

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

Held November 07, 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, November 07, 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, 2c, 8G, and 8H 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.

## Microsoft Teams meeting

[Click here to join the meeting](#)

Meeting ID: 287 104 621 450

Passcode: mAhsWo

## Or call in (audio only)

[+1 928-377-5844,,820729646#](#) United States, Phoenix

Phone Conference ID: 820 729 646#

**CALL TO ORDER.** Chairman, Charles B. Sherrill, Jr., called the meeting to order at 2:03 pm.

## 1. ROLL CALL.

Present: Charles (“Chip”) B. Sherrill, Jr., Chairman/Director Division III  
Clay Vanderslice, Director at Large  
Kerri Hatz, General Manager  
Talon DiMare, Administrative Assistant

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,

Perry Muscelli 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 with legal counsel of the District, Copper State Consultants, and the board of directors regarding the upcoming Legislative Session.
- c. \*Discussion with legal counsel of the District and the board of directors regarding Long-Term System Conservation.

*[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, Perry Muscelli seconded the motion. All in favor, motion passed. Kai – Y; Muscelli - Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.  
3:20 pm

**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 resolutions presented 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. Staff advised that N-Drip reached out to postpone the presentation and suggested that item 8J be removed from the agenda. Perry Muscelli made a motion to remove item 8J, Clay Vanderslice seconded the motion. All in favor, motion passed. Kai – Y; Muscelli - Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.

**7. REPORTS.**

Water: Staff summarized the District water use for the date ending September 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, 2023, thru September 30, 2023
- d. Profit & Loss Statement for September 2023.

- e. Balance Sheet as of September 30, 2023.

Other:

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

Staff, Chip Sherrill, and Mike Pearce advised that we had our annual 417 meeting Monday, November 6<sup>th</sup> with Reclamation.

Early Ballots are due by November 14<sup>th</sup> and we will need to have a Special Meeting on Monday, November 20<sup>th</sup> to canvas the returns and declare the results.

If there are any changes to the upcoming reservations for CRWUA, we have until November 20<sup>th</sup> to cancel any reservations.

The next regular board meeting will be Tuesday, December 05, 2023 at 4:00pm.

## 8. REGULAR AGENDA

### **A. Approve the October 18, 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, Perry Muscelli seconded the motion. All in favor, motion passed. Kai – Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.

### **B. Approve the October 18, 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 – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.

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

### **D. Village Estates Tract 4198E; T 18N, R22W Section 03: Request for Final Water Allocation and Transfer of Extra Preliminary Water to Phase G.**

Discussion and possible action regarding the request. Staff reviewed the final water allocation request and transfer request of 8 lots not used in phase E to be

transferred to phase G. Perry Muscelli asked clarifying questions of staff. Perry Muscelli made a motion to approve the final water allocation for phase E, Clay Vanderslice seconded the motion. A second motion was made by Perry Muscelli to allow the 8 remaining lots to transfer to phase G, Clay Vanderslice seconded the motion. All in favor, both motions passed. Kai – Y; Muscelli - Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.

**E. Village Estates Tract 4198F; T 18N, R22W Section 03: Request for Final Water Allocation and Transfer of Extra Preliminary Water to Phase G.**

Discussion and possible action regarding the request. Staff reviewed the final water allocation request and transfer request of 15 lots not used in phase F to be transferred to phase G. Perry Muscelli made a motion to approve the final water allocation for phase F, Clay Vanderslice seconded the motion. A second motion was made by Perry Muscelli to allow the 15 remaining lots to transfer to phase G, Clay Vanderslice seconded the motion. All in favor, both motions passed. Kai – Y; Muscelli - Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.

**F. Village Estates Tract 4198G; T 18N, R22W Section 03: Request for Extension of Preliminary Water Allocation.**

Discussion and possible action regarding the request. Staff reviewed the preliminary water allocation extension request for the original 92 lots in Phase G plus the 23 lots just approved from items 8D & 8F. Staff advised that Phase G is behind in development due to some supply issues and length of time to get items processed at the County level. Staff recommended a 2-year extension for Phase G. Perry Muscelli made a motion to approve the extension request, Vince Vasquez seconded the motion. All in favor, motion passed. Kai – Y; Muscelli - Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.

**G. \*Reclamation’s Revised Draft Supplemental Environment Impact Statement for Near-term Colorado River Operations.**

Discussion only regarding Reclamation’s revised SEIS. Staff advised this item was presented to inform the board of directors of the revised SEIS and upcoming Virtual Meeting to provide information on the draft SEIS. Thursday, November 9, 2023, at 5:30 – 7:00 p.m. Mountain time and Friday, November 17, 2023, at 12:00pm – 1:30 pm Mountain time. Both staff and Mr. Pearce, District Counsel, are scheduled to listen in on November 17<sup>th</sup> virtual meeting. No action taken.

**H. \*Rural Groundwater Management.** Discussion regarding the Governor’s Water Policy Council Rural Groundwater Committee’s October 4, 2023, October 19, 2023, Presentation and the October 27, 2023 meeting re Rural Groundwater Management Framework Key Concepts. Mr. Pearce, District Counsel, gave a brief overview of the Governor’s Water Policy Council Rural Groundwater Committee and that it

mostly pertains to groundwater issues, however we are keeping abreast of their meetings and will continue to monitor the progress. No action taken.

**I. 2024 System Conservation Update.** Discussion updates only regarding the 2024 Plan of Creation. Staff advised that the preliminary numbers for 2024 System Conservation was provided this week from Land IQ and staff is currently working on the Plan of Creation that will be presented to the board of directors for review in December's board meeting. Staff advised that there are 2,891 acres of participation which will conserve 13,441-acre feet of Colorado River water. This would mean an 18,474-acre foot of Diversion Reduction. There will be 109 acres of seasonal wheat, 199.1 acres in seasonal Bermuda, and 2582.9 acres would be completely fallow. In addition, the District needs to submit a revised Water Order to Reclamation for CY 2024 to reflect this conservation plan. Staff advised that when we have our special meeting on November 20<sup>th</sup> to canvass the election results, that we add this to the agenda to provide a quicker submission to Reclamation. A quick discussion resulted in scheduling the special meeting for 8:30am on November 20, 2023. No action taken.

**J. N-Drip Presentation.** Presentation and discussion only. Item removed from agenda under item 6.

- 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 address the board of directors.

- 10. ADJOURNMENT.** Clay Vanderslice made a motion to adjourn the meeting, John Kai, Jr., seconded the motion. All in favor, the meeting adjourned at 4:38 pm. 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 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 = ABSTAIN