

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

Held November 03, 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, November 03, 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:

Topic: MVIDD Open Session

Time: Nov 3, 2020 04:00 PM Arizona

Join Zoom Meeting

<https://us02web.zoom.us/j/84961562305?pwd=RzJLOWoyWE0xNjZTbWRDTjdjOXI1QT09>

Meeting ID: 849 6156 2305

Passcode: 935756

CALL TO ORDER. Chairman, Charles B. Sherrill, Jr., called the meeting to order at 2:06pm.

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 8F. Perry Muscelli made a motion to go into

executive session, Vince Vasquez seconded the motion. All in favor, motion passed. Kai, - Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y. Executive session began at 2:07pm.

[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 executive session, Clay Vanderslice seconded the motion. All in favor, executive session adjourned at 3:43pm. Kai, - Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y

3. **RECONVENE IN OPEN SESSION.** Perry Muscelli made a motion to reconvene in open session, Clay Vanderslice seconded the motion, open session reconvened at 4:03pm. Kai, - Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y
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 resolution for approval or adoption. 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 move item 8D in front of all other items to allow the representative to be heard first due to other engagements. Clay Vanderslice seconded the motion. All in favor, motion passed. Kai, - Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y

Item 8D: This item was discussed first. See minutes below.

7. **REPORTS.**

Water:

- a. Staff report on District water use. Staff reported that the September water usage report was not complete and would be this week.
- b. Bureau of Reclamation Lower Colorado Water Supply Report. Staff reported the current levels of Lake Mead and Lake Powell.

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

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

Other:

- f. MVIDD Staff Report. – General information to update the board members.

Staff advised the board that the Part 417 meeting held on October 17, 2020 with the BOR went well. Staff advised that any electors that had not mailed in their early ballots had until next Tuesday to do so. Staff reminded the board that a special regular meeting to canvass the returns will be on Monday, November 16, 2020 and that the CRUWA Conference for 2020 has been cancelled due to the pandemic.

8. REGULAR AGENDA

A. Approve the October 06, 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, Vince Vasquez seconded the motion. All in favor, motion passed. Kai, - Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y

B. Approve the October 06, 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 meeting minutes, 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 October 2020.

Discussion and possible action to ratify the payment of expenses for last month. Staff reviewed the payment of expenses with the board. 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. La Joya Residences, Tract 4237 (Formerly Mohave Valley Commons, Tract 4212); T19N, R22W, Section 22; APN(s): 228-02-100, 228-02-101 & 228-02-102; Request for an Extension of Preliminary Water Allocation for 129 Lots for 24 months. Current Extension expires November 10, 2020.

Discussion and possible action to approve the extension request of the preliminary water allocation. Staff advised the board of the request and gave a little history on this subdivision and read the extension request from QPC, Inc. See Exhibit “A”. Mark Clark from QPC, Inc., the representative for La Joya Residences, explained the current status of this project and he requested a two (2) year extension of the preliminary allocation. The board members asked a couple of questions regarding the project and Mark responded to their questions. The board expressed concern over a two (2) year extension. Perry Muscelli made a motion to approve a six (6) month extension, Clay Vanderslice seconded the motion. All in favor, motion passed. Kai, - Y;

Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y

Mark Clark asked the Chairman if he could come back in six (6) months and request a 24 month extension and Chip replied that he could, but that did not mean that he would be granted one, that the District would need to see if there is additional forward progress at that time.

E. Mohave County Year End June 30, 2020 Annual 48-251 Report.

Discussion and possible action to approve the annual 48-251 report to Mohave County. Staff reviewed the report with the board. Perry Muscelli made a motion to approve the report, Vince Vasquez seconded the report. All in favor, motion passed. Kai, - Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y

F. *System Conservation Implementation Agreement (SCIA) between BOR and MVIDD and On Farm Conditions Update.

Discussion update on the SCIA agreement and on farm conditions. District counsel gave an update regarding the current status of the SCIA with the board and that he has a phone appointment with the BOR on Thursday.

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 addressed the board. In attendance via zoom was Karen Summit and Monty Lane.*

10. ADJOURNMENT. Clay Vanderslice made a motion to adjourn, Vince Vasquez seconded the motion. All in favor, motion passed. Meeting adjourned at 4:43PM. 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).