

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

Held May 05, 2020

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, May 05, 2020 at 1:30 pm via Zoom teleconference due to the Coronavirus. As indicated in the agenda, pursuant to A.R.S. § 38-431.03(A) Item 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 via Zoom beginning at 4:00 pm.

Join Zoom Meeting in open session at 4:00pm

<https://us02web.zoom.us/j/88984116659?pwd=TC8zVHUvaGFna1BHdVFjWkZpUGxndz09>

Meeting ID: 889 8411 6659

Password: 586253

CALL TO ORDER. Chairman, Charles B. Sherrill, Jr., called the meeting to order at 1:36pm.

1. ROLL CALL.

Present: Charles ("Chip") B. Sherrill, Jr., Chairman/Director Division III
Clay Vanderslice, Director at Large – Joined at 2:05pm.
Kerri Hatz, General Manager

Via Zoom: Vince Vasquez, Director Division II
Perry Muscelli, Treasurer/Director at Large
John Kai, Jr., Director Division I
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 8E, 8F, 8G, 8H, 8I, 8J and 8K. Perry Muscelli made a motion to go into Executive Session, Vince Vasquez seconded the motion. All in favor, executive session began at 1:37pm. Kai – Y; Muscelli – Y; Vasquez – Y; Sherrill – Y. Clay Vanderslice not present at the beginning of the meeting, he joined at 2:05pm.

[The discussions and minutes of the executive session shall be kept confidential. The executive session

of the Board is not open to the public.]

At 3:00pm, Clay Vanderslice made a motion to adjourn, John Kai, Jr., seconded the motion. All in favor, executive session ended. Kai – Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.

3. **RECONVENE IN OPEN SESSION.** Open session reconvened at 4:01pm. Perry Muscelli was late reconvening in open session.
4. **PLEDGE OF ALLEGIANCE.** Vince Vasquez 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, Clay Vanderslice seconded the motion. All in favor, motion passed. Perry Muscelli not present. Kai – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.
6. **AGENDA MODIFICATION.** Possible action to withdraw from, or move, any item on the Agenda. No action taken.
7. **REPORTS.**

Water:

- a. Staff report on District water use. Staff reported the District water use for date ending March 2020.
- b. Bureau of Reclamation Lower Colorado Water Supply Report and Colorado River Basin April 2020 24-Monthly Study Webinar. Staff reported the current levels of Lake Mead and Lake Powell as of May 4, 2020.

Finances: Staff summarized the financial reports through March 1, 2020. Perry Muscelli joined meeting via Zoom.

- c. Profit & Loss Budget vs. Actual year to date July 1, 2019 thru March 31, 2020.
- d. Profit & Loss Statement for March 2020.
- e. Balance Sheet as of March 31, 2020.

Other:

- f. MVIDD Staff Report. – General information to update the board members. No reports made.

8. REGULAR AGENDA

- A. **Approve the April 07, 2020 Regular Session Meeting Minutes.**
Discussion and possible action to approve the regular meeting minutes from last month. Perry Muscelli made a motion to approve the April 07,

2020 Regular Session meeting minutes, Vince Vasquez seconded the motion. All in favor, motion passed. Kai – Y; Vanderslice – Y; Muscelli – Y; Vasquez – Y; Sherrill – Y.

- B. **Approve the April 07, 2020 Executive Session Minutes.** Discussion and possible action to approve the Executive Session meeting minutes from last month. Clay Vanderslice made a motion to approve the April 07, 2020 Executive Session meeting minutes, John Kai, Jr., seconded the motion. All in favor motion passed. Kai – Y; Vanderslice – Y; Muscelli – Y; Vasquez – Y; Sherrill – Y.
- C. **Ratify payment of Expenses for April 2020.** Discussion and possible action to ratify the payment of expenses for last month. Staff went over expenses for April. Perry Muscelli made a motion to ratify the payment of expenses, Clay Vanderslice seconded the motion. All in favor, motion passed. Kai – Y; Vanderslice – Y; Muscelli – Y; Vasquez – Y; Sherrill – Y.
- D. **Westview Estates, Tract 4215; T19N, R22W, Sec. 14; 135 Lots:** Discussion only to update the board members on the status of the subdivision as requested by the board last year. Staff advised the board this is not an action item only an update from the property owner of the status of the subdivision as requested last year from the board. The board members reviewed the letter sent to the District and staff reminded them that the Preliminary water allocation last approved will expire on February 22, 2021. According to the letter a redesign to a multi-family may be needed.
- E. ***Fiscal Year June 2020 - July 2021 Budget.** Discussion only to review and make comments on the next fiscal year budget. Staff reviewed the suggested changes with the board from the April 7, 2020 board meeting and Perry Muscelli suggested we increase the budget up for a company vehicle from \$8,000 to \$10,000. Staff will make the suggested adjustment to the budget. The final review and possible approval of the budget is set for the June 2, 2020 regular board meeting.
- F. ***Mohave County 2020 Tax Levies and Rates Certification.** Discussion only to review and make comments on the Tax Levies and Rates Certification. Staff reviewed the tax levies and rates certification with the board members and this will be on the June 2, 2020 regular board meeting for possible approval.
- G. ***July 01, 2020 Comprehensive Fee Schedule and Payment Rules.** Discussion only to review and make suggested changes to the Comprehensive Fee Schedule and Payment Rules for 2020. Staff reviewed the changes to the Comprehensive Fee Schedule and Payment Rules and this will be on the June 2, 2020 regular board meeting for

possible approval.

- H. ***Noxious Plants within the District.** Discussion and possible action to adopt rules or proceed under state statute for eradicating noxious plants. Mr. Pearce, District counsel, reviewed draft Resolution 2020-01 for establishing rules for noxious weed abatement and the accompanying rules with the board members and advised that this would be posted in accordance with state statute and will be on the June 2, 2020 regular board meeting for possible adoption. Staff was advised to post it in the three divisions of the district and on our website.
 - I. ***On Farm Field Conditions.** Discussion and possible action to evaluate on-farm field and ditch conditions within the District for compliance with EC-ICS and Agricultural Subcontracts. Staff reviewed with the board the latest field and ditch inspections performed on April 21 and 22, 2020. Staff will send a courtesy letter to farms units that have ditches to clean. Over all, the farming units look great and are in compliance with the EC-ICS contracts with the District. No action taken.
 - J. ***Water Orders for 2021 and EC-ICS.** Discussion of interest in participation in 2021 EC-ICS Program and planning for preparation of 2021 Plan of Creation (initial draft due in June, 2020). Staff advised the board that the new water order forms will need to be mailed out in June and received by August 15th to be approved at the September meeting and then sent to the Bureau of Reclamation for our annual 417 meeting. Mr. Pearce advised that we also need to see if any farm units are interested in participating in the 2021 EC-ICS Program and if so, the initial draft of the ICS Plan of Creation is due in June of 2020. Staff was directed to send letters to all farm units to see if there is any interest in participation.
 - K. ***Repair of Discharge Pipes; Cost of Agricultural Meters.** Discussion and possible action to contract for repairs on certain discharge pipes and to provide for cost of water meters. Chip reviewed the list of flow meters that need to be relocated on the discharge pipes in accordance with the specifications from the manufacturer. The flow meters that were installed by two previous companies were not installed within the correct distance from the pump. Vince Vasquez made a motion to approve the cost of the repairs, John Kai, Jr., seconded the motion. All in favor, motion passed. Kai – Y; Vanderslice – Y; Muscelli – Y; Vasquez – Y; Sherrill – Y.
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. Karen Summit was present on the teleconference and asked if the District would be willing to come give a presentation to the local realtors about water allocations within our district and the different types of water allocations. Staff and Chip asked her to send over the possible dates and the District would put together a presentation.

10. ADJOURNMENT. Perry Muscelli made a motion to adjourn, John Kai, Jr., seconded the motion. All in favor, motion adjourned at 4:55pm.

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