

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

Held March 01, 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, March 01, 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, 8F, and 8G, 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: Mar 1, 2022 04:00 PM Arizona

Join Zoom Meeting

<https://us02web.zoom.us/j/85464211972?pwd=R0FVTmFrSzJNVlJubmhuYURnbGRsdz09>

Meeting ID: 854 6421 1972

Passcode: 856711

CALL TO ORDER. Chairman, Charles B. Sherrill, Jr., called the meeting to order at 2:08 pm.

1. ROLL CALL.

Present: Charles ("Chip") B. Sherrill, Jr., Chairman/Director Division III
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: Clay Vanderslice, Director at Large

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 to obtain legal advice on current resolutions within the District regarding transfers of water allocations for commercial, industrial, and residential development.

[The discussions and minutes of the executive session shall be kept confidential. The executive session of the Board is not open to the public.]

Vince Vasquez made a motion to go into executive session, John Kai, Jr., seconded the motion. All in favor, motion passed. Executive session began at 2:09 pm. Kai – Y; Muscelli – 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 3:49 pm. Kai – Y; Muscelli – Y; Vasquez – Y; Sherrill – Y.

3. RECONVENE IN OPEN SESSION. Open Session reconvened at 4:06 pm.

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 resolutions presented for approval or adoption, John Kai, Jr., seconded the motion. All in favor, motion passed. Kai – Y; Muscelli – 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 January 31, 2022 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 finances with the board of directors.

- c. Profit & Loss Budget vs. Actual year to date July 1, 2021, thru January 31, 2022
- d. Profit & Loss Statement for January 2022.
- e. Balance Sheet as of January 31, 2022.

Other:

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

Staff reminded the board of directors that the annual water bills are due at the end of the month.

Staff advised the board of directors that the executed copy of the Amendment No. 1 to SCIA Agreement 20-XX-30-W0686 was received at the District office.

Staff advised the board of directors that the Herb Kai farms are still in the same conditions and because of the wind conditions, they have not been able to burn in our area.

8. REGULAR AGENDA

A. Approve the February 01, 2022, Regular Session Meeting Minutes.

Discussion and possible action to approve the regular meeting minutes for last month. Vince Vasquez made a motion to approve the regular meeting minutes, Perry Muscelli seconded the motion. All in favor, motion passed. Kai – Y; Muscelli – Y; Vasquez – Y; Sherrill – Y.

B. Approve the February 01, 2022, Executive Session Meeting Minutes.

Discussion and possible action to approve the executive session meeting minutes for last month. Vince Vasquez made a motion to approve the executive session minutes, John Kai, Jr., seconded the motion. All in favor, motion passed. Kai – Y; Muscelli – Y; Vasquez – Y; Sherrill – Y.

C. Ratify Expenses for February 2022.

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

D. Allied Property Management LLC c/o Big Easy Storage; T19N, R22W, Section 15; APN: 229-22-001L. Application for a Preliminary Commercial Water Allocation.

Discussion and possible action regarding the application for a commercial water allocation for a RV & Boat storage facility. Staff reviewed the application with the board of directors and recommends a commercial allocation of one (1) acre-foot of water per year. There was discussion between the board of directors and the applicant pertaining to the project. Vince Vasquez made a motion to approve the preliminary commercial water allocation as presented, Perry Muscelli seconded the motion. All in favor, motion passed. Kai – Y; Muscelli – Y; Vasquez – Y; Sherrill – Y.

E. 2021 Annual Crop Report.

Discussion and possible action regarding the crop report prepared for the Bureau of Reclamation (BOR). Staff reviewed the annual crop report for 2021 with the board of directors. Perry Muscelli made a motion to approve the crop report, Vince Vasquez seconded the motion. All in favor, motion passed. Kai – Y; Muscelli – Y; Vasquez – Y; Sherrill – Y.

F. *2022 Revised Water Order.

Discussion and possible action regarding the revised water order for 2022. Reduced annual diversion by 13,397

acre-feet for the 2022 system conservation program. Chairman, “Chip” Sherrill advised that we do not have a final agreement for System Conservation for 2022 yet so we are not able to submit or approve a revised water order at this time. No action taken.

G. *System Conservation for 2022. Discussion only regarding system conservation draft agreement No. 22-XX-30-W0725 with “ADWR”, “CAWCD” and “Reclamation”. Michael J. Pearce, District counsel, updated the board of directors that we anticipate having a final draft agreement in early April for the board of directors to review and possibly approve. No action taken.

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 were present at the District office.

In attendance via Zoom: Sam Elters with Mohave County

Karen Summit

Chris Hughes with Big Easy Storage

No members of the public addressed the board of directors.

10. ADJOURNMENT. Perry Muscelli made a motion to adjourn, Vince Vasquez seconded the motion. All in favor, meeting adjourned at 4:23 pm. Kai – Y; Muscelli – 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