

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

Approved:
11-05-2019

Held October 01, 2019
Public Meeting 4:00PM
Mohave Valley Irrigation & Drainage District
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 meeting open to the public on Tuesday, October 01, 2019 at 2:00pm at 1460 E. Commercial Street, Mohave Valley, AZ 86440. As indicated in the agenda, pursuant to A.R.S. § 38-431.03(A) Items 2a, the Mohave Valley Irrigation & Drainage District may vote to go into executive session, which will not be open to the public, to discuss certain matters. The board will reconvene in Open Session beginning at 4:00 pm at the MVIDD district office.

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 General Manager 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 2:14pm.

1. ROLL CALL.

Present: Charles B. Sherrill, Jr., Chairman/Director Division III
Vince Vasquez, Director Division II
Clay Vanderslice, Director at Large
Perry Muscelli, Treasurer/Director at Large
John Kai, Jr., Director Division I
Kerri Hatz, General Manager
Michael J. Pearce, District Counsel

Absent: None

2. Consideration of Action to go into Executive Session of the Board for the following purposes:

- a. Pursuant to A.R.S. §38-431.03(A)(3)(4) & (7), discussion and consultation with legal counsel of the District in order to consider legal questions on Items 8F and 8H. Perry Muscelli, made a motion to go into executive session, Vince Vasquez seconded the motion. All in favor, executive session began at 2:15pm. Kai – Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.

At 4:04pm, Perry Muscelli made a motion to end the executive session, Clay Vanderslice, seconded the motion. All in favor, executive session adjourned at 4:04pm. Kai – Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.

[The discussions and minutes of the executive session shall be kept confidential. The executive session of the Board is not open to the public.]

3. **RECONVENE IN OPEN SESSION.** Open Session reconvened at 4:14pm.
4. **PLEDGE OF ALLEGIANCE.** Perry Muscelli led the Pledge of Allegiance.
5. **WAIVER MOTION.** Motion to waive the reading of full minutes and resolutions presented for approval or adoption. John Kai, Jr., made a motion to waive the reading of the full minutes and or resolutions presented for approval or adoption, Vince Vasquez seconded the motion. All in favor, motion passed. Kai – Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.
6. **AGENDA MODIFICATION.** Possible action to withdraw from, or move, any item on the Agenda. Perry Muscelli made a motion to remove item 8F off of the regular agenda, Vince Vasquez seconded the motion. All in favor, motion passed. Kai – Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.

7. REPORTS.

Water:

- a. Staff report on District water use. Staff reported the District water use to date ending August 2019.
- b. Bureau of Reclamation Lower Colorado Water Supply Report. Staff reported the current levels of Lake Mead and Lake Powell as of September 23, 2019.

Finances: Staff summarized the financial reports to the board.

- c. Profit & Loss Budget vs. Actual year to date July 1, 2019 thru August 31, 2019.
- d. Profit & Loss Statement for August 2019.
- e. Balance Sheet as of August 31, 2019.

Other:

- f. MVIDD Staff Report. – General information to update the board members. Staff reported that the election nominations are in for Division II Director and Director at Large. The ballots will be prepared on October 10, 2019 and the early ballots will be mailed out on October 15, 2019. Staff updated the board with the status of the Discharge Pipe grant process and that the contract has been executed and work will begin this month and all work is expected to be completed in December.

8. REGULAR AGENDA

- A. **Approve the September 03, 2019 Regular Meeting Minutes.** Discussion and possible action to approve the Regular Meeting Minutes

from last month's meeting. Perry Muscelli made a motion to approve the meeting minutes for the regular meeting on September 03, 2019, John Kai, Jr., seconded the motion. All in favor, motion passed. Kai – Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.

- B. **Approve the September, 2019 Executive Meeting Minutes.** Discussion and possible action to approve the Executive Meeting Minutes from last month's meeting. John Kai, Jr., made a motion to approve the meeting minutes for the executive session on September 03, 2019, Vince Vasquez, seconded the motion. All in favor, motion passed. Kai – Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.
- C. **Ratify payment of Expenses for September 2019.** Discussion and possible action to ratify the payment of expenses for last month. Staff went over the payment of expenses for September 2019. Perry Muscelli made a motion to ratify the payment of expenses, Vince Vasquez seconded the motion. All in favor, motion passed. Kai – Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.
- D. **Ratify the 2019 Annual 417 Report submitted to the Bureau of Reclamation.** Discussion and possible action to ratify the Part 417 report for calendar year 2020 submitted on September 13, 2019. Chip reminded the board this is the annual 417 report and was discussed at the last meeting. The report was completed after the last meeting and staff submitted it to the Bureau of Reclamation on September 13th and the board is just ratifying the report that was submitted. Perry Muscelli made a motion to ratify the submitted report, Vince Vasquez seconded the motion. All in favor, motion passed. Kai – Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.
- E. **Powers-Leavitt Insurance Agency, Inc.** Discussion and possible action to approve the Insurance Proposal for November 08, 2019 to November 08, 2020. Discussion and possible action to approve the Insurance Proposal for calendar year 2020. Staff advised the board that there are no changes for the insurance proposal from last year and no cost changes and this policy runs from November to November of each year. John Kai, Jr., made a motion to approve, Clay Vanderslice seconded the motion. All in favor, motion passed. Kai – Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.
- F. ***El Rio / Mohave Valley Golf.** Discussion with Board members to update them on a meeting between MVG representatives, the District and district counsel on October 01, 2019. Item removed from the agenda.
- G. **Ratify the 2020 Annual Water Order submitted to the Bureau of Reclamation.** Discussion and possible action to ratify the calendar year

2020 water order submitted on September 13, 2019. Staff reminded the board this water order was completed after the last board meeting and submitted on September 13th, prior to this board meeting and needs to be ratified. Staff read the cover letter that was sent to the Bureau of Reclamation along with the water order for 2020. John Kai, Jr., made a motion to ratify the 2020 Water Order, Vince Vasquez seconded the motion. All in favor, motion passed. Kai – Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.

- H. ***Update on EC - ICS Plan of Creation.** Discussion and possible action to change the EC - ICS Plan of Creation with recommended changes. District counsel stated we are currently working with the Bureau of Reclamation on consumptive use and diversion quantities and the District hopes to have some answers in the next couple of weeks. The board directed Vince Vasquez to reach out to the Bureau of Reclamation this week. No action taken, discussion update only.
9. **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 signed up to speak.
10. **ADJOURNMENT.** John Kai, Jr., made a motion to adjourn, Perry Muscelli seconded the motion. All in favor, motion passed. Meeting adjourned at 4:32pm. Kai – Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.

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).

Vote Key: A = Abstained; Y = Yes; N = No