

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

Held January 05, 2021

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, January 05, 2021 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, 2b and 2c 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 Open Session
Time: Jan 5, 2021 04:00 PM Arizona

Join Zoom Meeting

<https://us02web.zoom.us/j/86933300872?pwd=TTkrR3MvT2VxSVRWQk1MMjQvODdBUT09>

Meeting ID: 869 3330 0872
Passcode: 600303

CALL TO ORDER. Chairman, Charles B. Sherrill, Jr., called the meeting to order at 2:12pm.

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 9F.
- b. Discussion of District Comprehensive Fee Schedule.
- c. Discussion on AG water use in the District.

Perry Muscelli made a motion to go into executive session, Clay Vanderslice seconded the motion. All in favor, motion passed. Executive session began at 2:12pm. 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.]

Perry Muscelli made a motion to adjourn executive session, Vince Vasquez seconded the motion. All in favor, executive session adjourned at 3:48pm. Kai, - Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.

3. **RECONVENE IN OPEN SESSION.** Open Session reconvened at 4:07pm.
4. **PLEDGE OF ALLEGIANCE.** Perry Muscelli led the Pledge of Allegiance.
5. **OATH OF OFFICE.** Secretary, Perry Muscelli, to swear in the newly elected member of the board pursuant to the November 10, 2020 election. Charles B. Sherrill, Jr., for Division III Director. Secretary, Perry Muscelli, administered the Oath of Office to Charles B. Sherrill, Jr., for Division III Director.
6. **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, Clay Vanderslice seconded the motion. All in favor, motion passed. Kai, - Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.
7. **AGENDA MODIFICATION.** Possible action to withdraw from, or move, any item on the Agenda. No action taken.
8. **REPORTS.**

Water: Staff summarized the District water use for date ending November 2020 and reported the current levels of Lake Powell and Lake Mead.

- a. Staff report on District water use.
- b. Bureau of Reclamation Lower Colorado Water Supply Report.

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

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

Other:

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

Staff advised the board that the annual water diversion request for 2021 was approved by the Bureau of Reclamation on December 17, 2020 for 29,503 AF with an estimated consumptive use of 15,932 AF.

Staff advised the board that the annual water bills will be mailed out at the end of this month and will be due by March 31, 2021.

Staff advised the board that the Crop Reporting forms for CY 2020 will be mailed out by January 15, 2021 and are due no later than February 15, 2021.

9. REGULAR AGENDA

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

B. Approve the December 01, 2020 Executive Session Meeting Minutes.

Discussion and possible action to approve the executive session meeting minutes from last month. Clay Vanderslice made a motion to approve the 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 December 2020.

Discussion and possible action to ratify the payment of expenses for last month. Staff reviewed the expenses with the board members. Perry Muscelli made a motion to ratify the payment of expenses for December, Clay Vanderslice seconded the motion. All in favor, motion passed. Kai, - Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.

D. Valley View at Sunrise Hills, Tract 4201C; T18N, R21W, Section 6; APN(s): 225-52-027; 56 single family homes on approximately 23.29 acres subdivided and three (3) parcels for drainage and landscaping.

Discussion and possible action to approve the final water allocation for this subdivision. Staff reviewed the request for the final allocation with the board. Staff advised the board that Tract 4201C had paid for more lots than what was approved in the Final Plat from Mohave County, the county required for three (3) drainage basins to be put in. This has left six (6) lots unused that were paid for in full from the developer and he is requesting that the lots be held over for phase D of this subdivision. District counsel

advised that the developer would need to use these six (6) lots within two (2) years as a preliminary water allocation. Perry Muscelli made a motion to approve the final water allocation for phase C for 56 lots and the developer would need to submit a new application for phase D within two (2) years of this approval. Kai, - Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.

E. **River 19 LLC; T17N, R22W, Section 15; APN(s): 224-24-131, 224-24-132, 224-24-133, 224-24-134, 224-24-135. Application for Residential Water Allocations for four (4) new single-family homes at .34-acre feet of water per year.** Discussion and possible action to approve the application request for four (4) new single family residential water allocations for a recent lot split of existing parcel 224-24-005, approximately 19 acres, into five (5) residential parcels. The existing parcel has an allocation of .42-acre feet of water and the new parcels need an allocation. Staff reviewed the application with the board members. District counsel advised that the allocation, if approved, would need to be specific to each lot and an allocation would need to be recorded. The District would need to type up a notice of allocation with the legal description of the land and that that allocation would not exceed that amount annually so that future landowners know that if the parcel has more than one standard single-family home built on that lot or if the lots are split in the future, an additional water allocation will need to be applied for. Mr. Mangana with River 19, LLC agreed with that. Perry Muscelli made a motion to approve the four (4) new water allocations with the condition of recording of each of the approved allocations, including the existing water allocation for Lot 1, Vince Vasquez seconded the motion. 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.** Update on the approved and executed SCIA agreement. Staff advised the board that the District has received the executed copy of the SCIA Agreement that was signed on December 17, 2020. Mr. Pearce added that the District is now eligible to receive the payments and we have indications that they are being processed sometime in January.

10. 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: Jaime, Jeff Kros, Karen Summit, Laura Tarin and Michael Mangana.

11. ADJOURNMENT. Perry Muscelli made a motion to adjourn, John Kai, Jr., seconded the motion. All in favor, meeting adjourned at 4:32pm. 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).

Vote Key: Y = Yes; N = No; A = Abstain