

Moses Lake Irrigation and Rehabilitation District  
Special Board Meeting  
July 26, 2023

### **CALL TO ORDER**

At 7:00 PM, President Bailey called the July 26, 2023 Special Board Meeting of the Moses Lake Irrigation and Rehabilitation District to order. The record shows President Bailey, Director Foster, Director Perry, Director Dexter, and Legal Counsel Brian Iller were present. The record indicates that this meeting was partially recorded due to technical difficulties at the beginning of the meeting. The Pledge of Allegiance was then recited.

### **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 Perry seconded the motion. The motion carried unanimously.

### **EXECUTIVE SESSION**

The Board went into Executive Session at 2:05 PM to discuss with Legal Counsel the legal risks of a proposed action as it relates to the Board's consultant work and assessment methodology practices as authorized by RCW 42.30.110 (1)(i)(iii). The expected time was 30 minutes, and the Board was to return approximately at 2:35 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 extended Executive Session by 30 minutes. They were to return to Regular Session at approximately 3:05 PM.

President Bailey extended Executive Session by 15 minutes. They were to return to Regular Session at approximately 3:20 PM.

President Bailey extended Executive Session by 10 minutes. They were to return to Regular Session at approximately 3:30 PM.

The Board entered back into Regular Session at 3:30 PM.

### **DISCUSSION**

Legal Counsel Brian Iller gave a brief summary of the work MLIRD's consultant, Neal Welbourne, with Welbourne Geographical Services, is doing. The presentation was held in Executive Session due to the legal risks. Neal Welbourne with Welbourne Geographical Services has been contracted by MLIRD to provide expert assistance in developing an assessment methodology and assessment process that complies with the statutes for an irrigation district under RCW Chapter 87.03 and irrigation and rehabilitation districts under RCW Chapter 87.84.

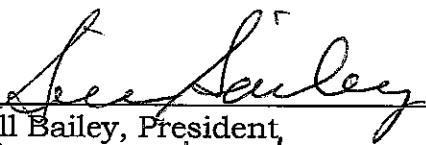
Mr. Welbourne is preparing a computer model that will comply with the court's decision of the Hansen v. MLIRD litigation and the MLIRD v. Pheasant litigation and, secondly, comply with the modifications to the rehabilitation statute, specifically, RCW 87.84.070. The last Legislature modified RCW 87.84.070 regarding irrigation and rehabilitation assessments to eliminate the \$0.25 per thousand dollars of assessed valuation on the method of rehabilitation assessments and substituted language that states: "The directors of the district shall annually determine the amount of money necessary to carry on the rehabilitation operations of the district and shall classify the property therein in proportion to the benefits to be derived from the rehabilitation operations of the district and in accordance with such classification shall apportion and assess the

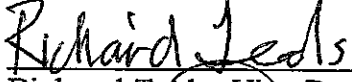
several lots, blocks, tracts, and parcels of land or other property within the district, which assessment shall be collected with the general taxes of the county or counties." Legal Counsel Brian Iller stated Neal Welbourne is a geographical information expert, has many years of practical experience with assessment matters, and is using data from Grant County and the City of Moses Lake for the assessment method that he can recommend to the Board to comply with RCW 87.84.070.

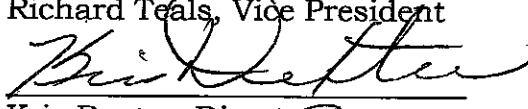
The work is expected to be finished over the next month and a half so the Board can consider Mr. Welbourne's final work and recommendations and, at that point, be ready for the public to view the new assessment methodology. The method will be applied, and a draft assessment roll and schedule of rates, tolls, and charges will be adopted by the Board. All of Neal Welbourne's work is not ready for publication yet because it is still in draft form, and the Board and Legal Counsel Brian Iller have understandable concerns and want the assessment methodology the best it possibly can be to comply with the court's decisions and the new statute. President Bailey stated Directors need to get any questions or concerns to Legal Counsel Brian Iller, who will circulate them to the rest of the Board.

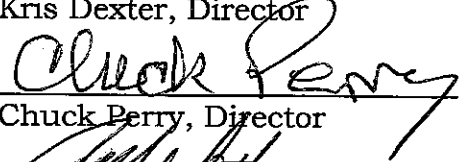
**ADJOURNMENT**

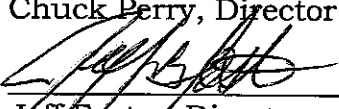
The meeting was adjourned at 3:37 PM.

  
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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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Chuck Perry, Director

  
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Jeff Foster, Director

By: Beth Yonke  
Secretary to the Board of Directors