

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

Held January 11, 2022

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 11, 2022 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, 9D, 9E and 9F 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 11, 2022 04:00 PM Arizona

Join Zoom Meeting

<https://us02web.zoom.us/j/83768193558?pwd=cFgxWTNZWXBDaGNLN1NncU02Y29Gdz09>

Meeting ID: 837 6819 3558

Passcode: 597032

CALL TO ORDER. Chairman, Charles B. Sherrill, Jr., called the meeting to order at 2:07 pm.

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 to obtain legal advice on any matter listed on the agenda.
- b. *Discussion and consultation with legal counsel regarding AG water allocations within the District.

[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 2:08 pm. Kai – Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.

Perry Muscelli made a motion to adjourn executive session, Vince Vasquez seconded the motion. All in favor, motion passed, and executive session adjourned at 3:35 pm. Kai – Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.

3. RECONVENE IN OPEN SESSION. Open session reconvened at 4:02 pm

4. PLEDGE OF ALLEGIANCE. Perry Muscelli led the Pledge of Allegiance.

5. OATH OF OFFICE. Chairman, “Chip” Sherrill, to swear in the newly elected members of the board pursuant to the November 09, 2021 election. John Kai, Jr., for Division I Director and Clay Vanderslice for Director at Large.

6. WAIVER MOTION. Motion to waive the reading of full minutes and resolutions presented for approval or adoption. Clay Vanderslice 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. 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 the date ending November 30, 2021 and reported on the current Lake Powell and Lake Mead Elevations.

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

Finances: Staff reviewed the financial reports with the board of directors.

- c. Profit & Loss Budget vs. Actual year to date July 1, 2021, thru November 30, 2021.
- d. Profit & Loss Statement for November 2021.
- e. Balance Sheet as of November 30, 2021.

Other:

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

Staff advised the board of directors that on December 27, 2021 the District received its approved 2022 Colorado River Water Diversion from Reclamation, however, that will change upon approval of the 2022 System Conservation Program.

Staff advised that the 2021 Crop Reporting forms will be mailed out this week to all the farm units and are due back by February 15, 2022.

Staff advised that the 2022 Annual Water User's bills will be mailed by January 31st and are payments are due by March 31, 2022.

Chairman, "Chip" Sherrill made an announcement that Mr. G. Wayne McKellips, passed away earlier this week. His father, Mr. Gordan Wayne McKellips was one of the founders of the District and both he and G. Wayne McKellips were instrumental in the development of the surrounding area. Our condolences go out to the McKellips family.

9. REGULAR AGENDA

- A. Approve the December 07, 2021, Regular Session Meeting Minutes.** Discussion and possible action to approve the regular meeting minutes for last month. Perry Muscelli made a motion to approve the regular 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 December 07, 2021, Executive Session Meeting Minutes.** Discussion and possible action to approve the executive session meeting minutes for last month. Clay Vanderslice made a motion to approve the executive session 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 December 2021.** Discussion and possible action to ratify the payment of expenses for last month. Staff reviewed the payment of expenses for November with the board members. 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. *Contract 2008-07, Herb Kai, Section 09.** Discussion and possible action regarding the farm conditions. Staff advised the board of directors of the letter and emails that were sent in October of 2021 advising Mr. Kai that the farm needed weed abatement, repairs and or cleaning of the ditches, and laser leveling of the fields. The District gave Mr. Kai until December 31, 2021 to bring his farm into compliance. At the January 03, 2022 inspection, nothing had been rectified. Mr. Pearce, District Counsel,

advised the board of directors of their options. Perry Muscelli made a motion to serve proper notice to abate noxious weeds and to temporarily suspend all water delivery to the appurtenant land. Vince Vasquez seconded the motion, John Kai, Jr., abstained. All in favor, motion passed. Kai – A; Muscelli – Y; Vandeslice – Y; Vasquez – Y; Sherrill – Y.

E. *Contract 2008-08, Herb Kai, Section 13. Discussion and possible action regarding the farm conditions. Staff advised the board of directors that this is the same farm owner as the previous item, except that it is in section 13 and the noxious weeds are now affecting other farm units that border this farm. The noxious weeds are now filling these farmer's ditches and dropping weed seed into their newly planted fields. Perry Muscelli made a motion to serve proper notice to abate noxious weeds and to temporarily suspend all water delivery to the appurtenant land. Vince Vasquez seconded the motion, John Kai, Jr., abstained. All in favor, motion passed. Kai – A; Muscelli – Y; Vandeslice – Y; Vasquez – Y; Sherrill – Y.

F. *System Conservation for 2022. Discussion and possible action regarding system conservation. Mr. Pearce, District's legal counsel, updated the board of directors of the last communications with ADWR, CAWCD, and BOR regarding the 500+ Plan. Mr. Pearce is looking for direction from the board of directors as to the next steps for the updated Plan for the Creation of Colorado River Lower Basin System Conservation Water for 2022. The board of directors directed staff and Mr. Pearce to submit this updated plan to ADWR, CAWCD and BOR.

10. 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.*

In attendance at the District office was: Anglo Rinaldi

Dewey Davide, one unknown gentleman, and Bob Boyd

Via Zoom: Sam Elters with Mohave County and one unknown guest named Angela. No members of the Public addressed the board of directors.

11. ADJOURNMENT. Perry Muscelli made a motion to adjourn, Clay Vandeslice seconded the motion. All in favor, meeting adjourned at 4:38pm. Kai – A; Muscelli – Y; Vandeslice – 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

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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

DRAFT