

MAGMA FLOOD CONTROL DISTRICT
MINUTES OF THE
WEDNESDAY, SEPTEMBER 11, 2019 MEETING

The Regular Meeting was called to order by Board President Vinson Dobson at 4:03 p.m. at the Florence Unified School District Anthem K-8, Room B-100, 2700 N. Anthem Way, Florence, Arizona. Appearing telephonically were District Board President Vinson Dobson, Director James Kenny and Director Tyler LeSueur. Also present in person at the Meeting were Kent Pace, General Manager, Board Assistant Secretary Larry Pfeiffer and District Counsel Stephen R. Cooper. The Meeting was properly posted within the boundaries of the District and a phone number of 1-800-829-7603 was provided for individuals residing within and without the District to appear telephonically for the Meeting. There were no public members present and introductions were not necessary.

General Manager Kent Pace gave a brief update on maintenance issues involving desiccation related surface cracking and erosion issues on the dam. The repairs will be undertaken in a two phased process. The first phase is to fill holes which appear on the dam with sand. The second phase is to seal the surface of the dam by using heavy equipment ripping the surface and compacting the area and adding both rock mulch and hydro seeding. Ideally, the District is aiming to complete both phases before winter rains occur.

General Manager Kent Pace also noted the District has not received any update on the District for the grant funding for the Middle Magma Regional Flood Control Project. If the grant were to be approved, the funds would be used for historic flood control issues in Middle Magma

region. General Manager Pace previously noted that, within the last 3 years, the District had completed rehabilitation projects on the dam and the Upper and Lower Magma channels at a cost of nearly \$25 million (the majority of which came from federal grants). The Middle Magma grant would allow the District to address the only section of the Magma watershed that has never been improved or received federal funding.

General Manager Kent Pace gave an update of the annual audit which is being performed by Dobridge & Company and the audit is under way.

The next item of business was consideration of the approval of the Minutes of the Regular Board Meeting of August 7, 2019 and to ratify the actions of the August 7, 2019 Meeting. A motion was made by Tyler LeSueur to approve the Regular Meeting Minutes and to ratify the actions taken at the August Meeting. James Kenny seconded this motion. Thereafter, the Minutes for the Regular Session were unanimously approved, and the actions taken were ratified. A motion was then made by Tyler LeSueur to approve the Executive Session Minutes of the August 7, 2019 Meeting. It was seconded by James Kenny and was thereafter approved unanimously.

Director Tyler LeSueur moved to go into Executive Session which was seconded by Director James Kenny. The motion was approved unanimously.

The next item of business was an Executive Session which was conducted from 4:10 p.m. to 4:44 p.m. and thereafter the public meeting was reconvened.

The next item of business was consideration and possible ratification of Pinal County Board of Supervisors Resolution NO. 080719-MFCD which cancels the uncontested MFCD October 2, 2019 election and appoints Tyler LeSueur and James Kenny to 4-year terms as Board

Members of MFCD. The motion made by Director Tyler LeSueur and was seconded by Director James Kenny to approve the Resolution. The motion was thereafter unanimously approved.

The next item of business was to discuss the election of District Officers for 2019. General Manager Pace noted that Vinson Dobson is the current District Board Chairman, Kent Pace is the current General Manager of the District and Board Secretary, and Larry Pfeifer Assistant Board Secretary. A motion was made by Director Tyler LeSueur to retain the current District Board Officers and was seconded by Director James Kenny. The motion was thereafter approved unanimously.

The next item of business was consideration and discussion of amendments and possible approval of amendments to Resolution 2019-8.1 a written procurement policy for the District. General Manager Pace noted that, in the August Board Meeting he sought approval of a written procurement policy for the District because of new compliance requirements for federal grants. Adopting a written procurement policy is also recommended by the District auditors and is required by government auditing standards. This policy was approved at the August meeting. After its passage there were questions about 1) the authority of the General Manager to retain, without Board approval, on call services providers, and 2) the authority of the General Manager to contract for or arrange for purchases of matters between \$50,000 to \$150,000 dollars. A motion was made by Director Tyler LeSueur and seconded by Director James Kenny to approve Amendments to Resolution 2019-8.1, the District Procurement Policy, which include granting both purchasing and contracting authority to the General Manager for amounts of \$50,000 to \$150,000; as well as the authority to retain and use on call contractors. The motion was unanimously approved.

The next items of business were Board reports. There were no other reports to come before the Board.

The next item of business was General Manger reports. There were no other reports.

The next item of business was other business which came before the Board. There were no items of other business.

The next item of business was adjournment of the meeting at 4:51 p.m.

RESPECTFULLY SUBMITTED this _____ day of September 2019.

**STEPHEN R. COOPER, Attorney for
MAGMA FLOOD CONTROL DISTRICT**