

## **CALL TO ORDER**

At 7:01 PM, Chairman Foster called the November 11, 2014 Regular Board Meeting of the Moses Lake Irrigation and Rehabilitation District to order. The record shows that all Board Members are present as well as Counsel, Brian Iller and General Manager, Chris Overland. The record also shows that this meeting was recorded. The Pledge of Allegiance was then recited.

## **DISCUSSION OF AGENDA ITEM(S)**

Chairman Foster called on the board members and the audience for discussion on any agenda items. Dennis Clay requested time to discuss the upcoming election and he was then added to the agenda under presentations as item 1A.

## **DISCUSSION OF NON-AGENDA ITEM(S)**

Chairman Foster called on the board members and the audience for discussion on any non-agenda items and nothing was brought forward.

## **REVIEWING OF THE AGENDA**

Chairman Foster added Dennis Clay under presentations as agenda item 1A along Paxton Anderson with Strata as item 1B.

The staffing issue was brought up by Counsel Brian Iller as an additional item to be discussed in Executive Session.

Chairman Foster called for a motion to approve the agenda. A motion was made by Director Perry to accept the amended agenda as presented. The motion was then seconded by Vice Chairman Bailey. The motion was then carried unanimously.

## **APPROVAL OF CONSENT AGENDA**

A typo on the October 14, 2014 Regular Board Meeting Minutes was brought forward by Director Perry. A motion was made by Vice Chairman Bailey to approve the consent agenda. However, he would exclude himself from voting on any items relating to Basin Property Management, Inc. The motion was seconded by Director Perry. The motion was then carried unanimously.

## **PRESENTATIONS**

### **1A - DENNIS CLAY**

Dennis Clay was asked by Beth Yonko, with approval of the Board, to be the inspector for the 2014 Elections.

A background history on marked versus unmarked envelopes was discussed and what constitutes a valid ballot. In the past, there were some questions brought forward by a former Board Member that these were not counted correctly.

Dennis and the board also discussed if 8 judges were really needed for this year, as numbers are expected to be lower than the last few years. The board decided to do things the same as in the past and stay with having 8 judges. They agreed that if the election was going slow, they may

tell judges that they are no longer needed and let them go home early if need be.

Counsel Brian Iller suggested an instruction sheet go out with the absentee ballots stating not all mail is postmarked by the post office. If a ballot is mailed and not post marked by the post office, a risk is taken and the ballot will not be counted. The way to prevent that risk is to hand deliver the ballot directly to the District office. Beth will send a copy of the instruction sheet to Counsel Brian Iller for approval.

## **1B – DAM CONSTRUCTION**

Paxton Anderson, Area Manager from Strata introduced himself to the new Board Members along with Ryan Carter, the field inspector of the north dam project. The project has started and is well underway. A pre-construction meeting was held last week to kick the project off. A slide presentation was shown on the progress and demolition. North Central Construction has been extremely proactive in responding to requests from Strata.

A two week overview of the North Dam is:

- 4-5 days for installation of the coffer dam
- Demolition of the wall on the upstream side that will be conducted by North Central Construction
- The beginning of the permanent interior sheet pile will take place
- Excavating out the soil that is within the footprint of the dam itself

## **DELIVERY OF CERTIFICATES FOR THE UN-OPPOSED CANDIDATES**

Chairman Foster announced that an un-opposed candidate that filed a petition of nomination for a position on the Board of Directors for Moses Lake Irrigation and Rehabilitation District automatically is declared the winner of that position. Both Richard Teals and Mary Perry were un-opposed for the position they ran for. Chairman Foster then read the Certificate for both Richard Teals and Mary Perry. “This is to certify that Richard Teals and Mary Perry have been the only candidate to file a petition of nomination for position one and position two on the Board of Directors for the Moses Lake Irrigation and Rehabilitation District as of November 13<sup>th</sup>, 2014, when said petitions of nomination were due and said Secretary of MLIRD having confirmed that Mr. Teals and Mrs. Perry are qualified to take the office of director of MLIRD. This document certifies that Mr. Teals and Mrs. Perry are hereby declared the winner of the election per say the RCW 87.03.075 effective at the next regular meeting, November 11<sup>th</sup>, 2014 and shall serve in that position for a period of two years for Mr. Teals and three years for Mrs. Perry, commencing the second Tuesday dated in January, 2015.” Both Mr. Teals and Mrs. Perry will be sworn into their position the beginning of January, 2015.

## **STAFF REPORTS – GENERAL MANAGER, CHRIS OVERLAND**

General Manager, Chris Overland reported on projects and events:

Projects encountered since day one:

- Successfully hiring and fully staffing the Moses Lake Irrigation and Rehabilitation District.
- Successfully transitioning all emails over to Gmail and transition complete to new data server.
- Creating a staff-friendly internal website and separate database system that centralizes policies & procedures, RCW’s, frequently used data or websites, documents, and helps track activities, complaints and expenses associated with MLIRD. All of this is available from any staff computer.

- Keeping the Moses Lake Irrigation and Rehabilitation District Internet website updated along with adding new items for ratepayers and the community.

Some recent events mentioned:

- The lowering of the lake.
- Chris has spent considerable time with the assessor and treasurer of Grant County in Ephrata going over the assessment roll and ways to improve in that effort.
- Preparation of the dredge permit is underway abandoning the idea of a one year extension in favor of a full five year renewal. The estimated cost is at \$26,500.
- A DOE grant to address lake algae and aquatic weeds was discussed and is currently being processed.
- Future equipment needs and existing inventory is being assessed. The discussion includes what current MLIRD equipment is worth, what future MLIRD equipment purchases may look like, and any offsetting cost potential, etc.
- Connelly Park has been closed for the season.
- The Alder Street Fill Fountain has been removed and will be rebuilt while it is out of the water.
- Seasonal shutdown of Parker Horn Pump station has taken place.
- Dredging operations have been completed for the 2014 year and the dredge has now been removed for the season.

Present challenges:

- Pending lawsuit impacts
- MLIRD 2014 Election
- Financial impact of North Dam
- Upcoming State Audit anticipated for January 2015
- Getting the 2015 budget, the 2015 Assessment Roll and the 2015 equipment sales/purchases approved

Vice Chairman Bailey then went into detail with the reasoning behind the pushing towards a 5 year permit instead just extending the current permit one more year. Vice Chairman Bailey believes that one year is not going to get the job done and that even though they can easily extend the permit for another year, when we go to renew it again in the upcoming years we might have to go through the whole process which could quite possibly reach up to \$60,000. So the proposal was to just apply for another 5 year permit to tie onto the existing permit which is estimated to cost \$26,500.

The new equipment consideration was discussed in anticipation of the future dredging. The equipment will be shown in the budget and Chris will write a proposal for appropriate equipment. The District will get proposals and begin the negotiation process.

Director Dexter brought up more questions with “working in the dry” and dredging options and methods. Chairman Foster explained that with the advice from advisors that *maybe* we have the ability to do it. We do not have the permits to do it yet but it says there is no reason not to request it. Vice Chairman Bailey says it does work and it is more cost effective. There are significant problems with either types of dredging. He explained that access to the lake is an issue, where to stock pile the material and much more. There are lots of options, alternatives and considerations for each location and each type of work done.

## **EXECUTIVE SESSION**

The Board went into Executive Session at 8:01 PM to discuss with legal counsel pending and threatened litigation as authorized by RCW 42.30.110(1) that’s pending litigation and threatened litigation as

authorized by RCW 42.30.110(1)(i)(i) and to discuss with legal counsel potential litigation in the form of legal risks of a proposed action regarding staffing as authorized by RCW 42.30.110(1)(i)(iii). The expected time was 30 minutes and to return to Regular Session at 8:30 PM. Chairman Foster indicated 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 8:40 PM. Chairman Foster indicated that no action was taken from Executive Session and there was nothing further on the agenda up for discussion.

**ADJOURNMENT**

The meeting was adjourned at 8:43 PM.

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Jeffrey B. Foster, Chairman

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Bill Bailey, Vice Chairman

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Mary Perry, Director

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Kris Dexter, Director

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Richard Teals, Director

Respectively Submitted

By: \_\_\_\_\_  
Secretary to the Board of Directors

Transcribed By: \_\_\_\_\_