

## **CALL TO ORDER**

At 7:00 PM, Chairman Foster called the May 14, 2019 Regular Board Meeting of the Moses Lake Irrigation and Rehabilitation District to order. The record shows that all Board of Directors were present except Director Selmann who joined in later. General Manager, Chris Overland and Legal Counsel, Brian Iller was also present. The record indicates that this meeting was recorded.

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

Chairman Foster called on the board members and the audience for discussion on any agenda items and Abel Sabedra asked to discuss the agenda item regarding granting access to his property.

## **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 called on the board members to approve the agenda. Chairman Foster stated he would update the Board on how the MLIRD Boundary Mapping is going. Vice Chairman Bailey made a motion to approve the agenda as amended. Director Teals seconded the motion. The motion carried unanimously.

## **APPROVAL OF CONSENT AGENDA**

Chairman Foster called on the Board of Directors to approve the consent agenda. The consent agenda consisted of the meeting minutes from 04/09/19 Regular Meeting, the Bills/Checks (#17109-#17149) and Voucher #1000212 totaling in \$80,078.65. Vice Chairman Bailey made a motion to approve the meeting minutes from 04/09/19 Regular Meeting. Director Teals seconded the motion. The motion carried unanimously. Vice Chairman Bailey made a motion to approve the Bills/Checks (#17109-#17149) and Voucher #1000212 totaling in \$80,078.65 and abstained from voting on anything related to Basin Property Management, Inc. Director Dexter seconded the motion. The motion carried unanimously.

## **PRESENTATIONS**

Abel Sabedra and his wife approached the MLIRD Board last year inquiring about a possible easement on MLIRD Connelly Park parcel #171028001 to improve access to parcel #161745002 that Sabedra wanted to purchase. Since last year, Sabedra has purchased the parcel #161745002 and are still exploring ways to improve access to their property. Sabedra asked if the Board would be interested in selling them a type of access to reach their property. Sabedra said from Bouldercrest Road through MLIRD's Parcel #171028001 to his to Parcel #161745002 is approximately 2,030 feet long and would like the access to be 20 feet wide which comes out, he reported, to approximately one acre. Vic Jansen, who owns Parcel #171024000, is open to selling Mr. Sabedra an easement; however, he would still need to cross onto the corner of MLIRD's Parcel #171028001 to reach his property. Vice Chairman Bailey stated that one of the issues that need to be addressed is the original transfer of Parcel #171028001 from GSA to MLIRD does not provide the ability to sell any of

the parcel #171028001 land. Legal Counsel, Brian Iller stated he would look into it. He also stated that for any transfer of public property, a fair market value would need to be calculated. General Manager, Chris Overland will stay in contact with the Sabedras on any updates regarding the matter.

## **MLIRD STAFF REPORTS**

General Manager, Chris Overland reported the following:

- Lake elevation was at 1046.72 feet as of May 14, 2019.
- The Rocky Coulee Wasteway flow was 1,000 CFS on May 14, 2019.
- Income is at 107% of budget and expenses are at 82% of the budget.
- Mark Shumaker, 132 Pelican Place SE, Moses Lake, WA, has turned in a completed land petition. Discussion was had on if Mr. Shumaker was only petitioning in his residence or if he would also like to include Parcel #170075000 on the same petition. General Manager, Chris Overland said that office staff would contact Mr. Shumaker and ask the question. Vice Chairman Bailey made a motion to approve the Mark Shumaker land petition and give the petitioner the opportunity to include Parcel #170075000 to the petition without having to pay another additional \$300 petition fee. Director Teals seconded the motion. The motion carried unanimously.
- On May 1, 2019 a team met to review the 2019 Aquatic Treatment RFP submittals and based on that review, Aquatechnex was selected. Vice Chairman Bailey made a motion to approve the contract for Aquatechnex for the 2019 Aquatic Weed Treatments. Director Dexter seconded the motion. The motion carried unanimously. Aquatechnex will start survey work this month.
- The fountain will be placed in the water tomorrow, May 15, 2019.
- The Watershed Council Public Meeting is tomorrow, May 15, 2019. There will be a core panel that consists of MLIRD, the Department of Health, the Department of Ecology, and the Grant County Conservation District with opportunity for public input.
- The SAO two-year audit is forthcoming.
- Unresolved matters that will be discussed in Executive Session are Dredge Bids and the Collective Bargaining Agreement.

## **EXECUTIVE SESSION**

The Board went into Executive Session at 7:35 PM to discuss the position to be taken by the government body during the course of collective bargaining as authorized by RCW 42.30.140 (4b), to discuss potential litigation in the form of the legal risks of a proposed action or current practice as it relates to a possible dredge contract as authorized by RCW 42.30.110 (1)(i)(iii) and to discuss pending litigation in the Hansen v. MLIRD case as authorized by RCW 42.30.110 (1)(i). The expected time was 15 minutes, and the Board was to return at approximately 7:50 PM.

Chairman Foster entered back into the boardroom at 7:50 PM to extend Executive Session 5 minutes. The Board was to return to Regular Session at approximately 7:55 PM.

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The Board entered back into Regular Session at 8:00 PM.

**ACTION ITEMS**

Following Executive Session, Vice Chairman Bailey made a motion to reject all bids related to the dredging project. Director Dexter seconded the motion. The motion carried unanimously. Vice Chairman Bailey then made a motion to authorize General Manager, Chris Overland, Legal Counsel, Brian Iller, and a Director or two, to prepare a new Request for Proposal itemizing the specifics that were not itemized before for a new dredge bid by May 25, 2019. Director Dexter seconded the motion. The motion carried unanimously.

**WORKSHOP/DIRECTOR QUESTIONS and/or COMMENTS**

Chairman Foster gave an update on the information regarding the MLIRD boundary map. Beitz & Daigh is going to give an update at the June Regular Board Meeting via telephone. Director Dexter made a motion to authorize a contract with Beitz & Daigh that will have an initial startup fee of approximately \$7,000 and then an additional annual fee of approximately \$1,000. Vice Chairman Bailey seconded the motion. The motion carried unanimously.

**ADJOURNMENT**

The meeting was adjourned at 8:12 PM.

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Jeffrey B. Foster, Chairman

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Bill Bailey, Vice Chairman

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Kris Dexter, Director

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Richard Teals, Director

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Kaj Selmann, Director

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