

**NOTICE OF COMBINED PUBLIC HEARING, SPECIAL MEETING AND EXECUTIVE SESSION OF  
TOWN OF DUNCAN COMMON COUNCIL**

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Town of Duncan and to the general public that the Duncan Common Council will hold a public hearing and a special meeting open to the public on Friday, February 25, 2022 at 1:00 p.m. As indicated in the agenda, pursuant to A.R.S. § 38-431.03(A)(1), (3) and (4), the Duncan Common Council may vote to go into executive session, which will not be open to the public, to discuss certain matters. The agenda for the meeting is as follows:

**Public Hearing and Special Meeting Agenda  
Duncan Common Council  
Friday, February 25, 2022; 1:00 pm  
Duncan Town Hall; 506 SE Old West Highway  
Duncan, Arizona**

Pursuant to Title II of the Americans With Disabilities Act (ADA) the Town of Duncan does not discriminate on the basis of disability in the administration of its programs or services. Individuals with a disability who require accommodations, including auxiliary aids of services for effective communication, should contact the Town of Duncan ADA Compliance Coordinator at least 24 hours in advance at (928) 359-2791, Monday-Thursday, 8-5, to make known their needs and preferences.

**Call to Order:**

**Roll Call:**

**Pledge of Allegiance:**

**Prayer:**

1. **Call to Public:** Those wishing to address the Council should fill out a "Request to Address the Council" form and present it to Town Staff prior to the beginning of the meeting. The Mayor will recognize the person wishing to speak during the Call to the Public item shown on the Agenda. Time permitting; each presentation will be given approximately three (3) minutes. No action or Council discussion will result from the public comments or matters not listed on the agenda (A.R.S. §38-431-02).
  
2. **Consent Agenda:** All items on the Agenda are considered to be routine, non-controversial in nature and are grouped together for a single vote without Council discussion. **Items with an asterisk were previously voted on by Council but due to invalid notice must be voted on again.** The Consent Agenda is a time saving device and Council Members may remove any item from the Consent Agenda for discussion and a separate vote, if approved.
  - a. Approval of February 10, 2022 Regular Meeting Minutes
  - b. Approve Purchase for Road Supplies not to exceed \$97,000
  - c. Resolution 22-02-05: Removing Philip D. Cushman From Access to Municipal Financial Accounts
  - d. Approval of November 10, 2021 Regular Meeting Minutes\*
  - e. Approval of December 1, 2021 Town Manager Selection Committee Meeting Minutes\*

- f. Approval of December 3, 2021 Special Meeting Minutes\*
- g. Approval of December 3, 2021 Work Meeting Minutes\*
- h. Approval of December 9, 2021 Regular Meeting Minutes\*
- i. Approval of December 17, 2021 Special Meeting Minutes\*
- j. Approval of January 6, 2022 Town Manager Selection Committee Special Meeting Minutes\*
- k. Approval of January 8, 2022 Work Meeting Minutes\*

Discussion and Action.....Common Council

**3. Actions Proposed to be Ratified:** In January, 2022 meeting, Town staff realized the council meeting notices had not been posted for certain council meetings as required by A.R.S. § 38-431.02(A)(4) following a staff transition of website duties in November 2021. The Council desires to ratify, pursuant to A.R.S. § 38-431.05, certain items from Council meetings held on December 3, 2021, December 17, 2021 and January 13, 2022 to preserve the original effective date of legal action taken by the Council on those dates. Documents relating to the Ratification of these items were posted on February 22, 2022 and are attached to this agenda as Exhibit A.

- a. Approval Of Resolution 21-12-26: Removal of Cynthia Nichols as Signatory to All Financial or Systems Accounts
- b. Approval Of Expenditure in the amount of \$2,917.00 to Greenlee County Emergency Management for the 2021 Update for The Multi-Jurisdictional Hazard Mitigation Plan
- c. Approval of Municipal Properties for Leasing, Subdivision, Disposal, or Consolidation and Direct Interim Town Manager and/or Town Attorney to Execute Agreement on Behalf of the Town
- d. Approval of Software and Services Agreement with Caselle for accounts receivable software license, training, setup, and conversion for \$6,100 one-time fee and software assurance fee of \$138 per month
- e. Approval of purchase from USA Bluebook for \$3,332.73 for chlorine pump, LMI repair kit, FEB tubing, 3/4" bronze stop with CPR nozzle, and 3 steel toe waders
- f. Approve disbursement of \$2045.95 to the League of Arizona Cities and Towns for FY2022 Municipal Firefighters Cancer Reimbursement Fund Assessment
- g. Approve disbursement for Semi-Annual Bond Payment of \$29,790.77 for principal and interest for USDA Loan 91-01 and \$3,081.63 for principal and Interest for USDA Loan 91-04
- h. Approval of Resolution 21-12-24: Public Officer and Candidate Financial Disclosure
- i. Approval of End of Calendar Year Bonus for Municipal Employees
- j. Approval of the Public Participation Plan for Development of the 2022 General Plan

Discussion and Action.....Common Council

**4. Public Hearing for Proposed Zoning Change:** Public Hearing to request public comments about the proposed change to the Town of Duncan Zoning Code, Sections 15-10-18 and 15-10-19 to allow the Town Council to assume the duties of the Planning and Zoning Commission relating to the development of the General Plan.

5. **Consideration and Action to Approve of Ordinance 22-02-01:** Adopting a change to the Town of Duncan Zoning Code, Sections 15-10-18 and 15-10-19 to allow the Town Council to assume the duties of the Planning and Zoning Commission relating to the development of the General Plan.  
Discussion and Action.....Common Council
  
6. **Interview and Consideration of Applicants for Interim Manager. The Council may vote to discuss this matter in Executive Session pursuant to A.R.S. §38-431.03 (A)(1), (3) and (4):**  
Discussion and Action.....Common Council
  
7. **Appointment of Interim Manager and Direction to Town Attorney to Negotiate Employment Agreement.** The Council may defer a decision on this matter to a later date.  
Discussion and Action.....Common Council
  
8. **Discussion of Date and Time of Next Meeting:**  
Discussion.....Common Council
  
9. **Adjournment:**  
Discussion and Action.....Common Council

Note: Pursuant to A.R.S. §38-431-03 (A)(3). The Council may vote to hold an Executive Session for the purpose of obtaining legal advice from the Town Attorney concerning any matter listed on this Agenda. The information discussed at any Executive Session and the Minutes thereof are confidential.

Copies of Agendas may be requested at the Town of Duncan (928) 359-2791. Meetings can be accessed at the following weblink:

<https://us02web.zoom.us/j/8826331012?pwd=TxESTdMdlYrM0pOVUFKbk1sME1uZz09>

**EXHIBIT A**

**TOWN OF DUNCAN SPECIAL MEETING, FEBRUARY 25, 2022  
COUNCIL ITEM 3: ACTIONS PROPOSED TO BE RATIFIED**

**Town of Duncan  
Notice of Actions to be Ratified**

**NOTICE OF PUBLIC MEETING OF THE TOWN OF DUNCAN  
FOR THE PURPOSE OF RATIFYING PAST ACTIONS DUE TO IMPROPER  
MEETING NOTICE ON THE FOLLOWING COUNCIL MEETING DATES:  
DECEMBER 3, 2021, DECEMBER 17, 2021 AND JANUARY 13, 2022.**

Pursuant to A.R.S. § 38-431.05, notice is hereby given to the members of the Town of Duncan Common Council ("Council") and to the general public that the Council will hold a meeting open to the public on February 25, 2022 at 1:00 p.m. at Town Hall, 506 SE Old West Highway, Duncan, Arizona 85534.

**The purpose of the meeting is to ratify actions of the Council that may have been taken in violation of the Open Meeting Law.**

Following the January 13, 2022 meeting, Town staff discovered that the meeting notices had not been posted on the Town website for meetings held on December 3, 2021, December 17, 2021 and January 13, 2022. Notices of council meetings are required to be posted on the Town website pursuant to A.R.S. § 38-430.02(A)(4). The Council proposes to ratify certain items taken at the aforementioned meetings pursuant to A.R.S. § 38-431.05 to preserve the original effective date of the legal action taken by the Council.

**ACTIONS PROPOSED TO BE RATIFIED**

At the February 25, 2022 special meeting, the Council may ratify the following legal action items from the December 3, 2021 special meeting:

1. Approval Of Resolution 21-12-26: Removal of Cynthia Nichols as Signatory to All Financial or Systems Accounts.
2. Approval Of Expenditure: \$2,917.00 To Greenlee County Emergency Management for the 2021 Update for The Multi-Jurisdictional Hazard Mitigation Plan.
3. Approval of Municipal Properties for Leasing, Subdivision, Disposal, or Consolidation and Direct Interim Town Manager and/or Town Attorney to Execute Agreements on behalf of the Town.

At the February 25, 2022 special meeting, the Council may ratify the following legal action items from the December 17, 2021 special meeting:

4. Approval of Software and Services Agreement with Caselle for accounts receivable software license, training, setup, and conversion for \$6,100 one-time fee and software assurance fee of \$138 per month.
5. Approval of purchase from USA Bluebook for \$3,332.73 for chlorine pump, LMI repair kit, FEB tubing, 3/4" bronze stop with CPR nozzle, and 3 steel toe waders.

**Town of Duncan**  
**Notice of Actions to be Ratified**

6. Approval of disbursement of \$2,045.95 to the League of Arizona Cities and Towns for FY2022 Municipal Firefighters Cancer Reimbursement Fund Assessment.
7. Approval of disbursement of Semi-Annual Bond Payment of \$29,790.77 for principal and interest for USDA Loan 91-01 and \$3,081.63 for principal and Interest for USDA Loan 91-04.
8. Approval of Resolution 21-12-24: Public Officer and Candidate Financial Disclosure.
9. Approval of End of Calendar Year Bonus for Municipal Employees.

At the February 25, 2022 special meeting, the Council may ratify the following legal action items from the January 13, 2022 regular meeting:

10. Approval of the Public Participation Plan for Development of the 2022 General Plan.

The public may obtain a detailed written description of the actions to be ratified, and all deliberations, consultations, and decisions by members of the public body that preceded and relate to this action to be ratified at Town Hall, 506 SE Old West Highway, Duncan, Arizona 85534 and online on the Town website at: <https://duncanaz.us/> at least 72 hours in advance of the meeting.

Dated this day of February 22, 2022.

Town of Duncan

By \_\_\_\_\_  
Name/Title

Persons with a disability may request a reasonable accommodation by contacting the Town of Duncan ADA Compliance Coordinator at least 24 hours in advance at (928) 359-2791, Monday – Thursday, 8-5, to arrange the accommodation.

**Town of Duncan**  
**Detailed Description of Items Subject to Ratification**  
**A.R.S. § 38-431.05(B)(3)**

**The Duncan Town Council (“Council”) is meeting at 1:00 p.m. on February 25, 2022 at Town Hall, located at 506 SE Old West Highway, Duncan, Arizona 85534 to ratify actions of the Council due to improper notice being given for Council meetings on December 3, 2021, December 17, 2021 and January 13, 2022 (“Meetings”).**

**WHAT IS RATIFICATION?**

Under the Open Meeting Law, ratification is an action by the governing body to retroactively validate a prior act in order to preserve the earlier effective date of the action. It allows the Council to meet and approve retroactively the action previously taken – to ratify its prior action. *Source: Arizona Agency Handbook Chapter 7 Open Meetings, Sec. 7.12. Ratification (Revised 2018).*

**REASON FOR RATIFICATION OF ACTION ITEMS FOR MEETINGS**

Notices of council meetings were posted on the home page of the Town website pursuant to A.R.S. § 38-430.02(A)(4). In January 2022, Town staff realized the council meeting notices had not been posted for the Meetings following a staff transition of website duties in November 2021. Following this discovery, the Council has combined the notices with the agenda as allowed by state law and posted both the notice and the agenda together on the Town website and at the two physical locations in Town. The Council desires to ratify certain items from the Meetings under A.R.S. § 38-431.05 to preserve the original effective date of legal action taken by the Council.

**ACTION ITEMS SUBJECT TO RATIFICATION**

The Council seeks to ratify the following, described more fully as follows:

**1. Ratification of Resolution 21-12-26**

***Description of Action to be Taken***

Ratification of “Approval Of Resolution 21-12-26: Removal of Cynthia Nichols as Signatory to All Financial or Systems Accounts.”

***Written Description***

At a special council meeting on Friday, December 3, 2021, Item 2 on the Consent Agenda, Council approved the removal of Cynthia Nichols, former retired Town Clerk, as signatory to all financial system or accounts. The Resolution is attached as Exhibit A. The original agenda also contained an error and listed the Resolution as 21-12-25.

***Prior Deliberations, Consultations and Decisions by Council***

The Town is not aware of any other deliberations, consultations of decisions by Council relating to this action.

**2. Ratification of Expenditure Approval to Greenlee County Emergency Management**

***Description of Action to be Taken***

Ratification of “Approval Of Expenditure: \$2,917.00 To Greenlee County Emergency Management for the 2021 Update for The Multi-Jurisdictional Hazard Mitigation Plan.”

***Written Description***

Federal law requires Greenlee County to update its Multi-Jurisdictional Hazard Mitigation Plan (“Mitigation Plan”) every five years and provides requirements for states, tribes and local governments to identify natural hazards, assess vulnerability and risk posed by those hazards and develop mitigation strategies. The Town is responsible for its portion of funding for the development of the Mitigation Plan.

At a special council meeting on Friday, December 3, 2021, Item 4 on the Regular Agenda requested Council approval to expend \$2,917.00 to Greenlee County to fund the Town’s portion of the Plan.

***Prior Deliberations, Consultations and Decisions by Council***

The Plan was discussed by Council at a work session on November 5, 2021 and the Council adopted Resolution 21-11-22 Adopting the Plan at a regular meeting on November 10, 2021.

**3. Ratification of Approval of Plan to Lease, Subdivide, Dispose or Consolidate Municipal Properties**

***Description of Action to be Taken***

Ratification of “Approval of Municipal Properties for Leasing, Subdivision, Disposal, or Consolidation and Direct Interim Town Manager and/or Town Attorney to Execute Agreements on behalf of the Town.”

***Written Description***

Philip Cushman, Interim Town Manager, presented a plan (“Property Plan”) dated November 10, 2021 for the proposed disaggregation, consolidation, leasing, selling and retention plan for the 71 municipal owned properties.



At a special council meeting on Friday, December 3, 2021, Council approved the Property Plan, which was Item 1 listed under “Actions to be Ratified” on the agenda. The memorandum as adopted on December 3, 2021 is attached as Exhibit B.

***Prior Deliberations, Consultations and Decisions by Council***

The Council discussed consolidation and divestment of municipal-owned real estate at a work session on November 5, 2021. The Council approved the Property Plan on November 10, 2021 but failed to properly motion and second the item, which is required by A.R.S. § 38-431.01(B)(4). The Town attempted to ratify this action on December 3, 2021.

**4. Ratification of Expenditure Approval of Software and Services Agreement with Caselle**

***Description of Action to be Taken***

Ratification of “Approval of Software and Services Agreement with Caselle for accounts receivable software license, training, setup, and conversion for \$6,100 one-time fee and software assurance fee of \$138 per month.”

***Written Description***

At a special council meeting on Friday, December 17, 2021, on the Consent Agenda, Council approved a Caselle proposal to the Town for accounts receivable software training. The proposal is included as Exhibit C.

***Prior Deliberations, Consultations and Decisions by Council***

The Town is not aware of any prior deliberations, consultations, or decisions by Council regarding this specific Item.

**5. Ratification of Expenditure Approval of Purchase of Equipment and Supplies from USA Bluebook**

***Description of Action to be Taken***

Ratification of “Approval of purchase from USA Bluebook for \$3,332.73 for chlorine pump, LMI repair kit, FEB tubing, ¾” bronze stop with CPR nozzle, and 3 steel toe waders.”

***Written Description***

At a special council meeting on Friday, December 17, 2021, on the Consent Agenda, Council approved invoices from USA Bluebook for equipment and supplies for the Town’s public works department. The invoices are included in Exhibit D.

***Prior Deliberations, Consultations and Decisions by Council***

The Town is not aware of any prior deliberations, consultations, or decisions by Council regarding this Item.

**6. Ratification of Disbursement to the Municipal Firefighters' Cancer Reimbursement Fund**

***Description of Action to be Taken***

Ratification of "Approval of disbursement of \$2,045.95 to the League of Arizona Cities and Towns for FY2022 Municipal Firefighters Cancer Reimbursement Fund Assessment."

***Written Description***

The Industrial Commission of Arizona is required to assess a fee on cities and towns based on population to be deposited into the Municipal Firefighter Cancer Reimbursement Fund to reimburse cities and towns for compensation involving disability claims, death benefits and medical, surgical and hospital benefits. At a special council meeting on Friday, December 17, 2021, on the Consent Agenda, the Council approved the Town's assessment of \$2,045.95. The statutes and assessment amount are included in Exhibit E.

***Prior Deliberations, Consultations and Decisions by Council***

The Town is not aware of any prior deliberations, consultations, or decisions by Council regarding this Item.

**7. Ratification of Disbursement of Semi-Annual Bond Payment for USDA Loan**

***Description of Action to be Taken***

Ratification of "Approval of disbursement of Semi-Annual Bond Payment of \$29,790.77 for principal and interest for USDA Loan 91-01 and \$3,081.63 for principal and Interest for USDA Loan 91-04."

***Written Description***

The Town is responsible for a semi-annual bond payment for the USDA loan. At a special council meeting on Friday, December 17, 2021, on the Consent Agenda, the Council approved the payment. The invoice is included as Exhibit F.

***Prior Deliberations, Consultations and Decisions by Council***

The Town discussed the USDA loan and payment options on April 8, 2021 and June 21, 2021. The Town briefly discussed the USDA loan during presentations and discussions relating to the water systems and the Town's finances on the following dates:

- March 11, 2021 Discussion about a water rate increase
- June 11, 2021 Veregy presentation on Town's water systems
- July 6, 2021 Presentation by Pat Walker about Town budget
- July 28, 2021 Presentation and recommendations by Pat Walker about Town's finances
- August 11, 2021 Report by Pat Walker about Town finances
- September 7, 2021 Veregy presentation on water and wastewater improvements
- September 9, 2021 Update from Pat Walker about Town finances
- November 5, 2021 Update from Veregy on capital project
- December 3, 2021 (work session) Update from Veregy on capital project

**8. Ratification of Approval of Resolution 21-12-24: Public Officer and Candidate Financial Disclosure**

***Description of Action to be Taken***

Ratification of "Approval of Resolution 21-12-24: Public Officer and Candidate Financial Disclosure."

***Written Description***

At a special council meeting on Friday, December 17, 2021, on the Consent Agenda the Council approved Resolution 21-12-24 prescribing standards of financial disclosure for local elected officials pursuant to A.R.S. § 38-545. The Resolution is included as Exhibit G.

***Prior Deliberations, Consultations and Decisions by Council***

The Town is not aware of any prior deliberations, consultations, or decisions by Council regarding this Item.

**9. Ratification of Expenditure for Calendar Year Bonus for Municipal Employees**

***Description of Action to be Taken***

Ratification of "Approval of End of Calendar Year Bonus for Municipal Employees."

***Written Description***

At a special council meeting on Friday, December 17, 2021, Item 10 on the Regular Agenda, Philip Cushman, Interim Town Manager, provided a memo to Council outlining the available use of the American Rescue Plan Act (“ARPA”) funds for hazard duty pay for the Town employees. The Council approved the \$300/employee option. The memo is included in Exhibit H.

***Prior Deliberations, Consultations and Decisions by Council***

The Town is not aware of any prior deliberations, consultations, or decisions by Council regarding this Item.

**10. Ratification of Approval of General Plan Public Participation Plan**

***Description of Action to be Taken***

Ratification of “Approval of the Public Participation Plan for Development of the 2022 General Plan.”

***Written Description***

The Council began discussions to update the Town’s General Plan, which is the municipal statement of land development policies. State law requires that each municipality adopt a comprehensive, long-range general plan to guide the community’s physical development. As part of this process, public input is paramount and A.R.S. § 9-461.06 requires municipalities to adopt written procedures to provide effective, early and continuous public participation in the development and major amendment of general plans from all geographic, ethnic and economic areas of the municipality.

At a special council meeting on Thursday, January 13, 2022, Council approved the Participation Plan, which was Item 8 on the Regular Agenda.

***Prior Deliberations, Consultations and Decisions by Council***

The Council discussed the General Plan Development, including the schedule and process at a work session on January 8, 2022. No action was taken. The Participation Plan is attached as Exhibit I.

**EXHIBIT A**  
**RESOLUTION NO. 21-12-26: REMOVAL OF CYNTHIA NICHOLS AS SIGNATORY**  
**TO ALL FINANCIAL OR SYSTEMS ACCOUNTS**

**AS ADOPTED DECEMBER 3, 2021**

**RESOLUTION 21-12-26**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF  
DUNCAN, ARIZONA, REMOVING CYNTHIA NICHOLS FROM  
ACCESS TO MUNICIPAL FINANCIAL ACCOUNTS**

**WHEREAS**, the Town of Duncan has accounts at several financial institutions; and,

**WHEREAS**, financial institutions and businesses that offer credit to municipalities, require a resolution to gain signatory authority for those municipal accounts; and,

**WHEREAS**, Cynthia Nichols, as a part of her official duties, was a signatory authority to several municipal accounts owned by the Town of Duncan; and,

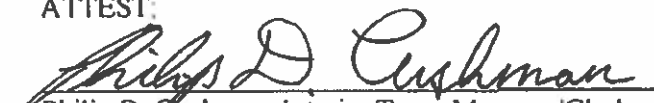
**WHEREAS**, the several financial institutions and business that offer credit to the Town of Duncan, have indicated the need a Resolution from the Mayor and Council for the Town of Duncan in order to remove her signatory access to these accounts.

**BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF DUNCAN, ARIZONA, AS FOLLOWS:** That Philip D. Cushman, the Interim Town Manager for the Town of Duncan, Arizona is authorized personally or through his designees to take necessary steps to remove Cynthia Nichols from access from all accounts.


**PASSED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE TOWN OF DUNCAN, ARIZONA, this 3<sup>rd</sup> day of December, 2021.**

  
Anne Thurman, Mayor

ATTEST:

  
Philip D. Cushman, Interim Town Manager/Clerk

APPROVED AS TO FORM:

  
Christina Estes-Werther, Town Attorney  
Pierce Coleman PLLC

**EXHIBIT B**  
**PLAN FOR MUNICIPAL PROPERTIES FOR LEASING, SUBDIVISION, DISPOSAL,**  
**OR CONSOLIDATION**

**AS ADOPTED DECEMBER 3, 2021**

MEMORANDUM

10 November 2021

From: Interim Town Manager  
To: Town Council of the Town of Duncan

Subject: Proposed Municipal Property Management Consolidation and Disposal Plan

The following is our proposed disaggregation, consolidation, leasing, selling and retention plan for the 71 municipal owned properties. Consolidation will require consultation with the County Assessor and County Recorders and the Town will follow administrative, legal, or public notification requirements. Properties so identified will be sold or leased at fair market value and in accordance with state and municipal property divestment laws, regulations, and codes. Proceeds from sales or leases will be used for property maintenance, infrastructure, equipment acquisition, road improvements, road maintenance, or other Council-directed fiscal priorities. In addition to increased revenue streams, this will help clean up an excessively messy inventory and better manage our assets. After consolidation, we can reduce our number of properties from the seventies to the fifties. After sales, our property inventory will be in the twenties and way easier to manage. Please see the attached exhibits for the overhead views of these properties.

1. We recommend that the following parcel is disaggregated into its 10 constituent and distinct parts so that the Town can better manage, lease, sell, or consolidate with other municipal owned properties: **50028186A**
2. We recommend that the following parcels that comprise Centennial Park be consolidated so that the Town can better manage this important community cultural and historical landmark: **50028158, 5003003, 5003026, 5003027, 50028159**, and two lots from the disaggregated parcel **50028186A**.
3. We recommend that the following parcels that comprise municipal owned properties adjacent to the Gila River are consolidated so that the Town can better manage these properties for conservation, economic, flood control, flood mitigation, or recreational purposes: **50028105, 5003009, 50030010, 50030011, 50030018, 50031053, 50031054, 50031055, 50033010**, and **50033011**.
4. We recommend that the following parcels that comprise municipal owned properties adjacent Town Hall are consolidated so that the Town can better manage these properties: **50059023** and **50059024B**.
5. We recommend that the following parcels adjacent the former landfill are consolidated so that the Town can better manage these properties for conservation, economic, recreational, or solid waste transfer site purposes: **500545005** and **5006001**.



6. We recommend that the following parcels adjacent the Waste Water Treatment Ponds are consolidated so that the Town can better manage these properties for conservation, economic, flood control, flood mitigation, recreational, or waste water treatment purposes: **50024003** and **50026003**.
7. We recommend that the following parcels adjacent the Gila River and Waste Water Treatment Ponds are consolidated so that the Town can better manage these properties for conservation, economic, flood control, flood mitigation, recreational, or waste water treatment purposes: **50015014** and **50015011**.
8. We recommend that the following parcels adjacent the Municipal Airfield are consolidated so that the Town can better manage these properties for conservation, economic and recreational purposes: **40019003**, **40019004B**, and **40019004C**.
9. We recommend that the following parcels at the Public Works yard are consolidated so that the Town can better manage these properties: **50060007** and **50060006B**. Consultation with the owner of parcel **50057004** is required to acquire the land on which Public Works is using for storage of vehicles, equipment, and supplies and consolidate this property with **50060007** and **50060006B**.
10. We recommend that the Duncan Valley Cemetery (**50057003**) is resurveyed to correct parcel boundaries and rezoned as a cemetery. Town will coordinate with the owners of parcels **50057004** and **50048003B**, and include the municipal owned parcel **5006003** for this survey.
11. We recommend that the following property (The Outpost), minus the wells and easements to those wells, are sold or leased: **50009044**. Buyer will be required to comply with legal covenants, for example, roads, sidewalks, utilities, open space, easements, right of ways, and architectural design.
12. We recommend that the following properties are sold for development: **50014008**, **50029060**, **50022038B**, **50008040**, **50001013** (Portion reserved for Town Park), and **50003007B**. Developers will be required to comply with legal covenants, for example, roads, sidewalks, utilities, open space, easements, right of ways, and architectural design.
13. We recommend that the following properties are sold or leased as individual parcels or lots: **50029031**, **50029012** (10 Lots), **50029035** (12 Lots), **5003038**, **50051059**, **50052028**, **50059046**, **50031094**, **50028009** (add 1 Lot from disaggregated **50028186A**), **5002814** (add 1 Lot from disaggregated **50028186A**), **50028117**, and several properties from the disaggregated parcel **50028186A**. Buyers will be required to comply with legal covenants, for example, roads, sidewalks, utilities, open space, easements, right of ways, and architectural design.

14. We recommend that the following properties are retained for various cultural, economic, historic, or recreational purposes:

- a. Espezia Square formed from one lot disaggregated from **50028186A**
- b. Proposed Animal Control Facility: **50031041** and **50031042**
- c. Proposed Community Garden: **50009043B**
- d. Proposed Long-Distance Bicyclist Camp: **50025049B**
- e. Proposed Town Community Center: **50028079**
- f. Proposed Town Park or Sandra Day-O'Connor Interpretive Center (Town will need to acquire adjacent parcels **50020017** and **50020015** from the State of Arizona): **50020016**
- g. Retained to defend water right claims (two wells): **50009044**
- h. Retained for Historical and Cultural Purposes or proposed ceremonial Town Marshal's Office (Old County Jail): **50028008**
- i. Retained for Historical and Cultural Purposes or Memorial to flood victims (Old Theater): **50028048**

Best Regards,

Philip D. Cushman  
Interim Town Manager

**EXHIBIT C**  
**SOFTWARE AND SERVICES AGREEMENT WITH CASELLE**  
**AS ADOPTED DECEMBER 17, 2021**

Caselle<sup>®</sup> Software & Services Proposal

# Town of Duncan, AZ

**October 29, 2021**

(Valid for 90 days)

From

Sarah Dillon, Customer Relationship Manager  
skd@caselle.com

Total Software License	\$5,500
Special Consideration Discount	<1,100>
Net Software License	\$4,400
Total Training	1,100
Total Setup	500
Total Conversion	100
<b>Total Investment</b>	<b>\$6,100</b>

Monthly Software Assurance will increase by \$138.

I have read and agree to all terms & conditions proposed herein

Signature:

Printed Name & Title

Date

Caselle® Application Software	License Fees	Training	Setup	Conversion	Total
Accounts Receivable	\$5,500	\$1,100	\$500	\$100	\$7,200
Sub Total	\$5,500	\$1,100	\$500	\$100	\$7,200
Special Consideration Discount	(1,100)				(1,100)
<b>Grand Total</b>	<b>\$4,400</b>	<b>\$1,100</b>	<b>\$500</b>	<b>\$100</b>	<b>\$6,100</b>

**Note:** The training will take place online.

- Set up the appropriate billing categories and penalty rates.
- Format standard reports for reporting and balancing of customer accounts.
- Format one of each of the following: statements, invoices, and delinquent notices.
- Create a Checklist to document Accounts Receivable procedures.
- Additional form layouts for statements, invoices, and delinquent notices will be billed at the rate of \$100 per form. Forms that have multiple pages will be billed \$100 for each additional page included in the form.
- Each customer's account information will be converted. This information includes the customer's name, street address, mailing address, bill to information, city, state, and zip code.
- Customer balances will be converted.  
50 accounts are included.

Caselle Software Accounts Receivable Total License fee, training, setup, and conversion all total \$6100 and that is with \$1100 discount. Then there will be a monthly bill will be \$138 for the Accounts Receivable

We pay \$575 a month already so it will go up to \$713 a month

**EXHIBIT D**  
**PURCHASE OF EQUIPMENT AND SUPPLIES FROM USA BLUEBOOK**

**AS ADOPTED DECEMBER 17, 2021**



**USABlueBook**  
Get the Best Treatment™

**INVOICE**

INVOICE NO	PAGE NO.
808659	1 of 1
CUSTOMER NO.	DATE
	12/02/21

Remit To:  
P.O. Box 9004  
Gurnee, IL 60031-9004  
TEL: (847) 689-3000  
FAX: (847) 689-3001  
TOLL FREE: 1-800-493-9876  
F E I N : 52 2418852

View online at: <http://usabluebook.billtrust.com>  
Web Enrollment Token: HQX ZLL KVM

**BILL TO:** [REDACTED]  
57 1 SP 0.530 £0057X 10073 08423486982 S2 P8697614 0001 0002

**SHIP TO:** 1



DUNCAN TOWN OF  
506 SE OLD WEST HWY 3RD FL  
DUNCAN AZ 85534-2095

DUNCAN TOWN OF  
506 SE OLD WEST HWY  
DUNCAN AZ 85534-2095  
USA

Ordered by 0021 LORSA STRAIN

Attention 0017 JT MAHER

CUSTOMER P.O. NO.	SHIP DATE	SLP	TERMS	TAX CODE	SALES ORDER NO.	W/H	FREIGHT	SHIP VIA		
VERBAL	12/02/21	YHC	NET 30	AZ	262713	01	FXD/PPD	FEDEXGRND		
USA STOCK NO.	DESCRIPTION			ORDERED	SHIPPED	BACKORDER	U/M	PRICE	PER	EXTENSION
48314	Waders 53' Steel Toe Size 12 Over-the-Sock			2	2	0	PR	180.50	PR	361
48312	Waders 53' Steel Toe Size 11 Over-the-Sock			1	1	0	PR	180.50	PR	180
72932	FEP Tubing 25' Roll 3/8 OD x 1/4 ID			1	1	0	EA	169.53	EA	169
37689	Low Lead Corporation Stop and Nozzle 3/4in NPT CPVC Nozzle			1	1	0	EA	379.70	EA	379
73131	48 GPD: 150 PSI C711-D60HI LMI Series C7 AutoPrime			1	1	0	EA	2,052.00	EA	2,052

THANK YOU for your business!  
1.5% MONTHLY FINANCE CHARGE  
ON AMOUNTS 30 DAYS PAST DUE  
Discounts Apply to Merchandise Only

MERCHANDISE	MISCELLANEOUS	DISCOUNT	TAX	FREIGHT	TOTAL
3,142.73	0.00	0.00	254.56	50.97	3,448.26

Should it become necessary to refer your unpaid balance to a collection agency a collection fee not to exceed 25% of the balance referred plus reasonable attorney's fees and court costs when necessary will be added to the balance due

Please Detach and Return Bottom Portion to Ensure Proper Credit to Your Account

**USABlueBook**  
Get the Best Treatment™

\*\*\*\*IMPORTANT\*\*\*\*

Please include this customer #  
on the face of your remittance check

INVOICE NO.	CUSTOMER NO.	DATE	TOTAL
808659	[REDACTED]	12/02/21	3,448.26

**REMITTANCE ADDRESS**

USABlueBook  
P O Box 9004  
Gurnee, IL 60031 9004

DUNCAN TOWN OF  
506 SE OLD WEST HWY 3RD FL  
DUNCAN AZ 85534-2095

INVOICE NO.	PAGE NO.
808882	1 of 1
CUSTOMER NO.	DATE
██████████	12/02/21

Remit To:  
P.O. Box 9004  
Gurnee, IL 60031-9004  
TEL: (847) 689-3000  
FAX: (847) 689-3001  
TOLL FREE: 1-800-493-9876  
F E I N.: 52-2418852

View online at: <http://usabluebook.billtrust.com>  
Web Enrollment Token: HQX ZLL KVM

BILL TO: ██████████  
57 1 SP 0 530 E0057 10074 08423488140 S2 P8697614 0002 0002

SHIP TO: 1

DUNCAN TOWN OF  
506 SE OLD WEST HWY 3RD FL  
DUNCAN AZ 85534-2095

DUNCAN TOWN OF  
506 SE OLD WEST HWY  
DUNCAN AZ 85534-2095  
USA

Ordered by 0021 LORSA STRAIN

Attention 0017 JT MAHER

CUSTOMER P.O. NO.	SHIP DATE	SLP	TERMS	TAX CODE	SALES ORDER NO.	W/H	FREIGHT	SHIP VIA	
VERBAL	12/02/21	YHC	NET 30	AZ	62713A	33	FXD/PPD	FEDEXGRND	
USA STOCK NO.	DESCRIPTION	ORDERED	SHIPPED	BACKORDER	U/M	PRICE	PER	EXTENSION	
73352	LMI Repair Kit RPM-D68	1	1	0	EA	190.00	EA	190.00	

THANK YOU for your business!  
1.5% MONTHLY FINANCE CHARGE  
ON AMOUNTS 30 DAYS PAST DUE  
Discounts Apply to Merchandise Only

MERCHANDISE	MISCELLANEOUS	DISCOUNT	TAX	FREIGHT	TOTAL
190.00	0.00	0.00	15.39		205.39

Should it become necessary to refer your unpaid balance to a collection agency a collection fee not to exceed 25% of the balance referred, plus reasonable attorney's fees, and court costs when necessary will be added to the balance due.

Please Detach and Return Bottom Portion to Ensure Proper Credit to Your Account

\*\*\*\*IMPORTANT\*\*\*\*

Please include this customer #  
on the face of your remittance check.

INVOICE NO.	CUSTOMER NO.	DATE	TOTAL
808882	██████████	12/02/21	205.39

**REMITTANCE ADDRESS**

USA BlueBook  
P O Box 9004  
Gurnee, IL 60031-9004

DUNCAN TOWN OF  
506 SE OLD WEST HWY 3RD FL  
DUNCAN AZ 85534 2095

TO	USA Bluebook	CUST #	DAI
ADDRESS	PO Box 9004		12/01/21
CITY, STATE, ZIP	Sumner, I.L. 60031-9004		ASAP
SHIP TO			
ADDRESS	For JT Maintenance		
CITY, STATE, ZIP			

QUANTITY	DESCRIPTION	PRICE	UNIT
1	Chlorine Pump CTH-DG0HT	1869.00	
1	Chlorine Pump #73131	2052.00	
1	LMI Repair Kit #73352	190.00	
1	FEP Tubing 3/8 x 1/4" #72932	169.53	
1	3/4" NPT Bronze Srp #37689	379.70	
	stop w/crr Nozzle		
1 pr	Steel toe waders (12) 48312	180.50	#180
2 pr	steel toe waders (12) 48314	361.00	180
Ord. # 13121 Conf # 26113 333273			

**IMPORTANT**

PURCHASE ORDER NUMBER MUST APPEAR ON ALL INVOICES, PACKAGES, ETC

PLEASE NOTIFY US IMMEDIATELY IF YOU ARE UNABLE TO COMPLETE ORDER BY DATE SPECIFIED

PLEASE SEND COPIES OF INVOICE WITH ORIGINAL BILL OF LADING

Patsy Dixon + JT Maint

ORIGINAL

*Approved, [Signature]*

CALL BEFORE RETURNING PRODUCTS

FAX: (847) 689-3030  
TOLL FREE: 1-800-548-1234  
F.I.N.: 52-2418852  
INTERNATIONAL DIRECT: (847) 689-3000

PAGE 1 of 1

DATE 12/02/21



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DUNCAN, TOWN OF  
ATTN: 0017 JT MAHER  
506 SE OLD WEST HWY  
DUNCAN AZ 85534-2095  
USA

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DUNCAN TOWN OF  
3RD FLOOR  
506 SE OLD WEST HWY  
DUNCAN, AZ 85534  
12/02  
10:50

USA

CUSTOMER P.O. #	ORDER DATE	ASAP or	SLP	TERMS	WH	FREIGHT	SHIP VIA
VERBAL	12/02/21	12/07/21	YHC	NET 30	01	PXD/PPD	FEDEXGRND

USA STOCK #	DESCRIPTION	ORDERED	SHIPPED	BACK ORDER	U/M	PAGE	LOC
48314	Waders, 53" Steel Toe Size 12 Over-the-Sock	2	2		PR MAS		2E-14-0D
48312	Waders, 53" Steel Toe Size 11 Over-the-Sock	1	1		PR MAS		2E-15-2A
72932	FEP Tubing 25' Roll 3/8 OD x 1/4 ID	1	1		EA MAS		2W-10-1E
37689	Low Lead Corporation Stop and Nozzle, 3/4in NPT CPVC Nozzle	1	1		EA MAS		1S-01-4E 89-43-3E
73131	48-GPD; 150 PSI; C711-D60HI LMI Series C7 AutoPrime	1	1		EA MAS		1Y-58-0E

Thank you for your order. Yarely Castellon

LBS

Picked by \_\_\_\_\_ Checked by \_\_\_\_\_ Packed by \_\_\_\_\_

CUSTOMER COPY

**EXHIBIT E**  
**DISBURSEMENT TO THE MUNICIPAL FIREFIGHTERS' CANCER**  
**REIMBURSEMENT FUND**

**AS ADOPTED DECEMBER 17, 2021**

## CHAPTER 11

### MUNICIPAL FIREFIGHTER CANCER REIMBURSEMENT

#### ARTICLE 1. GENERAL PROVISIONS

##### 23-1701. Definitions

In this article, unless the context otherwise requires:

1. "commission" means the Industrial Commission of Arizona.
2. "firefighter" has the same meaning prescribed in Section 23-901.09.
3. "fire investigator" has the same meaning prescribed in Section 13 23 901.09.
4. "fund" means the Municipal Firefighter Cancer Reimbursement Fund.
5. "municipal payor" means any of the following:
  - (a) a workers' compensation insurer used by a city or town
  - (b) a self-insurance program approved pursuant to Section 23-961 used by a city or town.
  - (c) a public agency pool that is established pursuant to Section 11-952.01 and that is used by a city or town.

##### 23-1702. Municipal firefighter cancer reimbursement fund; exemption; rulemaking; annual report

A. The Municipal Firefighter Cancer Reimbursement Fund is established consisting of monies deposited in the fund pursuant to Section 26 23-1703. The Commission shall administer the fund. Monies in the fund shall be used to reimburse municipal payors for the compensation and benefits paid by municipal payors to municipal firefighters and municipal fire investigators under Section 23-901.09 for:

1. Compensation for temporary partial disability, permanent partial disability and lost earning capacity as prescribed in Section 23-1044.
2. Compensation for temporary total disability and permanent total disability as prescribed in Section 23-1045.
3. Medical, surgical and hospital benefits as prescribed in Section 23-1062.
4. Death benefits as prescribed in Section 23-1046.

B. The fund consists of the following:

1. Fees from cities and towns deposited pursuant to Section 23-1703.
2. Monies received from any other source, including federal monies, investment income and private grants, gifts, contributions and devises.

C. The commission shall annually distribute the monies in the fund on a prorated basis based on the amount of the individual compensation and benefits paid by a municipal payor for compensation and benefits to a municipal firefighter or municipal fire investigator for a disease, infirmity or impairment as

prescribed in Section 23-901.09 in proportion to the statewide aggregate of all compensation and benefits paid to municipal firefighters and municipal fire investigators pursuant to Section 23-901.09 for the fiscal year. The commission may not reimburse monies for expenses relating to case management, vocational rehabilitation or similar nonmedical costs. The prorated share shall be distributed to the municipal payors entitled to a share without regard to the order in which the respective compensation and benefits were paid in the fiscal year.

D. Monies in the fund are continuously appropriated and are exempt from the provisions of Section 35-190 relating to lapsing of appropriations.

E. On or before January 1, 2022, the Commission shall adopt rules pursuant to Title 41, Chapter 6 to carry out this chapter.

F. On or before April 1 of each year, the Commission shall submit a report to the legislature and the municipal payors reimbursed from the fund on the financial status of the fund. The report shall include all of the following

1. The total number of fund reimbursement claims the commission received in the immediately preceding fiscal year.
2. For the immediately preceding fiscal year, the number of fund reimbursement claims approved, the total dollar amount of fund reimbursement claims paid by the fund and the amount paid to each municipal payor reimbursed by the fund.
3. The amount of any anticipated surplus in the fund.

### **23-1703. Assessment**

A. From and after June 30, 2021, the commission shall assess and collect fees from cities and towns for deposit in the fund. The fee shall be assessed to each city and town that receives state shared revenues pursuant to Sections 42-5029 and 43-206. The total amount of fees for all cities and towns may not exceed \$15,000,000 in each fiscal year. The share of fees assessed in each fiscal year to each city and town shall be based on the population of the city or town as determined by the most recent population estimates of the United States Census Bureau as of July 1 in proportion to the total population of all incorporated cities and towns.

B. The commission shall assess the fees under this Section not later than July 31 of each year, and the fees are payable immediately on assessment. If a city or town fails to pay the assessment in full on or before September 30, the commission shall notify the State Treasurer who shall withhold the delinquent amount from the distribution of monies to the appropriate city or town pursuant to Sections 42-5029 and 43-206 and shall continue to withhold monies until the city or town has paid the entire amount of the assessment.

C. All monies paid to the commission or withheld by the State Treasurer for the fees assessed pursuant to this Section shall be deposited in the fund.

D. Cities and towns may meet their obligation for the assessment from any source of city or town revenue designated by the appropriate city or town. City and town payments made pursuant to this Section are excluded from the applicable expenditure limitations



**INDUSTRIAL COMMISSION OF ARIZONA**  
**FY 2022 Municipal Firefighters Cancer Reimbursement Fund Assessments (A.R.S. § 23-1703)**

City	2019 Population	% of Population	MFCRF Assessment
APACHE JUNCTION	42,571	0.74%	\$110,260.77
AVONDALE	87,931	1.52%	\$227,745.17
BENSON	4,880	0.08%	\$12,639.42
BISBEE	5,225	0.09%	\$13,532.98
BUCKEYE	79,620	1.37%	\$206,219.32
BULLHEAD CITY	40,884	0.71%	\$105,891.37
CAMP VERDE	11,187	0.19%	\$28,974.82
CAREFREE	3,927	0.07%	\$10,171.10
CASA GRANDE	58,632	1.01%	\$151,859.47
CAVE CREEK	5,838	0.10%	\$15,120.68
CHANDLER	261,165	4.51%	\$676,428.89
CHINO VALLEY	12,375	0.21%	\$32,051.80
CLARKDALE	4,391	0.08%	\$11,372.88
CLIFTON	3,708	0.06%	\$9,603.88
COLORADO CITY	4,836	0.08%	\$12,525.45
COOLIDGE	13,130	0.23%	\$34,007.28
COTTONWOOD	12,253	0.21%	\$31,735.81
DEWEY-HUMBOLDT	4,137	0.07%	\$10,715.01
DOUGLAS	16,193	0.28%	\$41,940.59
DUNCAN	788	0.01%	\$2,040.95
EAGAR	4,941	0.09%	\$12,797.41
EL MIRAGE	35,753	0.62%	\$92,601.85
ELOY	19,625	0.34%	\$50,829.62
FLAGSTAFF	75,038	1.30%	\$194,351.74
FLORENCE	27,422	0.47%	\$71,024.19
FOUNTAIN HILLS	25,200	0.44%	\$65,269.11
FREDONIA	1,281	0.02%	\$3,317.85
GILA BEND	2,100	0.04%	\$5,439.09
GILBERT	254,114	4.39%	\$658,166.49
GLENDALE	252,381	4.36%	\$653,677.94
GLOBE	7,347	0.13%	\$19,029.05
GOODYEAR	86,840	1.50%	\$224,919.44
GUADALUPE	6,631	0.11%	\$17,174.58
HAYDEN	631	0.01%	\$1,634.32
HOLBROOK	5,084	0.09%	\$13,167.78
HUACHUCA CITY	1,736	0.03%	\$4,496.32
JEROME	455	0.01%	\$1,178.47
KEARNY	2,168	0.04%	\$5,615.22
KINGMAN	31,013	0.54%	\$80,325.04
LAKE HAVASU CITY	55,865	0.96%	\$144,692.82





**INDUSTRIAL COMMISSION OF ARIZONA**  
**FY 2022 Municipal Firefighters Cancer Reimbursement Fund Assessments (A.R.S. § 23-1703)**

City	2019 Population	% of Population	MFCRF Assessment
LITCHFIELD PARK	6,436	0.11%	\$16,669.52
MAMMOTH	1,687	0.03%	\$4,369.40
MARANA	49,030	0.85%	\$126,989.87
MARICOPA	52,127	0.90%	\$135,011.23
MESA	518,012	8.94%	\$1,341,673.97
MIAMI	1,780	0.03%	\$4,610.28
NOGALES	20,103	0.35%	\$52,067.66
ORO VALLEY	46,044	0.80%	\$119,255.99
PAGE	7,529	0.13%	\$19,500.44
PARADISE VALLEY	14,637	0.25%	\$37,910.48
PARKER	3,207	0.06%	\$8,306.27
PATAGONIA	874	0.02%	\$2,263.70
PAYSON	15,813	0.27%	\$40,956.37
PEORIA	175,961	3.04%	\$455,746.76
PHOENIX	1,680,992	29.03%	\$4,353,843.54
PIMA	2,558	0.04%	\$6,625.33
PINETOP-LAKESIDE	4,469	0.08%	\$11,574.91
PRESCOTT	44,299	0.76%	\$114,736.37
PRESCOTT VALLEY	46,515	0.80%	\$120,475.91
QUARTZSITE	3,763	0.06%	\$9,746.34
QUEEN CREEK	50,890	0.88%	\$131,807.35
SAFFORD	9,983	0.17%	\$25,856.41
SAHUARITA	31,421	0.54%	\$81,381.78
SAINT JOHNS	3,512	0.06%	\$9,096.24
SAN LUIS	34,778	0.60%	\$90,076.56
SCOTTSDALE	258,069	4.46%	\$668,410.11
SEDONA	10,339	0.18%	\$26,778.47
SHOW LOW	11,442	0.20%	\$29,635.29
SIERRA VISTA	43,045	0.74%	\$111,488.45
SNOWFLAKE	5,995	0.10%	\$15,527.31
SOMERTON	16,554	0.29%	\$42,875.59
SOUTH TUCSON	5,715	0.10%	\$14,802.10
SPRINGERVILLE	1,978	0.03%	\$5,123.11
STAR VALLEY	2,308	0.04%	\$5,977.82
SUPERIOR	3,178	0.05%	\$8,231.16
SURPRISE	141,664	2.45%	\$366,916.02
TAYLOR	4,321	0.07%	\$11,191.58
TEMPE	195,805	3.38%	\$507,143.60
THATCHER	5,200	0.09%	\$13,468.23
TOLLESON	7,372	0.13%	\$19,093.81
TOMBSTONE	1,303	0.02%	\$3,374.83



**INDUSTRIAL COMMISSION OF ARIZONA**  
**FY 2022 Municipal Firefighters Cancer Reimbursement Fund Assessments (A.R.S. § 23-1703)**

City	2019 Population	% of Population	MFCRF Assessment
TUCSON	548,073	9.46%	\$1,419,533.28
TUSAYAN	580	0.01%	\$1,502.23
WELLTON	3,044	0.05%	\$7,884.09
WICKENBURG	8,092	0.14%	\$20,958.64
WILLCOX	3,533	0.06%	\$9,150.63
WILLIAMS	3,248	0.06%	\$8,412.46
WINKELMAN	351	0.01%	\$909.11
WINSLOW	9,338	0.16%	\$24,185.83
YOUNGTOWN	6,859	0.12%	\$17,765.11
YUMA	98,285	1.70%	\$254,562.49
<b>GRAND TOTALS</b>	<b>5,791,407</b>	<b>100.00%</b>	<b>\$15,000,000.00</b>

**Please Remit Checks To:**

**Industrial Commission of Arizona**  
**ATTN: MFCRF [jurisdiction name]**  
**800 West Washington Street, Suite 301**  
**Phoenix, Arizona 85007**

**Wire Transfer Instructions:**

**Bank of America**  
**ABA [REDACTED]**  
**Account: [REDACTED]**  
**Reference: ICA [jurisdiction name] MFCRF**

**Accounting Division Phone: (602) 542-4654**  
**Tax Unit Email: [taxes@azica.gov](mailto:taxes@azica.gov)**  
**Agency Webpage: <https://www.azica.gov/>**

**EXHIBIT F**  
**DISBURSEMENT OF SEMI-ANNUAL BOND PAYMENT FOR USDA LOAN**  
**AS ADOPTED DECEMBER 17, 2021**



December 7, 2021

Town of Duncan  
506 SE Old West Highway  
Duncan, AZ 85534

To Whom It May Concern:

This letter is to inform you of the Semi-Annual Bond Payment, due on or before January 1, 2022, as follows:

Borrower Name: Duncan, Town of  
Case No: [REDACTED]

<u>Loan No.</u>	<u>Interest Due</u>	<u>Principal Due</u>	<u>Total Due</u>
91-01	\$11,161.77	\$18,629.00	\$29,790.77
91-04	\$1,154.63	\$1,927.00	\$3,081.63

Please make check payable to "USDA Rural Development" for the "Total Due" and mail payment to: USDA Rural Development, Attn: Community Programs, 230 N. First Avenue, Suite 206, Phoenix, AZ 85003. Extra payments to principal should also be submitted directly to our office for processing; with a note stating how the extra payment is to be applied.

If you have any questions or need additional information, please contact Vanessa Garcia at (602) 280-8756.

Sincerely,

  
for JEFFREY A. HAYS  
Community Programs Director

**EXHIBIT G**  
**RESOLUTION NO. 21-12-24 PUBLIC OFFICER AND CANDIDATE FINANCIAL**  
**DISCLOSURE**

**AS ADOPTED DECEMBER 17, 2021**

**RESOLUTION NO. 21-12-24**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF DUNCAN, ARIZONA, PRESCRIBING STANDARDS OF FINANCIAL DISCLOSURE FOR LOCAL ELECTED OFFICIALS; REPEALING PRIOR FINANCIAL DISCLOSURE RESOLUTIONS; AND SETTING AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to the provisions of A.R.S. § 38-545, as amended, the Town of Duncan is required to adopt standards of financial disclosure consistent with the provisions of Title 38, Chapter 3.1, Article 1, Arizona Revised Statutes, as amended; and

**WHEREAS**, the Town Council has determined that the standards of financial disclosure hereinafter adopted are, with respect to the Town of Duncan, consistent with such standards of financial disclosure within the meaning of A.R.S. § 38-545.

**BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF DUNCAN, ARIZONA**, that the following standards of financial disclosure for local elected officials are hereby adopted:

**Section 1. DEFINITIONS.** In this resolution, unless the context otherwise requires:

1. "Business" includes any enterprise, organization, trade, occupation or profession, whether or not operated as a legal entity or for profit, including any business trust, corporation, partnership, joint venture or sole proprietorship.
2. "Compensation" means anything of value or advantage, present or prospective, including the forgiveness of debt.
3. "Controlled business" means any business in which the local public officer or any member of his household has an ownership or beneficial interest, individually or combined, amounting to more than a fifty percent interest.
4. "Dependent business" means any business in which the local public officer or any member of his household has an ownership or beneficial interest, individually or combined, amounting to more than a ten percent interest, and during the preceding calendar year the business received from a single source more than ten thousand dollars and more than fifty percent of its gross income.
5. "Gift" includes any gratuity, special discount, favor, hospitality, service, economic opportunity, loan or other benefit received without equivalent consideration and not provided to members of the public at large. Gift does not include:

- a. Travel-related expenses that are publicly reported as required by law.
  - b. Political campaign contributions that are publicly reported pursuant Title 16, Chapter 6, Arizona Revised Statutes, as amended.
6. "Local public officer" means a person holding an elective office of the Town of Duncan.
  7. "Member of household" means a local public officer's spouse and any minor child of whom the local public officer has legal custody.
  8. "Travel-related expenses" means any costs associated with transportation, food, lodging and registration fees and other expenses directly related to travel to or from a meeting, conference or other event where the local public officer is participating in the local public officer's official capacity.

**Section 2. DUTY TO FILE FINANCIAL DISCLOSURE STATEMENT; CONTENTS; EXCEPTIONS.**

- A. In addition to other statements and reports required by law, every local public officer, as a matter of public record, shall file with the Town Clerk on a form prescribed by the Town Clerk a verified financial disclosure statement covering the preceding calendar year. The statement shall disclose:
  1. The name and home or work address of the local public officer, whether the local public officer's spouse is a member of the local public officer's household, the number of minor children who are members of the local public officer's household and all names and addresses under which each does business. If disclosure of the identity of the local public officer's spouse or minor child would otherwise be required, a local public officer may comply with the identification requirement by using the term "spouse" or "minor child", as applicable.
  2. The name and address of each employer and of each other source of compensation other than gifts amounting to more than one thousand dollars received during the preceding calendar year by the local public officer and members of his household in their own names, or by any other person for the use or benefit of the local public officer or members of his household, a description of the services for which the compensation was received and the nature of the employer's business. This paragraph shall not be construed to require the disclosure of individual items of compensation that constituted a portion of the gross income of the business from which the local public officer or members of his household derived compensation.

3. For a controlled business, a description of the goods or services provided by the business, and if any single source of compensation to the business during the preceding calendar year amounts to more than ten thousand dollars and is more than twenty-five percent of the gross income of the business, the disclosure shall also include a description of the goods or services provided to the source of compensation. For a dependent business the statement shall disclose a description of the goods or services provided by the business and a description of the goods or services provided to the source of compensation from which the dependent business derived the amount of gross income described in Section 1, paragraph 4. If the source of compensation for a controlled or dependent business is a business, the statement shall disclose a description of the business activities engaged in by the source of compensation.
4. The names and addresses of all businesses and trusts in which the local public officer or members of his household, or any other person for the use or benefit of the local public officer or members of his household, had an ownership or beneficial interest of over one thousand dollars at any time during the preceding calendar year, and the names and addresses of all businesses and trusts in which the local public officer or any member of his household held any office or had a fiduciary relationship at any time during the preceding calendar year, together with the amount or value of the interest and a description of the interest, office or relationship.
5. All real property interests and real property improvements, including specific location and approximate size, located in the Town of Duncan, in which the local public officer, any member of his household or a controlled or dependent business held legal title or a beneficial interest at any time during the preceding calendar year, and the value of any such interest, except that this paragraph does not apply to a real property interest and improvements thereon used as the primary personal residence or for the personal recreational use of the local public officer. If a local public officer, any member of his household or a controlled or dependent business acquired or divested any such interest during the preceding calendar year, he shall also disclose that the transaction was made and the date it occurred. If the controlled or dependent business is in the business of dealing in real property interests or improvements, disclosure need not include individual parcels or transactions as long as the aggregate value of all parcels of such property is reported.
6. The names and addresses of all creditors to whom the local public officer or members of his household, in their own names or in the name of any other person, owed a debt of more than one thousand dollars or to whom a controlled business or a dependent business owed a debt of more than ten thousand dollars which was also more than thirty percent of the total business indebtedness at any time during the preceding calendar year, listing each such creditor. This paragraph shall not be construed to require the disclosure of debts owed by the local public officer or any member of his household resulting from the ordinary conduct of a business other than a controlled or dependent business nor shall disclosure be required of credit card transactions, retail installment contracts, debts on residences or recreational property exempt from disclosure under paragraph 5 of this subsection, debts on motor vehicles not used for commercial purposes, debts secured by cash values on life insurance or debts owed to relatives. It is sufficient disclosure of a creditor if the name and



address of a person to whom payments are made is disclosed. If the local public officer, any member of his household or a controlled or dependent business incurred or discharged a debt which is reportable under this subsection during the preceding calendar year, the report shall disclose that the transaction was made and the date it occurred.

7. The identification and amount of each debt exceeding one thousand dollars owed at any time during the preceding calendar year to the local public officer and members of his household in their own names, or to any other person for the use or benefit of the local public officer or any member of his household. The disclosure shall include the identification and amount of each debt exceeding ten thousand dollars to a controlled business or dependent business which was also more than thirty percent of the total indebtedness to the business at any time during the preceding calendar year. This paragraph shall not be construed to require the disclosure of debts from the ordinary conduct of a business other than a controlled or dependent business. If the local public officer, any member of his household or a controlled or dependent business incurred or discharged a debt which is reportable under this subsection during the preceding year, the report shall disclose that the transaction was made and the date it occurred.
8. The name of each source of any gift, or accumulated gifts from a single source, of more than five hundred dollars received by the local public officer and members of his household in their own names during the preceding calendar year, or by any other person for the use or benefit of the local public officer or any member of his household except gifts received by will or by virtue of intestate succession, or received by way of distribution from any inter vivos or testamentary trust established by a spouse or by an ancestor, or gifts received from any other member of the household or relatives to the second degree of consanguinity. Travel-related expenses and political campaign contributions shall not be construed as gifts if otherwise publicly reported as required by law.
9. A list of all business licenses issued, by the Town of Duncan or by any other governmental agency which requires for its issuance the consideration of the application for such license by the Town Council of the Town of Duncan, to, held by or in which the local public officer or any member of his household had an interest at any time during the preceding calendar year, including the name in which the license was issued, the type of business and its location.
10. A list of all bonds, together with their value, issued by the Town of Duncan, any industrial development authority of the Town or any nonprofit corporation organized or authorized by the Town held at any time during the preceding calendar year by the local public officer or any member of his household, which bonds issued by a single entity had a value in excess of one thousand dollars. If the local public officer or any member of his household acquired or divested any bonds during the preceding calendar year which are reportable under this paragraph, the fact that the transaction occurred and the date shall also be shown.
11. The name of each meeting, conference or other event where the local public officer is participating in the local public officer's official capacity if travel-related expenses of one

- thousand dollars or more were incurred on behalf of the local public officer and the travel-related expenses are not paid by the local public officer.
- B. If an amount or value is required to be reported pursuant to this section, it is sufficient to report whether the amount or value of the equity interest falls within:
1. Category 1, one thousand dollars to twenty-five thousand dollars.
  2. Category 2, more than twenty-five thousand dollars to one hundred thousand dollars.
  3. Category 3, more than one hundred thousand dollars.
- C. This section does not require the disclosure of any information that is privileged by law.
- D. The statement required to be filed pursuant to subsection A shall be filed by all persons who qualified as local public officers at any time during the preceding calendar year on or before January 31 of each year with the exceptions that a local public officer appointed to fill a vacancy shall, within sixty days following his taking of such office, file a financial disclosure statement covering as his annual period the twelve month period ending with the last full month prior to the date of his taking office, and a local public officer whose final term expires less than thirty-one days into the immediately following calendar year may file the local public officer's final financial disclosure at the same time as the disclosure for the last immediately preceding year.
- E. The Town Clerk shall prepare written guidelines, forms and samples for completing the financial disclosure statement required by this section. A copy of the guidelines, forms and samples shall be distributed to each local public officer and shall be made available to each candidate required to file a financial disclosure statement pursuant to Section 3 of this resolution.
- F. Any statements that are required to be filed by a local public officer pursuant to an ordinance, rule, resolution or regulation adopted pursuant to A.R.S. § 38-545 may be filed in an electronic format as prescribed by the secretary of state.

**Section 3. DUTY TO FILE FINANCIAL DISCLOSURE STATEMENT BY CANDIDATE FOR LOCAL PUBLIC OFFICE.** A candidate for local public office as specified in Section 1, Paragraph 6, shall file a financial disclosure statement covering the preceding twelve month period and containing the information described in Section 2 on a form prescribed by the Town Clerk at the time of filing nomination papers.

**Section 4.** All prior resolutions adopting standards of financial disclosure are hereby repealed in their entirety.

**Section 5.** Pursuant to the Section 3-5-4 of the Town Code, this resolution shall become effective immediately upon its adoption in order to be in full force and effect before the filing of future financial disclosure statements. If the Resolution is not approved by the affirmative vote of

three-fourths of all members of the Town Council and approved by the Mayor, the foregoing declaration of an emergency shall be inoperative and this Resolution shall not become operative until thirty days after its passage.

**PASSED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE TOWN OF DUNCAN, ARIZONA, this 17<sup>th</sup> day of December, 2021.**

  
\_\_\_\_\_  
Anne Thurman, Mayor

ATTEST:

  
\_\_\_\_\_  
Philip D. Cushman, Interim Town Manager/Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Christina Estes-Werther, Town Attorney  
Pierce Coleman PLLC

**EXHIBIT H**  
**EXPENDITURE FOR CALENDAR YEAR BONUS FOR MUNICIPAL EMPLOYEES**

**AS ADOPTED DECEMBER 17, 2021**

Memorandum

16 December 2021

To: Duncan Town Council  
From: Interim Town Manager

Subject: Recommendation for End-of-Year Bonus for Town Employees

Many towns program several employee benefits into their budget that include stipends for personal use of cellphones, Cost of Living Allowances (COLA), merit-based pay, or end-of-year bonus. While none of these were programed into the current budget and no one on Staff can recall when this last occurred; it is still perhaps premature to consider bonuses until after the financial management investigation in complete. However, there is an option that Council can consider and that is Hazardous Duty Pay from ARPA funds.

Other towns and local governments have used a portion of their ARPA funds to pay their Employees Hazardous Duty Pay. While there is no set formula, these disbursements fall into two categories: either every Employee receives the same amount or a formula based on hours worked during a set period. Total disbursements have ranged from \$100 to over \$4,000 per Employee. The best option for the Town of Duncan is a set amount for each Employee which, assuming 12 Employees, would follow:

\$100/Employee:	\$1,200 total
\$150/Employee:	\$1,800 total
\$200/Employee:	\$2,400 total
\$250/Employee:	\$3,000 total
\$300/Employee:	\$3,600 total

In conclusion, all of our Employees, except for two, are part-time, temporary and paid \$13 per hour. Their employment is contingent on the results of the ongoing financial management investigation. This compensation is far below the fair market value of comparative work in municipal government or professional services. The Town received \$94,000 in ARPA funding in 2021 and is expected to receive more in 2022.

Best Regards,



Philip D. Cushman  
Interim Town Manager  
Duncan, Arizona

**EXHIBIT I**  
**PARTICIPATION PLAN FOR GENERAL PLAN DEVELOPMENT**  
**AS ADOPTED JANUARY 13, 2022**

**Town of Duncan General Plan Update  
Public Participation Plan**

## INTRODUCTION

A general plan is the municipal statement of land development policies, which may include maps, charts, graphs and text that set forth objectives, principles and standards for local growth and redevelopment enacted under the provisions of this article or any prior statute.<sup>1</sup> State law requires that each municipality adopt a comprehensive, long-range general plan to guide the community's physical development.

The Town of Duncan's General Plan will be developed by the Planning and Zoning Commission ("Commission") pursuant to Town Code § 15-10-7 and the Duncan Town Council ("Council") pursuant to A.R.S. §§ 9-461.05 *et seq.* and providing multiple opportunities for the public to share comments and input during this months-long process. Town staff will be responsible for managing the General Plan effort at the direction of the Commission and Council.

## PROCEDURES TO ENCOURAGE PUBLIC INPUT

A.R.S. § 9-461.06 requires municipalities to adopt written procedures to provide effective, early and continuous public participation in the development and major amendment of general plans from all geographic, ethnic and economic areas of the municipality.

Specifically, state law requires the Town of Duncan to adopt written procedures that provide for the following:

1. The broad dissemination of proposals and alternatives.
2. The opportunity for written comments.
3. Public hearings after effective notice.
4. Open discussions, communications programs and information services.
5. Consideration of public comments.

The purpose of obtaining these comments from these agencies and individuals is to secure maximum coordination of plans and to indicate properly located sites for all public purposes on the General Plan.

At least sixty (60) days before the General Plan or an element or major amendment of a General Plan, the Commission shall transmit the proposal to the Council and shall submit a copy for review and further comment to:

- Greenlee County (planning agency)
- Any county or municipality that is contiguous to the Town limits
- Southeastern Arizona Association of Governments (SEAGO)
- Arizona Commerce Authority
- Arizona Department of Water Resources, if applicable
- Military airport or ancillary military facility, if applicable

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<sup>1</sup> A.R.S. § 9-461 (2).



- Any person who requests in writing to receive a copy of the proposal.

The Town must also consult with, advise and provide an opportunity for official comment by the following:

- Public officials and agencies
- Arizona State Land Department
- Bureau of Land Management
- U.S. Forest Service
- Other jurisdictions owning land in the Town of Duncan
- School districts
- Police and fire districts
- Associations of governments
- Other public land management agencies
- Other appropriate government jurisdictions
- Public utility companies
- Civil, educational, professional and other organizations
- Property owners
- Residents generally

These entities and individuals will be invited to review and comment on findings and provide input as described below.

#### **Broad Dissemination of Proposals and Alternatives.**

1. The Town shall provide for a copy of the draft General Plan in two physical locations and posted online on the front page of the Town website.
2. When requested, Town staff shall provide a link to the draft General Plan to members of the public or provide direction for where to access the physical copies.
3. Publish at least once in a newspaper of general circulation, the notice of the public hearing regarding the preparation of the General Plan prior to adoption.
4. Submit the required copies of the draft for review by the agencies and persons designated in state law.

#### **The Opportunity for Written Comments.**

1. Publicize that the Town is developing the General Plan on the Town website and social media and invite written comments to be submitted.
2. Invite comments to be submitted directly to Commission and Council members and designated staff.
3. Accept written comments at public meetings for those who do not wish to speak.
4. Commission and Council members will forward any public comments on the General Plan to appropriate staff to compile and be included in the review.
5. Mail notice of the Commission public hearing as required by State Law to the entities and individuals designated in state law.

### **Public Hearings After Effective Notice.**

1. The Commission shall hold a public hearing after publishing notice in a newspaper of general circulation (or post in ten locations throughout the Town) at least 15 days prior to the hearing and not earlier than 30 days prior the hearing.
2. The Council shall hold a public hearing after publishing notice in a newspaper of general circulation (or post in ten locations throughout the Town) at least 15 days prior to the hearing and not earlier than 30 days prior the hearing.
3. Allotting sufficient time to hear public comments at each meeting by the Commission and Council where the General Plan is being discussed.

### **Open Discussions, Communications Programs and Information Services.**

1. Keep the public informed about the General Plan process by providing monthly updates on the Town website and social media page.
2. Work with the media to disseminate information about the development of the General Plan.
3. Issue press releases and circulate fliers or other informational literature to solicit input from the public about the General Plan.

### **Consideration of Public Comments.**

1. Accept written comments at all meetings and events relating to the General Plan.
2. Direct staff to compile written comments into a format that can be reviewed and discussed by the Commission and Council.
3. Consider holding additional meetings or listening sessions or events to ensure all public input is being received.

### **CONCLUSION**

These procedures satisfy the requirements under state law. However, Town staff will provide suggestions to the Commission and Council if additional or targeted outreach efforts are necessary. The Town will seek assistance with the aforementioned stakeholders to request their assistance disseminating information about the Town's General Plan development. The Commission and the Council may consider hosting specific meetings and community events as requested by members of the public or interested parties when appropriate.