

MOHAVE VALLEY IRRIGATION & DRAINAGE DISTRICT

APPROVED: APRIL 2, 2013

MINUTES OF THE REGULAR BOARD MEETING HELD TUESDAY, MARCH 5, 2013 AT THE OFFICES OF THE MOHAVE VALLEY IRRIGATION & DRAINAGE DISTRICT ("THE DISTRICT")

CALL TO ORDER.

The meeting was called to order at 4:08 p.m.

PLEDGE OF ALLEGIANCE.

Mr. Joseph Hancock led the Pledge of Allegiance.

ROLL CALL.

Present: Charles B. ("Chip") Sherrill, Jr., Chairman, Director District III
Joseph Hancock, Director Division II
Clay Vanderslice, Director At Large
Perry Muscelli, Treasurer, Director At Large
Mark R. Clark, Manager
Jamie Kelley, District Counsel
Cecily ("CeCe") Preusser, Administrative Assistant

Absent: John Kai, Jr., Director, Division I

WAIVER MOTION. Motion to waive the reading of full minutes and resolutions presented for approval or adoption.

Mr. Muscelli made a motion to waive the reading of full minutes and resolutions presented for approval or adoption. Mr. Vanderslice seconded the motion. All were in favor, motion passed.

1. REPORTS.

A. Staff report on water use.

Mr. Clark discussed the water usage for January 2013, which totaled approximately 263,144,446 gallons or 808 acre feet, which breaks down as follows:

Utilities	69,780,496 gallons (214 AFT)	26.52% percent of use
Agricultural	141,815,651 gallons (435 AFT)	53.89% percent of use
Other	17,403,750 gallons (53 AFT)	6.1% percent of use
Amenities	34,144,549 gallons (105 AFT)	12.98% percent of use

- B. Bureau of Reclamation Lower Colorado Water Supply Report dated January 27, 2013.

Chairman Sherrill reported as to the total system contents of as of February 25, 2013, stood at 55% which is 9% lower than last year. Mr. Muscelli also provided some additional reports from the Snowpack water-data website, which showed the Upper Colorado Basin Snowpack which shows us below the 4 year average.

Mr. Clark advised that if there were additional reports that the Board would like to be included in future Board Packets, to let him know and they would be included. Chairman Sherrill stated that he would like to see the Snowpack Water-Data report included in future Board Packets.

- C. USDA National Agricultural Statistics Service: Arizona Crop Report for month of February, 2013; Arizona Agri-Weekly for month of February, 2013.

No discussion.

- D. Arizona Meteorological Network Monthly Summary (from Mohave #2) for February 2013.

Chairman Sherrill stated it would be useful if Mr. Clark could get in touch with Del Wakimoto, as he has four different weather stations within the Valley, and a Smartphone can be used to access the information. Mr. Muscelli asked how to interpret the Monthly Summary and Chairman Sherrill explained how to read the report.

- 2. **AGENDA MODIFICATION.** Possible action to withdraw from, or move, any item on the Agenda, including the removal of an item from the Consent Agenda.

No discussion.

- 3. **CONSENT AGENDA.** *The items listed below will be considered as a group and acted upon by one motion with no separate discussion of said items, unless a Board Member requests an item or items be removed for separate discussion and action.*

- A. Approve the February 5, 2013 Meeting Minutes.

- B. Ratify payment of expenses for February, 2013.

- C. **Willow Valley Estates 21, Tract 4228 (Formerly Willow Valley Estates 20, Tract 4134-C).** Consultation with District Counsel to obtain legal advice regarding Willow Valley's request for a one (1) year extension of the

preliminary water allocation of 10.1 acre fee, currently scheduled to expire on April 10, 2013.

- D. **Arizona Agri-Business Council.** Ratify District's application to join Arizona Agri-Business Council.

Mr. Muscelli made a motion that the Consent Agenda be approved as presented. Mr. Hancock seconded the motion. All were in favor, motion passed.

4. **REGULAR AGENDA.**

- A. **Marina Coves Homeowners Association.** Discussion and possible action to approve request of Marina Coves for an ABU water allocation in the amount of 400 acre feet and to approve a deferred payment plan.

Discussion ensued regarding Marina Coves' request for 400 acre feet of ABU water and to pay the \$60,000.00 fee in thirds. Mr. Clark advised that Marina Coves has requested that they be allowed to pay for their ABU water in thirds, with a payment in February, a payment in May and the last payment to be made in August. Mr. Clark recommended that the first payment be the largest. Mr. Clark suggested that Marina Coves could pay \$30,000.00 in March, and then payments of \$15,000.00 in May and 15,000.00 in August. Mr. Hancock made a motion to approve the payments at \$30,000.00, \$15,000.00 and \$15,000.00. Mr. Muscelli asked if Marina Coves could afford to pay that amount up front and Mr. Clark answered that Marina Coves originally offered to make three payments of \$20,000.00 and that he was not aware of their financial ability to pay the \$30,000.00 as a first payment and there was no representative at the meeting for Marina Coves. It was decided that Marina Coves would be required to pay \$24,000.00 in March, \$18,000.00 in May and \$18,000.00 in August. Mr. Hancock amended his motion to reflect the payment as set forth at \$24,000.00, 18,000.00 and 18,000.00. Mr. Muscelli seconded the motion. All were in favor, motion passed.

- B. **Desert Lakes Estates, Tract 4152E.** Discussion and possible action to approve request of Desert Lakes Estates for a one (1) year extension of the preliminary water allocation of 51.67 acre feet retroactively from February 10, 2012 to February 10, 2013 and for a one (1) year extension of the preliminary water allocation to expire February 10, 2014.

Mr. Clark advised that Desert Lakes should have applied for an extension last year when it expired, but we are needing to get them caught up from last year so it is two one year extensions that they are looking for and staff recommends approval. Mr. Muscelli made a motion that a one (1) year extension of the preliminary water allocation of 51.67 acre feet retroactively from February 10, 2012 to February 10, 2013 and for a one (1) year extension of the preliminary water allocation to expire

February 10, 2014 be approved. Mr. Vanderslice seconded the motion. All were in favor, motion passed.

- C. **MVIDD Purchase Of Water From Mohave County Water Authority ("MCWA").** Discussion and possible action to pay the water development fee for all or a portion of the remaining 500 acre feet of water from MCWA, under Subcontract No. 09-101.

Mr. Clark advised that at this time our holding fees for the water (at .31%) are higher than the interest we are earning in the money market account (at .15%). It is costing the District money to continue to pay the holding fees and staff is recommending that the District purchase the remaining 500 acre feet of water from the Mohave County Water Authority, payment not to be made until November of 2013, as the payoff amount will remain the same through the remainder of 2013. Mr. Muscelli made a motion that the District purchase the remaining 500 acre feet of water from MCWA, to be paid for in November 2013. Mr. Vanderslice seconded the motion. All were in favor, motion passed.

5. PUBLIC INPUT.

Vince Vasquez and Ray Stadler introduced themselves to the Board. Pat Stoterau inquired as to whether or not there were updates on the effluent pipeline issue. District Counsel advised that there had been no further advancements.

6. ADJOURNMENT.

Mr. Muscelli made a motion to adjourn the meeting. Mr. Hancock seconded the motion. All were in favor, motion passed. The meeting adjourned at 5:08 p.m.