



# Arizona's Natural Resource Conservation District Operations Handbook

*This handbook is a compilation of instructions from the National Association of Conservation Districts and from ASLD NRCD Managers spanning the last 15 years. The information within is to serve as a source of advisory recommendations for NRCD administrative operations and conduct.*

Revised: June 2015

# Table of Contents

<b>NRCD History .....</b>	<b>4</b>
History of NRCDs in Arizona.....	5
Arizona’s NRCDs Organizational Timeline .....	7
<b>SECTION 1.....</b>	<b>8</b>
SECTION (1) A: NRCD Basic Concepts and Objectives .....	8
SECTION (1) B: District Board Responsibilities.....	8
SECTION (1) C: Minimum Requirements for an NRCD .....	12
<b>SECTION 2.....</b>	<b>14</b>
SECTION (2) A: Principle Duties of District Officers .....	14
SECTION (2) B: Suggestions for Board of Supervisors and District Clerk.....	16
SECTION (2) C: Suggestions for Board of Supervisors .....	16
SECTION (2) D: Suggestions for District Clerk.....	18
<b>SECTION 3.....</b>	<b>20</b>
SECTION (3) A: Open Meeting Law .....	20
SECTION (3) B: Meeting Notices/Disclosure Statements.....	21
SECTION (3) C: Emergency Meetings.....	23
SECTION (3) D: Meeting Agendas .....	23
SECTION (3) E: Meeting Locations and Public Rights.....	26
SECTION (3) F: Executive Sessions .....	27
SECTION (3) G: Meeting Minutes .....	28
SECTION (3) H: Circumvention and Ratification .....	29
SECTION (3) I: Open Meeting Law Resources.....	31
<b>SECTION 4.....</b>	<b>32</b>
SECTION (4) A: State Supplemental Funds.....	32
SECTION (4) B: NRCD Financial Reporting Requirements .....	34
SECTION (4) C: Education Center Financial Reporting Requirements .....	49
SECTION (4) D: Evaluating Expenditures of Public Funds .....	64
SECTION (4) E: Example Language for NRCD or Education Center Fiscal Policies.....	65
<b>SECTION 5.....</b>	<b>69</b>
SECTION (5) A: Conservation District Long Range Plans .....	69
SECTION (5) B: Describing a Natural Resource Concern .....	73
<b>SECTION 6.....</b>	<b>74</b>
SECTION (6) A: Arizona Laws and Rules Guiding Biennial NRCD Elections .....	74
SECTION (6) B: NRCD Biennial Election Protocol and Process.....	75
SECTION (6) C: NRCD Example Oath of Office and Letter Of Appointment .....	90

SECTION (6) D: NRCD Example Appointment Request Form ..... 92

SECTION (6) E: NRCD Example Notice of Supervisor Resignation ..... 93

SECTION (6) F: NRCD Example Nomination Form to Fill an Unexpired Term ..... 94

**SECTION 7..... 95**

SECTION (7) A: Guiding Principles for Supervisor/Staff Working Relationship ..... 95

SECTION (7) B: Example Language for Employee Personnel Policy ..... 96

SECTION (7) C: Example Language for Human Resources Policy ..... 98

SECTION (7) D: Example Language for Volunteer Agreement ..... 100

SECTION (7) E: Example Language for Release And Waiver of Liability Agreement.....101

**SECTION 8..... 103**

SECTION (8) A: NRCD Sponsored Education Centers ..... 103

**\*\*Note of clarification: A.R.S. §§ 37-1011 & 37-1012 \*\***

“The legislature establishes a Division of Natural Resource Conservation within the State Land Department under the authority and direction of the State Natural Resource Conservation Commissioner. The State Land Commissioner shall be State Natural Resource Conservation Commissioner. They shall serve as such without additional compensation. The Commissioner may appoint an administrative officer of the division of natural resource conservation, a secretary and such other assistants as may be required, assign their duties, and define their powers.”

**Today, the appointed officer is known as the NRCD Manager. While the Commissioner is referred to throughout this document when referring to statute, the main point of contact for general questions, submission of required paperwork, and daily activities of the districts should be directed to the NRCD Manager.**

# Natural Resource Conservation District History

Toward the end of the 19th century, concern was beginning to build about soil loss due to wind and water erosion in our nation. In 1898, the first soil survey of the United States was conducted. Soil scientist Hugh Hammond Bennett was so concerned that he published a pamphlet, “Soil Erosion, A National Menace”, and testified before Congress. His testimony resulted in some of the first funding to fight the deteriorating natural resource base and established soil erosion experiment stations in various locations around the United States. However, no national program was established.

Congress continued to be complacent on the need to address resource management concerns – until April 14, 1935. Black Sunday, as the date is more commonly known, marked the culmination of the period known as The Dust Bowl. This was one of our country’s worst ecological disasters in history. It was a defining moment in time when America’s government and its farmers realized that food production and westward settlement could not take place at the expense of our life giving resources – soil and water.

The Black Sunday storm left a layer of Panhandle dust across the desk of President Franklin D. Roosevelt. That same year, Congress unanimously passed The Soil Conservation Act (Public Law 46) establishing the Soil Conservation Service (SCS). The SCS is known today as the Natural Resource Conservation Service (NRCS), an agency of the U.S. Department of Agriculture (USDA). Although these were giant leaps in conservation, it quickly became apparent that in order for conservation practices to be effective on the three-fourths of the continental United States that were privately held lands, decisions needed to be made at the local level by concerned citizens. Most importantly, participation in government sponsored programs by private landowners had to be voluntary not regulatory in nature. There needed to be a liaison to bridge the gap of mistrust between the farmer and the government. Conservation districts were the answer.

Each state was provided model language and encouraged to draft and pass enabling legislation that would establish and provide certain authorities to local units of government known today as Natural Resource Conservation Districts (NRCDS) in Arizona. NRCDS were established in Arizona in 1941 and are codified in Arizona Revised Statutes Title 37, Chapter 6. NRCDS Law authorities districts to:

Provide for the restoration and conservation of lands and soil resources of the state, the preservation of water rights and the control and prevention of soil erosion, and thereby to conserve natural resources, conserve wildlife, protect the tax base, protect public lands and protect and restore this state's rivers and streams and associated riparian habitats, including fish and wildlife resources that are dependent on those habitats, and in such manner to protect and promote the public health, safety and general welfare of the people. (A.R.S. § 37-1001)

In the beginning of their history, Arizona’s NRCDS main responsibility was to serve as gateways for individuals to receive technical assistance and cost share programs from the USDA NRCS. Then, as is now, the NRCDS also prioritized natural resource concerns for that agency. In recent years, however, Arizona’s NRCDS have experienced a paradigm shift in their roles and accepted more of their

responsibilities that are outlined in state and federal legislation. Such responsibilities include exercising their authority to coordinate and cooperate with federal agencies regarding district plans and increasing their communication with cities, towns, and other local entities to develop plans that benefit the greater good of their districts. Public benefits include enhanced natural resources, which help sustain agricultural productivity and environmental quality, thereby supporting continued economic development, recreation, and scenic beauty.

Arizona's NRCs are established as quasi political subdivisions of the State, organized by vote of the landowners within each district, and managed by a five member locally elected and appointed board of supervisors. The district boards have the responsibility for determining the resource conservation needs of their district, for developing and coordinating long range plans and programs of natural resource conservation, and for implementing them under their district's annual plans of operations with technical assistance from the USDA NRCS, universities, AZ Game and Fish, and other similar entities. Districts work with many organizations, agencies, and individuals to accomplish soil and water conservation. Today, Arizona has 32 NRCs administered by Arizona State Land Department (ASLD) NRC Program and 10 Conservation Districts authorized under Tribal Law.

### **History of NRCs in Arizona**

- 1935: Public Law 46 passes Congress by unanimous vote. Soil and water conservation and wise land use declared a national policy.
- 1937: President Franklin D. Roosevelt provided states with model legislation to create conservation districts.
- 1941: March 17, Arizona Soil Conservation District Enabling Act became effective. Only crop land was included. A State Soil Conservation Committee was established consisting of the Governor, the Water Commissioner, the Arizona State Land Commissioner, and the Director of the Agriculture Extension Service.
- 1944: First meeting of the Arizona Association of Conservation Districts (AACD) held in December.
- 1945: The State Soil Conservation Committee was abolished and administration was transferred to the Arizona State Land Commissioner. H. Lynn Anderson was appointed Administrative Officer for the Division of Soil Conservation at the Arizona State Land Department (ASLD). 27 districts were in existence.
- 1946: The National Association of Conservation Districts was formed.
- 1950: Wayne Kessler appointed as the Soil Conservation Administrative Officer. The job title changed several times. During his tenure Wayne also continued serving the Arizona Association of Conservation Districts, first as Secretary and then as Program Director.
- 1954: Rangeland was added to the districts. There were 46 districts in AZ.

- 1968: Statutes revised to provide for adjustment of district boundaries, name changes, and broadened authority. Consolidation results in 32 districts, from 52.
- 1972: First state funding approved for the districts – \$3000 per year, per district.
- 1972: Name changed to Natural Resource Conservation Districts (NRCDD).
- 1974: Wayne Kessler retired from state government, was elected to the Agua Fria NRCDD Board, and as Vice-President of the AACDD Executive Board.
- 1975: Bob Yount was named NRCDD Administrator.
- 1982: State funding increased to \$5000 per year, per district.
- 1984: Bill Dowdle was named as NRCDD Administrator.
- 1986: Funding increased to \$10,000 per year, per district.
- 1995: State funding increased to \$15,000 per year, per district, and each education center was authorized for \$30,000 per year.
- 1991: Bill Warskow accepted the appointment to serve as NRCDD Administrator and AACDD hired their first paid Executive Director.
- 2001: Jody Latimer, former NRCDD Supervisor and AACDD Executive Board member, is named as NRCDD Administrator.
- 2008: AACDD changed its name to Arizona Association of Natural Resource Conservation Districts (AZNRCDD)
- 2007: Douglas Witte, former ASLD Area Range Resource Manager, is named as NRCDD Program Manager.
- 2012: Amber Morin was named NRCDD Manager.
- 2015 AZNRCDD changed its name back to AACDD.

<b>ARIZONA NRCDD ORGANIZATIONAL TIMELINE</b>			
<i>NRCDD Name</i>	<i>Year Created /Consolidated</i>		<i>Name Change</i>
Agua Fria	1968		
Arcadia	1944	Combined with East Maricopa	
Apache	1942		
Big Sandy	1945		
Bridgeport			
Buckeye-Roosevelt	1962		Name changed to Buckeye Valley
Cactus			
Camp Verde	1961		Name changed to Verde NRCDD
Casa Grande	Combined with Stanfield 1961		

Chino Valley	1970	Combined with Upper Agua Fria Basin	Name changed to Chino Winds
Coconino	1967		
Duncan Valley	Combined with Gila Valley 1968		
East Maricopa	1946		
Eloy	1948		
Florence Coolidge	1945		
Fredonia	1943		
Gila Bend	1946		
Gila River	1988		
Gila Valley	1942		
Hereford	1944		
Indian Bend	Combined with East Maricopa		
Laguna	1954		
Littlefield-Hurricane Valley	1961		Name changed to Littlefield Hurricane
Mesa-Tempe	Combined with East Maricopa		
Navajo County	1942		
New River	Combined with Agua Fria		
Parker Valley	1957		
Pima County	1943		
Pinal	1957	Combined with Eloy 1965	
Pipe Springs	1961	Combined with Littlefield Hurricane Valley & Fredonia	
Queen Creek	Combined with East Maricopa		
Redington	1947		
San Carlos Apache	Split from Gila Valley NRCD. Still legally organized under ASLD. Receives no state funds.		
San Francisco Peaks	Combined with Coconino		
San Pedro	1947		
San Simon Valley	Combined with Willcox		
Santa Cruz	2001		
Stanfield	Combined with West Pinal 1961		
Selma			
Seven-Eight	1945	Combined with Eloy 1961	
Sitgreaves Mountain	Combined with Coconino		
South Side	Combined with East Maricopa		
Tonto	1951		
Triangle	1945		
Upper Agua Fria Basin	Combined with Chino Winds		
Welton-Mohawk	1950		
West Coolidge	1945	Combined with Florence Coolidge 1962	
West Pinal	1961		
Whitewater Draw	1942		
Wickenburg	1956		
Willcox-San Simon	1964		
Winkelman	1948		
Yuma	1952		

# SECTION 1

## **Section (1) A: NRCD Basic Concepts and Objectives**

Due to the ever increasing human population, urban expansion, and subsequent stress applied to our natural resources, the conservation and orderly development of resources is urgent and will become increasingly so in the future. The responsibility for the leadership and initiation of resource conservation and orderly resource development rests with individuals in their own communities. To take part in conservation efforts, people can become active members of their Natural Resource Conservation Districts, which have proven to be effective forms of self-government for addressing natural resource conservation needs. Furthermore, federal, state and local governments have a responsibility to assist and coordinate with local citizens and political entities in carrying out land conservation objectives they cannot accomplish entirely on their own.

No resource conservation or development should be done without first developing a clearly defined plan as to what the people of a district are trying to accomplish with obtainable goals. Once a plan is established, conservation requires the joint efforts of many federal, state and local agencies and citizen groups to help local district members develop and accomplish their long-range conservation goals and objectives.

Effective conservation combines science based use and treatment of land in accordance with its needs and capabilities without compromising the welfare of the people within the region. It recognizes the operating goals of the owner or user, and it is in harmony with the total resource conservation and development requirements of the community, area or region. In addition, effective conservation takes into account all natural resources and their effect on the economic and social welfare of people who live and work in the region. It includes the multiple uses of natural resources with the objective that all uses contribute to a healthy and productive environment for people.

## **Section (1) B: DISTRICT BOARD RESPONSIBILITIES**

How well a conservation district functions is directly reflected in the success of the conservation programs the board administers and delivers. The board and its cooperators are challenged to develop relationships with agricultural and environmental groups, community and business leaders, civic organizations, county and local government representatives, and school officials. Through these relationships, the district can extract the necessary feedback to deliver a conservation program that is consistent with the needs of the community, and most importantly, supported by the community. Local support makes the job of district supervisors easier, considerably more enjoyable and gratifying.

Each board supervisor should thoroughly understand the powers, authorities and responsibilities placed upon the conservation district by the Arizona State Natural Resource Conservation District law in the Arizona Revised Statutes Title 37 Chapter 6. Supervisors are

responsible and accountable to the people of the district and the State of Arizona in administering the district's programs and affairs. As public officials, supervisors are required to subscribe to a standard oath of office for each term served. A supervisor's reward is in the satisfaction of making a valuable contribution to the future of the district, state and nation.

The NRC D supervisor is a public office that demands an open minded leadership style capable of building consensus to meet the various needs of the local community. Remember, most issues are multifaceted, and in the process of making decisions, being able to reach across party lines is critical to making a well-informed determination. The public trusts that its elected and appointed NRC D supervisors will make informed decisions and expend funds in the public interest. Know your community and the public you serve, and you will be successful.

**DUTIES AS REQUIRED BY STATE STATUTE OR BY  
DIRECTIVE OF THE NATURAL RESOURCE CONSERVATION COMMISSIONER:**

1. Furnish effective local leadership in the form of a properly constituted and operating governing body.
2. Hold regular and special meetings to plan work and to assess resource conservation needs in the district. All meetings must be conducted in full accordance with Arizona's Open Meeting Laws.
3. Prepare and submit all required reporting documents to the administering agency, the Arizona State Land Department (ASLD).
  - Due June 20th
    - Applications for State Supplemental Funds (ASLD Standard Forms) NOTE: two may be necessary – 1 for Supplemental Funds, 1 for Environmental Special Plate Funds
    - Annual Plan of Work
  - Due July 20th
    - Annual Report
    - Annual Financial Statement (ASLD Standard Form)
4. Conduct a supervisor election every two years and immediately thereafter, elected supervisors must meet, select a temporary chairperson, and select a panel of candidates in order to fill the two appointed seats. Thereafter, all officers can be selected from among the board's numbers. A chair and vice-chair are required by statute. Other officers are appointed as deemed necessary to conduct business of the district.
5. Manage, in the public interest, all funds, facilities and equipment of the district as indicated by laws of the State. **All district funds are public funds regardless of the source because districts are a public body.**
6. Shall require and provide for the execution of a **corporate surety bond** to cover any person entrusted with the care and disposition of district funds or property.

**RESPONSIBILITIES AUTHORIZED BY STATE STATUTE: A.R.S § 37-1054**

1. Develop and annually update a comprehensive Long Range Plan that recognizes the interest of the people and land in the district that is compatible with area or regional development plans.
2. Hire necessary employees or consultants and appoint advisors (clerks, accountants, engineers, attorneys) to address conservation priorities and operational procedures, as fiscal budget allows.
3. Supervise, or provide for, the supervision of district employees. This should include an employment contract and clear job description.
4. Organize and establish an environmental education center.
5. Apply for, receive, and spend monies from the Arizona Water Protection Fund
6. Appoint additional advisory members to the district governing body.
7. Delegate powers and duties to board officers, members, advisors, and employees as the board deems proper.
8. Cooperate and enter into agreements with landowners, operators, and any agency or subdivision of state or federal government.
9. Compensate district supervisors according to allowance prescribed in A.R.S. § 38-611 C., plus any actual and necessary travel expenses while engaged in official business by order of the supervisors.
10. Independently, or cooperatively, conduct surveys, investigations, and research regarding farm and range practices and operations.
11. Conduct conservation demonstration projects.
12. Acquire by purchase, exchange, lease or otherwise, any property, real or personal, in order to carry out purposes of the district.
13. Make available to landowners, machinery, equipment, fertilizer, seed and such other material.
14. Develop, publish and bring attention to comprehensive plans for the conservation of soil and water resources within the district.

**RESPONSIBILITIES AUTHORIZED THROUGH FEDERAL LAW AND AGREEMENTS WITH THE UNITED STATES DEPARTMENT OF AGRICULTURE:**

1. Through the Local Work Group and State Technical Committee advise the USDA NRCS on developing priority area assessments, cost-share rates and payment levels, eligible conservation practices, evaluation and ranking processes of local application, education and outreach efforts, program performance indicators and the need for new innovative conservation practices.
2. Approve conservation plans for highly erodible lands and consult with NRCS on contract terminations concerning NRCS Financial Assistance Programs.
3. Carry out program responsibilities in a non-discriminatory manner.
4. Develop conservation plans and provide technical assistance where appropriate.
5. Coordinate Local Planning with Federal Agency Actions and Planning (FLPMA/FPR/NEPA...).

**ACTION ITEMS SUGGESTED TO FURTHER CONSERVATION PROGRAMS AND VISIBILITY OF THE DISTRICT:**

1. Assist in coordinating the resource conservation and development programs that operate within the district.
2. Enlist needed assistance from whatever sources are available.
3. Cooperate with other districts and communities in multi-district resource activities such as resource conservation and development projects, comprehensive resource planning, watershed planning, watershed protection and flood prevention, river basin programs and other resource development projects.
4. Partner with other districts and agencies to pool available resources in addressing conservation issues.
5. Plan activities commemorating Soil Stewardship Week, Earth Day and/or Arbor Day.
6. Publish a newsletter to keep cooperators and the community informed on resource issues in the area.
7. Interact with the local community to understand what the resource concerns are and to gain support for a strong district program.
8. Keep the State Legislators and the U.S. Congressional Delegation informed on district activities and concerns and invite them to your district's meetings.

9. Involve youth groups and public schools in conservation education activities, such as poster contests, field tours and exercises and classroom presentations.

### **Section (1) C: Minimum Requirements for an NRCD**

1. Districts are governed by Arizona State Revised Statutes, Title 37, Chapter 6.
2. NRCD's are quasi political subdivisions of the State of Arizona.
3. District supervisors are public officers and subject to all laws and requirements pertaining to public officials.
4. Districts must meet at least once in any 90 day period. However, it is highly recommended to meet once a month or bi-monthly.
5. All meetings must be held under the **Open Meeting Law (OML)**.
  - Location of posting of meeting notices and agendas must be filed with the Clerk of the County Board of Supervisors. If you change location, you must re-file.
  - A **Notice of Meeting** must be posted in a public place a minimum of 24 hours prior to the meeting.
  - **Agendas** must be posted a minimum of 24 hours before the meeting.
  - **Minutes** (draft) of each meeting must be received at the State Land Department within 72 hours following the meeting.
  - Signed copies of the approved minutes from the previous meeting are to be submitted with the above said draft.
  - Districts should adhere to a regular meeting schedule.
6. Districts with education centers should adhere to AZ OML for their education center meetings.
7. Districts and Education Centers operate on the state fiscal year, beginning July 1, ending June 30.
8. Districts and Education Centers are to submit an **Annual Report and Financial Statement** to ASLD no later than July 20 each year, and apply for state funding annually. **Applications for State Funds**, accompanied by an **Annual Plan of Work**, are due to ASLD June 20 every year.
9. Districts must post a **surety bond** for all state funds.
10. District elections are held the first Saturday in May of even numbered years. Elections are governed by Arizona Revised Statutes Title 37 and Title 16.
11. There must be at least three (3) legally serving supervisors: e.g., oath of office is current and supervisors meet all legal residence requirements.

12. To legally resign from office, a supervisor must send a written **Letter of Resignation** to the NRC Manager.

# SECTION 2

## Section (2) A: PRINCIPLE DUTIES OF DISTRICT OFFICERS

- Officers of the district board are appointed by the board at the first meeting after each election. Chair and Vice-Chair, by state statute, are required officers.
- The Secretary, although optional, is a recommended position responsible for meeting logistics and maintaining a complete record of all proceedings. This is especially true for districts who do not have a paid clerk.
- The Treasurer, often combined with the Secretary, is responsible for all financial accounting. The Treasurer can be a hired accountant rather than a board member. **In any case, the person responsible for district funds and property must be surety bonded.**

### *A. CHAIRPERSON*

1. Prior to scheduled meetings, works out a tentative agenda with input from the Secretary and/or Clerk and all board supervisors and the NRCS District Conservationist. The tentative agenda is also sent to each board supervisor and district cooperator with an attached meeting notice. (Agenda must be available to the public at least 24 hours prior to meeting. A.R.S. § 38-431.02.)
2. Makes certain meeting notices and agendas are extended to all individuals who should attend the meeting and take part in the discussion such as district cooperators; federal, state, and local cooperating/coordinating agencies, local educators, and local political officials, and invited guests.
3. Calls special meetings when necessary and presides at all meetings, and adheres to Robert's Rules of Order.
4. Starts the meeting promptly at the specified time.
5. Appoints committees and delegates responsibility for tasks and projects.
6. Makes certain the board reviews the actions and recommendations of its officers or cooperating/coordinating agencies.
7. Refers regularly to the district's Long-Range Plan and the Annual Plan of Work to ensure that all planned projects are carried out.
8. Recognizes visitors and other individuals present.
9. Encourages participation of all members in discussions.

10. Avoids expressing his or her opinion when necessary.
11. Disposes of each topic properly after adequate discussion.
12. Insists and encourages regular meeting attendance.
13. Closes meeting promptly after all business has been completed.

### ***B. VICE-CHAIRPERSON***

1. Assumes the duties of the Chairperson in their absence.
2. Assists in program organization and in activating the program.
3. Maintains a level of active membership to lead by example.
4. Guides and directs activities of the various committees, as needed.
5. Is familiar with the total program of the district in order to work closely with the Chairperson and to fill in for him/her when necessary.

### ***C. SECRETARY***

**\*Some boards have both a board Secretary and Clerk. The duties below are designated to the board Secretary by Robert's Rules of Order. If a Clerk is employed, it is necessary for the board to provide clear directives as to who will fulfill the below administrative duties of the board.**

1. Keeps a register or roll of all members and calls roll when required.
2. Maintains a complete record of all proceedings of the district meetings.
3. Forwards copies of the minutes to the ASLD. Minutes should meet requirements of Arizona Open Meeting Law and show the following:
  - a. Name of NRCD
  - b. Place of meeting
  - c. Date of meeting
  - d. Time of meeting
  - e. Indication of type of meeting: regular, special, emergency, etc.
  - f. Name of presiding officer.
  - g. Names of those present and absent:
    - (1) Board members present
    - (2) Board members absent
    - (3) Others present: name, title, organization

- h. Record each motion in full, giving name of person making the motion. State if seconded and by whom. State whether motion was adopted or rejected. A motion withdrawn should not be recorded.
- i. Show any points of order or appeal, whether sustained or lost.
- j. Record completely all actions taken by the board.
- k. Brief summary or provide attachments of each report (i.e. agencies and guest organizations).
- l. Signature of chairperson when the draft minutes are approved.

#### ***D. TREASURER***

- 1. Maintains balances of all accounts
  - a. Income
    - i. Money received since last meeting
    - ii. Money due to the district
  - b. Disbursements
    - i. Disbursements made since last meeting
    - ii. Bills payable listed
- 2. Submits a report at every regular board meeting describing activity on all accounts and attains and maintains a corporate surety bond.

#### **Section (2) B: SUGGESTIONS FOR BOARD OF SUPERVISORS & DISTRICT CLERK**

- 1. Know the specific functions of the district. (Refer to: NRCD Law, Open Meeting Law and Rules of the State Natural Resource Conservation Commissioner; informational material furnished by the ASLD, NRCS, AZNRCD, and NACD).
- 2. Review annually all **Memoranda of Understanding** the district has with state and federal agencies, and with operating procedures of the district's cooperative arrangements with individuals, governmental subdivisions, municipalities, organizations, agencies, etc.
- 3. Be familiar with the Natural Resource Conservation District Operations Handbook, the district's Long Range Plan, outline for Annual Plan of Work, outline for Annual Report and other sources of information and instructions for the operations of districts.
- 4. Be familiar with conservation practices of the district.

#### **Section (2) C: SUGGESTIONS FOR BOARD OF SUPERVISORS**

- 1. Review annually the district Long Range Plan.
  - a. Strive continuously to bring unanimity of action among local, state and federal agencies, and all others concerned with the conservation, use or development of land, water and related resources, in order to effectively and expeditiously attain the objectives of the district's Long Range Plan.

- b. Enlist legislators, bankers, newspaper editors, county school superintendents, ministers, etc., to become members of the district conservation team by inviting them to special meetings of the board. Explain: the Long Range Plan; the scientific approach to a solution of problems; the increased value of land operated by conservation-oriented farmers and ranchers; and the effect of better farm and ranch operations upon all of the community business and educational activities.
  - c. Demonstrate, by board action, that the district is a quasi-political subdivision of state government created by and for the local people. Success of the district depends on the initiative exemplified by the members of this governing body and the assistance of all local leaders.
2. Develop an Annual Plan of Work (Business Plan).
    - a. Formally invite the county extension agricultural agent to serve as an advisory member of your board on agricultural information and education matters. At the beginning of each year, request assistance in planning, scheduling and assuming active leadership for conservation meetings, youth activities, tours and demonstrations during the year.
  3. Publish an Annual Report. Have it carried in local newspapers. Send copies to all groups and institutions within the District, to legislators, the Governor, ASLD, NRCS, etc.
  4. Plan to hold a public annual meeting of all district cooperators. Invite other landholders of the District, representatives of civic groups, school officials, P.T.A., luncheon clubs, 4-H, F.F.A., etc. Use part of the day for viewing some outstanding conservation work on the land.
  5. Maintain and update annually a master list of the district cooperators.
  6. Make certain that the district is fully represented in the affairs of both the Arizona and National Associations of Conservation Districts.
  7. Find methods of raising funds to finance the board's minimum essential activities, including the payment of state and national association membership dues. The following activities, among others, are currently carried out by various Arizona Districts, using state funds where authorized:
    - a. Reimbursement of supervisors' traveling expenses to important conservation meetings (locally and nationally).
    - b. Printing of annual reports, and publishing illustrated district information booklets.
    - c. Providing food (barbecue, etc.) at annual district meeting, or on annual conservation field tour.
    - d. Salary for Clerk of the board.

### Individual NRCD Supervisors should consider the following goals:

1. Expose themselves to the principles of soil and water conservation, and in new opportunities in broad natural resource planning. There are many ways of doing this such as attending workshops and being involved with professional organizations like the Soil and Water Conservation Society and the Society for Range Management.
2. Develop basic conservation plans for their own properties.
3. Apply planned conservation practices to the land as far as finances will permit; many of the management practices require no financing.

### Section (2) D: SUGGESTIONS FOR DISTRICT CLERK

The Clerk is often the first representative of the district to meet and greet the public in instances where the job location is situated in a district office. This vitally important position is the direct responsibility of the district board of supervisors during the time of employment. **Therefore, the general priorities of work and a concise job description should be established by the board of supervisors of the district, so that the responsibilities of the Clerk and board Secretary do not overlap.** A Conservation district clerk's role should be to support the work of the district, keep the district organized, and help the board comply with the Arizona Revised Statutes, and acknowledge when the district should attain the services of a professional like an accountant, attorney, or natural resource specialist.

1. Schedule appointments for supervisors.
2. Record and keep all correspondence for the supervisors to review and forward items to the appropriate supervisors.
3. Type district correspondence and respond to correspondence at the discretion of the board.
4. Type public notices of regular meetings for posting.
5. Type final agenda of each board meeting (regular, special, emergency), as directed by the board and NRCS District Conservationist, and have agenda available at least 24 hours prior to the meeting.
6. Mail notices of each board meeting to supervisors and ex-officio members (advisors, ASLD, NRCS, BLM, USFS, etc.) well in advance of scheduled date, including agenda, if possible. Make reminder telephone calls if directed by Chairperson.
7. Record and type minutes of all regular meetings, committees, and subcommittees and make them available to the public and ASLD within 72 hours following the meeting.

8. Mail copies of Notice of Public Meeting, agenda, minutes, and financial reports as directed by the board, including a copy to the ASLD.
9. Type Treasurer's Report if the responsibility is outlined in the job description. Assemble bills for a Treasurer's Report and present for board approval and payment.
11. Type supervisors' travel claims for board approval.
12. Keep records and assist in compiling and consolidating data for regular and special reports (e.g. Annual Plan of Work/Annual Report).
13. Assist in preparing for field days, contests, tours, school programs, educational meetings, Soil Stewardship Week, etc.
14. Anticipate and order office and other supplies as needed and approved by the board.
15. Maintain standardized filing system for the district for minutes, reports, property and equipment, supervisor's certifications, etc.
16. Type Long Range and Annual Plans of Work, and mail approved items to the ASLD and make available for public review. Assist in preparing all standard forms as required by the ASLD and assist the board in complying with all aspects of the Arizona Open Meetings Act.

# Section 3

## **SECTION (3) A: OPEN MEETING LAW**

For specific questions regarding OML, please contact the Secretary of State's Office or the Arizona Ombudsman's Office.

### ***What is the Open Meeting Law?***

Set of laws that were intended to:

- Maximize public access to the governmental process.
- Open deliberations and proceedings to the public.
- Prevent public bodies from making decisions in secret.
- Found at A.R.S. §§ 38-431 through -431.09.

### ***Who MUST comply?***

- "Public Bodies" per A.R.S. § 38-431(6)
- All councils, boards, commissions of the state or political subdivisions.
- Multimember governing bodies of departments, agencies, institutions and instrumentalities of the state or political subdivisions.
- Includes corporations or other instrumentalities whose boards of directors are appointed.
- The definition also includes...
  - Standing committees, special committees, and **advisory committees and subcommittees** of, or appointed by, the public body.

### ***Statutory Requirements:***

- Secretary of State, Clerk of the County Board of Supervisors, and City/Town clerks must conspicuously post open meeting law materials prepared and approved by the Attorney General's Office on their website. Chapter 7 of the Arizona Agency Handbook, Revised July 2010
- **All persons elected or appointed to a public body must review the materials at least one day before taking office.**

### ***What Must a Public Body Do?***

- Provide notice
- Have an agenda
- Meet in public
- Permit public to attend, Exception: authorized executive sessions
- Take all action in public
- Prepare meeting minutes

### ***What is a Meeting?***

- A.R.S. § 38-431(4), "Meeting" is a gathering, in person or through technological devices.
- Of a quorum of a public body to:
  - Discuss
  - Propose
  - Deliberate
  - Take legal action

***What is a quorum?***

Majority of the public body – A.R.S. § 1-216(B) (unless specific statutory provision specifies a different number)

\*That includes vacant seats unless otherwise specified by law.

- 5 persons /quorum = 3

***Telephone Conferencing?***

- Approve this practice for board members only, or both members and the public
- Include a statement about it on the notice and the agenda
- Must be audible
- Provide information in minutes

**SECTION (3) B: MEETING NOTICES*****The “Initial” Notice (aka disclosure statement)***

- A.R.S. § 38-431.02 Tells public where individual **meeting notices** will be posted (must include both physical and electronic locations, if an electronic location exists).
- Must be posted on public body’s website.
- Cities and Town may use association of cities and towns website.
- **Special districts may file it with the County Clerk. NRCs now can file their “Initial Notice/Disclosure Statement” with the County Clerk instead of the Secretary of State’s Office.**

See the example of a disclosure statement below:

***STATEMENT OF LOCATIONS WHERE ALL NOTICES OF THE MEETINGS OF THE [NAME OF PUBLIC BODY] WILL BE POSTED***

*Pursuant to A.R.S. § 38-431.02, the [name of public body] hereby states that all notices of the meetings of the [name of public body] and any of its committees and subcommittees will be posted [identify the location where notices will be posted and include the hours during which such locations are open to the public, for example, "in the lobby of the State Capitol located at 1700 West Washington, Phoenix, Arizona, and at the press room of the State Senate Building, 1700*

*14 West Washington, Phoenix, Arizona. Both locations are open to the public Monday through Friday from 8:00 a.m. to 5:00 p.m. except legal holidays."] Such notices will indicate the date, time, and place of the meeting and will include an agenda or information concerning the manner in which the public may obtain an agenda for the meeting. Dated this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.* [name of public body] By [authorized signature]

***Notice of Meetings***

- A.R.S. § 38-431.02(C)
- Provided 24 hours in advance of meeting
- To all members of the public body
- To the general public
- 24 hours may include Saturdays **IF** the public has access to the physical posting location. May not include Sundays or other legal holidays prescribed under A.R.S. § 1-301.

Exceptions:

- Recess and resume
- Actual emergencies
- 

See the example of meeting notice below:

***NOTICE OF REGULAR MEETINGS OF THE  
[NAME OF PUBLIC BODY]***

*Pursuant to A.R.S. § 38-431.02(F), notice is hereby given to the members of the [name of public body] and to the general public that the [name of public body] will hold regular meetings on the [specific day of month] of each month during the year [year]. The meetings will begin at [time] and will be held at [exact location]. A copy of the agenda for the meeting will be available at [location where the agenda will be available] at least twenty-four hours in advance of the meeting. Dated this day of , 20 .  
[name of public body]  
By [authorized signature]*

***Contents of Notice?***

- The name of the public body
- Date, time, and place of meeting
- Address and room number
- Must include an agenda **OR** inform the public how to obtain a copy of the agenda

***Posting the Notice?***

- Must be posted in all location identified in the initial notice (disclosure statement).
- This must be a location where the public has access.
- Must post it on website (exception for special districts that may not have one).
- Must give additional notice that is reasonable and practicable.

***A few tips on posting notices!***

- Make sure it can't be removed.
- Make sure front and back can be read.
- Document when the notice/agenda was posted
- Need a regular, routine business practice
- Clerk marks time of posting with initials
- Date / time stamp at exact time of posting

***Recess and Resume***

- A public body may recess and resume a properly noticed meeting to a later time or date by making an announcement at the meeting what agenda items will be covered.

## **SECTION (3) C: EMERGENCY MEETINGS**

### ***Emergency Meetings***

#### ***A.R.S. § 38-431.02(D) and Agency Handbook section 7.7.9***

- In case of “actual emergency,” law permits the board to meet, discuss and decide matters with less than 24 hours’ notice.
- What constitutes an “actual emergency”?
  - Due to unforeseen circumstances, immediate board action is necessary to avoid a serious consequence that would result from waiting until proper notice could be provided.

### ***Emergency Meeting Requirements***

- Aside from the 24 hour notice requirement, all Open Meeting Law requirements still apply
- Provide notice as soon as possible
- Announce in public the reasons necessitating emergency action
- Include reasons in the meeting minutes
- Post a notice stating the emergency session occurred and providing the information required on a normal agenda within 24 hours after the meeting

### ***Social Events & Seminars***

- You might consider posting a “courtesy agenda” announcing the event and explain that a quorum might be present
- Identify date, time, and purpose (location details will vary depending on event)
- State that no business of the public body will be discussed and no legal action will be proposed or taken
- Members must be scrupulous to avoid improper discussion

## **SECTION (3) D : MEETING AGENDAS**

### ***The Agenda***

#### ***A.R.S. § 38-431.02(H)***

- Must list the specific matters to be: discussed, considered or decided
- Must include information reasonably necessary to inform the public
- All discussion must be reasonably related to an adequately described agenda item.

### ***Common Agenda Problems***

- Using language a regular person would not understand
  - Legalese
  - Acronyms (without first spelling it out)
  - Agency slang
- Using general categories without details
  - “New Business”
  - “Old Business”
  - “Personnel”

- “Reports”
- Current Events – A.R.S. § 38-431.02(K) Chief administrator, presiding officer or a member of a public body may present a brief summary of current events without listing in the agenda the specific matters to be summarized provided that “Current Events” is an agenda item & public body does not propose, discuss, deliberate or take legal action
- If it’s not on the agenda...You cannot discuss it! New items must wait for a future meeting.

See the example of meeting agenda below:

**Sample Notice and Agenda of Public Meeting and Executive Session  
NOTICE AND AGENDA OF MEETING OF THE  
ARIZONA COMMISSION ON THE ENVIRONMENT**

*Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Arizona Commission on the Environment and to the general public that the Arizona Commission on the Environment will hold a meeting open to the public on January 21, 2000, beginning at 8:30 a.m. in Room 201, Health Building, 1740 West Adams, Phoenix, Arizona. As indicated in the following agenda, the Arizona Commission on the Environment 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:***

***I. Call to Order.*** (Chairman)

***II. Approval of Minutes*** of October 19, 1999 Meeting.)

***III. Committee Reports.*** (Oral reports of the following committees and discussion thereon.)

*1. Computer Committee. Report by the chair of the Commission's Advisory Committee on proposals for acquiring a new computer system for the Commission.*

***The Board may vote to enter into executive session at this time.***

***IV. Personnel.***

*1. Consideration of applicants for Director of the Commission. The Commission may vote to discuss this matter in executive session pursuant to A.R.S. § 38-431.03(A)(1). The names of the applicants may be obtained by contacting the Commission's Executive Secretary.*

*2. Selection of Director of the Commission. The Commission may defer a decision on this matter to a later date.*

*7-36 Revised 2012*

***V. Litigation.***

*1. State v. Acme Polluters. Discussion and decision concerning possible settlement. The Commission may vote to discuss this matter with the Commission's attorneys in executive session pursuant to A.R.S. § 38-431.03(A)(3) and (4). The Commission may decide the matter in the public meeting or defer decision to a later date.*

*2. Instituting Litigation. Discussion with and instruction to the Commission's attorneys concerning the filing of an enforcement action against The Brown Corporation. The Commission may discuss this matter in executive session*

*pursuant to A.R.S. § 38-431.03(A)(2), (3), and (4). The Commission may decide the matter in the public meeting or defer decision to a later date.*

***The Board may vote to adjourn executive session.***

***VI. Consent Agenda.***

*Approval of routine warrants, purchase orders, travel claims, employee leave and transfer requests, and employee resignations. (Documentation concerning the matters on the consent agenda may be reviewed at the Commission's office.) Any matter on the Consent Agenda will be removed from the Consent Agenda and discussed as a regular agenda item upon the request of any Commission member.*

- 1. Approval of purchase order numbers 1204, 1205, and 1206 for purchase of computer equipment.*
- 2. Approval of travel claims for employees John Q. Smith and Mary M. McGee.*
- 3. Approval of resignation of Daniel Warren and resolution to thank Daniel Warren for ten years of service.*

***VII. Call to the Public.***

*This is the time for the public to comment. Members of the Board may not discuss items that are not on the agenda. Therefore, action taken as a result of public comment will be limited to directing staff to study the matter or scheduling the matter for further consideration and decision at a later date.*

***VIII. Summary of Current Events.***

*The chief administrator, presiding officer or a member of the board may present a brief summary of current events pursuant to A.R.S. § 38-431.02(K). The Board will not discuss or take action on any current event summary.*

*7-37 Revised 2012*

***IX. Future Meeting Dates and Items for Future Agendas.***

*The Board may discuss future dates for meetings and direct staff to place matters on future agendas.*

*A copy of the agenda background material provided to Commission members (with the exception of material relating to possible executive sessions) is available for public inspection at the Commission's office, Room 402, Health Building, 1740 West Adams, Phoenix, Arizona.*

*Dated this 7th day of January, 2000.*

**ARIZONA COMMISSION ON THE ENVIRONMENT**

**Chris Jones  
Executive Secretary**

*Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting [name, telephone number, TDD telephone number]. Requests should be made as early as possible to arrange the accommodation.*

## **SECTION (3) E : MEETING LOCATIONS AND PUBLIC RIGHTS**

### ***Meeting Location Pitfalls***

- Inaccessible
  - A board member's house
  - Remote location
  - Inaudible
  - Not enough room
  - Unreasonable times

### ***Virtual Meetings***

- You may have a meeting through the Internet or other online medium. So long as the public body meets all the open meeting law requirements and promotes public access:
  - Provide clear notice/agenda
  - Facilitate access
  - Maintain meeting minutes
  - Properly preserve all documents created
  - Seek legal guidance

### ***Public's Rights***

- Attend
- Listen
- Tape record
- Videotape
- **Note:** Public body cannot require attendees to identify themselves or sign (unless they are making a presentation)
- **Public has NO Right to:**
  - Speak
  - Disrupt
    - Practical Pointer: make a good record of warnings in minutes.

### ***Calls to the Public***

#### ***A.R.S. § 38-431.01(H)***

- Optional (unless required by other laws)
- Time, manner, place restrictions
  - Can limit time (egg timer)
  - Ban Repetition
    - May require speakers on the same side with no new comments to select a spokesperson
    - Prohibit disruptive behavior

## **SECTION (3) F : EXECUTIVE SESSIONS**

### *Executive Sessions*

- Public excluded
- Only permitted for specific matters
  - A.R.S. §§ 38-431.03(A)(1) through (7)
- Must include possibility of executive session in the meeting notice and agenda
- Must vote to enter executive session
- Discussion is confidential
- **No action/voting/decision making permitted!**
- Must have minutes or recording for the public organization's files only, not for public viewing.

### *Should You Have an Executive Session?*

- Just because you CAN have one, should you?
- Consider: Public suspicion vs. Actual need
- **Reasons to legally have an executive session:**
  - Discussion or consideration of personnel matters (employment, assignment, appointment, promotion, demotion, dismissal, salaries, discipline or resignation)
  - Discussion or consideration of records exempt by law from public inspection
  - Discussion or consultation for legal advice with the attorney or attorneys
  - Discussion and consultation with attorneys to consider litigation, contract negotiations, and settlement
  - Discussion regarding negotiation with employee organizations about salary, salary schedules, or compensation paid in the form of fringe benefits
  - International, Interstate, and Tribal Negotiations
  - Discussion regarding negotiations for the purchase, sale, or lease of real property

### *Executive Session Notice/Agenda (See the above example)*

- Notice must include the statutory section authorizing the executive session
- Agenda must provide a general description of the matters to be discussed or considered
  - Needs to be more than a statutory citation
  - Need not contain information that would:
    - Defeat the purpose of the executive session
    - Compromise the privacy of a public officer, appointee, or employee
    - Compromise the attorney-client privilege

### *Who May Attend Executive Sessions?*

#### **A.R.S. § 38-431(2)**

- Members of public body
- Persons subject to a personnel discussion
- Individuals whose presence is reasonably necessary in order for the public body to carry out its executive session responsibilities
- Auditor general
- Clerk to take minutes/run tape

- Attorney to give legal advice
- **Tip: Put on the record why individuals attending are reasonably necessary**

### ***Executive Session Pitfalls***

- Inappropriate disclosure
  - What happens in executive session stays in executive session!
  - Chair must remind members about the confidentiality requirement every time.
    - A.R.S. § 38-431.03(C)
- Taking legal action - is prohibited. All votes must take place in public!

### ***Executive Session Minutes***

#### ***A.R.S. § 38-431.01(B)***

- Minutes or recording required
- Caution: Pursuant to A.R.S. § 39-101, permanent records must be on paper.
- Tape recordings – must be retained for at least 3 months, but no more than 5 years!
- Shall include the following:
  - Date, time and place of meeting
  - Members present & absent
  - General description of matters considered
  - An accurate description of all instructions given
  - Such other matters as deemed appropriate by the public body
- Shall be kept confidential (A.R.S. § 38-431.03(B)) Must have minutes or recording for the public organization's files only, not for public viewing. Burden of proof – Fisher case

### ***Access to Executive Session Meeting Minutes***

- Meeting minutes of executive session shall only be released to:
  - Members of the public body
  - Officers, appointees, or employees who were the subject of discussion or consideration (only that portion)
  - Auditor general in connection with an audit
  - County attorney, attorney general or ombudsman when investigating alleged violations

## **SECTION (3) G : MEETING MINUTES**

### ***Content of Regular Meeting/Public Meeting Minutes***

- Date, time and place of meeting
- Members present & absent
- General description of matters considered
- Accurate description of legal action
- Names of members who propose each motion
- Names of persons, as given, making statements
- or presenting material to the public body; and
- A reference to the legal action about which they made statements or presented material

### *Access to Public Meeting Minutes*

- Minutes or a recording shall be open to public inspection 3 working days after the meeting
- Post legal actions taken or any recording on website within 3 working days
- Post approved meeting minutes on website within two working days following approval
  - Posting must remain on website for one year
- Subcommittees and advisory committees must:
  - Take written minutes or record all meetings, including executive sessions

## **SECTION (3) H : CIRCUMVENTION AND RATIFICATION**

### *Circumvention*

- Cannot use any device to circumvent the law.
- Serial communications (verbal, written, electronic, etc.)
- Letters - series of letters from one member to the next would violate OML
- E-mail – occurring at different times will still constitute a “meeting” in violation of the OML
  - Simultaneity is not required for there to be a “meeting”
  - Cannot use e-mail among a quorum to:
    - Propose legal action
    - Discuss legal action
    - Deliberate on legal action
    - Take legal action
- There is no distinction between discussing facts vs. discussing opinions among a quorum
- Deliberation = “collective acquisition and exchange of facts preliminary to a final decision”
- Therefore, 2-way discussion of facts (among quorum) regarding potential board business = violation
- **The board might consider a statement on e-mail that provides:** “To ensure compliance with the Open Meeting Law, recipients of this message should not forward it to other members of the Board. Members of the Board may reply to this message, but they should not send a copy of their reply to other members.”
- Passive receipt of information from staff, without more, does not violate the open meeting law. Example: board packets
- A single board member may violate the OML if they propose legal action among a quorum outside a properly noticed meeting
- Proposing an item for the agenda does not propose legal action. Communicate the TOPIC only, NOT the legal action you want the board to take
- Members may express opinions and discuss issues with the public at a venue other than a public meeting, personally, through the media or other public broadcast so long as it is not intended to circumvent the open meeting law. This means: Discussion or opinion must not be principally directed at or directly given to other board members. There is no plan to engage in collective deliberation to take legal action

### *When in Doubt?*

- RESOLVE ALL DOUBTS IN FAVOR OF OPENNESS.
- Remember: legal action taken during a meeting held in violation of any provision of the open meeting law is null and void unless ratified

***What to do when you Learn that a Potential OML Violation has Occurred.***

- If in the thick of things = Recess/Assess
- Can you resolve the issue and continue?
- Does the particular OML violation taint your whole meeting? Maybe not – AG
- 72 Opinion I08-001

***After the meeting...***

- Determine if you need to ratify any actions
- Provide refresher OML training to staff involved
- If you receive a complaint: Be candid; respond promptly
- Provide materials that help you: minutes, ratification materials, videotapes, etc.

***Ratification***

***A.R.S. § 38-431.05***

- Within 30 days after discovery of the violation or when should have been discovered with reasonable diligence
  - Tanque Verde Unified School Dist. v. Bernini, 206 Ariz. 200, 76 P.3d 874 (App. 2003) (30 days after court ruling OK)
- Notice 72 hours before the meeting
  - Description of action to be ratified
  - Clear statement that the body proposes to ratify a prior action
  - Information on how to obtain detailed written description of the action
    - Written description includes:
      - Action to be ratified
      - All of the preceding deliberations, consultations and decisions that preceded and related
      - Must be included in minutes

***Penalties***

***A.R.S. § 38-431.07(A)***

- Members and any persons who aid, attempt, or agree to aid –
  - Civil penalty up to \$500 for each violation
  - Such equitable relief as the court deems appropriate
  - Reasonable attorneys' fees
- If intent to deprive the public of information –
  - Court may remove public officer from office and
  - Charge officer and any person that aided, agreed to aid, or attempted

## **SECTION (3) I : OPEN MEETING LAW RESOURCES**

### *Open Meeting Law Resources*

- Arizona Agency Handbook, Chapter 7, [www.azag.gov](http://www.azag.gov)
- Ombudsman Publications
- Ombudsman website [www.azoca.gov](http://www.azoca.gov)
- Department of Library, Archives, and Public Records [www.lib.az.us](http://www.lib.az.us)
- Case law
- Attorney General Opinions [www.azag.gov](http://www.azag.gov) or <http://azmemory.lib.az.us/>

All information provided in this Section is from the AZ Ombudsman's Office OML Training:  
[http://www.psprs.com/Admin\\_Training/Training%20Powerpoints/2012%20PS%20Powerpoints/general%20OML%20.pdf](http://www.psprs.com/Admin_Training/Training%20Powerpoints/2012%20PS%20Powerpoints/general%20OML%20.pdf)

# **SECTION 4**

## **SECTION (4) A: STATE SUPPLEMENTAL FUNDS**

### **37-1014. State financial assistance; application; criteria**

A. The commissioner shall include in the annual state land department budget request a sum of not more than forty thousand dollars for each district and sixty thousand dollars for each education center for distribution by the commissioner to those natural resource conservation districts that have applied for, have met the criteria for and have been approved for receiving state financial assistance, as provided in this section.

B. Any district or education center desiring to receive state financial assistance for the next ensuing fiscal year shall apply to the commissioner not later than June 20, on a form supplied by the division of natural resource conservation. Each application shall include:

1. The number of acres of land lying within the district.
2. The extent of conservation programs or education center programs proposed to be undertaken during the fiscal year for which the financial assistance is being requested.
3. Any audits that are requested by the commissioner.

C. On receipt of the application, the commissioner shall determine whether or not such funds for the district or education center will be included in the budget request for the state land department and shall promptly notify the district of that determination.

(This accounts for the NRCD direct payment.)

### **37-1015. Environmental special plate fund; distribution**

A. An environmental special plate fund is established and is administered by the commissioner consisting of monies received pursuant to section 28-2413.

B. Subject to legislative appropriation, the department shall distribute five thousand dollars annually to each natural resource conservation district with an established education center for the purpose of developing and implementing an environmental education program that is conducted in a balanced manner, that is based on current scientific information and that includes a discussion of economic and social implications.

C. Subject to legislative appropriation, the department shall distribute grants as directed pursuant to section 41-2252.

D. The fund established in this section is exempt from the provisions of section 35-190 relating to lapsing of appropriations. On notice from the commissioner, the state treasurer shall invest and divest monies in the fund as provided by section 35-313, and monies earned from investment shall be credited to the fund.

E. The appropriated monies shall only be used for the designated purposes specified in statute.  
(This accounts for the pass through education center payment.)

### **General Appropriations Report Footnote:**

Of the amount appropriated for the NRCDs, \$30,000 must be used to provide grants to the NRCD environmental education centers. (This accounts for the direct education center payment and is funded by the ESPF, not the GF.)

**Accounting procedures:**

It is suggested that a uniform accounting system be adopted by all conservation districts in order to insure conformity with the Commissioner's directive on accounting for State funds. A uniform chart of accounts recommended for districts is included in this section. Many districts have multiple funding sources to which they must be accountable. Adopting an accounting system that makes the task of balancing multiple accounts much easier like QuickBooks is recommended.

**Accounting records:**

The cash receipts journal and the cash disbursements journal included in this section should be used as a guide. These forms are designed to separately control State and local funds, as well as to facilitate the preparation of the annual financial report referred to below. Attention must be given to the balance of State funds available to insure that expenditures do not exceed available funds.

**Annual financial report:**

Each year all districts must file an annual financial report with the State Land Department's Division of Natural Resource Conservation. This report is due by July 31<sup>st</sup> and should include statement of revenues, expenditures and final balances of all accounts the district administers (See pages 46 and 61). It is recommended districts engage a Certified Public Accountant to audit their accounts annually. The accountant's certification should state that the funds were expended in accordance with the guidelines set forth in this manual.

**SECTION (4) B. NRCD FINANCIAL REPORTING REQUIREMENTS****Forms are available online!!!!**

- Due June 20<sup>th</sup>
  - NRCD Applications for State Supplemental Funds (ASLD Standard Forms)
    - NOTE: 2 may be necessary – 1 for NRCD Supplemental Funds, 1 for NRCD Environmental Special Plate (Pass Through) Funds
    - NOTE: The applications are for one FY ahead of the Annual Plan of Work. This is because the state budget planning at the Governor's Office level begins in the fall each year. For instance, if it is currently June of FY 2015 that fall, which is FY 2016, the Governor's Office will require each agency submit a budget request for FY 2017 to be approved of during the FY 2016 legislative session.
  - NRCD Plan of Work (ASLD Standard Form)
  - **PLEASE SEE THE FOLLOWING PAGES FOR EXAMPLES OF THESE DOCUMENTS**

**ARIZONA STATE LAND DEPARTMENT**  
**Natural Resource Conservation District**  
**APPLICATION FOR STATE SUPPLEMENTAL FUNDS**

**Due Date: June 20<sup>th</sup> 2015**

District: \_\_\_\_\_ Acres: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ Zip: \_\_\_\_\_

**CONSERVATION PROGRAM PROPOSED:**

**FY 2017**

**REVENUES**

	<b>(1) Budget Request</b>	<b>(2) District Funds Anticipated</b>
	<b>FY 2016</b>	<b>FY 2016</b>
	Begins July 1, 2016	Begins July 1, 2016
source) _____	\$ _____	\$ _____ (identify
	(not to exceed \$40,000)	
source) _____		\$ _____ (identify
source) _____		\$ _____ (identify

**EXPENDITURES**

**SUPERVISORS EXPENSE**

per diem and travel \$ \_\_\_\_\_ \$ \_\_\_\_\_

**OFFICE OPERATIONS**

salaries and related expenses \$ \_\_\_\_\_ \$ \_\_\_\_\_

rent, legal and audit fees, insurance and bonds, office

supplies, postage, telephone, office machine repair,

meeting expenses, subscriptions, other (identify) \$ \_\_\_\_\_ \$ \_\_\_\_\_

**CONSERVATION PROGRAMS**

- newsletter, annual report, long-range plan, annual plan, supervisor election \$ \_\_\_\_\_ \$ \_\_\_\_\_
- dues: NACD, AZ NRCD, other (identify) \$ \_\_\_\_\_ \$ \_\_\_\_\_
- contributions (identify) \$ \_\_\_\_\_ \$ \_\_\_\_\_
- youth education program (identify) \$ \_\_\_\_\_ \$ \_\_\_\_\_
- conference expenses (identify) \$ \_\_\_\_\_ \$ \_\_\_\_\_
- other (identify) \$ \_\_\_\_\_ \$ \_\_\_\_\_

**EQUIPMENT OPERATIONS**

\$ \_\_\_\_\_ \$ \_\_\_\_\_

**CAPITAL INVESTMENTS**

office and other equipment over \$5000 in value

(attach detail)

\$ \_\_\_\_\_ \$ \_\_\_\_\_

**TOTAL EXPENDITURES**

- FROM STATE FUNDS

\$ \_\_\_\_\_

- FROM LOCAL FUNDS

\$ \_\_\_\_\_

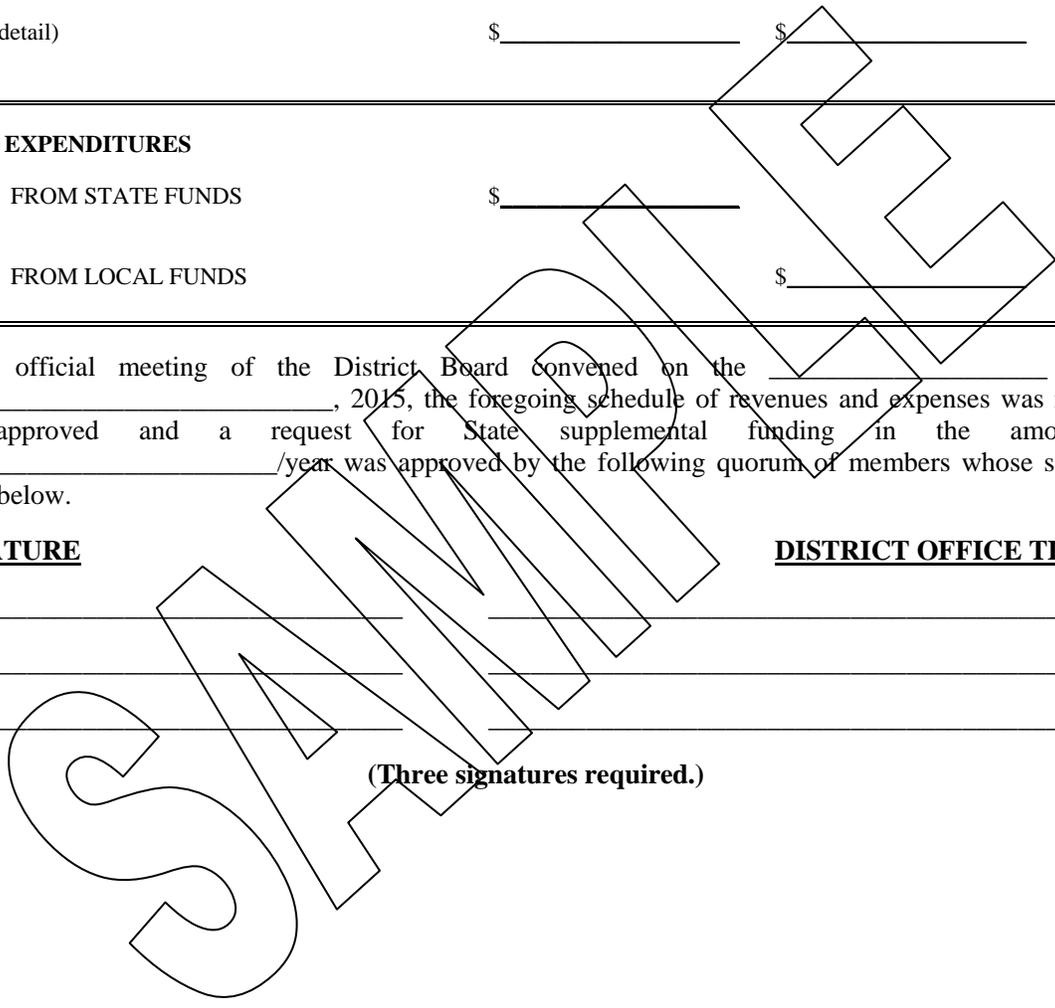
At an official meeting of the District Board convened on the \_\_\_\_\_ day of \_\_\_\_\_, 2015, the foregoing schedule of revenues and expenses was reviewed and approved and a request for State supplemental funding in the amount of \$ \_\_\_\_\_/year was approved by the following quorum of members whose signatures appear below.

**SIGNATURE**

**DISTRICT OFFICE TITLE**

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**(Three signatures required.)**



# Arizona State Land Department

NRC D Sponsored Education Centers

Application for ESP Funds

Due Date: June 20<sup>th</sup> 2014

District Name: \_\_\_\_\_ e-mail \_\_\_\_\_

Education Center Name: \_\_\_\_\_ e-mail: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ Zip: \_\_\_\_\_

**SPONSORING NRC D(s):** \_\_\_\_\_

**EDUCATION PROGRAM PROPOSED:**

---



---



---

**FY 2017**

**REVENUES**

**(1) Budget Request  
FY 2017**

Begins July 1, 2016

\$ \_\_\_\_\_

(not to exceed \$5,000)

**(2) Center Funds Anticipated  
FY 2017**

Begins July 1, 2016

\$ \_\_\_\_\_

(ESP)

\$ \_\_\_\_\_

\_\_\_\_\_ (identify source)

**EXPENDITURES**

**OFFICE OPERATIONS**

per diem and travel \$ \_\_\_\_\_ \$ \_\_\_\_\_

salaries and related expenses \$ \_\_\_\_\_ \$ \_\_\_\_\_

\$ \_\_\_\_\_ \$ \_\_\_\_\_

**EDUCATION ACTIVITIES**

• newsletter, annual report, annual plan \$ \_\_\_\_\_ \$ \_\_\_\_\_

• dues \$ \_\_\_\_\_ \$ \_\_\_\_\_

• contributions \$ \_\_\_\_\_ \$ \_\_\_\_\_

- education program \$ \_\_\_\_\_ \$ \_\_\_\_\_
- conference expenses \$ \_\_\_\_\_ \$ \_\_\_\_\_

**CAPITAL INVESTMENTS**

office and other equipment over \$5000 in value  
 (attach detail) \$ \_\_\_\_\_ \$ \_\_\_\_\_

**TOTAL EXPENDITURES**

- FROM STATE FUNDS \$ \_\_\_\_\_
- FROM CENTER FUNDS \$ \_\_\_\_\_

At an official meeting of the \_\_\_\_\_ NRCB Board convened on the  
 \_\_\_\_\_ day of \_\_\_\_\_, 2015, the foregoing schedule of revenues and expenses was  
 reviewed and approved and a request for State supplemental funding was approved by the following quorum of members whose  
 signatures appear below:

**NRCB SIGNATURE**

**DISTRICT OFFICE TITLE**

_____	_____
_____	_____
_____	_____
_____	_____

(Three signatures required.)

# NRCD Annual Plan of Work

District Name: \_\_\_\_\_

Mission Statement: \_\_\_\_\_

## Supervisors

Member: \_\_\_\_\_ Title: \_\_\_\_\_

Staff: \_\_\_\_\_ Title: \_\_\_\_\_

Staff: \_\_\_\_\_ Title: \_\_\_\_\_

District Contact information: \_\_\_\_\_

\_\_\_\_\_

Location of Regular Board Meetings: \_\_\_\_\_

\_\_\_\_\_

Date and time of Regular Board Meetings: \_\_\_\_\_

\_\_\_\_\_

District History/Powers/Authorities: \_\_\_\_\_

\_\_\_\_\_

Priority Natural Resource Concerns for our District: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Partners/Collaborators/Volunteers: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**ATTACH A DISTRICT MAP WITH THIS PDF**

**OVERARCHING ONE YEAR GOALS**

E.G. Water Conservation

- 1.) \_\_\_\_\_  
\_\_\_\_\_
- 2.) \_\_\_\_\_  
\_\_\_\_\_
- 3.) \_\_\_\_\_  
\_\_\_\_\_
- 4.) \_\_\_\_\_  
\_\_\_\_\_

**SPECIFIC OBJECTIVES**

Aka actions and tasks

E.G. Help implement and encourage water conservation practices on 4 farms and 2 ranches within the next year.

- 1.) \_\_\_\_\_  
\_\_\_\_\_

2.) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3.) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4.) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**FUNDING SOURCES**

(Note if money is available or lacking)

E.G. Water conservation implementation – State funds, District funds, donations, NRCS grants

(Lack sufficient funds by approximately \$500)

1.) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2.) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3.) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4.) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**WHO WILL DO THE WORK?**

E.G. Water conservation implementation - Board of Supervisors, cooperators, and NRCS Staff

1.) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2.) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3.) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4.) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**WHEN WILL THE WORK BE DONE?**

Timelines, Schedules, Deadlines

E.G. Water conservation implementation – All year, deadline October 1, 2015.

1.) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2.) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3.) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4.) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

This Annual Plan of Work for the \_\_\_\_\_ NRCD was accepted and approved on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Three Board Member signatures required:

Signature \_\_\_\_\_

Signature \_\_\_\_\_

Signature \_\_\_\_\_

Signature \_\_\_\_\_

Signature \_\_\_\_\_

**Forms are available online!!!!**

- Due July 20<sup>th</sup>
  - NRC Annual Report (ASLD Standard Form) with Annual Financial Statement (ASLD Standard Form)
  - **PLEASE SEE THE FOLLOWING PAGES FOR EXAMPLES OF THESE DOCUMENTS**

# *NRCD Annual Report*

Welcome to the \_\_\_\_\_ Natural Resource Conservation District’s (NRCD) Annual Report. My name is \_\_\_\_\_, as Chair of the \_\_\_\_\_ NRCD I would like to take a moment and explain what an NRCD is and inform you about the mission of our Board.

NRCD history is rooted in the problems of soil erosion from agricultural production of the Dust Bowl era. The Federal Government established the now Natural Resources Conservation Service (NRCS) to develop and demonstrate improved farming methods to help conserve our nation’s soil resources. NRCDs were conceived as the mechanism to involve and coordinate with local landowners on the voluntary implementation of NRCS conservation practices on private lands. States were encouraged by the Federal Government to adopt a “Standard Soil Conservation District Law” that allowed for the establishment Conservation Districts as entities of state government. Arizona passed its Conservation District Law in 1942 (Laws, 1941, Ch. 43, § 2).

Arizona NRCD Law grants its Conservation Districts the authority to:

Provide for the restoration and conservation of lands and soil resources of the state, the preservation of water rights and the control and prevention of soil erosion, and thereby to conserve natural resources, conserve wildlife, protect the tax base, protect public lands and protect and restore this state's rivers and streams and associated riparian habitats, including fish and wildlife resources that are dependent on those habitats, and in such manner to protect and promote the public health, safety and general welfare of the people. (A.R.S. § 37-1001 (A))

As mandated by the State of Arizona, our mission statement addresses the conservation of our State’s natural resources:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_, adopted on this date: \_\_\_\_\_

In past year, we have focused our efforts on:

- |           |           |
|-----------|-----------|
| 1.) _____ | 4.) _____ |
| 2.) _____ | 5.) _____ |
| 3.) _____ | 6.) _____ |

We are most proud of accomplishing the following project(s):

\_\_\_\_\_  
\_\_\_\_\_

The Board is always looking ahead. If you have any concerns or comments on natural resource related issues you would like us to address, the Board can be reached by contacting:

Name: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Email: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Other: \_\_\_\_\_

We look forward the hearing from you and welcome you to our next board meeting.

Sincerely,

\_\_\_\_\_, Chair of the Board

**This past year's goals were:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**This past year's objectives to meet these goals were:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**These goals and objectives were our priorities because:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**We accomplished the following projects and have attached pictures:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**We were provided funding for our projects this last year by:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Volunteers:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**The benefits of accomplishing our goals are the following:**

\_\_\_\_\_  
\_\_\_\_\_

---

---

**Those who benefited the most from our accomplishments were:**

---

---

---

---

**This last year the Board partnered with the various federal, state, and local government agencies, individuals and businesses listed below.**

- 1.)
- 2.)
- 3.)
- 4.)
- 5.)
- 6.)
- 7.)
- 8.)
- 9.)
- 10.)

SAMPLE

## NRC D Financial Statement

July 1, 2014 - June 30, 2015

INCOME	State Account	Local Account	
State Funds	\$	Beginning Balance	\$
		Contributions	
		Grants	
		Sales	
		Other (itemize)	
<b>TOTAL INCOME</b>	<b>\$</b>	<b>TOTAL INCOME</b>	<b>\$</b>
<hr/>			
EXPENSES:	State Account	Local Account	
Salaries			
Office			
Supervisor			
Program:			
Dues			
Contributions			
Conference attendance			
Workshop expenses			
Field day expenses			
Newsletter / Annual Report			
Election expenses			
Other (Describe)			
<b>TOTAL STATE EXPENSES</b>	<b>\$</b>	<b>TOTAL LOCAL EXPENSES</b>	<b>\$</b>
<hr/>			
<b>BALANCE STATE ACCOUNT</b>	<b>\$</b>	<b>BALANCE LOCAL ACCOUNT</b>	<b>\$</b>

If you would like to attend one of our meetings, they are held continuously at the following location(s):

\_\_\_\_\_

Month: \_\_\_\_\_

Date: \_\_\_\_\_

Time: \_\_\_\_\_

NRCD supervisor elections and appointments take place every two years on even number years. The Board also accepts individuals as advisors for anyone interested in offering their skills and expertise for conservation. If anyone is interested in serving on the board or working with the board please contact us. Our current board members serve in various capacities in the community and personally own several businesses. Below are their names and capacities on the Board.

Member: \_\_\_\_\_ Title: \_\_\_\_\_

This Annual Report of the \_\_\_\_\_ NRCD was accepted and approved on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Three Board Member signatures required:

Signature \_\_\_\_\_

Signature \_\_\_\_\_

Signature \_\_\_\_\_

Signature \_\_\_\_\_

Signature \_\_\_\_\_

## **SECTION (4) C. EDUCATION CENTER FINANCIAL REPORTING REQUIREMENTS**

### **Forms are available online!!!!**

- Due June 20<sup>th</sup>
  - Education Center Application for State Supplemental Funds (ASLD Standard Form)
  - Education Center Plan of Work (ASLD Standard Form)
  - **PLEASE SEE THE FOLLOWING PAGES EXAMPLES OF THESE DOCUMENTS**

## Arizona State Land Department NRCD Education Center Funds

### Direct Payment

Due Date: June 20<sup>th</sup> 2015

District: \_\_\_\_\_ Acres: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ Zip: \_\_\_\_\_

**ENVIRONMENTAL EDUCATION PROGRAM PROPOSED:**

---



---



---

**FY 2017**

**REVENUES**

**(1) Budget Request  
FY 2017**  
Begins July 1, 2016

**(2) District Funds Anticipated  
FY 2017**  
Begins July 1, 2016

\$ \_\_\_\_\_  
(not to exceed \$60,000)

\$ \_\_\_\_\_  
(identify source)

\$ \_\_\_\_\_  
(identify source)

**EXPENDITURES**

**SUPERVISORS EXPENSE**  
per diem and travel

\$ \_\_\_\_\_

\$ \_\_\_\_\_

**OFFICE OPERATIONS**  
salaries and related expenses

\$ \_\_\_\_\_

\$ \_\_\_\_\_

\$ \_\_\_\_\_

\$ \_\_\_\_\_

**CONSERVATION PROGRAMS**

- newsletter, annual report, long-range plan, annual plan, supervisor election

\$ \_\_\_\_\_

\$ \_\_\_\_\_

- dues: NACD, AZNRCD, RC&D

\$ \_\_\_\_\_

\$ \_\_\_\_\_

- contributions

\$ \_\_\_\_\_

\$ \_\_\_\_\_

- youth education program

\$ \_\_\_\_\_

\$ \_\_\_\_\_

- conference expenses

\$ \_\_\_\_\_

\$ \_\_\_\_\_

**EQUIPMENT OPERATIONS**

\$ \_\_\_\_\_

\$ \_\_\_\_\_

**CAPITAL INVESTMENTS**

office and other equipment over \$5000 in value  
(attach detail)

\$ \_\_\_\_\_ \$ \_\_\_\_\_

**TOTAL EXPENDITURES**

• FROM STATE FUNDS

\$ \_\_\_\_\_

• FROM LOCAL FUNDS

\$ \_\_\_\_\_

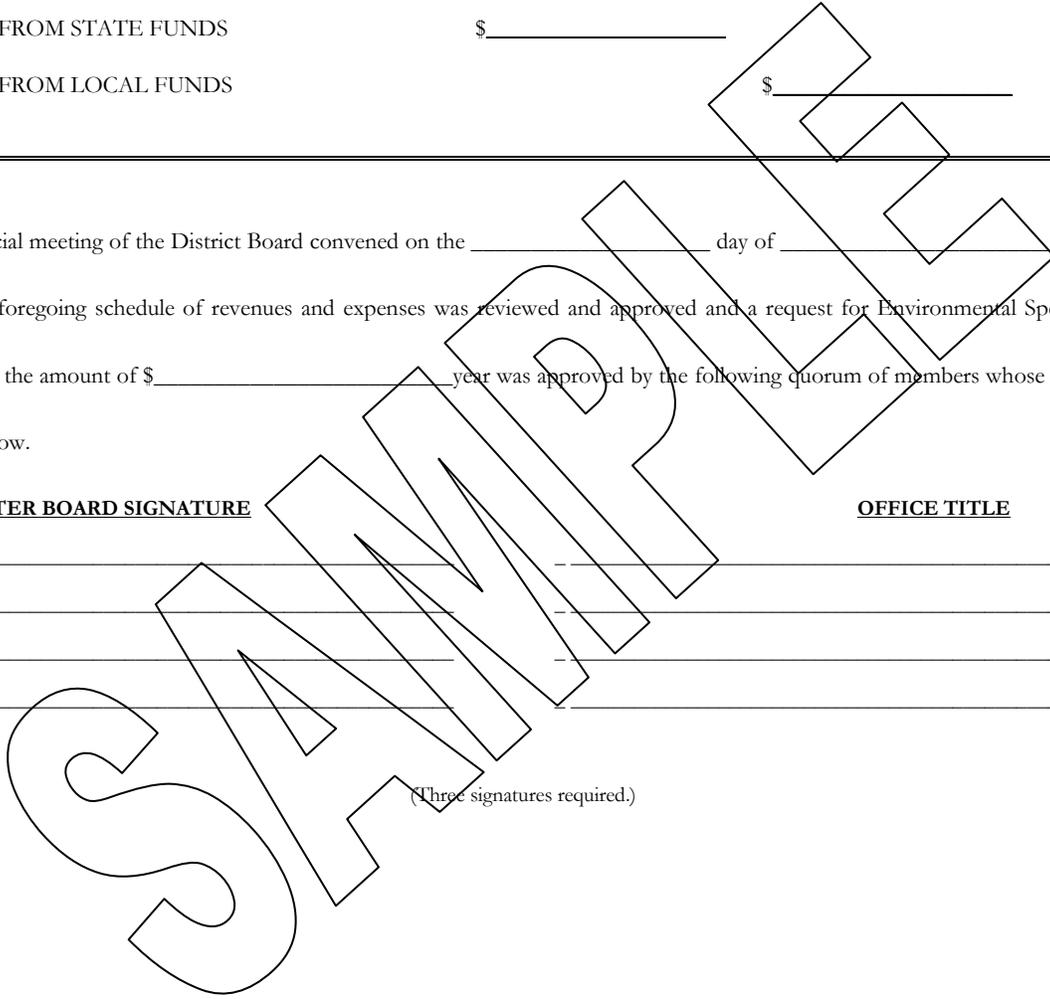
At an official meeting of the District Board convened on the \_\_\_\_\_ day of \_\_\_\_\_, 2015, the foregoing schedule of revenues and expenses was reviewed and approved and a request for Environmental Special Plate funding in the amount of \$ \_\_\_\_\_ year was approved by the following quorum of members whose signatures appear below.

**ED. CENTER BOARD SIGNATURE**

**OFFICE TITLE**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Three signatures required.)



# ***NRCED Education Center***

## ***Annual Plan of Work***

**Education Center Name:** \_\_\_\_\_

**Mission Statement:** \_\_\_\_\_

**Sponsoring NRCED(s):** \_\_\_\_\_

**Education Center Board Members:**

**Member:** \_\_\_\_\_ **Title:** \_\_\_\_\_

**Staff:** \_\_\_\_\_ **Title:** \_\_\_\_\_

**Staff:** \_\_\_\_\_ **Title:** \_\_\_\_\_

**Education Center contact information** \_\_\_\_\_

**Location of Regular Board Meetings:** \_\_\_\_\_

**Date and time of Regular Board Meetings:** \_\_\_\_\_

**Education Center History/Powers/Authorities:** A.R.S. § 37-1015 provided that each natural resource conservation district could establish an education center for the purpose of developing and implementing an environmental education program that is conducted in a balanced manner, that is based on current scientific information and that includes a discussion of economic and social implications.

**Priority Education Programs for our Center:** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

---

---

---

---

**Schools and Populations to Reach:** \_\_\_\_\_

---

---

---

---

**Volunteers:** \_\_\_\_\_

---

---

---

---

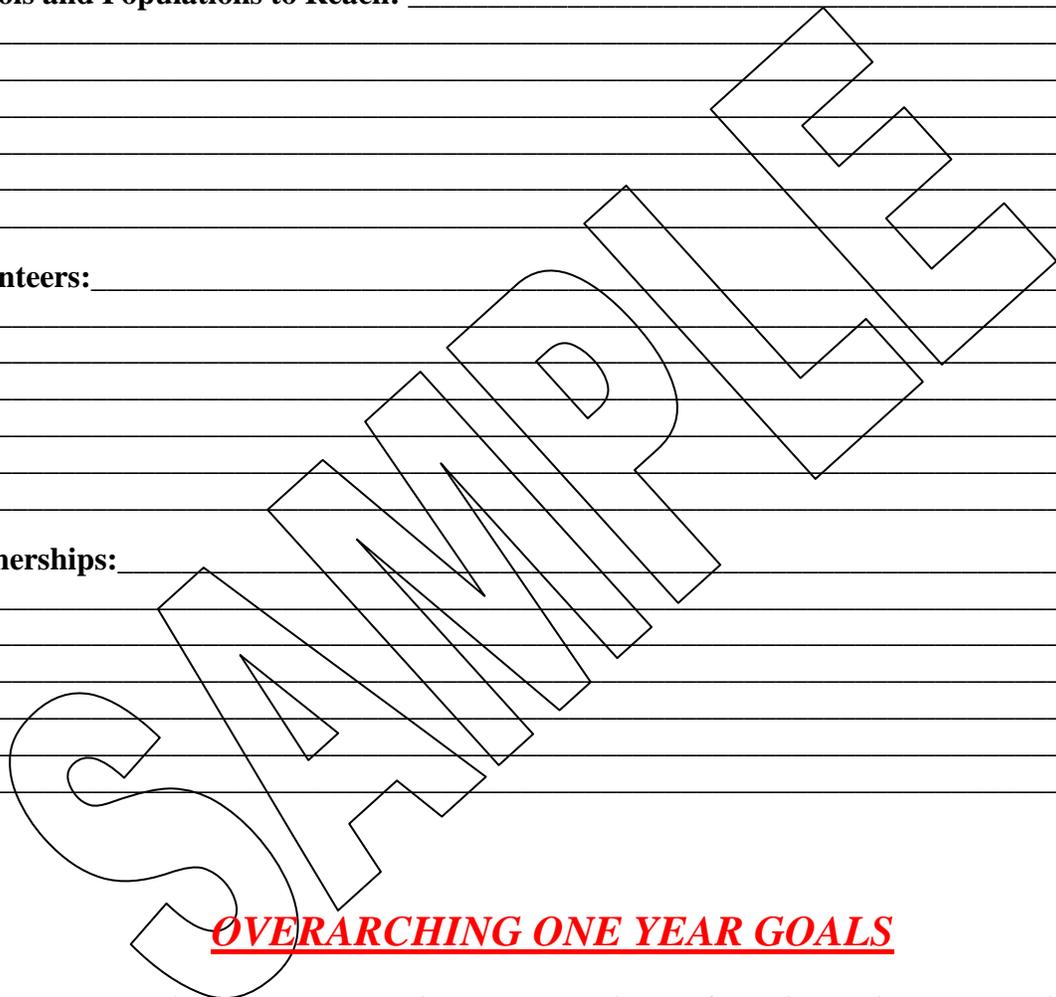
**Partnerships:** \_\_\_\_\_

---

---

---

---



**E.G. Expand our Agriculture Education Program with the following topics and reaching the following schools.**

1.) \_\_\_\_\_

---

---

---

2.) \_\_\_\_\_

---

---

---

3.) \_\_\_\_\_

---

---

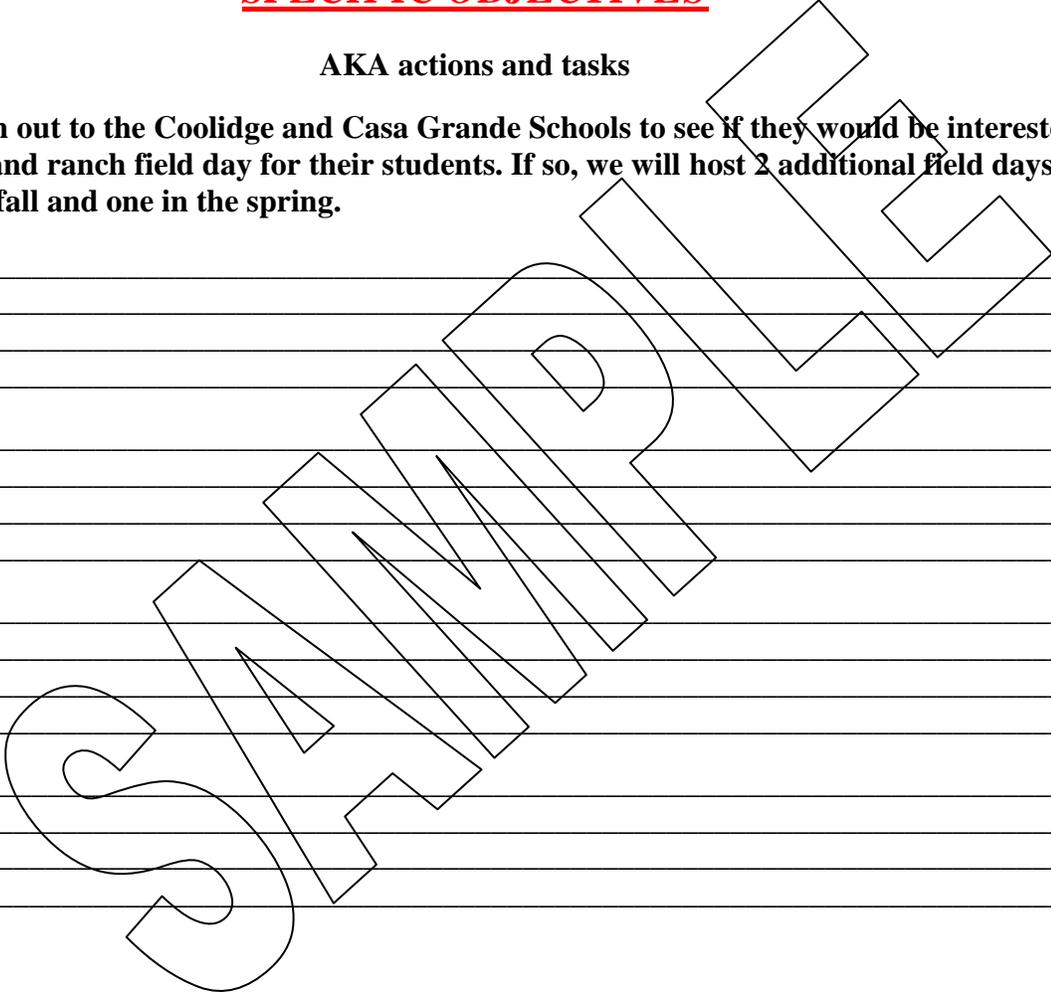
- 
- 
- 4.)
- 
- 
- 

**SPECIFIC OBJECTIVES**

**AKA actions and tasks**

**E.G. Reach out to the Coolidge and Casa Grande Schools to see if they would be interested in a farm and ranch field day for their students. If so, we will host 2 additional field days one in the fall and one in the spring.**

- 1.)
- 
- 
- 
- 2.)
- 
- 
- 
- 3.)
- 
- 
- 
- 4.)
- 
- 
- 



**Funding Sources**

**(Note if money is available or lacking)**

**E.G. Environmental Special Plate funds (Education activities) (Lack sufficient funds by approximately \$500)**

- 1.)
- 
-

2.)

3.)

4.)

*Who will do the work?*

**E.G. Expand our Agriculture Education Program and hold field days – Ed. Center Director and Education Center Board.**

1.)

2.)

3.)

4.)

**When will the work be done?**

**Timelines, Schedules, Deadlines**

**E.G. Add New Schools to our Agriculture Education Program and hold field days – Start August, hold field days in October and April, complete by June.**

- 1.) \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
- 2.) \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
- 3.) \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
- 4.) \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**This Annual Plan of Work for the \_\_\_\_\_ Education Center was accepted and approved on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.**

**A quorum of the Education Center Board Member’s signatures is required for acceptance:**

**Signature** \_\_\_\_\_

**Signature** \_\_\_\_\_

**Signature** \_\_\_\_\_

**Signature** \_\_\_\_\_

**Signature** \_\_\_\_\_

**Forms are available online!!!!**

- Due July 20<sup>th</sup>
  - Education Center Annual Report Cover Page (ASLD Standard Form)
  - Education Center Annual Report (ASLD Standard Form) with Annual Financial Statement (ASLD Standard Form)
  - **PLEASE SEE THE FOLLOWING PAGES EXAMPLES OF THESE DOCUMENTS**

**NRCED Education Center FY \_\_\_\_\_  
Annual Report Cover Page**

\*\*\*PLEASE SEE FOLLOWING PAGES FOR TABLES\*\*\*

Name of Education Center: \_\_\_\_\_

NRCED Sponsor(s): \_\_\_\_\_

Education Center Tax Identification Number: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

Web Site: \_\_\_\_\_ Director: \_\_\_\_\_

Number of Paid Staff: \_\_\_\_\_ Number of Volunteers: \_\_\_\_\_ Volunteer Hrs: \_\_\_\_\_

Communities Served: \_\_\_\_\_

School Districts Reached: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**PROGRAMS:**

X = check if offered No. St = No. of students No. C = number of classroom visits

**MATERIALS:**

Sources of Cost	Check if Offered	List of Material Provided: kits, books, etc.	Quantity
Back Yard			
NACD Staff Scholarship			
Off Highway Vehicle			
Original			
Project Food L			
Project Learning Tree			
Project WET			
Project WLD			
Other (List)			

Topic	Pre K	K-3rd	4th-6th	7th-9th	10th-12th	Adult	Family	Teacher	PrH	No. FT	No. C	No. St	SC
Water													
Wildlife / T&E Species													
Woodland / Forestry													
Other: (List on below sheet)													
<b>Totals</b>													
Other topics not listed above													

## ***NRCD Education Center Annual Report***

Welcome to the \_\_\_\_\_ Education Center's Annual Report. My name is \_\_\_\_\_, as Chair of the \_\_\_\_\_ Education Center Board I would like to take a moment and explain what a Natural Resource Conservation District (NRCD) Education Center is and inform you about the mission of our program.

NRCD history is rooted in the problems of soil erosion from agricultural production of the Dust Bowl era. NRCDs were conceived as the mechanism to involve and coordinate with local landowners on the voluntary implementation of federal conservation practices on private lands. States were encouraged by the Federal Government to adopt a "Standard Soil Conservation District Law" that allowed for the establishment Conservation Districts as entities of state government. Arizona passed its Conservation District Law in 1942 (Laws, 1941, Ch. 43, § 2).

Arizona NRCD Law grants its Conservation Districts the authority to:

Establish an education center for the purpose of developing and implementing an environmental education program that is conducted in a balanced manner, that is based on current scientific information and that includes a discussion of economic and social implications. (A.R.S. § 37-101)

As mandated by the State of Arizona, our mission statement addresses the need for an environmental education program that is conducted in a balanced manner, that is based on current scientific information and that includes a discussion of economic and social implications:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_, adopted on this date: \_\_\_\_\_

In past year, we have focused our efforts on these specific education programs:

- |           |           |
|-----------|-----------|
| 1.) _____ | 4.) _____ |
| 2.) _____ | 5.) _____ |
| 3.) _____ | 6.) _____ |

We are most proud of accomplishing the following education program:

\_\_\_\_\_  
\_\_\_\_\_

The Education Center Board is always looking ahead. If you have any concerns or comments on natural resource related issues you would like us to address, the Board can be reached by contacting:

Name: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Email: \_\_\_\_\_  
Address: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
Other: \_\_\_\_\_

We look forward the hearing from you and welcome you to our next board meeting.

Sincerely,

\_\_\_\_\_, Chair of the Board

**This past year’s educational goals were:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**This past year’s educational objectives to meet these goals were:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**These goals and objectives were our priorities because:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**We accomplished the following educational projects and have attached photographs:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**We were provided funding this last year for our educational programs by:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Volunteers:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**The benefits of accomplishing our educational goals are the following:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Those who benefited the most from our educational accomplishments were:**

_____	_____
_____	_____
_____	_____

**This last year the Education Center partnered with the various federal, state, and local government agencies, individuals and businesses listed below.**

- 1.)
- 2.)
- 3.)
- 4.)
- 5.)
- 6.)
- 7.)
- 8.)
- 9.)
- 10.)

SAMPLE

## Education Center Financial Statement

July 1, 2014 - June 30, 2015

INCOME: State Account		Local Account	
State Funds	\$	Beginning Balance	\$
		Contributions	
		Grants	
		Sales	
		Other (itemize)	
<b>TOTAL INCOME</b>	<b>\$</b>	<b>TOTAL INCOME</b>	<b>\$</b>
<b>EXPENSES: State Account</b>		<b>Local Account</b>	
Salaries			
Office Supervisor			
<u>Program:</u>			
Dues			
Contributions			
Conference attendance			
Workshop expenses			
Field day expenses			
Newsletter / Annual Report			
Election expenses			
Other (Describe)			
<b>TOTAL STATE EXPENSES</b>	<b>\$</b>	<b>TOTAL LOCAL EXPENSES</b>	<b>\$</b>
<b>BALANCE STATE ACCOUNT \$</b>		<b>BALANCE LOCAL ACCOUNT \$</b>	

If you would like to attend one of our meetings, they are held continuously at the following location(s):

\_\_\_\_\_

Month: \_\_\_\_\_

Date: \_\_\_\_\_

Time: \_\_\_\_\_

If you are interested in serving with our Education Center or on our board, please don't hesitate to contact us. We welcome you expertise and skills as they pertain to environmental education. Our current Board members serve in various capacities in the community and personally own several businesses. Below are their names and capacities on the Education Center Board.

Member: \_\_\_\_\_ Title: \_\_\_\_\_

This Annual Report of the \_\_\_\_\_ Education Center was accepted and approved on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

A quorum of the Education Center Board Member's signatures is required for acceptance:

Signature \_\_\_\_\_

Signature \_\_\_\_\_

Signature \_\_\_\_\_

Signature \_\_\_\_\_

Signature \_\_\_\_\_

## **Section (4) D: EVALUATING EXPENDITURES OF PUBLIC FUNDS**

No hard and fast rule can be laid down for determining whether a proposed NRCD or education center expenditure of public funds is valid as devoted to a “public purpose”. Each case must be decided with reference to the object sought to be accomplished and to the degree and manner in which that object affects the public welfare.

The Arizona Legislature, in creating Natural Resource Conservation Districts declared its policy to be:

It is declared the policy of the legislature to provide for the restoration and conservation of lands and soil resources of the state, the preservation of water rights and the control and prevention of soil erosion, and thereby to conserve natural resources, conserve wildlife, protect the tax base, protect public lands and protect and restore this state's rivers and streams and associated riparian habitats, including fish and wildlife resources that are dependent on those habitats, and in such manner to protect and promote the public health, safety and general welfare of the people. (A.R.S. § 37-1001)

The Arizona State Land Commissioner has the authority to audit the expenditures of NRCDs and their sponsored education centers for compliance with their statutory mandates. In reviewing expenditures, the Commissioner will look at the statutory goals and powers listed in A.R.S. § 37-1054 and A.R.S. § 37-1015.

**Note: As quasi political subdivisions of the state, NRCD and education center funds are public funds, regardless of the source. All funds should be expended in the same way as appropriated funds. This also applies to non-profit corporations that receive a portion of their funds from public funding sources.**

### **None of the following are acceptable:**

- **Illegal Activities**
- **Nepotism** (hiring family, investing with friends, collusion) Conflict of Interest Laws, A.R.S. § 38-503: A. Any public officer or employee of a public agency who has, or whose relative has, a substantial interest in any contract, sale, purchase or service to such public agency shall make known that interest in the official records of such public agency and shall refrain from voting upon or otherwise participating in any manner as an officer or employee in such contract, sale or purchase.
- **Lobbying** (it is okay to provide information, but never say Vote Yes or No) Lobbying activities and expenditures by public bodies are subject to registration and reporting requirements.

"Public body" means the Arizona board of regents, a university under the jurisdiction of the Arizona board of regents, the judicial department, any state agency, board, commission or council, any county, any county elected officer who elects to appoint a designated public lobbyist or any city, town, district or other political subdivision of this state that receives and utilizes tax revenues and that employs, retains, engages or uses,

with or without compensation, a designated public lobbyist or authorized public lobbyist.  
A.R.S. 41-123.1

- **Gifts** (Have the potential to violate the Arizona Constitution) (This may include scholarships)  
Arizona Constitution, Article IX Section 7

Neither the state, nor any county, city, town, municipality, or other subdivision of the state shall ever give or loan its credit in the aid of, or make any donation or grant, by subsidy or otherwise, to any individual, association, or corporation, or become a subscriber to, or a shareholder in, any company or corporation, or become a joint owner with any person, company, or corporation, except as to such ownerships as may accrue to the state by operation or provision of law or as authorized by law solely for investment of the monies in the various funds of the state.

- **Use of public funds for personal gain**

### **Section (4) E: EXAMPLE LANGUAGE FOR NRCD OR EDUCATION CENTER FISCAL POLICIES**

**\*\*\*NRCD policies are not required by statute or a requirement to receive State funds, but they reflect good management and procedure. They cannot, however, override any local, state, or federal laws.\*\*\***

## **Natural Resource Conservation District** **SAMPLE** **Procurement Policy**

1. A petty cash account in the amount of \$100.00 shall be maintained by the Treasurer for purchase of standard office supplies. In no case shall any single purchase from this account exceed \$50.00. The petty cash account will be replenished after approval at a regularly scheduled board meeting.
2. Purchases between \$50.00 and \$200.00 for an item needed before a regularly scheduled meeting may be made with the approval of one (1) NRCD supervisor with the expenditure ratified at the next meeting.
3. Expenditures between \$201.00 and \$1000.00 require prior approval of the board at a regularly scheduled meeting.
4. Purchases between \$1001.00 and \$5000.00 require obtaining prices (verbal quotations, newspaper ads, etc.) from three sources and approval at a regularly scheduled meeting.
5. Purchases between \$5001.00 and \$10,000.00 require obtaining written price quotations and approval at a regularly scheduled meeting.

6. Purchases over \$10,000.00 require a sealed bid process. Prior approval must be obtained from the board at regularly scheduled board meeting before soliciting bids. The bidding process shall be conducted in accordance to current policies in place at the Arizona State Land Department.

7. A receipt is required before any reimbursement can be approved.

These actions apply to all funds, both State and local.

Adopted by the \_\_\_\_\_ NRCD \_\_\_\_\_ Date

Signed \_\_\_\_\_ Chair

## **Natural Resource Conservation District**

### **SAMPLE**

### **Fiscal Accounting Policy**

1. The NRCD accounts shall be the responsibility of the Treasurer.
2. The Treasurer shall assemble bills and present for board approval and payment.
3. A report, reviewed by the Treasurer, shall be made at each regularly scheduled board meeting.
4. The journal and checkbook statements shall be maintained by the district Clerk.
5. Only supervisors are eligible to be signatories on the account.
6. An independent review shall occur whenever there is a change of Treasurer or as directed by the Chair.
7. The Procurement Policy adopted by the board shall govern all transactions.

Adopted by the \_\_\_\_\_ NRCD \_\_\_\_\_ Date

Signed \_\_\_\_\_ Chair

**Natural Resource Conservation District**  
**SAMPLE**  
**Travel and Per Diem Policy**

1. Compensation of the district supervisors shall not exceed the compensation and travel allowance prescribed by §38.611.
  - A. The current per diem rate is \$30.00 for each day engaged in the service of the district.
  - B. The current rate for reimbursement for use of a personal vehicle is \$0.375 per mile.
2. Per Diem and mileage shall be offered to supervisors attending regularly scheduled NRCD board meetings.
3. Compensation for actual and necessary travel expenses (e.g.: meals, lodging, registration) shall be made to supervisors when engaged in the business of the district.
4. Compensation for official business of the District requires prior approval by the board at a regularly scheduled meeting.
5. Compensation can be considered wages and is considered taxable income by the IRS.
6. A travel claim with receipts must be furnished to the Treasurer prior to any compensation.

Adopted by the \_\_\_\_\_ NRCD \_\_\_\_\_ Date

Signed \_\_\_\_\_ Chair

**Natural Resource Conservation District**  
**SAMPLE**  
**Scholarship Policy**

NOTE: State funds are not to be used for scholarships. It is a potential violation of Arizona’s Gift Clause. No matter what the source of the funds, the board needs to adopt a clear cut set of rules, procedures and evaluation criteria.

Adopted by the \_\_\_\_\_ NRCD \_\_\_\_\_ Date

Signed: \_\_\_\_\_ Chairman

**Natural Resource Conservation District**  
**SAMPLE**  
**Disposition Policy**

1. An inventory of all equipment of the district shall be maintained by the Clerk.
2. Unneeded equipment may be donated to a public body with prior approval of the board at a regularly scheduled meeting. A receipt acknowledging the donation shall be obtained.
3. Disposition of equipment with a value of greater than \$5000.00 requires accepting sealed bids after advertising the availability of the item(s) for a two week period in a local paper.

Adopted by the \_\_\_\_\_ NRCD \_\_\_\_\_ Date

Signed \_\_\_\_\_ Chair

# SECTION 5

## SECTION (5) A: CONSERVATION DISTRICT LONG RANGE PLANS

### **BENEFITS OF A DISTRICT LONG RANGE PLAN**

***Note: Long Range Plans are not a required document to receive State Supplemental Funding. However, they do provide many added benefits to districts and education centers.***

A Long Range Plan provides a number of benefits to conservation districts and their partners and to the consumers and communities the district serves. The audiences of the Long Range Plan are both internal and external. A significant internal benefit is that Long Range Plan information can be extracted and used within with other plans like the Annual Plans of Work.

The Long Range Plan should be a guiding document for 3 to 10 years depending on your district's goals. It should be reviewed and updated every year, and encompass everything -communication, education, history of the district, major operations/logistics, major policies related to resource issues, coordinated planning goals with other agencies, and should include the resource priority planning. The Plans should focus on detailing the targeted resource concern(s) of each district, which will provide the information needed to provide on the ground implementation.

Benefits of Long Range Plan are listed below:

**Benefit #1. COMMUNICATES BACKGROUND, MISSION AND VISION**

**Benefit #2. EXPLANATION OF DIRECTION: NATURAL RESOURCE OR OTHER CONCERNS**

**Benefit # 3. HELPS DETERMINE NEEDS, GOALS, AND OBJECTIVES**

**Benefit # 4. CLARIFIES INTERNAL MANAGMENT**

**Benefit #5. IDENTIFIES COMMUNITY AND PARTNER RELATIONS**

**Benefit #6. LEGALLY PROTECTS THE DISTRICT**

**Benefit #7. MARKETING AND FUNDING TOOL**

# **STEPS TO ALONG RANGE PLAN**

The Long Range Plan is probably one of the most comprehensive planning documents that conservation districts develop. As a general rule, the Plan should be a guiding document for a five-year period. Of course, as priorities and programs change and new opportunities present themselves, the Plan should be revised. The Plan should reflect the conditions of the resources, the district's goals and objectives in addressing the resource needs, and any strategic ideals (present and future partnerships, for instance) pursued by the district that would further their programs.

Here again, there is not a prescribed format for assembling a Long Range Plan. A general format that might be considered in developing a Long Range Plan is described below.

---

## ***STEP I – Background of the District “This is who we are and what we do.”***

- **Introduction of Board, vision and mission, and contact information**
- **History, organization date, and achievements**
- General location of district- **a map of the district** boundary and land ownership
- Acreage and classes of lands in the district ownership (rangeland, farmland, urban land, etc.) Physical characteristics of the district.
- Structure and legal identity: quasi political subdivision of state government, public body
- Responsibilities, powers and authorities **A.R.S. § 37-1001**
- **Guiding principles and core beliefs**
- Time and place of regular board meetings
- Partners, collaborators, delivery system team members

## ***STEP II – Natural Resource Conditions, Trends, Concerns, Goals, and Objectives. “These are the current conditions of our natural resources, the desired conditions, and the work we want to do.” This is the best area to include Education, Policy, and other Internal or External Concerns.***

Current conditions – Natural Resource, Education, Policy, Other (**detailed description refer to page 20**)

- Desired conditions – Goals
- Specific actions- Objectives
  - **E.G. Farmland (Give a current description, good or bad, of district farmland then go through the following)**
    - Goals 1.) Reduce Soil Erosion 2.) Encourage Cover Crops
      - Objective 1. A.) Hold two workshops.

- Objective 1. B.) Work with private property owners and partner agencies to complete conservation plans on 5,000 acres within the next five years.
- Objective 2. A.) Have cover crops established on 60% of fallow fields within the Conservation District to protect the soil from erosion and control dust.

Other examples are:

- Rangeland
- Watersheds/Water Quality
- Recreational Activities
- Wildlife Habitat
- Social implications/Recreational
- Geographical Areas i.e. Watersheds
- Lack of or Improvement of Policies
- Education

***STEP III– Current Capabilities, Needs, and Strategies. “This is what we need to meet our goals in the next 5 years and how we plan to obtain these needed resources.”***

- What we have now = Current Capabilities  
(E.G. 5 Supervisors, 1 NRCD Staff, 10 Volunteers, 2 NRCS Staff, \$4,000, X-Partnerships, State Supplemental Funds, Grants, Subsidies)
- What we need to implement the long-range goals and objectives = Needs  
(E.G. Money, Volunteers, X-Partnership, X-Grant, Be Specific)
- What is our plan = Strategies  
(E.G. Outreach, Education, NRCS...)

**Consider the following partnerships and programs**

**Partnerships Developed**

USDA NRCS  
Cooperative State Research, Education and  
Extension Service  
Watershed Associations  
Legislators  
BLM/FS/FWS, etc.  
Education Activities

**Programs**

EQIP and other USDA Farm Bill Programs  
Education Center  
Water Protection Fund  
Special Legislative Funding  
Grants

***STEP IV - Business Plan/Plan of Work - “This is what we plan to accomplish in the next year.” (Shortened Long Range Plan)***

- What we plan to accomplish – Conservation One Year Goals
- What we plan to do – Objectives /Actions and Tasks

- Funding sources? (Note if money is available or lacking)
- Who will do the work? – Persons Responsible for Each Task
- When will the work be done? – Timelines, Schedules, Deadlines

### ***STEP V- District Policies***

#### ***E.G.***

- Fiscal
- Personnel
- Scholarship

### ***STEP VI – Provisions for Revisions and Resolution for Adoption***

#### **E.G.**

#### **Provision for Review:**

As conditions arise, our Long Range Plan may be reviewed any time during the five year period that it covers. The Board will review the document annually for a more thorough review at a meeting date determined at the time of adoption or current annual review meeting. (SEE PAGE 20)

#### **Resolution for Adoption:**

This Long Range Plan was adopted by the \_\_\_\_\_

Board of Supervisors at the meeting date of: \_\_\_\_\_

CHAIR: \_\_\_\_\_, (PRINTED NAME)

VICE CHAIR: \_\_\_\_\_, (PRINTED NAME)

SECRETARY: \_\_\_\_\_, (PRINTED NAME)

TREASURER: \_\_\_\_\_, (PRINTED NAME)

SUPERVISOR: \_\_\_\_\_, (PRINTED NAME)

## **SECTION (5) B: DESCRIBING A NATURAL RESOURCE CONCERN**

A natural resource concern is a condition that does not meet agreed-to or established criteria. These criteria are defined in district or public expectations; the NRCS Field Office Technical Guide; state water quality standards; Endangered Species Act requirements; or other standards specifying what water and land conditions should be.

Resource concern descriptions in the Long Range/Annual Plan of Work should be specific enough to paint a picture in the minds of all readers, particularly the public and key decision makers. Everyone should be able to (a) envision the conditions, (b) understand why they are important, and (c) accept that positive efforts should be made to remedy resource problems. This amount of detail is important to help persuade people to support the work and costs necessary to effect needed changes.

A natural resource concern description does not need to be a single phrase or sentence (such as “erosion on cropland”). In fact, districts will be better served by providing enough information to fully explain the conditions/concerns and their effects. By answering the following questions, information will be generated that can be written as a useful resource concern description. Select other questions you think are relevant.

1. What is the resource concern?
2. Who else views it as a concern?
3. How large is the problem?
4. What geographic areas are affected?
5. How long has it been a concern?
6. What current trends are apparent: is it getting worse, staying the same, or improving?
7. How severe are the effects?
8. What people are affected? How are they affected?
9. What impacts does it have on water quality, water quantity, or other natural resources? To what other problems does it contribute?
10. What will happen if nothing is done to correct the problem?
11. What environmental benefits will be gained by bringing the condition up to standard?
12. What needs to be done to address this resource concern?
13. Why should the general public be concerned about this problem?

A thorough, well-written resource concern description has multiple uses, among which are:

- Provides a body of information on which to develop goals, objectives, and strategies.
- Provides content for public information and education efforts, such as fact sheets, brochures, talking points for public presentations or newspaper articles.
- Can be used as information for the “problem statement” or “present situation” sections of funding requests or grants.
- **Strengthens partner relations by providing information on which to identify common perceptions of problems and strategies and to develop collaborative efforts.**

# SECTION 6

## SECTION (6) A: ARIZONA LAWS AND RULES GUIDING BIENNIAL NRCD ELECTIONS

**\*\*\*All election materials will be provided each election cycle to each NRCD Election Board by the ASLD NRCD Manger.\*\*\***

Every election year, many questions arise about conducting NRCD elections. Arizona Revised Statute Titles 16 and 37 provide the foundation. Title 16 contains Arizona's election laws and Title 37 contains NRCD election laws.

Title 37 explains that NRCD boards are composed of five supervisors. Three supervisors serve in an elected capacity with staggered 6 year terms of office, and two supervisors are appointed every even year by the Commissioner for 2 year terms. Supervisor elections are held on the first Saturday in May of each even numbered year, and in order properly to hold an election each NRCD is required to appoint an election board that is responsible for conducting the elections (A.R.S. § 16-531.A).

Only qualified electors may run for office, be appointed to office and vote in district elections. An NRCD qualified elector is a person who is a district cooperater and a qualified elector of the state (A.R.S. § 37-1002.13). Qualified electors must meet statutory residency requirements. The location of a person's family residence is the primary determining factor for residency, not the location or place of one's business, farm or ranch. A person may have only one residence for the purpose of voter registration. A person can be a cooperater in more than one district, but can only vote and hold office in the district where they reside.

District cooperaters are any person who has entered into a cooperative agreement with the district for the purpose of protecting, conserving and practicing the wise use of natural resources under his or her control. Cooperative agreements may apply to owners of residential lots as well as large ranches. Many farms and ranches are now operated by trusts, L.L.C.s or other corporate bodies. The qualified elector of the district is a natural person, not an artificial person such as a corporation.

New cooperater agreements must be reviewed by the NRCD board at the next meeting, but do not require formal board action via a motion to approve and vote for acceptance; the criteria to become a cooperater are stated in A.R.S. 37-1002 and cannot be challenged by board action. In advance of NRCD elections, cooperater and qualified elector lists should be reviewed and updated by the NRCD board of supervisors or the election board to ensure accuracy.

If an individual meets the requirements of a qualified elector, they are eligible to run for office by filing a nominating paper or a write-in nominating paper. A nominating paper must be received by ASLD 10 days before the election. The number of signatures required to nominate a candidate for district elections is set at 25 by A.R.S. § 37-1051.B. Write-in candidates do not have a signature requirement, but must file their nominating papers no later than 40 days before the election per A.R.S. §16-312. Any person not filing the required affidavit or filing by these deadlines will not have their name printed on the official ballots and cannot be counted in the final vote tally.

## **SECTION (6) B: NRC D BIENNIAL ELECTION PROTOCOL AND PROCESS**

**Note:** All of the NRC D election documents and material provided in this section are for education purposes only. Because they must be customized and sent out to specific Districts when an election approaches, most of the documents are **NOT** available online with the exception of the

- ***Appointment Request Form***
- ***Notice of Supervisor Resignation***
- ***Nomination to Fill an Unexpired Term***

### **Advisory Notice of the NRC D Election:**

In January, the NRC D Manager will send out the below advisory notice and checklist as a reminder of the elections.

## **MEMORANDUM**

TO: \_\_\_\_\_ NRC D

FROM: NRC D Manager

DATE: January 15, 20\_\_\_\_

SUBJECT: ADVISORY NOTICE OF THE MAY 3, 2014 NRC D ELECTIONS

---

Notice is hereby given that pursuant to the provisions of the Natural Resource Conservation Districts Law of the State of Arizona, an election for the purpose of electing supervisors in each Natural Resource Conservation District must be held on Saturday, May 3, 2014.

For your District, the following terms are to be filled by election on May 3, 2014.

New 6-year Elective Term  
To Expire May 31, 2020

Appointed to an Unexpired Term(s)  
To Expire May 31, 20XX

CANDIDATE 1

CANDIDATE 2

CANDIDATE 3

This urgent business should be on the agenda of each meeting of the NRC D Board of Supervisors until the new Board has organized itself **IMMEDIATELY** following the May 3<sup>rd</sup> election. Your Board will be given additional guidelines from this Department in the coming weeks; however, it is the Board's responsibility for preparations and proper of conduct the election.

Please find the attached the important election dates checklist.

## IMPORTANT ELECTION DATES CHECKLIST

- Jan/Feb 20\_\_** NRCB Formation of Election Board:  
One Inspector & Two Judges
- February, 20\_\_** Election Board to receive ALSD Election Advisory Guide and Election Materials.
- Weeks of Feb 23 and – March 2** Notice of NRCB Election in Newspaper
- March, 20\_\_** **Deadline:** Submit to ALSD Write-in Candidate Nomination Petition. No Signatures Required.  
*NOTE: copy of candidate's cooperator agreement, voter registration and driver's license should be provided to ALSD.*
- April, 20\_\_** **Deadline:** for Election Board to Submit to ALSD the Ballot Request Form.
- April, 20\_\_** **Deadline:** Submit to ALSD Nominated Candidate Petition 25 Signatures Required  
*NOTE: copy of candidate's cooperator agreement, voter registration and driver's license should be provided to ALSD.*
- April, 20\_\_** Official Ballots Mailed out by ALSD  
  
Email Notification of Uncontested Election – In This Case, No Election Will Need to be Held.
- May, 20\_\_** Election Day
- May/June 20\_\_** Elected Supervisors meet to select temporary chair and submit nominees to the ALSD Commissioner for the two appointed positions.

### **Biennial Election of Supervisors:**

A.R.S. § 37-1051 A. establishes the first **Saturday in May** of even numbered years as the election date.

### **NRCD Election Board:**

Early on, usually January or February of the election year, each district shall appoint an election board responsible for the entire election process (A.R.S. § 16-531). Election officers must be qualified district electors. It is the duty of the election board to conduct the election in a fair and unbiased manner. The inspector is the chair of the election board and may appoint qualified judges if, during the progress of the election, any judge ceases to act. In all questions concerning the eligibility of voters, the election board is to act as a body and the concurrence of a majority shall be the decision of the board.

#### **The Electoral Board shall consist of:**

- a.) **One inspector:** preferably one of the elected supervisors who is not up for election.
- b.) **Two judges:** additional supervisors or cooperators of the district at large. The election board is responsible for posting public notices of election, availability of nominating petitions, monitoring the polling place, tallying of cast ballots, submitting the final tally sheet to the ASLD NRCD Manager, and the security / retention of all election records.

### **Notice of Election:**

Per A.R.S. § 16-227. A. Districts must publish a call of election at least twice in a newspaper of general circulation in the election district in which a nonpartisan election is being held not less than one week apart during the six calendar weeks preceding ninety days before the election. The notice is usually completed in February or March and should inform the general public of:

- 1.) The name of the district soliciting petitions for candidate nomination.
- 2.) The date of the election.
- 3.) The location / locations of the polling place.
- 3.) The time period during which the polling place is open.
- 4.) Candidate qualification and eligibility requirements:
  - a.) must be 18 years of age.
  - b.) a registered voter in the State of Arizona.
  - c.) a resident of the district in which the election is being held.
  - d.) have a current Cooperative Agreement with the district in question.
- 5.) Instructions on how to become a cooperator with the district, if they are not.
- 6.) Location at which nomination papers and write-in papers may be obtained.
- 7.) Instructions on where both types of nominations need to be filed. Nominating papers must be filed 10 days and Write-in papers filed 40 days prior to the scheduled date of election at the following location:

*NRCD Manager  
Arizona State Land Department  
1616 W. Adams  
Phoenix, AZ 85007*

**NOTICE OF NATURAL RESOURCE CONSERVATION DISTRICT SUPERVISOR ELECTION**

Notice is hereby given that pursuant to the provisions of the Natural Resource Conservation Districts Law of the State of Arizona, an election for the purpose of electing a **Supervisor(s)** for the \_\_\_\_\_ Natural Resource Conservation District will be held on the 10th day of March, 2015, between the hours of \_\_\_\_\_ a.m. and \_\_\_\_\_ p.m., at the polling places listed below:

\_\_\_\_\_ in, \_\_\_\_\_ Arizona

\_\_\_\_\_ in, \_\_\_\_\_ Arizona

The following **term(s)** are to be filled by election on March 10, 2015.

New 6-year Elective Term

To Expire May 31, 2020

A candidate for Supervisor of the \_\_\_\_\_ Natural Resource Conservation District must reside within the District. Nomination Petitions may be obtained from the District Board of Supervisors. Completed write in petitions must be filed **at least 30 days prior to the election**, and regular nomination petitions submitted **at least 10 days prior to the election** with the Natural Resource Conservation Commissioner of the State Land Department, 1616 West Adams, Phoenix, Arizona 85007.

"The governing body of the District may provide a mail ballot to a qualified District Elector for which it has a first class mailing address. Qualified electors of the District who wish to vote by mail ballot shall file a first class mailing address with the District governing body **at least thirty (30) days prior to the date of the election.**" Qualified District electors who receive ballots in proper form from the District governing body may cast their votes by mail." (A.R.S. § 37-1051) To be counted, completed mail ballots must be received by the District Election Board **before** the closing of the polls on election day.

If a qualified District elector wishes to vote by mail, the elector's request for a mail ballot **must** be made timely and in writing to the address given below.

**QUALIFIED DISTRICT ELECTOR:**

"Qualified elector" means a person who is a District cooperator and a qualified elector of the state. "District Cooperator" means any person who has entered into a cooperative agreement with the District for the purpose of protecting, conserving and practicing wise use of the natural resources under his control. (A.R.S. § 37-1003). A person who is not already a District cooperator may obtain a cooperative agreement form from the Board of Supervisors of the District.

\_\_\_\_\_  
NATURAL RESOURCE CONSERVATION DISTRICT (name)

\_\_\_\_\_  
Address

\_\_\_\_\_  
Zip

**Candidate Nomination Petition: REGULAR SIX YEAR ELECTED TERM**

A.R.S. § 37-1051.B. provides for a standard nomination paper and affidavit of qualifications to be filed with the ASLD 10 days prior to the scheduled election. The number of signatures required to nominate a candidate for district elections is set at 25.

**STATE OF ARIZONA**  
**NATURAL RESOURCE CONSERVATION DISTRICT ELECTION**  
**NOMINATION PAPER AND AFFIDAVIT OF QUALIFICATIONS**  
**FOR CANDIDATES FILING NOMINATION PETITIONS**  
**(A.R.S. § 16-311)**

You are hereby notified that I, the undersigned, a qualified elector, am a candidate for the office of District Supervisor for the \_\_\_\_\_ Natural Resource Conservation District subject to the action of the District Cooperators at the District Election to be held on the 3<sup>th</sup> day of May, 2014, should I be nominated.

I will have been a citizen of the United States for \_\_\_\_\_ years next preceding my election and will have been a citizen of Arizona for \_\_\_\_\_ years next preceding my election and will meet the age requirement for the office I seek and have resided in \_\_\_\_\_ County for \_\_\_\_\_ years before my election.

I do solemnly swear (or affirm) that as to these and all other qualifications, I am or will be qualified at the time of the election to hold the office that I seek, having fulfilled the constitutional and statutory requirements for holding said office.

My residence address is

\_\_\_\_\_  
(number and street) (city or town) (zip)

My post office address is

\_\_\_\_\_  
(number and street) (city or town) (zip)

Print or type your name on the following line in the exact manner you wish it to appear on the ballot.

\_\_\_\_\_  
(last name) (first name) (middle name or initial) (Jr., Sr., III)

\_\_\_\_\_  
(CANDIDATE SIGNATURE)

Subscribed and sworn to (affirmed) before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC

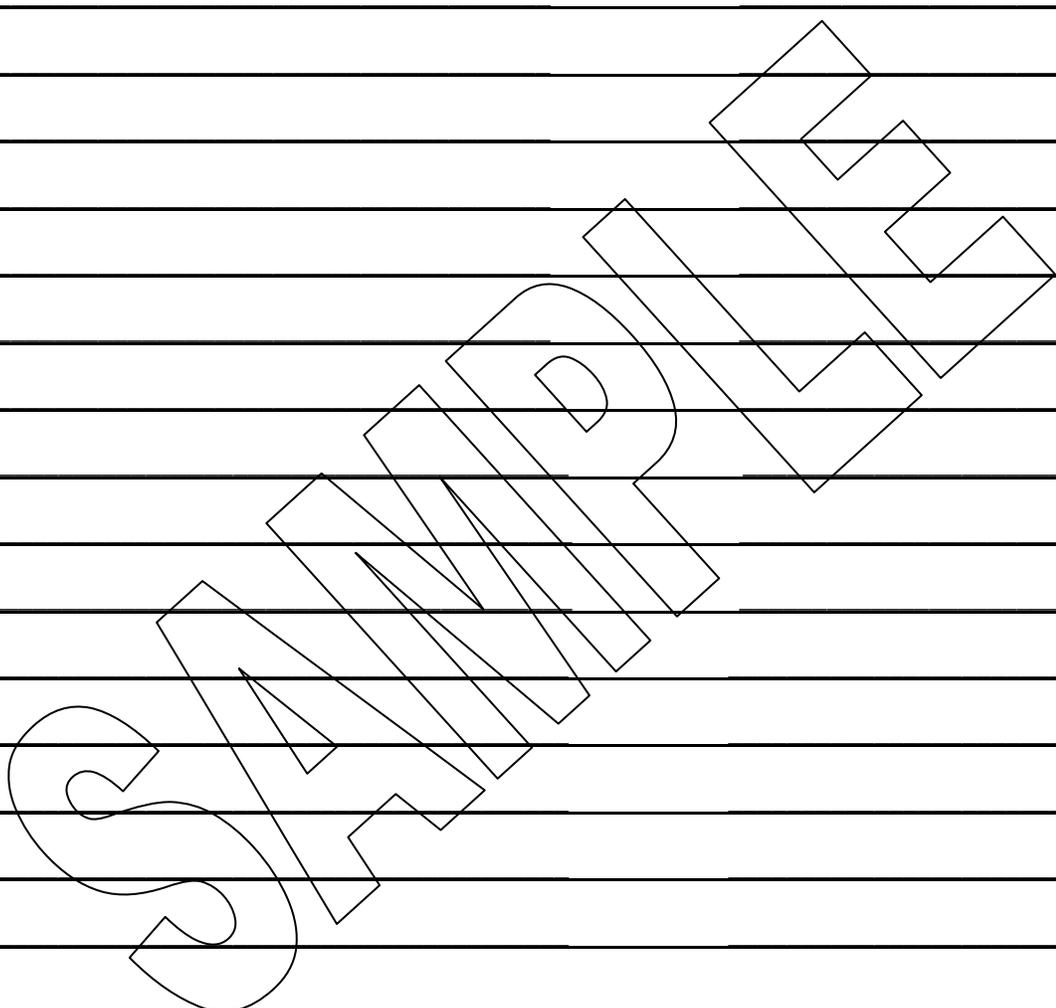
My commission expires:  
\_\_\_\_\_

**25 Cooperator Signatures Required and Attached**

Name

Signature

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_
- 3. \_\_\_\_\_
- 4. \_\_\_\_\_
- 5. \_\_\_\_\_
- 6. \_\_\_\_\_
- 7. \_\_\_\_\_
- 8. \_\_\_\_\_
- 9. \_\_\_\_\_
- 10. \_\_\_\_\_
- 11. \_\_\_\_\_
- 12. \_\_\_\_\_
- 13. \_\_\_\_\_
- 14. \_\_\_\_\_
- 15. \_\_\_\_\_
- 16. \_\_\_\_\_
- 17. \_\_\_\_\_
- 18. \_\_\_\_\_
- 19. \_\_\_\_\_
- 20. \_\_\_\_\_
- 21. \_\_\_\_\_
- 22. \_\_\_\_\_
- 23. \_\_\_\_\_
- 24. \_\_\_\_\_
- 25. \_\_\_\_\_



**Candidate Nomination Petition: UNEXPIRED ELECTED TERM**

Per A.R.S. § 37-1052 B. If a vacancy occurs in the office of an elected supervisor otherwise than by expiration of term, the commissioner may appoint a qualified elector of the district to serve until June 1 of the next even-numbered year, **when a successor shall be elected for the remainder of the term.** The following statute still applies and below is an example of the nomination petition. It looks almost identical to the “REGULAR SIX YEAR ELECTED TERM” nomination.

A.R.S. § 37-1051.B. provides for a standard nomination paper and affidavit of qualifications to be filed with the ASLD 10 days prior to the scheduled election. The number of signatures required to nominate a candidate for district elections is set at 25.

**STATE OF ARIZONA**  
**NATURAL RESOURCE CONSERVATION DISTRICT ELECTION**  
**NOMINATION PAPER AND AFFIDAVIT OF QUALIFICATIONS**  
**FOR CANDIDATES FILING NOMINATION PETITIONS**  
 (A.R.S. § 16-311)

**Unexpired Elected Term**

You are hereby notified that I, the undersigned, a qualified elector, am a candidate for the office of District Supervisor for the unexpired elected term of the \_\_\_\_\_ Natural Resource Conservation District subject to the action of the District Cooperators at the District Election to be held on the 3<sup>th</sup> day of May, 2014, should I be nominated.

I will have been a citizen of the United States for \_\_\_\_\_ years next preceding my election and will have been a citizen of Arizona for \_\_\_\_\_ years next preceding my election and will meet the age requirement for the office I seek and have resided in \_\_\_\_\_ County for \_\_\_\_\_ years before my election.

I do solemnly swear (or affirm) that as to these and all other qualifications, I am or will be qualified at the time of the election to hold the office that I seek, having fulfilled the constitutional and statutory requirements for holding said office.

My residence address is

\_\_\_\_\_ (number and street) \_\_\_\_\_ (city or town) \_\_\_\_\_ (zip)

My post office address is

\_\_\_\_\_ (PO Box) \_\_\_\_\_ (city or town) \_\_\_\_\_ (zip)

Print or type your name on the following line in the exact manner you wish it to appear on the ballot.

\_\_\_\_\_ (last name) \_\_\_\_\_ (first name) \_\_\_\_\_ (middle name or initial) \_\_\_\_\_ (Jr., Sr., III)

\_\_\_\_\_  
 (CANDIDATE SIGNATURE)

Subscribed and sworn to (affirmed) before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
 NOTARY PUBLIC

My commission expires:

\_\_\_\_\_

**25 Cooperator Signatures Required and Attached**

Name

Signature

1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

4. \_\_\_\_\_

5. \_\_\_\_\_

6. \_\_\_\_\_

7. \_\_\_\_\_

8. \_\_\_\_\_

9. \_\_\_\_\_

10. \_\_\_\_\_

11. \_\_\_\_\_

12. \_\_\_\_\_

13. \_\_\_\_\_

14. \_\_\_\_\_

15. \_\_\_\_\_

16. \_\_\_\_\_

17. \_\_\_\_\_

18. \_\_\_\_\_

19. \_\_\_\_\_

20. \_\_\_\_\_

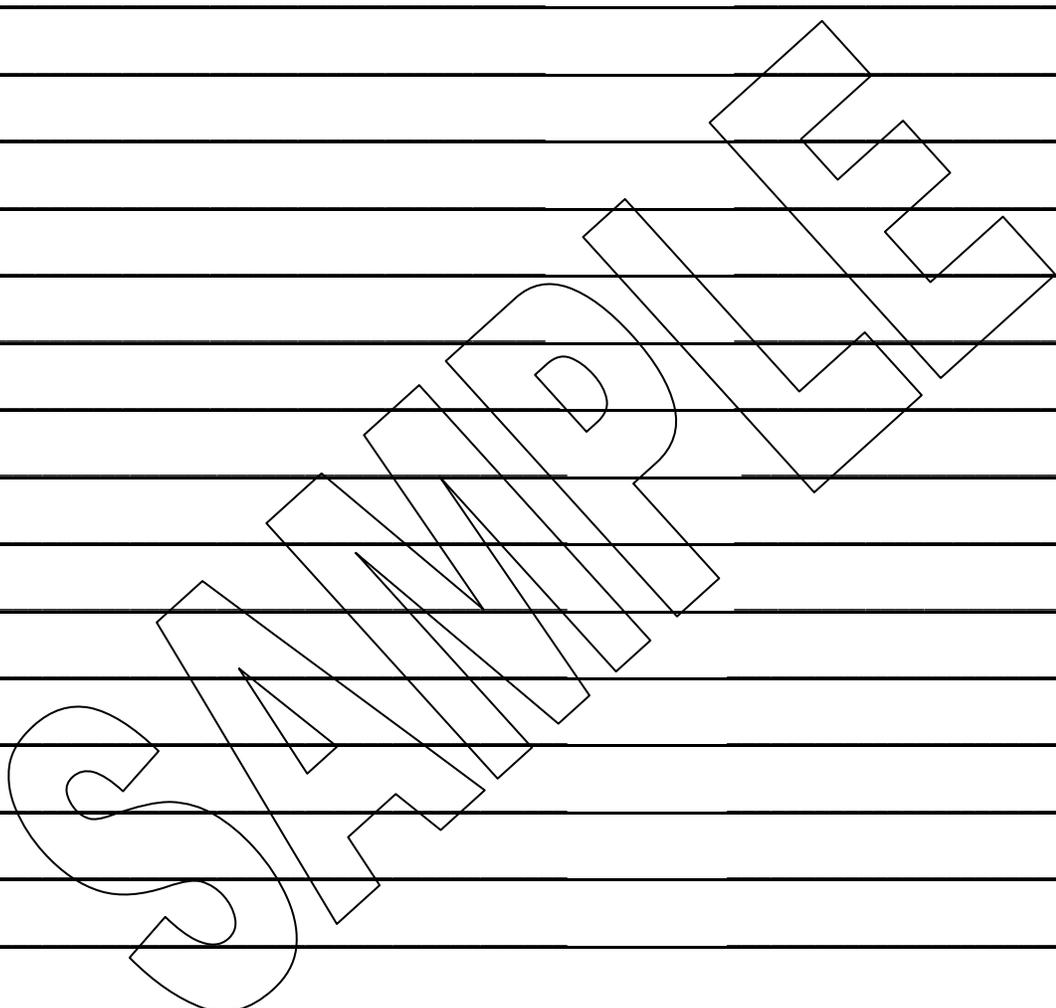
21. \_\_\_\_\_

22. \_\_\_\_\_

23. \_\_\_\_\_

24. \_\_\_\_\_

25. \_\_\_\_\_



**Write In Candidate Petition: REGULAR SIX YEAR ELECTED TERM**

A.R.S. 16-312 provides for a standard write-in nomination paper and affidavit of qualification to be filed with the ASLD 40 days prior to the scheduled election.

**STATE OF ARIZONA**  
**NATURAL RESOURCE CONSERVATION DISTRICT ELECTION**  
**NOMINATION PAPER AND AFFIDAVIT OF QUALIFICATIONS**  
**FOR WRITE-IN CANDIDATES**  
**(A.R.S. § 16-312)**

I, \_\_\_\_\_ a qualified elector, residing at \_\_\_\_\_  
\_\_\_\_\_ in the city of \_\_\_\_\_, Arizona,  
and my post office address being \_\_\_\_\_  
have resided in Arizona for \_\_\_\_\_ years, and my birth date is the \_\_\_\_\_ day of \_\_\_\_\_,  
\_\_\_\_\_, desire to become a Write-In Candidate for the office of: DISTRICT SUPERVISOR for  
the \_\_\_\_\_ Natural Resource Conservation District to be voted on at the  
District Election to be held on the 3<sup>th</sup> day of May, 2014.

**PLEASE NOTE**

PRINT OR TYPE YOUR NAME ON THE FOLLOWING LINE AS YOU WISH IT TO BE COUNTED FROM THE BALLOT:

\_\_\_\_\_  
(last name) (first name) (middle name or initial) (Jr., Sr., III)

I do solemnly swear (or affirm) that as to these and all other qualifications, I am or will be qualified at the time of the election to hold the office that I seek, having fulfilled the constitutional and statutory requirements for holding said office.

\_\_\_\_\_  
SIGNATURE OF CANDIDATE  
Subscribed and sworn to (affirmed) before me this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
NOTARY PUBLIC

My commission expires:  
\_\_\_\_\_

**No Cooperator Signatures Required**

**Write In Candidate Petition: UNEXPIRED ELECTED TERM**

A.R.S. 16-312 provides for a standard write-in nomination paper and affidavit of qualification to be filed with the ASLD 40 days prior to the scheduled election.

Per A.R.S. § 37-1052 B. If a vacancy occurs in the office of an elected supervisor otherwise than by expiration of term, the commissioner may appoint a qualified elector of the district to serve until June 1 of the next even-numbered year, **when a successor shall be elected for the remainder of the term.** The following statute still applies and below is an example of the nomination petition. It looks almost identical to the “REGULAR SIX YEAR ELECTED TERM” nomination.

**STATE OF ARIZONA**  
**NATURAL RESOURCE CONSERVATION DISTRICT ELECTION**  
**NOMINATION PAPER AND AFFIDAVIT OF QUALIFICATIONS**  
**FOR WRITE-IN CANDIDATES**  
**(A.R.S. § 16-312)**

**Unexpired Elected Term**

I, \_\_\_\_\_ a qualified elector, residing at \_\_\_\_\_  
 \_\_\_\_\_ in the city of \_\_\_\_\_,  
 Arizona, and my post office address being \_\_\_\_\_  
 have resided in Arizona for \_\_\_\_\_ years, and my birth date is the \_\_\_\_\_ day of \_\_\_\_\_,  
 \_\_\_\_\_, desire to become a Write-In Candidate for the office of: DISTRICT SUPERVISOR for  
 the \_\_\_\_\_ Natural Resource Conservation District to be voted on at the  
 District Election to be held on the 3<sup>th</sup> day of May, 2014.

**PLEASE NOTE**

PRINT OR TYPE YOUR NAME ON THE FOLLOWING LINE AS YOU WISH IT TO BE COUNTED FROM THE BALLOT:

\_\_\_\_\_  
 (last name) (first name) (middle name or initial) (Jr., Sr., III)

I do solemnly swear (or affirm) that as to these and all other qualifications, I am or will be qualified at the time of the election to hold the office that I seek, having fulfilled the constitutional and statutory requirements for holding said office.

\_\_\_\_\_  
 (SIGNATURE OF CANDIDATE)

Subscribed and sworn to (affirmed) before me this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
 NOTARY PUBLIC

My commission expires:

**No Cooperator Signatures Required**

**Notice of Required Ballots:**

By no later than 20 days prior to the election the electoral board shall notify the NRCD Manager of the number of mail out ballots request by electors and number of ballots required at the polling place.

**NOTE:** A.R.S. § 37-1051 B. states, "Qualified electors who wish to vote by mail ballot shall file a first class mailing address with the District governing body (NRCD election board) at least 30 days prior to the date of election." Official return mail in ballots and accompanying envelopes will be provided by ASLD in the quantity requested. (SEE NEXT PAGE FOR VOTE BY MAIL EXAMPLE NOTICE)

**MEMORANDUM**

TO: All NRCD Board Chairpersons & Designated Election Inspector  
FROM: Natural Resource Conservation District Manager  
DATE:  
SUBJECT: ELECTION BALLOTS

In order to provide ballots for the May 3rd Supervisor Election, please advise this office **by April 15th** of your **estimate** of the total number of ballots required.

cc: District Clerk  
\*\*\*\*\*

**Return this form to:** NRCD Manger  
Arizona State Land Department  
1616 West Adams  
Phoenix, AZ 85007

**Total number of mail ballots the District plans to mail out:** \_\_\_\_\_

**Total number of ballots to be used at polling place(s):** \_\_\_\_\_

**Total ballots required for the May \_\_, 20\_\_ election:** \_\_\_\_\_

**Name of NRCD:** \_\_\_\_\_

**NATURAL RESOURCE CONSERVATION DISTRICT  
ADDRESS  
PHOENIX, ARIZONA ZIP  
( ) PHONE**

---

DATE: \_\_\_\_\_

TO: **ALL** \_\_\_\_\_ NRCO COOPERATORS

SUBJECT: INSTRUCTIONS TO VOTE BY MAIL IN THE ELECTION OF A SUPERVISOR OF THE DISTRICT

**DATE OF ELECTION:** MAY \_\_\_\_, 20\_\_

To be counted, mail ballots must be received by the District Election Board before the closing of the polls on the day of the election.

RESIDENT ELECTOR:

To be eligible to vote in this election you must:

- 1) Be a district cooperater
- 2) Be registered to vote in Arizona
- 3) Live in the district

INSTRUCTIONS:

- 1. Mark the ballot.
- 2. Fold the ballot; insert ballot in the small envelope and seal the envelope.
- 3. Insert the small envelope, with ballot enclosed, into the larger return envelope. Sign the statement thereon, seal, stamp and mail or deliver to the Secretary of the District.

POLLING PLACE(S) FOR THOSE WHO WISH TO VOTE IN PERSON:

LOCATION: \_\_\_\_\_

TIME: \_\_\_\_\_

**Preparation of ASLD Official Ballots:**

Based on the election board’s request, official mail out and polling place ballots indicating the name of qualified candidates will be prepared by the NRCD Manager for local distribution by district officials.

**NOTE:** It is the electoral board’s responsibility to mail ballots to those voters requesting such, in time for return mail by the election date. Mail-in-ballots are to be delivered in their sealed envelopes to the election board at the polling place prior to closing.

**Election Day:**

- All polls should be kept open between the hours stated in the Public Notice of Election.
- Voting may commence as soon as the polls open.
- All voters shall sign an approved Polling Place Register.
- Any qualified elector present at the time the polls close shall be permitted to vote.

**Electoral Board Election Day Responsibilities:**

- Determine eligibility of each voter, if in question.
- Monitor the Polling Place Register sign in. (SEE BELOW EXAMPLE)
- Provide the voter with an official ballot. (SEE NEXT PAGE FOR EXAMPLE)
- Monitor the placement of the ballot in the ballot box.
- Note: At the request of the voter, ballots that have been spoiled / mismarked may receive a replacement ballot. The spoiled ballot should be destroyed in public. Once the name of the last voter has been entered on the Polling Place Register, the Judge / Inspector shall write: “We certify the election completed with the voting of (enter the name of the last voter of record). The election results shall be recorded on an Official Tally Sheet and signed by all election board members.
- A Certificate of Returns must then be completed, signed by the election board members and submitted to ASLD. (SEE PAGE 10 FOR EXAMPLE)

---

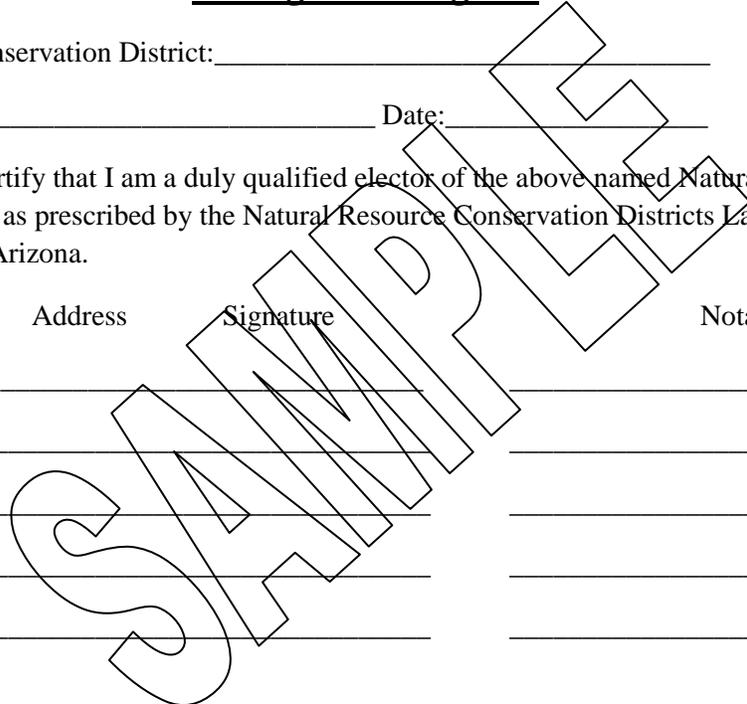
**Polling Place Register**

Natural Resource Conservation District: \_\_\_\_\_

Polling Place: \_\_\_\_\_ Date: \_\_\_\_\_

I, the undersigned, certify that I am a duly qualified elector of the above named Natural Resource Conservation District as prescribed by the Natural Resource Conservation Districts Law and the Election Laws of the State of Arizona.

Name	Address	Signature	Notation
1. _____	_____	_____	_____
2. _____	_____	_____	_____
3. _____	_____	_____	_____
4. _____	_____	_____	_____
5. _____	_____	_____	_____



**BALLOT**

ELECTION OF SUPERVISORS-DISNEY NRCD

INSTRUCTIONS: VOTE FOR NOT MORE THAN ONE by marking an X in the square after the name of the candidate of your choice.

For a six year term to expire May 31, 2014

John Wayne            A.R.S. § 16-311           

Tom Mix                A.R.S. §16-312

**CERTIFICATION OF RETURNS**

**SUPERVISOR ELECTION**  
**NATURAL RESOURCE CONSERVATION DISTRICT**

NOTE: Please use this form for certifying election returns and mail form IMMEDIATELY following election to the Arizona State Land Department, Division of Natural Resource Conservation, 1616 West Adams, Phoenix, Arizona 85007

.....

The Election Board which served this District hereby certifies to the Natural Resource Conservation Commissioner that a Supervisor Election was held between the hours of \_\_\_\_\_ and \_\_\_\_\_ on May \_\_, 20\_\_\_\_, and that the candidates at said election received the number of votes set opposite their respective names as follows:

**CANDIDATE**

**VOTES**

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

CERTIFICATE BY:

\_\_\_\_\_  
Natural Resource Conservation District

By:

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Inspector)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Judge)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Judge)

Date: \_\_\_\_\_

***A. R.S. § 16-615 RETURN THIS FORM TO THE STATE LAND DEPARTMENT  
IMMEDIATELY FOLLOWING THE ELECTION***

**SECTION (6) C: NRC D EXAMPLE OATH OF OFFICE AND LETTER OF APPOINTMENT**

**Oath of Office:**

ASLD NRC D Manager will prepare an Oath of Office in triplicate the winning candidate for notarized signature. The returned notarized Oaths of Office will be signed by the ASLD Commissioner, the ASLD NRC D Manager, and the Arizona Secretary of State. One original will be retained by the ASLD NRC D Manager, and one original will be sent to the district headquarters for their files. The successful candidate will be sent a **copy** of the said Oath.

---

**OFFICE OF THE  
ARIZONA STATE LAND DEPARTMENT**

***TO ALL WHOM IT MAY CONCERN: KNOW YE BY THESE PRESENTS, that I, Vanessa Hickman, State Land and Natural Resource Conservation Commissioner for the State of Arizona, having duly considered the canvas of and certificate of election held by the AGUA FRIA – NEW RIVER NATURAL RESOURCE CONSERVATION DISTRICT on May 3, 2014 and reposing trust and confidence in the integrity and ability of***

***John Doe***

***do hereby certify and recognize him to be duly elected Supervisor of said District, to serve until May 31, 2020, or until his successor is otherwise appointed, subject to his having timely and duly subscribed to the following loyalty oath or affirmation required by Arizona Revised Statutes Sec. 38-231, and, with the authority duly accorded him by law to discharge the duties of said office.***

***In witness whereof I have hereunto set my hand and Seal of Office at Phoenix, Arizona on this \_\_\_\_\_ day of \_\_\_\_\_, 2014.***

\_\_\_\_\_  
**STATE LAND AND NATURAL RESOURCE CONSERVATION COMMISSIONER**

**PLEASE SEE REVERSE SIDE FOR OATH, NOTARIZATION AND CERTIFICATION**

**OATH OF OFFICE**

*State of Arizona* }

**MARICOPA COUNTY** }

***I, John Doe, do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution and laws of the State of Arizona; that I will bear true faith and allegiance to the same and defend them against all enemies, foreign and domestic; and that I will faithfully and impartially discharge the duties of the office of Supervisor of the AGUA FRIA NATURAL RESOURCE CONSERVATION DISTRICT according to the best of my ability, so help me God (or, so I do affirm).***

\_\_\_\_\_  
**SIGNATURE**

*Subscribed and sworn to before me this* \_\_\_\_\_ *day of* \_\_\_\_\_ *, 2014.*

\_\_\_\_\_  
**NOTARY PUBLIC**

*My Commission Expires:*  
\_\_\_\_\_

**CERTIFICATE OF APPOINTMENT**

***I, the undersigned, do hereby certify that, John Doe has been duly appointed to this position and has qualified for the office and term named above.***

*Dated this* \_\_\_\_\_ *day of* \_\_\_\_\_ *, 2014.*

\_\_\_\_\_  
**MANAGER**

*Natural Resource Conservation Division*

*Arizona State Land Department*

***Filed in the Office of the Secretary of the State of Arizona,***

*this* \_\_\_\_\_ *day of* \_\_\_\_\_ *, 2014.*

\_\_\_\_\_  
**SECRETARY OF STATE**

**SECTION (6) D: NRC D EXAMPLE APPOINTMENT REQUEST FORM**

\*\*\*Available Online

**Appointment Request Form:**

At the first meeting in June of the election years, the three elected supervisors shall recommend to the ASLD Commissioner, in writing a minimum, of two qualified candidates for appointment to the district board of supervisors. The term of appointment is for two years. Oaths of Office for the two appointed supervisors will be prepared by the ASLD NRC D Manager. Below is an example of the Appointment Request Form.

TO: NRC D State Natural Resource Conservation Commissioner  
Arizona State Land Department  
1616 W. Adams  
Phoenix, AZ 85007

We, the undersigned elected Supervisors of the below-named Natural Resource Conservation District (NRC D), pursuant to Paragraph D, Section 37-1036 ARS, do hereby submit the following panel of candidates to the State Natural Resource Conservation Commissioner for her consideration of their appointment to fill two two-year term positions as appointed members of our Board. This panel was compiled by us at a meeting called for that purpose on \_\_\_\_\_, 20\_\_\_\_. If there are more than two candidates, please submit information on a separate document.

1. \_\_\_\_\_  
 name phone e-mail address

\_\_\_\_\_  
 address city state/zip

2. \_\_\_\_\_  
 name phone e-mail address

\_\_\_\_\_  
 address city state/zip

\_\_\_\_\_  
**Natural Resource Conservation District** **Date**

By: \_\_\_\_\_, ELECTED SUPERVISOR  
 \_\_\_\_\_, ELECTED SUPERVISOR  
 \_\_\_\_\_, ELECTED SUPERVISOR

**SIGNATURE OF THREE (3) ELECTED SUPERVISORS IS REQUIRED.**

**ATTACHED IS A COPY OF APPOINTEES' COOPERATIVE AGREEMENTS, VOTER REGISTRATIONS, AND DRIVERS' LICENSES.**

**SECTION (6) E: NRCD EXAMPLE NOTICE OF SUPERVISOR RESIGNATION**

**\*\*\* Available Online**

**Notice of Resignation:**

In the event an appointed or elected supervisor resigns before his or her term has expired, a Notice of Resignation shall be filed with the ASLD NRCD Manager.

---

**NRCD SUPERVISOR  
NOTICE OF RESIGNATION**

TO: Arizona State Land Department  
Division of Natural Resource Conservation  
Natural Resource Conservation District Section  
1616 West Adams  
Phoenix, Arizona 85007

NRCD Manager,

I regret the necessity of submitting my resignation as Supervisor of the Natural Resource Conservation District named below.

My resignation is to take effect on the date a replacement can be installed in office to serve the remainder of my term on the Board of Supervisors.

Sincerely,

\_\_\_\_\_  
(printed)

\_\_\_\_\_  
(signature)

Date: \_\_\_\_\_

\_\_\_\_\_  
(Natural Resource Conservation District)

**SECTION (6) F: NRCD EXAMPLE NOMINATION FORM TO FILL AN UNEXPIRED TERM**

\*\*\*Available Online

**Nomination to Fill Unexpired Term of Office:**

Supervisor vacancies shall be filled by submission of a Nomination to Fill the Unexpired Term of Office.

**Nomination to Fill the Unexpired Term of Office**

**Appointed Position:** \_\_\_\_\_

**Elected Position:** \_\_\_\_\_

**TO:** State Natural Resource Conservation Commissioner  
Division of Natural Resource Conservation  
Arizona State Land Department  
1616 W. Adams  
Phoenix, AZ 85007

We, the undersigned Supervisors of the below-named Natural Resource Conservation District (NRCD), pursuant to Paragraph D, Section 37-1036 ARS, do hereby submit the following qualified candidate to the State Natural Resource Conservation Commissioner for consideration of appointment to the unexpired elected position vacated by:

1. \_\_\_\_\_  
Name of resigning Supervisor      phone      e-mail address  
\_\_\_\_\_  
address      city      state/zip

2. \_\_\_\_\_  
Name of nominee      phone      e-mail address  
\_\_\_\_\_  
address      city      state/zip

\_\_\_\_\_  
**Natural Resource Conservation District**  
By:

\_\_\_\_\_, SUPERVISOR  
\_\_\_\_\_, SUPERVISOR  
\_\_\_\_\_, SUPERVISOR

This panel was compiled by us at a meeting called for this purpose on \_\_\_\_\_, 20\_\_

# SECTION 7

## Section (7) A: GUIDING PRINCIPLES FOR SUPERVISOR / STAFF WORKING RELATIONSHIP

Just as natural resources must be stewarded with care, so should NRCD employees (and volunteers). District employees should have an annual work plan that should be evaluated yearly to clarify expectations, identify continued professional development needs and address concerns. One board supervisor should be designated as the contact person. NRCD boards can reasonably expect the following from staff:

- Attention to details of a meeting
- Complete, concise and accurate information
- Honesty in individual and organizational relationships
- Judicious use of time
- Meeting of agreed upon deadlines with notification if deadlines cannot be met (and reasons why)
- Prompt response to requests for information
- Prompt return of phone calls and e-mails

In return, staff working for NRCD's can reasonably expect:

- Honesty in individual and organizational relationships
- Fulfillment of commitments with agreed upon deadlines
- Organizational knowledge and ability
- Candid performance appraisal and assistance in performance
- Support in controversial situations
- Prompt response to requests for information
- Easy access by phone or visitation

## **Section (7) B: EXAMPLE LANGUAGE FOR EMPLOYEE PERSONNEL POLICY**

**\*\*\*NRCD policies are not required by statute or a requirement to receive State funds, but they reflect good management and procedure. They cannot, however, override any local, state, or federal laws.\*\*\***

The \_\_\_\_\_ Natural Resource Conservation District (NRCD) hired you because we are confident in your ability. We expect your conduct on the job to be governed by your good judgment, consideration of others and respect for the ideals of the Conservation Districts.

### **TYPES OF EMPLOYMENT**

*Full time Employees* - Those employees who work a minimum of 40 hours per week. These employees are eligible for applicable benefits.

*Part time Employees* - Those employees whose regular schedule consists of less than 40 hours a week. These employees are not eligible for benefits.

### **PROBATIONARY PERIOD**

The first three months of employment beginning with the date of hire are considered a probationary period for all employees. This time provides an opportunity for you to become better acquainted with your new hire and for you to evaluate your new employee. Either the NRCD or the employee may terminate employment for any reason during this time. Applicable benefits will begin at the end of the probationary period.

### **WORK WEEK**

For payroll purposes, the pay period covers 12:01 am Monday through 12:00 pm Sunday.

### **ABSENCE**

Our overall effectiveness is dependent on the punctual and regular attendance of each employee.

### **PAYDAY**

Employees are paid biweekly on Friday for the period of work completed at 12:00 pm the previous Sunday.

### **PERSONAL PROPERTY**

The NRCD does not assume responsibility for any personal property left or damaged in the office.

### **BENEFITS- FULL TIME EMPLOYEES**

Matching FICA

Workman's Compensation

5 personal leave days a year with no more than two days to be taken at one time. Sick leave shall accrue at the rate of 4 hours per pay period after the probationary period has ended.

#### Paid Holidays listed below:

- New Year's Day
- Thanksgiving Day
- Independence Day
- Christmas Day
- Labor Day

- Medical, dental, life insurance and retirement are not available at this time.

### **WORKMAN'S COMPENSATION**

Workman's Compensation- Any employee who is accidentally injured on the job, no matter how minor should report the injury immediately. This will insure that all claims are processed as quickly as possible. Failure to report an injury within a reasonable length of time may cause ineligibility for Workers Compensation.

By signing below, I acknowledge that:

1. I have read, understood and agree to and support the policies stated above.
2. I have reviewed and understand my written job description (attached)

**Signed by:** \_\_\_\_\_ **Date:** \_\_\_\_\_

### **PERSONNEL POLICY PART TIME EMPLOYEES**

Matching FICA  
Workman's Compensation

### **CORRECTIVE ACTION FOR ALL TYPES OF EMPLOYEES**

From time to time job related problems may develop. These problems deserve a candid and open conversation with the objective of improvement and prompt resolution. Such problems may include, but are not limited to, violation or conflict with NRCDC policy, performance on the job or consistent absence. The following steps cover the normal pattern of corrective action:

1. The supervisor discusses with the employee the specifics of a problem, the corrections which are needed, and the dates by which the correction should occur. The supervisor will document the date and content of the conversation.
2. If the problem persists, the employee will then receive written warning containing a statement of the problem, noting the date of the verbal warning, and a list of necessary corrections. The employee will be asked to sign an acknowledgment that he or she has read it; a copy will be placed in the employee's file and a copy given to the employee.
3. If the problem persists, a second written warning will be given using the same format as step two.
4. If the problem re-occurs after the second written warning, corrective action up to and including dismissal may occur.

The corrective action policy described above does not apply to serious infractions which may justify immediate dismissal for cause. Such infractions include, but are not limited to stealing, substance abuse on the job, insubordination, dishonesty, and breach of confidence. In such cases, the decision to terminate an employee with cause must be approved by the board prior to any action being taken.

### **GRIEVANCE**

If an employee has a grievance to be filed, first discuss with the Chairman of the Board. Appropriate action will be taken from there.

### **TERMINATION**

Employee or employer will receive written notification of termination no

less than 30 days prior to the selected termination date.

### **SUBSTANCE ABUSE**

In the interest of employee health, safety, and the maintenance of effective business relations, it is the policy of the NRCD to prohibit the use of mind altering substances, including alcoholic beverages, during working hours. Employees reporting to work under the influence of such substances will be released without pay for the balance of that workday and may be subject to further corrective action, including discharge.

By signing below, I acknowledge that:

1. I have read, understood and agree to and support the policies stated above.
2. I have reviewed and understand my written job description (attached)

**Signed by:** \_\_\_\_\_ **Date:** \_\_\_\_\_

### **Section (7) C: EXAMPLE LANGUAGE FOR HUMAN RESOURCES POLICY**

**\*\*\*NRCD policies are not required by statute or a requirement to receive State funds, but they reflect good management and procedure.\*\*\***

The purpose of this policy is to affirm the NRCD's commitment to equal opportunity, nondiscrimination and affirmative action. It is the policy of the NRCD to uphold a management system for officers, directors, employees, members, volunteers, and others that ensures high standards of honesty, integrity, impartiality and conduct. It is further policy of the NRCD to ensure a safe and healthy work place free from discrimination or harassment of any kind.

#### **I. Nondiscrimination-Equal Opportunity-Affirmative Action**

The NRCD does not discriminate against any person on the basis of race, religion, color, gender, sexual orientation, national origin, ancestry, age, marital status, veteran status or disability. This policy covers all programs, services and procedures of the NRCD, including employment.

The NRCD will aggressively pursue equal opportunity for all qualified employees and applicants for employment. Positive action will continue to be taken to ensure conformance to the policies set forth herein. The objective of this policy is to obtain individuals qualified and trainable for positions by virtue of education, training, experience and personal qualifications without regard to race, religion, color, gender, sexual orientation, national origin, ancestry, age, marital status, veteran status or disability. It's further objective is to maintain a work place free from discrimination or harassment in any form.

#### **II. Harassment**

##### **A. General**

Harassment in any form is an unacceptable behavior and will not be tolerated by the NRCD. In general, harassment is any conduct that has the purpose or effect of unreasonably interfering with an

individual's work performance or creating an intimidating, hostile or offensive working environment. Harassment is defined to include: participating in coercive or repeated, unsolicited and unwelcome verbal comments or gestures; or using implicit or explicit coercive behavior in the process of conducting business, or to control, influence or affect the career, salary or job of an employee.

Harassment includes such unwelcome behavior as: verbal abuse; insults; suggestive, demeaning or degrading comments; jokes; notes or picture displays alluding to race, religion, color, gender, sexual orientation, national origin, ancestry, age, marital status, veteran status or disability. Harassment may also take the form of physical aggressiveness, threats or other intimidating behaviors.

## **B. Sexual Harassment**

Sexual harassment is a specific type of discrimination based on sex, and is prohibited by Section 703 of Title VII of the Civil Rights Act of 1964, as amended. Any unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitutes sexual harassment when: submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; submission to, or rejection of, such conduct by an individual is used as the basis for employment decisions affecting such individual; or such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. Sexual harassment, like other forms of harassment, includes: coercive or repeated, unsolicited and unwelcome verbal comments, gestures or physical contacts of a sexual nature; or using implicit or explicit coercive sexual behavior in the process of conducting business, or to control, influence or affect the career, salary or job of an employee. It can also include: verbal abuse, insults, whistles, or suggestive comments; jokes; notes or pictures; touching and physical aggressiveness; pressure for dates; or threats or sexual assault.

The rules and guidelines concerning sexual harassment are not confined just to the office, but also apply to business trips, meetings and conferences away from the regular work place, and off-the-clock, work related social activities.

## **C. Policy**

Officers, supervisors, employees, and others affiliated with the NRCD must maintain high standards of conduct at all times. Any such individual engaging in harassing behavior or activities is subject to disciplinary action, which may include removal from office or employment. Managers and supervisors who tolerate such behavior, who fail to take appropriate action on reports of harassment, or who retaliate against individuals who report incidents or file claims of harassment are also subject to disciplinary action for failure to perform their supervisory or managerial duties.

This NRCD policy applies to officers, directors, employees, volunteers and others affiliated with the NRCD. It also applies in their working relationships with non-NRCD employees and contractors.

## **D. Complaint Procedures**

Persons who believe that they are being, or have been, subjected to harassing or discriminatory behavior should report the incident(s) to their immediate supervisor or the Chair of the NRCD Board. If a complainant's supervisor cannot satisfactorily resolve a complaint, it should be brought to the attention of the Board. Throughout any harassment resolution process, the confidentiality of the complainant(s) and witness(es) will be maintained.

Every attempt will be made to satisfactorily resolve matters internally at the initial stage of a complaint. However, other alternatives are available to a complainant if she or he is not satisfied with a NRCD proposed resolution. An individual may file a formal complaint through the appropriate state human rights commission within 180 days of an incident, or with the U.S. Equal Employment Opportunity Commission within 300 days of an incident.

### **E. Sanctions and Disciplines**

Any officer, director, manager, supervisor or employee who violates this policy either by engaging in such previously defined inappropriate conduct, or by allowing such conduct to go unaddressed, will be subject to disciplinary actions. Such actions include, but are not limited to, counseling, reprimands, suspensions without pay and/ or removal from office or termination of employment.

### **F. Contact**

U.S. Equal Employment Opportunity Commission  
3300 North Central Avenue  
Northwest tower, Suite 690  
Phoenix AZ 85012  
(800) 669-4000

### **Section (7) D: EXAMPLE LANGUAGE FOR VOLUNTEER AGREEMENT**

**\*\*\*NRCD agreements are not required by statute or a requirement to receive State funds, but they reflect good management and procedure. They cannot, however, override any local, state, or federal laws.\*\*\***

1. Name:  
Address (include zip code):

Telephone Number:  
Date of birth:

2. Person to Notify in an Emergency:  
Address (include zip code):

Relationship to Volunteer:  
Telephone (include area code):  
Home-  
Work-

3. Project or Job Description (Check the appropriate box(es)) and provide a brief summary of work to be accomplished. If need be, use reverse side or attachment to more fully describe the work and Volunteer(s) duties):

- Leading Tours
- Working with youth groups activities
- Horticulture/ Grounds maintenance
  - Site Steward (greeter at the gate)
  - Native Plant Salvage Project
  - Adopt-a-Garden
  - Special Projects (please describe)
  - Other \_\_\_\_\_



Section (7) E: EXAMPLE LANGUAGE FOR **RELEASE AND WAIVER OF LIABILITY AGREEMENT**

**RELEASE AND WAIVER OF LIABILITY AGREEMENT**

I, \_\_\_\_\_, acknowledge that I have voluntarily applied to participate in the following  
*(Participant Name)*

activities \_\_\_\_\_  
*(Description of activities, which Participant will engage in)*

at \_\_\_\_\_  
*(Location)*

with the \_\_\_\_\_  
*(NRCD or Education Center Name)*

I AM AWARE THAT THESE ACTIVITIES ARE POTENTIALLY HAZARDOUS ACTIVITIES AND THAT I COULD BE SERIOUSLY INJURED OR EVEN KILLED. I AM VOLUNTARILY PARTICIPATING IN THESE ACTIVITIES WITH KNOWLEDGE OF THE DANGER INVOLVED, AND AGREE TO ASSUME ANY AND ALL RISKS OF BODILY INJURY, DEATH OR PROPERTY DAMAGE, WHETHER THOSE RISKS ARE KNOWN OR UNKNOWN.

**I verify this statement by placing my initials here:** \_\_\_\_\_

**Parent or Guardians' (if there is dual custody) signatures (if under 18):**  
\_\_\_\_\_  
\_\_\_\_\_

I, \_\_\_\_\_, forever release the above NRCD and  
*(Parent or Guardians' signature, if under 18)*  
its associated Education Center, any affiliated organization, and their respective directors, officers, employees, volunteers, agents, contractors, and representatives from any and all actions, claims, or demands that I, my assignees, heirs, distributes, guardians, next of kin, spouse and legal representatives now have, or may have in the future, for injury, death, or property damage, related to my participation in these activities, the negligence or other acts, whether directly connected to these activities or not, and however caused, by or the condition of the premises where these activities occur, whether or not I am then participating in the activities. I also agree that I, my assignees, heirs, guardians, next of kin, spouse and legal representatives will not make a claim against, sue, or attach the property of any release in connection with any of the matters covered by the foregoing release.

I HAVE CAREFULLY READ THIS AGREEMENT AND FULLY UNDERSTAND ITS CONTENT. I AM AWARE THAT THIS IS A RELEASE OF LIABILITY AND A CONTRACT BETWEEN MYSELF AND THE NRCD AND ITS ASSOCIATED EDUCATION CENTER, AND SIGN IT OF MY OWN FREE WILL.

If Signed by Parent or Guardian: I verify that the dangers of the activities and the significance of this Release and Waiver were explained to the Participant and that the Participant understood them. Executed at, \_\_\_\_\_ Arizona on, \_\_\_\_\_ .  
(Location) (Date)

PARTICIPANT, PARENT, OR GUARDIANS (DEPENDING ON CUSTODY)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Signature)

PARTICIPANT CONTACT INFORMATION

Address: \_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

EMEGENCY CONTACT INFORMATION

Name and Address: \_\_\_\_\_

\_\_\_\_\_

Name and Address: \_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_ Phone: \_\_\_\_\_

Email: \_\_\_\_\_ Email: \_\_\_\_\_

**IF YOU ARE UNDER 18 YEARS OF AGE, YOU AND YOUR PARENT OR GUARDIAN MUST SIGN THIS FORM WHERE INDICATED.**

# SECTION 8

## **SECTION (8) A: NRCD SPONSORED EDUCATION CENTERS**

A.R.S. § 37-1054 outlines the power of a conservation districts to organize and establish environmental education centers, and statute suggests that in order to receive state supplemental funding the education centers should: foster practical, hands-on learning experiences, encourage critical thinking, demonstrate the need for individual stewardship, and demonstrate urban and rural interdependence; provide balanced environmental programs - providing courses or programs to the general public in a formal setting on the relationship of humans to their artificial and natural surroundings and includes the relationship of population, pollution, resource allocation, conservation, transportation, technology and resource production to the environment; be based on current scientific information - either updated in the last five years or that has not been shown to be out of date; lastly, include discussions of economic and social implications.

---

Statue gives little guidance to the NRCDs regarding the establishment of their education centers, but the following are recommended.

- Tax ID Number
- Mission Statement
- Annual Plan of Work
- Long Range Plan
- A Governing/Advisory Board under the direction and/or control of the sponsoring NRCD or NRCDs that are responsible for setting policy and procedures and that is the final authority on education center matters. The Education Board may be composed of only NRCD Supervisors.
- Personnel policy, job description and contract for director

### ***Required Reporting to the State Land Department***

- Meeting agenda must be posted in a public area and a copy sent to the Land Department 24 hours before every meeting.
- Per A.R.S. §§ 38-431(6) and -431.01(B) advisory committees and subcommittees are required to take meeting minutes. Monthly or quarterly meeting minutes, depending on when the education center board meets, must be available to the public and provided to ASLD within 72 hours after the meeting was held. A signed and approved copy of the minutes should be sent to the Land Department after they are approved at the following meeting. It is required that education center boards meet at least once every 90 days.

- Annual Report including the standard Report Cover Page and a Financial Statement due July 20 each year.
- Application for Education Center Funds and Plan of Work due June 20 each year.
- Meeting location notice is due once, unless it changes.