

MAGMA FLOOD CONTROL DISTRICT
MINUTES OF THE
WEDNESDAY, DECEMBER 3, 2025, MEETING

The Meeting was conducted by Zoom video using measures to protect public health, including technological means, as permitted under Arizona law. The Meeting was properly posted within the boundaries of the District and a phone number of 1-346-248-7799 (Meeting Identification 913 7004 0429) was provided for individuals residing within and without the District to appear telephonically at the Meeting.

The Regular Meeting was called to order by Board President Tyler LeSueur at 4:06 p.m. The Meeting was held at the Florence Unified School District Anthem Elementary, Room B-100, 2700 N. Anthem Way, Florence, Arizona. Appearing telephonically and by Zoom video were District Board President Tyler LeSueur, Director Stacy Brimhall and District Counsel Stephen R. Cooper. Appearing in person was General Manager Kent Pace and Board Assistant Secretary Larry Pfeifer who arrived at 4:10 pm. There were no public members appearing in person or telephonically and introductions were not necessary.

General Manager Kent Pace next gave a brief update on the status of matters currently involving the District which were set forth in the December 3, 2025, Meeting Agenda:

- Report on status of the Middle Magma Regional Flood Control Project:
 - i. The Watershed Plan (Plan), Environmental Assessment (EA), & Finding of No Significant Impact (FONSI) have all been approved and signed by NRCS, BLM, & BOR.
 - ii. 90% design plans submitted to NRCS on 8/26/25. Goal date for NRCS approval of 100% design plans is 3/1/2026.
 - iii. Documentation and acquisition of needed Land Rights: goal date--TBD.
Note: All land rights must be acquired prior to applying to the NRCS WFPO Program for construction funding of the Project.

- a) On 10/30/2024 MFCD and Pinal County finalized and executed the 2nd IGA for this project. In the agreement Pinal County and MFCD agree to fund project costs (which includes securing & perfecting land rights) of \$5,000,218 on a 50% / 50% basis.
 - b) Pinal County Land Department & MFCD are working together to request declaratory relief in Superior Court that the courts clarify and perfect drainage easement rights within Wild Horse Estates.
 - c) Surveying and legal descriptions are currently underway which are necessary for all land right acquisitions, including the major acquisitions from Bureau of Land Management (“BLM”), Bureau of Reclamation (“BOR”) and/or Central Arizona Project (“CAP”), and ASLD, and the Copper Basin Railway—which land rights are a priority focus for the project.
- iv. *Note: All dates reflected below this point are based upon the assumption that all project land rights have been secured, Final Design and any funding grants needed and are approved and authorized (Federal Funding of Construction is the preferred approach although other options will also be pursued).*
- a) Grant applications will be submitted to NRCS administered programs with the hope that federal funding will cover 100% of the construction costs.
 - b) Construction Start Date: TBD upon securing a funding source.

General Manager Pace also reported the Federal Government shutdown delayed the above project by at least two (2) months and he does not expect comments or review of the construction plans by Federal entities until February of 2026.

The next item of business was consideration of the approval of the Minutes of the Regular Board Meeting held on September 30, 2025, and to ratify the actions of the September 30, 2025, Meeting. A motion was made by President Tyler LeSueur to approve the Regular Meeting Minutes and to ratify the actions taken at the Meeting. Director Stacy Brimhall 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 President Tyler LeSueur to approve the Executive

Session Minutes of the September 30, 2025, Meeting. It was seconded by Director Stacy Brimhall and was thereafter unanimously approved.

President Tyler LeSueur moved to go into Executive Session for 15 minutes which was seconded by Director Stacy Brimhall. The motion was unanimously approved.

The next item of business was an Executive Session which was conducted from 4:11 p.m. to 4:17 p.m. and thereafter the public meeting was reconvened at 4:17 p.m.

The next item of business was consideration of the approval of:

- 1) all expenditures for the year ended 6/30/25;
- 2) the annual report to Pinal County for the year ended 6/30/25; and
- 3) the audited financial statements for the year ended 6/30/25.

President Tyler LeSueur moved to approve:

- 1) all expenditures for the year ended 6/30/25;
- 2) the annual report to Pinal County for the year ended 6/30/25; and
- 3) the audited financial statements for the year ended 6/30/25.

The motion was seconded by Director Stacy Brimhall and was thereafter unanimously approved.

The next item of business was consideration of the approval of granting authority to the General Manager to take all actions necessary to finalize the agreement with Advisent Assurance, LLP for the District to continue to receive professional CPA audit services for fiscal years 2026 to 2032.

A motion was then made by President Tyler LeSueur to approve and grant authority to the General Manager to take all actions necessary to finalize the agreement with Advisent Assurance, LLP for the District to continue to receive professional CPA audits services for fiscal years 2026 to 2032.

The motion was seconded by Director Stacy Brimhall and was thereafter 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 4:25 p.m.

RESPECTFULLY SUBMITTED this _____ day of December 2025.

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