

CALL TO ORDER

At 7:00 PM, President Bailey called the August 08, 2023 Regular Board Meeting of the Moses Lake Irrigation and Rehabilitation District to order. The record shows President Bailey, Vice President Teals, Director Foster, Director Perry, and Director Dexter were present. Legal Counsel Brian Iller attended via-telephone. The record indicates that this meeting was recorded. The Pledge of Allegiance was then recited.

DISCUSSION OF AGENDA ITEM(S)

President Bailey called for discussion on any agenda items, and nothing was brought forward.

DISCUSSION OF NON-AGENDA ITEM(S)

President Bailey called for discussion on any non-agenda items, and nothing was brought forward.

APPROVAL OF THE AGENDA

President Bailey called on the board members to approve the agenda. Director Dexter made a motion to approve the agenda as amended. Director Perry seconded the motion. The motion carried unanimously.

APPROVAL OF CONSENT AGENDA

President Bailey called on the board members to approve the consent agenda. The consent agenda consisted of the meeting minutes from the 07/11/23 Regular Meeting and the 07/26/23 Special Board Meeting, the Bills/Checks (#18857-#18899), and Voucher #1000263, totaling \$221,093.88. Vice President Teals made a motion to approve the meeting minutes from the 07/11/23 Regular Meeting and the 07/26/23 Special Board Meeting. Director Dexter seconded the motion. The motion carried unanimously. Director Foster made a motion to approve the Bills/Checks (#18857-#18899), and Voucher #1000263, totaling \$221,093.88. Vice President Teals seconded the motion. The motion carried unanimously.

MLIRD STAFF REPORTS

Interim Manager Beth Yonko reported the following:

- The lake level on August 08, 2023 was 1046.70.
- The two letters to the MLIRD property owners and the lakefront property owners not in the Moses Lake Irrigation and Rehabilitation District have been sent to A&H Printers, who will print and mail the letters out starting the week of August 21, 2023.
- The open public Special Board Meeting is scheduled for Tuesday, August 29, 2023, at 7:00 PM at City Hall, where Neal Welbourne with Welbourne Geographical Services will give a presentation to the MLIRD ratepayers on the recommended structure of assessments.

EXECUTIVE SESSION

The Board went into Executive Session at 7:15 PM to discuss with Legal Counsel potential litigation in the form of the legal risks of a proposed action or current practice as it relates to the assessment methodology, water

rights, and adding lands into the District as authorized by RCW 42.30.110 (1)(i)(iii). The expected time was 30 minutes, and the Board was to return approximately at 7:45 PM. Legal Counsel Brian Iller indicated that further action may or may not be taken as a result of the discussion in Executive Session.

President Bailey entered the boardroom at 7:45 PM to extend Executive Session by 15 minutes. They were to return to Regular Session at approximately 8:00 PM.

President Bailey entered the boardroom at 8:00 PM to extend Executive Session by 15 minutes. They were to return to Regular Session at approximately 8:15 PM.

President Bailey entered the boardroom at 8:15 PM to extend Executive Session by 5 minutes. They were to return to Regular Session at approximately 8:20 PM.

The Board entered back into Regular Session at 8:20 PM.

ACTION ITEMS

Director Foster made a motion to accept the recommended structure of assessments under RCW Chapter 87.84 and RCW Chapter 87.03 from MLIRD's consultant, Welbourne Geographical Services. Vice President Teals seconded the motion.

Discussion took place on the recommended structure of assessments under RCW Chapter 87.84 and RCW Chapter 87.03.

Director Dexter stated the point system for the recommended structure does not make sense to him and does not agree with lakefront parcels receiving five points as opposed to the one point non-lakefront parcels receive. He believes the benefits of lakefront parcels depend on if you are using the lake, such as if you have a boat. President Bailey stated that Neal Welbourne has tried to avoid the saying, "This is twice or five times what this one is." The way the point of valuation system is set up, each point does not cost very much, and the numbers are still subject to change. Director Foster stated he had similar concerns early on; however, MLIRD hired the consultant Welbourne Geographical Services, who has looked at what other Districts have done nationwide. Director Foster said he thinks the point valuation system is as simple as it can go and that it could be a lot more complicated. But he feels the recommended structure could evolve over the next few years depending on budgetary needs, ratepayers, etc. Vice President Teals believes the lakefront properties should be paying more than just double a non-lakefront property and the points can change in future years. Director Foster also stated it is not about converting the points and the dollars as much as it is assigning a point value to the perceived benefits for lakefront and non-lakefront parcels. Director Perry disagreed with Director Dexter's comment and believed that non-lakefront properties hardly have any benefits from the lake other than it makes Moses Lake a good place to live having better water quality. He stated the way the point valuation system is set up now is a good place to start. Director Foster said MLIRD was challenged by the Legislation to come up with a reasonable measurement of benefits under 87.84 and costs under 87.03 for irrigation purposes.

During discussion, the Board's consensus was that the recommended structure of assessments would be presented to the MLIRD ratepayers at the Tuesday, August 29, 2023 Special Board Meeting being held at City Hall. The Board will accept ratepayer written comments on the recommended structure of assessments and would be subject to modification based on any received written comments. The motion carried four to one with Director Dexter in opposition.

WORKSHOP/DIRECTOR QUESTIONS and/or COMMENTS

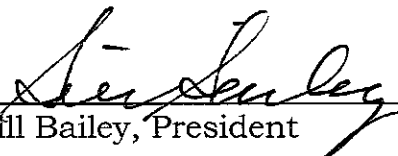
Director Dexter asked if the Columbia River water was flowing. President Bailey stated it flowed for approximately one week. Director Dexter said he felt the extra flows made a significant difference in the lake.

President Bailey stated that MLIRD had received multiple resumes for the General Manager position. He suggested appointing three committees of two Directors, each who will examine the applications and let Legal Counsel Brian Iller know the committee's recommendations for interviews. Director Foster suggested reviewing the resumes in an Executive Session with all Board Members present. The Board decided each Board member will come into the office individually and review the resumes before the scheduled Special Meeting on Monday, August 14, at 7:00 PM.

Vice President Teals made a motion for MLIRD to give the City of Moses Lake permission to site the MLIRD Marina Property on their water trail map for public to access for use of non-powered recreational water activities. Director Foster seconded the motion. Director Dexter asked if having the MLIRD weed harvester located in the area would cause any problems. Legal Counsel Brian Iller stated that the issue would need to be discussed in Executive Session. Vice President Teals said it is a map of Moses Lake done by the Parks & Recreation Department showing different sites where you can access the lake for the use of non-powered recreational water activities. President Bailey mentioned it could be a location for MLIRD in the future to make modifications to the area specifically for the use of non-powered recreational water activities. President Bailey said he would contact the insurance carrier and have a conversation with Legal Counsel Brian Iller. The motion carried unanimously.


ADJOURNMENT

The meeting was adjourned at 8:55 PM.


Bill Bailey, President

Richard Teals, Vice President


Kris Dexter, Director


Chuck Perry, Director


Jeff Foster, Director

By: 
Secretary to the Board of Directors