

## **CALL TO ORDER**

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

## **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 called on the board members to approve the agenda. Director Perry then made a motion to approve the agenda as presented. Director Teals seconded the motion. The motion was then carried unanimously.

## **APPROVAL OF CONSENT AGENDA**

Chairman Foster called on the Board of Directors to approve the consent agenda. The consent agenda consists of the meeting minutes from 12/09/14, 12/12/14 and 12/15/14, the Bills/Checks (#14833 - #14873) and Vouchers (#1000113 - #1000115) totaling in \$730,346.22. Vice Chairman Bailey made a motion to approve the consent agenda and abstained from voting on any items related to Basin Property Management, Inc. Director Dexter seconded the motion. The motion was then carried unanimously. Vice Chairman Bailey abstained from any items related to Basin Property Management.

## **PRESENTATIONS**

### **MOSES LAKE NORTH DAM CONSTRUCTION**

Ryan Carter with Strata then gave a brief update on the progress on the Moses Lake North Dam Project.

Recent events:

- The installation of the permanent sheet pile has been completed. The permanent sheet pile is the actual framework of the dam itself.
- Excavation within the dam structure itself has taken place.
- The drainage rock has been put in.
- 24/7 process of de-watering is still taking place upstream and downstream.
- Taking place right now is the micro-pile installation. There are 76 micro-piles and they are 20 feet in length. They go into the ground all but 6-8 inches.

A two week overview:

- Completing the micro-piles
- Frame and structural steel re-bar for the foundation
- Pouring of the cement slab

## MLIRD STAFF REPORTS

General Manager, Chris Overland reported on projects and events:

Recent events/news discussed:

- The lake level was at 1042.84 as of January 13<sup>th</sup>, 2015.
- Contact has been made with the lease holders Pamp Maiers and Rick Penhallurick relating to the dredge land leases.
- Ryan Walker with Grette & Associates is working on the dredge permits and evaluating new proposed sites for settling ponds.
- A surplus equipment sale is ready to move forward. General Manager, Chris Overland will confer with Legal Counsel, Brian Iller prior to proceeding with the equipment sales.
- MLIRD should hear back from the Department Of Ecology soon on the submitted weed treatment grants.
- Started constructing our own MLIRD assessment roll.
- Changes made to the 2015 Assessment Roll are due back to the County tomorrow.
- The Moses Lake Fire Station has been reserved for March 28<sup>th</sup>, 2015 for the Lakeshore Clean-Up Project.
- MLIRD staff has removed a dead deer as well as a dead calf out of the lake this winter so far.
- MLIRD staff is in the process of replacing the pump and the motor on the Alder Street fountain.
- Three MLIRD employees will be attending a noxious weed conference tomorrow at the Big Bend Community College Wallenstein Theatre here in Moses Lake.
- Two MLIRD employees will be attending C.E.S.C.L. (Certified Erosion and Sediment Control Lead) Training at the end of February.

## **EXECUTIVE SESSION**

The Board went into Executive Session at 7:15PM to discuss with legal counsel threatened litigation in the form of litigation that has been specifically threatened (whistleblower and overtime pay) as authorized by RCW 42.30.110(i)(i) and to discuss with legal counsel the legal risks of a proposed action and/or current practice as it relates to 2015 assessment roll in executive session as authorized by RCW 42.30.110(1)(i)(iii). The expected time was 20 minutes and they were to return to Regular Session at 7:35PM. Chairman Foster indicated there may or may not be further action taken as a result of the discussion in Executive Session. Legal Counsel, Brian Iller attended Executive Session via-telephone.

Chairman Foster entered back into the board room at 7:35PM and extended Executive Session another 15 minutes.

The Board entered back into Regular Session at 7:50PM.

## **ACTION ITEMS**

- Legal Counsel, Brian Iller joined into regular session to discuss action items via-telephone. The Board of Directors then discussed the ILA with Grant County in regards to the Moses Lake North Dam Bridge. Chairman Foster explained that the gist of the agreement is that the County will reimburse MLIRD to the tune of \$625,000 for the

construction of everything related to the bridge structure. That includes the payment of engineering, design, fees and permits. Director Teals made a motion to accept the ILA as amended. Vice Chairman Bailey seconded the motion. The motion was then carried unanimously.

- Discussion on the approval of the contract between MLIRD and NCC for the Moses Lake North Dam Bridge Construction then took place. Chairman Foster wants the board's permission for himself and Legal Counsel, Brian Iller to negotiate the contract between MLIRD and NCC and execute the contract with NCC as soon as Legal Counsel, Brian Iller and NCC agree on the language. Director Dexter wants to make sure that there is firmness on the cost of the bridge in the contract. Vice Chairman Bailey moves that they authorize Legal Counsel, Brian Iller and Chairman Foster to negotiate and execute the contract for the bridge with the conditions consistent with the ILA. Director Dexter seconds the motion. The motion was then carried unanimously.
- Chairman Foster then swore in the newly elected Board of Directors. At that time, Director Mary Perry, Director Richard Teals and Director Kris Dexter were sworn in to be Board of Directors for the 2015 year.
- Election of Officers:
  - Chairman-  
Director Perry made a motion to nominate Jeff Foster as Chairman. Director Teals seconded the motion. Vice Chairman Bailey moved to close the nomination and cast a unanimous ballot for Jeff Foster to be the new Chairman of the Board of Directors for the 2015 year. Director Perry seconded the motion. The motion was then carried unanimously.
  - Vice Chairman-  
Chairman Foster made a motion to nominate Bill Bailey as Vice Chairman. Director Perry seconded the motion. Director Teals moved to close the nomination and cast a unanimous ballot for Bill Bailey to be the new Vice Chairman of the Board of Directors for the 2015 year. Vice Chairman Bailey seconded the motion. The motion was then carried unanimously.
- Chairman Foster asked that a motion be made to add newly elected directors to the bank signature cards. Director Dexter made a motion to add newly elected directors, Richard Teals and Kris Dexter to the bank signature cards at Washington Trust Bank. Vice Chairman Bailey seconded the motion. Chairman Foster stated that for the newly elected directors and the audience, they are still maintaining the position that it takes two signatures on all checks and any of the two following can sign:
  - General Manager, Chris Overland
  - Chairman, Jeff Foster
  - Vice Chairman, Bill Bailey
  - Director, Mary Perry
  - Director, Richard Teals
  - Director Kris DexterThe motion was then carried unanimously.
- Discussion on the carp population in Moses Lake then took place. Director Teals went on to explain that he thinks it would be appropriate for General Manager, Chris Overland to talk with Jeff Korth with the Department of Fish and Wildlife about the fish in our area and see if he has any suggestions or ways that we can control the carp population. At the end of the discussion, Chairman Foster asked that the General Manager, Chris Overland get in contact with Jeff Korth with Department of Fish and Wildlife and ask him to come to a future Board Meeting.

- Director Dexter went into discussion about the 2015 Budget. He is concerned about the month of March and why we are in the negative at \$62,000. He believes we should make an operations margin, a reserve column and a plan to cover low balances for the 2015 year. He also believes we should take a close look at the dredging program. Director Dexter thinks we need to go into the year with a strong budget, plenty of funds and ready for any emergency. Vice Chairman Bailey asked General Manager, Chris Overland about their latest conversation with Lead Operations and Maintenance Technician, Chris Wilson about not putting the dredge into the lake in March. Chairman Foster also stated that in March there is \$30,000 for dredge permits that do not have to happen in March. Director Teals brought attention to entities that MLIRD pay for monthly and wanted to know why they are needed. Chairman Foster said that none of the directors like the idea of having to sell the un-used equipment at a possible loss but none of the current directors were here when most of the equipment was purchased. They are just doing what they think is best to keep the dredging operations functioning most efficiently. Director Teals then wanted to discuss past MLIRD audits by the state. He said the state has said that our evaluation and the way we are working our finances is appropriate and correct. The discussion goes back to Director Dexter saying that he still doesn't want to take any chances, have any bad press against MLIRD or to have to ask rate-payers for more money. In conclusion, no action was taken during this discussion on the 2015 Budget.

**ADJOURNMENT**

The meeting was adjourned at 8:48 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

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

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