

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

Held April 02, 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, April 02, 2024, at 2:00 pm via Microsoft Teams. As indicated on the agenda, pursuant to A.R.S. § 38-431.03(A) Items 2a, 2b 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 Microsoft Teams beginning at 4:00pm.

Microsoft Teams meeting

[Click here to join the meeting](#)

Meeting ID: 233 455 661 382

Passcode: fCPmnv

Or call in (audio only)

[+1 928-377-5844,,183645313#](#) United States, Phoenix

Phone Conference ID: 183 645 313#

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

Via Teams: Vince Vasquez, Director Division II
Perry Muscelli, Treasurer/Director at Large

Absent: John Kai, Jr., Director Division I
Michael J. Pearce, District Counsel – Joined open session at 4:27pm.

2. Consideration of Action to go into Executive Session of the Board for the following purposes: Perry Muscelli made a motion to go into executive session,

Clay Vanderslice seconded the motion. All in favor, motion passed. 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 regarding long range water planning.

[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 adjourn executive session, Vince Vasquez seconded the motion. All in favor, executive session adjourned at 3:15 pm. Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill - Y.

3. **RECONVENE IN OPEN SESSION.** Open session reconvened at 4:04pm.
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. Clay Vanderslice 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. 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 February 29, 2024 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 February 29, 2024.
 - d. Profit & Loss Statement for February 2024.
 - e. Balance Sheet as of February 29, 2024.
 - Other:
 - f. MVIDD Staff Report. – General information to update the board

members. Staff advised the board of directors:

May's regular board meeting conflicts with scheduling for District Counsel due to the Annual Super Conference for the Law of the Colorado River being held this year in Denver, Colorado on May 6th and 7th. District Counsel will be attending it. Staff recommended moving the meeting to the following Tuesday, May 14th to enable District Counsel and all board members to be present at the May meeting. The board of directors agreed, and staff will post a public notice noting the same.

In May all invoices will be mailed to participants in the 2024 Conservation program for the EC-ICS Admin fees. These are due no later than July 31, 2024.

Participants in the 2025 Conservation program need to submit their field selections along with which crops will be grown to the District within the next 30 days. Staff will need to submit this information to Land IQ in order to get the CU data for the Plan of Creation.

8. REGULAR AGENDA

A. Approve the March 05, 2024, Regular Session Meeting Minutes. Discussion and possible action to approve the regular meeting minutes. Clay Vanderslice made a motion to approve the meeting minutes, Vince Vasquez seconded the motion. All in favor, motion passed. Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill - Y.

B. Approve the March 05, 2024, Executive Session Meeting Minutes. Discussion and possible action to approve the executive session meeting minutes. Perry Muscelli made a motion to approve the meeting minutes, Clay Vanderslice seconded the motion. All in favor, motion passed. Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill - Y.

C. Ratify Expenses for March 2024. Discussion and possible action to ratify the expenses for last month. Perry Muscelli made a motion to ratify the expenses for March 2024, Clay Vanderslice seconded the motion. All in favor, motion passed. Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.

D. Mohave Landing, Tract 4213B; T18N, R22W, Section 23; APN(s): 225-26-107; Request for a 12-Month Extension of Preliminary Water for 52 Residential Lots. Discussion and possible action regarding the extension request. The current extension expires April 10, 2024. Staff reviewed the extension request and the progress made on the project with the board of directors. There were questions from Perry Muscelli and both staff and Mr. Bob Boyd answered the questions. Perry Muscelli made a motion to approve a 12-month extension, Vince Vasquez seconded

the motion. All in favor, motion passed. Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill - Y. This extension will expire on April 10, 2025.

E. Mohave Landing, Tract 4213C; T18N, R22W, Section 23; APN(s): 225-26-107; Request for a 12-Month Extension of Preliminary Water for 42 Residential Lots. Discussion and possible action regarding the extension request. The current extension expires April 10, 2024. Staff advised this is the same information as the previous item except for the Preliminary Plat for phase C. Perry Muscelli made a motion to approve a 12-month extension, Vince Vasquez seconded the motion. All in favor, motion passed. Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill - Y. This extension will expire on April 10, 2025.

F. Los Lagos Golf Club; T18N, R22W, Section 01; Request to Extend Payment for 2024 Amenity Water Fees. Discussion and possible action regarding payment of 2024 Amenity Water Entitlement Fees. Staff reviewed the request from Maddie Henderson with Los Lagos Golf Club, LLC. Staff advised that last year the board of directors approved an extension of the payment of the contract transfer fees with a 10% additional fee and the payback period was four months. Perry Muscelli asked questions which staff and Maddie responded to. Perry Muscelli made a motion to approve a six-month extension of payments for the remaining \$35,000 with a 10% additional fee and if payments are late or missed, there will be an additional assessment penalty fee of 5% more each month for the remaining balance, Clay Vanderslice seconded the motion. All in favor, motion passed. Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill - Y.

G. Devine, Gleason, Christensen JTS; T19N, R22W, Section 35; APN(s): 226-08-012D, 012E, 012F, & 012G. Application to transfer 1.50-Acre Feet of AG Water from Contract 2009-01C (Green Acres Mohave) to Four Single-Family Residential Lots. Discussion and possible action regarding the application. Staff reviewed the application with the board of directors. Perry Muscelli recused himself from this item. Vince Vasquez made a motion to approve the transfer, Clay Vanderslice seconded the motion. All in favor, motion passed. Muscelli – A; Vanderslice – Y; Vasquez – Y; Sherrill -Y.

H. *2024/2025 Annual Budget. Discussion regarding the 2024/2025 Annual Budget. Staff advised the board of directors that this is the first review of the budget and recommends that if there any changes to the budget, fee schedule, or payment rules, to submit their suggestions prior to the May 14, 2024 board meeting for a second review. The final version will be approved at the June board meeting. Mr. Michael Pearce joined the meeting at 4:27pm.

- 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. Karen Summit addressed the board of directors to advise that with the help of Kerri Hatz, General Manager, that their subdivision was able to obtain, with the Arizona Department of Real Estate, approval of their water adequacy report from ADWR and the District.*

10. ADJOURNMENT. Clay Vanderslice made a motion to adjourn the meeting at 4:34 pm, Perry Muscelli seconded the motion. All in favor, motion passed. 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