

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

Held September 01, 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, September 01, 2020 at 1:00 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.

Topic: MVIDD Regular Board Meeting - Open Session

Time: Sep 1, 2020 04:00 PM Arizona

Join Zoom Meeting

<https://us02web.zoom.us/j/82260102767?pwd=cktpdHBxdVIHTEJhREhSd2lTUHFqZz09>

Meeting ID: 822 6010 2767

Passcode: 910123

CALL TO ORDER. Chairman, Charles B. Sherrill, Jr., called the meeting to order at 1:08pm.

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 – Joined at 1:10pm.
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 and 8H and discussions with Bureau of Reclamation. Perry Muscelli made a motion to go into executive session, Clay Vanderslice seconded the motion. All in favor, executive session began at 1:10pm. Muscelli – Y; Vanderslice – Y; Vasquez – Y;

Sherrill – Y. John Kai, Jr., was not present at the beginning of the meeting, he joined at 1:10pm.

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

Perry Muscelli made a motion to adjourn the executive session, Clay Vanderslice seconded the motion. All in favor, executive session adjourned at 3:55pm. Kai – Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.

3. **RECONVENE IN OPEN SESSION.** Open Session reconvened at 4:06pm.
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, Perry Muscelli 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. Vince Vasquez made a motion to withdraw items 8G and 8H from the agenda for further review, Perry Muscelli seconded the motion. All in favor, Items 8G and 8H were removed from the agenda. 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 for date ending July 2020.
- b. Bureau of Reclamation Lower Colorado Water Supply Report and Bureau of Reclamation August 2020 24-Month Study. Staff reported the current levels of Lake Mead and Lake Powell as of August 24, 2020. Perry Muscelli also gave a projected weather update.

Finances: Staff summarized the financial reports through July 31, 2020.

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

Other:

- f. MVIDD Staff Report. – General information to update the board members. Staff advised the board of an upcoming Agribusiness and

Water Council Conference on Wednesday, September 16, 2020.

8. REGULAR AGENDA

- A. **Approve the August 04, 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 August 04, 2020 regular session meeting minutes, Vince Vasquez seconded the motion. All in favor, motion passed. Kai – Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.
- B. **Approve the August 04, 2020 Executive Session Meeting Minutes.**
Discussion and possible action to approve the executive session meeting minutes from last month. Perry Muscelli made a motion to approve the August 04, 2020 executive session meeting 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 August 2020.** Discussion and possible action to ratify the payment of expenses for last month. Staff went over the payment of expenses for August 2020. Perry Muscelli made a motion to ratify the payment of expenses, Clay Vanderslice seconded the motion. All in favor, motion passed. Kai – Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.
- D. **Sunset Palms Tract 4183-C; APN(s): 227-15-141 and 227-15-090; T19N, R22W, Section 26; Application for Preliminary Water Allocation for 41 New Residential Lots.** Discussion and possible action to approve a preliminary water allocation for 41 new lots at .34 acre feet of water per lot for a total of 13.94 acre feet of water per year. If approved, this preliminary water allocation would expire 36 months from today, September 01, 2023. Staff reviewed the history of Tract 4183-C and the application for preliminary water with the board. Perry Muscelli made a motion to approve the preliminary water allocation pending payment of fees and Clay Vanderslice seconded the motion. All in favor, motion passed. Kai – Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.
- E. ***Field and Ditch Inspections from July 31, 2020.** Discussion and possible action to address any issues found on farm units within the District. The board addressed a couple of farm unit ditches that need to have the weeds sprayed. John Kai, Jr. recused himself from voting but did advise the board that his farm ditches would be sprayed in the next week and would have district staff verify this. Perry Muscelli made a motion to move forward with sending a letter to the owners of the property notifying them of the District's intent to have the ditches sprayed and assess any fees for doing so, Vince Vasquez seconded the motion. All in

favor motion passed. Kai – A; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.

F. ***Ratify 2021 EC-ICS Plan of Creation.** Discussion and possible action to ratify the 2021 EC-ICS Plan of Creation filed with USBR on August 20, 2020. District counsel updated the board on the changes to the 2021 EC-ICS Plan of Creation submitted to the Bureau of Reclamation on August 20, 2020. Perry Muscelli made a motion to ratify the August 20, 2020 submission to the BOR, Clay Vanderslice seconded the motion. All in favor, motion passed. Kai – Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.

G. ***MVIDD Part 417 Responses.** Discussion and possible action to approve the Part 417 response questionnaire for Calendar Year 2021. **Removed from Agenda.**

H. ***Calendar Year 2021 Water Order.** Discussion and possible action to approve the Water Order for 2021. **Removed from Agenda.**

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 and Monty Lane were present via Zoom teleconference. Monty introduced himself to the board and advised that he is the local representative located in Kingman for our area. Monty Lane is the District Conservationist for the NRCS.*

10. **ADJOURNMENT.** Clay Vandeslice made a motion to adjourn, Perry Muscelli seconded the motion. All in favor, meeting adjourn at 4:41pm.

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