

## **CALL TO ORDER**

At 7:00 PM, President Bailey called the August 11, 2020 Regular Board Meeting of the Moses Lake Irrigation and Rehabilitation District to order. The record shows that President Bailey, Director Dexter, and Director Foster were present. General Manager Chris Overland was also present. Vice President Teals, Director Selmann, and Legal Counsel Brian Iller attended via-telephone. The record indicates that this meeting was recorded. The Pledge of Allegiance was then recited.

## **DISCUSSION OF AGENDA ITEM(S)**

President Bailey called on the board members and the audience for discussion on any agenda items, and Director Foster asked to discuss the MLIRD Election timeline.

## **DISCUSSION OF NON-AGENDA ITEM(S)**

President Bailey called on the board members and the audience 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 Foster made a motion to approve the agenda. Director Dexter 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 07/14/2020 Regular Meeting, the Bills/Checks (#17669-#17705), and Voucher #1000227 totaling in \$65,581.54. Director Dexter made a motion to approve the consent agenda. Director Selmann seconded the motion. The motion carried unanimously. President Bailey abstained from voting on anything related to Basin Property Management, Inc.

## **ACTION ITEMS**

Opening of the Dredge Spoils Material Relocation bids then took place. Three bid packets were returned to the MLIRD office by August 11, 2020, by 5:00 PM. The three companies that returned the bid packets included Josh Voshall Trucking, LLC, Tommer Construction Company, Inc., and Scarsella Bros, Inc.

President Bailey opened and read aloud the bid amounts for each company. Josh Voshall Trucking, LLC, came in with the lowest bid at \$339,000.00 plus sales tax. Tommer Construction Company, Inc.'s bid came in at \$360,333.00 plus sales tax. Scarsella Bros, Inc.'s bid came in at \$367,000.00 plus sales tax.

Director Foster made a motion to tentatively award the bid to Voshall Trucking, LLC as the lowest bidder, pending MLIRD staff review of the bid packet to confirm they meet all of the requirements and qualifications needed to complete the project. Director Dexter seconded the motion. Discussion was then held. The motion carried unanimously. In the event there is an issue with Voshall Trucking, LLC's bid documents for the project, General Manager Chris Overland will notify President Bailey, who

will call a special meeting by phone and discuss moving on to the next lowest bidder.

## **MLIRD STAFF REPORTS**

General Manager Chris Overland reported the following:

- Lake elevation was at 1046.74 as of August 11, 2020.
- Rocky Coulee Wasteway has been flowing at approximately 120 CFS per day since August 2, 2020.
- Connelly Park algae toxin sampling results were then discussed. Samples have been taken at certain locations on 7/22, 7/29, and 8/6. So far, the main location that has resulted in high toxin levels was location “B.” These test results can be found on the MLIRD website. It was discussed to organize the test results by location instead of by date for easier readings. MLIRD will continue to test all 5 locations at Connelly Park weekly.
- Aquatechnex will be completing survey work of the lake and will possibly spot treat for algae.
- The dredge site is still in the process of being returned to its original state. The ponds have been filled in and leveled, along with the return water trenches. Approximately half of the equipment has been relocated. Relocation of the dirt and the possible planting for ground cover as part of the permit requirements is all that is left to complete the project.
- Assessment income is at 98% of budget, and expenses are at 65% of the budget, which will increase when the dirt relocation project is finished.

## **EXECUTIVE SESSION**

The Board went into Executive Session at 7:52 PM to discuss with legal counsel pending litigation as authorized by RCW 42.30.110 (1)(i). Possible action may be taken after Executive Session but is not expected. The expected time was 8 minutes, and the Board was to return approximately at 8:00 PM.

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

No action was taken.

## **WORKSHOP/DIRECTOR QUESTIONS and/or COMMENTS**

Director Foster asked when the MLIRD election process starts. He stated last year; a previous MLIRD Director believed MLIRD did not follow the statutory deadlines for the 2019 Election. Legal Counsel Brian Iller stated there’s not a certain time MLIRD has to start the election process; however, MLIRD does have statutory deadlines to meet regarding the election process.

Director Dexter asked if MLIRD is finding that the cyanobacteria are not typically found in the middle of the lake and that if it is normally found in shoreline spots. Director Selmann stated the readings from the different locations at Connelly Park that MLIRD has been getting has shown they are generally in the safe range at 4 of the 5 locations. He stated it had been explained to him that the reason the algae accumulates is that it is buoyant. When the wind blows in one direction and creates an eddy, an accumulation of the algae appears in one area. This seems to happen at the test location “B,” at Connelly Park. Director Selmann asked what the Board’s thoughts were if MLIRD was to place a sign at test location “B” stating not to swim in that area because of this issue. President Bailey stated this question would be up to Legal Counsel Brian Iller and MLIRD’s insurance carrier. Director Foster believes at this point, MLIRD has always

kept away from signage. Legal Counsel Brian Iller stated he would like to return to Executive Session if the Board would like to discuss the matter further. Legal Counsel Brian Iller stated he did think it would be a good idea for MLIRD to contact its insurance carrier to see what their recommendation would be. He stated he would look into the matter and report back to the Board through email. General Manager Chris Overland believes more education to the public needs to take place, so people know when to not go into an area of the lake. Director Selmann stated having General Manager Chris Overland speak with MLIRD's insurance carrier and Legal Counsel Brian Iller looking into the matter satisfies his question.

Director Dexter stated he has been testing the lake almost daily in the Pelican Horn/South End area and believes this year has been one of the clearest years for Moses Lake in several years.

Director Foster stated his personal opinion regarding additional dilution water is that it is not going to happen. Mark Maynard, with the USBR, stated at the last Moses Lake Watershed Council meeting that if plans are drawn up for the Bifurcation or W-20, he cannot guarantee any amount of acre-feet in any given year. Director Selmann stated that statement is a given; however, there is a relatively deep historical record proving that there have never been less than 70,000-75,000 acre-feet into Moses Lake. The amount of water that is being discussed moving is a fraction of the historical demand that is needed to put into the Potholes. President Bailey understands that it is an extremely complex situation such as the demands, the groundwater, the rainfall and snow from the previous year, and more. He stated it is going to be an on-going issue for the Moses Lake Watershed Council to keep working on and moving forward.

**ADJOURNMENT**

The meeting was adjourned at 8:14 PM.

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Bill Bailey, President

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Richard Teals, Vice President

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Kris Dexter, Director

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Kaj Selmann, Director

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Jeff Foster, Director

By: \_\_\_\_\_  
Secretary to the Board of Directors