

CALL TO ORDER

At 7:00 PM, Chairman Foster called the May 09, 2017, Regular Board Meeting of the Moses Lake Irrigation and Rehabilitation District to order. The record shows that all Directors were present. Legal Counsel, Brian Iller and General Manager, Chris Overland was also present. 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.

APPROVAL OF THE AGENDA

Chairman Foster then called on the board members to approve the agenda. Vice Chairman Bailey moved to approve the agenda. Director Perry seconded the motion. The motion was then carried unanimously.

APPROVAL OF CONSENT AGENDA

Chairman Foster called on the board members to approve the consent agenda. The consent agenda consisted of the meeting minutes from 04/11/17, the Bills/Checks #16095-#16140 and Voucher #1000188 totaling \$95,596.29. 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 Perry seconded the motion. Director Dexter made a comment that he knows each meeting is recorded and during the last board meeting, the Board went on memory on whether something was recorded in the minutes correctly. He said that it seemed like a micromanagement of the District because the recording is available and should be checked rather than go on memory as to if something was said or not. Chairman Foster called for a vote, and all board members were for the motion except Director Dexter who voted against the motion for the reason stated above. The motion was then carried.

MLIRD STAFF REPORTS

General Manager, Chris Overland reported the following:

- Lake elevation was 1046.77 as of May 9th, 2017. The lake is at full summer level at 1046.70.
- USBR flows began on 4/24/17. General Manager, Chris Overland spoke with the USBR today, and they expect the flows to end at or near the end of May or early June. Currently, flows are coming into Moses Lake around 1,500 CFS through Crab Creek.
- The fountain will be placed in the lake Thursday, May 11th.
- The renaming of the Parker Horn Pump Station to Don Beckley's Landing took place today on May 9, 2017.
- Parker Horn Pump Station Lease is still pending.

- An aquatic weed survey is underway this week. General Manager, Chris Overland asked Aquatechnex to survey the entire lake this year. The survey findings will be shared as they become available.
- Possible Alum treatments in Pelican Horn/Montlake area is scheduled for May 29th.
- Connelly Park has had some algae issues already this year. General Manager, Chris Overland thought it might not be a bad idea to have a sign for an advisory of algae at Connelly Park. MLIRD expects to be doing more water testing in that area of the lake to try and determine the phosphorus levels. Chairman Foster said it seems to him that the media and the people that are concerned about toxic algae use the title “blue-green algae” as a concern. He said he would be real cautious about using “be sure to wash clean with water as soon as possible following contact with blue-green algae.” Chairman Foster also added that he knows the Board has had a discussion on signage in the past. Vice Chairman Bailey mentioned that MLIRD’s insurance carrier should be contacted. Chairman Foster said that MLIRD’s Legal Counsel is going to tell the Board that it isn’t MLIRD’s responsibility. Legal Counsel, Brian Iller said that he would like to discuss this topic in Executive Session. Director Dexter said that MLIRD had never posted any sign like that before and added it is almost like not posting where it’s shallow in the lake and people taking out a motor because we didn’t post. He said same way with the water; he would rather not post it and leave it as it has historically been. Director Teals mentioned that even though last year was not nice, it was nothing like it used to be before the Clean Lake Project. Director Teals said it would be different when the public health department comes to MLIRD saying it’s dangerous and that signs need to be posted. Those entities have a public health responsibility that MLIRD does not have. Director Teals would rather MLIRD not do anything until the health department says Connelly Park needs to be closed down. Director Perry would be concerned about that type of a statement because people seem so anxious to sue and if there is a child that goes in the lake and three days later comes down with flu-like symptoms, all of a sudden it will become MLIRD’s responsibility that they became sick. Director Perry doesn’t want to give anyone any wording that would give them the opportunity to blame MLIRD.
- So far, there are 12 test sites that MLIRD will be testing in the lake this year. Some of these 12 test sites were tested by the University of Washington back in the 1980’s and will be interesting to compare data. One of the tests sites along Division Street was tested and came back extremely high in phosphorus. This data that MLIRD finds as they test areas around the lake is going to be very beneficial in the discovery process.
- The tentative 2017 dredging plan was then discussed. General Manager, Chris Overland has had recent talks with Bob Fancher and Pamp Maiers, Sr. over stockpiling dirt on parcel number 090775231. This will help solve a lot of issues with MLIRD trying to get some of the dirt moved out.
- General Manager, Chris Overland received the results back from Pat Hightower with Dredgit on the sediment testing. Dredgit was surprised on how fine the debris was. Mr. Hightower was not comfortable giving MLIRD a proposal for clearing the island on the West side of the fill unless MLIRD was okay with using machinery on the front side of the pond and a flocculent on the backside that would be applied before the water went back into the lake. The estimate that Mr. Hightower gave MLIRD was an example of 35,000 cubic yards at \$11.69 a yard for a total of \$409,207 and example of 50,000 cubic yards at \$9.82 a yard for a total of \$491,051. The timeframe proposed was for the end of July through the beginning of November. Dredgit requested that MLIRD close off that area of the lake to the public which seems reasonable with all the equipment

and cables that would become a liability for the public use of that area while the dredging is in process. MLIRD would handle all the dirt hauling, and Mr. Hightower's crew would handle all of the rest of the dredging process. General Manager, Chris Overland has contacted Ryan Walker with Grette Associates about applying for new permits and is waiting to hear back from him. A new permit would be needed because the existing permit is only for the East side of the fill, plus around the Parker Horn Pump Station dock area and the North East corner of the West side of the fill. Director Dexter asked how much price per cubic yard is MLIRD dredging for. General Manager, Chris Overland said in 2014 he had calculated it to be around \$6.00 a cubic yard. Director Dexter also asked if as long as Dredgit is here in Moses Lake if it was possible to dredge 100,000 cubic yards using both sides of the fill. General Manager, Chris Overland said he believes that could be arranged. Vice Chairman Bailey considers that the quality of the spoils and the amount of rock will be considerably less than what MLIRD has now. General Manager, Chris Overland said essentially they could remove the island on the West side in approximately five months. Vice Chairman Bailey said that would be a big deal. Director Teals thinks it would be great. Vice Chairman Bailey wanted the topic discussed in Executive Session. Director Dexter brought up the price difference between 35,000 cubic yards versus 50,000 cubic yards and thought it might be possible for them to do 75,000 cubic yards and drop the price per cubic yard even more. Chairman Foster asked General Manager, Chris Overland how much cubic yards of spoils is MLIRD dredging each year. General Manager, Chris Overland said that in 2016, MLIRD probably dredged approximately 12,000 – 15,000 cubic yards, and 2015 was approximately the same. But in 2014, he thinks there were about 30,000 cubic yards. No action was taken on this subject.

EXECUTIVE SESSION

The Board went into Executive Session at 7:30 PM to discuss with Legal Counsel potential litigation in the form of legal risks of a proposed action or current practice regarding assessments, public record act response, signage on water quality and dredging contract as authorized by RCW 42.30.110 (1)(i)(iii) and to discuss with legal counsel to consider that position of real estate buy recently purchased from public knowledge prior to such consideration with cause and likelihood of increased price as authorized by RCW 42.30.110 (1)(b). The expected time was 20 minutes, and the Board was to return at 7:50 PM. Legal Counsel, Brian Iller indicated that there may or may not be further action taken as a result of the discussion in Executive Session.

Chairman Foster entered back into the board room at 7:50 PM to extend Executive Session another 5 minutes. They were to return to Regular Session at 7:55 PM.

The Board entered back into Regular Session at 7:55 PM.

WORKSHOP/DIRECTOR QUESTIONS AND/OR COMMENTS

Director Perry thanked Director Teals for putting together the renaming of the Parker Horn Pump Station to "Don Beckley's Landing." She learned a lot listening to everyone speak. Director Dexter said that it was interesting to listen to Don Beckley speak and that they had actually started looking at phosphorus and nitrogen loading in the lake by changing the way the farming practice was done. He is also glad General Manager, Chris Overland is checking the areas again to see if we can change it to help Moses Lake.

ADJOURNMENT

The meeting was adjourned at 7:59 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: _____