

Moses Lake Irrigation and Rehabilitation District

Special Board Meeting

July 28, 2014

CALL TO ORDER, ROLL CALL, FOR THE RECORD ANNOUNCEMENT

The meeting was called to order at 4:30 PM by Chairman Foster with the Pledge of Allegiance and roll call. Present are Chairman Foster, Directors' Bailey, Kernan, Perry and Covey, Legal Counsel Brian Iller and Gail Powell. This meeting is being recorded by Gail Powell's personal recording device. Acting Manager Julie Smith is excused.

APPROVAL OF AGENDA

A motion to accept the agenda as presented was made by Vice Chairman Bailey and seconded by Director Covey. The motion carries with no further discussion.

EXECUTIVE SESSION

The Board entered into Executive Session at 4:31PM.

Items that will be discussed are potential litigation that has been specifically threatened as authorized by RCW 42.30.110(i)(i). Secondly, Legal Counsel potential litigation in the form of discussing the legal risks of a proposed action(s) and/or current practices regarding interlocal agreements with /County, manager employment contract terms, manager job description, dam construction contract, and Ecology Grant agreement as authorized by RCW 42.30.110(i)(iii). Additional discussion of qualifications of applicant(s) for public employment as authorized by RCW 42.30.110(g) will occur.

Chairman Foster stated the Executive Session will last until 5:15 PM. Possible action may occur after the Executive Session in the open public session on items discussed in Executive Session.

At 5:16, Chairman Foster extended the Executive Session for an additional 15 minutes and will be back into regular session at 5:30 PM.

The Board reconvened into Regular Session at 5:30 PM. The meeting is being recorded.

ACTION

Chairman Foster asked Board Members if there was action to be taken from the Executive Session. Vice Chairman Bailey said based on the analysis of the qualifications that were discussed in Executive Session, he would move to authorize Chairman Foster and Mr. Iller to negotiate an employment contract with Mr. Chris Overland. This motion would be subject to approval by the Board. The motion was seconded by Director Kernan.

Director Covey proposed to amend the motion to set the salary range for the General Manager from \$72,000 to \$96,000 per year and include existing benefits. Vice Chairman Bailey seconded the amended motion. Director Kernan is in acceptance of the amended motion. The amended motion carried unanimously.

The original motion, authorizing Chairman Foster and Mr. Iller to negotiate a contract for the hiring of the General Manager, Chris Overland, subject to final approval by the Board offered no further discussion. The motion carries 3 to 1, with Director Covey voting against the motion and Chairman Foster not voting as there was no tie to break.

Chairman Foster asked for direction from Mr. Iller regarding notification to the staff. Mr. Iller said it is appropriate, as a matter of courtesy, particularly Ms. Smith who applied for the position. At this time, however the staff should be notified there is a preferred candidate only and he and Chairman Foster will be negotiating terms for subsequent approval by the Board. Chairman Foster will make contact with Mr. Overland after the meeting tonight. There will not be any notification to the media until such a time as an offer has been accepted for the General Manager position.

ADJOURNMENT

The meeting was adjourned at 5:44 PM by Chairman Foster.

Jeffrey B. Foster, Chairman

Bill Bailey, Vice Chairman

Ken Kernan, Director

Ronald Covey, Director

Mary Perry, Director

Respectively Submitted

By: _____
Secretary to the Board of Directors

Transcribed by: _____
Gail M. Powell