

CALL TO ORDER

At 7:00 PM, Chairman Foster called the October 13, 2015 Regular Board Meeting of the Moses Lake Irrigation and Rehabilitation District to order. The record shows that all Board Members were present including General Manager, Chris Overland and Legal Counsel, Brian Iller. 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 of Directors and the audience for a discussion on any agenda items, and nothing was brought forward.

DISCUSSION OF NON-AGENDA ITEM(S)

Chairman Foster called on the Board of Directors and the audience for discussion on any non-agenda items, and Norm Estoos said that he may have something to comment on about during the meeting.

APPROVAL OF THE AGENDA

Chairman Foster called on the Board of Directors to approve the agenda. Vice Chairman Bailey then made a motion to approve the agenda. Director Perry seconded the motion. The motion was then carried unanimously.

APPROVAL OF THE CONSENT AGENDA

Chairman Foster called on the Board of Directors to approve the 9/08/15 minutes in the consent agenda. Director Teals then made a motion to approve the 9/08/15 minutes. Vice Chairman Bailey seconded the motion. The motion was then carried unanimously.

Chairman Foster called on the Board of Directors to approve the Bills/Checks and Vouchers in the consent agenda. The items being approved consisted of the Bills/Checks (#15259-#15302) totaling \$54,687.59 and Vouchers (#1000140-#1000142) totaling in \$88,681.19. Vice Chairman Bailey then made a motion to approve the Bills/Checks and Vouchers in the consent agenda. Director Teals seconded the motion. For the record, Vice Chairman Bailey abstained from voting on any items related to Basin Property Management, Inc. The motion was then carried unanimously.

MLIRD STAFF REPORTS

General Manager, Chris Overland reported on projects and events:

Recent events/news discussed:

- General Manager, Chris Overland presented the Board with the 2016 draft Assessment Roll. RCW 87.03.2050 indicates that the Assessment Roll must be delivered to the board before the first Tuesday in November, and an equalization meeting must take place not less than 20 days after the delivery and publication of the Assessment Roll no more than 30 days. The board will meet for the equalization hearing on November 10th, 2015 at 6:30 PM in the MLIRD board room. Discussion was then held on exempt and retired parcels within the District. Legal Counsel, Brian Iller is still trying to set up a meeting with Grant County to answer all of

MLIRD's questions in regards to this issue. Chairman Foster said that the two main issues he sees are, the exempt parcels and the parcels that have been recently developed, and he would like someone to take a look at the parcels that are different from last year. He added that he believes the exempt parcels are a far less number than newly developed parcels. His concern is that the 2016 draft Assessment Roll does not include the newly developed parcels. Legal Counsel, Brian Iller said he believes that the District is reasonably safe in assuming that the assessor's office has done their job in a relatively timely fashion and that MLIRD can rely on the data from them. General Manager, Chris Overland said that staff could do some comparative analysis with the 2015 Assessment Roll versus the 2016 draft Assessment Roll. Chairman Foster said that he thinks we need to be working hard to take a look at the parcels that are different from last year compared to the 2016 draft Assessment Roll. Legal Counsel, Brian Iller informed the Board of Directors that the equalization meeting can be continued if the Board feels there is a need to gather more information.

- Lake elevation was at 1046.7 feet as of October 13, 2015.
- The Moses Lake North Dam gates will be completely open on the first Monday in November until Moses Lake reaches approximately 1042.7 which will take about four weeks.
- Bureau of Reclamation flowed an average of 350 cubic feet per second through Moses Lake in the month of September.
- A letter was mailed to the Washington State Department of Transportation Secretary regarding the I-90 culverts being cleaned out. A meeting with WSDOT was held on 10/9/15 with Kirk Berg, one of their engineers. WSDOT also did a site visit on 10/12/15, but it is still too early to gauge the outcome at this moment.
- General Manager, Chris Overland met with three officials with the Port of Moses Lake officials on 9/22/15. Tentatively they appear to be very interested in joining the Moses Lake Irrigation and Rehabilitation District. More on this is expected soon.
- With the November lake elevation change coming, MLIRD is in the process of shutting down equipment operations and removing them from the lake. The Parker Horn Pump Station will be shut down, and the dredge will be coming out of the Lake the latter part of this month.

EXECUTIVE SESSION

The Board went into Executive Session at 8:00 PM to discuss with Legal Counsel potential litigation in the form of the legal risks of a current practice or proposed action as authorized by RCW 42.30.110(1)(i)(iii). The expected time was 5 minutes, and they were to return to Regular Session at 8:05 PM. Chairman Foster indicated that there may or may not be further action taken as a result of the discussion in Executive Session. The board entered back into Regular Session at 8:05 PM.

Chairman Foster announced that in Executive Session the Board took action in regards to a letter received about MLIRD dredging operations and would like to direct staff to take no action on the proposal and if MLIRD is approached again in person or by letter to inform them thanks but no thanks, MLIRD dredging operations are going just fine.

The boat launch was again discussed and it was decided that MLIRD is sorry, but the possibility has been studied thoroughly and at this point in time, a boat launch is not high on MLIRD's priority list and it is probably something that MLIRD is not going to spend a lot of extra time on.

ACTION ITEMS

Secretary of the Board of Directors, Chris Overland announced that MLIRD has caused notice of the filing of Luke McKean's petition in the Columbia Basin Herald three times. Being that no one came forward with written cause as to why the MLIRD boundaries should not include Grant County Tax Parcel Number 161682011, Vice Chairman Bailey made a motion to adopt the order. Director Perry seconded the motion. Director Dexter asked if MLIRD has unlimited water rights for parcels in the District to irrigate because there is no limit on how much parcels draw out of the lake. He also asked if MLIRD could petition any parcels into the District or if there is a limit? Legal Counsel, Brian Iller said that any person that petitions in to join the District needs to understand that there are limits to MLIRD's water right. The limits are not crystal clear, but MLIRD District ratepayers have the authorization to share whatever water rights the District has at whatever time those water rights are determined. Legal Counsel, Brian Iller said that as of right now, the District has no knowledge that it is exceeding any limitation on its water rights. The motion to adopt Luke McKean's petition into the District was then carried unanimously.

WORKSHOP/DIRECTOR QUESTIONS AND/OR COMMENTS

Chairman Foster added that he would like to see MLIRD's goals on the November regular meeting agenda to be discussed.

ADJOURNMENT

The meeting was adjourned at 8:15 PM.

Jeffrey B. Foster, Chairman

Bill Bailey, Vice Chairman

Mary Perry, Director

Kris Dexter, Director

Richard Teals, Director

By: _____
Secretary to the Board of Directors

Transcribed By: _____