Director Selmann asked if there needed to be a motion for General Manager, Chris Overland to proceed with purchasing a barrier/curtain for the swimming area at Connelly Park. Chairman Foster stated if General Manager, Chris Overland has the funds in his budget, he can make the decision to proceed.

Director Teals said there are two pillars off of Highway 17 on the Connelly Park parcel. He would like to see some signage put on the pillars possibly saying “Connelly Park”, “Airman’s Beach” and/or the MLIRD Logo. General Manager, Chris Overland will look into the different possibilities.

Director Teals was on a kayak trip down Crab Creek and around Road 8, there was a herd of cattle in the middle of the creek. He believes it is an issue and that it is not difficult to put up barb wire to keep the cattle out of the lake. Director Teals also mentioned there are cattle up by Rocky Ford and they are kept a good distance away from the lake. Legal Counsel, Brian Iller stated he had researched the matter before and there were no regulations in WA State that stop owners from grazing cattle in waterways.

ADJOURNMENT

The meeting was adjourned at 8:09 PM.

Jeffrey B. Foster, Chairman

Bill Bailey, Vice Chairman

Kris Dexter, Director

Richard Teals, Director

Kaj Selmann, Director

By: _____
Secretary to the Board of Directors