

MINUTES OF THE SPECIAL PUBLIC MEETING OF THE MOHAVE VALLEY IRRIGATION & DRAINAGE DISTRICT

Approved:
09/04/18

Held August 13, 2018

10:00AM

1460 E. Commercial Street, Mohave Valley, AZ 86440

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Mohave Valley Irrigation and Drainage District and to the general public that the Mohave Valley Irrigation and Drainage District will hold a special meeting open to the public on August 13, 2018 at 10:00am at 1460 E. Commercial Street, Mohave Valley, AZ 86440.

If the public wishes to address the Board regarding Regular Agenda Items, they may fill out the Request to Speak Form located in the back of the room. The form should then be given to the Administrative Assistant of the Board prior to the meeting. The time limit rule of 3 minutes maximum will be enforced.

CALL TO ORDER. Chairman, Charles B. Sherrill, Jr., called the meeting to order at 10:04am.

1. ROLL CALL.

Present: Charles B. Sherrill, Jr., Chairman/Director Division III
Clay Vanderslice, Director at Large
Mark R. Clark, District Manager
Kerri Hatz, Administrative Assistant

Phone: Vince Vasquez, Director Division II
Perry Muscelli, Treasurer/Director at Large
John Kai, Jr., Director Division I
Michael J. Pearce, District Counsel

2. WAIVER MOTION. Motion to waive the reading of full minutes and resolutions presented for approval or adoption. Clay Vanderslice made a motion to waive the reading of full minutes and resolution presented for approval or adoption, Vince Vasquez seconded the motion. Kai – Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y. Motion Passed.

3. 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 action taken.

4. REGULAR AGENDA

5. Contract 2008-08; Herb Kai; T17N, R22W, Section 13: APN(s) 224-23-019. Request for an extension to complete the work on the well and extend the deadline for pre-irrigated fields and planting crops. Discussion and

possible action to grant an extension to Mr. Herb Kai for work to be completed in Section 13. Chip Sherrill asked Herb Kai to give the board an update on his situation in Section 13. Herb proceeded to update the board and staff that the well drillers are on site and the well drilled is at a depth of 150 feet and they have 100 foot of 24" casing and then from 100 foot to 150 feet is 18" pre perforated casing that extends to the top crown. They first tried to remove the 18" pre perforated casing out of the hole but it would not budge, so the second game plan now is to cut off the 18" casing at the 100 foot mark and remove that completely. We want to get a camera in the well to look at the 18" and particularly to look at the 24" casing to make sure the well driller perforated correctly the sweet spot, as I say, on the 24" casing. After the camera, we will make a decision, to drill out another 100 feet with a 16" pre perforated casing. We just need some time to complete these options, worst case scenario is if none of this works we have another site with a rotary drilling tube that we could move to. Maybe this site is a dead horse, I am willing at last resort move to another site that is about ¼ mile away. I need an extension from the board to complete this work and Richard Dorame my tenant is here and I believe he has an initial intent on growing alfalfa but cotton prices have really improved, that gives him another option. Basically, I just need a little more time to complete this well or worst case scenario drill another one, which is another \$70,000. Chip stated that he should check cotton prices because they have dropped dramatically and commodities are falling like a rock. He asked Herb how much time he needed on this preliminary work to rehab the well that is already there. Herb said that the end of December should be able to do it, which would include the time for a new well if needed. The rotary should only take about 3 weeks, it goes real fast. I think the end of December would be a realistic time frame. I am hoping to get it done before then. Chip stated that he believes that if we were to give an extension, and he is not speaking on behalf of all the board members, to let's say December 15th, we would want you to report back to the staff to show forward progress. We have been giving extensions on these circumstances and the board needs to be given proof of forward progress. So chip restated that December 15th would work. Herb said it would. Herb stated he would give Kerri (Admin. Assistant) regular updates. Chip stated if we get regular reports and it gets close to December 15th and then we see this isn't going to work and you need to drill a new well, then you can come back to the board and say you need another extension. Herb replied that he could live with that. Perry Muscelli spoke up and said he wanted to ask Chip or any other board member how long does it normally take to drill a well. What is a reasonable amount of time? Chip stated that he has not drilled a well in a long time and he used to use the old cable tool. Chip said he wanted to defer that question to Vince since he has drilled a considerable amount of new wells recently. Vince explained that the actual drilling can take about a month, and he even had a well in Section 27 that the drilling took a month and then the development of that well was expected to take a week or two and ended up taking a month or two. The development can lag when you run into

well development issues even with the better technologies. Vince suggested to Perry that a 2 to 3 month time frame would be safe. Perry suggested that we can give until October 15th to have the well drilled, Chip spoke up and said December 15th. Vince stated that Herb is not talking about drilling the new well that he wants to first try and rehab the existing well first. In the event that does not work then the option is to drill a new well about the October timeline that you are suggesting and if that is the case then the new well be ready by the December timeline. Perry asked how are we to make sure that Herb is making forward progress on this, because this has been going on a long time and he was warned well over a year ago that there was a problem with his water use. And only now, he is taking this thing seriously and I'm worried that this is going to come back again. I want there to be some midway update like by October 15th for this to come to the board again with a clear milestone we can measure. Vince stated that if we want to go that route then possibly Herb can do a monthly update report, not that he needs to be present, but that he can deliver a one page write up on the work completed and send in invoices as well. Vince stated that we should know by October 15th if option 1 is going to be successful or not, we may even know that sooner. Perry said how about he lets us know by the October board meeting and asked what date that would be, Kerri (Admin Assistant) said it would be October 2, Perry said he would like to make that the deadline to let the board know if the first option is going to work. If that option did not work then we would give an extension to the December's board meeting. Vince addressed Mr. Kai and asked if he thought he could live with that request. Herb Kai stated he believes so that on this first phase of October 2nd he could live with, by then they should be able to figure if this rehab is going to work or not. If it doesn't then they will have to make commitment for a new contract for a rotary rig and that should be done within a month or month and a half. Chip advised the board that we do not historically have a board meeting in December because the board members attend the CRUWA Conference so the board would have to hold a special meeting in December. Chip asked staff to see what dates CRUWA is this year. Staff reported that CRUWA is December 12th through the 14th. Mark Clark suggested we could do this at the January Meeting and Chip replied that he believes Perry wants to see forward progress and wants a report back by December instead of waiting until January, which I understand his concerns. Chip stated we could have a special meeting after CRUWA and that could be more convenient, Chip asked staff what the date of the next Wednesday or Thursday after CRUWA is. Staff reported that Wednesday would be December 19th. Chip suggested we have a special telephonic meeting on that date. Chip stated what we are proposing here is to give Herb an extension to October 2nd to be able to mitigate the problems that he is having with the current well he has right now and every month from here to there, he is to report what his forward progress is. On October 2nd he needs to come back to the board and report his progress and what decision he has made to either drill a new well and or report that he has taken care of the problems with the existing well. If he needs to drill a new well, he has until

December 19th to complete that well and come back and report to the board that he has another well drilled and is ready to irrigate. Perry stated we can do that at the next meeting to determine what the next extension should be if at all. Perry stated what he is looking for is to see if Herb is acting in earnest to correct the situation. Vince stated is fine with that and suggested to Herb that he provide the invoices as part of the reports and demonstrate that he is acting in good faith to get the matter resolved. Chip stated that Herb is giving a big nod on that and that he can do that. Chip stated that in front of the board right now is an extension to October 2nd for this contract 2008-08, Perry added in with monthly reports. Perry stated he wants a monthly report at the September meeting. Perry said he makes a motion to grant an extension to October 2nd to resolve what he is doing with the existing well by October 2nd and he reports with invoices on the September board meeting and then we will decide on the October 2nd meeting whether another extension is justified. Clay Vanderslice seconded the motion. John Kai, Jr., recused himself from any action or voting on this matter. Kai – Abstained; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y. Motion Passed.

6. **CALL TO THE PUBLIC.** *Those wishing to address the Board at the Call to the Public regarding matters not on the Board agenda must fill out and submit to the Administrative Assistant a Call to the Public – Request to Speak Form located in the back of the room prior to the meeting. Action Taken as a result of public comments will be limited to responding to criticism, referral to staff, or placing a matter on a future Agenda. Comments are restricted to items **NOT** on the Regular Agenda, and must relate to matters within the jurisdiction of the Board. No members of the public wanted to speak.*
7. **ADJOURNMENT.** Clay Vanderslice made a motion to adjourn the meeting, Vince Vasquez seconded the motion. Kai – Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y. Motion Passed. Meeting adjourned at 10:26 am.

Agendas are available on our website www.mvidd.net, as well as posted outside the District office bulletin board outside the office door located at 1460 E. Commercial Street, Mohave Valley, AZ 86440. To subscribe to agenda notifications please visit our website.

Pursuant to the Americans with Disabilities Act (ADA), Mohave Valley Irrigation & Drainage District endeavors to ensure the accessibility of all its programs, facilities, and services to all persons with disabilities. For an accommodation please contact the District office at 928-768-3325. Requests should be made 48 hours prior to the meeting to arrange the accommodation.

Items on Agenda marked with an asterisk (*) will be discussed in executive session with District counsel in accordance with A.R.S. § 38-431.03(A)(3)(4) & (7).

*****NOTE: Some members of the board and legal counsel may appear telephonically****