

CALL TO ORDER

At 7:00 PM, President Bailey called the December 08, 2020 Regular Board Meeting of the Moses Lake Irrigation and Rehabilitation District to order. The record shows that Director Dexter and General Manager Chris Overland was present. President Bailey, Vice President Teals, Director Selmann, Director Foster, and Legal Counsel Brian Iller attended via-telephone. The Pledge of Allegiance was then recited. 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. Director Selmann asked if the Board could discuss the new voting procedures. President Bailey noted the Board would discuss the topic in Executive Session.

APPROVAL OF THE AGENDA

President Bailey called on the board members to approve the agenda. Director Selmann 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 11/10/2020 Special Meeting and 11/10/2020 Regular Meeting, the Bills/Checks (#17819-#17852), and Voucher #1000231 totaling in the amount of \$88,097.70. Vice President Teals motioned to approve the meeting minutes from the 11/10/2020 Special Meeting and 11/10/2020 Regular Meeting. Director Selmann seconded the motion. The motion carried unanimously. Director Foster made a motion to approve the Bills/Checks (#17819-#17852) and Voucher #1000231. 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:

- The 2021 Draft Budget was discussed. General Manager Chris Overland stated MLIRD has not received the Grant County reports for the month. President Bailey had concerns with the 2021 CIAW insurance cost. Director Foster asked if CIAW knew MLIRD sold equipment. General Manager Chris Overland said yes and that MLIRD received credit for selling the Dredge. He believes it impacted the cost by approximately \$6,000. Director Selmann asked if the \$300,000 was still included in the 2021 Draft Budget that is being rolled over from last year to remove the dredge spoils. General Manager Chris Overland stated he dropped the cost of removing the dredge spoils to \$200,000 because MLIRD Maintenance Staff will

soon begin removing some dredge spoils with MLIRD equipment. President Bailey asked if the MLIRD Maintenance Staff would be using the dump truck, pup trailer, loader and/or excavator for the removal. General Manager Chris Overland stated they would see how it goes and may end up renting or leasing equipment to help out with the removal process. Director Foster made a motion to approve the 2021 Draft Budget. Director Dexter seconded the motion. Director Selmann believes it is premature to be approving the 2021 Draft Budget and that it's normally not approved until January. Director Selmann is still trying to work on the possibility of different special projects and plans on having that information ready for the January Regular Board Meeting. Director Foster asked what kind of special projects Director Selmann was looking at. Director Selmann stated he is trying to get the full report on different projects in terms of potential dilution to present the options and costs to the Moses Lake Watershed Council in January. General Manager Chris Overland stated another project to consider is Eutrophix. Additionally, more water balance work should be considered. He stated the more water balance analysis done, the better for any future treatments. President Bailey stated one thing MLIRD needs to recognize is that in the event there is a project MLIRD feels strongly about, the budget can always be amended. He does not see the approval of the 2021 Draft budget as a problem. Director Selmann stated at the last Regular Board Meeting, the Board approved a funding level that was in excess of the 2021 Draft Budget and he was under the impression the Board could lower the level of funding in January if the Board decided to. Director Selmann would like to be in line with the budget and feels MLIRD would benefit from another month of information gathering and discussions about what opportunities there might be. Director Selmann made a motion to table the former motion of approving the 2021 Draft Budget until the next Regular Board Meeting in January. Vice President Teals seconded the motion. President Bailey asked if the projected budget income for 2021 at the November Regular Meeting was approximately \$1.6 million. General Manager Chris Overland stated, to begin with, the projected budget income was set at approximately \$2 million with the assessment rate at \$1.00 per thousand of assessed value. The rate approved at the November Regular Meeting was \$0.80 per thousand of total assessed value. General Manager Chris Overland used an assessment rate of \$0.67 per thousand of total assessed value, which will cover the 2021 Draft Budget expenses. Director Selmann said the Board ultimately has room to lower the approved \$0.80 per thousand of total assessed value. However, he feels in order to lower the current approved rate, he thinks the Board needs to finalize research on what other budget items to include. He would like the decisions to be made at the January Regular Meeting instead of trying to make them at the meeting tonight. President Bailey called for a vote for tabling the approval of the 2021 Draft Budget until the January Regular Meeting. President Bailey, Vice President Teals, and Director Selmann voted in favor of the motion. Director Dexter and Director Foster voted against the motion. The motion carried three to two.

- Lake elevation was at 1041.22 as of December 08, 2020.

EXECUTIVE SESSION

The Board went into Executive Session at 7:40 PM to discuss with legal counsel pending litigation as authorized by RCW 42.30.110(1)(i) and potential litigation in the form of risks of a proposed action or current practice as authorized by RCW 42.30.110(1)(i)(iii). Possible action may be taken after Executive Session. The expected time was 20 minutes, and the Board was to return approximately at 8:00 PM.

At 8:00 PM, Director Dexter entered back into the Board Room to extend Executive Session 10 minutes. The Board was to return to Regular Session at approximately 8:10 PM.

The Board entered back into Regular Session at 8:10 PM.

WORKSHOP/DIRECTOR QUESTIONS and/or COMMENTS

Director Foster stated he received a call from a broker asking about permitted uses of the water coming from Moses Lake. Legal Counsel Brian Iller stated the only permitted use of the MLIRD water right is for irrigation. Director Foster stated the reason the topic came up was that there are water supplies that are not permitted to be used for the irrigation of marijuana. Legal Counsel Brian Iller stated they would need to get their own attorney to supply them with opinions as to whether that use is legal. Director Selmann asked if MLIRD’s water right is a state water right. Legal Counsel Brian Iller stated that was correct and said under state law, marijuana is legal, so someone should be able to use state water to grow it legally. Legal Counsel Brian Iller stated he does have some concerns regarding the topic and would send them to the Board through email.

ADJOURNMENT

The meeting was adjourned at 8:15 PM.

Bill Bailey, President

Richard Teals, Vice President

Kris Dexter, Director

Kaj Selmann, Director

Jeff Foster, Director

By: _____
Secretary to the Board of Directors