

CALL TO ORDER

At 7:00 PM, Chairman Foster called the August 14, 2018 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. 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 Paul Kirkendall was added to the agenda.

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 Teals 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 07/10/18 Regular Meeting, the Bills/Checks (#16753-#16802) and Voucher #1000203 totaling \$99,087.15. Director Dexter made a motion to approve the consent agenda. Director Teals seconded the motion. Vice Chairman Bailey abstained from voting on anything related to Basin Property Management, Inc. The motion carried unanimously.

MLIRD STAFF REPORTS

General Manager, Chris Overland reported the following:

- Lake elevation was at 1046.76 feet as of August 14, 2018 at the Hallmark Gauge Station.
- Rocky Coulee Wasteway began flowing again on July 26, 2018. Flows are approximately at 150 c.f.s., as of August 14, 2018.
- A database of lake water users might be useful to have for aquatic treatment notifications.
- MLIRD Office is still receiving phone calls on the late assessment notices. However, they have slowed down considerably and are more manageable. Payments may now be made online on the Grant County website as of August 8, 2018. The first half of the assessments due date has been extended to August 31, 2018 which has been helpful to the MLIRD ratepayers. Originally the due date was July 31, 2018.
- Financials are currently at 65% of the budget. The assessment income has slowly been coming in, and MLIRD should see a positive benefit from ratepayers that are now able to pay online.
- General Manager, Chris Overland asked if MLIRD Staff is authorized to contact the Grant County Assessor's Office on erroneous

assessments. As an example, a person who came to last month's meeting saying he received a tax notice and was not a ratepayer. Discussion then took place. Legal Counsel, Brian Iller stated that the Board would like to see some guidelines that prove that a parcel is actually outside of the District boundaries before MLIRD staff does anything. Chairman Foster wants to make sure that whatever guidelines MLIRD staff uses, the methodology makes sense. Chairman Foster wants a consistent plan that can be approved by the Board to use each time a parcel in question comes up.

- General Manager, Chris Overland addressed the Board on possibly contacting agencies for support with potential issues on the lake. Director Teals commented on the quality of the lake at the fountain in the Parker Horn is incredibly good. It was noted that when Rocky Coulee Wasteway is flowing, you can see an incredible difference in the water quality test results. Director Selmann mentioned that dilution water has a huge impact and if MLIRD is looking at ways to get help in funding other performative dilution water, then the EPA or DOE might be able to help. General Manager, Chris Overland noted that MLIRD staff would keep monitoring all test sites and see how the numbers reflect. One way that may help reduce phosphorus levels on the north arm of Moses Lake may be to get help in funding the W-20 lateral feed route. General Manager, Chris Overland is bringing up for consideration, ideas that may have positive impacts on the lake.
- General Manager, Chris Overland went to a meeting on August 14, 2018 with the City of Moses Lake, WA State Department of Fish & Wildlife, Army Corps of Engineers, Department of Ecology and Ryan Walker with Grette Associates. The meeting was held to discuss the Pelican Horn causeway mechanical dredging project, the backside of Walmart mechanical dredging project, and the hydraulic dredging project in the Fountain area of Moses Lake that the Board discussed completing at previous Board Meetings. General Manager, Chris Overland said the meeting went exceptionally well. Each project was discussed in length. Both, the Pelican Horn causeway and the back side of Walmart are projected to be completed in the winter of 2018. Approximately 10 yards of material will be taken out at the Pelican Horn causeway, +/- 12,000 yards will be removed from the back side of Walmart and +/- 50,000 yards will be removed from the fountain side. General Manager, Chris Overland stated that MLIRD was looking for any red flags or any agency that had any objections in MLIRD pursuing these three projects and with there being none, MLIRD will move forward with the permitting of all three projects. General Manager, Chris Overland added that the plan is to have MLIRD staff mechanically dredge the Pelican Horn causeway and the backside of Walmart. These two projects were brought forward at the January 9, 2018 Board Meeting and were supported by the Board. The fountain side dredging project is planned to be contracted out.

EXECUTIVE SESSION

The Board went into Executive Session at 7:55 PM to discuss with Legal Counsel pending litigation as authorized by RCW 42.30.110 (1)(i) and to discuss with Legal Counsel the legal risks of a proposed action or current practice as authorized by RCW 42.30.110 (1)(i)(iii). The expected time was 15 minutes, and the Board was to return at 8:10 PM. Legal Counsel, Brian Iller indicated 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 8:10 PM to extend Executive Session another 5 minutes. They were to return to Regular Session at 8:15 PM.

The Board entered back into Regular Session at 8:15 PM.

PUBLIC COMMENTS

Paul Kirkendall suggested that the Board look into supplying lake water for irrigation purposes to all ratepayers to justify having to pay the MLIRD assessments every year. He does not believe in property owners watering their lawns with drinking water. Legal Counsel, Brian Iller stated that every property in the District has a legal right to access the lake water, even if they do not have an existing easement. Every ratepayer has a right of private condemnation to run a pipeline or ditch to the water source under state law. He added that it might be very expensive, but it would also be incredibly expensive for the District to install pumps and pipes to supply irrigation water to the entire District ratepayers. Chairman Foster said that assessments are not just for the benefit of being able to irrigate from the lake, assessments also go towards the benefit that the lake brings to the Moses Lake community. In the early 1960's, Senator Hansen said that MLID was not only going to be an Irrigation District but also a Rehabilitation District, and MLIRD was charged with improving water quality.

WORKSHOP/DIRECTOR QUESTIONS AND/OR COMMENTS

Director Teals wants the General Manager, Chris Overland to look into what it would take to get a shop and office/meeting building at Connelly Park with Grant County Planning. General Manager, Chris Overland noted that the architect in Spokane, WA went through the process and under the right conditions MLIRD would be able to build at Connelly Park. Vice Chairman Bailey said the first thing to do would be to figure out what the property is zoned as. General Manager, Chris Overland said when he spoke with Connor with the Grant County Planning Department, he said it depends on what MLIRD wants to build. General Manager, Chris Overland said he would look into it.

Director Teals mentioned that he was approached by Harold Hochstatter who would like to come and speak at the next Board Meeting regarding well water and lake water.

Director Selmann readdressed contacting agencies for support with potential issues on the lake and wanted to give General Manager, Chris Overland direction on whether samples should be sent to the Department of Ecology. Director Selmann then made a motion for MLIRD to hire a consultant to do a toxicity report on the North end of the lake. Director Teals seconded the motion. General Manager, Chris Overland said that MLIRD has previously sent all water samples to IEH Analytical Laboratories in Seattle, WA and algae samples to Western WA University. However, MLIRD has not had them test for the toxicity levels. Director Selmann amended his motion for MLIRD to take water samples from the North end of the lake and send them to IEH Analytical Laboratories in Seattle, WA and Western WA University for them to conduct a toxicity report. Chairman Foster called for a vote, and Director Teals and Director Selmann were the only two that voted. The motion failed for lack of votes. Vice Chairman Bailey mentioned if MLIRD is concerned about water quality and rehabilitation, he agrees that MLIRD should know the toxicity levels in the lake. Chairman Foster also mentioned he does not know how much this project will cost MLIRD. General Manager, Chris Overland said MLIRD pays approximately \$1,000 for a round of samples at IEH Analytical Laboratories and approximately \$500 for a season with Western WA University. Director Dexter is concerned about how accurate the tests will be if samples are only being taken from algae that are skimmed off the top of the lake. Vice Chairman Bailey made a motion to authorize General Manager, Chris Overland to contact IEH Analytical Laboratories and

Western WA University and determine how many toxicity tests they plan to run through 2018, what the costs will be through both laboratories, and should the tests be concluded by the end of the 2018 year and the total lab costs be no more than \$5,000 additional, the Board then authorizes General Manager, Chris Overland to perform the toxicity tests on the lake. Director Selmann seconded the motion. The motion carried unanimously.

ADJOURNMENT

The meeting was adjourned at 8:41 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