

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

Held January 09, 2024
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 09, 2024, at 4:00 pm via Microsoft Teams. As indicated on the agenda, pursuant to A.R.S. § 38-431.03(A) Item 2a, 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.

Microsoft Teams meeting

[Click here to join the meeting](#)

Meeting ID: 258 913 164 943

Passcode: fZDKTd

[+1 928-377-5844,,220993135#](#) United States, Phoenix

Phone Conference ID: 220 993 135#

CALL TO ORDER. Chairman, Charles B. Sherrill, Jr., called the meeting to order at 4:07 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: No executive session entered.

- 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.

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

3. RECONVENE IN OPEN SESSION.

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

5. OATH OF OFFICE. Secretary, Perry Muscelli, to swear in the newly re-elected member of the board pursuant to the November 14, 2023, election. Charles B. Sherrill, Jr., for Division III Director. Perry Muscelli administered the oath of office to Charles B. Sherrill, Jr.

6. 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.

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, 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 November 30, 2023
- d. Profit & Loss Statement for November 2023.
- e. Balance Sheet as of November 30, 2023.

Other:

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

Staff advised Crop Reporting forms were mailed December 18th and are due February 16th.

Annual Water Users invoices will be mailed by January 31st.

Work on 2025 budget will begin in February.

9. REGULAR AGENDA

A. Approve the November 07, 2023, Regular Session Meeting Minutes.

Discussion and possible action to approve the regular meeting minutes. Perry Muscelli 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.

B. Approve the November 07, 2023, Executive Session Meeting Minutes.

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

C. Approve the November 20, 2023, Special Session Meeting Minutes.

Discussion and possible action to approve the special session meeting minutes. 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.

D. Ratify Expenses for December 2023. Discussion and possible action to ratify the expenses for last month. John Kai, Jr., 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.

E. Matt Bates; T18N, R22W, Section 25; APN: 225-25-016; 2453 E. Willow Dr., MV.; 7.44 Irrigable acres; 52.43-acre feet of water. Application to transfer AG Contract 2015-05 (Maverick Farm Inc.) to the new landowner. Discussion and possible action regarding the contract transfer request. Staff reviewed the application to transfer the AG contract. Charles B. Sherrill, Jr., recused himself. Vince Vasquez made a motion to approve the transfer. Clay Vanderslice seconded the motion. All in favor, motion passed. Kai – Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – A.

F. Matt Bates; T18N, R22W, Section 25; APN: 225-25-016; 2453 E. Willow Dr., MV. Application to transfer 11.97-acre feet of excess AG water to Urban use from AG Contract 2015-05. (Maverick Farm Inc.) to four parcels.

a. Parcel 224-20-028 for 4.64-acre feet of water;

- b. **Parcel 224-20-029 for 4.17-acre feet of water;**
- c. **Parcel 224-20-030 for 1.10-acre feet of water;**
- d. **Parcel 224-20-031 for 1.10-acre feet of water.**

Discussion and possible action regarding the Ag to Urban transfer request. Staff reviewed the transfer request. Staff reviewed the transfer request. Board Members raised questions and discussed specifics of the transfer. Charles B. Sherrill, Jr., recused himself. Vince Vasquez made a motion to approve the transfer. John Kai, Jr., seconded the motion. All in favor, motion passed. Kai – Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – A.

G. Florentino and Laura Ogaz, Trustees; 5791 S. Wishing Well Drive; FM; T19N, R22W, Section 35; APN: 226-08-010A. Discussion and possible action regarding the application to transfer 1-acre foot of water from Westview Estates Preliminary Water Allocation to Urban use for a second home on the property. Staff reviewed the transfer request. Vince Vasquez made a motion to approve the transfer. Clay Vanderslice seconded the motion. All in favor. Kai – Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.

H. Westview Estates Preliminary Water Allocation. Extension request for one (1) year to allow more time to Transfer the Prepaid Water Entitlement of 14.65-acre feet of water. The current extension expires this month. Discussion and possible action regarding the extension request. Staff reviewed the preliminary water allocation extension request. Board Members raised questions and discussed the extension. Perry Muscelli made a motion to approve a 6-month extension, Vince Vasquez seconded the motion. All in favor. Kai – Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.

I. MVIDD Membership with local Rotary Club. Discussion and possible action to approve Kerri Hatz as a Rotarian representative for MVIDD and a membership of the Mohave Sunrise Club. Perry Muscelli made a motion to approve becoming a member, Vince Vasquez seconded the motion. All in favor, approved contingent on clarification by District counsel regarding legality of membership in a local organization. Kai – Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.

J. CRWUA Update. Discussion only to update the board of directors regarding the conference from December. Update and discussion from Board Members on CRWUA conference. No action taken.

10. 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.

11. ADJOURNMENT.

Perry Muscelli made a motion to adjourn the meeting, Clay Vanderslice seconded the motion. All in favor, the meeting adjourned at 4:46 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.

Please note that this tentative agenda may be changed prior to the scheduled meeting by modifying or deleting listed matters or adding new ones. Anyone interested in the final agenda for the meeting should contact the District office (928) 768-3325 or consult MVIDD's Website (www.mvidd.net) twenty-four (24) hours in advance of the meeting.

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