

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

Held May 14, 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, May 14, 2024, at 2:00 pm via Microsoft Teams. As indicated on the agenda, pursuant to A.R.S. § 38-431.03(A) Items 2a - 2c and 8I, 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

### [Join the meeting now](#)

Meeting ID: 254 109 926 991

Passcode: bfqUAT

#### Dial-in by phone

[+1 928-377-5844](tel:+19283775844),[613873848](tel:+1613873848)# United States, Phoenix

**CALL TO ORDER.** Chairman, Charles B. Sherrill, Jr., called the meeting to order at 2:02 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:** Perry Muscelli made a motion to go into executive session, Clay Vanderslice 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 regarding long range water planning.
- c. \*\*Discussion with legal counsel of the District regarding employment and monetary review of General Manager.

*[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, executive session adjourned at 3:34 pm. Kai – Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill - Y.

3. **RECONVENE IN OPEN SESSION.** Open session reconvened at 4:06pm.
4. **PLEDGE OF ALLEGIANCE.** Clay Vanderslice 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, John Kai, Jr., 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 Item 8D would be removed from the agenda, the N-Drip team was not able attend the meeting.
7. **REPORTS.**
  - Water: Staff summarized the District water use for the date ending March 31, 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 March 31, 2024.
    - d. Profit & Loss Statement for March 2024.
    - e. Balance Sheet as of March 31, 2024.

Other:

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

Staff advised that the District needs to have a special meeting tomorrow to Call for the Election of Division I Director and Director at Large; new state statutes require calling for the election 180 days prior to the November election. The board of directors agreed to a 9:30am special meeting for Wednesday, May 15, 2024.

Staff advised that the District office would be closed at 10:00am on Thursday, May 16 through Monday. The District would resume normal business hours Tuesday, May 21, 2024.

Staff advised that the Arizona Water Law Conference in Scottsdale is Thursday and Friday, August 8-9, 2024 at the Hilton.

## 8. REGULAR AGENDA

**A. Approve the April 02, 2024, Regular Session Meeting Minutes.** Discussion and possible action to approve the regular meeting minutes. John Kai, Jr., made a motion to approve the meeting minutes, Clay Vanderslice seconded the motion. All in favor, motion passed. Kai – Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill - Y

**B. Approve the April 02, 2024, 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, Vince Vasquez seconded the motion. All in favor, motion passed. Kai – Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill - Y.

**C. Ratify Expenses for April 2024.** Discussion and possible action to ratify the expenses for last month. Staff reviewed the April expenses with the board of directors. Vince Vasquez made a motion to ratify the expenses for April 2024, Perry Muscelli seconded the motion. All in favor, motion passed. Kai – Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.

**D. N-Drip Presentation.** Presentation and discussion regarding N-Drip Irrigation System. Item removed from the agenda.

**Via Dolce Development Tract 4241; T19N, R22W, Section 23; APN(s) 228-02-101, 102, & 105; Request for an Extension of Preliminary Water Allocation for 12-months for 129 Residential Lots.** Discussion and possible action regarding

the extension request for a preliminary water allocation. This request is for 12 months. Phase A is for 62 Lots, the remaining 67 Lots will be for future phases. Staff reviewed the extension request with the board of directors and recommended approving the 12-month extension. Vince Vasquez made a motion to approve the extension as requested, Perry Muscelli seconded the motion. All in favor, motion passed. Kai – Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y

**E. The Gravel Pit, LLC; T18N, R21W, Section 31; APN: 225-09-058; Request to Transfer 5.71 Acre Feet of Water from AG Contract 2014-041 Maverick Farms, Inc. to a New Industrial Contract for a Sand and Gravel Operation.** Discussion and possible action regarding the transfer request. A net total of 5.25-acre feet of water would be assigned to Industrial Contract 2024-05. Chairman, “Chip” Sherrill, abstained from this item. Staff reviewed the application with the board of directors and recommended the approval of the transfer and the new industrial contract. Vince Vasquez made a motion to approve the transfer and industrial contract, Clay Vanderslice seconded the motion. All in favor, motion passed. Kai – Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – A

**F. Update Regarding Law of the Colorado River Conference Held in Denver, Colorado on May 6-7, 2024.** Update and discussion from Mr. Michael J. Pearce regarding the conference. District counsel, Michael J. Pearce gave an update regarding the conference held on May 6<sup>th</sup> & 7<sup>th</sup>, 2024. No action taken.

**G. Chase Bank Certificate of Deposit.** Discussion and possible action regarding current CD acct ending 6369 Maturity Date 05/26/2024. Staff advised that the CD with Chase bank is maturing this month, and the board needs to decide the next steps. Discussion ensued with the board of directors. Perry Muscelli made a motion to roll over the current CD into a new 9-month term, Vince Vasquez seconded the motion. All in favor, motion passed. Kai – Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y

**H. \*\*2024/2025 Annual Budget Review.** Discussion regarding the 2024/2025 Annual Budget includes the Comprehensive Fee Schedule, Payment Rules, Mohave County Tax Levies and Rates Certification. Staff reviewed the budget with the board of directors including the small changes from the last month’s review. No action was taken.

- 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, John Kai, Jr., seconded the motion. All in favor, motion passed. Meeting adjourned at 4:46pm. Kai – Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – A

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.

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](http://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