

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

Held February 02, 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, February 02, 2021 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) Items 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: Feb 2, 2021 04:00 PM Arizona

Join Zoom Meeting

<https://us02web.zoom.us/j/89161856771?pwd=dmdOYmxaTGtJNmVQWTVQSVI2YWpkZz09>

Meeting ID: 891 6185 6771

Passcode: 945328

**CALL TO ORDER.** Chairman, Charles B. Sherrill, Jr., called the meeting to order at 1:05pm.

## 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 7a, items 2b and c below.
- b. \*Discussion of Fifty-Fifth Legislature and items relating to water.
- c. \*Review and discussion on all resolutions and policies pertaining to

water.

*[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 go into executive session, John Kai, Jr., seconded the motion. All in favor, motion passed. Executive session began at 1:06pm. Kai, - Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.

Perry Muscelli made a motion to adjourn executive session, Clay Vanderslice seconded the motion. All in favor, executive session adjourned at 3:38pm. Kai, - Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.

3. **RECONVENE IN OPEN SESSION.** Open Session reconvened at 4:04pm.
4. **PLEDGE OF ALLEGIANCE.** Perry Muscelli led the Pledge of Allegiance.
5. **WAIVER MOTION.** Motion to waive the reading of the full minutes and resolutions presented for approval or adoption. Perry Muscelli made a motion to waive the reading of the full minutes and resolutions presented for approval or adoption, John Kai, Jr., 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: Staff summarized the District water use for date ending December 2020 and reported the current inflow projections for Lake Powell and Lake Mead. Perry Muscelli shared his concern about the projections for the shortage conditions.

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

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

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

Other:

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

Staff advised the board that the annual water billing was mailed out on January 29, 2021 and due by March 31, 2021.

Staff advised the board that the Crop Reporting forms were also mailed out in January and they are due by February 15, 2021.

Staff advised the board that the Law of the Colorado River conference is going to Virtual this year and is on March 11-12, 2021. If they are interested in participating, they need to let staff know to be registered.

Staff also advised the board that the District is interested in participating by being a case study in the Lower Colorado AG Water Savings Pilot Program. The purpose of the study is to explore current methods that are used to quantify AG water conservation activities in the lower basin. The next workshop will be on Tuesday, March 9, 2021. No time has been set. The District will pursue becoming a case study. Both Vince Vasquez and Chip Sherrill said they would be interested in the virtual workshop.

## 8. REGULAR AGENDA

- A. **Election of Officers.** Discussion and possible action to elect officers to the MVIDD Board. The position of Chairman and Treasurer are up for election this year. This is a two (2) year term. Perry Muscelli made a motion to nominate Chip Sherrill for another 2-year term as Chairman, Vince Vasquez seconded the motion. All in favor, motion passed. Kai, - Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.

Clay Vanderslice made a motion to nominate Perry Muscelli for another 2-year term as Secretary/Treasurer, Vince Vasquez seconded the motion. All in favor, motion passed. Kai, - Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.

- B. **Approve the January 05, 2021 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 meeting minutes from last month, John Kai, Jr., seconded the motion. All in favor, motion passed. Kai, - Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.
- C. **Approve the January 05, 2021 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 from last month, John Kai, Jr., seconded the motion. All in favor, motion passed. Kai, - Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.

- D. **Ratify payment of Expenses for January 2021.** Discussion and

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

**E. Desert Lakes Estates, Tract 4152E; T19N, R22W, Section 36; 123 Lots. Extension Request for Preliminary Water Allocation.**

Discussion and possible action to approve the extension request for preliminary water for 123 lots. The current preliminary allocation expires on February 10, 2021. Project owner is requesting a two (2) year extension. Staff reviewed the extension request with the board. Mohave County board of Supervisors approved another 2-year extension yesterday on this subdivision for the preliminary plat. Due to the flood zone changes in the county, there needs to be a redesign and make provisions for the retention basins and there will be less lots needed. It is estimated they may lose 6-7 lots. Phase E will be the final phase of this subdivision and there are still fees due for the preliminary water allocation; the fees will be adjusted and due when the final plat is approved. Perry Muscelli made a motion to approve the extension request only for 1 year and a 6-month review of the progress made, Vince Vasquez seconded the motion. All in favor, motion passed. Kai, - Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.

**F. Westview Estates, Tract 4215; T19N, R22W, Section 14; Extension Request for Preliminary Water Allocation.**

Discussion and possible action to approve the extension request for preliminary water. This current preliminary allocation expires on February 22, 2021. Project owner is requesting a one (1) year extension and they also want to release 1/3 of the 45.9-acre feet of water previously set aside for this development. 2/3 of the preliminary water allocation has been paid for. This would return 15.30-acre feet of water back to the District inventory. Staff reviewed the extension request with the board. This subdivision is also looking at a redesign of the original 135 lots, 45.9 acre-feet of water had been set aside for this subdivision. The redesign may result in a reduction of the water needs and since only 2/3<sup>rd</sup> of the preliminary water allocation has been paid for, the request is to release the final 3<sup>rd</sup> for which the fees have not been paid, thereby reducing the preliminary water allocation to 30.6-acre feet available for the redesign of the preliminary plat. Vince Vasquez made a motion to approve the 1-year extension with a 6-month review of the progress made, John Kai, Jr. seconded the motion. All in favor, motion passed. Kai, - Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.

**G. Sun Valley, Unit II, Tract 4185E; T18N, R22W, Section 01; 23 Lots; Extension Request for Preliminary Water Allocation.** Discussion and

possible action to approve the extension request for preliminary water. This current preliminary allocation expires on February 19, 2021. Project owner is requesting a one (1) year extension. This allocation for the 23 lots has been paid in full. Staff reviewed the extension request with the board. This development was recently purchased in December of 2019 by James Stewart and shortly after the purchase, the owner was in a terrible vehicle accident which has delayed the forward progress on this subdivision. The owner is starting the process again and is working with Larry Morse of ARQ to prepare the final plat for the county. The water allocation for this development for 23 lots had previously been paid in full. Perry Muscelli made a motion to approve a 1-year extension with a 6-month review of the progress made, Clay Vanderslice seconded the motion. All in favor, motion passed. Kai, - Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.

- 9. CALL TO THE PUBLIC.** *Those wishing to address the Board at the Call to the Public regarding matters not on the Board agenda can request to do so at this time. Due to the Pandemic, meetings are being held via Zoom. 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.

Present via zoom was:

Angelo Rinaldi, Dewey Davide, Larry Morse, Jaime Kelley, Monty Lane.

- 10. ADJOURNMENT.** John Kai, Jr., made a motion to adjourn, Vince Vasquez seconded the motion. All in favor, motion passed. Meeting adjourned at 4:40pm. Kai, - Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.

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