

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

Held June 02, 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, June 02, 2020 at 2:00 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  
Time: Jun 2, 2020 04:00 PM Arizona

Join Zoom Meeting

<https://us02web.zoom.us/j/88567084328?pwd=TFpsbVY1TFRybzNTRWNYY0I1c3NMUj09>

Meeting ID: 885 6708 4328  
Password: 849968

**CALL TO ORDER.** Chairman, Charles B. Sherrill, Jr., called the meeting to order at 2:10pm.

## 1. ROLL CALL.

Present: Charles (“Chip”) B. Sherrill, Jr., Chairman/Director Division III  
Clay Vanderslice, Director at Large  
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 8G, 8H, 8I and 8J. Perry Muscelli made a motion to go into executive session, John Kai, Jr., seconded the motion. All in

favor, executive session began at 2:11pm. 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.]*

At 4:02pm Perry Muscelli made a motion to adjourn executive session, Clay Vanderslice seconded the motion. All in favor, execution session adjourned. Kai- Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.

3. **RECONVENE IN OPEN SESSION.** Open session reconvened at 4:10pm.
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. Perry Muscelli made a motion to waive the reading of the minutes and or resolution presented for approval or adoption, John Kai, Jr., seconded the motion. All in favor motion pass. 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. No action taken.
7. **REPORTS.**

Water:

- a. Staff report on District water use. Staff reported the District water use for date ending April 30, 2020.
- b. Bureau of Reclamation Lower Colorado Water Supply Report. Staff reported the current levels of Lake Mead and Lake Powell as of May 26, 2020.

Finances: Staff summarized the financial reports through April 30, 2020.

- c. Profit & Loss Budget vs. Actual year to date July 1, 2019 thru April 30, 2020.
- d. Profit & Loss Statement for April 2020.
- e. Balance Sheet as of April 30, 2020.

Other:

- f. MVIDD Staff Report. – General information to update the board members. Staff reported that next month's board meeting will include the call for election of Division III Director which is currently held by Chip Sherrill. Staff also advised that the invoices for EC-ICS admin fees will be sent out in the next week. Staff also advised the board of the upcoming Arizona Water Law Conference in August.

**8. REGULAR AGENDA**

- A. Approve the May 05, 2020 Regular Session Meeting Minutes.** Discussion and possible action to approve the regular meeting minutes from last month. Clay Vanderslice made a motion to approve the May 05, 2020 regular meeting minutes, Perry Muscelli seconded the motion. All in favor motion passed. Kai- Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.
- B. Approve the May 05, 2020 Executive Session Minutes.** Discussion and possible action to approve the Executive Session meeting minutes from last month. Perry Muscelli made a motion to approve the May 05, 2020 executive session minutes, John Kai, Jr., seconded the motion. All in favor, motion passed. Kai- Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.
- C. Ratify payment of Expenses for May 2020.** Discussion and possible action to ratify the payment of expenses for last month. Perry Muscelli made a motion to ratify the payment of May's expenses, Clay Vanderslice seconded the motion. All in favor, motion passed. Kai- Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.
- D. Fiscal Year June 2020 - July 2021 Budget.** Discussion and possible action to approve the next fiscal year budget. Staff discussed the changes to the budget from the last meeting and the board directed staff to increase the amount of \$10,000 to \$16,000 for the possible purchase of a district vehicle. With that suggested change, Vince Vasquez made a motion to approve the FY June 2020-July 2021 Budget, John Kai, Jr., seconded the motion. All in favor, motion passed. Kai- Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.
- E. Mohave County 2020 Tax Levies and Rates Certification.** Discussion and possible action to approve the Tax Levies and Rates Certification for 2020. Staff reported this is the same report brought to the board at the last meeting for review and comment and no changes have been made. Perry Muscelli made a motion to approve the tax levies and rates certification, John Kai, Jr., seconded the motion. All in favor, motion passed. Kai- Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.
- F. July 01, 2020 Comprehensive Fee Schedule and Payment Rules.** Discussion and possible action to approve the Comprehensive Fee Schedule and Payment Rules for 2020. Staff reported that this item was brought to the board last month for review and comment and no additional changes have been made. Perry Muscelli made a motion to approve the comprehensive fee schedule and payment rules, John Kai, Jr., seconded the motion. All in favor, motion passed. Kai- Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.

- G. **\*USDA 2019 Survey of Irrigation Organizations.** Discussion and possible action to approve the survey. June 12<sup>th</sup> is the due date for the survey to be submitted. Staff reviewed the survey with the board and district counsel. The board asked if this had to be an action item or could the manager just submit the survey. District counsel advised that it could just be submitted by the manager. No action taken.
- H. **\*Noxious Plants within the District.** Discussion and possible action to adopt rules or proceed under state statute for eradicating noxious plants. Staff reported that this item was reviewed last month and posted in the three (3) divisions of the district, the district's outside bulletin board and the district's website. Perry Muscelli made a motion to adopt Resolution 2020-01 along with the rules, John Kai, Jr., seconded the motion. All in favor, motion passed. Kai- Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.
- I. **\*2021 EC-ICS and Land IQ Engagement.** 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). Discussion and possible action to approve the engagement of Land IQ for 2019 Consumptive Use analysis. Staff advised that the fees for engagement might vary from \$3,200 to approximately \$5,000 and that with the newly approved budget, the district allowed up to \$10,000 for professional consultants. Vince Vasquez made a motion to approve the engagement of Land IQ for the consumptive use analysis update for 2019, Clay Vanderslice seconded the motion. All in favor, motion passed. Kai- Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.
- J. **\*Mohave County Water Authority Fees and Dues.** Discussion regarding the yearly dues and discussion and possible action to approve the final payment for the 250 AF firming fees. Chip Sherrill updated the board with the cost of the 2021 dues for MCWA. Vince Vasquez made a motion to approve the MCWA dues for 2021, Clay Vanderslice seconded the motion. All in favor motion passed. Kai- Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.  
The board directed staff to clarify the amount of interest, if any, on the firming fees and if there are no additional fees then the district will wait to pay the firming fees until 2024. No action was taken on the firming fees.
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 the only member of the Public on the teleconference and no comments were made.

**10. ADJOURNMENT.** Perry Muscelli made a motion to adjourn, Vince Vasquez seconded the motion. All in favor, meeting adjourned at 4:34pm.

Agendas are available on our website [www.mvidd.net](http://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