

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

Held July 06, 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, July 06, 2021, at 2:00 pm via Zoom teleconference due to the Pandemic. As indicated in the agenda, pursuant to A.R.S. § 38-431.03(A) Items 2a, 2b, 2c, and 2d 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: Jul 6, 2021 04:00 PM Arizona

Join Zoom Meeting

<https://us02web.zoom.us/j/85360067438?pwd=N2RNdmmdaSnNzY1NqSUhTVG1pWFZiUT09>

Meeting ID: 853 6006 7438

Passcode: 923304

CALL TO ORDER. Chairman, Charles B. Sherrill, Jr., called the meeting to order at 2:04pm.

1. ROLL CALL.

Present: Charles ("Chip") B. Sherrill, Jr., Chairman/Director Division III
Clay Vanderslice, Director at Large – Joined executive session 2:11pm
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 to obtain legal advice on any matter listed on the agenda.
- b. *Discussion and consultation with legal counsel regarding the 2022

- system conservation with BOR.
- c. *Discussion and consultation with legal counsel regarding commercial water allocations within the District.
- d. *Discussion and consultation with legal counsel regarding Water Legislation.

[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 2:05 pm. Kai – Y; Muscelli – Y; Vasquez – Y; Sherrill – Y. Clay Vanderslice joined executive session at 2:11 pm.

Clay Vanderslice made a motion to adjourn executive session, Vince Vasquez seconded the motion. All in favor, executive session adjourned at 3:38 pm. 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. All in favor, open session reconvened at 4:01 pm. 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. John Kai, Jr., made a motion to waive the reading of the full minutes and or resolutions for approval or adoption, 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: Staff summarized the District water use for the date ending May 31, 2021 and reported on the current Lake Powell and Lake Mead Elevations. Perry Muscelli also reported on the current conditions.

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

Finances: Staff summarized the financial reports through May 31, 2021.

- c. Profit & Loss Budget vs. Actual year to date July 1, 2020, thru May 31, 2021.
- d. Profit & Loss Statement for May 2021

- e. Balance Sheet as of May 31, 2021.

Other:

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

Staff advised the board of directors that water order forms for 2022 water will be mailed out by the end of the month and due back to the office in August for review and possible approval at the September board meeting.

Staff advised the board of directors that the annual financial review with HintonBurdick CPA's will be Monday, July 12, 2021, and our 5-year Contract Compliance Review the Bureau of Reclamation will be on Thursday, July 29th via Microsoft teams.

Staff also reminded the board of directors that the District office will be closed the week of July 19 through July 23rd and will resume normal operations on Monday, July 26th.

8. REGULAR AGENDA

- A. **Approve the June 01, 2021, Regular Session Meeting Minutes.**
Discussion and possible action to approve the regular meeting minutes from last month. Vince Vasquez made a motion to approve the June 01, 2021, regular meeting minutes, Clay Vanderslice seconded the motion. All in favor, motion passed. Kai – Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.
- B. **Approve the June 01, 2021, 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 June 01, 2021, executive session minutes, Clay Vanderslice seconded the motion. All in favor, motion passed. Kai – Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.
- C. **Ratify payment of Expenses for June 2021.** Discussion and possible action to ratify the payment of expenses for last month. Staff reviewed the payment of expenses with the board members. Perry Muscelli made a motion to ratify the payment of expenses for June 2021, John Kai, Jr., seconded the motion. All in favor, motion passed. Kai – Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.
- D. **Farag Enterprises, LLC DBA: Jack in the Box; T19N, R22W, Section 26 (NW ¼ Section); APN(S): 227-15-129. Application for a preliminary commercial water allocation.** Discussion and possible action to approve a preliminary commercial water allocation. Staff reviewed the application with the board of directors and advised the request is for 1.64-acre feet of

water per year. There was discussion with Steve Bowser from Helix Engineering, LLC. This project is going through the preliminary approval with Mohave County right now and if approved, it may take 4-5 months to break ground. Perry Muscelli made a motion to approve 1.64-acre feet for a preliminary commercial water allocation, Clay Vanderslice seconded the motion. All in favor, motion passed. Kai – Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.

- E. **Voter Registration: John Kai, Jr. Division II.** Discussion and possible action to approve the voter registration. Staff review the voter registration application with the board of directors and recommended approval. Perry Muscelli made a motion to approve the voter registration for John Kai, Jr. as an elector in Division II, Vince Vasquez seconded the motion. John Kai, Jr. abstained from discussion. All in favor, motion passed. Kai – A; 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 in call to the public.

Present via Zoom: Steve Bowser from Helix Engineering, LLC.

10. **ADJOURNMENT.** Perry Muscelli made a motion to adjourn, Clay Vanderslice seconded the motion. All in favor, meeting adjourned at 4:22 pm. 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