

Moses Lake Irrigation and Rehabilitation District
Regular Board Meeting
February 13, 2024

CALL TO ORDER

At 7:00 PM, President Bailey called the February 13, 2024 Regular Board Meeting of the Moses Lake Irrigation and Rehabilitation District to order. The record shows that President Bailey, Vice President Teals, Director Dexter, and Director Perry were present. Director Ketterer and Legal Counsel Brian Iller attended via-telephone. The record shows the Pledge of Allegiance was recited. The record indicates that this meeting was recorded.

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 Glen Zuger was added to the agenda.

APPROVAL OF THE AGENDA

President Bailey called on the board members to approve the agenda. Vice President Teals made a motion to approve the agenda. Director Perry 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 01/09/24 Special Board Meeting and the 01/09/24 Regular Board Meeting, the Bills/Checks (#19067-#19091), and Voucher #1000269 totaling \$32,418.18. Director Dexter said the word "stated" was misspelled on page one of the 01/09/24 Regular Board Meeting minutes under the heading "Election of Board Officers" and it was noted the correction would be made. Director Perry made a motion to approve the consent agenda. Vice President Teals seconded the motion. The motion carried unanimously. President Bailey abstained from voting on anything related to Basin Property Management, Inc.

PRESENTATIONS

Columbia Basin Conservation District – Ron Sawyer

Ron Sawyer gave a presentation on a program the Columbia Basin Conservation District has started. The youth program consists of educating the middle school students of Moses Lake, Ephrata, and Ritzville with a musical play called "The Hunt for Yarely" that follows a water droplet through the water cycle while also teaching about water conservation, water quality, and blue-green algae in the local lakes. The Columbia Basin Allied Arts selected the musical play as one of their middle school education programs, and it will be performed in April of this year. There will be local actors, actresses, musicians, and artists that will be helping out with the play. The Columbia Basin Conservation District has donated \$3,000, the Columbia Basin Allied Arts has donated \$4,800, the City of Moses Lake has donated \$1,500, and the Lion's Club has donated \$2,000 towards the expenses. However, Mr. Sawyer stated they are still \$1,500 shy of having all the money needed and is hoping MLIRD could help donate towards the project.

Director Dexter asked if there would be a production for the adults in the community to go and watch. Mr. Sawyer stated that, as of right now, nothing has been scheduled.

Vice President Teals stated one of the things MLIRD has always been supportive of is educating the youth of the community and supports the idea. However, he is not sure of how much funding would be able to come out of the MLIRD budget because the District has not assessed for the last three years, even with the knowledge of the 2024 MLIRD assessments being collected in the spring of this year.

President Bailey stated the point can be made that the District budget is tight right now and is cost-saving wherever possible. He also believes the youth program is a good idea as well and wondered if it would be possible to make a compromise where MLIRD waits to donate in April when the 2024 assessments are collected.

Director Perry stated anything that educates the youth of the community on the natural resources in the area, particularly on the water in Moses Lake, is very important, and he supports the contribution relative to what the District can afford.

Ron Sawyer stated he believed it would be okay if the Board wanted to make a pledge that would be contingent upon getting the financing.

Vice President Teals made a motion to donate \$1,000 to the youth program "The Hunt for Yarely." Director Perry seconded the motion.

Director Dexter stated he believes the program is interesting and is probably helpful; however, he has one concern. Director Dexter stated the MLIRD Board did not follow scientifically the assessment process because the study "A Baseline Assessment of the Economic and Social Values of Moses Lake, Washington," written by Heather Sawyer, is a 2 to 1 ratio in value. Director Dexter believes the money for the 2024 assessments is tainted and is like defrauding the Stakeholders by not following the science. He feels the money is tainted and corrupted, and the Board should straighten it out. He feels it will be hard to spend the money when he knows the money is defrauded like it is.

President Bailey asked Director Dexter if that meant he was not in favor of the motion. Director Dexter said he just feels the money has defrauded the Stakeholders. President Bailey stated that the Board has already been through this and will not go through it again tonight.

Legal Counsel Brian Iller stated he appreciates that Director Dexter is unhappy with the decision of the Board on the assessment matter, but it is not a scientific matter, and Director Dexter needs to be very careful when he is accusing the Board members of fraud and corruption when the Board was making a good faith determination on the benefits question the Board was presented with. Value is, at most, one factor that the Board can consider; Legal Counsel Brian Iller stated it is defamatory to say that the Board is defrauding its ratepayers when everything it did was in open session, was discussed, analyzed, and the Board had reasons for the decision. Legal Counsel Brian Iller urged Director Dexter to exercise great caution before accusing fellow Board members of committing fraud or being corrupt just because they disagree with his analysis of the classification of benefits to the various properties. Legal Counsel Brian Iller also stated in an abundance of caution that he feels Director Dexter should seek his own attorney counsel on how to word his concerns and complaints so he does not expose himself to potential personal liability.

Legal Counsel Brian Iller stated he represents the Board as a whole and represents the entity and cannot advise Director Dexter on his potential

personal liabilities, which is why he is suggesting that before he continues to accuse the Board and fellow Board members of fraud and being corrupt, he may want to get his own legal opinion from his own attorney as to what potential liability he is creating for himself by using those terms. Legal Counsel Brian Iller said just disagreeing with the methodology the Board selected and followed is fine. However, accusing the Board and Board members of fraud and corruption creates a risk.

President Bailey asked that the Board get back to the motion on the table. He made a motion to amend the current motion on the table to include the amount of \$1,500 instead of the \$1,000. Vice President Teals seconded the motion. Vice President Teals stated if President Bailey feels \$1,500 is something the MLIRD budget can handle, he would support that. Director Perry stated he has read over the available budget and feels \$1,500 is a reasonable amount the Board can commit to, particularly when MLIRD receives the 2024 assessments.

President Bailey called for a vote on the motion. President Bailey, Vice President Teals, and Director Perry voted in favor of the motion. Director Dexter and Director Ketterer voted against the motion. The motion carried.

Ron Sawyer stated he appreciates the support and enthusiasm from MLIRD.

PUBLIC COMMENTS

Glen Zuger stated a couple of months ago, MLIRD made some changes to the website system, and from that time on, he has not been able to access the MLIRD website on any of his three personal PCs or his cellphone. He can access many other multiple government agency websites, just not MLIRD's. He has had conversations with MLIRD staff and believes the issue needs to be fixed so that everyone can access the website. Interim Manager Beth Yonko stated she has communicated in depth with MLIRD's computer technician, who has spent many hours trying to troubleshoot why Mr. Zuger's computer cannot access the MLIRD website and has found no issues as to why he should not be able to access it. President Bailey stated that MLIRD is aware there is a problem and is trying to resolve the issue.

MLIRD STAFF REPORTS

- Lake elevation on February 13, 2024 was 1043.21.
- Lakeshore Cleanup is scheduled for Saturday, March 23, 2024 at 9:00 AM.
- MLIRD Consultant Neal Welbourne with Welbourne Geographic Services, LLC is progressing with the MLIRD total irrigated acres and is estimated to be finished in April.
- Ron Sawyer with the Columbia Basin Conservation District called the MLIRD office to inform MLIRD that the \$3.1 million water quality improvement project planned for the Rocky Ford Arm is on schedule for June of this year.
- MLIRD has received confirmation that it will receive letters of support from the Port of Moses Lake, the Moses Lake Chamber of Commerce, and the Grant County Economic Development Council for the CERB (Community Economic Revitalization Board) grant that MLIRD is applying for.
- Connelly Park restrooms are getting painted this week, and new bathroom stall partitions will be ordered and installed in the next few weeks. Recently, a vehicle or vehicles somehow managed to get into Connelly Park and tore up part of the center strip grass area.
- The MLIRD office will continue to communicate with its computer technician to try and resolve the MLIRD website issues.
- President Bailey stated that the MLIRD office has started analyzing the Phosphorus and other analyses of all the water quality test sites


to see if there are any patterns or if they can be related to the Columbia River water flows.

ADJOURNMENT

The meeting was adjourned at 7:40 PM.




Bill Bailey, President



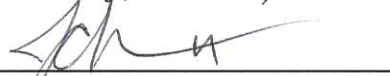
Richard Teals, Vice President



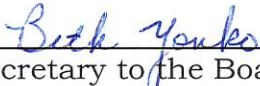
Kris Dexter, Director



Chuck Perry, Director



Joe Ketterer, Director

By: 

Secretary to the Board of Directors