

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

Held August 01, 2023
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, August 01, 2023 at 2:00 pm via Microsoft Teams. As indicated on the agenda, pursuant to A.R.S. § 38-431.03(A) Items 2a, 2b, 8D and 8F, 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 Microsoft Teams beginning at 4:00pm.

Open Session

Join on your computer, mobile app or room device.

[Click here to join the meeting](#)

Meeting ID: 229 759 307 730

Passcode: xwYvkg

Or call in (audio only)

[+1 928-377-5844](tel:+19283775844),154100594# United States, Phoenix

Phone Conference ID: 154 100 594#

CALL TO ORDER. Chairman, Charles B. Sherrill, Jr., called the meeting to order at 2:10 pm.

1. ROLL CALL.

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

Via Teams: 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:** Clay Vanderslice made a motion to go into executive session, Vince Vasquez seconded the motion. All in favor, motion passed. Kai – Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.

- 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 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.] Clay Vanderslice made a motion to adjourn executive session, Vince Vasquez seconded the motion. All in favor, motion passed. Kai – Y; Muscelli - Y; Vanderslice – Y; Vasquez- Y; Sherrill – Y.
3:30 pm.

- 3. RECONVENE IN OPEN SESSION.** Open session reconvened at 4:04pm.

- 4. PLEDGE OF ALLEGIANCE.** Vince Vasquez led the Pledge of Allegiance.

- 5. WAIVER MOTION.** Motion to waive the reading of full minutes and resolutions presented for approval or adoption. Vince Vasquez made a motion to waive the reading of the full minutes and resolutions presented for approval or adoption, Perry Muscelli 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 June 30, 2023 and current levels of both Lake Powell and Lake Mead.

- 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 01, 2022, thru June 30, 2023
- d. Profit & Loss Statement for June 2023.
- e. Balance Sheet as of June 30, 2023.

Other:

- f. MVIDD Staff Report. – General information to update the board members. Staff advised the Board of Directors:

CAP Annual Water Users briefing will be on Wednesday, August 23, 2023 from 9am – 11am Live Stream.

Nomination papers with signatures for Division III Director were received on July 11 and 12, 2023.

Water orders forms for 2024 were mailed July 25th and are due by August 25, 2023.

District had our Annual Financial Review on July 26, 2023.

8. REGULAR AGENDA

A. Approve the July 11, 2023 Regular Session Meeting Minutes. Discussion and possible action to approve the regular meeting minutes for last month. Clay Vanderslice made a motion to approve the meeting minutes, Vince Vasquez seconded the motion. All in favor, motion passed. Kai – Y; Muscelli – A; Vanderslice – Y; Vasquez – Y; Sherrill – Y.

B. Approve the July 11, 2023 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 meeting minutes, Vince Vasquez seconded the motion. All in favor, motion passed. Kai – Y; Muscelli – A; Vanderslice – Y; Vasquez – Y; Sherrill – Y.

C. Ratify Expenses for July 2023. Discussion and possible action to ratify the expenses for last month. Vince Vasquez made a motion to ratify the expenses for last month, Clay Vanderslice seconded the motion. All in favor, motion passed. Kai – Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill- Y.

D. *Proposed amendment to AZ State Statute 45-596.01. Discussion and possible action regarding the proposed amendment to A.R.S. § 45-596 and § 596.01. No action taken, Direction from Board of Directors to Mr. Pearce, District Counsel, to reach out to Jamie Kelley to review additional language.

E. 2023 System Conservation Agreement. Discussion update only regarding 2023 System Conservation. No action taken, discussion only. Staff advised the

2023 SCIA Agreement has been signed by both Mr. Pearce, District Counsel and Chairman, Chip Sherrill and mailed to Reclamation for final signature. Mr. Pearce added there were a couple of errors in the agreement, and he reached out to Reclamation to make the corrections, once corrected the final copy will be presented for signature to the Regional Director of Reclamation.

F. *Funding Opportunity for Voluntary Participation in the Lower Colorado Basing (LCB) Conservation and Efficiency Program. Discussion and possible action regarding long-term durable system efficiency improvement project proposals that result in water conservation benefiting the lower Colorado River System and its water users. Staff recommended further exploration of the long-term programs; the Board of Directors directed staff to work with District Counsel to submit a letter to Reclamation of potential interest from the District.

G. Water Management Certificate Program. Discussion and possible action to approve the General Managers participation in the program. Staff reviewed the opportunity of the Water Management Certificate Program and advised it is a 9-month commitment one Friday and Saturday a month at the Poly Tech Campus of ASU. Clay Vanderslice made a motion for Kerri Hatz to enroll in the program, Vince Vanderslice seconded the motion. All in favor, motion passed. Kai – Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill- Y.

H. Resolution 2023-03 Policy and Procedures to transfer Preliminary Water Allocation to Domestic use. Discussion only to review and comment on Resolution 2023-03. No action taken. Staff advised that this was put on the agenda to remind the general public that we are still in the 30-day comment period and have not received any comments regarding this resolution and it will be reviewed for possible approval at the September 5, 2023 board meeting.

9. CALL 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. 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 of Directors.

10. ADJOURNMENT. Clay Vanderslice made a motion to adjourn the meeting, Perry Muscelli seconded the motion. All in favor, motion passed. The meeting adjourned at 4:38pm. 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 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 the 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 = ABSTAINED