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

Held October 06, 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, October 06, 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.

Open Session Log In:

Join Zoom Meeting
https://us02web.zoom.us/j/83335197745?pwd=b2w0aTVVeS9VUlJ0QjY2Z3NaLy9kUT09

Meeting ID: 833 3519 7745
Passcode: 153857

CALL TO ORDER. Chairman, Charles B. Sherrill, Jr., called the meeting to order at 2:09pm.

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 Item 8I. Perry Muscelli made a motion to go into executive session, Clay Vanderslice seconded the motion. All in favor, motion passed. Kai, - Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y. Executive session began at 2:10pm.

[The discussions and minutes of the executive session shall be kept confidential. The executive session of the Board is not open to the public.] Clay Vanderslice made a motion to adjourn executive session, John Kai, Jr., seconded the motion. All in favor, executive session adjourned at 3:50pm. Clay Vanderslice seconded the motion. All in favor, motion passed. Kai, - Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y

3. **RECONVENE IN OPEN SESSION.** Open session reconvened at 4:03 pm.

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 full minutes and or resolutions presented for approval or adoption, John Kai, Jr., seconded the motion. All in favor, motion passed. Clay Vanderslice 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. No action taken.

7. **REPORTS.**

Water:

a. Staff report on District water use. Staff reported the District water use for date ending August 2020.
b. Bureau of Reclamation Lower Colorado Water Supply Report and Colorado River Basin August 2020 Update of Projected Future Conditions. Staff reported the current levels of Lake Mead and Lake Powell and read the Summary of the August 2020 CRSS Results to the board members.

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

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

Other:

f. MVIDD Staff Report. – General information to update the board members. Staff advised the board that early ballots for Division III Director would be mailed out this week and only Division III registered voters can vote for the Division III Director.

8. **REGULAR AGENDA**

A. **Approve the September 01, 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 meeting minutes, 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 01, 2020 Executive Session Meeting Minutes.** Discussion and possible action to approve the executive session meeting minutes from last month. Vince Vasquez made a motion to approve the 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. **Approve the September 09, 2020 Special Regular Session Meeting Minutes.** Discussion and possible action to approve the special regular meeting minutes from last month. Perry Muscelli made a motion to approve the special regular minutes, Vince Vasquez seconded the motion. All in favor, motion passed. Kai, - Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y

D. **Ratify payment of Expenses for September 2020.** Discussion and possible action to ratify the payment of expenses for last month. Clay Vanderslice made a motion to ratify the expenses for September, John Kai, Jr., seconded the motion. All in favor, motion passed. Kai, - Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y

E. **Village Estates, Tract 4198-C; T18N, R22W, Section 3; Request for a Final Water Allocation for 63 Lots.** Discussion and possible action to approve the final water allocation for Tract 4198-C for 21.42 acre feet of water. Staff advised the board that Tract 4198-C has been granted a Final Plat by Mohave County at their February 18, 2020 regular board meeting with resolution 2020-027 and we have a copy of the signed Final Plat and all fees for Tract 4198-C have been paid in full. Vince Vasquez made a motion to approve the final water allocation for Tract 4198-C, Perry Muscelli seconded the motion. All in favor, motion passed. Kai, - Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y

F. **Village Estates, Tracts 4198-D through 4198-G; T18N, R22W, Section 3; Request for an Extension of Preliminary Water Allocation for phases D - G.** Discussion and possible action to approve the extension request of the preliminary water allocation for:

Tract 4198D 29 lots for 9.86 acre feet;
Tract 4198D Parcel A – Clubhouse & Pool 2.38 acre feet
Tract 4198E 46 lots for 15.64 acre feet;
Tract 4198F 63 lots for 21.42 acre feet;
Tract 4198G 92 lots for 31.28 acre feet.

Staff advised this is the same subdivision from the prior item that was just

approved and they are requesting an extension of their preliminary water allocation for another 2 years for tracts 4198-D through 4198-G. They have been making great progress and have submitted for the final plat for Tract 4198-D and Parcel A with Mohave County Development Services. They have also paid for the water allocation extension administration fee. Perry Muscelli made a motion to approve the 24 month extension, Vince Vasquez seconded the motion. This new extension will expire on November 10, 2022. All in favor, motion passed. Kai, - Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill –Y.

G. **Twin Palms Estates, Tract 4189-B; T19N, R22W, Section 36**; **Request for a Final Water Allocation for 47 lots.** Discussion and possible action to approve the final water allocation for Tract 4189-B for 15.98 acre feet of water. Staff called Mr. Dewey Davide on the conference line to attend the meeting. Staff advised this is a request for a final water allocation for Twin Palms, Tract 4189-B and this was granted a Final Plat by Mohave County at their August 03, 2020 regular board meeting with resolution 2020-106 and we have a copy of the signed Final Plat and all fees for Tract 4189-B have been paid in full. Perry Muscelli made a motion to approve the final water allocation, John Kai, Jr., seconded the motion. All in favor, motion passed. Kai, - Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y

H. **Powers-Leavitt Insurance Agency, Inc.** Discussion and possible action to approve the Insurance Proposal for November 08, 2020 to November 08, 2021. Staff summarized the proposal for insurance and advised the board of last year's fees, however this year they include a company vehicle. Perry Muscelli made a motion to approve the insurance proposal for the next upcoming year, Clay Vanderslice seconded the motion. All in favor, motion passed. Kai, - Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y

I. ***Draft System Conservation Implementation Agreement (SCIA) between BOR and MVIDD.** Discussion and possible action to approve the SCIA agreement. District counsel summarized the draft system conservation agreement status with the board members and recommended that we not take a formal action on the contract until he has addressed a couple of items with the Bureau of Reclamation, however, he recommends taking a vote of confidence to allow for him to address the BOR with the boards questions. Perry Muscelli made a motion for a vote of confidence and to have district counsel address any items and then bring this back to the board for final action, Vince Vasquez seconded the motion. All in favor, motion passed. Kai, - Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y

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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.*

Present via Zoom:
Sam Elters, Mohave County Manager,
Karen Summit
and Monty Lane, NRCS District Conservationist

Karen Summit reminded staff and Chip Sherrill of the presentation on October 15th and Monty advised the board of their annual meeting on October 21, 2020 at 2pm and he would email the district office with the information.

10. ADJOURNMENT. Clay Vanderslice made a motion to adjourn, Vince Vasquez seconded the motion. All in favor, meeting adjourned at 4:44pm.

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).

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