

CALL TO ORDER

At 7:00 PM, President Bailey called the April 09, 2024 Regular Board Meeting of the Moses Lake Irrigation and Rehabilitation District to order. The record shows that President Bailey, Vice President Teals, and Director Perry were present. Legal Counsel Brian Iller was also present. Director Dexter and Director Ketterer attended via-telephone. The record shows the Pledge of Allegiance was recited. The record indicates that this meeting was recorded.

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. Vice President Teals made a motion to approve the agenda. 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 03/12/24 Regular Board Meeting, the Bills/Checks (#19110-#19136), and Voucher #1000271, totaling \$55,025.90. Vice President Teals made a motion to approve the consent agenda. Director Perry seconded the motion. The motion carried unanimously. President Bailey abstained from voting on anything related to Basin Property Management, Inc.

MLIRD STAFF REPORTS

- Lake elevation on April 9, 2024 was 1046.68.
- MLIRD Maintenance and Operation Lead Chris Wilson closed the Moses Lake North Dam gates on Thursday, April 4, 2024 to bring the lake level up to the summer level of 1046.7. The USBR called the MLIRD office on Monday, April 8, 2024 and asked that MLIRD open the Moses Lake North Dam gates approximately 1-2 feet when possible. The Moses Lake North Dam gates were opened on Tuesday, April 9, 2024.
- Resolution 2024-002 Land Petition is ready for Board approval.
- The Drumheller Dam catwalk has been rebuilt with steel and is completed and installed.
- Neal Welbourne with Welbourne Geographic Services plans to have the irrigated acres of the parcels in the District finished in the next two weeks.
- The 2024 MLIRD assessments were included on the 2024 Grant County Tax Statements. The two assessments were broken down individually into irrigation assessments and rehabilitation assessments and were mailed last week. President Bailey stated the office has only received a few calls regarding the 2024 MLIRD assessments. He suggested the Board give the ratepayers with

questions or concerns approximately 60 days for the Board to review and respond to them.

- Connelly Park opens for the season tomorrow, April 10, 2024 from 6:00 AM to 7:00 PM and will be closed Monday's and Tuesday's in April.
- Discussion is needed regarding what the Board would like to do with the known lake-water users that have not petitioned their parcel into the District. Legal Counsel Brian Iller stated the Board could discuss the legal options, risks and the benefits of the various options in Executive Session. One option could be to report the parcel owner to the Department of Ecology and hope DOE does something regarding the issue. Another option would be for MLIRD to take its own action which would be a declaratory judgment and injunction filed against the parcel owners ordering them to stop taking the water. A preliminary step would be a letter from Legal Counsel Brian Iller on letterhead from his office, restating what MLIRD has previously already told the parcel owners and will give more weight to cease and desist unless the parcel owner can prove that they have a water right independent from MLIRD otherwise they are illegally taking water from the MLIRD ratepayers who pay assessments to maintain the reservoir. After this, the Board would need to make a decision whether or not to follow through and file the action. If the parcel owner fails to produce any documentation of a independent water right, then it should be a fairly simple comparatively inexpensive process.
- The \$75,000 CERB Grant application that MLIRD applied for has made it past the first step and will be presented in Olympia to the Community Economic Revitalization Board on May 16, 2024.

COMMITTEE REPORTS

Director Perry stated himself and Vice President Teals collaborated on the original General Manager job description. They both felt there was a lot of un-needed words. They went through the job description and changed some language around to make it sound more practical. Director Perry stated one thing that was mentioned previously was having two managers, one for field operations and one for office operations. On the job description Director Perry and Vice President Teals made changes to, they also gave a "rating" for each task for "field" or "office". Once they did that, they both noticed there was a huge amount of overlap and it would be very difficult to separate the tasks for two different individuals. Vice President Teals stated himself and Director Perry felt that the overlap was such that they believe one person in charge would be best as MLIRD has done in the past. Director Perry stated there comes a time when questions need to be answered from the public and having two separate managers, there would likely be two separate answers which would not look good for MLIRD.

Director Ketterer stated he and Director Dexter came to the same conclusion that MLIRD does need a singular voice and forward facing representative that does report to the Board. An equal amount of their discussion revolved around having the discussion with the Board about launching a nationwide search for candidates that would fill the position. Director Dexter stated he is associated with Baugher Group, LLC who help companies search for applicants and screen each individual making sure they have the proper qualifications and experience for the job.

President Bailey stated the Board should take a look at the various agencies that are available to launch a search for a District Manager. He suggested getting ahold of the City of Moses Lake and Port of Moses Lake who have both used this type of service in the last 6 months and see which company they have used and also talk to Baugher Group, LLC that Director Dexter mentioned.

Vice President Teals stated he thinks it would be a good idea for President Bailey to get suggestions from the City of Moses Lake and Port of Moses Lake and move ahead with finding a suitable company to launch a nationwide search for a District Manager.

President Bailey asked Legal Counsel Brian Iller to email the Directors a copy of the District Manager job description with the changes that Vice President Teals and Director Perry sent him. President Bailey stated he would research and come up with a list of agencies and what they charge to launch a nationwide search for applicants for a District Manager.

President Bailey stated once the Board has looked at the newly updated District Manager job description and there are no other comments or any needed changes to be addressed to Legal Counsel Brian Iller, at the next Regular Board meeting in May, the Board can make a motion to approve the job description and can then go through the list of agencies and make a motion to go ahead with the job search through one of the agencies with the newly updated District Manager job description. President Bailey asked that the Board start thinking of questions that need to be asked during the interview process. He also stated the Board needs to understand that until MLIRD has a District Manager in place, that as the need arises to hire consultants for specific tasks, that between the Interim Manager, Beth Yonko and himself, that the Board can do that.

EXECUTIVE SESSION

The Board went into Executive Session at approximately 7:45 PM to discuss with legal counsel the risks of a proposed action or current practice as authorized by RCW 42.30.110 (1)(i)(iii). Possible action may be taken after Executive Session. The expected time was 10 minutes, and the Board was to return approximately at 7:55 PM.

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

RESOLUTIONS

Resolution 2024-002 – Land Petition

Director Dexter made a motion to approve Resolution 2024-002 – Land Petition for Parcel #111885103 owned by Antonio and Tonya Cuellar. Vice President Teals seconded the motion. The motion carried unanimously.

ACTION ITEMS

Vice President Teals stated MLIRD had great success with the first letter that was sent out to the lakefront property owners that are not in the District who may be irrigating from the lake. Vice President Teals made a motion to send another letter to lakefront property owners that are not in the District who may be irrigating from the lake on Legal Counsel Brian Iller's letterhead. Director Perry seconded the motion. The motion carried unanimously.

Director Ketterer made a motion to remove the tabled motion from the April Regular Board Meeting regarding changing the Regular Board meeting time from the table. Director Dexter seconded the motion. The motion carried unanimously.

Discussion on the motion from the April Regular Board Meeting regarding changing the Regular Board meeting time from 7:00 PM to 5:00 PM then took place. Director Ketterer stated seeing the audience members waiting in the parking lot for a long period of time and seeing the MLIRD staff having to stay the additional hours when the meeting could start at 5:00 PM and

the time for Legal Counsel Brian Iller and the other Board Members to get home to their families is some of the reasons for the change of time. Vice President Teals stated he personally likes the starting time of 7:00 PM; however, if changing the time is majority liked by the rest of the Board, he will not stand against it. MLIRD staff stated they did not have strong feelings either way for changing the time; however, getting home earlier would be a positive note. Audience member Glen Zuger who regularly attends MLIRD's meetings stated changing the time personally did not matter to him; however, did mention that people who work until 5:00 PM have said they do not come to the MLIRD meetings because it starts too late at night. Glen Zuger also mentioned that people who work until 5:00 PM may not be able to make it in time if the meetings start at 5:00 PM. Director Perry stated changing the meeting time would not make a difference to him. Director Ketterer reiterated that MLIRD has always been about additional public engagement and being able to go straight from work to a meeting is much easier than going home for a couple hours after work and then having to go back for a meeting and believes changing to an earlier start time would enhance attendance and public engagement of the MLIRD meetings. President Bailey stated being a Director is giving up your time to attend Board Meetings and with audience members who work until 5:00 PM, they will not be able to make it to the meetings on time. President Bailey suggested changing the time to 5:30 PM or 6:00 PM for those certain audience members. Director Dexter stated he believed starting the MLIRD meetings a little earlier than 7:00 PM could be more beneficial to the public. Director Ketterer withdrew his original motion to change the start time of the Regular Board meeting from 7:00 PM to 5:00 PM. Director Dexter stated he agreed with the withdrawal of the original motion. Director Ketterer made a motion to amend the Bylaws and Governance Policy to change the starting time of the MLIRD Regular Board meeting from 7:00 PM to 5:30 PM. Director Dexter seconded the motion. The motion carried unanimously.

WORKSHOP/DIRECTOR QUESTIONS and/or COMMENTS

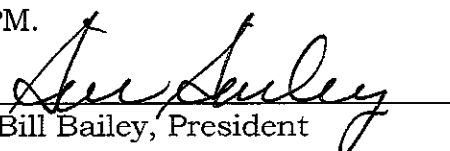
President Bailey stated there has been correspondence with a few individuals that have reminded MLIRD that its authorized under the RCW's for carp removal. The Department of Fish and Wildlife recognizes that MLIRD has the authority under RCW 87.84.061 to control the carp in Moses Lake. President Bailey stated he believes at this point, it is a non-issue and not something MLIRD has ever been concerned with. President Bailey does not think carp removal is a high priority for MLIRD at this moment. He stated MLIRD supports the carp tournaments; however, taking on the responsibility with zero expertise does not make sense.

Director Ketterer thanked the MLIRD staff, the Board of Directors, and residents of Moses Lake that attended and helped volunteer at this years Lakeshore Cleanup. Director Perry agreed and stated that he and Vice President Teals helped clean up some of the garbage around Rocky Ford Creek and praised Mr. Weaver who also put in a lot of volunteer time picking up garbage with Vice President Teals and Director Perry. Vice President Teals stated he believed it would be a good idea to send a thank you letter to Mr. Weaver and the groups that helped volunteer at this years Lakeshore Cleanup.

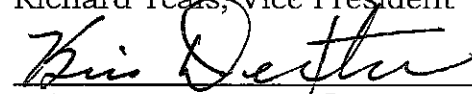
Director Dexter praised MLIRD staff and stated he was impressed and happy to hear that MLIRD was able to get the Drumheller Dam catwalk completed within a month.

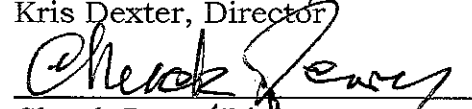
ADJOURNMENT

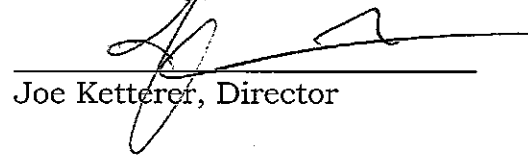
The meeting was adjourned at 8:15 PM.


Bill Bailey, President


Richard Teals, Vice President


Kris Dexter, Director


Chuck Perry, Director


Joe Ketterer, Director

By: _____
Secretary to the Board of Directors