

A Guide for



Oklahoma Conservation District Directors

Prepared by the
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Foreword

This guide has been developed to help you better understand your duties and responsibilities as a conservation district director. It does not contain all the information you will need in your position as a director, but it should get you started in the right direction.

More detailed information about district activities and programs can be found in the Conservation District Handbook, located in the district office.

As a district director you represent the citizens of the district on conservation issues, help direct the day-to-day operation of the district office, and share in the responsibility for the supervision of district employees and for the financial management of the district. It is important that you understand your duties, powers and responsibilities.

We hope this guide is helpful and that you will keep it as a handy reference.

This guide was developed by the Oklahoma Conservation Commission's District Services Division.

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Basic Conservation District Concepts

Conservation districts are charged with the conservation of the state's natural renewable resources. Board members are public officials who are either elected or appointed (two appointed by the Oklahoma Conservation Commission and three elected). Directors represent citizens in setting priorities for conservation work carried out within their districts. District boards meet monthly to conduct district business and may call special meetings.

- ◆ Conservation districts are locally-operated subdivisions of government organized according to state law.
- ◆ The district board has ultimate responsibility for all district actions, decisions, and employees.
- ◆ The district board is the governing body of the district and as such sets priorities of the district.
- ◆ District programs utilize technical, financial, and informational services from local, state, and federal agencies.
- ◆ Districts have no regulatory or taxing authority, but rather rely upon voluntary participation of people to achieve their goals.
- ◆ Districts receive state appropriated funds through the Oklahoma Conservation Commission and most districts also depend on locally-earned funds to help carry out their programs.
- ◆ Conservation districts work with landowners and other agencies to address soil erosion, flooding and other natural resource problems.
- ◆ Districts also carry out other programs, such as conservation education, public information, water quality, and land reclamation.

Responsibilities of Directors

The following is a partial list of conservation district powers and responsibilities.

- ◆ Manage the district's finances and personnel.
- ◆ Promote sound land and water use as well as maintain a technically sound conservation program.
- ◆ Determine a method to earn local funds to help operate the district's business and to supplement technical assistance to the district.
- ◆ Make efficient use of the technical and financial resources of the district.
- ◆ Develop and prepare a Long Range Conservation Program and an Annual Plan of Work for the district.
- ◆ Approve new cooperator agreements and cancel agreements when necessary.
- ◆ Review conservation plans developed by NRCS personnel for district cooperators.
- ◆ Cooperate with and enter into agreements with local, county, state, or federal agencies within the district to provide programs to landusers in the district.
- ◆ Seek the cooperation and assistance of other governmental agencies and citizens groups in developing and implementing the district's program of conservation.
- ◆ Evaluate legislation regarding conservation as it affects the soil, water and related natural resources of the district.

Prohibitions

By law, as a conservation district director and an official of a subdivision of state government, you are prohibited from:

- ◆ Selling to or contracting to provide services for the conservation district. Relatives of district directors are also prohibited from selling to or contracting to provide services for the conservation district.
- ◆ Hiring a relative.
- ◆ Serving in any other elective state or county office, except as a member of the board of education of a school district.

The Conservation Partnership

For over 60 years conservation districts have operated as examples of local people working with state and federal agencies to protect and promote the proper use and conservation of Oklahoma's soil and water resources. The traditional partnership is between the local conservation district board, the Oklahoma Conservation Commission, the USDA Natural Resources Conservation Service (NRCS), the Oklahoma Association of Conservation Districts (OACD) and the Oklahoma Association of Conservation District Employees (OACDE).

The Oklahoma Conservation Commission furnishes administrative and financial assistance to districts.

The OACD serves as a unified voice for conservation districts and represents districts in legislative matters.

Conservation districts have entered into a memorandum of understanding with NRCS that provides the basis for office sharing and for NRCS technical assistance to district cooperators.

The OACDE is the district employee association that provides a unified voice for district employees and works with the other partners in carrying out a variety of conservation activities.

Districts often have agreements with other state and federal agencies such as the Oklahoma Division of Forestry, Oklahoma Department of Wildlife, Farm Service Agency, U. S. Fish and Wildlife Service, Extension Service and others.

Understanding the Roles of the Partnership

Conservation districts usually share an office with the Natural Resources Conservation Service and some offices also house personnel from other agencies.

New directors usually want to know who everyone in the office is, who they work for and what is their role or job duty. While this will vary from office to office, here is how most offices are staffed.

Conservation district employees, usually consist of a secretary and a district or equipment manager. In some offices the person serving as the secretary may have a different title and additional responsibilities, such as conservation education, information activities and cost-share program. **The district directors are responsible for the supervision of district employees.**

The USDA Natural Resources Conservation Service assigns federal employees to provide technical assistance to landusers through the conservation district. District directors do not supervise NRCS employees.

Natural Resources Conservation Service (NRCS)

The Natural Resources Conservation Service (NRCS) provides a staff to assist conservation district directors with district programs and to carry out mandated USDA programs. NRCS is a federal agency in the U. S. Department of Agriculture. The agency was created in 1935 as the Soil Conservation Service and the name was changed to the Natural Resources Conservation Service in 1994 during a USDA reorganization.

The district conservationist is the supervisor for NRCS employees in the office and is the primary contact for the district board. The district conservationist is supervised by an Assistant State Conservationist in the NRCS state office in Stillwater. The NRCS State Conservationist in Stillwater is in charge of all NRCS employees in Oklahoma.

Each conservation district has a memorandum of understanding with NRCS. In this agreement, NRCS agrees to provide technical assistance to district cooperators such as conservation planning and engineering assistance. The NRCS works to assist districts carry out conservation priorities in annual and long range work plans. The agency also carries out federal programs mandated by Congress, such as the Wetlands Reserve Program, Wildlife Habitat Incentives Program, and Environmental Quality Incentives Program.

Oklahoma Conservation Commission (OCC)

The Oklahoma Conservation Commission is a state agency created by the Oklahoma Legislature to administer the Conservation District Act and to provide for the conservation of the state's renewable natural resources.

The five members of the Commission are appointed by the Governor and confirmed by the state Senate for a five-year term, with one member coming up for appointment each year. Three of the five Commissioners must be actively involved in the practice of farming and/or ranching and all must be members of their local conservation district boards.

The day-to-day operations of the Commission are managed by an executive director and staff located in Oklahoma City. This staff provides support and assistance to conservation districts and carries out programs assigned to the Commission by the Legislature that include: nonpoint source water quality programs, reclamation of abandoned mine lands, state's wetlands management strategy, and carbon sequestration certification program. The staff is divided up into seven divisions:

Administrative Division

This division represents the Commission in providing oversight and support for all Conservation Commission operations and programs, including the Conservation Programs, Water Quality, Abandoned Mine Land Reclamation, Financial Management and Human Resources, District Services, and Information Technology divisions, as well as management of public communications activities and production of public information materials. This division makes policy decisions for the agency.

District Services Division

The primary objective of this division is to serve as a liaison to conservation district boards and employees in an effort to enhance the capabilities of districts to deliver a variety of services and programs.

Conservation Programs Division

This division provides management and technical assistance to conservation districts in three major program areas: upstream flood control, conservation cost-share, and conservation education.

Financial Management and Human Resources Division

This division provides support to all operations and programs of the Commission and assistance to conservation districts regarding personnel and financial management, procurement, risk management, and employee benefits coordination.

Information Technology Division

This division's responsibilities include the Oklahoma Conservation Commission's geographic information systems (GIS) operations and database management, and computer network administration for the agency, as well as computer network support to the agency and to conservation districts.

Abandoned Mine Land Reclamation Program Division

The mission of this division is to protect the public from hazards left as a result of past coal mining practices. The AML Program coordinates with 16 conservation districts, in utilizing federal funds to reclaim surface and underground coal mines abandoned prior to August 3, 1977.

Water Quality Division

The Oklahoma Conservation Commission is the state's nonpoint source technical lead agency in carrying out Section 319 Nonpoint Source Management Programs of the federal Clean Water Act Amendments of 1987. This division is responsible for prioritizing and managing nonpoint source pollution of the state's waters and coordinates water quality assessments and water management programs and a water quality cost-share program.

Oklahoma Association of Conservation Districts (OACD)

The Oklahoma Association of Conservation Districts (OACD) and the National Association of Conservation Districts (NACD) are private, nonprofit associations formed for the purpose of helping the conservation districts of the state and nation. As private associations, OACD and NACD can become involved in legislative matters that effect the conservation of natural resources and conservation district programs.

These associations also sponsor and/or cosponsor awards programs and other such activities that cannot be funded by a state government division or subdivision. The OACD handbook in the district office has detailed information on the programs of these associations (not the same as Conservation District Handbook).

Oklahoma Association of Conservation District Employees (OACDE)

OACDE represents district employees in the state and works with other partnership members to assist with speech, essay, poster, and National Land and Range judging Contests and other events and activities.

Board Meetings

Your district holds monthly board meetings and may have the need to call special board meetings during the year. Directors use these meetings to take official action on plans, programs, and functions of the district. The minutes are the official record of the transactions and proceedings of the directors and should contain complete, accurate information. The minutes are a permanent record of the district's business and provide a history of your district. The minutes are one of the most important documents in the district office.



A special meeting is a meeting held in addition to the regularly scheduled board meeting. A public notice of a special meeting must be given to the County Clerk 48 hours prior to the meeting. The agenda must be posted 24 hours prior to the meeting.

An emergency meeting means any meeting called for the purpose of dealing with an emergency which cannot wait until the next regularly scheduled meeting. An emergency is defined as a situation involving injury to persons or injury and damage to public or personal property or immediate financial loss when the time requirements for public notices of a special meeting would make such a procedure impractical and increase the likelihood of injury or damage or immediate financial loss.

Meeting Attendance

District directors are required to attend at least 75 percent of the regularly scheduled board meetings held during their term and one of the following annually:

- ◆ An Oklahoma Association of Conservation Districts area meeting;
- ◆ An Oklahoma Association of Conservation Districts state meeting;
- ◆ A National Association of Conservation District regional meeting;
- ◆ A National Association of Conservation Districts national meeting.

Compensation to Directors

Directors are entitled to receive meeting expense reimbursement for attending 12 regularly scheduled board meetings, plus three other meetings as designated by the Oklahoma Conservation Commission.

Directors may be reimbursed by the district for actual expenses. Reimbursable expenses may include any reasonable public or private transportation, registration fees, meals, and lodging.

Open Meeting Act

The Open Meeting Act (Title 25 of the Oklahoma Statutes, Sections 301 and following) applies to all conservation districts. Section 313 of the Act states that “any action taken in willful violation of this Act shall be invalid.”

Directors need to be familiar with this Act, especially with requirements on how to develop an agenda, when and how to post the agenda, requirements on holding an executive session, what constitutes a quorum, requirements on meeting facilities and keeping minutes.

The law provides that any person who willfully violates the Open Meeting Act is guilty of a misdemeanor. Conviction can result in a fine up to \$500 or imprisonment in the county jail for up to one year, or both a fine and imprisonment.

Open Records Act

The Oklahoma Open Records Act (Title 51 of the Oklahoma Statutes, Sections 24A.1 and following) requires public offices to keep and maintain public records for inspection and copying during regular business hours. All records of public bodies that are not specifically required by state or federal law to be kept confidential are required to be open for public inspection.

Your district has a specific duty to keep and maintain complete records regarding the transaction of public business, the expenditure of public funds, and the administration of public property.

Financial Management

One of your primary responsibilities as a district director is to manage district funds in accordance with state laws and as efficiently as possible in order to provide the greatest service to the people of the district.

Districts submit a financial statement of needs and justification of funds to the Oklahoma Conservation Commission for the upcoming fiscal year. This document should detail the district’s financial needs and any new funding with justification for the request.

The Legislature appropriates funds to the Oklahoma Conservation Commission (OCC) each year for conservation districts. The Commission makes a request for funds to the Legislature based upon the financial statement of needs and justification of funds provided by the districts. Once the appropriation is passed and is signed by the Governor, OCC allocates a portion of the field services appropriation to each district. The OCC notifies districts of the amount of its allocation at the beginning of the state fiscal year (July 1).

While districts usually depend on employees to carry out the day to day business of keeping financial records, it is the directors' responsibility to review these records and all financial transactions each month. Directors should know in detail where each dollar came from and where it went. By law, most district records, including financial records are open to the public for inspection during normal business hours.

Budget

Based upon the allocation from OCC and anticipated revenue from other sources, the district should prepare an annual budget. The budget should reflect the district's Annual Plan of Work. The OCC provides each district with a quarterly summary of expenditures. Comparing the quarterly expenditure summary to the annual budget allows the board to make necessary budget adjustments.

Annual Audit/Review

The district's financial records must be audited every three years. A review must be conducted in the years when an audit is not conducted. Audits and reviews must be performed by a licensed accountant on a state-approved list.

Locally-Earned Funds

The Conservation District Act provides that a conservation district may "make available, on such terms as it shall prescribe, to landowners and occupiers within the district, agricultural and engineering machinery and equipment, fertilizer, seeds and seedlings, and such other occupiers to carry out operations upon their lands for the conservation of renewable natural resources." Under this authority, many districts operate some kind of service to earn money.

Locally-earned funds are public monies and must be expended in keeping with the same laws and rules that apply to state funds. Accurate records and receipts must be kept of the expenditure of district funds, since they are subject to audit by the State Auditor and Inspector. Some examples for the use of your district's locally earned funds are:

- ◆ The cost of conducting contests that promote conservation.
- ◆ Scholarships or fees for students to attend special conservation events or programs such as the Boy Scouts Conservation Camp or a forestry camp.
- ◆ Actual cost for district directors, employees, and other official representatives of the district to attend conservation meetings such as the National Association of Conservation Districts or Oklahoma Association of Conservation Districts meetings.
- ◆ Additional monthly or hourly pay to district employees (but not bonuses).
- ◆ Dues to organizations that promote conservation such as Oklahoma Association of Conservation Districts and National Association of Conservation Districts.

Personnel Management

District directors are responsible for the hiring, supervising, and the termination of employees. District employees are not state employees, but employees of the individual conservation districts.



Supervising employees may be one of the biggest challenges for directors. Since the board normally only meets once a month and day-to-day contact with employees may be minimal, it is sometimes difficult to provide the needed supervision, support and feedback to employees. But there are key job duties that can be measured and evaluated. Directors should provide employees with a position description and standards of performance for the position. Job performance should be reviewed and documented on a regular basis. Guidelines for supervising employees are in the conservation district handbook. Assistance is also available from the OCC District Services Division.

History of Conservation Districts

The idea of a local unit of government taking responsibility for local conservation programs came about in the mid-1930s. Oklahoma was in the middle of a ten-year drought and the western part of the state was included in an area that became known as the “Dust Bowl.”



Severe erosion and flooding was taking its toll on the state’s soil and water and there wasn’t an organized conservation program. The Soil Erosion Service was formed in 1933 in the Department of the Interior to begin dealing with erosion problems. In 1935 the agency was moved to the U. S. Department of Agriculture and the name was changed to the Soil Conservation Service. The SCS began setting up demonstration areas to promote conservation practices, but had limited success due to lack of support and interest. USDA realized early on that there was a need for a local group of people to take leadership in conservation efforts.

In February 1937 President Franklin D. Roosevelt sent a model state law and a letter to each state governor urging them to enact a law that would provide for local farmers and ranchers to actively participate in planning and conducting conservation programs.

Oklahoma was the second state in the nation to pass legislation creating the opportunity for creation of local soil conservation districts. Arkansas was the first state to pass the legislation, but their law did not go into effect until June 10, 1937. Oklahoma’s legislation went into effect the day the Governor signed the bill, April 15, 1937.

Soil and water conservation districts were formed by local people submitting a petition to the state Soil and Water Conservation Committee. The Committee held hearings and referendums for a vote of landowners. If the vote to form a district was positive and all the requirements of the District Law was met, a soil and water conservation district was formed.

The first soil and water conservation district to receive a certificate of organization from the state was the McIntosh Soil and Water Conservation District on March 13, 1938. The Arkansas Verdigris SCD and the Garvin Murray SCD received their certificate on April 12, 1938, but they began district operations on November 2, 1938, over a month before the McIntosh County SCD.

Soil and water conservation districts were often formed on watershed boundaries or just part of a county or counties where there was support for the concept. That is why some districts boundaries coincide with county lines and some consist of part of a county or counties. While some districts consolidated over the years or boundaries were redrawn, in 2002 there are still 88 conservation districts in 77 counties.

Several changes have been made to the original conservation district law over the years. In 1961 the word water was added to district names making them soil and water conservation districts. In 1971 legislation was passed that broaden the scope of districts and the words soil and water were removed from the names.

Board members were originally called supervisors, but the 1971 amendments to the original law changed the title to district director. The Oklahoma Conservation Commission was originally called the Soil Conservation Committee. In 1945, the name was changed to the State Conservation Board and in 1971, it was changed to the Oklahoma Conservation Commission.

The Soil Conservation Service (now the Natural Resources Conservation Service) has been the primary agency to provide technical assistance to districts since the 1930s. The 1937 Oklahoma legislation authorizing the formation of soil and water conservation districts also authorized districts to enter into memorandums of understanding with other agencies. Districts entered into such a memo of understanding with SCS for technical assistance and this established a partnership that has lasted for over 60 years.

The Alphabet Soup of Conservation Districts

What's government without acronyms? Conservation Districts have their fair share, too!

319 - Refers to Section 319 of the federal Clean Water Act related to nonpoint source pollution management. Section 319 funds are administered by EPA and made available to the states. In Oklahoma, the OCC is the technical lead agency for the Section 319 Program.

AML - Abandoned Mine Land – The OCC administers the Abandoned Mine Land Reclamation Program in Oklahoma.

ASTC – Assistant State Conservationist

ASTC (FO) – Assistant State Conservationist for Field Operations

BMP – Best Management Practices

CAT – Critical Area Treatment

CD – Conservation District

CED – County Executive Director, Farm Services Agency

CRP – Conservation Reserve Program

CSP - Conservation Security Program

CWA – Cooperative Working Agreement

DEQ – Department of Environmental Quality

DC – District Conservationist, Natural Resources Conservation Service

EPA – Environmental Protection Agency, a federal environmental agency. The OCC receives EPA funds for nonpoint source pollution management and wetlands protection.

EQIP – Environmental Quality Incentive Program, a new federal conservation cost-share program authorized in the 1996 Farm Bill. It replaces the Agriculture Conservation Program (ACP) and Great Plains Conservation Program (GPCP). This program is managed by NRCS and FSA.

FSA – Farm Services Agency, formerly the Agricultural Conservation and Stabilization Service), a federal agency of U. S. Department of Agriculture responsible for commodity and conservation cost-share payments to farmers.

GIS – Geographic Information Systems

HEL – Highly Erodible Land

MOU – Memorandum of Understanding

NACD – National Association of Conservation Districts, the national association of America's 3,000-plus conservation districts.

NASCA – National Association of State Conservation Agencies.

NPS – Nonpoint Source Pollution.

NRCS – Natural Resources Conservation Service, formerly the Soil Conservation Service, a federal agency of the U.S. Department of Agriculture responsible for the conservation of soil and other natural resources.

NWC – National Watershed Coalition.

OACD – Oklahoma Association of Conservation Districts, the state association of Oklahoma’s 88 conservation districts.

OACDE – Oklahoma Association of Conservation Districts Employees.

OCC – Oklahoma Conservation Commission, the state agency responsible for providing funding and assistance to conservation districts.

ODAFF – Oklahoma Department of Agriculture, Food and Forestry.

ODWC – Oklahoma Department of Wildlife Conservation, a state agency responsible for managing Oklahoma’s wildlife resources.

O & M – Operation and Maintenance on upstream flood control structures.

OSM – Office of Surface Mining, a federal agency in the U.S. Department of Interior. OCC receives funding from OSM for the reclamation of abandoned mine lands.

OWRB – Oklahoma Water Resources Board, a state agency with responsibilities for permitting water usage, water quality and floodplain management.

PL-534 – Public Law 78-534 is a federal law that authorizes the upstream flood control program in the Washita River watershed in Oklahoma.

PL-566 – Public Law 83-566 is a federal law that authorizes the upstream flood control program.

PLT – Project Learning Tree, an environmental education curriculum dealing with forest resources, cosponsored by the Oklahoma Conservation Commission.

RC&D – Resource, Conservation and Development – A program of NRCS related to rural development.

RD – Rural Development, formerly the Farmers Home Administration, a federal agency of the U.S. Department of Agriculture responsible for rural development and commodity loan programs.

RMS – Resource Management System, a planned system of conservation practices to be applied to the land.

SCS – Soil Conservation Service, the old name for the Natural Resources Conservation Service.

SCT – Soil Conservation Technician for the Natural Resources Conservation Service.

TMDL – Total Maximum Daily Load, the maximum amount of a pollutant that a stream or lake can receive from a combination of point sources, nonpoint sources and natural background without degrading the quality of the receiving water body.

USDA – United States Department of Agriculture.

USFS – United States Forest Service, a federal agency of the U.S. Department of Agriculture responsible for management of forest resources.

USFWS – United States Fish and Wildlife Service, a federal agency of the U.S. Department of Interior responsible for wildlife management.

WET – Water Education for Teachers, a water resources environmental education curriculum cosponsored by the Oklahoma Conservation Commission.

WHIP – Wildlife Habitat Incentives Program.

WILD – Wildlife In Learning Design, Project WILD is an environmental education curriculum dealing with wildlife resources, cosponsored by the Oklahoma Conservation Commission.

WRP – Wetlands Reserve Program.