

Moses Lake Irrigation and Rehabilitation District
Regular Board Meeting
April 11, 2023

CALL TO ORDER

At 7:00 PM, President Bailey called the April 11, 2023 Regular Board Meeting of the Moses Lake Irrigation and Rehabilitation District to order. The record shows President Bailey, Vice President Teals, Director Dexter, Director Foster, Director Perry, and Legal Counsel Brian Iller were present. The record indicates that this meeting was recorded. The Pledge of Allegiance was then recited.

DISCUSSION OF AGENDA ITEM(S)

President Bailey called for discussion on any agenda items, and nothing was brought forward.

DISCUSSION OF NON-AGENDA ITEM(S)

President Bailey called 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. Vice President Teals seconded the motion. The motion carried unanimously.

APPROVAL OF CONSENT AGENDA

President Bailey called on the board members to approve the consent agenda. The consent agenda consisted of the meeting minutes from the 03/14/23 Special Meeting and the 03/14/23 Regular Meeting, the Bills/Checks (#18735-#18754), and Voucher #1000259, totaling \$57,938.11. Vice President Teals made a motion to approve the consent agenda. Director Foster seconded the motion. The motion carried unanimously. President Bailey abstained from voting on anything related to Basin Property Management, Inc.

PRESENTATIONS/SCHEDULED GUESTS

Neal Welbourne – Welbourne Geographical Services

Neal Welbourne with Welbourne Geographical Services specializes in GIS, Spatial Data and Business Process Management, Online Mapping, and Applications. He gave a presentation via telephone on examples of ways to control and maintain MLIRD's assessments with a standard calculation that will be clear, concise, easily replicated, fair, and in proportion to the benefits conferred by MLIRD's ratepayers. The benefits could possibly include factors like frontage, zoning, acreage, and property use. Base factors can be changed, altered, or updated for the criteria and characteristics of MLIRD's parcels. President Bailey stated MLIRD would stay in touch with him regarding a benefit analysis for the parcels in the District.

MLIRD Consultant Kaj Selmann reported on his efforts regarding the legislative changes. Senate Bill 5460 passed both the Senate and the House of Representatives unanimously. The reconciliation bill will be voted on by the Senate before April 23, 2023. MLIRD Consultant Kaj Selmann is looking into the logistics for the bill's signing ceremony. The bill will either be signed by Governor Inslee or go unsigned and becomes a

session law in two weeks. Senate Bill 5460 will go into effect 90 days after the end of the session.

MLIRD Consultant Kaj Selmann stated Grant County Treasurer Darryl Pheasant has voiced that he still has concerns with the bill. His main concern is that limiting the MLIRD "budget" to \$1/\$1,000 assessed value could make MLIRD unable to "budget" larger projects like a Dam replacement or dredging that may exceed the annual budget expenses. Kaj Selmann reaffirmed Grant County Treasurer Darryl Pheasant that MLIRD would have more than one budget; a "Rehabilitation" account under RCW 87.84 and an "Irrigation" account, used as a general account under RCW 87.03. The "Rehabilitation" budget could include contributions to larger "Dual Purpose" items such as a Dam replacement, dredging, or operating reserves into the "Irrigation" general account.

MLIRD Consultant Kaj Selmann, President Bailey, and Vice President Teals met with DOE representatives, City of Moses Lake representatives, and the City of Moses Lake water rights consultants on March 30, 2023. The DOE representatives explained why they disagreed with the interpretation of MLIRD's water right. However, the DOE representatives agreed not to send an official letter stating their disagreements which will give MLIRD and the City of Moses Lake representatives time to reform the argument based on the feedback from the meeting. A new strategy meeting will be held on April 18, 2023. Another meeting with the DOE will be scheduled in May of 2023.

MLIRD Consultant Kaj Selmann also reported that the Columbia Basin Conservation District believe they will receive a \$30,000 grant from DOE to do an analysis on a comprehensive vegetation plan for Moses Lake, and the CBCD would like MLIRD to be involved.

EXECUTIVE SESSION

The Board went into Executive Session at 8:15 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 the legal risks of a proposed action as authorized by RCW 42.30.110 (1)(i)(iii). The expected time was 30 minutes, and the Board was to return approximately at 8:45 PM. Legal Counsel Brian Iller indicated that further action may or may not be taken after as a result of the discussion in Executive Session.

President Bailey entered back into the boardroom at 8:45 PM to extend Executive Session by 15 minutes. They were to return to Regular Session at approximately 9:00 PM.

The Board entered back into Regular Session at 9:00 PM.

MLIRD STAFF REPORTS

- Lake elevation on April 11, 2023 was 1044.72
- The MLIRD Office was contacted by Jim R. Saechao, SSgt, USAF, for MLIRD's approval to use Moses Lake in the future as a training area for military training jumps. Legal Counsel Brian Iller stated to his knowledge, Moses Lake has never adopted any rules regarding the use of the lake. The Board discussed the matter and unanimously decided that MLIRD has no authority to give them permission and does not exercise any authority over the lake. Depending on where they are planning their training jumps, the Board also stated he should probably contact the Grant County Sheriffs, the Grant County Office, and the City of Moses Lake.
- Thomas and Candice Whitman turned in a completed "Petition for Addition of Lands To Moses Lake Irrigation and Rehabilitation District."

ACTION ITEMS

Director Dexter made a motion to accept Thomas and Candice Whitman - Parcel #111729003's completed "Petition for Addition of Lands To Moses Lake Irrigation and Rehabilitation District" and instruct MLIRD Staff to start the process. Director Foster seconded the motion. The motion carried unanimously.

WORKSHOP/DIRECTOR QUESTIONS and/or COMMENTS

The boat races at Connelly Park for 2023 will not happen this year. However, they hope to add a boat race at Connelly Park in 2024.

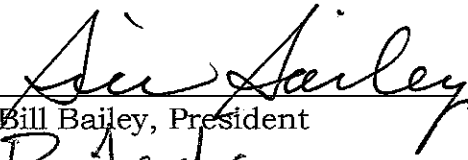
Vice President Teals stated MLIRD Maintenance Operator Chris Wilson removed a beaver dam at the Pelican Horn railroad trestle so water can now move freely down through to the Montlake Park area.


President Bailey also stated MLIRD is moving out of the Pheasant Street shop by the end of April, and all of MLIRD's equipment will be moved to the MLIRD office.


President Bailey asked that the qualifications for the General Manager position be emailed to all of the Directors so any changes or additions can be suggested.


ADJOURNMENT


The meeting was adjourned at 9:08 PM.


 Bill Bailey, President


 Richard Teals, Vice President


 Kris Dexter, Director


 Chuck Perry, Director


 Jeff Foster, Director

By: Beth Yanko
Secretary to the Board of Directors