

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

Held July 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, July 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 through 2c, 8K and 8L 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: 247 039 013 326

Passcode: czdBSu

Dial in by phone

[+1 928-377-5844,,652388483#](#) United States, Phoenix

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

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. Muscelli – Y;

Vanderslice – Y; Vasquez – Y; Sherrill – Y. John Kai, Jr. did not join the executive session until 2:23pm.

- 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 Legislative updates.

[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, executive session adjourned at 3:15 pm. Kai – Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill - Y.

3. RECONVENE IN OPEN SESSION. Open session reconvened at 4:03pm.

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. No action taken.

7. REPORTS.

Water: Staff summarized the District water use for the date ending May 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, through May 31, 2024.
- d. Profit & Loss Statement for May 2024.
- e. Balance Sheet as of May 31, 2024.

Other:

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

Nominations for Division I Director and Director at Large are due with all signatures by July 15th.

The final payments for 2023 Conservation were mailed to all participants on June 28, 2024

Reclamation will be conducting Ground Truth Surveys in our area the week of July 15th and performing verification of 2024 Conservation programs.

Reminder that 2024 EC-ICS Administration Fees are due for participants by July 30th.

MVIDD Financial Review is scheduled for Monday, July 29th.

Water Order forms for 2025 will be mailed out next week and due by August 15th.

8. REGULAR AGENDA

A. Approve the June 04, 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. Kai – Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill - Y

B. Approve the June 04, 2024, Executive Session Meeting Minutes. Discussion and possible action to approve the executive session meeting minutes. John Kai, Jr., 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 June 2024. Discussion and possible action to ratify the expenses for last month. Staff reviewed the June expenses with the board of directors. Perry Muscelli made a motion to ratify the expenses for June 2024, John Kai, Jr., seconded the motion. All in favor, motion passed. Kai – Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.

D. Colorado River Properties, LLC; Lucas Phillips; Voter Registration Application for Division I Elector. Discussion and possible action regarding the Voter Registration application. AG Contract 2024-02 in Section 27. Staff reviewed

the Voter Registration application with the board of directors and recommended approval. Perry Muscelli made a motion to approve the application, Vince Vasquez seconded the motion. All in favor, motion passed. Kai – Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y

E. Charles B. Sherrill, Jr.; Voter Registration Application for Division II Elector. Discussion and possible action regarding the Voter Registration application. AG Contract 2016-03A in Section 11. Staff reviewed the Voter Registration application with the board of directors and recommended approval. Chip Sherrill abstained from the item. Vince Vasquez made a motion to approve the application, Clay Vanderslice seconded the motion. All in favor, motion passed. Kai – Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – A

F. Mohave Landing LLC; Josh Stewart; Voter Registration Application for Division I Elector. Discussion and possible action regarding the Voter Registration application. AG Contract 2024-04 in Section 27. Staff reviewed the Voter Registration application with the board of directors and recommended approval. Vince Vasquez made a motion to approve the application, Clay Vanderslice seconded the motion. All in favor, motion passed. Kai – Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y

Daniel & Patricia Williams Trustee; The 2005 Williams Family Trust DTD May 17, 2005; 1805 E Cottonwood Ln., Mohave Valley; APN: 225-27-043B. Request to transfer remaining AG Contract 2014-01 for 12.67-acre feet of water for 1.81 Irrigable Acres to a New AG Contract 2024-06. Discussion and possible action regarding the contract transfer request. The parcel is currently being farmed in alfalfa. Staff reviewed the transfer application with the board of directors and recommended approval. Chip abstained from this item. Vince Vasquez made a motion to approve the request, Clay Vanderslice seconded the motion. All in favor, motion passed. Kai – Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – A.

G. Westview Estates-Ft. Mohave LLC; T18N, R22W, Sec. 35; APN: 225-27-019A; 1510 E Poplar Dr, MV. Application Request to transfer 0.64-acre feet of water from Westview Estates Preliminary Water to KOW Properties I. Discussion and possible action regarding the transfer application. Staff reviewed the application with the board of directors and advised that the following two items are also related to the prepaid Preliminary Water Allocation of 13.65-acre feet of water. Staff advised that there is an existing allocation as part of the original subdivision, however this is now a commercial highway frontage road, and the applicant believes additional water is needed for proper development. Staff recommended approval. Vince Vasquez recommended approval of the transfer application; Clay Vanderslice seconded the motion. All in favor, motion passed. Kai – Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y

H. Kevin Conery; 4905 Mountain View Road, FM; T 19N, R22W, Sec. 23; APN: 228-04-315; 9.11 Acres; Application Request to Transfer 1.11-acre feet of Water from Westview Estates Preliminary Water Allocation to this Property.

Discussion and possible action regarding the transfer application. Staff reviewed the transfer application with the board of directors. Staff advised that the applicant needed more water than the 1.11-acre feet of water (net 1.02-acre feet) for the entire parcel. The plan is to get additional water in the future when the parcel is ready for additional development. There was discussion between the applicant and the board of directors, and the directors would like to see a map of the proposed development of the parcel. Vince Vasquez made a conditional approval of the transfer of water, the applicant will need to provide, in the next 30 days to staff, a map detailing the development of the property. John Kai, Jr., seconded the motion. All in favor, motion passed. Kai – Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y

I. Westview Estates-Ft. Mohave LLC; Extension Request for remaining Pre-Paid Water Allocation of 11.9-acre feet. Discussion and possible action regarding the extension request. The 11.9-acre feet of water is intended for a residential subdivision that is in escrow. This subdivision consists of 35 single-family lots. Staff reviewed the extension request with the board of directors. There was a discussion between Jamie Kelley and the board of directors. Jamie advised that escrow should be closing around the 15th of the month and the final plat is ready to submit to Mohave County Development Services for review. Staff advised that with a new subdivision, the board of directors has allowed for a 2-year extension for the process with the county. Clay Vanderslice made a motion to approve the 2-year extension, John Kai, Jr., seconded the motion. All in favor, motion passed. Kai – Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y

J. **Resolution 2024-02 A Resolution Designation of Alternate Member Representative to MCWA Committees. Discussion and possible action regarding Resolution 2024-02. Chip Sherrill reviewed the resolution with the board of directors to designate Kerri Hatz as the MCWA Committee alternate. Vince Vasquez made a motion to approve Resolution 2024-02, Clay Vanderslice seconded the motion. All in favor, motion passed. Kai – Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y

K. **Resolution 2024-03 A Resolution Amending Resolution 2018-07 Alternate Member Representative to LCRMSCP Committees. Discussion and possible action regarding Resolution 2024-03. Chip Sherrill reviewed the resolution with the board of directors to designate Kerri Hatz as the LCRMSCP Committee alternate and remove Vince Vasquez as the alternate. Vince Vasquez made a motion to approve Resolution 2024-03, Clay Vanderslice seconded the motion. All in favor, motion passed. Kai – Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y

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. Kai – Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y. The meeting was adjourned at 4:39 pm.

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 = ABSTAIN