

# KANSAS

## Conservation District



## Supervisor Handbook



**February 2021**



# **KANSAS CONSERVATION DISTRICT SUPERVISOR HANDBOOK**

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# 1. Identification and Purpose

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## Welcome!

Congratulations on your appointment as a conservation district supervisor and welcome aboard! Whether you are a new supervisor serving your first term on the conservation district board or one who has served on the board for many years, this handbook is provided to either help familiarize you with or refresh your memory concerning the basic duties and responsibilities of a supervisor.

In order to effectively carry out the function and duties of a conservation district supervisor you must accomplish the following:

- Have a clear understanding of your responsibilities and of the programs you represent.
- Know the cooperating agencies that assist in carrying out the programs your district is involved in.
- Know the problems associated with soil and water resources, as well as the wise use and protection of those natural resources.
- Be an initiator of innovative solutions to diverse conservation problems.
- Be able to work with others to achieve those solutions.

As an appointed local official, you are charged with properly conducting the affairs of your conservation district. You can make an important difference in your community by better understanding your responsibilities and becoming involved in your conservation district. You are also looked upon as a leader, decision-maker, spokesperson, and salesman. Your fellow district board members count on you to become an active member of their team and to represent the people from your community as board decisions are made. Your opportunity to serve is unlimited and your challenges are great.

Conservation district supervisors have an important role as local conservation leaders. To effectively nurture conservation in your community, you should understand your roles and responsibilities as a supervisor. This *Conservation District Supervisor Handbook* was developed by the Division of Conservation (DOC) as a reference to help accomplish that.

The DOC has a statutory responsibility to provide administrative guidance to conservation districts, as well as the administration of water resource programs. This handbook was written to assist supervisors in administration of their duties and responsibilities in carrying out the programs of the conservation district. It will take time and effort to gain a working knowledge of the conservation district program and its vital working relationships with others.

Please note this handbook is a resource, a source of information on fulfilling your role as a conservation district supervisor. More information on how to carry out your responsibilities is available in the *Kansas Conservation District Handbook* located in the conservation district office. It is also important to participate in scheduled trainings, meetings, educational programs, and to use other resources cited in this handbook to further your skills as a conservation leader. Your participation is very important to your success as a supervisor and the success of your conservation district.

## Contact Information

Conservation district supervisor name: \_\_\_\_\_

My term expires: \_\_\_\_\_

District Supervisor & phone #: \_\_\_\_\_

District office telephone #: \_\_\_\_\_

District manager/secretary: \_\_\_\_\_

NRCS District Conservationist & phone #: \_\_\_\_\_

Kansas Department of Agriculture  
Division of Conservation  
1320 Research Park Drive  
Manhattan, KS 66502  
785-564-6620

<https://agriculture.ks.gov/divisions-programs/division-of-conservation>

### **Division of Conservation Staff**

<b>Name</b>	<b>Position</b>	<b>Phone</b>
<a href="#">Andy Lyon</a>	Executive Director	785-564-6621
<a href="#">Scott Carlson</a>	Assistant Director/Land Reclamation Program Manager	785-564-6618
<a href="#">Steve Frost</a>	Administrative Manager/Water Conservation Programs Manager	785-564-6622
<a href="#">Dave Jones</a>	Water Quality Program Manager	785-564-6623
<a href="#">Hakim Saadi</a>	Watershed Programs Manager (Topeka Forbes Field Office)	785-291-3099
<a href="#">Kristin Kloft</a>	Riparian & Wetland Program Manager	785-564-6624
<a href="#">Cindy Pulse</a>	Conservation District Program Coordinator	785-564-6625
<a href="#">Cathy Thompson</a>	Program Consultant	785-564-6619
<a href="#">Christy Koelzer</a>	Administrative Specialist	785-564-6626

## **Purpose of Supervisor Handbook**

As you sign your Oath of Office as an appointed official to serve as a conservation district supervisor in the state of Kansas, you are joining in the ranks of the 525 Kansans who have pledged to work towards the betterment of soil and water conservation. This handbook was prepared to provide you with what you need to know as a conservation district supervisor. Reading and studying it will help you be more effective at board meetings and representing your district. This handbook explains what a conservation district is, its purpose, how it functions, and how it is unique from any other agencies of local, state or federal government.

Another purpose of this handbook is to help you understand the partnership relationships, and the distinctions and responsibilities of the agencies, departments, and committees involved in conservation district activities. An obvious purpose is to make you aware of your responsibilities to the district. This handbook is just a brief overview and you are encouraged to expand your knowledge by taking advantage of training opportunities when they arise.

The Division of Conservation looks forward to working with you as a team member. Together on the same team we can accomplish conservation goals far beyond the scope that an individual can complete. We welcome you as a fellow steward of the land and Kansas' most precious and valuable natural resources.

## **What is a Conservation District Supervisor?**

A conservation district supervisor is a volunteer who serves the people, landowners, and communities within his or her district by observing, reporting on, advocating for, and directing efforts to address natural resource issues within the community. District supervisors are public officials and are obligated to uphold high ethical standards.

Being knowledgeable about natural resources issues, familiar with challenges facing the state, and knowing many of the people, businesses, and organizations in the community who are affected by these issues, particularly farming, is another attribute of a district supervisor. These individuals know which issues potentially could affect the health and well-being of all in the community.

Supervisors are landowners or land occupiers in the county that serve on a five-person board of supervisors that guide the actions and efforts of the county conservation district. The district boards hold monthly open meetings where any landholder in the county can bring forth conservation concerns or request assistance from the district on matters related to soil, water, and other natural resources. District supervisors can discuss, debate, and resolve whether or not to take action on the matter.

Cooperatively working with landowners, concerned citizens, local governments, community organizations, state and federal agencies, and fellow supervisors to address these matters by seeking out common ground and sensible solutions is an addition to the supervisor description.





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## **Kansas Department of Agriculture, Division of Conservation**

The Kansas Department of Agriculture, Division of Conservation (DOC) works to protect and enhance Kansas' natural resources through the development, implementation, and maintenance of policies, guidelines, and programs designed to assist local governments and individuals in conserving the state's renewable resources.

The DOC was established in 2011 by an Executive Reorganization Order (ERO) signed by Governor Brownback. This ERO transitioned the State Conservation Commission (SCC) into the DOC. The SCC was established by the Kansas Legislature in 1937 to promote soil and water conservation. The SCC consists of nine members with an elected commissioner from each of the five conservation areas; two ex-officio members representing KSU Research and Extension; one appointed member representing the Kansas Department of Agriculture (KDA) and one appointed member representing the USDA, Natural Resources Conservation Service (NRCS).

The DOC has the responsibility to administer the Conservation Districts Law (K.S.A. 2-1901 et seq.), the Watershed District Act (K.S.A. 24-1201 et seq.) and other statutes authorizing various programs. The agency budget is financed from the dedicated funding of the State Water Plan Special Revenue Fund, State General Fund, and fee funds. For a breakdown of State Water Plan Fund revenues, see Chapter 6 Miscellaneous.

The DOC operates several programs that tie to the mission of the DOC, to many stated goals of the Kansas Water Plan, and the Governor's 50-Year Vision for the Future of Water in Kansas. One of the goals of the DOC is to administer efficiently those programs that enhance and protect the state's natural resources. The agency pursues this goal by working with the 105 conservation districts and 75 organized watershed districts, other local, state and federal entities.

### **Conservation District Mission**

“To develop and implement programs to protect and conserve soil, water, farmland, rangeland, woodland, wildlife, energy, and riparian and wetland resources.”

### **What is a Conservation District?**

A conservation district is a governmental subdivision of the state of Kansas organized under provisions of the Conservation Districts Law, K.S.A. 2-1901 et seq. Kansas has 105 conservation districts organized along county boundaries. The governing body consists of five locally elected members known as supervisors. The supervisors hire staff to conduct and carry out the approved programs and activities.

The conservation district is the primary local unit of government responsible for the conservation of soil, water, and related natural resources. The purpose of a conservation district is to develop and implement programs to protect and conserve soil, water, farmland, grazing land, woodland, wildlife, riparian areas, and wetlands. Conservation districts work in partnership with agencies and organizations to coordinate technical, financial, and educational resources to promote conservation practices and technologies to assist people with properly managing natural resources. Funding comes from county and state allocations, with some districts generating funds by providing conservation goods and services.

Conservation districts work closely with NRCS who provide technical assistance, and most conservation district offices are co-located with NRCS offices.

Conservation districts play an important role in the delivery of conservation practices that conserve soil, maintain water quality and quantity, and protect natural resources. There are over 3,000 conservation districts in the United States, almost one in every county, which help local communities and landowners to conserve land, water, forests, wildlife, and related natural resources. Known as “soil and water conservation districts”, “resource conservation districts”, “natural resource districts” and similar names, these entities all have the same goal of developing locally-driven solutions to natural resource concerns.

Along with other activities, conservation districts:

- Implement conservation practices to protect soil productivity, water quality and quantity, air quality and wildlife habitat.
- Conserve and restore wetlands, those of which purify water and provide habitat for birds, fish and other animals.
- Protect groundwater resources.
- Help communities and homeowners plant trees and other land cover to hold soil in place, clean the air, and provide cover for wildlife.
- Provide outreach to communities and schools in an effort to teach the value of natural resources and encourage conservation efforts.

What a conservation district does is often largely a reflection of the dedication, vision, and commitment of conservation district supervisors.

## **History of Conservation Districts**

During the 1930’s, the Dust Bowl made the need to conserve natural resources, particularly soil, very clear. Agencies ranging from Land Grant Universities to the Federal Emergency Relief Administration researched and implemented conservation practices throughout the nation. Eventually the Soil Conservation Service (SCS), which is now the Natural Resources Conservation Service (NRCS), was created under the Soil Conservation Act of 1935 to develop and implement soil erosion control programs.

It was soon clear that local leadership was needed to coordinate efforts of conservation agencies and tie them into local conditions and priorities. As a consequence, the U.S. Congress developed a model Conservation District Law for consideration by state governments.

In 1937, districts throughout the United States were organized and created by federal law in response to devastating soil erosion conditions that existed in the United State during the late 1920s and 1930s. the State Conservation Committee was established by the Kansas legislature with the enactment of the Kansas Conservation Districts Law. The desire of conservation district supervisors to share their experiences with sister districts and promote conservation statewide led to the organization of the Kansas Association of Conservation Districts (KACD) in 1944.

## Chronological History

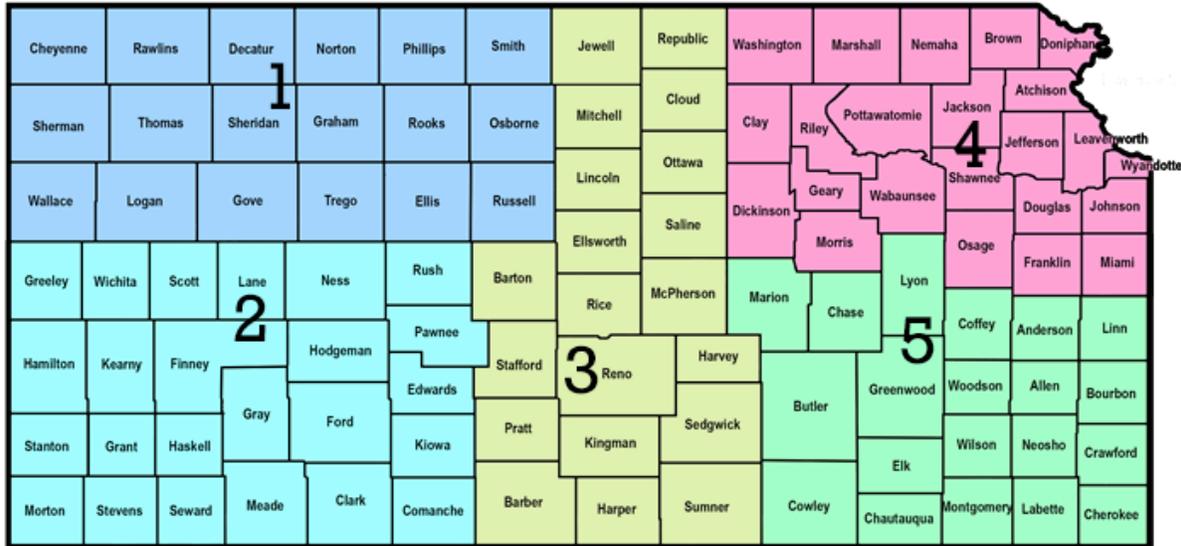
- **1937** - President urges all states to pass legislation authorizing a soil conservation program.
- **1937** - Kansas legislature passes the Kansas Conservation Districts Law.
- **1937** - The State Conservation Committee was established by the Kansas Legislature to promote soil and water conservation.
- **1938** - The first Kansas soil conservation district is formed in Labette County.
- **1943** - An employee of the State Extension Service, Mr. Reuben Lind, was instrumental in organizing and developing conservation districts serving as Committee Secretary.
- **1944** - Kansas Association of Conservation Districts organized.
- **1946** - National Association of Conservation Districts formed.
- **1950** - The Committee's first full time employee was hired.
- **1951** - The Kansas Legislature expanded the State Committee membership from two to five farmer members.
- **1951** - The state was divided into 5 areas for committee elections.
- **1951** - The U.S. Congress passed Public Law 566 (PL 566) providing watershed and flood protection.
- **1953** - County Commissioners were authorized to furnish districts clerical services or monies for that purpose.
- **1953** – The Kansas Watershed District Act was enacted due to the 1951 flood, and to comply with the National Flood Control Act: Watershed Protection and Flood Prevention Act, and to address the serious problems of water management resulting from erosion, floodwater or sediment damages, and instability of natural water supplies in the rivers and streams of the state of Kansas.
- **1954** - The last of the 105 Kansas soil conservation districts formed.
- **1956** – The first watershed district, Walnut Creek WD 1, Brown County, was formed.
- **1958** – Watershed Planning Assistance Program was authorized.
- **1958** - The State Soil Conservation Committee hires first fieldman.
- **1963** - The Committee headquarters office was established in Topeka when the Manhattan and Topeka offices were combined.

- **1963** - Legislature authorized state funds to match up to \$3,000 county funds for conservation district operations.
- **1972** - The State Soil Conservation Committee's name was changed to State Conservation Commission.
- **1972** – The soil conservation districts name changed to conservation districts.
- **1977** – Watershed Dam Construction Program was authorized.
- **1979** - Legislature authorized county commissioners to provide assistance up to \$7,500 and the state was authorized to match up to \$7,500.
- **1979** - Legislature authorizes the Water Resources Cost-Share Program.
- **1981** - Legislature authorizes county commissioners to levy .5 mill (not to exceed \$15,000) in addition to \$7,500 from county general fund.
- **1984** - Kansas Water Plan was developed.
- **1985** – Multi-Purpose Small Lakes Program was authorized in 1985.
- **1986** - Legislature authorizes county commissions to levy 2 mills not to exceed \$55,000.
- **1987** - Legislation was passed that required water development projects subject to review by environmental agencies prior to approval of a permit to construct.
- **1988** – Water Rights Purchase Program was authorized.
- **1989** - The State Water Plan Special Revenue Fund was established providing funds to allow Kansas to address natural resource needs in a timely and effective manner.
- **1989** - Legislature authorizes Non-Point Source Pollution Control Fund.
- **1989** - Legislature authorizes Riparian and Wetland Protection Program.
- **1994** - The Kansas Legislature enacted the Surface Mining Land Conservation and Reclamation Program which is administered by the State Conservation Commission.
- **1994** - The legislature amended laws to provide for the election process to include all qualified electors residing in a conservation district.
- **1994** - State Aid to Conservation Districts limit increased to \$10,000 annually and the limit on county general funds removed.
- **1995** – The USDA, Soil Conservation Service (SCS), name changes to the Natural Resources Conservation Service (NRCS).

- **1998** – The legislature creates the Kansas Water Quality Buffer Initiative Program.
- **2006** – The legislature authorized the Water Right Transition Pilot Program.
- **2007** – The Water Supply Restoration Program was enacted.
- **2007** – Conservation districts receive eligibility up to \$25,000 state match in District Aid.
- **2007** – Legislature authorized the Conservation Reserve Enhancement Program (CREP) to permanently retire water rights.
- **2007** – The Watershed Dam Construction Program was amended to include rehabilitation of exciting flood control dams.
- **2010** – The SCC cost-shared on the newly authorized Water Supply Restoration Programs pilot project. Mission Lake was dredged in Northeast Kansas.
- **2011** – The SCC staff was consolidated into the newly formed Division of Conservation (DOC), Kansas Department of Agriculture.
- **2012** – Drought Water Supply Initiative.
- **2014** – KDA/DOC moved from Topeka location to Manhattan location.
- **2017** – Kansas Wildfire Cost-Share Initiative.
- **2018** – Livestock Water Supply Financial Assistance Initiative.
- **2018** – Legislature authorized the Kansas Sediment & Nutrient Reduction Initiative (SNRI), which replaced the Kansas Water Quality Buffer Initiative Program.
- **2018** – Kansas Reservoir Protection Initiative.
- **2019** – Riparian Quality Enhancement Initiative (RQEI).
- **2019** – Irrigation Technology Initiative.

## Conservation District Areas

These five conservation regions are each represented by a commissioner who serves on the State Conservation Commission (SCC) and a director who serves on the Kansas Association of Conservation Districts (KACD) board.



## State Conservation Commission Leadership

### Elected Commissioners

**Ted Nighswonger**

*Area I*  
 3880 US Highway 283  
 Edmond, KS 67645  
 785.622.4395

**John Wunder, Vice-Chairperson**

*Area IV*  
 810 Frazier Street  
 Valley Falls, KS 66088  
 785.945.6744

**Andrew (Andy) Larson, Jr.**

*Area II*  
 3510 N. Little Lowe Road  
 Garden City, KS 67846  
 620.277.2528

**Rodney (Rod) Vorhees, Chairperson**

*Area V*  
 23718 Brown  
 Fredonia, KS 66736T  
 620.378.3631

**Brad Shogren**

*Area III*  
 914 Sioux Road  
 Lindsborg, KS 67456  
 785.227.2520

## **Ex Officio**

### **Daniel (Dan) Devlin**

Kansas Center for Agricultural Resources  
& the Environment (KCARE)  
44 Waters Hall  
Manhattan, KS 66506-4008  
785.532.0393

### **Peter Tomlinson, Ph.D.**

Associate Professor & Extension Specialist  
for Environmental Quality Agronomy Dept., KSU  
(NRCS)  
2013B Throckmorton Hall  
Manhattan, KS 66506-5501  
785.532.3198

## **Appointed**

### **Terry Medley**

Kansas Dept. of Agriculture  
1320 Research Park Drive  
Manhattan, KS 66502  
785.564.6658

### **Karen Woodrich**

USDA, Natural Resources  
Conservation Service  
760 S. Broadway  
Salina, KS 67401-4604  
785.823.4565

## **State Conservation Commission Overview**

The State Conservation Commission (SCC), established in 1937 pursuant to K.S.A. 2-1901 et seq., as amended, works to protect and enhance Kansas' natural resources through the development, implementation and maintenance of policies, guidelines and programs designed to assist local government entities and individuals in conserving the state's renewable resources.

The State Conservation Commission consists of five elected commissioners, two ex officio members representing the Agriculture Experiment Station and Cooperative Extension Service, Kansas State University, and two appointed members representing the Kansas Department of Agriculture and the U.S. Department of Agriculture, Natural Resources Conservation Service.

The nine commissioners serve according to K.S.A. 2-1904.

- Elected commissioners serve two year terms.
- The method of election is by an area caucus of the district from each of the five administrative areas of Kansas.
- Areas I, III and V shall elect in odd years.
- Areas II and IV shall elect in even years.
- The elected commissioners take office on January 1.
- The Division of Conservation shall appoint a successor to fill an unexpired term of an elected commissioner. The successor shall be a resident of the same area as that of the predecessor.

## Kansas Association of Conservation Districts (KACD) Leadership

**Allen Roth**

*Area I Director*  
1313 Steven Drive  
Hays, KS 67601  
785-623-0163

**Bevin Law, Secretary/Treasurer**

*Area IV*  
287 Frontier Road  
Longford, KS 67458  
785-388-2683

**William Simshauser, Vice President**

*Area II*  
1697 Road 240  
Lakin, KS 67860  
620-355-7897

**Daryl Donohue**

*Area V Director*  
8502 1800 Road  
Fredonia, KS 66736  
620-288-9247

**Jerry Clasen, President**

*Area III*  
3604 N. Centennial Road  
Nickerson, KS 67561  
620-727-4592

**Dan Meyerhoff, Executive Director**

414 Autumn Lane  
Hays, KS 67601  
785-650-1330

## Kansas Association of Conservation Districts (KACD) Overview

The Kansas Association of Conservation Districts (KACD) is a voluntary, non-governmental, non-profit, incorporated organization that was established in 1944, which was two years before the National Association of Conservation Districts (NACD) was formed. Its members are the conservation districts located in the state's 105 counties.

The KACD Board of Directors is composed of five elected members, each of whom represents one of five geographical areas of the state. Each director represents one of five multiple-county function of the organization. KACD also has nine standing committees:

- Conservation Education & Youth
- District Operations & Resolutions
- Endowment
- Finance & Development
- Grasslands
- Natural Resources
- Stewardship
- Urban & Rural Development
- Wildlife, Forestry & Recreation

KACD lobbies for the conservation of natural resources and on behalf of Kansas conservation districts. and is responsible for conducting KACD fall meetings (August) and the annual meeting (November).

The KACD website is: <https://kacdnet.org/>

## Kansas Conservation District Charter Dates

1. Labette	06/22/1938	54. Dickinson	07/27/1945
2. Lyon	09/15/1939	55. Ellis	09/17/1945
3. Osage	09/15/1939	56. Norton	10/01/1945
4. Pawnee	01/24/1940	57. Douglas	10/02/1945
5. Brown	01/25/1940	58. Hamilton	02/28/1946
6. Geary	01/30/1940	59. Montgomery	03/04/1946
7. Coffey	02/01/1940	60. Crawford	03/06/1946
8. Morris	02/01/1940	61. Ford	05/01/1946
9. Wilson	02/02/1940	62. Elk	05/02/1946
10. Allen	02/06/1940	63. Rawlins	05/02/1946
11. Grant	05/06/1940	64. Reno	05/03/1946
12. Marshall	06/05/1940	65. Mitchell	05/22/1946
13. Doniphan	04/25/1941	66. Finney	05/27/1946
14. Franklin	04/25/1941	67. Johnson	06/05/1946
15. Ness	04/28/1941	68. Rooks	06/26/1946
16. Trego	06/16/1941	69. Russell	07/10/1946
17. Neosho	04/19/1943	70. Jefferson	09/14/1946
18. Sumner	06/03/1943	71. Clay	10/18/1946
19. Stafford	06/17/1943	72. Barton	10/24/1946
20. Sherman	06/21/1943	73. Gray	04/21/1947
21. Thomas	06/28/1943	74. Clark	05/15/1947
22. Jewell	07/02/1943	75. Jackson	05/15/1947
23. Pratt	07/09/1943	76. Harvey	06/05/1947
24. Edwards	08/04/1943	77. Logan	06/05/1947
25. Rice	08/20/1943	78. Wichita	06/06/1947
26. Atchison	09/15/1943	79. Ottawa	07/26/1947
27. Decatur	01/20/1944	80. Lincoln	01/26/1948
28. Nemaha	01/20/1944	81. Leavenworth	02/13/1948
29. Saline	01/20/1944	82. Linn	02/19/1948
30. Sheridan	02/09/1944	83. Haskell	03/09/1948
31. Phillips	03/10/1944	84. Kearny	04/20/1948
32. Ellsworth	03/16/1944	85. Greeley	06/10/1948
33. Chase	04/28/1944	86. Riley	06/10/1948
34. Graham	04/28/1944	87. Meade	06/22/1948
35. Lane	04/28/1944	88. Gove	08/10/1948
36. Osborne	04/28/1944	89. Morton	09/21/1948
37. Woodson	05/26/1944	90. Seward	10/04/1948
38. Anderson	06/03/1944	91. Comanche	10/11/1948
39. Scott	06/20/1944	92. Washington	01/07/1949
40. Cherokee	10/21/1944	93. Cheyenne	04/21/1949
41. Cowley	01/17/1945	94. Stanton	04/21/1949
42. McPherson	01/23/1945	95. Hodgeman	05/23/1949
43. Butler	01/29/1945	96. Stevens	06/17/1949
44. Kiowa	01/29/1945	97. Barber	06/28/1949
45. Pottawatomie	02/15/1945	98. Wabaunsee	10/07/1949
46. Cloud	02/25/1945	99. Smith	11/14/1949
47. Sedgwick	04/03/1945	100. Greenwood	01/28/1950
48. Marion	04/19/1945	101. Chautauqua	02/03/1950
49. Harper	04/28/1945	102. Kingman	03/13/1950
50. Bourbon	05/11/1945	103. Wallace	05/24/1950
51. Republic	06/09/1945	104. Wyandotte	04/23/1953
52. Miami	06/27/1945	105. Shawnee	03/22/1954
53. Rush	07/02/1945		

### **Other Conservation District Activities**

- Stabilizing local economies and resolving conflicts in land use.
- Providing leadership for the conservation of Kansas' soil and water.
- Protecting the agricultural resource base.
- Promoting the control of soil erosion.
- Promoting and protecting the quality of and quantity of Kansas' water.
- Providing assistance to reduce the siltation of stream channels and reservoirs.
- Promoting the wise use of Kansas' water and all other natural resources.
- Preserving and enhancing wildlife habitat.
- Protecting the tax base and promoting the health, safety and general welfare of the citizens of this state through "a responsible conservation ethic."

### **National General Policies of Conservation Districts**

- Conservation should be led by local citizens.
- The final responsibility for conservation lies with the landowner.
- Landowners have legitimate operating goals.
- Conservation districts are responsive to both landowners and operators, as well as the community as a whole.
- The best agricultural land should be maintained for agriculture.



# DIVISION OF CONSERVATION PROGRAM DESCRIPTIONS

February 2021

## What is the Division of Conservation?

The Kansas Department of Agriculture, Division of Conservation (DOC) mission statement is to protect, enhance, and regenerate Kansas' natural resources through the development and implementation of policies, guidelines, and programs designed to assist local governments and individuals in conserving the state's natural resources.

The State Conservation Commission (SCC) was established by the Kansas Legislature in 1937 to promote soil and water conservation. The DOC was established in 2011 by an Executive Reorganization Order (ERO) to transition the SCC into the DOC. The DOC is governed by nine members consisting of an elected commissioner from each of the five conservation areas; two ex-officio members representing KSU Research and Extension; and one appointed member each representing the Kansas Department of Agriculture (KDA) and the USDA, Natural Resources Conservation Service (NRCS). The agency is administered by an Executive Director appointed by the SCC.

The DOC has the responsibility to administer the Conservation Districts Law (K.S.A. 2-1901 et seq.), the Watershed District Act (K.S.A. 24-1201 et seq.) and other statutes authorizing various programs. The agency budget is financed from the dedicated funding of the State Water Plan Special Revenue Fund, State General Fund, and fee funds.

The DOC implements programs in partnership with 105 conservation districts and 75 organized watershed districts, and other local, state, and federal entities to achieve the goals of the Kansas Water Vision.

## What are the objectives of DOC programs?

- To protect federal reservoirs and other public water supplies from pollutants and siltation.
- To reduce flood damage in critical flood prone areas.
- To reduce the discharge of sediment, nutrients, and other pollutants into water bodies across the state to achieve the Water Quality Standards as set forth by the Total Maximum Daily Loads (TMDL) process.
- To improve the health of stream riparian areas.
- To improve soil health and reduce soil erosion.
- To improve habitat for wildlife and aquatic species.
- To reduce the consumptive use of groundwater supplies in the High Plains Aquifer to sustain and preserve agricultural, industrial, and municipal water supplies.

## AID TO CONSERVATION DISTRICTS PROGRAM

- The Aid to Conservation Districts Program provides matching funds (up to \$25,000 per district) to conservation districts for the county commission to match support to receive full state aid (K.S.A. 2-1907c).
  - Currently KDA-DOC is not able to fully match due to state budget restrictions.
- Funds assist the 105 county conservation districts to effectively deliver local, state, and federal natural resource programs as prescribed under the Conservation District Law (K.S.A. 2-1901 et seq.).
  - Hire management, administrative and technical staff.
  - Coordinate various conservation programs.
  - Implement state financial assistance programs at the local level.
  - Carry out information and education campaigns promoting conservation.
  - Provide clerical assistance to NRCS to meet Local Operation Agreement.
- A local five-member board, known as district supervisors, governs each conservation district. The 525 district supervisors are elected public officials who serve without pay and donate nearly 50,000 hours per year establishing local priorities, setting policy, and administering programs to conserve natural resources and protect water quality.



## WATER RESOURCES COST-SHARE PROGRAM

- The Water Resources Cost-Share Program (WRCSP) provides financial assistance to landowners for the establishment of conservation practices.
- The program was authorized in 1979 and administered by KDA-DOC and local conservation districts.
- Goals are to protect public water supplies by reducing sedimentation, nutrient, pesticide and fecal coliform bacteria loading to water bodies, and reducing aquifer level decline.
- Technical assistance is provided by the Natural Resource Conservation Service (NRCS) and practices are built to NRCS standards.
- Appropriated funds are broken down into sub-categories and allocated to county conservation districts for program implementation. Sub-categories include:
  - District Needs Allocation - These funds generally address sedimentation, erosion, nutrient, pesticide, and bacteria-loading, and water conservation within the county. The local conservation district determines eligibility.
  - Water Quality Allocation - Funds are directed to high priority watersheds for the restoration and protection of water quality. Only practices directly affecting water quality are eligible.

## NON-POINT SOURCE POLLUTION CONTROL PROGRAM

- The Non-Point Source Pollution Control Program (NPSPCP) provides financial assistance to landowners for the establishment of conservation practices.
- The program was authorized in 1989 and administered by KDA-DOC and local conservation districts.
- Goals are for water quality protection and restoration in watersheds with TMDL's, information and education for adults and youth, and other water quality issues identified by the state water planning process.
- Technical assistance is provided by the Natural Resource Conservation Service (NRCS) and practices are built to NRCS standards.
- Appropriated funds are broken down into sub-categories and allocated to county conservation districts for program implementation. Sub-categories include:
  - Funds for Best Management Practices (BMP) to address bacteria-loading, nutrients and low dissolved oxygen in streams and sedimentation above federal public water supply reservoirs.
  - Funds for 10 employees providing technical assistance to conservation districts in high workload NRCS management units for program implementation. Current funding partners include NRCS, Kansas Department of Wildlife, Parks and Tourism (KDWPT) and Kansas Department of Health and Environment (KDHE).
  - Funds for information and education to conservation districts. Funds are targeted to no-till education for soil health field days and registration costs for landowners that are first time attendees to the No-till on the Plains and Soil Health U conferences.
  - Water Quality Allocation - Funds are directed to high priority watersheds for the restoration and protection of water quality. Only practices directly affecting water quality are eligible.



## **WATER CONSERVATION PROGRAMS**

### WTAP

- The Water Right Transition Assistance Program (WTAP) purpose is to reduce “Historic Consumptive Water Use” in targeted, high priority areas.
- In WTAP, dryland farming is permitted after water right retirement.
- Priority areas are targeted and approved by the KDA-DOC, with recommendations from GMDs in applicable areas.
- Compensation is determined by an available fixed, flat rate established annually by the SCC and a competitive bid price submitted by the owner.

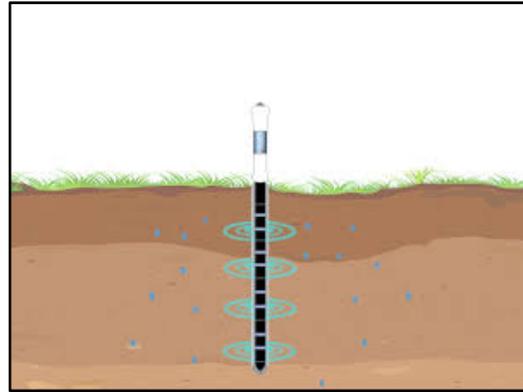
### CREP

- Conservation Reserve Enhancement Program (CREP) aims to permanently retire water rights in the Upper Arkansas River, and has recently been expanded into the Rattlesnake Creek Watershed.
- The landowner agrees to permanently retire water rights and plant a permanent cover (i.e. native grass) on the contracted land.
- Landowner will receive a 14-15 year rental rate from Farm Service Agency (FSA) and a sign-up incentive payment from the DOC.



## IRRIGATION TECHNOLOGY

- As the decline of groundwater continues, producers are becoming more interested in implementing innovative tools to improve irrigation efficiency and reduce water use.
- Funding is used to provide cost-share assistance to landowners for irrigation technology such as moisture probes.
- Currently focused on the Rattlesnake Creek Sub-basin to address the Water Right Impairment of the USFWS on Quivira National Wildlife Refuge, additional focus areas include LEMAs and WCAs.



## RIPARIAN & WETLAND PROTECTION PROGRAM

- The goal of the Riparian & Wetland Protection Program (RWPP) is to protect, enhance, and restore streambanks, riparian areas, wetlands, and associated habitats by providing technical, educational, and financial assistance to landowners and the public in general.
- The program was authorized in 1989 by amending K.S.A 2-1915.
- Practices are implemented such as small-scale streambank stabilization – tree revetments, riparian tree plantings, and wetland restoration including playa lakes.



## STREAMBANK STABILIZATION

- Streambank protection projects seek to reduce sediment loads above reservoirs, and the DOC continues to support streambank protection projects in the Tuttle Creek, John Redmond and Perry Reservoir watersheds through our leadership role within the Interagency Streambank Team.
- In addition to the benefits to water storage, streambank projects help protect farmland and re-establish important riparian forest communities.
- Through collaboration with the Kansas Department of Health and Environment (KDHE), the Kansas Water Office (KWO), and the Kansas Forest Service (KFS), the state has developed an Interagency Streambank Team to provide a consistent and efficient process to implement these multiple-benefit projects.



## SEDIMENT AND NUTRIENT REDUCTION (BUFFER) INITIATIVE

- With the Sediment & Nutrient Reduction (Buffer) Initiative (SNRI), state incentives supplement federal incentives to encourage the establishment of riparian forest buffers and vegetative filter strips.
- One-time state incentive payment of \$225/acre are offered in a Tier 1 area, and \$162.50/acre are offered in a Tier 2 area.
- The SNRI is targeted to Milford Reservoir Watershed and other high priority watersheds above federal reservoirs across the state.



## WATERSHED DAM CONSTRUCTION PROGRAM

- The Watershed Dam Construction Program provides financial assistance to organized watershed districts, drainage districts, or other special purpose districts.
- This program is driven by demands of reducing sedimentation above federal reservoirs with water.
- In 1977, legislature created the program by K.S.A. 2-1915 for the creation of new dams. In 2006, an additional goal was created for the rehabilitation of existing flood control dams.
- Flood control dams are needed in flood-prone areas as well as in drought stricken.
- The KDA-DOC has qualified with the Corps of Engineers to hold third-party easement for mitigation resulting from construction of new flood control dams. The department qualification helps to reduce the cost associated with acquiring a third-party easement holder.



## WATER SUPPLY RESTORATION PROGRAM

- The Water Supply Restoration Program provides financial assistance to public water supply sponsors to restore water supply systems.
- This program was authorized in 2007 with K.S.A 82a-2101.
- This is a voluntary, incentive-based water program designed to assist eligible sponsors to protect and restore public water supply systems where appropriate watershed restoration and protection are planned or already in place.
- The program budget is financed from the Clean Drinking Water Fee Fund though the State Water Plan Fund.

## MULTIPURPOSE SMALL LAKES PROGRAM

- The Multipurpose Small Lakes Program provides financial assistance for flood protection, public water supply storage, and water related recreational facilities.
- This program was authorized in 1985 by K.S.A. 82a-1601.
- This program provides assistance for new construction or the renovation of an existing lake. Eligible sponsors as defined in statute include any entity with taxing authority and right of eminent domain.





# 3. Supervisor Roles and Responsibilities

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## **Introduction**

The governing body of a conservation district consists of a five-member board of supervisors. Supervisors are elected at the conservation district annual meeting in January or February. They serve three-year terms and are elected in staggered terms to provide continuity on the board and maintain operational consistency. A conservation district board may appoint a person to fill a vacant board position between elections.

Supervisors are public officials serving as grassroots representatives of landowners and the general public, providing leadership and direction of volunteer cooperation in natural resource conservation programs. The programs are implemented with the assistance of conservation district staff and cooperating partners. As a district supervisor, you have a unique niche among agencies managing Kansas' natural resources.

## **Eligibility Requirements**

The Conservation Districts Law describes the eligibility requirement of a conservation district supervisor as being a qualified elector residing within the district (K.S.A. 2-1907). Accordingly, a conservation district supervisor is required to be:

1. A citizen of the United States.
2. 18 years of age or older.
3. A resident within the district (lives in the county).

Conservation districts are subdivisions of state government, much like school boards. Five elected supervisors make up the governing body of the district. Supervisors are local residents who serve voluntarily without pay. Any qualified elector residing in the district is eligible to serve as a district supervisor. Urban residents and non-agricultural producers should be considered to maximize diversity of opinions and provide equitable representation to all citizens of the county.

## **Term of Office**

The term of an elected supervisor is three (3) years. A district supervisor shall hold office until a successor has been elected or appointed and has been qualified (Oath of Office completed). The incumbent supervisor must be declared as a candidate and be nominated to be re-elected to the district board. Expiration of district supervisor's terms are staggered so one or two supervisors are elected each year.

## **Supervisor Roles and Responsibilities**

The governing body of a conservation district consists of five district supervisors. Supervisors receive no compensation for services but are entitled to travel expenses incurred in the discharge of their duties. Upon taking the Oath of Office, supervisors agree to carry out the responsibilities of their position in accordance with Kansas Law, K.S.A. 54-106.

As a public official, a conservation district supervisor is responsible to the people of their district and state, and part of the responsibilities include the following:

- Attend all regular and special board meetings of the conservation district.
- Operate the district as a political subdivision of state government.
- Keep in close contact with the DOC on all administrative matters.
- Annually rotate officers.
- Enter into memorandums of understanding / working agreements with as many agencies as necessary to coordinate conservation and the development of resources.
- Become a member of various planning organizations and agencies and, through experience and knowledge, to help guide them in the use of good resource management practices.
- Plan each year's activities with an annual plan of work.
- Study the district's long-range plan of work, updating it occasionally when needed.
- Develop programs to furnish to district cooperators and others the technical, financial and material assistance needed for the purpose of carrying out a conservation program.
- Determine priority of work to be accomplished through the district.
- Cooperate with other districts in multi-district resource activities such as watershed, comprehensive planning and resource conservation and development projects.
- Explain the districts program to interested groups, i.e. civic clubs, professional groups, church groups, educators and all others, as well as farm operators and owners.
- Promote natural resource management through contests, exhibits, demonstrations, meetings, tours, service clubs and special projects.
- Secure operating moneys for the district through the county commissioners, the state of Kansas and through local donations.
- Employ necessary secretarial and technical help and determine qualifications, duties and compensation.
- Delegate appropriate responsibilities to district employees.
- Establish business procedures required for adequate plans, records, accounting and sound financial management.
- Provide a surety (fidelity) bond for all district employees and district officials who are entrusted with district funds, or property.
- Manage all funds, facilities and equipment belonging to the district.
- Prepare an annual report of accomplishments and conduct an annual meeting as required by state law.
- Review requests for state cost-share assistance on projects and recommend approvals to the DOC.
- Work to implement provisions to abate animal waste pollution and agricultural and urban sediment pollution.
- Establish policies to implement state cost-share programs and other local programs.
- Attend KACD Annual Meeting, other area and statewide meetings, and if possible, National Association of Conservation Districts (NACD) Annual Convention.

## **Guidelines for an Effective Conservation District Supervisor**

The following guidelines will assist a conservation district supervisor in being an effective, proactive board member:

- Continue learning
- Speak up
- Attend all meetings and trainings
- Work towards obtaining more money for the district
- Stay informed
- Actively participate
- Be receptive to change
- Understand related agencies goals/functions
- Follow statutes/policies
- Know where to find answers
- Accept responsibility
- Follow through
- Renew commitment
- Foster harmony
- Know goals/mission
- Do not dwell on the past
- Use visual aids
- Volunteer more
- Do not monopolize
- Take a position
- Emphasize participation and personal responsibility
- Guide the leadership of projects
- Be attentive to board business
- Stay focused
- Be enthusiastic and positive
- Attend annual conventions
- Seek new audiences
- Be a liaison and an educator
- Work as a team player
- Develop a focused work plan
- Encourage others
- Be committed
- Know your responsibilities
- Be open to new projects
- Recruit associate board members/advisors
- Perform committee assignments
- Attend committee meetings
- Believe in your ability
- Participate in local issues
- Try new ideas, better ways
- Participate in meetings
- Believe in your district's mission
- Be prepared and prioritize
- Have a proactive attitude
- Evaluate long range plans
- Review progress towards goals
- Answer questions thoroughly
- Communicate with and support your district staff
- Be a leader
- Seek partners who will help achieve mission
- Improve NRCS relationship
- Take work seriously
- Be dedicated to priorities
- Do assignments ahead of time
- Spend time in field with district staff
- Suggest agenda items
- Seek leadership positions on your board
- Read conservation-related materials
- Review district policy and program manuals
- Keep in contact with cooperators
- Do public relations for board
- Keep board informed of conflicts with meeting dates
- Seek feedback from land users on policy issues

## Statutory Powers

Declaration of policy: It is hereby declared to be the policy of the legislature to provide for the conservation, use and development of the soil and water resources of this state, and for the control and prevention of soil erosion, flood damages and injury to the quality of water, and thereby to preserve natural resources, control floods, prevent impairment of dams and reservoirs, assist in maintaining the navigability of rivers and harbors, preserve wild life, protect the tax base, protect public lands, and protect and promote the health, safety, and general welfare of the people of this state.

As a governmental subdivision of the State of Kansas and a public body (corporate and politic), conservation districts exercise public powers. Following is a summary of the specific legal powers given to conservation districts and their supervisors by the Conservation Districts Law. Please refer to Appendix 1-D: Conservation Districts Law in Chapter 1 of the *Kansas Conservation District Handbook* for the complete statute.

2-1908 – A conservation district organized under the provisions of K.S.A. 2-1901 *et seq.*, and amendments thereto, shall constitute a governmental subdivision of this state, and a public body, corporate and politic exercising public powers, and such district, and the supervisors thereof, shall have the following powers, in addition to others granted in other sections of this act:

- May be entitled to expenses, including traveling expenses, necessarily incurred in the discharge of duties.
- May employ necessary secretarial, technical assistance, and other employees.
- May call upon the county attorney or the attorney general for legal services.
- May delegate to their chairperson, to one or more supervisors, or to one or more agents, or employees such powers and duties as they may deem proper.
- May invite the municipal or county legislative body to designate a representative to advise and consult with the supervisors on questions of program and policy which may affect the property, water supply, or other interests of such municipality or county.
- Conduct surveys, investigations and research relating to soil erosion, flood damage and control measures; publish the results; disseminate information; avoid duplication by cooperation with state and federal agencies.
- Conduct demonstrational projects within the District state lands or other lands with consent of agency, occupier of lands demonstrate means, measures, methods conservation.
- Carry out preventative and control measures, as well as works of improvement including engineering operations, methods of cultivation, growing of vegetation, changes in use of land and measures listed obtaining the consent of the occupier of such lands or the necessary rights or interests in such lands.

- Cooperate, or enter into agreements with, and within the limitations of appropriations to furnish financial or other aid to, any agency, governmental or otherwise, or any occupier of lands within the district subject to such conditions as the supervisors deem necessary to advance the purposes of this act.
- Obtain options upon and to acquire, by purchase, exchange lease, gift, grant, bequest, devise, or otherwise any property, real or personal, maintain, administer, and improve property receive income from such properties.
- Make available, on such terms as it shall prescribe to land occupiers within the district, agricultural and engineering machinery, equipment, fertilizer, seeds, seedlings, and such other material or equipment, as will assist such land occupiers to for the conservation of soil resources and prevention and control of soil erosion.
- Develop comprehensive plans for the conservation of soil, water resources and for the control and prevention of soil erosion, flood damages, impaired drainage, the effects of drought within the district, and maintenance and improvement of water quality acts, procedures, performances, and avoidances and publish such plans and information.
- Take over by purchase, lease, or otherwise, and to administer any soil conservation, erosion control, or erosion prevention, flood prevention, or water management project within its boundaries for the state or United States or agencies.
- Accept donations, gifts, and contributions in money, services, materials, or otherwise from the United States agencies or state agencies, and from persons, firms, corporations or associations, and to use or expend such.
- Sue and be sued in the name of the district, perpetual succession, execute contracts and other instruments, rules and regulations.
- Conservation district supervisors may require contributions in money, services, materials, or otherwise to any operations conferring such benefits, and may require land occupiers to enter into and perform such agreements.

<b>Statutory Duties</b>
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Conservation district supervisors, as elected or appointed officials of a local government, have an obligation to uphold the law and fulfill the public trust. In addition to the conservation district and supervisor powers previously listed, the Conservation Districts Law delineates the following duties. Please refer to Appendix 1-D: Conservation Districts Law in Chapter 1 of the *Kansas Conservation District Handbook* for the complete statute.

- Hold an annual meeting in January or February. Publish notice in official county paper twice. At such meeting, make full report of activities and financial affairs since the last annual

meeting and conduct an election by secret ballot for the election of supervisors whose terms have expired.

- Whenever a vacancy occurs on the board, the remaining supervisors shall appoint a qualified elector of the district to fill the office for the unexpired term.
- Designate a chairperson and may from time to time change such designation.
- Determine qualifications, duties, and compensation of their employees.
- Delegate to supervisors, agents (board advisors or representatives) and employee's appropriate powers and duties.
- Furnish the DOC requested documents and other information concerning conservation district activities as the DOC may require.
- Provide a surety (fidelity) bond for all employees and district officials who are entrusted with district funds or property.
- Provide for keeping of a full and accurate record (minutes) of all proceedings, resolutions, regulations, and orders issued or adopted.
- Provide for an annual audit of the accounts and receipts and disbursements.
- Request funds from the board of county commissioners.
- County and state funds shall be used to carry out the activities and functions of the district.
- Submit to the DOC a certification of the amount of money to be furnished by the county commissioners on or before September 1 of each year.
- Municipal accounting procedures shall be used in the distribution of and in the expenditure of all funds.
- Implement the program developed by the DOC for protection of riparian and wetland areas.
- Prepare district programs to address resource management concerns of water quality, erosion and sediment control and wildlife habitat as part of the conservation district long-range and annual work plans. Preparation and implementation of conservation district programs shall be accomplished with assistance from appropriate state and federal agencies involved in resource management.

## **Administrative Responsibilities**

The conservation district board manages the affairs of the conservation district and has the full power to conduct all business of the conservation district subject to the laws of the State of Kansas. The Kansas legislature has given the conservation district supervisors broad powers to develop and carry out natural resource conservation programs. How well the supervisors do these things will be reflected in the accomplishments of the district.

The National Association of Conservation Districts (NACD) has available on their website ([www.nacdnet.org](http://www.nacdnet.org)) a *Conservation District Evaluation Guide* that can be used to rate the district's effectiveness in accomplishing its objectives within the community. Evaluation is crucial to ensure your district's operations are as running as efficiently and effectively as possible.

In order to effectively exercise the powers and duties stated in the Conservation Districts Law, listed below are some customary responsibilities of the conservation district board of supervisors:

- Ensure compliance with the Conservation Districts Law and other laws applicable to political subdivisions/municipalities of state government.
- Hold board meetings regularly (monthly recommended) to conduct conservation district business efficiently.
- Make well informed decisions which only benefit the public and are in the best interest of the conservation district.
- Take the lead in identifying, assessing, and prioritizing local natural resource issues.
- Develop and effectively implement conservation district programs and activities, including the state cost-share program.
- Enter into memorandums of understanding or working agreements with as many agencies or organizations as necessary to coordinate the conservation and development of resources in the district.
- Ensure compliance with all agreements between the conservation district and other agencies.
- Keep in close contact with the Division of Conservation (DOC) on all administrative matters.
- Stay informed on activities and participates in programs of the Kansas Association of Conservation Districts (KACD) and the National Association of Conservation Districts (NACD).
- Establish, review, and implement conservation district policies and procedures.

- Hire qualified employees, provide for adequate training, and supervise personnel.
- Secure sufficient moneys for district programs and initiatives through the county commissioners, the State of Kansas, and other sources.
- Properly manage all funds, facilities and equipment belonging to the district.
- Review the long range plan annually and keep current based on resource needs of your district and constituent feedback.
- Develop an annual work plan to address your priority conservation needs, complementing the goals and objectives of the long range plan. Refer regularly to the annual work plan to see that planned activities are carried out.
- Develop a realistic annual budget.
- Publish and distribute an annual report of the conservation district accomplishments.
- Keep local, state, and national public officials informed of your conservation needs and accomplishments.
- Promote natural resource management through contests, exhibits, demonstrations, meetings, tours, service clubs, and special projects.
- Sponsor educational activities for children and adults.

**Note:** Also, check out Appendix 2-C: Effective Boards Make a Difference (NACD) from an article by the National Association for Conservation Districts.

### **Expense Reimbursement**

A supervisor shall receive no compensation (money, thing of value, or economic benefit) for services, but may be entitled to expenses, including traveling expenses, necessarily incurred in the discharge of duties (K.S.A. 2-1907). Such reimbursable expenses may include mileage, transportation, registration fees, meals, and lodging. In the event that a board meeting is not held due to lack of a quorum, the supervisors who do show up at this meeting may receive mileage. All reimbursements must be documented with receipts and kept on file in the district office.

Each conservation district should adopt policies and procedures on expense reimbursement. Policies should include conditions, processes, rates, and funding source(s) for reimbursement. The Internal Revenue Service (IRS) sets the standard mileage rates that may be used to calculate the maximum amount reimbursed to a supervisor using their own vehicles for business related travel. Conservation districts are not required to pay the maximum IRS rate, however all changes should be approved by the conservation district board.

## **Administrative Structure of the Conservation District Board of Supervisors**

The Conservation Districts Law requires all conservation districts to designate a chairperson from among the supervisors. It also states the supervisors may delegate powers and duties to their chairperson, supervisors, agents, or employees as they may deem proper. It is the responsibility of each district board to identify its needs and adopt policies, duties, and procedures for supervisors, agents (such as advisors), and its staff.

Supervisors administer the conservation district by delegating tasks through a structure of board officers, committees, and the district employees. However, the ultimate responsibility for proper completion rest with the board officers and the board as a whole.

At the first board meeting after the annual meeting elections, the board of supervisors should reorganize and elect officers and make appointments to committees. Board positions should be rotated annually to provide all board members with leadership experience.

The following are the elected officer positions that comprise a conservation district board and a description of their duties:

### **Supervisor Roles**

Each supervisor has a specific role to play in the operation of the conservation district. Conservation districts operate under the direction of a board consisting of five supervisors. The first board meeting after the annual meeting elections, the conservation district board of supervisors should reorganize. Some conservation districts annually rotate its officers to provide all members with leadership experience. Conservation district boards elect officers to carry out specific roles for the conservation district, especially in board meetings. All positions on the board have the same voting rights and can vote on all issues before the board unless a member needs to abstain due to personal conflict. Each individual member shares responsibility for carrying out the duties of the board, but also has individual responsibilities.

Individual board members may be given authority or power to act on behalf of the board in specific, limited tasks. The authority or power is granted through board action (motion or policy) and must be recorded in the meeting minutes. Conservation boards may choose to limit or grant authorities to individual supervisors relating to different actions, such as staff supervision, managing projects, signing documents, and serving as a district spokesperson for public presentations or media. Position descriptions may also be developed (for more information see Board Member Position Descriptions provided later in the chapter and Appendix 2-A: Example Supervisor Position Description.)

In addition to the responsibilities and duties of all board members, the following describes the main roles common for conservation district officers and members.

- **Chairperson:** The chairperson of a conservation district board is designated (normally elected by other board members) to provide leadership to the conservation district board. In general, the chairperson ensures the effective action of the board in governing and supporting the conservation district and oversees board affairs. The chairperson acts as the official spokesperson for the conservation district. As the head of the board, the

chairperson sets the meeting agenda (with input from district employees and other supervisors), presides at meetings, appoints committees, assigns responsibilities, and ensures new supervisors are oriented. According to the Kansas Open Meetings Act, the presiding officer (chairperson) has duty to provide the notice of board meetings, but that duty may be delegated. The chairperson is one of the three legal designees authorized to sign checks.

- **Vice-Chairperson:** In absence of the chairperson, the vice-chairperson assumes all duties and responsibilities of the chairperson in conducting the meeting, check signing authority, and other leadership duties. Therefore, the vice-chairperson must understand the responsibilities of the chairperson and be able to perform these duties in the chairperson's absence. The vice-chairperson assists with the duties of the chairperson. Some additional responsibilities may include arranging special programs for regular board meetings and serving as chairperson of at least one standing committee. The vice-chairperson also succeeds the chairperson in the event of resignation or death until the board is reorganized.
- **Secretary:** The secretary is not a required board position. However, it is the responsibility of the board that "secretary" duties, which some or all may be assigned to an employee, are carried out. Normally district staff notifies board members of each meeting, assists the chairperson with agenda preparation, records board meeting minutes, prepares correspondence, drafts district reports, and maintains financial records. The secretary is one of the three legal designees authorized to sign checks.
- **Treasurer:** The treasurer is responsible for the financial matters of the district, ensuring complete and accurate financial records, as well as maximization of cash and investments. According to state law, the treasurer reviews claim vouchers (and supporting documents), keeps complete payment records (may be assigned to district staff, however it is the responsibility of the treasurer to ensure complete and accurate records), and signs checks as one of the three legal designees. Normally the treasurer presents financial reports at meetings, leads district budget development, and serves as chairperson of the finance committee. In absence of the treasurer at a board meeting, a pro tem treasurer is appointed by the chairperson or is elected by the members of the board and assumes all duties and responsibilities of the treasurer on a temporary basis.
- **Member:** Any member of the board that is not an officer assumes duties and carry-out tasks assigned by the chairperson and assists board officers as requested. A member should be familiar with the total program of the conservation district and be prepared to serve in one or more of the other board offices.

**Note:** Boards work cooperatively as a unit to plan and oversee implementation of their district's programs. As a representative of the district board, opinions expressed publicly by the individual board members should be consistent with established board policy, regardless of the individual's personal agenda or opinions.

## **Advisors**

A conservation district board can benefit by appointing one or more advisors, sometimes referred to as associate or assistant supervisors, to provide information, advice, assistance, or other special expertise to the board. In addition, the conservation district board may designate an advisor to serve on an organization as a conservation district board representative. With the involvement of more people, it is possible to expand the scope of district programs as well as broaden community input and support to the district.

The district might consider the following types of individuals to serve as advisors:

1. An advisor may be a potential district supervisor. This could serve both as a learning period for the advisor and time for the board to observe the advisor's commitment and ability.
2. A former district supervisor who would like to remain active in the district. This would ensure that the district continues to benefit from the experience of a past supervisor.
3. An individual who is or should be professionally involved in conservation could provide a special service to the district. Consider the benefits of naming the extension agent, a teacher, a city planner, or newspaper person as an advisor.

It is the responsibility of the conservation district supervisors to delegate duties to the advisor, and it is recommended to develop a written description of the responsibilities, activities, and limits on authority, and length of term. Appointment and reappointment should be an official action of the board. Be sure to orient advisors and involve them in meaningful activities and projects to help maintain their interest and support.

Advisors have no official or legal authority. Therefore, they cannot make motions or vote on official district business. However, if an advisor performs a conservation district function at the request of the board, the conservation district board may provide reimbursement from the Enterprise Fund for mileage, meals, and lodging.

## **Committees**

The board of supervisors may form needed committees to perform a specific role, project, or program. Committees may be used to investigate, deliberate, and analyze issues or projects. Committees have no legal or official authority and cannot vote on the district board's business or obligate district funds. The two primary types of conservation district committees are a standing committee and a special committee.

1. A standing committee is a permanent committee charged with working on a basic aspect of a district function. Standing committees may have a focus on recruiting potential board members (nominating committee), planning, education, finance, research, personnel, water quality, or stewardship.
2. A special or an "ad hoc" committee is a temporary work group created to accomplish a specific task within a limited time frame. Examples include forming committees for the Local Work Group, a tour, the annual meeting, or a grant.

Districts are encouraged to have a policy on board committee responsibilities. All committees should have a clear understanding of their purpose, charge, expectations, responsibilities, and time frame for reporting back to the board or completing tasks. Committee members may include district board members, advisors, and representatives of cooperating agencies and associations, or interested citizens. Committees may also serve as an "entry point" and training ground for people who may eventually become a district supervisor.

### **Board Member Position Descriptions**

Conservation districts should consider developing board member position descriptions for several possible uses, including: to encourage and recruit potential board members, to train and develop the current board members, or as a tool to assess the job performance of existing members. Having in place a well-organized and accurate position description that reflects the board's function and structure will ensure potential candidates are well informed about what to expect as a board member.

New board members who are provided with the description will be prepared for their term of service. Current board members can refer to their position description throughout their term of service and expect to be evaluated accordingly. See Appendix 2-A: Example Supervisor Position Description for ideas on crafting a position description specific to your conservation district. The format can also be adapted to make position descriptions for board officers, advisors, and committee chairs.

### **Recruiting New Board Members**

Recruiting the right people with the right skills and talent can help ensure effective conservation district programs. Additionally, a district board whose members exhibit a diverse combination of skills will be better able to gain community support for district and local conservation efforts. As an organization representative of the people within the district boundaries, it is also valuable for the board makeup to reflect the gender, age, and race makeup of the people within the district. Before the actual search for a potential new board member begins there are several steps that should be taken to assist in the process for recruiting quality board members who best suit the needs of the conservation district. District boards then develop and use a variety of recruitment strategies to find citizens who have skills and interests compatible with the district.

While supervisors can be re-elected, potential new board members should be cultivated constantly. Try to keep board membership representative of all types of landowners or operators, community groups and conservation and environmental interests in your conservation district. The more representative your board is, the broader the base of support for your district activities. Ensure you are addressing urban-oriented concerns and issues. Also, look at skills that are needed for your board, including interpersonal skills. For example, maybe your district's educational programs are not as strong as you would like; you might recruit someone with a strong educational background.

Here are some key board member recruitment steps:

- **Analyze district needs.** In order to figure out what kind of board members are desired to lead the conservation district, a process to analyze the needs of the conservation district in relationship to the district's key priorities and future activities should take place. This could consist of listing the district's current major programs and activities, as well as listing future programs and activities the board would like to accomplish. Also, identify the knowledge, experience, and skills needed to help the district meet these accomplishments such as: Agriculture, Accounting, Education, Personnel, and Public Relations.
- **Identify desirable qualities.** List qualities that will help the board function better and do its job better. These general descriptive characteristics such as open minded, strong leadership skills, team player, passion for conservation, and reliability are qualities to be sought, encouraged, and developed in all members.
- **Develop a recruitment document.** Recruiting efforts are aided by developing a brief information sheet to provide to prospective members explaining what the conservation district is and the programs and services it offers. This document might include:
  - Conservation district mission and vision statements.
  - Primary goal, programs and activities of the conservation district.
  - Major issues the board is currently facing.
  - Main responsibilities and duties of board members.
  - Expectations of board members.
  - Benefits of being a conservation district supervisor.
- **Create a board member position description.** A position / job description will give prospective board members a better understanding of what is expected of them by defining responsibilities, duties and obligations. If such roles are clearly defined, prospective board members will be more likely to meet the expectations set for them. The position description may be used in recruitment efforts and provided to the board members once they have been elected or appointed. See Appendix 2-A: Example Supervisor Position Description for ideas on crafting a position description specific to your conservation district.
- **Develop a board composition grid.** A key ingredient to increasing the district's impact in the county is to have diverse board membership representatives who bring a wide and varied range of skills, backgrounds, and ethnicity. A board composition grid is a helpful tool to see how well the current board covers the various criteria. Across the top of the matrix write the names of the current board members. Down the left side of the matrix list desired conservation district board member criteria for effective leadership and governance. Have each board member check off their relevant items. This exercise will help identify the gaps in your current board, and establish priorities for recruitment. For example, if no one currently on the board has accounting knowledge then seek a member with strong financial skills. See Appendix 2-E: Example Board Composition Grid for some ideas on developing one for your conservation district.

- **Develop recruitment strategies.** Ongoing recruitment utilizing a nominating committee and a variety of strategies normally produces a greater number of potential nominees who represent more diverse skills, interests, and backgrounds. Recruiting methods include:
  - Recruitment brochure.
  - District newsletter.
  - News releases/newspaper advertisements.
  - Public service announcements.
  - Letters to organizations.
  - Recommendations from board members, staff, and cooperating agencies.
  
- **Create an information form.** An application or information form can be used to collect information on potential candidates. The form should ask about things the conservation district board members want to know. Each interested candidate completes the form. A *Potential District Board Member Information Form* could include such things as:
  - Name, Address, Home Phone Number, Work Phone Number.
  - Explain your interest in soil and water conservation and becoming a district board member.
  - Are you willing to commit the amount of time needed for the board’s work including out-of-county meetings and workshops?
  - Briefly describe what contributions and skills you would bring to the conservation district.
  - Nature of your work.
  - Professional and educational background.
  - List other organizations, clubs, and affiliations (include dates, offices held, and honors received).
  - Please provide a brief biography of yourself.
  
- **Evaluate potential candidates.** Information gathered is compared to qualifications the district board has identified to fill needs on the board. In addition, interviewing prospects is an excellent way to find out if this is a good fit or not and answer any questions the prospective board member may have. Evaluations may be performed by a nominating committee to make recommendations to the board members to fill a vacancy on the board or in preparing the slate of nominees for an election. In lieu of the nominating committee evaluating potential board members to fill a vacancy on the board, this step can be performed by or with the assistance of the district board members.

Additional information on board member recruitment can be found on the National Association of Conservation Districts (NACD) website at [www.nacdnet.org](http://www.nacdnet.org), entitled *Conservation District Board Member Recruitment and Community Outreach Guide*. Please refer to Chapter 4, *Conservation District Annual Meetings* in the *Kansas Conservation District Handbook* for more information on elections.

### **Nominating Committee**

All conservation districts should have a nominating committee to search for energetic persons who are committed to conservation and willing to devote time and effort as a board member. The nominating committee is normally appointed annually by the conservation district board

chairperson with input from the other board members. The nominating committee should consist of no fewer than three members and may be made up of representatives from different local organizations or leaders in the community. District supervisors should not serve on the nominating committee or attend the committee meetings because their presence could hinder full and open discussions.

Ideally this committee works throughout the year looking for potential candidates who are interested in the conservation and protection of natural resources within the county. To be effective, recruiting must be a continuous process, as a part of the on-going efforts to strengthen conservation district boards. This will ensure that the nominating committee will be able to provide a list of qualified potential candidates for any vacancy occurring on the board throughout the year, as well as for nominations for supervisors whose terms expire.

When making contact with a potential candidate, a nominating committee member provides the recruiting documents developed by the conservation district that provides the information about the conservation district and the position. Nominating committees use the selection criteria developed by the conservation district board to start recruiting a pool of candidates best suited for the position. They should start identifying recruiting prospects by looking at individuals, who are already active in district activities such as advisors/associate supervisors, district standing committee members, and other district volunteers. In addition, they search for those who are connected in the community or who were identified through other outreach efforts. They should avoid selecting “well known” individuals just for the sake of their name.

**Note:** The Kansas Association of Conservation Districts (KACD) and Division of Conservation (DOC) recommends using the *Guidelines for Educating Nominating Committees* per KACD Resolution passed in 2005. This is included in this chapter as Appendix 2-B: *Guidelines for Education Nominating Committees*.

## Elections, Resignations, and Appointments

The election of supervisors occurs at the conservation district annual meeting, which must be held every year in January or February. Supervisors are elected to serve three-year terms of office. Expiration of district supervisors’ terms are staggered so one or two supervisor(s) are elected each year. The incumbent supervisor must be declared as a candidate and be nominated in order to run for re-election to the district board. More information on elections may be found in Chapter 4, *Conservation District Annual Meetings* in the *Kansas Conservation District Handbook*.

A supervisor must resign if he/she no longer meets the eligibility requirements outlined in K.S.A. 2-1907. A common reason would be when a supervisor moves out of the district (county). Any supervisor who finds it is impossible to adequately fulfill the duties of this position because of poor health, lack of time, or any other reason that would not allow being a positive contributor to the board, should initiate conversation with the other supervisors about a voluntary resignation to allow another to serve who is able to be fully involved. The board should formally accept resignations in a board meeting.

The Division of Conservation (DOC) must be notified when a board position becomes vacant. If a supervisor resigns, the DOC requires a copy of the resignation letter. In the case of a supervisor's death, the conservation district board should notify the DOC in writing.

In the event of a death, disqualification, or resignation of any supervisor, the remaining supervisors shall appoint a qualified elector of the district to fill the office for the remainder of the unexpired term. The board action must be recorded in the official minutes of the conservation district. Supervisor information is entered and updated in CSIMS by district staff.

### **Oath of Office**

All officials elected or appointed under any law of the State of Kansas shall, before entering upon the duties of their respective offices, take an oath or affirmation, as per K.S.A. 54-106. An official oath may be found towards the end of this chapter as Appendix 2-F: Conservation District Supervisor Oath of Office, and one is also available in the Cost-Share and Information Management System (CSIMS), which can be accessed and printed by a district employee.

The oath of office is administered to the newly elected or appointed supervisor by anyone authorized to administer oaths. By law, notaries, judges of courts in their respective jurisdictions, mayors of cities and towns in their respective cities and towns, clerks of courts of record, county clerks, and register of deeds are authorized to administer oaths pertaining to all matters wherein an oath is required (K.S.A. 54-101). All oaths shall be administered by laying the right hand upon the Holy Bible, or by the uplifted right hand (K.S.A. 54-102).

Soon following election or appointment, one blank copy of the oath is provided by the conservation district to the newly elected or appointed supervisor and must be completed before participating in official actions of the board. The oath is uploaded into CSIMS, a copy given to the new supervisor, and one retained in the district files. A re-elected supervisor who is serving consecutive terms does not have to take the oath again unless there is a period of time in between terms of office that the supervisor did not serve.

Note: A (qualified) district supervisor shall hold office until a successor has been elected or appointed and has become qualified (oath of office completed).

### **Orientation and Board Development**

New supervisors need to feel like they are an integral part of the board as soon as possible. No matter how well qualified your new board members are, it will take some time to get them up-to-speed and feeling comfortable as a contributing member of the board. Orientation and board development are absolute necessities for building strong boards, which leads to successful conservation districts. Through orientation, board members become familiar with their responsibilities and the conservation district they are about to serve. Supervisors need to have the skills, knowledge, and experience to effectively promote, administer, and implement conservation district programs. Board members should have ongoing training in order to meet both the routine demands of their roles and the emerging demands affecting their conservation district.

Orientation is not a one-shot program, but rather a process continuing over the first few months. Board development begins with “the ask.” Board member responsibilities and expectations should be discussed with the person before nomination or appointment. Once a supervisor has been selected, a more thorough orientation should take place as soon as possible covering the conservation district program and activities, policies, procedures, norms, structure, and other information. This helps the new supervisor feel more comfortable with the group and understand its processes. Proper orientation leads to better understanding, more commitment, and less frustration. Initial orientation is usually done by the board chairperson with staff assistance, but do not overwhelm the new supervisor with too much information at once. Consider assigning a new supervisor a “mentor” who will provide support during the initial three months, answer questions, and ease their transition into the board.

A new supervisor should be provided with a copy of this guide, the *Kansas Conservation District Supervisor Handbook*. For more assistance in the orientation, see Appendix 2-G: *Orienting New Supervisors Checklist*.

Ongoing board development activities should be part of the plan for every board and for every supervisor. Conservation district supervisors should always be working to increase skills in order to provide the best service and leadership to the conservation district. It is important to stay informed on conservation issues and programs to assist in achieving the conservation district’s mission. The board needs to be involved in programs which are designed to enhance their performance. Board members should take advantage of the many opportunities available to them for learning more about their duties and responsibilities. By attending area meetings and workshops, and state and national conferences, conservation district supervisors can gain ideas and knowledge from the sessions, as well as from visiting with other attendees.

Try to develop your board skills with written materials or other resources. Share these materials with other board members. Supervisor training workshops may be offered by the DOC. Supervisors are encouraged to attend the annual convention of the Kansas Association of Conservation Districts (KACD) as well as area meetings held by DOC and KACD.

It is also good to periodically rotate board members to different positions and committee assignments to broaden their experience and “promote” them. Don’t forget to recognize the service, effort and development of your colleagues.

After new supervisors take the Oath of Office, welcome them with a letter or phone call and issue news releases announcing their new position. Formally orient new supervisors, but do not burden them with too much information at once. Initial orientation is usually done by the chairperson. When they are appointed to a committee, that committee should orient them as well. The DOC staff can also help orient new supervisors through workshops. Training module information may be found in Chapter 1 *Introduction*, as well as on the [Supervisors](#) page on the KDA/DOC website.

<b>Conservation District Supervisor Training Modules</b>
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Training modules that can be used to inform supervisors and staff about the basic operations of conservation districts have been developed by the DOC and KACD. The intent of these modules

is to have educational materials available on an on-going basis to conduct in-house training at district board meetings. The modules may also be used as self-taught packages and may be especially useful for new supervisors and employees.

The training modules can be located in your district and are also available on the Division of Conservation, Kansas Department of Agriculture website, [www.agriculture.ks.gov](http://www.agriculture.ks.gov). Select the Divisions & Programs from the main menu and select Division of Conservation. From the Conservation Districts menu, select Supervisors. Information on the Supervisor Training and Recognition Program is also available online along with the Training Module information. The Supervisor Training and Recognition Program was officially adopted by the Kansas Association of Conservation Districts and the State Conservation Commission at their August 2, 2010 Joint Meeting. The program is based on national guidance provided by the National Association of Conservation Districts and the National Association of State Conservation Agencies.

The DOC developed 14 training modules that can be used to teach supervisors and staff the basic operations of conservation districts. KACD also developed two training modules, Module XV and Module XVI, in which the links are provided below in the list. The intent of these 16 training modules is to have education materials readily available to conduct "in-house" training in district offices.

These modules are especially useful when new supervisors are elected or new staff members are hired and state-sponsored training is not immediately available. Supervisors may access these training modules by logging on to the Kansas Department of Agriculture website at: <https://agriculture.ks.gov/divisions-programs/division-of-conservation/conservation-districts/supervisors>.

### Supervisor Training Modules

- Module I - Conservation District Basics
- Module II - Kansas Conservation Partnership
- Module III - Supervisors Responsibilities
- Module IV - Board Meetings
- Module V - Financial Management
- Module VI - Annual Meetings
- Module VII - State Cost-Share Programs
- Module VIII - Sexual Harassment
- Module IX - Setting District Policies
- Module X - Conservation District Annual Audit
- Module XI - Ethics
- Module XII - Legal Authorities/Powers and Duties
- Module XIII - History of Conservation Districts
- Module XIV - District Personnel Management and Supervision
- [Module XV - Legislative Advocacy](#)
- [Module XVI - Resource Planning](#)

## **Board Member Manual**

One of the best tools board members can have is a good board member manual. A conservation district should consider developing a board member manual and making it available to all the supervisors. By having essential background information in a manual, a new board member will soon be able to make meaningful contributions. The board member manual will continue to be a source of information to refer to on an as-needed basis and a place to keep board meeting minutes and other current conservation district documents. The supervisors should be encouraged to bring their manual to each board meeting or after initial orientation; it could be kept at the office and provided to them at each meeting.

A three-ring loose-leaf binder is ideal so outdated information can be easily removed and new information added. A binder with a two-inch spine and tabbed dividers will provide lots of room for key documents. Staff should make sure all documents are dated and should three-hole punch the documents before distributing to board members. For suggestions on contents of a board member manual, please refer to Appendix 2-G: Orienting New Supervisors Checklist.

The following are suggested sections for how a board member manual might be organized:

1. Introduction (information about your conservation district including names of staff and a list of board members with contact information, and oath of office).
2. Board Meeting Minutes (including the financial and staff reports).
3. Conservation Partners (NRCS, DOC, KACD, etc. - organization info and staff).
4. Financial Information (budget and audit).
5. Operational and Legal Documents (long range plan, annual work plan, annual report, and Conservation Districts Law).
6. Policies and Procedures (governing policies, personnel policies and other operational policies).
7. Contracts (if not practical to include a copy of the contract itself, provide an overview of each contract the district has with another agency or organization).
8. Board Education (materials that can be used as resources; some from the DOC or outside sources).
9. Newsletters, Brochures (materials developed by the conservation district and newspaper articles)
10. Miscellaneous.
11. Notes (blank, lined pages for board member's own notes).

## Supervision

People are the primary resource of a conservation district. Part of your board of supervisors' responsibility is to supervise yourselves, paid district staff, associate board members, committees and volunteers, as well as coordinate with DOC personnel so everyone can carry out the conservation district mission effectively.

- **Board Members** - You must first supervise yourselves, both as individuals and as a board of supervisors.
  - As an individual board member, are you:
    - Attending and actively participating in all conservation district board meetings?
    - Carrying out your committee responsibilities?
    - Keeping abreast of local natural resource issues?
    - Attending area and state conservation meetings?
  - As a board of supervisors, are you:
    - Identifying local conservation district goals and achieving them?
    - Keeping your district's mission ("reason for being") in focus?
    - Working effectively with district staff and cooperating agencies?
    - Efficiently implementing district programs?
    - Making sure your board's policies and activities are consistent with the DOC and the Kansas Association of Conservation Districts (KACD)?
    - Following correct budget and audit procedures?
    - Developing fresh annual plans?
    - Reporting to the public on your district programs?
  - **Staff** - According to Kansas Conservation District Law; "a supervisor may employ a secretary, technical experts, and other such officers, agents, and employees, permanent or temporary, as they may require, and shall determine their qualifications, duties and compensation." Conservation district employees can help you implement your programs and policy more effectively.

Conservation district employees can also:

- Help coordinate board of supervisor activities.
- Provide objective input and professional expertise.
- Provide information, data, or leg work, as well as other details.
- Serve as an agent of the conservation district, contacting landowners, agencies and others regarding district business.
- Provide technical assistance to land users.

There are a variety of positions you may fill: i.e., district manager, district secretary, water quality coordinator, district clerk, and district technician. The district secretary and/or manager are key staff positions.

- District Manager - A district manager serves as the primary staff person for a conservation district. The district manager can mediate conservation district problems or complaints, work with cooperating agencies to gather information for your planning efforts, and keep you informed of current conservation accomplishments and opportunities. The district manager also usually assists in the recruitment, hiring and supervision of other district employees.
- District Secretary - A district secretary is typically one of the first employees a district hires. A secretary can create a favorable impression as the first contact many people and others have with the conservation district. Secretaries can help prepare correspondence, agendas, minutes, plans, reports, newsletters, and news stories. The secretary can also arrange for meetings, maintain district files and required accounting records, and perform other clerical tasks.

**REMEMBER:** District employees work for the district supervisors. As a supervisor, you are responsible for their performance!

<h3><b>Ethics and Accountability</b></h3>
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The conservation district board is ultimately responsible for ensuring that the conservation district adheres to legal standards and ethical norms. As public officials, conservation district supervisors must faithfully perform their duties in the best interest of the conservation district and for the benefit of the people. All conservation district supervisors, elected or appointed, are required to take and subscribe to an oath, in which they swear to support the constitution of the United States and the constitution of the state of Kansas, and faithfully discharge the duties of a conservation district supervisor. They are expected to conduct their job in a professional manner and to ensure fair and equitable program delivery to all. Supervisors should not use their conservation district position or confidential information received for personal gain. In brief, any activity that violates the public trust can be considered unethical behavior.

Our system of government places public officials on a higher level of review. Even a perception of a conflict of interest or nepotism can seriously detract from the very positive work being done by conservation districts. As “trustee” of public funds, district boards should avoid actions that may be perceived negatively by the public. Even though a conservation district has authority to spend district funds (all of which are public funds) in a certain way, the conservation district board has an obligation to fulfill the public trust to use public funds as effectively as possible. For example, conservation district supervisors may be reimbursed for meals while performing business related duties, however lavish, extravagant or excessive cost of meals may not pass public scrutiny in a positive light. Another example of avoiding the appearance of possible misconduct would be not to hire family members as district employees. There are no nepotism laws preventing this; however, other board members may be influenced either directly or indirectly in their decisions regarding personnel actions, even when the related supervisor does not participate in performance evaluations or salary negotiations.

The Kansas Conflict of Interest Law, K.S.A. 75-4301 et seq., sets out standards with which that local government officials must comply. The Kansas Governmental Ethics Commission

administers, interprets, and enforces laws relating to conflict of interests. The Kansas law takes the public policy position that a person should not be forbidden from holding office, or required to refrain from discharging the duties of an office already held, merely because of some possibility for a future conflict of interests.

The provisions outlined in the conflict of interest law do not prevent a supervisor from dual office holding (e.g. a district supervisor can concurrently serve as a county commissioner). Furthermore, there is not a prohibition from serving as a local official while the agency one serves does business with a local official's private business interests (e.g. a district supervisor's business can be hired by the conservation district). There is, however, a prohibition from participating as a local official in the making of contracts between the local agency and their own private business interests. The law does state that a public officer does not make or participate in the making of a contract if he or she abstains from any action in regards to the contract. There are two exceptions where a public official is not required to abstain from voting on a contract. The first is when the contract is a result of a competitive bid, and the second is when the price of the property or service is fixed by law.

**Note:** The primary point of contact for conflict of interest issues for conservation districts is the Division of Conservation. District employees and supervisors may however, directly contact the Kansas Governmental Ethics Commission, 109 W. 9th Street, Suite 504, Topeka, Kansas 66612-1287, 785.296.4219.

Local laws should also be checked to see if they identify actions or conduct which supplement the requirements of the state law. One common objective of these local laws is to ensure that public officials avoid even the appearance of possible impropriety.

Caution should be taken when considering hiring a supervisor to work or provide a service for the conservation district. The Conservation Districts Law, K.S.A. 2-1907, states: "A supervisor shall receive no compensation for services, but may be entitled to expenses, including traveling expenses, necessarily incurred in the discharge of duties." This prohibits an individual from receiving compensation for work or duties performed as a member of the conservation district board. The individual, however, may receive compensation for services performed as an independent contractor and the Kansas conflict of interest law requirements are followed. Keep in mind, that just like hiring any independent contractor, the conservation district should have assurance that the independent contractor to be hired is qualified to do the job at the best price. Through examination of various Kansas Attorney General Opinions rendered for similar situations, it has been determined that a supervisor of a conservation district may not be employed by the conservation district of which he/she is a member of the board. The Internal Revenue Service (IRS) regulations provide the definitions of employee versus independent contractor.

**Note:** See Publications 15 and 15-A on the IRS website at [www.irs.gov](http://www.irs.gov) for information on how to determine whether an individual providing services is an employee or an independent contractor.

Strengthening ethics and accountability should be an ongoing commitment by boards. Individual and collective adherence to high ethical standards by public officials is central to the maintenance of public trust and confidence in government. One way to be sure board members are clear on

expectations and proper conduct is to develop a set of principles covering governance practices and ethical conduct. For suggestions please refer to Appendix 2-H: Example Code of Ethics.

### **Removal for Cause**

Any supervisor may be removed by the Division of Conservation upon notice and hearing in accordance with the provisions of the Kansas Administrative Procedures Act, for neglect of duty or malfeasance in office, but for no other reason (K.S.A. 2-1907). The following definitions are provided as a general guideline and are not to be construed as legal advice. “Neglect of duty” is refusal or unwillingness to perform the mandatory duties of the office. “Malfeasance” includes misconduct in the performance of official duties and any criminal wrongdoing.

Upon a majority vote of the board in open session, the supervisors may petition the DOC to remove a supervisor from office. The letter petitioning for removal must include thorough documentation of the reason for removal and of attempts to work with the supervisor. Upon receipt of written petition for removal of a supervisor from office, the DOC will advise the district of the procedure to be followed for removal.

### **Personal Liability**

The Kansas Tort Claims Act establishes the liability of all governmental entities and governmental employees. According to Attorney General Opinion No. 87-31, district supervisors are considered state employees for purposes of the Kansas Tort Claims Act and are covered accordingly. Please refer to Chapter 6, *District Operations* for detailed information on the Kansas Tort Claims Act.

## **Appendix 3-A: Example Supervisor Position Description**

### **Happy County Conservation District Supervisor Position Description**

#### **Position Overview:**

A conservation district is a political subdivision of state government with statutory powers and responsibilities to implement a local program of natural resource conservation and encourage wise land management. The governing body of the conservation district consists of five supervisors. This position, together with other members of the board of supervisors, is legally, fiscally, and morally responsible for all activities of the Happy County Conservation District. Supervisors have no individual authority, unless it is delegated to them by the board. However, every supervisor has the responsibility to provide effective leadership in operation and administration of the conservation district. Supervisors receive no compensation, but may be reimbursed for actual expenses of mileage, registration, meals and other associated expenses when performing their duties.

#### **Mission Statement:**

To provide local leadership and assistance in promoting individual responsibility for proper land management practices in Happy County to conserve soil, water, and related natural resources through information, education, and incentive-based programs in partnership with other agencies and organizations.

#### **Primary Duties:**

- Prepare for and participate in the discussions and the deliberations of the board.
- Exercise due diligence and good judgment in decision making.
- Foster a positive working relationship with other board members, staff, and partners.
- Participate in establishing goals, objectives, and priorities for meeting the conservation needs of the county and oversee the implementation.
- Recommend, review, and oversee policies and procedures.
- Provide financial direction and accountability.
- Cooperate with fellow board members to secure adequate operating funds for the district.
- Participate in personnel management.
- Monitor and participate in evaluating the effectiveness of the conservation district through a regular review of operations, programs and services.
- Ensure compliance with applicable laws and contractual obligations.
- Attend activities and events of the conservation district.
- Promote the conservation district services and programs.
- Represent the people in the district in regard to conservation issues, which requires staying informed of their conservation needs and taking action to meet those needs.

#### **Term of Service:**

Supervisors are elected by qualified electors of the district at an annual meeting held in January or February for a term of three years. Expiration of district supervisors' terms are staggered so one or two supervisor(s) are elected each year. When a vacancy occurs in the membership before the term has expired, the remaining supervisors appoint a qualified elector of the district to fill the office for the remainder of the unexpired term. There is no limit on number of terms served.

### **Qualifications:**

- U.S. citizen, at least 18 years of age, and resides in Happy County.
- Interest in soil, water, and other natural resources conservation.
- In addition to leadership skills, have knowledge and skills in one or more of the following:
  - Agriculture.
  - Environmental sciences.
  - Natural resource issues.
  - Boardsmanship.
  - Financial management.
  - Personnel management.
  - Strategic planning.
  - Education.
  - Public speaking.
  - Legislative process.
  - Outreach.

### **Meeting and Time Commitment:**

- Board meetings are on the second Tuesday of every month, 7 p.m., USDA Service Center, Gladville, KS. Meetings typically last two hours. Meeting preparation and follow-up approximately one hour.
- Committees of the board meet three to four times per year, for approximately three hours.
- Annual meeting of the conservation district normally is on the third Tuesday in January, 6 p.m., and typically last three hours.
- Attend at least two conservation district sponsored events per year, time varies.
- Attend various meetings related to local conservation issues, as able, time varies.

### **Expectations of Supervisors:**

- Committed to serving in the best interest of the conservation district and its constituents.
- Perform the duties and the responsibilities of the board of supervisors diligently.
- Support the mission, goals, and objectives of the conservation district.
- Attend and participate in monthly board meetings on a regular basis. To be fully effective supervisors should not miss more than three board meetings per year.
- Attend at least two conservation district sponsored events.
- Participate on a standing committee of the board and serve on special committees as necessary.
- Attend at least two meetings/workshops per year sponsored by the State Conservation Commission or the Kansas Association of Conservation Districts.
- When attending meetings on behalf of the conservation district, make an effort to represent the view of the board as a whole, not just your personal thoughts.
- Participate in workshops and seminars related to soil and water conservation.
- Understand the conservation district policies and procedures.
- Become knowledgeable of the Conservation Districts Law and other laws applicable to the district.
- Become familiar with conservation district finances, budget, and financial/resource needs.
- Understand and keep informed on natural resources/conservation issues.
- Be fair, honest, reasonable, even-tempered, and impartial.
- Be active, positive, innovative, open minded, and action-oriented.

## **Appendix 3-B: Guidelines for an Effective Board Member**

Conservation district supervisors are the key to the success of the district in promoting and coordinating a program to conserve and develop natural resources. The following guidelines will assist a conservation district supervisor in being an effective, proactive board member:

1. Attend and participate in all board meetings and functions.
2. Be prepared for meetings.
3. Be attentive to board business.
4. Make decisions in response to all proposals presented to the board.
5. Effectively convey the district's mission, values, programs, and services to others.
6. Foster teamwork.
7. Understand and carry out responsibilities.
8. Be aware of the different natural resource needs within the district and actively seek input for solutions.
9. Assume duties and follow through on assigned tasks.
10. Participate in training opportunities.
11. Attend area, state, and national meetings and workshops.
12. Model good conservation practices.
13. Understand the roles and responsibilities of district employees.
14. Be knowledgeable of and follow the laws applicable to conservation districts.
15. Ensure ethical integrity and maintain accountability.
16. Review and understand the conservation district mission, policies, programs, and goals.
17. Be familiar with the functions of other conservation agencies involved with the conservation district.
18. Stay informed about issues affecting the conservation district.
19. Keep informed on legislation and policies of local, state, and federal government pertaining to conservation issues.
20. Promote the district's programs and activities.
21. Communicate with and support your district staff.
22. Seek feedback from constituents.
23. Regularly self-evaluate personal work performed in board member capacity.
24. Respect and encourage others.
25. Be willing to accept or listen to new ideas or suggestions.
26. Look for new and better ways.
27. Ask for help when needed.
28. Be committed, positive, and enthusiastic.

## Appendix 3-C: Effective Boards Make a Difference (NACD)

*(Permission granted by the National Association for Conservation Districts (NACD) to use the following excerpt from an article that appeared in the NEWS & VIEWS November/December 2007 issue.)*

### Effective Boards Make a Difference

*Do you ever wonder what makes some boards click and carry out effective programs, while others seem stagnant and unable to have an impact in their community? When you look closely at effective boards, you may find they share some common attributes.*

#### **An Effective Board:**

- *Is made up of leaders;*
- *Guides program through a strategic plan and goal-setting;*
- *Understands the board's mission and how the program achieves the mission;*
- *Has a make-up that reflects the diversity of the community it serves; and*
- *Has productive working relations between the board, manager and staff.*

While there are many more attributes of effective boards, the following article examines the five characteristics listed above and gives insight into how to strengthen your board.

#### **Board Members Are Leaders**

*Management is doing things right; leadership is doing the right things.* – Peter F. Drucker

Conservation district board members are notorious for their passion for conservation and their community. Their commitment motivates them to serve as publicly elected officials, giving countless hours of time away from family and business to tend to the needs of the district and community. Effective leaders express a willingness to cooperate with fellow board members and staff and collaborate on projects and programs by sharing their talents and expertise. Effective leaders not only show up for board meetings, they participate regularly by expressing their views on conservation issues. They also respect and value the opinions and ideas expressed by fellow board members.

#### **Being Effective - It's Not Easy**

*Even if you are on the right track, you will get run over if you just sit there.* – Will Rogers

Being an effective leader and board member takes time, energy and focus. But focusing that energy into developing and implementing a strategic plan can be rewarding. Sometimes simply going through the process of planning can spark a district to accomplish many tasks, but having someone assigned as task-master can help keep the implementation on the front burner for the board and implementation then becomes a part of the district's daily operations.

#### **Your Strategic Plan- A Roadmap to Success**

*Obstacles are those frightful things you see when you take your eyes off the goal."* – Henry Ford

Does your conservation district have a clear vision of the kinds of services and programs you want to provide to your customers during the next five years? Have you set realistic, quantifiable goals to help you achieve that vision? Having a realistic strategic plan is similar to having a roadmap when driving to an

unfamiliar destination. Without a roadmap, it is easy to get lost and never arrive at your intended destination. A 3-5 year strategic plan can clearly define the purpose of the district and establish realistic goals and objectives consistent with the mission. It will also define a time-frame that the district has the capacity to meet. A conservation district's financial and human resources rarely exceed a community's conservation needs. Having a strategic plan focuses a district's limited resources on key priorities, ensuring the resources are used in the most effective way.

Developing and implementing a strategic plan can serve as a vehicle to communicate a district's goals and objectives to its customers and cooperators. It can also provide a base from which a board can measure performance and report accomplishments to its community leaders and funding sources. Effective boards draw up their roadmap and use it to successfully arrive at their planned goals.

### **Districts on a Mission**

*I don't know the key to success, but the key to failure is trying to please everybody.* – Bill Cosby

Successful conservation districts know it is acceptable to say no when requested by others to deliver assistance that does not fit within the district's mission. Having a clear understanding of the mission and the programs and services that support that mission helps districts stay focused, accomplish goals and provide staff with a positive work environment. Frequently, district employees become frustrated and, at times, overworked and burned out when they feel they must meet every request that comes through the door. Staying focused on the mission, goals and priorities can alleviate some of that frustration.

### **Reflecting the Community You Serve**

*There is nothing noble about being superior to some other man. The true nobility is in being superior to your previous self.* – Hindu Proverb

When we hear the word "diversity," most of us think of multiculturalism or civil rights issues. However, diversity is actually a much larger concept. Diversity is the vast collection of physical and cultural components that make us different from each other. This includes ethnicity, ideology, religious beliefs, organizational ties, disability, personality, culture, skills, personal experiences and countless other things. Allowing for these differences can help to ensure that there is a broad representation of skills, ideologies and experiences.

Recruiting people of different skills, backgrounds and ethnicity is a positive method of enhancing creativity on your board and promoting ideas that will appeal to a wider range of people. Before you begin your recruitment efforts, first assess your board's demographics to determine if it represents your community's diversity. The U.S. Census Bureau website at [www.census.gov/](http://www.census.gov/) has relative information about your county and local community that can be helpful. There are also additional resources available on NACD's website at [www.nacdnet.org/resources/guides/](http://www.nacdnet.org/resources/guides/).

### **Governance vs. Management: Getting the Most from your District Officials**

*Don't tell people how to do things, tell them what to do and let them surprise you with their results.* – George S. Patton

One district manager was overheard lamenting "My board is not interested in setting policy; they only want to focus on what kind of truck to buy for the staff and the size of engine and wheels it should have!" Similar scenarios are played out daily by many organizations and there are several symptoms that lead to this situation. One issue may be the lack of confidence, legitimate or not, that the board has in the staff. If there is a lack of confidence, the board may feel the need to take charge of management and may lose sight of their role as leaders and policy-makers. Allowing the board to focus its attention on goal setting and policy development and the staff on operations and management allows the best use of board members' time and talents and drives the district program forward.

### **Examples of Governance Issues**

- Setting workload priorities for staff
- Conducting workload analysis prior to hiring new staff
- Meeting with community leaders to develop new partnerships
- Presenting budget needs to county commissioners

### **Examples of Management Issues**

- Purchasing office copier
- Preparing board members for speaking engagements and board meetings

## **Appendix 3-D: Guidelines for Educating Nominating Committees**

**Note:** The following guidelines are recommended by the Kansas Association of Conservation Districts (KACD) and the Division of Conservation (DOC) per KACD Resolution passed in November 2005.

To implement the Conservation Districts Law, a conservation district needs a board that understands its roles and responsibilities. Recruiting qualified candidates for conservation district supervisor positions is the first step in securing a board that will carry out its fiduciary responsibility. It is not only important that potential supervisor candidates have an understanding of what is expected from them to be a conservation district supervisor; it is just as vital that nominating committees understand what is needed and expected in a candidate for the elected position of conservation district supervisor.

Orientation of a candidate is recommended so that candidate will have an understanding of what the job requires and what is expected from him or her.

Orientation of the nominating committee is recommended so they will understand what is expected from them as committee members and what the job of conservation district supervisor requires. This will aid them in recruiting nominees that have an understanding of what the job of conservation district supervisor is.

### **Nominating Committees**

The conservation district board of supervisors appoints a committee to nominate qualified electors from the conservation district to serve on the board of supervisors. After selecting the nominating committee and appointing its chair, the district board should then present an orientation program to the nominating committee. This program should include:

#### **1. What is the purpose of the nominating committee?**

A nominating committee is a group of qualified electors of the conservation district, appointed by the conservation district board of supervisors that nominate candidates who are qualified electors of the conservation district to stand for election as supervisor at the conservation district's annual meeting. The conservation district board appoints a chairperson of the nominating committee to see that the committee fulfills its duties. The

committee must nominate candidates who are willing to serve as conservation district supervisors. They must make an effort to recruit candidates that understand the roles and responsibilities that will be expected of them as elected public officials charged with implementing district law within their district.

## **2. What is a qualified elector?**

Kansas Conservation Districts Law, K.S.A. 2-1907 states: *“The governing body of the district shall consist of five supervisors who are qualified electors residing in the district.”* A qualified elector of the conservation district is defined in Article 5, Section 1 of the Kansas Constitution: *“Every citizen of the United States who has attained the age of eighteen years and resides in the voting area in which he or she seeks to vote shall be deemed a qualified elector.”* This means that anyone can serve as a conservation district supervisor as long as they meet the legal age and residency requirements. Nominating committees need to understand that a qualified elector is anyone, regardless of whether they are involved in agriculture or not. To ignore all qualified electors is to limit the candidate pool.

## **3. What is the purpose of a conservation district board?**

The purpose of a conservation district board, made up of 5 supervisors elected by the qualified electors of the conservation district, is to implement the Kansas Conservation Districts Law and related programs in the board’s respective district.

## **4. What is expected from a conservation district supervisor to implement district law in the conservation district?**

The fiduciary responsibility of a conservation district supervisor is to do the things necessary to implement the District Law. To perform the fiduciary duty of a conservation district supervisor, that supervisor must make an effort to: **1.** be informed of the issues that affect the conservation district, **2-** seek resources and advocate for policy to implement district law in the conservation district, and **3.** educate others in the conservation district, including funding sources, of the importance of natural resource conservation.

A conservation district supervisor cannot serve the patrons of the conservation district by only attending the monthly board meetings. A supervisor must participate outside of the board meetings to advocate for the district and educate oneself on the issues that affect his or her conservation district. It is a breach of that supervisor’s fiduciary responsibility not to make any effort to serve his or her respective district.

**Appendix 3-E: Example Board Composition Grid**

<b>Happy County Conservation District Board Composition Grid</b>						
<b>CURRENT BOARD MEMBERS</b>	<b>F. F.</b>	<b>M.F.</b>	<b>P. N.</b>	<b>E. W.</b>		
	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>TOTALS</b>
<b>AREA(S) OF EXPERTISE/KNOWLEDGE</b>						
Accounting/Financial Management						
Administration						
Agriculture- Farming						
Dryland						
Irrigation						
Agriculture- Livestock Management						
Cattle						
Sheep						
Swine						
Agriculture- Other						
Boardsmanship						
Conservation						
Education						
Environmental Science						
Fund Raising						
Government						
Marketing/Public Relations						
Personnel						
Public Speaking						
Strategic Planning						
Wildlife Habitat/Management						
<b>GENDER</b>						
Female						
Male						
<b>AGE</b>						
Under 35						
35-50						
51-65						
Over 65						
<b>RACE/ETHNIC</b>						
Asian						
African American						
Hispanic						
Caucasian						
Native American						
Other						
<b>LIVES IN HAPPY COUNTY AREA</b>						
NE						
NW						
SE						
SW						

**Appendix 3-F: Conservation District Supervisor Oath of Office**

**SUPERVISOR OATH OF OFFICE**

**DOC CONSERVATION DISTRICT**

Pursuant to K.S.A. 54-106 et seq. All officers elected or appointed under any law of the State of Kansas shall, before entering upon the duties of their respective offices, take and subscribe an oath affirmation, as follows:

I, \_\_\_\_\_ do solemnly swear (or affirm) that I will support the  
(print name)

Constitution of the United States and the Constitution of the State of Kansas, and faithfully discharge the duties of a County Conservation District Supervisor. So help me God.

\_\_\_\_\_

Supervisor Signature

Subscribed and sworn before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_

Notary

My term expires \_\_\_\_\_

Authority : K.S.A. 54 - 101 et seq.  
K.S.A. 54 - 101 et seq.

## Appendix 3-G: Orienting New Supervisors Checklist

Providing new board members with the information they need to perform effectively is a critical step in developing a strong Board of Supervisors. Use this checklist for recommended background material and suggestions to assist with the orientation process. (Suggested content for creating a “Board Member Manual”).

- Kansas Conservation District Supervisors Handbook* (available on the DOC website)
- Board Member’s Manual (if created)
- Copy of their Oath of Office
- Board member and staff directory
- List of State Conservation Commission Commissioners and staff with contact information
- List of Kansas Association of Conservation District Directors and staff with contact information
- Copy of the Conservation Districts Law, K.S.A. 2-1901, et seq.
- Board member position description or list of duties and responsibilities
- Staff position description
- History of board/conservation district
- Policies and procedures
- List of acronyms
- A copy of the Local Operational Agreement with NRCS
- Current committee assignments
- Mission and vision statements
- Conservation district long range plan
- Conservation district annual work plan
- Conservation district annual report
- Conservation district budget
- Calendar of district events/activities/meetings
- Board meeting minutes/treasurer’s reports of last 3 months
- Most recent agenda
- Important Dates Relating to DOC Programs (DOC document)
- Use of Conservation District Funds Guidelines (DOC document)
- Financial Management Checklist for Conservation District Supervisors (DOC document)
- A Guide to Conduction Executive Sessions (DOC document)

- Roberts Rules of Order Motions Chart (DOC document)
- Guidelines for an Effective Board Member (DOC document)
- Appoint a mentor
- Have an orientation session and serve refreshments
- Offer ride to first meeting
- Make members feel welcome
- Introduction of board members, district and NRCS staff
- Tour of office and relevant facilities
- Ask about their interests
- Explain the relationship with Natural Resources Conservation Service (NRCS) and other partners
- Review relevant legal documents
- Review Kansas Open Meeting Act (KOMA)
- Point out board meeting norms, expectations for behavior
- Brief overview of programs and services
- Provide overview of current projects and issues
- Highlight past accomplishments
- Explain where references and documents are located
- Ask for their perception of the district
- Ask what issues concern them
- Explain how board develops the agenda
- Brief each agenda item
- Description of funding sources
- Explain financial reports format
- Listen to new members
- React positively to new member's comments
- Don't assign tasks too early
- Discuss time, dates, and place of future meetings and determine best meeting times
- Review questions of the new member
- Members should phone/visit new member between meetings
- Don't overwhelm

## **Appendix 3-H: Example Code of Ethics**

### **As a Member of the Board I Will:**

- Properly administer the affairs of the district.
- Faithfully comply with all laws and regulations applicable to the district.
- Conduct the duties of my office diligently with integrity and fairness.
- Secure needed funds for adequate district operations and encourage the cultivation of sources of revenue that are sustainable for the long-term.
- Ensure the district funds are being managed and utilized in a manner that is consistent with public accountability and maximum effectiveness.
- Keep safe all funds and other properties of the district.
- Represent all district constituents & not a particular geographic area / special interest group.
- Act in the best interest of the conservation district and the district constituents. Promote decisions which only benefit the public interest.
- Work in good faith with other board members & staff towards achievement of our mission & goals.
- Effectively and efficiently work with organizations and other governmental agencies in order to further the interest of the district.
- Attend at least 75% of board meetings, committee meeting, and special events.
- Participate actively in board meetings and actions.
- Listen carefully to my fellow board members and the constituents I serve.
- Evaluate all decisions so that the best service or product is obtained at a minimal cost without sacrificing quality and fiscal responsibility.
- Respect fellow board members and their opinions in and outside of the board meeting.
- Respect and support the majority decisions of the board.
- Keep well-informed of developments that are relevant to issues that may come before the board.
- Always work to learn more about the board member's job and how to do the job better.
- Vote to hire the best possible person to work for the district.
- Treat all employees equitably.
- Avoid any conflicts of interest between my board position and my professional or personal life and remove myself from discussion and abstain from voting on matters in which I have conflict.
- Agree to resign my position if I find myself unable to carry out my duties.

### **As a Member of the Board I Will Not:**

- Use the conservation district or any part of the organization for my personal advantage or the personal advantage of my friends and relatives, including information obtained, unless the information is available to the public.
- Improperly influence or attempt to influence other officials to act in my own benefit.
- Give preferential treatment to any person.
- Accept anything of value from any source which is offered to influence my actions as a public official.
- Discuss the confidential proceedings of the board outside the board meeting.

## Appendix 3-I: What Does it Mean to be a Board Member?

Being a board member means having a seat at the table. But what are the expectations of board members?

# What does it mean to be a board member?

- Published on May 3, 2019

[Shana Meyer](#) Higher Education Professional; Vice President for Student Affairs

Perhaps you volunteered. Maybe you were nominated. An election may have occurred. Or you may simply be considering a future role on an advisory board. What does it mean to be a board member? Businesses, non-profit agencies, and associations often have a board of directors who play an important role in steering the ship and approving leadership decisions on behalf of the organization's stakeholders. Yet board members often receive little training nor direction about the role they are about to play within the organization.

I have served on national and regional association boards, along with local non-profit agency boards and an alumni board. In my experience, members may have a key title on the board, complete with a position description. Alongside those duties, there are expectations of all board members. While these expectations will vary from organization to organization, below are some of the most important elements I believe board members provide to any organization (in no particular order):

1. **Communication.** Your voice is needed to provide strategic counsel, advise, feedback, opinions, or information from constituents. Information should travel multiple directions--to committees, to the board as a whole, to those we are representing--and **from** those folks, as well. (Of course, confidentiality is sometimes paramount, as well!). Board members should be participatory--speak up, email, call, or text. You are on the board for a reason--we want to hear from you!
2. **Commitment.** Before accepting an appointment to a board, it's important to understand the amount of time that is necessary to commit to the role. If you can't be present at board meetings or key events, it is difficult to cast votes, learn information, and share information. Board members' attendance and preparation are important so others can hear your voice, and you are aware of conversations around the room (which you can then share with others).
3. **Accountability.** As a board member, please hold your fellow leaders (and yourself) accountable. Are we doing what we should to achieve the mission of the organization? Are we fulfilling the duties of the roles we applied for? Are we showing up?
4. **Leadership.** The role of a board member doesn't begin and end around a boardroom table. If a volunteer is called to service, board members should lead the way and work alongside other volunteers. Board members should encourage others to volunteer as well, and be the first to give, nominate, show up, recommend, sign up, and more!

5. **Fiduciary oversight.** For some, reviewing budgets is the most exciting part of being on a board. For others, budgetary review is excruciating. Both types are important, in that we should know how to provide budgetary overviews to the most experienced accountant to the layperson with the least amount of budgetary knowledge. It is the Board's job to ensure the organization is operating in a fiscally sound manner, and that the budget is reflective of our organizational values.
6. **Curiosity.** Be informed & responsive--stay in the know! Read emails, respond, know what is going on in the organization as a whole. The Board should be one of the first groups to know what is going on in the organization through leadership connections...it's then the board's role to communicate to others.
7. **Connections.** Be the conduit who connects new potential members, leaders, volunteers, and supporters. Add your role on the board to your elevators speech that connects new professionals to resources; link leaders to others in your field; introduce new potential business partners; and be proactive about promoting the organization (and all websites & social networks) to others.
8. **Inclusivity.** Creating an environment that is welcoming to all kinds of people must remain at the forefront of our minds. How can we best represent our organization? How can we ensure ALL members of our target audience (and beyond!) are represented and people know how to get a seat at the table? How do we create pipelines to populations who have not participated on our board or in our organization? Along with these, seeking out ways to make systemic change in the structures that secure privilege are imperative.
9. **Giving.** Much has been made of the "3 Ts:" Time, Talent, Treasure. As a member of the board, you know that you will give your time & share your talent. Most boards also ask that you make a donation (however large or small). When donation drives occur, it is important to share our own buy-in--that our board has 100% participation rate. It is difficult to ask others to give, if leadership hasn't.
10. **FUN.** Some boards are more structured and formal than others. It's good to know going into a new leadership role what the organization's culture is like. In my experience, some of the best board members have fun! We enjoy laughing together, hanging out, leaning on each other, and learning from each other--and then knowing when to get down to business.

It's important to realize that sometimes things happen, and it's difficult to commit to all of these, all the time. I believe that most board chairs will work with the board member who strive to achieve most of these, most of the time. With open communication, challenges can be overcome.





## Introduction

Meetings are fundamental to conducting conservation district business. Supervisors participate in district board meetings, committee meetings of the State Conservation Commission, Division of Conservation, Kansas Association of Conservation Districts, and other organizations and agencies. All conservation districts should have monthly board meetings. At these meetings, the board of supervisors take official action on plans, programs and functions of the district.

## Open Meetings Act

In 1972, the Kansas Legislature passed the Kansas Open Meetings Act (KOMA). This act applies to all conservation districts and must be adhered to by each district. Conservation district board meetings must be open to the public and conducted according to the requirements in the KOMA. Further information on the KOMA can be found in the *Kansas Conservation District Handbook*, which is located in each conservation district office.

## Quorum

A quorum is the number of members required to be “present” at an assembly or meeting before business can be legally transacted. According to Conservation District Law, a majority of the board of supervisors (three) shall constitute a quorum. Any business conducted at a board meeting in which there is not a quorum of supervisors is null and void. In the event a quorum is not present at a regularly scheduled meeting, it is possible to reschedule the meeting or to skip the meeting for that month and to cover the business the following month. A quorum consists of at least three of the five supervisors (not associate supervisors) to conduct any official business (make motions, vote, etc.) at a conservation district board meeting.

## Types of Meetings

- Regularly Scheduled Meetings - All conservation districts should have monthly board meetings. District board meetings have three basic purposes:
  - To decide on conservation district policy.
  - To monitor implementation of district policy (Board meetings also serve educational, social, and communication purposes).
  - Review and approve bills for payment.

At these meetings, the board of supervisors takes official action on plans, programs and functions of the district. The minutes are the official record of the transactions and proceedings of the board of supervisors and should contain complete and accurate information.

- Special Meetings - A special meeting is any meeting, other than an emergency meeting, that is called for with the purpose of dealing with district business which cannot wait until the next regularly scheduled board meeting. In the event of a special meeting, only that specific business for which the meeting was called may be discussed. No additional business may be addressed at

the special meeting. The requirement for a quorum before any binding action may take place also applies to special meetings.

- Continued or Reconvened Meetings - A continued or reconvened meeting is one in which there was insufficient time to cover all the business on the agenda at the regularly scheduled conservation district board meeting. Public notice including date, time, place of the continued or reconvened meeting shall be given by announcement at the original meeting. Only matters appearing on the agenda of the original meeting may be discussed at the continued or reconvened meeting.
- Annual Meetings - Every district in the state must hold an annual meeting in January or February where an election shall be held by secret ballot for board of supervisors whose terms have expired, (K.S.A. 2-1907). Supervisors shall give a full report of district activities and financial affairs since the last annual meeting. The annual meetings are normally large, banquet-style affairs with an educational or inspirational presentation. Annual meetings provide an opportunity to interact informally with landowners/operators, key community leaders, assisting agencies, and others, as well as update them on current district activities and direction of the district.

The annual meeting is an excellent time to present awards to outstanding conservationists and others deserving commendation. This is also an opportunity for district supervisors to share district accomplishments and explain available programs. The annual meeting should be conducted in an orderly and professional manner.

### **Conservation District Board Meeting Conduct**

- Planning and Notification - Participants should be notified well ahead of the meeting (preferably one week). This notification should include an agenda, listing the reason for the meeting, location, time, items to be discussed, estimated meeting length and important reference materials. Conservation district supervisors and associate supervisors (if any) normally appreciate a reminder telephone call a day or two before the meeting. Pay close attention to meeting arrangements. Plan in advance for a comfortable room, parking, refreshments and audio-visual resources (easels, blackboards, slide projectors, public address systems, etc.). Arrange the room so everyone has as much face to face contact as possible (i.e. a round table or square). If you invite the public, or guests, consider placing a name card in front of everyone.
- Agenda - The purpose of an agenda is to ensure orderly transaction of business and to give notice to the public regarding what will transpire at the meeting. An agenda should be prepared for each board meeting and be provided to anyone requesting it per the Kansas Open Meetings Act.
- Board Meeting Packets - Agendas should be prepared in advance of conservation district board meetings so that a copy can be mailed and / or e-mailed to each member of the board of supervisors and all interested persons prior to the meeting. The board may direct the district manager / secretary to prepare and send out to each supervisor a board meeting packet containing copies of minutes from the previous meeting, the agenda, treasurer's report and copies of significant correspondence or other material to be acted upon by the board. This will provide an opportunity for supervisors to be familiar with business to be discussed. If minutes are to be mailed in advance, the supervisors may waive reading the minutes during the meeting.

- Parliamentary Procedure - In order to assist a governing body in accomplishing its business, an organized “Rules of Order” is necessary. *Robert’s Rules of Order* and other guides to parliamentary procedure will be helpful to the chairperson in conducting a smooth meeting. Although parliamentary procedure is not state law, it is recommended that it be used to conduct a professional and efficient board meeting. The Kansas Open Meetings Act always supersedes such guides when there is a conflict between the two. The KOMA does not allow voting by secret ballots.

Under the guidelines of *Robert’s Rules of Order*, a voting member suggests the conservation district board make a decision by stating a motion, “I move that we....”. A second member of the board states their support for the motion by seconding the motion, “I second the motion.” Once a motion has been made and seconded, the chairperson must restate the motion, call for discussion and a vote by the board.

If the motion is not seconded, then the motion drops.

If a board member wants to change the motion, he or she can move to amend the motion. “I move we make an amendment of the motion that.....” This amendment must be seconded and voted on. Several amendments may be added to the original motion. After discussion, the chairperson must re-state the motion, and the group votes on the motion or “motion as amended” and the decision is made. If the group agrees to pass the motion, then the “motion has carried.”

- Role of Conservation District Supervisors in Board Meetings - Every conservation district supervisor should take an active part in the district’s business and participate in discussion at the board meetings. In addition, each district supervisor may chair special interest committees that function as a service to the board. The chairperson of each committee may be called upon to give a report on the committee’s activities at the board meeting.
- Suggested Order of Business for District Board Meeting
  - Meeting called to order
  - Minutes of the previous meeting
  - Treasurer’s report
  - Correspondence received
  - NRCS report
  - District employee(s) report
  - Other reports
  - Conservation plans reviewed/approved and/or plans written, revised or canceled
  - District programs
  - Unfinished business from previous meeting
  - New business
  - Adjournment
- Actions of the Board of Supervisors - Official action of the board of supervisors is required shall any decision or act that results in the expenditure of funds, establishes or changes policy, represents district opinion or approval, or causes an obligation of any kind on the part of the district.

- Group Process – Task - It is important to be aware of group process at meetings. Individuals engage in a variety of behaviors at meetings. Certain things are done to ensure that the tasks are accomplished, other things are done to maintain the cohesiveness of the group, and yet other things are done to fulfill individual agendas (both positive and negative). Groups must balance between task - getting the work of the group done, and relationship - helping people enjoy working in the group. An agenda helps keep focus on the tasks to be accomplished at the meeting.
- Group Process – Relationship - Relationship is a little more complicated. People have many different ways of operating in a group. Step back and look for patterns in the way you communicate with others and see what you can improve. Behavior patterns which drive you “crazy” when working with certain people probably have a positive side as well—try to identify that side, appreciate it, and work together. You may want to look for resources to enhance listening and other group skills.
- Scheduling - Try to begin and end meetings on time. Most district board meetings, for example, shouldn’t take much longer than two hours. Following specific meeting procedures will help you achieve managing meeting length and use your valuable time wisely. Also, setting an annual calendar for all board meetings will help people know well in advance when meetings are scheduled. You might also stagger meeting times in case there is a specific time of the day, week, or month that certain participants are not able to attend.

### **Conservation District Board Meeting Minutes**

The minutes of the conservation district board meeting must contain enough information for anyone to look at them at a later date and determine what items were discussed in the meeting and what action was taken. The minutes are a permanent record of district business and provide a history of the district. They are one of the most important documents in the district office. Minutes should include:

- Name of district, meeting location and date
- Type of meeting
- Name of presiding officer and time of call to order
- Quorum established
- Members present
- Staff and visitors present
- Approval of previous minutes
- Treasurer’s report
- Correspondence
- Reports
- Unfinished business
- New business
- Next meeting date, place and time
- Adjournment

Normally, the district secretary/manager takes minutes that are approved at the next regular board meeting. Minutes should be sent out to conservation district supervisors before the next meeting. If sent soon after the meeting, all who attended will have a written reference to commitments they made and can note corrections or additions to the minutes while the meeting is still fresh in memory.

## Executive Session

Under certain conditions the conservation district board may go into executive session for discussion of a specific issue. Upon a formal motion made, seconded and carried, all parties may recess, but not adjourn, open meetings for executive session. Any motion to recess for an executive session shall include a statement of the justification for closing the meeting; the subjects to be discussed during the executive session, and the time and place at which the open meeting shall resume.

The motion to recess into executive session, including the required statement, shall be recorded in the minutes of the meeting and shall be maintained as a part of the permanent records of the conservation district. Discussion during the executive session shall be limited to those subjects stated in the motion. The applicable subjects for conservation districts include:

- Personal matters of non-elected personnel.
- Consultation with an attorney for the district which would be deemed privileged in the attorney-client relationship.
- Preliminary discussions relating to the acquisition of real property.

*NO BINDING ACTION shall be taken during executive recesses, and such recess shall not be used as a subterfuge to defeat the purposes of the KOMA.*

The Kansas Open Meetings Act (KOMA) allows (not requires) public bodies such as conservation district boards under limited circumstances to discuss matters privately in a closed or executive session by following correct procedures. This guide is designed to assist the conservation district board members in understanding the law and providing specific information as it relates to conservation districts.

## Procedures to be Followed for Executive Session

- Must convene open meeting first.
- A formal motion is made to recess into executive session and shall include a statement providing:
  - Justification for closure
  - Subject(s) to be discussed
  - Time and place open meeting will resume
- The board members may discretionarily include anyone they believe will aid them in the discussion.
- Motion is seconded and carried.
- Discuss only those subjects stated in the motion.
- No binding action may be taken, but supervisors can reach an informal consensus (no voting).
- Reconvene open meeting at the specified time.
- If additional time is needed for further discussion, must repeat above steps.
- After the open meeting is resumed take official action, if needed, or if none stated, “No action will be taken from executive session.”

- The executive session motion must be recorded in minutes.
- The confidentiality of an executive session should be maintained because discussion outside of executive session may violate the public trust and may even result in the violation of an individual’s privacy right.

Below are the common subjects and reasons that a conservation district may hold an executive session with example motions.

- **Personnel matters of non-elected personnel** (to discuss a conservation district employee or to interview and discuss applicants for employment):

“I move we recess into executive session to discuss personnel matters of non-elected personnel in order to protect the privacy interest of the individual(s) to be discussed, with *names of person(s)* to be present in addition to the board, and that we will reconvene the open meeting in this room at *specify time.*”

- **Consultation with the conservation district board attorney** (to discuss privileged communication with attorney present and no other third parties may be present):

“I move we recess into executive session for consultation with our attorney, *name(s)*, on a matter protected by the attorney-client privilege in order to protect the privilege and the board’s position in *specify litigation, potential litigation, administrative proceedings, etc.*, and that we will reconvene the open meeting in this room at *specify time.*”

- **Preliminary discussions relating to acquisition of real property** (to discuss acquisition only, not sale of property):

“I move we recess into executive session to have preliminary discussions about the acquisition of real property in order to protect the public interest in obtaining property at a fair price, and that we will reconvene the open meeting in this room at *specify time.*”

<h3>Additional Information for Minutes from Executive Session</h3>
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After the completion of the executive session, the chairman shall reconvene the regular or special meeting at the time and place specified in the original motion. The minutes shall reflect the time of the reconvening of the meeting, persons in attendance and official action taken in the reconvened meeting as a result of the executive session.

- State the time the executive session started.
- Indicate anyone dismissed from the executive session before session ends with the time of dismissal.
- State the time the executive session ended.
- State (after the motion to reconvene the open meeting) the time meeting reconvened.
- Record the action taken from the executive session or the no action taken statement.

## Appendix 4-A: Roberts Rule of Order Motions Chart

### Robert's Rules of Order Motions Chart

The following motions are listed in order of priority						
To Do This:	You Say This:	May You Interrupt the Speaker?	Do You Need a Second?	Is it Debatable?	Can it be Amended?	What Vote is Needed?
Close meeting	<i>I move that we adjourn.</i>	No	Yes	No	No	Majority
Take break	<i>I move to recess for...</i>	No	Yes	No	Yes	Majority
Take care of not being able to hear, room temperature, or other situations relating to welfare of the assembly or any of its members	<i>I rise to a question of privilege.</i>	Yes, if urgent	No	No	No	None, Chair Rules
Direct attention to follow agenda	<i>I call for the orders of the day.</i>	Yes	No	No	No	None
Postpone the subject under discussion	<i>I move to lay the question on the table</i>	No	Yes	No	No	Majority
End debate & amendments	<i>I move the previous question.</i>	No	Yes	No	No	Two Thirds
Limit or extend discussion	<i>I move that debate be limited to...</i>	No	Yes	No	Yes	Two Thirds
Postpone to a certain time (not beyond next regular meeting)	<i>I move to postpone the question until...</i>	No	Yes	Yes	Yes	Majority
Commit/send to committee to give closer study of something	<i>I move to refer the matter to a committee. OR I move to commit the motion to a committee...</i> (include committee name/new committee make up, what's expected & when to report)	No	Yes	Yes	Yes	Majority
Modify wording of motion	<i>I move to amend the motion by...(adding, striking out, or substituting)</i>	No	Yes	Yes	Yes	Majority
Kill main motion	<i>I move to postpone indefinitely</i>	No	Yes	Yes	No	Majority
Introduce business	<i>I move to ... OR I move that...</i>	No	Yes	Yes	Yes	Majority
The following motions have no order of priority						
Object to procedure	<i>Point of order. OR I rise to a point of order.</i>	Yes	No	No	No	None
Protest ruling of chairman	<i>I appeal the chair's decision.</i>	Yes	Yes	Yes	No	Majority
Request information	<i>Point of information. OR I rise to a point of information.</i>	Yes	No	No	No	None
Request Parliamentary Help	<i>Parliamentary inquiry. OR I rise to a parliamentary question.</i>	Yes	No	No	No	None
Ask for a vote by actual count to verify a voice vote	<i>Division. OR I call for a division of the house.</i>	No	No	No	No	None
Take up a matter previously tabled	<i>I move to take from the table...</i>	No	Yes	No	No	Majority
Suspend rules temporarily	<i>I move to suspend the rules so that...</i>	No	Yes	No	No	Two Thirds
Retract your motion	<i>I wish to withdraw my motion. OR I request that my motion be withdrawn.</i>	No	No	No	No	None
Cancel previous action	<i>I move to rescind the motion to...</i>	No	Yes	Yes	Yes	Two Thirds

## Appendix 4-B: Checklist for Conservation District Meeting Minutes

Official minutes of a regular conservation district board meeting should include the following:

- 1. Name of conservation district.
- 2. Meeting location/address and date.
- 3. Type of meeting (regular or special meeting).
- 4. Name of presiding officer.
- 5. Time the meeting was called to order.
- 6. Names of supervisors present with position. May list those absent.
- 7. Names of others attending with position (and affiliation if not district employee/advisor).
- 8. In the text of minutes, note time board members (and others) enter or leave meeting.
- 9. Discussions summarized and important issues described.
- 10. Motions made by board members must be accurately recorded. The minutes should identify the person making the motion and the person who seconded the motion together with results of voting (motion carried/lost). May include number voting for and against.
- 11. Motion to approve previous meeting minutes along with the minutes' date. If corrections or changes to previous meeting minutes, state the changes in this month's minutes and correct the minutes that need to be corrected without deleting the original text.
- 12. Previous minutes signed/dated by chair. If corrections needed, must first be corrected and final copy is signed.
- 13. If treasurer is not present, record the name of the "treasurer pro tem" (appointed by chairperson or elected by board members).
- 14. Treasurer's Reports and other financial activities reviewed. Minutes include a motion to pay unpaid bills and state amount of bills to be paid (same as the total on the Unpaid Bills Needing Board Approval (or Unpaid Bills Needing Payment Approval) report. Reports attached.
- 15. List Correspondence Received and record any action taken on correspondence.
- 16. State Cost-Share Programs Report every month.
- 17. Other reports summarized in Minutes or attached.
- 18. Each item of Unfinished and New Business brought before the board and record any action taken/motion made.
- 19. Proper recording of an Executive Session. In addition to the motion, include time the session started, indicate anyone dismissed from session before ending, time meeting reconvened, and action taken if any. Minutes are not taken during the Executive Session.
- 20. Date, time, and place of the next meeting.
- 21. Adjournment and time of adjournment.
- 22. Minutes are prepared as soon as possible and signed/dated by the recording secretary (or after approval).
- 23. Upload approved and signed Minutes in CSIMS within 10 days after board approval and signature (including Treasurer's Reports & other official meeting documents).
- 24. Provide others upon request with copy of (normally approved) minutes.

## Appendix 4-C: Effective Board Meeting Checklist

Meetings can take up a great deal of people's time, so the more effective they can be made, the better for all participants. Participants should feel that the time they have spent at the meeting is worthwhile.

It is the responsibility of every supervisor attending the meeting to ensure that it is effective, successful, and productive. Well-run board meetings have higher levels of satisfaction and participation of board members, and boards find it easier to recruit new members. The professional, efficient appearance can also contribute to obtaining support of the public and partners.

The following is a checklist with key points for planning, conducting, and participating in effective conservation district board meetings to assist you in making your board meetings better.

### Before the meeting

- 1. Schedule meeting room with comfortable physical setting.
- 2. Solicit agenda items from the participants.
- 3. Develop a clear and detailed agenda, which includes expected action (i.e., *For Discussion, For Information, For Approval, For Signature*) and estimated time frames for each item.
- 4. Distribute the agenda at least a few days in advance of the meeting along with a copy of the last meeting's draft minutes, copies of significant correspondence, treasurer's reports (if available), and background material on issues to be acted upon by the board.
- 5. Board members prepare for the meeting by reviewing the board meeting materials.
- 6. If have new board member(s) or expecting guests, consider preparing a name card to place in front of everyone.
- 7. Prepare facilities so everyone has as much face-to-face contact as possible (i.e. a round table or square), gather any needed equipment (i.e. whiteboard, flip chart, projector), and place meeting materials on the table (including board member manuals, see Chapter 2, *Conservation District Supervisors*). Post established meeting ground rules. (If don't have, develop during a meeting, i.e., *Everyone Participates, Be Respectful, Stick to the Agenda.*)
- 8. Check room temperature 20 to 30 minutes before meeting to make sure comfortable.
- 9. Encourage people to come early to chat and catch-up by providing refreshments or meals.

### Socialization is important for group cohesion.

- 10. Arrive on time in order for a quorum to be achieved.

### At the beginning of the meeting

- 11. Start the meeting on time to respect those who showed up on time and to encourage participants to arrive promptly in the future.
- 12. Make any needed introductions.
- 13. Review, revise if needed, and approve agenda.

### During the meeting

- 14. Closely follow the agenda focusing on one issue at a time. Inform the group when it strays from the agenda or when the discussion has drifted. Get people back on track by saying: "I

don't know how we got off track, but we really need to focus on..." or "We are getting off topic and need to move back to ..."

- 15. See that the meeting ground rules are followed.
- 16. Follow the time commitments for each agenda item. Keeping the meeting discussion in line with the timed agenda helps participants to keep their contributions focused and directed to the specific item for discussion and ensures you finish on time. If more time is needed, the participants can decide to allocate more time to the topic, schedule a special board meeting for future discussion on the topic, continue discussion at the next regular meeting, or move to the next agenda item. To assist in time management, ask attendees to help keep track of the time or have an assigned time-keeper.
- 17. Participate in a constructive manner without personal attack. Ask clarifying questions.
- 18. Listen actively and carefully to others and respect their point of view. Be open-minded.
- 19. Limit or avoid side conversations.
- 18. Encourage active participation and ensure that everyone has a chance to be heard. Make people feel that their input is desired. Draw participants into the discussion by asking: "What do you think of...?" or "How do you think this would affect...?" When asking for solutions/ideas, go round-robin at least once so everyone has a chance to offer an opinion.
- 20. Do not let one person dominate a meeting. If the same person speaks up again and again, say something like: "Thank you for that comment, \_\_\_\_\_. We'll get back to you later, but right now, I want to know what \_\_\_\_\_ is thinking."
- 21. Point out when a member's contribution is cut off and invite him/her to complete it. "I'm afraid that we may have cut \_\_\_\_ off. Did you have more you wanted to contribute, \_\_\_\_\_?"
- 22. If someone is disruptive, facilitate around the problem and talk to them in private about your concerns, but if discussion becomes intense, make a motion for a break.
- 23. When brainstorming, ensure that ideas/suggestions are not critiqued as they are offered. Wait to critique after getting all the ideas. No suggestion is right or wrong.
- 24. Use a flip chart to list ideas/opinions being generated so everyone can see what has been suggested.
- 25. Write out a clearly thought out motion, especially if long. This may save time.

#### **At the end of the meeting**

- 26. Review key decisions, next steps, assignments, and agreed timeframes.
- 27. Identify the key issues for the next agenda. People are more likely to participate in a meeting if they have had some input into developing the agenda.
- 28. Evaluate the effectiveness of the meeting. This should be brief and may be done periodically or at every meeting. Decide how subsequent meetings can be improved.
- 29. Verify/Set a date, time, and place for next meeting.
- 30. Adjourn on time or agree to stay later.

#### **After the meeting**

- 31. Minutes are prepared as soon as possible and distributed to board members for comments, corrections, and additions sought at that time while the meeting actions are still fresh in their minds.
- 32. Follow up on assignments.

# A Citizen's Guide to Open Government

*Kansas Open Meetings Act*  
*Kansas Open Records Act*

*Provided by*



**Kansas Attorney General**  
**Derek Schmidt**



## Kansas Attorney General Derek Schmidt

Dear Fellow Kansans:

Our state has a long and rich history of ensuring that all of our citizens can participate in our democracy.

That's why our two principal open-government laws – the Kansas Open Records Act and the Kansas Open Meetings Act – are so important. They establish the legal requirement that the decision making of our public bodies remains open and subject to scrutiny and participation by our citizens.

As your attorney general, I share responsibility to enforce these laws and to help Kansans understand what they do, and do not, require.

This brochure is intended to help you and other Kansans understand the basic requirements of the Open Records Act and the Open Meetings Act. It answers common questions about the two and helps you understand what rights you, as a Kansan, have to obtain the records of your government and to view its activities.

In partnership with others who have a keen interest in open government – including the Kansas Sunshine Coalition – our office provides training for local and state officials about their duties and obligations under these laws. We work to resolve open government disputes and bring enforcement actions when necessary.

But I believe strongly that the best outcome is when everyone knows and respects our open government laws and we prevent violations from occurring in the first place. That's the point of this and similar publications.

For more information, you can check our website at [www.ag.ks.gov](http://www.ag.ks.gov) or call my office at (785) 296-2215.

Thank you for your interest in open government!

Best wishes,



Derek Schmidt  
Kansas Attorney General



# Understanding the Kansas Open Meetings Act (KOMA)

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## The Purpose and Scope of the KOMA

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### **What is the KOMA about?**

The KOMA is a law that guarantees anyone the right to observe governmental policy makers, such as your local school board, city council, county commissioners or most functions of the state legislature, that make the decisions affecting your life.

### **What types of groups are subject to the KOMA?**

The KOMA applies to all of the political and taxing subdivisions in Kansas. There are approximately 4,000 public bodies and agencies that fall into this category. The KOMA may also apply to other organizations if they were created or controlled by a public body or agency or act on behalf of a public body or agency. This includes committees or sub-groups created by a public body or agency.

### **How do you know if a group is going to be subject to the KOMA?**

That is determined by looking at all of the facts surrounding the creation and operation of the group. We also look at what services are provided by a group. If a group is providing a governmental service, it is more likely it will be subject to the KOMA.

The KOMA does not apply to the meetings of private groups such church groups, private clubs, private corporations or businesses or any other private associations.

### **Does the KOMA apply to every meeting related to the government?**

No, the KOMA only applies to a public body or agency. It does not include the staff meetings for a public agency. It does not apply to elected officials who are not part of a public body, such as the governor.

### **Does the KOMA apply to Kansas courts or judges?**

No, courts and judges are excluded from the KOMA.

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## Meeting Matters Not Covered by the KOMA

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### **Does the KOMA include a requirement for an agenda?**

No, although the creation of an agenda before the meeting will help provide focus for both the public body or agency and the public, there is no requirement in the KOMA to create an agenda. This also means that the content of the meeting may be changed at any time by amending the agenda.

### **Does the KOMA require detailed minutes of all of the items discussed at a meeting?**

No, the KOMA does not speak to minutes or agendas, except to require that motions to go into executive session be completely recorded in the minutes. Meeting minutes are the responsibility of the public body or agency and the public body or agency determines what is recorded in the minutes.

## **Is the KOMA the same thing as Roberts Rules of Order?**

No, the KOMA does not address the conduct of meetings or other procedural matters, such as the order of business, content of reports or length of time that may be spent on a topic of discussion.

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## **KOMA Requirements for Public Bodies and Agencies**

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### **What does the KOMA require a public body or agency to do?**

There are two main requirements. First, any meetings must be open to all members of the public. Second, notice of meetings must be provided to anyone who has requested it.

### **What does “open” mean in the KOMA?**

It means that the meeting must be conducted in a way that the public may observe or listen to the proceedings.

### **Does that mean a meeting must be moved to another location if members of the public cannot get into the meeting room?**

No, the KOMA does not require that public meetings be moved to larger or better locations. Meeting locations are left up to the public body or agency. Unless there is evidence that the public body or agency deliberately moved a meeting to a location with limited access to avoid public observation, there is no conflict with the requirements of the KOMA.

### **Does a public body or agency have to let members of the audience speak at a meeting?**

No, the KOMA does not require that the public be allowed to speak. Some other law may require a public hearing with the opportunity to speak on that issue, but the KOMA does not.

### **Can I use a camera or other recording device to record a meeting?**

Yes, the KOMA allows recording, but subject to reasonable rules to prevent disruption of the meeting, safety hazards, or other legitimate concerns. You may want to contact the public body or agency in advance to learn about any rules that may apply to recordings.

### **May one or more members of a public body or agency participate in a meeting by telephone?**

Yes, as long as the meeting is open to the public so they might listen to the discussion.

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## **KOMA Meetings**

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### **What is a meeting, as defined by the KOMA?**

Three conditions must be met in order for a meeting to occur. All three must be satisfied. They are:

1. A gathering or assembly in person or by telephone or any other medium for interactive communication.
2. By a majority of the members of the public body or agency.
3. Discussion of the business or affairs of that public body or agency.

### **How is “interactive communication” applied?**

The best way to determine if “interactive communication” has taken place is to think of it as two-way communication. For example, an email from one member of a public body to the rest of the body members is only one-way until there is a reply to all, and then it becomes a two-way communication that may violate the KOMA.

The two-way communication can be by any means, including using individuals as “go-betweens.”

### **What is a majority of the public body or agency?**

Majority is one more than one-half of the membership. When counting the number of members, vacant positions must be counted as well. For example, if a school board has seven members, but there are two vacancies, a majority remains four.

### **Are there any topics that may be discussed by a majority outside of a meeting?**

The only topic that may be discussed by a majority outside of a meeting is to determine a mutually acceptable meeting time so notice of that meeting may be provided.

Discussion alone triggers the KOMA requirements, regardless of whether an agreement is reached or a survey of how members are going to vote takes place. None of those actions are permitted.

### **Can members avoid the KOMA requirements by discussing public body or agency business with less than a majority of the other members?**

Not really, as interactive communications in a series are forbidden by the KOMA. A violation will occur if all of the following conditions are met:

- Interactive communications collectively involve a majority of the public body or agency,
- A common topic is discussed concerning the business or affairs of the public body or agency, and
- There is intent by any or all of the participants to reach agreement upon a topic that requires binding action in an open meeting by the public body or agency.

### **Can a majority of the members attend a meeting of another group?**

Yes, as long as they refrain from any discussions about the business of their public body or agency.

This limitation applies to all formal and informal gatherings, such as conferences, ribbon cuttings or social clubs.

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## **KOMA Notice Requirements**

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### **When does a public body or agency have to provide notice?**

Notice is required only when someone requests to receive notice of meetings. There is nothing in the KOMA that requires general notice, such as publishing the agenda in the newspaper or posting it on the agency website.

### **How do I request notice?**

All you need to do is make a request to the appropriate public body or agency. Although not required, it is a good idea to make your request in writing and keep a copy.

### **What kind of notice should I expect?**

The KOMA does not specify the method of notice; it could be verbal or written. The notice must provide you with the time, place and date of the proposed meeting.

You may receive a single notice for all regular meetings of the public agency or body. You should still receive notice for any special meetings or changes in the time, place or date of regular meetings.

### **How long is my request effective?**

Your request is good for the fiscal year of the public body or agency. But, the public body or agency must contact you and ask if you wish to continue to receive notice before they discontinue providing it to you.

### **Is there a minimum time required to give notice?**

No, the KOMA only requires “reasonable” notice. In some situations, that could be very short. If you believe a public body or agency did not provide reasonable notice, discuss the situation with the public body or agency to learn when others, including the members, received notice of a meeting. If this does not resolve the matter, please see the Enforcement section of this guide.

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## **Executive Sessions: Closing an Open Meeting**

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### **What is an executive session?**

An executive session is when the public body is permitted to discuss certain subjects in private.

### **What are the procedures to enter into an executive session?**

An executive session may only take place once an open meeting is convened. A motion must be made to enter into executive session. That complete motion and the resulting vote must be entered into the minutes.

### **What must a motion to enter into an executive session say?**

There are three parts:

1. A statement describing the subject(s) to be discussed in executive session, without revealing confidential information.
2. The justification: a reference to one of the permitted topics for executive session contained in the KOMA.
3. The time and place at which the open meeting will resume.

### **If a public body does not include all three portions, is the executive session illegal?**

Probably not, as the courts have determined a technical violation occurs if there is an error in the motion, but the public body maintained the spirit of the KOMA.

**Who may attend an executive session?**

Only the members of the public body holding the executive session have a right to attend. The public body may include others, if they believe their information is important.

**Can the public body make a binding decision in executive session?**

No. Binding decisions must be made in an open meeting. The public body may reach a consensus during an executive session; however, binding action must occur during an open meeting.

**What topics may be discussed in executive session?**

The KOMA permits several topics including these most common topics:

- To discuss personnel matters relating to non-elected personnel
- Consultation with an attorney for the public body or agency which would be deemed privileged in the attorney-client relationship
- To discuss employee-employer negotiations
- To discuss data relating to the financial affairs or trade secrets of corporations, partnerships, trusts, and individual proprietorships
- To discuss matters relating to action affecting a person as a student, patient or resident of a public institution
- For preliminary discussion of acquisition of real property
- To discuss matters relating to security measures that protect specific systems, facilities or equipment including persons and private property if related to the agency.

**What is permitted under the nonelected personnel matters subject?**

The public body may only discuss its own individual employees and applicants for employment. They are not permitted to discuss elected officials, independent contractors, candidates for appointment to other boards or commissions or general concerns affecting all employees, such as a proposed pay plan.

**What is permitted under the attorney consultation subject?**

The public body's attorney must attend the executive session, even by speaker phone, to provide legal advice to the body.

Non public body or agency personnel may only attend if they are considered part of the client organization, such as consulting engineers.

**What is permitted under the employee and employer negotiation subject?**

Only discussion about negotiations with recognized bargaining units, not general employee matters.

**What is permitted under the financial and trade secret subject?**

Financial information of a private business or any trade secrets they may need to disclose to a public body or agency. General discussion of tax incentives is not permitted.

**What is permitted under the student, patient or resident of a state institution subject?**

The public body may discuss any matter that may have an impact on the individual's status as a student, patient or resident of a state institution, either in a positive or negative way. The individual may request that any hearing be conducted in an open meeting.

**What is permitted under the property acquisition subject?**

The public body may only discuss purchasing, not selling, real property. Real property is land with or without structures. A discussion of purchasing equipment or software is not permitted here.

**What is permitted under the security subject?**

The public body may review security measures for all of the facilities and operations under their control.

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**Enforcement of the KOMA**

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**What should I do if I think there has been a KOMA violation?**

The KOMA can be enforced by anyone – private citizens, the county or district attorney, or the Attorney General. You have three options if you think there has been a KOMA violation.

1. You may file your own case in district court against the members of the public body or agency.
2. You may file a complaint with the county or district attorney.
3. You may file a complaint with the Office of the Attorney General. If you decide to file a complaint with the attorney general's office, you must use the complaint form available online at [www.ag.ks.gov](http://www.ag.ks.gov).

**What if I disagree with the findings of the county or district attorney?**

You may file your own case in district court against the members of the public body or agency. The Attorney General will not review the findings of a county or district attorney. That is the role of the courts.

**What happens if a violation is found?**

That depends upon the situation. If we find that a violation has occurred, depending upon the severity, the typical resolution is to enter into a settlement agreement such as a consent order. We are seeking compliance with the KOMA and assuring that future violations do not occur.

If the circumstances show a pattern of willful disregard of the KOMA rules, we may impose a finding of violation on the public body or agency, or take the individuals responsible to court.

**What can the Attorney General do to a violator?**

The Attorney General may fine individual members of the public body or agency up to \$500 for each violation, require completion of Attorney General approved training, order the public body or agency to cease and desist from violating the KOMA, require future compliance with the KOMA, and require submission of proof of compliance. A violation of the KOMA may subject the individual to removal from office by ouster or recall.

**What can a court do to a violator?**

A court may fine individual members of the public body or agency up to \$500, require completion of Attorney General approved training, order the public body or agency to cease and desist from violating the KOMA, reverse any actions that were taken illegally, and potentially subject the individual to removal from office by recall or ouster.

The court shall award attorney fees and costs to private parties if they bring the action, and the public agency did not act in good faith and with a reasonable basis in law.

The KOMA is a civil statute, not criminal, so the violator will not be sent to jail under the KOMA.

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**NOTES**

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# Understanding the Kansas Open Records Act (KORA)

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## The Purpose and Scope of the KORA

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### **What is the purpose of the KORA?**

The KORA is a law that permits the public to review or get copies of public records. There are two parts of the law. One part governs the procedure that public agencies must follow when someone requests a public record. The other part categorizes public records and, under certain circumstances, permits an agency to withhold public records.

### **What are public records?**

Public records are records made, maintained, kept by or possessed by a public agency, or any officer or employee of a public agency pursuant to the officer's or employee's official duties, regardless of location, which are related to the functions, activities, programs or operations of any public agency. They may be in any form, including electronic storage and emails. The content of records varies widely; some track the routine activities of government while others contain personal information about citizens and businesses.

### **Why would a public agency have personal information about citizens and businesses?**

Public agencies have regulatory responsibilities that require gathering personal information. Common examples include tax returns, driver's licenses and automobile registration. Many professions are licensed, such as doctors, dentists, cosmetologists, attorneys and accountants to name a few. Personal information is collected as a part of the initial licensing, but also in case of complaints and investigations.

### **What types of groups are subject to the KORA?**

The KORA applies to State of Kansas agencies and all of the political and taxing subdivisions in Kansas. There are approximately 4,000 groups and organizations that fall into this category. The KORA may also apply to other organizations if they were created or controlled by a public agency or act on behalf of a public agency.

### **How do you know if a group is going to be subject to the KORA?**

That is determined by looking at all of the facts surrounding the creation and operation of the group. We also look at what services are provided by a group. If a group is providing a governmental service, it is more likely they will be subject to the KORA.

The KORA does not apply to the records of private citizens or groups such as church groups, private clubs, private corporations or businesses or any other associations.

### **Does the KORA apply to court records?**

Generally, yes, however the KORA permits the judicial branch to make its own rules for reviewing or obtaining records. Those rules are posted on the Kansas Supreme Court website and at the district courts throughout the state. The KORA does not apply to records made, maintained or kept by individual judges.

### **Is the KORA the same as the Freedom of Information Act (FOIA)?**

No, the FOIA is the federal law that applies to records of the federal government. The FOIA and the KORA are different laws that have similar provisions, but are not exactly the same.

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## **Procedures for Obtaining Copies of Public Records**

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### **How do I request a record?**

The best place to begin is with either the public agency's designated record custodian or Freedom of Information Officer. One staff member may fill both roles. In either case, they will assist you with your request.

### **Do I have to put my request in writing?**

A public agency may require you to do that, but not on any particular form. The reason for this requirement is so both you and the public agency are clear on what records you are seeking.

### **Who can request a record?**

Anyone. There is no requirement that the person making the request have any special relationship to the record. There is no special status for any person making a record request, even if the record is about them.

### **What may the public agency ask of me when I request records?**

The public agency may ask you for your name and address. It is optional, but the agency may ask you for some form of proof of your identity.

### **Do I have to go in person to the place where the records are kept to make my request?**

No, you may make your request from anywhere. Many record transactions are handled through the mail or even online.

### **What do I do if the public agency that has the records doesn't have any full-time staff or regular business offices?**

The KORA permits very small public agencies that do not have regular office hours to establish reasonable hours when you can inspect or copy records, but the agency may require 24 hour notice. All of the other requirements for access remain the same.

### **May I take a public record and have it copied elsewhere?**

Not without the record custodian's written permission. If copies cannot be made where the records are kept, the custodian will make arrangements to have a copy made. Public record custodians are required to keep original documents safe, so they will be available for any person who might request that record.

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## Responding to Record Requests

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### **When can I expect to receive the records?**

It depends upon the availability of the records. Some records may be provided at the time they are requested, others may have to be gathered and reviewed before releasing them.

### **What is the “three day” requirement?**

A public agency must act upon your request as soon as possible, but not more than three business days later, beginning the day after the request was received.

### **Does this mean I will get the records in three days?**

No, the public agency must communicate with you within those three days. The public agency may provide the records, or explain that they do not have the records you want, or may inform you that the search or review is underway and will be completed as soon as possible.

### **Is there a deadline when the records must be given to me?**

No, each request and record is unique, although if there is a delay, the record custodian should provide a time estimate to you. Some records may need to be gathered from remote locations. Other records that contain closed portions must be reviewed and appropriately redacted or blacked out.

### **Does the KORA require that a public agency answer my questions?**

No, the KORA only applies to records as they exist at the time you ask for them. If you are asking for information, analysis or an explanation about a policy, you might get them, but not under the rules of the KORA. The KORA does not require an agency to do research for you or provide written answers to your questions.

### **May I request records that will be created in the future?**

No, records not yet in existence are not subject to the KORA. Even though many records are routinely created, such as meeting minutes and monthly financial reports, your request must be made after the records are created and available.

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## KORA and Fees

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### **May a public agency charge fees for accessing or copying records?**

Yes, the KORA permits public agencies to recover their actual costs for gathering and copying records.

### **What kinds of fees are allowed?**

The agency may only charge the direct cost for staff time to gather, review, photocopy and send the records to you. The agency may not charge for overhead or indirect costs.

**Is there a standard fee schedule that all public agencies must use?**

No, the KORA permits each public agency to establish their fees. However, they must represent their best estimate for actual costs.

**May a public agency collect fees in advance?**

Yes, the KORA allows public agencies to collect estimated fees in advance. If the actual cost is less, you will be refunded the difference. If it is more, the agency may bill you for the additional costs.

**What can I do if I believe the fees are unreasonable?**

If the records are from an executive branch state agency under the jurisdiction of the governor, there is an appeal process through the Secretary of Administration. If the records are from another public agency, you may complain to the county or district attorney or the attorney general. If the public agency can justify the fees and the fees are based upon actual costs, then the fees are reasonable.

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**Prohibited Uses of Public Records**

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**May I use a public record that contains names and/or addresses on it, so I can contact the people on the list to offer goods or services for sale?**

No, the KORA prohibits using lists of names and addresses as a marketing tool except in very limited cases, such as professional organizations that offer educational opportunities for licensed individuals.

**If I request a public record that contains names and addresses on it, do I have to sign a special form?**

Yes, the KORA permits the public agency to require that you certify that you will not use the names and addresses for any prohibited purposes. If you do not sign the form, the public agency does not have to provide you the records.

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**Record Content and Accessibility**

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**Is there a general rule about public records being open?**

Yes, unless a record is specifically closed by law, all public records are open for inspection and any person may view them to make their own notes or ask for copies from the public agency.

**How will I know if a record is closed by law?**

Ask for a copy of the record you would like to see. If it is closed, the record custodian will tell you and provide you the appropriate source of the law that closes the record.

**Who decides that records are closed?**

The legislature reviews and approves all the laws that close records. They have adopted general policies for closing public records. They are:

- The public record is of a sensitive or personal nature concerning individuals.

- The confidentiality of the public record is necessary for the effective and efficient administration of a governmental program.
- The public record affects confidential information.

### **How many records are closed?**

There are more than 300 specific records closed by Kansas law. Many other records are closed by federal law. Many of the records that may be closed contain information that individuals and businesses are required to provide to the government, such as tax returns, reports of infectious diseases or private financial information. Federal laws close individual medical records and driver's license information.

### **Does the record custodian have any authority to release these records?**

In some limited cases, yes. The law that closes a record may contain conditions that temporarily close a record or grant the record custodian the discretion to release a record.

For example, sealed bids are closed, but only until the bid contract is awarded, then the records are open. Another example is when the record custodian must use his or her judgment about whether a record contains information of a personal nature and disclosing the information would be an unwarranted invasion of personal privacy.

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## **Enforcement of the KORA**

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### **What should I do if I think there has been a KORA violation?**

The KORA can be enforced by anyone – private citizens, the county or district attorney, or the Attorney General. You have three options if you think there has been a KORA violation.

1. You may file your own case in district court against the public agency.
2. You may file a complaint with the county or district attorney.
3. You may file a complaint with the Office of the Attorney General. If you decide to file a complaint with the attorney general's office, you must use the complaint form available online at [www.ag.ks.gov](http://www.ag.ks.gov).

### **What if I disagree with the county or district attorney's conclusions?**

You may file your own case in district court against the public agency. The Attorney General will not review the decisions of a county or district attorney. That is the role of the courts.

### **What happens if a violation is found?**

That depends upon the situation. If we find that a violation has occurred, depending upon the severity, the typical resolution is to enter into a settlement agreement such as a consent order. We are seeking compliance with the KORA and assuring that future violations do not occur.

If the circumstances show a pattern of willful disregard of the KORA rules, we may impose a finding of violation on the public body or agency, or take the individuals responsible to court.

**What can the Attorney General do to a public agency if they violate the KORA?**

The Attorney General may fine the public agency up to \$500 for each violation, require completion of Attorney General approved training, order the public agency to cease and desist from violating the KORA, require future compliance with the KORA, and require submission of proof of compliance.

**What can a court do to a public agency if they violated the KORA?**

The KORA provides that a district court in the county where the record is kept may look at disputed records in private and make a decision about what may be released.

The court may order that the documents be produced for you. If the public agency did not have a good faith reason to withhold the records, the court may fine the agency up to \$500 if the action is brought by the county or district attorney or Attorney General.

The court shall award attorney fees and costs to private parties if they bring the action, and the public agency did not act in good faith and with a reasonable basis in law.

KORA is not a criminal statute, so there is no possibility of anyone going to jail for violating KORA.

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**NOTES**

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## **Introduction**

Conservation districts receive and disburse public funds. Supervisors must account for how district funds and other assets, such as conservation tillage equipment, are used. Conservation district funds should be handled only by supervisors and conservation district employees that have been delegated this responsibility and bonded with a surety bond.

Your board of supervisors may elect to have a finance committee to oversee all financial aspects of the district and help the board make informed decisions. The finance committee should review sources of funding, develop budgets and budget reports, arrange required audit procedures, and check the reliability of financial information. Ultimately, decisions on the budget, etc. are made by the supervisors—the finance committee helps you do this.

## **Conservation District Financial Laws**

Kansas statutes define conservation districts as a “governmental subdivision of this state, and a public body corporate and politic.” As such, conservation districts are subject to state laws which govern financial matters of municipalities and other local governmental entities.

- *K.S.A. 12-105b* - specifies that conservation district boards shall be presented with a written claim (voucher) with a full account of the items listed prior to issuing or authorizing a warrant check out of any fund. A full account shall include an invoice or other documentation with complete purchase information.
- *K.S.A. 10-803 and 805* - states warrants and warrant checks shall be signed by the district chairperson, or in the absence of such officer, by the officer authorized by conservation district board action to act in the officer’s stead, and by the treasurer and secretary (who may be an employee).
- *K.S.A. 10-804* - states the conservation district secretary or clerk shall keep a full record of all warrant checks issued, showing the number, date and amount thereof, on what fund drawn, to whom payable, and include this information on a treasurer’s report.
- *K.S.A. 10-805* - states the conservation district treasurer is responsible, (although bookkeeping may be performed by an employee) for the recording of the number, date and amount of each warrant check, on what fund drawn, and the name of the payee prior to the treasurer affixing his/her signature on the face of the warrant check authorizing payment.
- *K.S.A. 10-1112* - states it shall be unlawful for the governing body of the conservation district to create any indebtedness in excess of the amount of funds actually on hand in the treasury at the time for such purpose or to authorize issuance of a warrant or check in excess of funds actually in the treasury at the time.
- *K.S.A. 9-1401* - requires the governing body of any municipal corporation or quasi-municipal corporation shall designate by official action recorded upon its minutes the state

and national banks, trust companies, state and federally chartered savings and loan associations and federally chartered savings banks which serve as depositories of its funds.

- *K.S.A. 9-1402* - requires that “any public money or funds” deposited by a municipal corporation or quasi-municipal corporation of the State of Kansas shall be adequately secured with the financial institution which was designated as the conservation district’s official depository.
- *K.S.A. 12-1675* - regulates the investment of public moneys. One such regulation limits the maturity of a certificate of deposit to two (2) years or less.

**\*\*The previous examples do not represent an all-inclusive list of laws affecting conservation districts nor do they provide for a foolproof system of internal controls.**

### Use of Conservation District Funds Guidelines

A fund is designated as a sum of money or other resources segregated for the purpose of carrying on specific activities in accordance with special regulations, restrictions, or limitations. Each fund is considered a separate accounting entity with a set of self-balancing records of financial transactions.

In order to ensure observation of limitations and restrictions placed on the use of moneys, the DOC has identified the following broad fund types applicable to the financial activities of conservation districts.

- Operations Fund - The operations fund is used to account for county (general fund, tax levies and other funds) and state (matching funds) moneys, along with other income not accounted for in any other fund. The operations fund is used solely to carry out the activities and functions of the conservation district, which includes cost of travel and expenses of supervisors and employees of the district, educational materials, conservation awards, annual meeting expenses (excluding prohibited items), membership dues to conservation-related organizations, and district employee wages, salaries, and employment benefits (employee bonuses are considered compensation). The operations fund *in no event* shall be used for prizes or incentives for achievement or attendance at meetings, annual meeting meals (including food service), nor shall it be used for travel or expenses for anyone other than supervisors or employees of the district.
- Enterprise Fund - The enterprise fund accounts for operations that are financed and are operated in a manner similar to private business enterprises; this is where the stated intent is the cost of providing goods or services on a continuing basis be financed and recovered primarily through user charges. Income sources for the enterprise fund are district-owned property, sales or rentals, interest, donations and gifts. Enterprise fund expenditures include items such as travel, awards, prizes, purchase of goods for resale, and equipment purchases and repair. The main purpose of the enterprise fund is to carry out the operations and functions of the conservation district using a source of funds without the restrictions of the operations fund.

- **Public Funds** - District supervisors, as elected local officials, are accountable for the care of public funds. All moneys coming into the custody of the conservation district are public funds and the source of the money is not relevant. These funds must be spent only for public purposes, no matter how pressing the need, how notable the purpose or how benevolent the recipient. Each expenditure using public funds must fall within the legitimate function of the conservation district. Here are questions to ask before using these funds:
  - Does the expenditure promote conservation and the district programs?
  - Can I justify the public purpose of this use of public funds to any taxpayer or constituent who may request such a justification?
- **Special Revenue Funds** – These funds are used to account for the proceeds of special revenue sources that is restricted by law or administrative action to expenditures for specific purposes (i.e., grants).
- **Capital Outlay Funds** – These funds are used to account for financial resources restricted for the acquisition or construction of major capital facilities.

**Conservation District Budgets**

An important part of managing conservation district finances is developing budgets to allocate district funds and other resources. District budgets are prepared for managerial planning and control. District budgets state a plan of revenue and of expenditure requirements for carrying on the activities, services, and projects of the district for the coming fiscal year. The district budget should be prepared annually by a finance committee in conjunction with the district’s annual work plan. Districts are not subject to budget law but must submit a budget to the DOC in accordance with Conservation District Law.

**Conservation District Financing**

To develop effective conservation programs, your board of supervisors must obtain adequate conservation district financing. Districts receive financial assistance from the county and the state (matching funds). In addition, Conservation District Law provided that a district may generate locally derived financing (within statute provisions) and accept donations. District money should be handled only by district supervisors or employees that have been delegated this responsibility and have been bonded.

- **State Matching Funds** - Conservation District Law provides authorization to request financial assistance for each of the 105 conservation districts to assist in carrying out their duties prescribed in Conservation District Law.

Under the Aid to Conservation Districts Program, the state matches up to \$25,000 per district of the annual amount allocated to conservation districts by the board of county commissioners.

Financial assistance enables conservation districts to:

- Maintain a local office.
  - Acquire office assistance, office supplies and equipment.
  - Carry out information and education activities.
  - Coordinate programs with other districts and the state.
  - Provide liaison between landowners and federal, state and local programs.
  - Utilize financial assistance for conservation practices, equipment, and local administrative costs necessary for implementing financial assistance programs administered by the DOC.
  - Keep landowners advised of conservation problems and solutions.
- County Appropriations - Conservation districts should make a special effort to keep local government officials informed of their accomplishments and to seek local financing. The board of county commissioners may annually provide county general funds and/or proceeds from a special mill levy to conservation districts. Moneys appropriated from the levy may not exceed 2 mills or \$55,000, whichever is less.

There are many reasons for the county to support your conservation district. In addition to benefits provided to individual landowners in the county, districts can assist counties with soil surveys and interpretations for planning, county assessment, structures, highways and drainages.

Counties may also consider supporting their conservation district financially for the following reasons:

- Preventing erosion can save money and reduce road drainage clean-up efforts.
- Preventing floods can save money spent on flood control and water supply problems or damages.
- Conservation improves local environmental quality and economic growth.
- Salaries paid to conservation district employees contribute to the local economy.
- Added value of well-cared for properties maintains the local tax base.
- Conservation district programs are cost-effective because of high volunteer inputs.
- Cooperative agreements with assisting agencies bring state and federal tax dollars and services into the county.

Securing financial support from county government can be a very challenging but rewarding experience. A comprehensive and organized effort by the conservation district supervisors and staff are required to persuade county commissioners to finance district operations. Spend time gathering facts and polishing your budget presentation. Remember, especially in today's economic climate, you are competing with other entities for a limited amount of money available.

- Locally Derived Financing - Many conservation districts serve a vital service to land users by renting conservation equipment and/or selling conservation-related products and/or

services. It is important not to conflict with private enterprises while providing district services or materials.

- **Grants** - Grant funds are awarded to a group or organization on a competitive basis for a fixed period of time, usually for very specific purposes. Federal and state government, state councils, and private and industrial foundations are all sources of grants.

Grants are usually obtained by writing a proposal. Individual grant proposals usually are required to follow a unique, detailed format outlined by the grantor.

Typical proposals include:

- A project summary
- A statement of the problem
- Methods to solve the problem
- Evaluation criteria
- Future funding sources
- A budget

The USDA Resource Conservation and Development (RC&D) Councils can help you write grant proposals. There are also private institutions which offer assistance to groups seeking funds through grants.

### **Internal Control of Conservation District**

Internal control is a plan of organization under which employees' duties are specifically arranged and records and procedures are specifically designed as to make it possible to exercise effective accounting control over assets, liabilities, revenues, and expenditures. Objectives of a system of control include:

- Safeguard assets (money, data, equipment, etc. – anything of value).
- Prevent errors.
- Check accuracy and reliability of information in journals, ledgers, docket, and other records.
- Encourage adherence to policies and procedures.
- Encourage adherence to laws and regulations.
- Promote efficiency and effectiveness.

If your conservation district has good internal control, the chance for fraud and error is minimal. Detected errors and fraud will probably be caught early before they turn into something major.

Auditors are required by professional standards to do the following:

- Study and evaluate internal control
- Communicate material weaknesses in internal control
- Report on internal controls

Auditors must, however, use sampling procedures; these procedures often do not detect fraud. The U.S. General Accounting Office (GAO) performed an extensive study of 77,000 federal cases of fraud and found that only two percent were exposed as a result of an audit effort! The largest percentage of cases of fraud are detected accidentally by other employees.

- Basic Principles of Internal Control - There are four very basic and straightforward ideas to achieve internal control:
  - *Divided Duties* - simply means that more than one person handles related transactions or events from beginning to end.
  - *Qualified Personnel* - means that people doing the work should have the ability to do the work.
  - *Sound Procedures* - means that procedures for authorizing, recording, and reporting transactions should be clearly and thoroughly defined, documented, disseminated and completed.
  - *Sound Performance* - means making sure that the procedures are being followed.

Nothing is more important in a system of internal controls than separation of duties. This is more difficult for districts because of the small number of persons in the office. This condition does not mean that you forget about separation of duties. In order for separation of duties to work in most conservation districts, substantial involvement would be necessary by conservation district board supervisors. Realizing that most supervisors are farmers or otherwise employed, separation of duties would require a real commitment. Following are sample schemes for separation of duties where outside parties (board members and banks) are used.

- Cash Management Duties
  - Board member should be notified by the bank for unusual items, such as insufficient funds.
  - Review bank accounts for proper collateralization.
  - Receive unopened bank statements.
  - Review credit card statements.
  - Perform bank reconciliation every month and check for the following:
    - Deposits.
      - ✓ Compare dates and amount of daily deposits as shown on the bank statement with the cash receipts journal.
      - ✓ Investigate bank transfers to determine that both sides of the transaction have been recorded in the books.
    - Disbursements.
      - ✓ Account for sequence for check numbers including all voided checks.
      - ✓ Examine canceled checks for irregular endorsement.
      - ✓ Examine canceled checks for authorized signature.
      - ✓ Examine canceled checks for alterations.

- Claim Vouchers - Claim vouchers with attached receipts are an essential element in the internal control system. The treasurer or treasurer “pro-tem” should carefully review these documents at conservation district board meetings and then sign or initial the claim voucher, thus approving it is a valid claim.

### **Conservation District Treasurer’s Report**

A detailed report of all bank accounts and petty cash should be reviewed at conservation district board meetings and be included in with the monthly minutes. In order to effectively review financial statements each month, the previous month’s treasurer’s report should be presented along with the current month’s bank statement.

In reviewing the treasurer’s report, the conservation district supervisors should consider the following:

- Compare reports to be sure the account balance at the end of the report period on the previous month’s report is the same as the account balance at the beginning of the report period on the current month’s report.
- Compare deposits. They will not be the same every month but should be similar. Certain deposits, such as interest earned, should be close to the same amount as the previous month’s deposits.
- Compare disbursements. The amount paid to employees for salaries should be approximately the same every month, unless they are part-time workers whose hours fluctuate. Many other bills paid will be the same or close to the same amount. Question any major differences.
- Look for a check showing taxes paid or deposited. Find out whether the district is paying employment tax.
- Make sure every check is accounted for. The last check on the previous months treasurer’s report should be the number that immediately precedes the first check number on the current treasurer’s report.
- Voided checks should be listed on the treasurer’s report, and the actual check should be either attached to the claim voucher or attached to the check stub in the checkbook.
- Petty cash must be accounted for with a separate report. For each disbursement, the report shall list to whom the money was paid, the purpose and the amount.
- Unpaid claims or bills must be presented (a list) to the governing body for payment approval of the due and unpaid claims. Items on a claims list represent the claim vouchers previously audited and approved by the treasurer as “correct, due and unpaid.” The corresponding checks should be dated the day of the approval (board meeting date) and are signed following board approval. The claims list is for those services and products that have been provided and the bill (invoice/statement) is in hand. These are NOT estimates and are not for services that have not yet been completed. In reviewing the bills to be paid, the supervisors should not hesitate to question an unusual bill or one that seems higher than usual.
- A motion must be made to pay the due and unpaid claims specifying the amount of the approval.

## **Conservation District Audits**

An annual audit of conservation district accounts, receipts and disbursements is required by Conservation District Law. The annual audit shall be performed by a certified public accountant or a municipal public accountant. A copy of the annual audit report shall be provided to the DOC within one year of the ending date of the audit period. The district may choose to have either a GAAS or Agreed Upon Procedures Audit performed. Satisfactory audit reports are a prerequisite to receiving state assistance (matching funds).

## **Financial Management Checklist for Conservation District Supervisors**

The DOC developed the Financial Management Checklist to assist supervisors in complying with state statutes and recommended accounting procedures. Kansas statutes define conservation districts as “governmental subdivisions of the state, and a public body corporate and politic.” As such, conservation districts are subject to state laws, which govern financial matters of municipalities and other local governmental entities.

The Financial Management Checklist is a very detailed checklist beneficial to the conservation district, district manager, and district supervisors. Here is a description of the checklist line items, along with many other helpful details:

- Monthly Board Meeting Responsibilities
  - Treasurer Audits/Reviews and Signs Claim Vouchers or Unpaid Bills Report.
    - Prior to board approving payment of unpaid bills due, review claim vouchers and supporting documentation (invoice, time/payroll sheet, travel claim form), and sign or initial the claim voucher, thus approving it is a valid claim.
  - Board Approves Claims List.
    - A motion must be made to pay the due and unpaid claims (bills) specifying the amount of the approval.
  - Review Treasurer’s Reports:
    - Treasurer presents Treasurer’s Report at each board meeting.
    - Compare two consecutive months’ reports making sure the account balance at the end of the report period on the previous month’s report is the same as the account balance at the beginning of the report period on the current report.
    - From month to month, bills paid will be close to the same amount. Employee salaries should be approximately the same, unless they are part-time and hours fluctuate.
    - Petty cash, savings accounts, and investments must be included on treasurer’s reports. The maximum amount set by DOC for a Petty Cash Fund is \$50. Money markets and certificates of deposit cannot have maturities more than two years.
    - Treasurer reviews credit card statement and compares them to receipts on voucher.
  - Treasurer’s Report consists of Unpaid Bills Needing Board Approval.

- Federal and State Employer/Employee Taxes Paid Including Unemployment
    - For conservation districts participating in the Kansas Public Employees Retirement System (KPERs), look for the electronic funds transfer (EFT) within three (3) business days of each pay date for eligible employees.
  - Ensure Every Check Number is Accounted For.
    - Voided checks should be listed on the Treasurer's Report and the actual check should be either attached to the claim voucher or attached to the check stub in the checkbook.
  - Checks Signed - Chairperson, Treasurer, and Secretary (may be an employee) signs filled out checks corresponding with the bills approved for payment.
    - State statutes provisions under certain situations allow checks paid between meetings. Board member signatures may be obtained only on checks with the payee information filled in and the amount, if known.
  - Treasurer's and Unpaid Bills Reports Submitted to DOC.
  - Treasurer's Reports (including Unpaid Bills Needing Board Approval report) are to be attached to corresponding board minutes and uploaded into CSIMS within 10 days following board meeting.
  - Review and Sign Hourly Employee's Time Sheets.
- Continual Board Meeting Responsibilities
    - Board Upholds Cash Basis Law.
      - Board does not create any indebtedness (Lease-Purchase Agreements are permissible) or authorize issuance of a check in excess of the amount of funds on hand in the treasury at the time for such purpose.
    - Board Ensures Surety Bond Coverage.
      - Board members and employees who are entrusted with funds and/or property must be bonded.
    - Board Ensures Money is Adequately Secured.
      - Money must be adequately secured by FDIC or pledged securities. Additional coverage is needed for amounts over \$100,000 deposited in one financial institution.
    - Board Ensures Proper Spending of Funds.
      - All moneys coming into the custody of the District including Enterprise Fund are public funds. Therefore, they must be spent only for public purposes and to carry out the activities and functions of the District. Furthermore, money from the state and county (Operations Fund) has further restrictive uses as stated in the Conservation District Law.
  - As Needed Board Meeting Responsibilities
    - Board May Elect or Chairperson Appoints Pro Tem Treasurer as Needed.
      - If the Treasurer is absent from the board meeting, the board should either elect or the chairperson appoints a pro tem treasurer to carry out the duties of the Treasurer at the meeting.
    - Board Approves Opening of Bank Accounts and Transfers.
      - Eligible depositories are banks; savings and loan associations; and savings banks, which have a main office in Kansas with the branch office located in

same county as the conservation district. Normally, money should not be transferred from the Operations Fund (checking, saving, investment) to the Enterprise Fund because of the restrictive uses of the Operations Fund (money from state and county).

- Board Designates Bank Depositories
  - By board action the board designates the bank(s) as the conservation District's official depository for the checking, savings, and investment accounts.
  - Bank must be a qualified State of Kansas depository (main office in Kansas with the branch office located in same county as the conservation district).
  - It is recommended to do this the first board meeting after the annual meeting elections.
- Require Board Members' Signature for Investment Account Removal.
  - Have at least two (2) supervisors' signatures required at the bank to remove/withdraw certificates of deposit and other investment accounts.
- Annual Board Meeting Responsibilities
  - Board Reviews and Approves Audit.
    - The board reviews the audit report prepared by a Certified Public Accountant looking for any noted discrepancies and statements related to compliance with Kansas statutes.
    - Also comparing the audit's Combined Statement of Cash Receipts and Cash Disbursements to the District's year-end financial report. Conservation Districts are encouraged to invite the auditor to a board meeting or via telephone call (speaker phone) to go over the audit and answer questions.
    - The audit report should be approved by official board action.
  - Audit and Audit Review Form Submitted to DOC.
    - The conservation district audit must be submitted to the DOC within one year after the end of the audit period (example: 2018 audit due by January 1, 2020).
    - Districts with annual gross receipts in excess of \$275,000 must pass a resolution to waive the Generally Accepted Accounting Principles (GAAP) from the Kansas Department of Administration, Office of the Chief Financial Officer, 700 SW Harrison, Suite 300, Topeka, KS, 66612, 785-296-2311 and file a copy of the audit along with a \$175 filing fee.
  - Treasurer and District Manager/Secretary Prepares Budget and Board Approves.
    - Preparation usually begins in spring. Board approves draft budget; county commissioners approve and certify Operations Fund budget; budget is modified if necessary; board adopts budget; and chairperson and secretary (may be District employee) sign budget.
    - County and District Certification form is completed, signed by chairperson, district manager, and uploaded into CSIMS by September 1.
  - Budget and Financial Management Checklist Submitted to DOC.
    - The Operations and Enterprise budgets with original signatures are uploaded into CSIMS by September 1.

- The Financial Management Checklist is to be uploaded into CSIMS by September 1.
- Periodical Board Meeting Responsibilities
  - Treasurer Reviews Checking Account Bank Statement and Reconciliation Report with Checkbook.
    - Make sure these documents correspond with each other.
  - Treasurer Compares Savings Account Bank Statement and Treasurer's Report.
    - Particularly compare ending balance on Treasurer's Report to the corresponding bank statement ending balance.
  - Treasurer Compares Treasurer's Report with Checkbook.
    - Particularly compare ending checking account balance on Treasurer's Report to the corresponding checkbook balance.
- Additional Items to Consider
  - Treasurer Opens Bank Statement.
    - This could be done monthly or periodically. The bank statement could even be mailed directly to the Treasurer's home.
  - Treasurer Receives Insufficient Fund Notices.
    - Have the bank send or notify the Treasurer of any insufficient fund notices.
  - Require Board Members Signatures for Investment Account Removal.
    - Have at least two supervisors' signatures required at the bank to remove/withdraw certificates of deposit and other investment accounts.

## Appendix 5-A: Budget Procedures & Information

### **Budgets**

An important part of managing district finances is developing budgets to allocate conservation district funds and other resources. District budgets are prepared for managerial planning and control. Conservation district budgets state a plan of revenue and of expenditure requirements for carrying on the activities, services, and projects of the district for the coming fiscal year. The district budget should be prepared annually by a finance committee, in conjunction with the district annual work plan. Conservation districts are not subject to budget law, K.S.A. 79-2925 et seq. that most municipalities of the state are subject to but must submit a budget to DOC in accordance with Conservation District Law. Each year conservation districts complete the Conservation District Budget, SCC/ADM-1, and uploads in CSIMS by **September 1**.

**Note:** When presenting the budget to the county commission, district supervisors should support their budgetary request with detailed information.

### **Budget Procedure**

#### 1. General Information:

- a. Pursuant to K.S.A. 2-1907c, each conservation district shall prepare an itemized budget of all funds. On or before September 1 of each year, each conservation district shall submit to the Division of Conservation a certification of the amount of money to be furnished by the county commissioners to the conservation district for the ensuing calendar year. Preparation should begin early to coincide with the county budget preparation/review time and to meet the September 1 deadline.
- b. County commissioners may annually furnish a conservation district, funds from the county's "General Fund" and/ or a special mill levy up to 2 mills (not to exceed \$55,000) for district operations.
- c. All funds received by the conservation district are defined in K.S.A. 9-701 as public moneys and therefore have certain restrictions.
- d. The conservation district has the option of submitting to the county commission only the Operations Fund budget or the entire budget. To enable the district to use this option, the budget is composed of three parts:
  - Part I - Operations Fund
  - Part II - Certifications
  - Part III - Enterprise Fund, Miscellaneous Fund and Special Revenue Fund

2. Classifications. The expenditures and receipts of each fund account should be classified in order to facilitate budgetary control and financial reporting. The Conservation District Budget form, SCC/ADM-6, includes preprinted line item classifications common to districts. Districts should use only the ones relevant to the district (and within statute limitations) and may add ones more suitable to the district's needs. Below are the recommended classifications and their inclusive items and/or explanation.

#### a. Expenditure Classifications:

##### (1) Salaries and Wages

- (a) Gross salaries and wages (including cash bonuses)
- (b) Employee net check amount, employee's share of state and federal withholding taxes, employee's share of retirement plan, and employee's share of medical and life insurance

- (2) Employee Benefits
  - (a) Employer's share of Social Security and Medicare
  - (b) Unemployment Insurance
  - (c) Worker's Compensation Insurance
  - (d) Employer's share of retirement plan
  - (e) Employer's share of medical insurance
  - (f) Employer's share of life insurance
- (3) Travel Expenses
  - (a) Supervisor, i.e. mileage, meals, lodging, registration fees
  - (b) Employee, i.e. mileage, meals, lodging, registration fees
  - (c) Associate Supervisor/Advisor, i.e. mileage, meals, lodging (not an Operations Fund expense)
- (4) Fixed Assets Purchases
  - (a) Equipment more than \$\_\_\_\_\_\*
  - (b) Office furniture more than \$\_\_\*
  - (c) Building
  - (d) Land
- (5) Equipment & Building Maintenance
  - (a) Office and field equipment repairs
  - (b) Grounds maintenance
  - (c) Tools
  - (d) Construction materials and supplies
  - (e) Operating expenses of equipment
- (6) Information and Education
  - (a) Programs and projects
  - (b) Sponsorships
  - (c) Promotional activities
  - (d) Newsletters, brochures, pamphlets
  - (e) Advertising
- (7) Other Administrative Expenses
  - (a) Office supplies, i.e. paper, envelopes, pens, office equipment and furniture less than \$\_\_\_\_\_\*
  - (b) Annual meeting
  - (c) Dues, i.e. organization memberships
  - (d) Subscriptions, i.e. newspapers and other periodicals
  - (e) Audit
  - (f) Rentals, i.e. building and office space, office equipment, vehicular
  - (g) Insurance, i.e. building, vehicular, general liability and casualty
  - (h) Surety bonds

\* The conservation district board should determine at what price level fixed assets (any good of a long-term character) begin and commodities (any good of a short-term character) stop. Common dollar figures used are \$25, \$50, \$75, or \$100.

- (i) Communications, i.e. postage, freight, telephone
- (8) Goods for Resale
  - (a) Grass Seed
  - (b) Flags

- (c) Trees
- (d) Moisture barrier
- (e) Pipe
- (9) Miscellaneous
  - (a) Used for items not included in another classification
- (10) Transfer to Other Funds
- b. Receipts:
  - (1) Cash on Hand, January 1
    - (a) Checking account
    - (b) Savings/Investment Account
    - (c) Petty cash and other currency
  - (2) County Commission General Fund (Operations Fund only) - the appropriation from county general fund
  - (3) County Commission Special Levy (Operations Fund only) - the appropriation from county mill levy
  - (4) County Commission Other Funds (Operations Fund only) - the appropriation from county funds other than general fund and mill levy
  - (5) State of Kansas (Operations Fund only)
    - (a) Matching funds appropriation from DOC
  - (6) Retail Sales and Services
    - (a) Grass seed
    - (b) Flags
    - (c) Trees
    - (d) Moisture barrier
    - (e) Pipe
    - (f) Tree planting
  - (7) Equipment Rental
    - (a) Grass drill rental
    - (b) No-till drill rental
    - (c) Scraper rental
  - (8) Interest (earned)
    - (a) Checking account
    - (b) Savings account
    - (c) Certificate of deposit
    - (d) Other investments
  - (9) Donations
  - (10) Miscellaneous
    - (a) Used for items not included in another classification
  - (11) Transfers From Other Funds
- 3. Budget Preparation. Steps for preparing the budget are indicated on the form in numerical order and correspond with the following directions:

**Part I - Operations Fund**

Step 1: Operations Fund - Accounts for the operations fund county moneys (general fund, tax levies and other funds), state moneys (matching funds), and other receipts not accounted for in another fund under provisions of K.S.A. 2-1907b and 2-1907c and amendments thereto.

**Columns 1-3 are to be completed as indicated below:**

Column 1: Preceding Year Actual - List actual expenditures, cash on hand balances, and receipts for all funds in the previous year (DO NOT copy from the previous budget). Line item categories should be the same as those in the district's financial report.

Column 2: Current Year Estimated - Compute the expenditures and receipts to date and the anticipated expenses and income for the remainder of the current year.

Column 3: Proposed Budget - List expenditures, balances, and receipts for proposed budget, as approved by board action.

**Part II - Certification**

Step 2: County Certification to District - Present the budget request to county commissioners for action and certification of amount to be furnished to the district. Following the county certification, pick up budget form and check for appropriate signatures. Be sure the totals for amounts from General Fund and Special Mill levy and other funds are correct.

Column 4: Adopted Budget - Enter amounts for "Adopted Budget" as approved by district board action. This level is based upon the county commissioner's approval of the district's proposed budget.

**Note:** Column 4 must be completed in full even though the figures may be identical to the proposed budget in Column 3.

Step 3: District Certification to DOC - Complete the section, be sure signatures are in their proper place. This step follows county commissioner's certification and board approval of adopted budget.

**Part III - Enterprise Fund, Miscellaneous Fund, and Special Revenue Fund**

For Steps 4, 5 and 6, complete Columns 1-4 the same as previously presented instructions under Operations Fund.

Step 4: Enterprise Fund - Accounts for operations that are financed and operated in a manner similar to private business enterprises.

Step 5: Miscellaneous Fund - If applicable use budget form for a fund used for specific district purposes, e.g. a Capital Outlay Fund.

Step 6: Special Revenue Fund - If applicable, use budget form to account for the proceeds of specific revenue sources (other than Operations and/or Enterprise Fund moneys) that are restricted to expenditures for specified purposes, e.g. grants and cooperative agreements) Complete columns 1 - 4 the same as previously presented instructions under Operations Fund.

Step 7: Distribution - Distribute as follows:

- a. Upload Parts I – Operations Fund and Parts III – Enterprise Fund in CSIMS under Budget of the CD Document Submittal section by **September 1**.
- b. Upload Part II – Certification in CSIMS under County & District Certifications of the CD Document Submittal section by **September 1**.
- b. One copy of Part I and II (Part III optional) to county commission.
- c. File one copy with district records. Should a district have questions regarding the budget procedure, please contact the DOC office.

**Note:** To keep track of your budget status, the board treasurer should report on income, expenses, and other budget status information at monthly board meetings.



<b><u>AS NEEDED</u></b>	
<b>BOARD MAY ELECT OR CHAIRPERSON MAY APPOINT TREASURER PRO TEM AS NEEDED.</b>	<input type="checkbox"/>
<b>BOARD APPROVED OPENING OF BANK ACCOUNTS &amp; TRANSFERS.</b> <ul style="list-style-type: none"> <li>o Normally, money should not be transferred from the Operations Funds (checking, saving, investment) to the Enterprise Fund because of the restrictive uses of the Operations Funds (money from state and county).</li> </ul>	<input type="checkbox"/>
<b>BOARD DESIGNATED BANK DEPOSITORIES.</b>	<input type="checkbox"/>
<b>REQUIRE BOARD MEMBERS' SIGNATURES FOR INVESTMENT ACCOUNT REMOVAL.</b> <ul style="list-style-type: none"> <li>o Have at least two Supervisors' signatures required at the bank to remove / withdraw certificates of deposit and other investment accounts.</li> </ul>	<input type="checkbox"/>
<b><u>ANNUALLY</u></b>	
<b>BOARD REVIEWED &amp; APPROVED AUDIT.</b> <ul style="list-style-type: none"> <li>o Look for any noted discrepancies and statements related to compliance with Kansas statutes. Also compare the audit's Combined Statement of Cash Receipts and Cash Disbursements to the conservation district's year-end financial report. Conservation districts are encouraged to invite the auditor to a board meeting. The audit report should be approved by official board action.</li> </ul>	<input type="checkbox"/>
<b>AUDIT &amp; REVIEW FORM SUBMITTED TO DOC.</b> <ul style="list-style-type: none"> <li>o The conservation district audit must be uploaded into CSIMS within one year after the end of the audit period (i.e., 2020 audit due by January 1, 2022). Conservation districts with annual gross receipts in excess of \$275,000 must pass a resolution to waive the Generally Accepted Accounting Principles (GAAP) and mail a copy of the audit along with a \$175 filing fee to the Kansas Department of Administration, Office of Accounts and Reports, 700 SW Harrison, Suite 300, Topeka, KS, 66612.</li> <li>o The Notification of District Audit Review must also be uploaded into CSIMS by <b>January 1, 2022.</b></li> </ul>	<input type="checkbox"/>
<b>TREASURER &amp; DISTRICT MANAGER / SECRETARY PREPARED BUDGET &amp; BOARD APPROVED BUDGET.</b> <ul style="list-style-type: none"> <li>o Preparation usually begins in the spring. Board approves the draft budget; county commissioners approve and certify the County Allocation for the Operations Fund budget; conservation district board adopts the budget; district certification information is completed; conservation district chairperson and district manager / secretary sign certification page.</li> <li>o <b>Budget uploaded into CSIMS.</b> The Operations Fund Budget, Enterprise Fund Budget, other budgets and certification page (with original signatures) are to be uploaded into CSIMS by <b>September 1, 2021.</b></li> <li>o The County and District Certifications are to be uploaded into CSIMS by <b>September 1, 2021.</b></li> <li>o This Financial Management Checklist must also be uploaded into CSIMS by <b>September 1, 2021.</b></li> </ul>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

*The Financial Management Checklist is to be reviewed by the conservation district board and district manager. Signatures of the district manager and district chairperson are required before submittal to DOC to verify that the review was complete.*

County: \_\_\_\_\_

District Manager: \_\_\_\_\_ Date: \_\_\_\_\_

District Chairperson: \_\_\_\_\_ Date: \_\_\_\_\_

**Appendix 5-C: Notification of Conservation District Audit Review**

	<p><b>Division of Conservation</b>  <b>Notification of Conservation District Audit Review  </b>          Authorizing state statutes: K.S.A. 2-1907 and K.S.A. 75-1117</p>
<p>Conservation District Law requires an annual audit of conservation district accounts, receipts and disbursements performed by a Certified Public Accountant (CPA) to be submitted to the Division of Conservation (DOC) within one year after the year ends (audit period).</p> <p>Please complete this form as soon as possible each year after the conservation district board reviews and approves the conservation district annual audit. <b>Upon board approval and signature, please upload this form into Cost-Share Information Management System (CSIMS).</b></p> <p>If you have any question, please call the DOC office at 785-564-6620.</p>	
<ol style="list-style-type: none"> <li>1. The _____ County Conservation District audit has been completed for the year ended December 31, _____.</li> <li>2. The type of audit performed was: (check one)  <input type="checkbox"/> Generally Accepted Auditing Standards (GAAS).  <input type="checkbox"/> Agreed-Upon Procedures.</li> <li>3. The conservation district board reviewed and approved the audit on _____ with: (check one)  <input type="checkbox"/> auditor present.  <input type="checkbox"/> auditor via telephone (speaker phone).  <input type="checkbox"/> no auditor present.  <input type="checkbox"/> no auditor present, <u>however</u> a district representative visited with auditor prior to approval.</li> <li>4. The audit:  <input type="checkbox"/> has been uploaded into CSIMS.</li> <li>5. Check here if conservation district annual gross receipts were in excess of:  <input type="checkbox"/> \$275,000 or <input type="checkbox"/> \$500,000. (check all that apply)  <input type="checkbox"/> Passed a resolution to waive the generally accepted accounting principles (GAAP) for the relevant year.  <input type="checkbox"/> Mailed an audit copy (with \$175 filing fee) to the Kansas Department of Administration, Office of the Chief Financial Officer.  <input type="checkbox"/> Will mail an audit copy (with filing fee) to the Kansas Department of Administration, Office of Accounts and Reports. [For more information on these requirements visit <a href="https://www.admin.ks.gov/offices/oar">https://www.admin.ks.gov/offices/oar</a> or call 785-296-2311.]</li> <li>6. <input type="checkbox"/> Check here if any suggestion, violation, or exception was noted in the audit. (check all that apply)  <input type="checkbox"/> Suggestion or corrective action has been implemented.  <input type="checkbox"/> Suggestion or corrective action will be implemented.  <input type="checkbox"/> Would like assistance from the Division of Conservation staff.  <input type="checkbox"/> None</li> </ol>	
<p>(Updated 6-16-20)</p>	<p align="right">_____          Conservation District Treasurer's Signature      Date</p>

## Appendix 5-D: Budget Forms

### \_\_\_\_\_ County Conservation District

#### 2021 Operations Fund Budget

	Preceding Year Actual 2019 <small>Column 1</small>	Current Year Estimated 2020 <small>Column 2</small>	Proposed Budget 2021 <small>Column 3</small>	Adopted Budget 2021 <small>Column 4</small>
<b>Expenditure Classifications:</b>				
Salaries & Wages (gross)	\$ -	\$ -	\$ -	\$ -
Employee Benefits	\$ -	\$ -	\$ -	\$ -
Travel Expenses	\$ -	\$ -	\$ -	\$ -
Fixed Assets Purchases	\$ -	\$ -	\$ -	\$ -
Equipment & Building Maintenance	\$ -	\$ -	\$ -	\$ -
Information & Education	\$ -	\$ -	\$ -	\$ -
Other Administrative Expenses	\$ -	\$ -	\$ -	\$ -
Miscellaneous	\$ -	\$ -	\$ -	\$ -
<b>Total Expenditures</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>Receipt Classifications:</b>				
Cash on Hand, January 1*				
a. Checking Account	\$ -	\$ -	\$ -	\$ -
b. Savings / Investment Account	\$ -	\$ -	\$ -	\$ -
c. Petty Cash & Other Currency	\$ -	\$ -	\$ -	\$ -
County Appropriation - General Fund	\$ -	\$ -	\$ -	\$ -
County Appropriation - Special Levy	\$ -	\$ -	\$ -	\$ -
County Appropriation - Other Funds	\$ -	\$ -	\$ -	\$ -
State Appropriation (matching funds)**	\$ -	\$ -	\$ -	\$ -
State Technical Assistance Funds	\$ -	\$ -	\$ -	\$ -
Interest	\$ -	\$ -	\$ -	\$ -
Donations	\$ -	\$ -	\$ -	\$ -
Miscellaneous	\$ -	\$ -	\$ -	\$ -
Transfer of Funds	\$ -	\$ -	\$ -	\$ -
<b>Total Receipts</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>Less Total Expenditures</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>Cash on Hand, December 31</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>

\* The sum of Cash On Hand, January 1 must equal Cash On Hand, December 31 of previous year.

\*\* NOTE: As per K.S.A. 2-1907c, if state appropriations are insufficient to match county funds (not to exceed \$25,000 per district), distribution shall be prorated in proportion to eligible amount.

\_\_\_\_\_ County Conservation District

**2021 Enterprise Fund Budget**

	Preceding Year Actual 2019 Column 1	Current Year Estimated 2020 Column 2	Proposed Budget 2021 Column 3	Adopted Budget 2021 Column 4
<b>Expenditure Classifications:</b>				
Travel Expenses	\$ -	\$ -	\$ -	\$ -
Fixed Assets Purchases	\$ -	\$ -	\$ -	\$ -
Equipment & Building Maintenance	\$ -	\$ -	\$ -	\$ -
Goods for Resale	\$ -	\$ -	\$ -	\$ -
Information & Education	\$ -	\$ -	\$ -	\$ -
Transfers to Other Funds	\$ -	\$ -	\$ -	\$ -
<b>Total Expenditures</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>Receipt Classifications:</b>				
Cash on Hand, January 1*				
a. Checking Account	\$ -	\$ -	\$ -	\$ -
b. Savings / Investment Account	\$ -	\$ -	\$ -	\$ -
c. Petty Cash & Other Currency	\$ -	\$ -	\$ -	\$ -
Retail Sales & Services	\$ -	\$ -	\$ -	\$ -
Equipment Rental	\$ -	\$ -	\$ -	\$ -
Interest	\$ -	\$ -	\$ -	\$ -
Donations	\$ -	\$ -	\$ -	\$ -
Miscellaneous	\$ -	\$ -	\$ -	\$ -
<b>Total Receipts</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>Less Total Expenditures</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>Cash on Hand, December 31</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>

\* The sum of Cash On Hand, January 1 must equal Cash On Hand, December 31 of previous year.

**Appendix 5-E: County & District Budget Certifications**

**County Budget Certification to Conservation District**

In accordance with provisions of K.S.A. 2-1907b (Conservation District Law), a budget of \$\_\_\_\_\_ has been approved for the \_\_\_\_\_ County Conservation District, including \$\_\_\_\_\_ from the county's general fund and/or \$\_\_\_\_\_ from a special mill levy and/or \$\_\_\_\_\_ from other county funds (type of other funds: \_\_\_\_\_) for a total allocation of \$\_\_\_\_\_ in calendar year 2021. Certified by the county governing body on this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**Signed:** \_\_\_\_\_, Commission Chairperson

**Attest:** \_\_\_\_\_, County Clerk

\*\*\*\*\*

**Conservation District Budget Certification to Div of Conservation**  
(complete this section after conservation district adopts final budget)

In accordance with provisions of K.S.A. 2-1907c (Conservation District Law), the Board of Supervisors for the \_\_\_\_\_ County Conservation District hereby certifies that its county commission has approved an allocation of \$\_\_\_\_\_ for district operations in calendar year 2021. Accordingly, a district operations budget of \$\_\_\_\_\_ (total expenditures) for calendar year 2021 has been adopted by the Board of Supervisors on this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**Signed:** \_\_\_\_\_, District Chair

**Attest:** \_\_\_\_\_, District Secretary / Manager

Following adoption of the district's final budget by the Board of Supervisors, upload this completed form in CSIMS under "County & District Certifications" by September 1, 2020. Do not combine the upload with any other forms.







## **6. District Operations**

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## **Introduction**

District operations are guided by Kansas statutes and DOC policy and procedures. Please refer to the Conservation District Handbook located in the conservation district office for complete information addressed in this chapter.

## **Conservation District Agreements**

Conservation districts accomplish their conservation mission in partnership with a variety of state, federal and local agencies. In 1996, new partnership agreements were developed and signed or were in the process of being developed. Supervisors should annually review district agreements and update or modify them as conditions change.

## **Conservation District Planning**

Planning is the basic tool for developing conservation district programs. To develop and maintain effective programs, supervisors must identify district needs, set corresponding goals, develop a plan to achieve those goals, ensure implementation, and evaluate effectiveness.

- Needs Assessment - Before developing plans, the district must assess and define the conservation problems and needs of the district. Landowners, operators, and those who work with them are a natural place to start, but since the district is a public agency, it should consult with the community as well. This may be time consuming, but it will enhance public support of conservation district efforts by giving people a chance to provide input into district policy. Community input may be obtained through casual contact, public meetings, mail and telephone surveys, local newspapers, and many other methods.

Do not feel limited by what landowners, operators or the public say when identifying conservation concerns. Conservation district supervisors are conservation leaders. Many important conservation issues are incorrectly or under-perceived by the average citizen or landowner.

A conservation district may be faced with some or all of the following problems which are common to most districts:

- State identified water quality and water quantity issues.
- Soil erosion resulting in soil losses due to uncontrolled runoff or wind.
- Soil erosion resulting in moisture losses.
- Depleted grazing land subject to soil erosion.
- Flood damage to land, crops, farm property, and public roads and utilities.
- Insufficient water supply for livestock.
- Insufficient irrigation water.
- Insufficient or contaminated domestic water supply.
- Farmland requiring surface and internal drainage.
- Wildlife areas needing development.

- Noxious weeds on crop land and grazing land.
  - Lack of riparian areas or destruction of riparian habitat.
  - Wetland identification and protection.
  - Livestock waste affecting water quality.
  - Pesticide and nutrient contamination of ground and surface water.
  - Identifying and plugging abandoned water wells.
  - Keeping people of the district properly informed.
- Setting Goals - After researching and defining local conservation issues, the conservation district should develop goals that address identified needs. Goals have different levels that should be adhered to. In long-range planning, set broad strategic goals which focus on the conservation district's direction for the next five to ten years. In developing annual plans, list more specific, measurable operational goals or objectives for the concrete results needed to meet strategic goals.
  - Writing the Plan - You may have encountered various planning techniques in other volunteer service. Don't be intimidated by fancy planning terminology and techniques. Planning is basically an organized way of getting things done. After setting and identifying needs and setting goals you will:
    - Prioritize goals.
    - Brainstorm alternative solutions to meet goals.
    - Assess the readiness of the conservation district to implement solutions (whether the district has adequate personnel, current district financial assets, etc.).
    - Choose between alternative solutions.
    - Identify who will implement solutions and when.

The results of this process are written up into a plan, which serves as a “blueprint” for the conservation district. When planning, keep the following key points in mind:

- Plan for planning:
  - Appoint a planning committee chairperson to coordinate your efforts.
  - Obtain a suitable place for planning (consider setting up a retreat to develop your plans).
  - Gather information on current programs, major conservation district operating policies, growth trends and other developments, resource problems, district finances, personnel availability, etc.
- Supervisors should do the planning, and district or agency personnel should only provide you with basic information and advice.
- Involve all supervisors, as well as associate supervisors, advisors, committee members, cooperating agency representatives, and interested citizens.
- Keep the plan simple.

- Be creative; do not automatically accept the way things were always done.
- Do not try to accomplish more than is attainable, as credibility may be lost if the plans are unattainable.

Provide copies of the completed plan to all participants. Also provide the media and community leaders with a news release explaining the district's major goals and objectives.

- **Implementation** - After finalizing plans, implement planned tasks, mobilizing the sources of assistance with the expertise to deal with the needs you have identified (these sources of expertise and assistance should have already been consulted in the planning process). Conservation districts may need to establish a program committee to oversee implementation. The program committee's responsibilities may be divided among other committees (example: water quality, water quantity, etc.). Regardless of how you divide up implementation, keep the district program on the course you planned. Keep some flexibility for new developments, but do not let the district get sidetracked from your plan.
- **Evaluation** - After implementing your plan, evaluate your success. Did your conservation district meet planned goals? How well were the planned goals met? To the extent the goals were not met, why not? What could the district change to meet these goals? Were district efforts consistent with the district mission?

Build systematic, documented evaluation into every level of your conservation district program. Being a district supervisor can be very time consuming, but do not let evaluation slide. Unless you record what you did, how it worked, and how to improve it, a future board (perhaps with all new members) will likely duplicate your efforts. Evaluation is also typically required for grants.

There are many forms of evaluation. You may evaluate the board's internal functions to determine if the board function is sound. If it is, then the activities are too. Another method is to evaluate the District's program. You can also evaluate yourselves or obtain evaluation from an outside observer. A combination of techniques can be used to evaluate your District program. Regardless of how you evaluate, you need standards to measure success. To evaluate soil conservation activities, for example, you may want to measure reductions in tons of soil lost.

- **Policy** - Written guidelines provide consistent implementation of conservation district operations and programs. Your policies should establish the type of service the district provides and guidelines for appropriate use of district resources. Basic mandatory guidelines for operating a conservation district are set by the state legislature with assistance from the DOC. Details on these policies are in the *Kansas Conservation District Handbook* and *DOC Programs Manual* as published by the DOC. Local district policy may be established in coordination with the DOC.

Many conservation district policies will have been set by supervisors who served before you and are not necessarily mandatory. Study local district policies to see if they are still appropriate to current conditions and update them if necessary.

## **Conservation District Legal/Liabilities**

Kansas conservation districts are political subdivisions of state government. The empowering statute for conservation districts is Kansas Conservation District Law K.S.A. 2-1901 et. Seq. A copy of Conservation District Law is located in the *Kansas Conservation District Handbook*. District supervisors are *public* officials and district employees are *public* employees. In order to maintain the public trust, and be eligible for public funds, conservation districts must comply with applicable Kansas Statutes.

By law, the DOC is responsible to provide administrative assistance to conservation districts. The responsibilities are outlined in Conservation District Law K.S.A. 2-1904 and include employee training, dissemination of information and providing awareness on statutory and other requirements applicable to conservation districts. While a conservation district has access to the State Attorney General's Office, as well as their local county attorney, it is recommended districts rely on the DOC as the primary source of assistance regarding legal matters.

- **Liabilities** - The Kansas Tort Claims Act, K.S.A. 75-6101 et seq., covers conservation district supervisors and employees if acting within the scope of their duties. The Attorney General of Kansas determines if fraud or malice is evident. A basic goal of the Tort Claims Act is to protect the supervisors from being personally sued for their actions or omissions. Coverage under the Tort Claims Act means that district officials and employees have liability coverage for damages to others or property while acting within the scope of their duties or employment. In the event of a claim, the State Attorney General will represent the district and the state will pay all legal expenses. Claims made against a conservation district cannot exceed \$500,000 and are paid by the State of Kansas.

The best way to avoid legal liability is to conscientiously perform the job of conservation district supervisor by understanding the roles and responsibilities, keeping accurate minutes, attending board meetings, staying well informed of district activities, and avoiding any potential conflicts of interest.

- **Conflicts of Interest** - Conservation district supervisors should not have any business transactions with the district unless they are under specific, approved conditions. Supervisors should avoid any action which may give even the impression of impropriety. The DOC can assist your district in conflict of interest determinations.

### **Open Records Act - (K.S.A. 45-215 et seq.)**

By law, all conservation district files and records are open to the public for inspection during normal business hours, except as otherwise provided by K.S.A. 45-215 et seq., and suitable facilities shall be made available by each public agency for this purpose.

## Conservation District Information and Education

Conservation districts encourage volunteer cooperation of landowners and the general public through information and education. Landowners and operators must be educated so they will understand and adopt conservation values and practices. The general public must be reached so they will understand their stake in conservation and contribute their financial, political and volunteer support to district programs. You must also inform local, state and federal legislators on conservation implications of issues they address.

To have effective information/education programs, conservation district supervisors should understand their audiences and implement the most effective method of communication. They should also understand how to integrate public relations into their program. Finally, supervisors should be aware of the many forms of media available to communicate their message.

- Adults - Conservation Districts work with many adult audiences. These may include landowners, operators, community leaders, civic clubs, cooperating agency personnel and others. Our learning style usually changes as we get older. We have more life experiences, look for education that can be applied in the present, and expect teachers to be sensitive to our educational needs. Finally, adults have the freedom to choose whether or not to participate in your district educational efforts. Contact your local Cooperative Extension office for help in developing conservation education programs for adults. There are a variety of methods to reach adult audiences, including the following:
  - Personal contact
  - Inviting individuals to board meetings
  - Open house tours
  - Annual meetings
  - Community meetings
  - Newsletters
  - Field tours
  - Demonstration plots
  - Case studies
  - Workshops
  - Speeches or films
  - Panel discussions
  - Symposia
  - News articles
  - TV and radio programs
  - Other media, state magazines, etc.
  
- Legislators - Legislators need to be informed and educated about conservation issues. Conservation district programs are often directly affected by local, state or federal laws. The KACD and the National Association of Conservation Districts (NACD) are the principal legislative arms for conservation districts. Take the opportunity to inform them of your legislative concerns.

You can assist the KACD and NACD in their lobbying efforts. Learn how the legislative process works and get to know your representatives' backgrounds and views on

conservation. Make personal contact with representatives through concise, well thought out letters and phone calls. You may also have opportunities to give testimony in formal meetings or hearings on conservation issues.

- **Youth** - A major aim of conservation education is to enrich individuals' conservation values. The older we get, the more difficult it usually is to be open to fresh ideas on conservation values, especially if, as has been the trend, we are further removed from the land. Youth offer one of the most fertile avenues for enriching the general public's conservation values.

You may work with the whole youth population or just specific groups, such as area schools, 4-H clubs, Future Farmers of America, Boy Scouts, Girl Scouts, and others. Try to be conscious of the special needs of different youth audiences, such as teens versus kindergartners, etc. and use the most appropriate methods. It is vital to "get down to their level" to be effective. Conservation districts have used a wide variety of methods to reach youth, including:

- Youth conservation education scholarships for camps or academic programs.
- Training teachers and youth group leaders in conservation.
- Providing educational materials for conservation components of youth group programs.
- Inviting youth group leaders to board meetings.
- Setting up a "youth board" – a small scale version of the conservation district board.
- Seeking sponsors for awards and other conservation programs for youths.
- Encouraging youth groups to implement conservation plans on youth group facilities and property.
- Developing conservation programs and projects which can involve youth.
- Locating conservation projects in areas meaningful to youth.
- Assist in developing outdoor classrooms.
- Demonstrations and tours.

For information on the KACD sponsored speech, poster, limerick, essay and Envirothon contests contact the current chairperson of the Conservation, Education and Youth Committee.

## **Conservation District Public Relations/Media**

Your conservation district's public image affects every aspect of your work. Public relations is a continuous program to help people understand what your conservation district is, what you are doing, and why it is important. Good public relations can:

- Inform the public of what the conservation district is and does.
- Promote favorable recognition of the district.
- Ensure that individuals, organizations, agencies and local governments are aware of the availability of district assistance.

- Build rapport with other groups.
- Increase the amount of funds that your district receives.
- Increase the quality and amount of assistance the district obtains from cooperating agencies.
- Improve the quality of people who serve as conservation district supervisors or on conservation committees.

Your conservation district board should appoint one person or a committee to be in charge of conservation district public relations. The district should set goals for basic understandings you would like the public to have about your district. These public relations goals should grow naturally out of what your district is doing and then permeate all aspects of your district's plans and programs. As with most educational efforts, understand different audiences and tailor your public relations messages to be interesting to each. Make sure you send consistent information and remember that periodically written, graphic, and non-verbal aspects of your programs can convey different messages. In developing and maintaining your district's public relations program, remember the following:

- Board members and associate supervisors should represent the board in person whenever possible – don't rely on paid staff.
- Pay attention to public relations details throughout your District program; treat people warmly over the phone and in the mail; follow through on commitments; pay attention to cultural differences; and give adequate recognition to agencies, associations and other groups you work with.

The NACD and many other sources have more specific information on conducting effective public relations programs.

- Media - Whether you are engaging in information, education, public relations, or all three, you will use a whole range of media, from personal contact to mass media. Examples include:
  - Personal telephone or conference calls
  - Personal letters
  - Direct mail
  - Interview shows
  - Free speech messages
  - Press conferences
  - Columns or regular features in newspapers or magazines
  - Films, movies, video tapes
  - Events, such as Soil and Water Stewardship week
  - Displays, shows, fairs
  - Demonstrations (with signs)
  - Annual reports
  - Newsletters
  - Websites
  - Social media (Twitter, Facebook, Instagram)
  - Press coverage at meetings
  - Public Service Announcements (PSA's) on radio, TV

- Press releases to newspapers, magazines, etc.
- Calendar listings.
- Brochures, handouts, mailers, etc.
- Photos or other artwork.
- Posters/banners.

Try to establish friendly, mutually helpful relationships with media representatives. If you convince them of the importance of your program, they will convince the public. Your conservation district might have a committee to coordinate media relations and decide:

- Why you want media coverage.
- Who your audiences are.
- Which media would be most effective in reaching different audiences.

### **Assisting Agencies/Organizations**

Conservation districts establish priorities and direct action on local natural resource concerns. Districts also often work together on multi-district conservation activities, such as watershed projects. Conservation District Law allows cooperation between districts. In all cases, districts rely on cooperative assistance and funding from federal, state, and local governments, district organizations, private organizations and businesses. Many agencies and organizations have a strong interest in the same natural resources you are working with, so it is important to involve them in your activities.

Assistance is set up formally through a cooperative agreement, or a memorandum of understanding. You can also involve groups more informally by appointing their representatives as associate supervisors, advisors or committee members. For a listing of cooperating agencies and organizations, see Chapter 6 Miscellaneous.

### **Conservation District Personnel Management**

Conservation district supervisors bear the responsibility and accountability for the personnel management policies and decisions necessary to make their staff effective and productive. The board of supervisors is responsible for hiring, supervising and terminating district employees. District employees are not state or county employees but are employees of the individual conservation district. It is, therefore, vital that district supervisors take an active role in formulating and administering personnel policies.

**\*\*Please refer to the *Kansas Conservation District Handbook* located in your conservation district office for personnel policy and procedure guidance.**

District supervisors are responsible for the following:

- Develop written personnel policies.
- Ensure that personnel policies and decisions are based on merit principles.
- Ensure that personnel management is conducted according to written policy.

- Be certain personnel policies are adequate and current.
- Conduct or review annual performance appraisals for all district employees.
- See their employees are well trained.
  
- Sexual Harassment - Sexual harassment is discrimination on the basis of gender (sex). No officer or employee of any agency shall permit or engage in sexual harassment or sexual discrimination. Unwelcome sexual advances, requests for sexual favors, and verbal, graphic or physical conduct of a sexual nature constitute 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.
  - 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.
  
- Staff Evaluation - Conservation district employees should be evaluated annually to clarify expectations, identify continued professional development needs, and share concerns. This is the immediate supervisor's responsibility. The evaluation should be both in writing and by oral discussion with the employee. You can reasonably expect the following from staff, (Adapted from Conrad and Glenn, pg. 116-119 and Ty Clark):
  - Attention to details of meetings.
  - 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.
  - Prompt response to requests for information.
  - Prompt return of phone calls.

In return for this, staff working for your conservation district board can reasonably expect:

- Fulfillment of commitments within the agreed-upon deadlines.
- Organizational knowledge and ability.
- Candid performance appraisal and assistance in performance.
- Support in controversial situations.
- Easy access by phone or visitation.
- Loyalty, confidentiality, and sensitivity.
- Incentives and rewards to promote and recognize accomplishments.

District employees should have the opportunity for grievance if the need arises. Consult the *Kansas Conservation District Handbook* Personnel Section for details on making these arrangements.

- Board /Staff Relationships - Relationships between your conservation district board and staff must be effective. It can be exasperating for a district employee to have “five bosses at once”, especially if they offer conflicting input. The board chairperson is normally the board member who works directly with the staff. He or she should maintain a keen awareness of employee concerns, initiate evaluations, salary increases, and other personnel actions. If you have a district manager and they supervise the other employees, the board chairperson should work through the district manager. The types of tasks performed or “roles” of board members versus staff should be very clear. Although there is overlap, the board generally sets policy and the staff implements it. If you hired staff to do a job, let them do it (and do not expect them to do your job either). Keep your respective roles as clear as possible at all times.

Personnel of NRCS often act as “staff” for a district. Conservation districts have had a long, close, and productive relationship with NRCS. If their schedules and priorities allow them, encourage their assistance to your conservation district. But as with regular staff, do not let NRCS or other assisting agencies exert too much power over your district. Do not abdicate your legal responsibilities (especially policy and public relations) to district staff or NRCS personnel.

- Volunteers - Most people involved in your conservation district are volunteering their time and energy as supervisors, associates, committee members or in other roles. For these volunteers to feel their service is worth contributing, they must see concrete achievements, and to do this they must be supervised and coordinated.

In many ways, supervising volunteers is similar to supervising paid staff. Develop position descriptions for volunteers just as you would for paid employees. This will help you focus on concrete needs for the position and assure the volunteer that you need someone to do a real job. The position description also acts as a written agreement, legally protecting the volunteer and the conservation district.

Do everything you can to make volunteers feel comfortable and fulfilled in the service they are rendering to your conservation district. Volunteers are motivated by a variety of factors such as self-expression, philanthropy and many others. Try to help them fulfill these motivations. Treat volunteers as co-workers; provide good working conditions, promote them to greater responsibilities, give them a part in planning, and let them know how much you appreciate them, both personally and professionally.

## **Conservation District Manager**

The conservation district manager performs various administrative, secretarial and clerical duties for the conservation district. This position administers and carries out policies and operates within the guidelines set forth by the board of supervisors. The district manager provides day-to-day coordination of activities and serves as the district’s representative to other agencies, organizations and the general public. In addition to working for the district, the district manager shall, within the range of duties and hours of work set by the board of supervisors, be directed to provide support services for the NRCS. Work requires attendance at night district board meetings and other

meetings in which the district has an interest. Occasional overnight travel will be required to attend various meetings, seminars and workshops.

- Principal Duties

- Serves as office receptionist by receiving visitors and phone calls.
- Maintains conservation district and NRCS files, handbooks, manuals and guides according to established systems.
- Prepares correspondence, reports and other materials as needed.
- Utilizes the computer to effectively collect, manage and disseminate information.
- Processes incoming and outgoing mail.
- Orders office supplies, materials and services.
- Coordinates and explains district programs.
- Oversees district business such as equipment rental, grass seed and tree sales.
- Maintains financial records and ledgers.
- Supervises and directs the work of district personnel.
- Provides orientation and training for new employees.
- Develops an annual staffing needs inventory.
- Assembles materials for board meetings, records, prepares, distributes minutes.
- Maintains time and attendance reports for district employees and completes payroll records and withholding reports.
- Prepares a draft of the annual work plan, annual report and annual budgets for district board review.
- Develops and implements district information and education program.
- Coordinates annual meeting preparations.
- Performs other related duties.

- Supervision - Policy and program direction are received from the conservation district board. The district manager is under the direct supervision of the district board. This position independently carries out day-to-day work. The district manager supervises and directs the work of the district clerk.

**\*\*NOTE:** The above duty description assumes there is no district secretary. Conservation districts that have both a district secretary/clerk and a district manager will define and delegate duties and responsibilities according to office needs and employee experience and ability. Consult the *Kansas Conservation District Handbook* for further guidance.





## **7. Miscellaneous**

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## **District Conservationist Responsibilities**

- Represent the Natural Resource Conservation Service (NRCS) in dealing with the conservation district board of supervisors.
- Respect the job of the district supervisors and employees.
- Encourage district supervisors to accept their job as an honor and an opportunity to perform a service for their community, state and nation.
- Attend regular, special and annual meetings.
- Assist the board chairperson in explaining the duties and responsibilities of supervisors to new inexperienced board members.
- Advise the district board, when requested, of the time and place of meetings.
- Assist in developing the agenda for programs and meetings.
- Prepare a simple progress report for the supervisors meeting.
- Serve on committees set up by the board, if requested, for the purpose of carrying out the district's annual work plan. Activities must be consistent with NRCS policy.
- Review, at least annually, with the board of supervisors their Mutual, Cooperative and Operational Agreements with the USDA and NRCS.
- Inform the district board of new federal and state legislative actions. Discuss new laws and programs providing new opportunities for soil and water conservation.
- Provide technical advice to supervisors and district customers.
- Provide information and data available from the NRCS records when requested.
- Counsel with district supervisors in regard to employment of district employees and the purchase of equipment and supplies.
- Assist the district supervisors in the preparation of the district annual report.
- Work closely with the district board in developing the district's annual work plan by furnishing information and facts.
- Work closely with the district board in reviewing and interpreting the laws and regulations that apply to district activities.

## **Cooperating Agencies/Organizations**

The DOC assists the 105 conservation districts and 75 organized watershed districts by coordinating district programs, serving as liaison to state, federal and local agencies, preparing information and promotional material, and training district personnel. In addition, DOC works closely with other local, state and federal agencies and the private sector to develop and assist in the implementation and administration of programs to conserve the natural resources of Kansas. DOC also provides a state match for county funds for conservation district operations.

- Federal Agencies:
  - U.S. Army Corps of Engineers - The U.S. Army Corps of Engineers plans and constructs reservoirs and local measures to control floods and improve navigation. It is active in flood control, hydroelectric power, municipal and industrial water supplies, and recreation as well as planning for all functions of water resource development. The Corps is also involved in wetland delineation.

- Farm Service Agency (FSA) - The Farm Service Agency (FSA) administers cost-sharing programs to farmers implementing conservation. USDA policy invites district supervisors to participate with county FSA committees in developing county programs. The FSA also provides aerial photos for conservation work, assistance for land treatment and development, and natural disaster relief.
  - Environmental Protection Agency (EPA) - Established in 1970, the Environmental Protection Agency (EPA) is charged with protecting and enhancing the environment today and for future generations to the fullest extent possible under the laws enacted by Congress. The EPA controls and abates pollution by establishing regulations in the areas of air, water, solid waste, noise, radiation, and toxic substances. The EPA is also involved in wetland delineation.
  - U.S. Fish and Wildlife Service (FWS) - The Fish and Wildlife Service (FWS) is responsible for wild birds, mammals (except certain marine mammals), and certain sport fisheries. The FWS conducts research activities, conducts environmental impact assessments, and manages wildlife refuges. The FWS is also involved in wetland planning and delineation.
  - Natural Resources Conservation Service (NRCS) - The Natural Resources Conservation Service (NRCS) has a long and extensive tradition of work with conservation districts. The NRCS provides personnel, equipment, office space, and counsel to districts. It also provides free technical assistance with soils, conservation practices, and planning to land users and others.
  - Resource Conservation and Development (RC&D) - The Resource Conservation and Development (RC&D) expands opportunities for conservation districts, local units of government, and individuals to improve their communities in multi-county areas. The program can assist them in enhancing their economic, environmental, and social well-being.
  - U.S. Geological Survey (USGS) - The USGS conducts studies on public lands as well as research in geology, geophysics, hydrology, cartography, and related sciences. It also studies natural hazards, such as earthquakes and volcanoes, and identifies flood hazard areas.
- State Agencies:
    - Division of Water Resources (DWR), Department of Agriculture - The Division of Water Resources (DWR) administers programs dealing with water right issues and works with Groundwater Management Districts throughout Kansas. The DWR seeks to provide sound management of the state's water supplies. The programs are designed to control, conserve, regulate, allot, and aid in the distribution of water resources. Program activities include review of channel changes, review of dam and levee construction plans, issuance of permits, inspection of dams and levees,

and development of flood plain regulations. The DWR also provides computerized water data to those needing such information.

- Kansas Department of Health and Environment (KDHE) - Kansas Department of Health and Environment (KDHE) administers state and federal environmental laws and programs to protect the public health and environment. The program includes Air Quality Control, Environmental Remediation, Ground Water Protection, Hazardous Waste, Non-Point Source Pollution Control, Public Water Supply, Solid Waste Management, Surface Mining, Underground Injection Wells, Water Pollution Control and Water Quality Assessment. KDHE seeks to achieve the environmental goals and legislative mandates that are regulatory in nature.
- Kansas Department of Wildlife, Parks and Tourism, (KDWPT) - Kansas Department of Wildlife, Parks and Tourism (KDWPT) has natural resource responsibilities, and its mission is to address the state's outdoor recreational opportunities and natural resource protection. The operational structure of the department consists of the line divisions of Park and Public Lands, Fisheries and Wildlife, Law Enforcement, as well as the support divisions of Administrative and Executive Services. These line and support divisions have the responsibility of managing department lands and waters, enforcing wildlife laws, managing and researching wildlife resources, maintaining environment and wildlife education efforts and addressing various federal and state mandates, such as acts relating to threatened and endangered species.
- Kansas State University Research and Extension - Extension agents and specialists are available to counsel, educate and train conservation districts in economics, engineering, agronomy and soils, animal sciences, entomology, food science and technology, forestry and range management, home economics, horticulture, plant pathology, sociology, veterinary science and many other areas. Most counties have an extension office which serves as the local contact for conservation districts to request extension assistance. KSU Cooperative Extension is also responsible for 4-H, which can be an excellent vehicle for youth conservation education programs.
- Kansas Water Office (KWO) - The Kansas Water Office (KWO) is the water planning and marketing agency for the state. KWO is administered by a director who is appointed by the governor. The 23-member Kansas Water Authority is part of the KWO and advises the governor, the legislature, and Water Office Director on water policy issues. The primary purpose of the State Water Plan, administered by the Kansas Water Authority, is the management, conservation, and development of the water resources of the state. The Water Authority has ongoing responsibility for approval and revision of the State Water Plan.
- State Conservation Commission - The State Conservation Commission (SCC) is composed of nine members. The five conservation areas of the state each elect one member. The remaining four members are ex officio and are selected as follows: the U.S. Secretary of Agriculture and the State Secretary of Agriculture each

appoint one member, and the director of the Cooperative Extension Service and the Director of the Agricultural Experiment Station each appoint one member.

- Kansas Department of Agriculture, Division of Conservation - The Division of Conservation (DOC) administers the Kansas Conservation District Law, Watershed District Law and has as its goal the protection of Kansas soil, water and related natural resources.
- Surface-Mining Land Conservation and Reclamation Act –
- Kansas Agricultural Liming Materials Act -

### **Local Government**

- County Government - All conservation districts in Kansas are along precinct lines within counties, and while there is no legal relationship between the two, counties can be helpful in several ways. Counties can provide funding, use of equipment, cooperation on county parks and other county-owned land, subdivision reviews, and cooperative educational activities. County contacts include commissioners, engineer, highway superintendent, health officer, planning commission, parks and recreation department, weed department and others.
- Municipal Government - Municipalities can provide funding, co-sponsorship of projects, technical and planning assistance. Urban conservation programs can include tree planting, flood runoff prevention, fertilizer and pesticide management, recreation, cooperative educational activities, improved water quantity and quality. Municipal contacts include mayor, council, planners, recreation boards, engineers and others.

### **Affiliated Organizations**

- Kansas Association of Conservation Districts (KACD) - Kansas Association of Conservation Districts (KACD) is a non-profit, non-governmental organization of the 105 conservation districts in the state of Kansas. KACD is made up of five areas of conservation districts and serves as a state voice for conservation districts on state policy, legislation, communication, and funding for conservation activities. Each area elects a supervisor to serve as area director on the KACD board. The KACD also provides forums to inform, train and educate supervisors and recognize outstanding district individuals and programs. The KACD website is [www.kacdnet.org](http://www.kacdnet.org).
- Kansas Association of Conservation Districts-Employees Organization (KACD-EO) - Kansas Association of Conservation District-Employees Organization (KACD-EO) was organized in 1973 to assist in the implementation of district programs and activities by establishing and maintaining a standard of quality for conservation district employees. The organization promotes professionalism and assists in educating district employees. The executive committee is made up of 11 elected district employees (2 from each KACD area

and one member at large) and 3 advisors (1 each from the DOC, NRCS, and KACD) one elected and one appointed representative from each KACD area, plus one committee member selected by the executive committee chairman to represent the state at large.

- National Association of Conservation Districts (NACD) - National Association of Conservation Districts (NACD) is a non-profit, governmental organization representing over 3,000 conservation districts and their state associations in the 50 states, Puerto Rico, and the Virgin Islands. NACD lobbies for federal conservation legislation and funding in congress. It also provides brochures, reports, conservation films, training and education. NACD website is: [nacdnet.org](http://nacdnet.org).
- National Conservation District Employees Association - National Conservation District Employees Association (NCDEA) is a 501c3 non-profit association that represents the 8,000 conservation district employees across the nation. They promote professionalism, provide education and promote sound partnerships within the conservation districts. The NCDEA website is [www.ncdea.org](http://www.ncdea.org).
- Private Organizations and Businesses - Assistance may also be obtained from other sources. Private organizations such as fishing and hunting clubs, and environmental groups often have a strong interest in promoting conservation. Private industries are often interested in conservation as a matter of improving their business climate. Do not be afraid to be creative in your search for resources for a quality program. Examples of helpful organizations include:
  - Business associations
  - Commodity organizations
  - Garden clubs
  - Boy and girl scouts
  - Chamber of Commerce
  - Wildlife and recreation associations
  - Future Farmers of America (FFA)
  - Professional natural resource organizations
  - Environmental organizations
  - Quail Unlimited
  - Ducks Unlimited
  - Pheasants Forever

### **Division of Conservation Programs**

- State Aid to Conservation Districts (Matching Funds) - Conservation District Law provides authorization to request state financial assistance for each of the 105 conservation districts to assist in carrying out their duties prescribed within Conservation District Law. State assistance matches up to \$25,000 per district of the annual amount allocated to conservation districts by the board of county commissioners.

- Water Transition Assistance Program (WTAP) - In 2006, the Legislature passed a 5-year pilot project program under the provisions of HB 2710 entitled “Water Right Transition Assistance Pilot Project Program”, or WTAP. The purpose of this voluntary, incentive-based program is to provide a structured mechanism for the permanent dismissal of irrigation water rights and the reduction of consumptive use of groundwater in focused, over-appropriated areas with sustainable irrigation potential.
- Water Resources Cost-Share Program (WRCSP) - K.S.A. 2-1915 enables the state to provide cost-share assistance to landowners for the establishment of enduring water conservation structures (practices) to develop and improve the quality and quantity of Kansas water resources. Soil and water conservation practices under this program have a direct influence on the quantity of agricultural run-off pollution delivered to streams and upon water use, thereby reducing waste of existing surface and groundwater supplies.
  - NRCS provides technical assistance support for the WRCSP. Funds appropriated for state technical assistance and matched by NRCS are utilized to supplement technical assistance provided by NRCS in the design, layout and certification of state-funded conservation practices in counties with the greatest workload.
  - The WRCSP is administered by the 105 conservation districts based on policy and procedures developed by DOC. All structures (practices) cost-shared by the state are required to be built to NRCS “Specifications and Standards.”
- Watershed Dam Construction Program - K.S.A. 2-1915 provides authorization for appropriation of state funds for cost-sharing assistance in the construction of detention dams and/or grade stabilization structures, rehabilitation of dams and breach inundation zone mapping. The funds are utilized in organized watershed districts and other special purpose districts which have an approved district general plan for flood control and prevention.
- Watershed Planning Assistance - Supplements the federal governments technical planning efforts in the preparation of watershed plans and environmental impact statements for watershed districts and other special purpose districts as provided in K.S.A. 2-1904(d)6. These plans are required for participation in the Federal Watershed Protection and Flood Prevention Act (P.L. 566) and must have Congressional authorization before installation (engineering and construction) funds become available from federal sources.
- Multi-Purpose Small Lakes Program (MPSLP) - The program was developed as a result of recommendations in the State Water Plan to provide state cost-share assistance to a sponsor for construction or renovation of an eligible dam. Sponsor(s) must have taxing authority and power of eminent domain or be a public wholesale water district or rural water district. Multipurpose features of flood control, water supply and/or recreation are eligible for cost-share assistance.
- Riparian and Wetland Protection Program (RWPP) - DOC and conservation districts are responsible to develop and implement a Riparian and Wetland Protection Program. This

voluntary program will assist landowners and operators, rural and urban developers, local, state and federal entities and others interested in natural resources desiring to protect or restore riparian and wetland areas.

- Non-Point Source Pollution Control Fund (NPSPCF) - This fund was established by the 1989 State Legislature to implement a comprehensive Non-Point Source (NPS) Pollution Control Program. The funds provide technical and financial assistance to implement NPS pollution control measures for the protection and/or restoration of surface and groundwater quality. DOC and KDHE are jointly responsible for the development and implementation of the State Non-Point Source Pollution Control Program.
- Water Rights Purchase/Water Transition Assistance Program (WTAP) - The purpose of the program is to provide state cost-share assistance with a local entity for the purchase of a water right to restore base flows in designated streams and/or slow or reverse the decline of groundwater levels in specific aquifers. The selling of a water right is voluntary.
- Land Reclamation Program - DOC is responsible for administering the Surface-mining Land Conservation and Reclamation Act (Land Reclamation Act). The act requires that entities mining industrial materials or minerals of commercial value such as gypsum, clay, stone, sandstone, sand, shale, silt, salt, gravel or volcanic ash be licensed to operate a mine and reclaim mine sites upon completion of mining.
- Kansas Ag Liming Act – The licensing of site registration of bulk ag lime sales is required. DOC annually samples ag lime products sold in Kansas. After the Kansas State University soil lab analyzes the product, a certificate of analysis is provided to the company and is required by the DOC to be posted at each point of scale.
- Benefit Area Program - This program, established by K.S.A. 82a-909 in 1963, was transferred from the Kansas Water Office to DOC by the 1986 Legislature and is designed to provide state reimbursement to a public corporation for a portion of those expenditures that provide more than 20 percent of the benefits to an area outside the boundaries of the taxing entity responsible for construction of the flood control project.
- Conservation Reserve Enhancement Program (CREP) - In FY 2008, the state of Kansas obtained federal funds through the United States Department of Agriculture (USDA) to provide incentives to landowners to enter into Conservation Reserve Enhancement Program (CREP) to reduce consumptive water use in the Upper Arkansas River Valley. An offspring of the Conservation Reserve Program (CRP), CREP is a voluntary program for agricultural landowners. Unique state and federal partnerships allow landowners to receive incentive payments for setting aside land for

soil and water conservation. Through CREP, farmers can receive annual rental payments and cost-share assistance to establish long term resource conserving covers on eligible land. Practices such as water right retirement and conversion to native vegetation would be eligible with a contract period from 14 to 15 years.

- State Office Administration - The DOC's administrative and technical staff provide leadership, direction and support to the conservation districts, watershed districts, and other special purpose districts of the state. Fiscal and clerical staff are responsible for the internal bookkeeping, accounting and correspondence related to the operation of financial assistance programs.

### State Water Plan Fund Revenues

The State Water Plan Fund was created in 1989 by K.S.A. 82a-951 for the purpose of providing a permanent, dedicated source of funding for the *Kansas Water Plan*.

These are the sources of Kansas Water Plan fund income.

- State Water Plan Fees, Fines and Royalties**
- Municipal Water Use: 3 cents/1,000 gallons**
- Industrial Water Use: 3 cents/1,000 gallons**
- Stockwater Use: 3 cents/1,000 gallons**
- Pesticide: \$100 per pesticide registered**
- Fertilizer: \$1.40 per ton inspected**
- Pollution Fines/Penalties depend on the incident**
- Sand Royalties: \$3.75 cents/ton**

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The *Kansas Conservation District Handbook* for further guidance.

## Appendix 7-A: 2021 Important Dates Relating to Conservation Districts

### EACH MONTH

- **Approved and signed** Board Meeting Minutes with Treasurer's Reports **attached**: upload into CSIMS **within 10 days** after conservation district board approval (this pertains to all regular and special conservation district board meetings).

### REGULARLY

- Check CSIMS worklist for items to complete and the message board for important messages from DOC.
- Check CSIMS Forums to both view and add new posts.
- Submit event information to DOC for addition to CSIMS calendar and KDA-DOC website.

### PERIODICALLY

- Review previous supervisors and change status in CSIMS to deceased if applicable.
- Review personnel status, other district employees, and DC information in CSIMS and make updates (such as names, wages, training, etc.) if necessary.

### JANUARY

- 1 2019 Audit**: Upload into CSIMS.
- 1 Notification of Conservation District Audit Review**: Upload into CSIMS.

### JANUARY or FEBRUARY

- **Annual Meeting / Supervisor Election** is to be held either month.
- **Supervisor Election Results**: Complete in CSIMS **within 5 days** after the election (first update applicable Supervisor Information Forms in CSIMS).
- **Annual Meeting Minutes**: Upload into CSIMS **within 10 days** after the Annual Meeting.

### FEBRUARY

- 1-10** NACD Virtual Annual Meeting
- 23** Conservation Day at the Capitol

### MARCH

- 1 2020 Annual Report** with Financial Statement **attached**: Upload into CSIMS, e-mail to the NRCS Area Office, and distribute it to other interested parties.
- 30 Oath of Office** for newly elected supervisors: Complete Oath of Office before the new supervisor exercises his/her duties on the board, and upload the Oath of Office in CSIMS as soon as possible thereafter. District managers are encouraged to review the 16 supervisor modules (14 SCC, 2 KACD) throughout the year at board meetings for new supervisors. These can be located at <https://agriculture.ks.gov/divisions-programs/division-of-conservation/conservation-districts/supervisors>.
- 30 Update supervisor positions** to reflect re-organization.

### SPRING

- DOC provides program updates at the KACD-EO area meetings (dates and times TBA).

### MAY

- 14 FY2022 State Cost-Share Program Adoption**: DOC issues the new fiscal year program and allocations (Revisions to the *DOC Programs Manual* will be posted on the Message Board in CSIMS and an e-mail will generate through CSIMS following program approval).

## JUNE

**30 State 2021 Fiscal Year Ends.**

## JULY

**1 State Fiscal Year 2022 Begins.**

**1 FY2022 Cost-Share Allocation of Funds:** DOC begins processing approval of State cost-share contracts.

**1 FY2022 Cost-Share Applications Approved:** DOC begins approving cost-share applications (CS-2 & ranking worksheet must be electronically approved by the DOC **prior** to creating Contracts for Financial Assistance [CS-3s] to DOC).

**1 FY2022 State Aid to Conservation Districts:** DOC begins processing payments to conservation districts (This is the "matching funds" of the 2021 county appropriation received).

## AUGUST

- DOC provides program updates at the KACD Fall Workshops (dates and times TBA).

## SEPTEMBER

**1 2022 Annual Work Plan:** Upload into CSIMS and e-mail to the NRCS Area Office.

**1 2022 Operations & Enterprise Budget:** Upload into CSIMS after certification by County Commissioners and final conservation district board approval.

**1 2022 County & District Certification:** Upload into CSIMS with original signatures from county commissioners and district board.

**1 2021 Financial Management Checklist:** Upload into CSIMS after conservation district board has reviewed and signed.

## OCTOBER

**15 Deceased Supervisor Update:** Update the Supervisor Information Form in CSIMS for Supervisors that have deceased. These Supervisors are recognized during the Vespers Program at the KACD Annual Convention in November.

## NOVEMBER

**21-23** KACD Annual Convention in Wichita

## DECEMBER

**3 FY2021 Uncommitted Cost-Share Funds Cancelled:** DOC will cancel uncommitted funds (not under contract) in the Water Resources Cost-Share Program (WRCSP) and Non-Point Source Pollution Control Program (NPSPCP).

**15 Annual Meeting Information Form:** Completion date to enter the Annual Meeting information in CSIMS.

**14 Reallocation of Cancelled Funds** (if authorized).

## Appendix 7-B: Acronym Reference Sheet

<b>ACES</b>	Agricultural Conservation Enrollees/Seniors Project (*NRCS)
<b>AFOs</b>	Animal Feeding Operations
<b>AU</b>	Animal Unit
<b>BAC</b>	Basin Advisory Committee (*KWO)
<b>BMP</b>	Best Management Practice
<b>CAFOs</b>	Concentrated Animal Feeding Operations
<b>CREP</b>	Conservation Reserve Enhancement Program (*DOC)
<b>RP</b>	Conservation Reserve Program (*FSA)
<b>CSIMS</b>	Cost-Share and Information Management System (*DOC)
<b>CSP</b>	Conservation Stewardship Program (*NRCS)
<b>CTIC</b>	Conservation Technology Information Center
<b>DC</b>	District Conservationist (*NRCS)
<b>DOC</b>	Division of Conservation (*Kansas Department of Agriculture)
<b>DWR</b>	Division of Water Resources (*Kansas Department of Agriculture)
<b>EPA</b>	Environmental Protection Agency
<b>EQIP</b>	Environmental Quality Incentives Program (*NRCS)
<b>FLSA</b>	Fair Labor Standards Act
<b>FRPP</b>	Farm and Ranch Lands Protection Program (*NRCS)
<b>FSA</b>	Farm Service Agency
<b>GMD</b>	Groundwater Management District
<b>GIS</b>	Geographic Information System
<b>GPS</b>	Global Positioning System
<b>GRP</b>	Grassland Reserve Program (*NRCS)
<b>HEL</b>	Highly Erodible Land (*NRCS)
<b>HUC</b>	Hydrologic Unit Code
<b>KACEE</b>	Kansas Association for Conservation and Environmental Education
<b>KACD</b>	Kansas Association of Conservation Districts
<b>KAWS</b>	Kansas Alliance for Wetlands and Streams
<b>KCARE</b>	Kansas Center for Agricultural Resources (*KSU)
<b>KDHE</b>	Kansas Department of Health and Environment
<b>KDWPT</b>	Kansas Department of Wildlife, Parks and Tourism
<b>KGLC</b>	Kansas Grazing Lands Coalition
<b>KLICA</b>	Kansas Land Improvement Contractors Association
<b>KOMA</b>	Kansas Open Meetings Act

<b>KORA</b>	Kansas Open Records Act
<b>KPERS</b>	Kansas Public Employees Retirement System
<b>KRPI</b>	Kansas Reservoir Protection Initiative (*KWO, DOC, KDHE)
<b>K.S.A.</b>	Kansas Statute Annotated
<b>KSNR</b>	Kansas Sediment & Nutrient Reduction Initiative (*DOC)
<b>KWA</b>	Kansas Water Authority (*KWO)
<b>KWO</b>	Kansas Water Office
<b>LEPG</b>	Local Environmental Protection Group (*KDHE)
<b>MS4</b>	Municipal Separate Storm Sewer System
<b>NACD</b>	National Association of Conservation Districts
<b>NASCA</b>	National Association of State Conservation Agencies
<b>NPDES</b>	National Pollutant Discharge Elimination System (*KDHE)
<b>NPS</b>	Non-Point Source
<b>NRCS</b>	Natural Resources Conservation Service
<b>NRI</b>	National Resources Inventory (*NRCS)
<b>RALIS</b>	Reclamation & Ag Lime Information System (*DOC)
<b>RC&amp;D</b>	Resource Conservation and Development (*NRCS)
<b>RMS</b>	Resource Management System
<b>RQEI</b>	Riparian Quality Enhancement Initiative (*DOC)
<b>RUSLE</b>	Revised Universal Soil Loss Equation
<b>SAKW</b>	State Association of Kansas Watersheds
<b>SARE</b>	Sustainable Agriculture Research and Education (*KSU)
<b>SCC</b>	State Conservation Commission “Commission”
<b>SWAPA</b>	Soil, Water, Air, Plants, and Animals (*NRCS)
<b>TA</b>	Technical Assistance
<b>TLA</b>	Tallgrass Legacy Alliance
<b>TMDL</b>	Total Maximum Daily Load (*KDHE)
<b>TSP</b>	Technical Service Provider (*NRCS)
<b>USDA</b>	United States Department of Agriculture
<b>WRAPS</b>	Watershed Restoration and Protection Strategy (*KDHE)
<b>WRP</b>	Wetlands Reserve Program (*NRCS)
<b>WTAP</b>	Water Transition Assistance Pilot Program (*DOC)

## Appendix 7-C: Glossary of Terms

**Algae Bloom:** An explosive increase in the population of phytoplankton. Algae blooms are often associated with excess nutrients conditions and can be composed of noxious algae species.

**Assistant State Conservationist (ASC):** A Natural Resource Conservation Service employee responsible for all NRCS staff and policy in an area or program designated by the NRCS. There are three Area Assistant State Conservationists in Kansas.

**Basin Advisory Committee (BAC):** The Basin Advisory Committees provide insight and advice on water issues to the Kansas Water Authority and serve as a forum for community involvement. Each of the state's 12 principal river basins in Kansas has a Basin Advisory Committee.

**Best Management Practices (BMP):** The most effective practices or combinations of practices to reduce non-point source pollution to acceptable levels.

**Biological Oxygen Demand (BOD):** A measure of the amount of oxygen removed by pollutants.

**Channelized:** Refers to a stream that has been straightened and deepened to accommodate flood flows. The process is called channelization.

**Clean Water Act:** Also known as the Federal Water Pollution Control Act.

**Conifer:** A cone bearing tree. Pine, spruce, and cedar are common examples.

**Conservation Compliance:** A conservation provision of the 1985 Food Security Act, which requires producers to implement a conservation plan for highly erodible fields to remain eligible for USDA program benefits. Plans must have been developed by December 31, 1989, and fully implemented by December 31, 1994.

**Conservation Plan:** A locally approved record of decisions made by the land user regarding the conservation of soil, water, and related plant and animal resources for all or part of an operating unit. Conservation plans also include resource material requested by a land user.

**Conservation Reserve Program (CRP):** A provision of the 1985 Food Security Act which encourages farmers to plant on highly erodible cropland to grass and/or trees through ten-year contracts with the USDA.

**Continuous Conservation Reserve Program:** Environmentally desirable land devoted to certain conservation practices may be enrolled in CRP at any time under continuous sign-up. Offers are automatically accepted provided the land and producer meet certain eligibility requirements. Offers for continuous sign-up are not subject to competitive bidding. Continuous sign-up contracts are 10 to 15 years in duration.

**Conservation Use Acres:** Acres used to conserve cropping history when under-seeded in acreage reduction programs.

**Coordinated Resource Management:** A process to help landowners, agencies, and resource users to coordinate solutions to natural resource problems occurring over mixed land ownerships.

**Cooperative Agreement:** An agreement between a conservation district and a landowner or operator located in the district to provide technical assistance for soil and water conservation.

**Cooperator:** A landowner or operator who has signed a cooperative agreement with a conservation district.

**Cost-Share Assistance:** A method of financing improvements not normally affordable by the private sector alone that has public benefits. Financing is shared by one or more government entities and private individuals and/or groups.

**Conservation Reserve Enhancement Program (CREP):** The Conservation Reserve Enhancement Program (CREP) is a voluntary land retirement program that helps agricultural producers protect environmentally sensitive land, decrease erosion, restore wildlife habitat, and safeguard ground and surface water.

**Conservation Security Program (CSP):** The Conservation Security Program (CSP) is a voluntary conservation program that supports ongoing stewardship of private agricultural lands by providing payments for maintaining and enhancing natural resources.

**Dam (detention):** A structure built to reduce stream flows.

**Dam (erosion control):** Structure built specifically to reduce soil erosion rate to a more acceptable level.

**Dam (flood control):** Structure installed to protect downstream areas from damages caused by excessive stream flows.

**Dam (grade stabilization):** Structure installed to restrict water flows thus preventing gullies from encroaching upstream on the land.

**Deciduous Tree:** A tree that drops its leaves each autumn, and are usually broadleaved trees, of which maple, oak, birch, and hickory are examples.

**District Conservationist (DC):** Natural Resource Conservation Service (NRCS) employee responsible for technical quality and local NRCS personnel.

**Ecosystem:** Any area or volume in which there is an exchange of matter and energy between living and nonliving parts. That is, the biotic community together with soil, air, water, and sunlight from an ecosystem.

**Emergency Conservation Program (ECP):** USDA Farm Service Agency's (FSA) Emergency Conservation Program (ECP) provides emergency funding and technical assistance for farmers and ranchers to rehabilitate farmland damaged by natural disasters and for carrying out emergency water conservation measures in periods of severe drought.

**Effluent:** Liquid waste from either a septic tank or sewage treatment plant.

**Enduring Practices:** Conservation installations such as terraces, dams, waterways, etc. that are lasting or permanent when properly operated and maintained.

**Ephemeral:** Refers to the hydrological conditions in streams that only flow immediately after stream events.

**Eutrophication:** Nutrient enrichment of a body of water, called cultural eutrophication when accelerated by the introduction of massive amounts of nutrients by human activity.

**Environmental Impact Statement (EIS):** A document that discusses the likely significant impacts of a development project or a planning proposal, ways to lessen the impacts, and alternatives to the project or proposal. EIS's are required by the National Environmental Policy Act (NEPA).

**Environmental Quality Incentive Program (EQIP):** This federal assistance program, which is run through NRCS, consolidates the functions of four existing conservation programs into one and focuses assistance to locally identified conservation priority areas or areas where agricultural improvements will help meet water quality goals.

**Erodibility Index (EI):** A numerical index indicating the potential of a soil to erode, based on topography, precipitation, soil characteristics, and other factors.

**Extension Agent:** See section on cooperating agencies – KSU Cooperative Extension Service.

**Facilitator:** A neutral person that encourages participation, identifies and resolves conflicts or problem situations in the best interest of the group.

**Farm-A-Syst:** Farm site evaluation program to assess drinking water quality and identify possible contaminants. Includes procedures ranging from water testing to pesticide and herbicide storage recommendations.

**Field Capacity:** Amount of water held by soil against the force of gravity.

**Field Office Technical Guide (FOTG):** A guide developed specifically for each NRCS field office and used by the NRCS to assure the quality of technical advice on conservation systems planning and application.

**Federal Water Quality Act - Section 319:** Clean Water Act amendments of 1987. Section 319 of these amendments specifically require states to develop an assessment of nonpoint source pollution and a management plan for controlling such pollution.

**Food Security Act (FSA):** A federal law including provisions on Conservation Reserve, Conservation Compliance, Sodbuster, and Swampbuster which is also known as 1985 Farm Bill.

**Fulltime Equivalent (FTE):** The work one person does in one year which is used to estimate costs and people needed to perform certain actions.

**General Services Administration (GSA):** An independent agency of the U.S. Government which manages and supervises the governments property and equipment, including the construction and operation of government buildings.

**Geographic Information Systems (GIS):** A specialized data base that preserves locational identities of the information they record. A digital computer provides the basis for storage, manipulation, and display of large amounts of data that have been encoded in digital form. In essence, a GIS consists of a series of overlays depicting raw data on topography, soils, land use or geology for a specific geographic region.

**Highly Erodible Land (HEL):** Land having an erodibility index greater than eight.

**Hydric Soil:** Soils that are saturated, flooded, or ponded long enough during the growing season to develop anaerobic conditions.

**Kansas Association for Conservation and Environmental Education (KACEE):** KACEE is a private, non-profit association with the purpose of promoting effective conservation and environmental education throughout Kansas.

**Live Stake:** Cuttings from living branches that are tamped or inserted into the earth. The stakes eventually leaf out and take root.

**Loam:** A soil textural class name with limits of 7-27% clay, 28-50% silt and 23-52% sand.

**Local Environmental Protection Plan (LEPP):** A regulatory program implemented at the county level to protect and improve water quality.

**Loess:** Wind-transported and deposited material of silt and clay size.

**Long-Term Agreement (LTA):** Agreement with a landowner/operator to apply conservation practice that contains practices to be applied, schedule of application, and cost-share rates if appropriate.

**Memorandum of Understanding (MOU):** An agreement between a conservation district and other public entity for services, funding, or other program assistance; this is sometimes referred to as Memorandum of Agreement (MOA).

**National Environmental Policy Act (NEPA):** Law requiring the federal government to consider environmental impacts of their activities.

**National Pollution Discharge Elimination System (NPDES):** A part of the Federal Clean Water Act, which requires point source discharges to obtain discharge permits. These permits are referred to as NPDES permits and are administered by the Kansas Department of Health and Environment.

**Non-Point Source Pollution (NPS):** Pollution from many small sources which accumulates in surface or ground water. Individual sites are typically insignificant but add to a cumulative problem with serious health or environmental problems.

**Parliamentary Procedure:** A meeting procedure based on *Robert's Rules of Order* that is a generally accepted method of conducting orderly meetings.

**Point of Order:** A parliamentary procedure term for an objection raised by a member because of improper procedure or annoying remarks which must be ruled on immediately by the chair.

**Practice Maintenance Agreement:** An agreement, signed by the landowner, to maintain the structure being cost-shared over a reasonable period of time.

**Property and Resource Information System Management (PRISM):** A joint project between the FSA, NRCS, and the county to share computerized land data information.

**Public Law 83-566 (PL566):** Watershed Protection and Flood Protection Act, which is a federal law detailing cost-share for planning and implementation of practices on small watersheds.

**Public Law 92-500 - Federal Water Pollution Control Act - Section 208:** Federal legislation setting national goals to eliminate water pollution. Section 208 addresses non-point pollution.

**Quorum:** The minimum number of members required to be present at a meeting to transact business. Three of five conservation District supervisors constitute a quorum.

**Referendum:** Proposed law or bond issue submitted on ballot for approval by the people voting.

**Resource Conservation Act (RCA) (PL 95-192):** The act directs the Secretary of Agriculture to continually appraise non-federal soil, water, and related sources.

**Resource Conservation and Development (RC&D):** RC&D areas are locally organized, sponsored, and directed organizations of people that receive technical and financial assistance from the USDA, and other organizations, to conserve and use natural resources.

**Revetment:** A structure, usually with vegetative plantings inserted, to sustain an embankment.

**Revised Universal Soil Loss Equation (RUSLE):** An empirical formula developed to predict soil loss from sheet and rill erosion. Factors used in the formula are: soil characteristics, rainfall, length and steepness of slope, cover and practice factors.

**Rill Erosion:** Rill erosion occurs when sheet flow moves down fairly steep slopes, forming small channels with depths up to 1 ft., fairly evenly spaced across a slope.

**Riparian:** An area of streamside vegetation along any perennial or intermittent stream, including the stream bank and adjoining floodplain, which is typically distinguishable from upland areas in terms of vegetation, soils or topography.

**River Basin:** A natural area providing drainage to a major river.

**Sanitary Code:** An environmental code approved by the secretary of KDHE which establishes standards for the management of on-site wastewater systems for the treatment and disposal of domestic sewage.

**Sheet Erosion:** Water erosion that removes a uniform layer of soil from the land surface.

**Small Watershed Program:** The program is amended to allow PL 566 funds to be used for cost-share on perpetual easements to restore and enhance wetlands, improve water quality and quantity, and provide habitat for fish and wildlife. The local share of such wetland's easement is 50%.

**Sodbuster:** Provision of the 1985 Food Security Act, which requires a conservation plan to be implemented on highly erodible cropland that was not cropped between 1981 and 1985, to remain eligible for USDA program benefits.

**Soil Horizon:** Developmental layer in the soil with its own characteristics of thickness, color, texture, structure, acidity, and nutrient concentration.

**Soil Loss Tolerance (T):** Erosion rate in tons/acre/year at which a soil would not deteriorate.

**Soil Profile:** Distinctive layering of horizons in the soil.

**Soil Series:** Basic unit of soil classification consisting of soils that are essentially alike in all major profile characteristics except texture of the A horizon. Soil series are usually named for the locality where the typical soil was first recorded.

**Soil Texture:** Relative proportions of the three particle sizes - sand, silt and clay - in the soil.

**Soil Type:** Lowest unit in the natural system of soil classification, consisting of soils that are alike in all characteristics, including texture of the A horizon.

**Stewardship Incentive Program (SIP):** Provides up to 75% cost-share assistance to forest landowners with approved management plans under the Forest Stewardship Program. This program is administered through the FSA.

**Swampbuster:** Conservation provision of the 1985 Food Security Act which requires farmers not to convert wetlands to annually tilled crops to remain eligible for USDA program benefits.

**Total Suspended Solids (TSS):** The concentration of soils and organic and inorganic material in suspension in a water profile.

**Turbidity:** A condition in water caused by the presence of suspended matter, resulting in the scattering and absorption of light rays.

**Water Quality:** The biological, chemical, and physical conditions of a body of water.

**Water Quality Act (1987) (WQA):** A federal law (PL 100-4) to amend the Federal Water Pollution Control Act to provide for the renewal of the quality of the nation's waters. Section 319 details the legislation that relates to agricultural non-point pollution.

**Water Quality Management Plan (WQMP):** A plan designed to improve water quality by encouraging implementation of Best Management Practices through information-education activities, technical assistance, and incentives for BMP adoption.

**Water Resources Cost-Share Program (WRCSP):** The state of Kansas provides cost-sharing assistance to landowners for the establishment of enduring structures to improve the quantity and quality of Kansas water resources which is administered by the DOC through county conservation districts.

**Watershed Protection Approach:** Looking at the entire watershed for NPS and total resource management.

**Watershed:** The geographic area from which a particular river, stream, or water body receives its water supply.

**Wildlife Habitat Improvement Program (WHIP):** A Kansas Department of Wildlife, Parks, and Tourism administered program which provides funds to landowners to improve wildlife habitat.

**Wetland:** Any area of predominantly hydric soils where standing water or wet soil conditions exists for a significant part of the growing season of most years. When surface water is present, depth generally does not exceed six feet. Vegetation is dominated by water tolerant plants (hydrophytes).

**Wetlands Reserve Program (WRP):** Provides easement and cost-share payments to producers who agree to restore prior converted or farmed wetlands.

**Wetland & Riparian Areas Program (WRAP):** A program developed to protect, restore and enhance wetlands and riparian areas in Kansas. This voluntary program provides technical and financial assistance to interested landowners.

**Watershed Restoration and Protection Strategy (WRAPS):** A Watershed Restoration and Protection Strategy is a planning and management framework intended to engage stakeholders in a process to identify watershed restoration and protection needs, establish management goals, create a cost-effective action plan to achieve goals, implement the action plan.

**Vulnerable Water Resources:** Water resources that have a high probability of being contaminated.

## Appendix 7-D: District Manager Transition Checklist

The District Manager Transition Checklist is a useful tool to be reviewed and completed by both new and exiting district managers, as well as current district managers and supervisors. This checklist provides steps that district managers and supervisors are encouraged to review and complete in order for the transition into or away from the conservation district to be as seamless, operational, and functional as possible. Following the steps outlined in the checklist will help facilitate the transition, as well as help to reduce undue stress upon the supervisors and district managers throughout the process.

The Transition Checklist is also a very beneficial tool that may also be used by current district managers as a means of sharing the district manager responsibilities with the supervisory board, and as a means of verifying that tasks aren't overlooked.

Please keep in mind while reviewing this checklist that not all activities are applicable to every district manager. This is simply a checklist to help with the transition process.

### Part I: Transitioning-Out Checklist

<b>EXITING INFORMATION</b>	
	<p><b>Submit resignation letter to supervisory board:</b></p> <ul style="list-style-type: none"> <li>• Establish ending date of employment</li> </ul>
	<p><b>Provide resignation notification to the following:</b></p> <ul style="list-style-type: none"> <li>• Division of Conservation (DOC)</li> <li>• Kansas Association of Conservation Districts Employee Organization (KACD-EO)</li> <li>• Kansas Association of Conservation Districts (KACD)</li> <li>• Natural Resources Conservation Service (NRCS)</li> </ul>
	<p><b>Establish last day for CSIMS access &amp; notify DOC:</b> If another conservation district will be assisting during the absence of a district manager, the supervisory board will need to send an e-mail to the Division of Conservation (<a href="mailto:KDA.DOC@ks.gov">KDA.DOC@ks.gov</a>) or call 785-564-6620 with approval from the board to give the assisting conservation district CSIMS access.</p>
	<p><b>Advertise Job:</b> Work with conservation district board chairperson to advertise position opening in the local newspaper and / or other advertising outlets.</p>
	<p><b>Contact KPERS for Designated Agent transfer information @ (888) 275-5737:</b></p> <ul style="list-style-type: none"> <li>• Provide Agency ID _____ (this can be found on any KPERS correspondence)</li> <li>• If a new district manager has not yet been hired, re-assign the Designated Agent to a supervisory board member.</li> <li>• If a new district manager has already been hired, change the Designated Agent assignment to the new district manager.</li> </ul>

	<b>Final paycheck:</b> Work with conservation district board chairperson to determine leave balances, final payroll information, & reimbursements due (if any).
	<b>Insurance:</b> Contact health insurance provider for COBRA forms (if applicable)
	<b>Contact financial institutes and / or credit card company to remove name from accounts &amp; cards (may also need to provide meeting minutes reflecting change in employees):</b> <ul style="list-style-type: none"> <li>• List financial institution _____</li> <li>• List credit card company _____</li> </ul>
	<b>Account Reconciliation:</b> Reconcile all bank accounts (including CDs, savings accounts, & petty cash). <ul style="list-style-type: none"> <li>• List account type &amp; number _____</li> <li>• List account type &amp; number _____</li> <li>• List account type &amp; number _____</li> </ul>
	<b>Board Meeting Preparation:</b> Gather all unpaid bills & correspondence for next monthly board meeting.
	<b>Audit Information:</b> <ul style="list-style-type: none"> <li>• Ensure that the current year audit documents have been provided to auditor or are ready to provide when requested.</li> <li>• Make list of documents necessary to present to accountant for audit.</li> <li>• Provide auditor name &amp; contact information _____ _____</li> </ul>
	<b>Annual Work Plan:</b> <ul style="list-style-type: none"> <li>• Update</li> <li>• Review with supervisory board</li> <li>• Have board sign</li> <li>• Upload into CSIMS</li> </ul>
	<b>Ensure prior year-end reports are complete &amp; submitted:</b> (W-2s, W-3s, 941s, K-3s, etc.)
	<b>QuickBooks:</b> Ensure that QuickBooks is balanced and current.
	<b>Document Upload into CSIMS (Refer to “Important Dates to Remember”):</b>
	• Monthly minutes (up-to-date)
	• Audit from two years prior (due January 1)
	• Notification of Conservation District Audit Review (due January 1)
	• Annual Meeting Minutes (due within 10 days after AM)
	• Supervisor Election Results (Due within 5 days after election)
	• Annual Report from previous year (due March 1)
	• Oath of Office for newly elected supervisors (due March 30)
	• Annual Work Plan for upcoming year (due September 1)
	• Operations & Enterprise Budget for upcoming year (due September 1)
	• County & District Certifications for upcoming year (due September 1)
	• Financial Management Checklist for current year (due September 1)
	• Deceased Supervisor Update (due October 15)

	<ul style="list-style-type: none"> <li>• Annual Meeting Information (due December 15)</li> </ul>
	<p><b>Earth Team:</b> Log any remaining EarthTeam volunteer hours.</p>
	<p><b>Special Permissions:</b> Contact NRCS IT department to request permission for shared drive / folder access to district conservationist and/or new district manager.</p>
	<p><b>Cost-Share Documents:</b></p> <ul style="list-style-type: none"> <li>• CS-3 Contract, CS-3 Contract Cancellation and CS-4 Payment: <ul style="list-style-type: none"> <li>○ Make sure all have been printed, necessary signatures have been obtained, and file in cost-share files for all active Fiscal Years: <ul style="list-style-type: none"> <li>✓ CS-2's</li> <li>✓ CS-3's</li> <li>✓ CS-4's</li> </ul> </li> </ul> </li> <li>• County Ledger Reports: <ul style="list-style-type: none"> <li>○ On or around last day on the job, print the report for all active fiscal years and Programs.</li> </ul> </li> <li>• CS-2: <ul style="list-style-type: none"> <li>○ Print a copy of the current fiscal year for each Program.</li> </ul> </li> <li>• Ranking Worksheet: <ul style="list-style-type: none"> <li>○ Print a copy of the current fiscal year for each Program.</li> </ul> </li> </ul>
	<p><b>Information to provide to conservation district board chairperson &amp; to leave for incoming district manager:</b></p> <ul style="list-style-type: none"> <li>• List of account numbers</li> <li>• List of commonly used websites</li> <li>• KACD-EO Picture Directory</li> <li>• List of passwords</li> <li>• List of physical &amp; digital files, along with locations of such</li> <li>• Surety bond location</li> <li>• Insurance policy location</li> <li>• Tax exempt form</li> <li>• List of handbooks &amp; guides, as well as location of each</li> <li>• Status on rental equipment</li> <li>• Status on seed sales</li> <li>• Calendar of events (upcoming activities &amp; due dates) as well as planning details &amp; contacts</li> <li>• Important Dates to Remember as per Division of Conservation</li> <li>• Notebook of minutes &amp; financial reports for the current calendar year</li> </ul>
	<p><b>Create a Go-to / Helpful Tips Notebook:</b></p> <ul style="list-style-type: none"> <li>• Detailed job description</li> <li>• Who are partners &amp; how do they “fit” with the district</li> <li>• Explanation of agriculture in your area</li> <li>• List of conservation district lingo to help with interpretations</li> <li>• “Cheat sheets” &amp; examples</li> <li>• Acronym sheet</li> <li>• Organizational chart of associations with descriptions</li> <li>• Contact lists &amp; relationship with each: <ul style="list-style-type: none"> <li>✓ Commonly used contacts:</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>▪ Supervisors</li> <li>▪ KACD-EO</li> <li>▪ KACD</li> <li>▪ DOC</li> <li>▪ Extension Office</li> </ul> <ul style="list-style-type: none"> <li>✓ Partners</li> <li>✓ Mentors (other district managers)</li> <li>✓ Projects / Events</li> </ul> <p><b>Miscellaneous:</b></p> <ul style="list-style-type: none"> <li>• Leave LOTS of notes</li> <li>• List of suggestions, hints, tips</li> <li>• List of ideas for future</li> </ul>
	<b>Phones:</b> Change voicemail on district phone and cell phone.
	<b>Last Day:</b> Gather all personal belongings & return keys, LincPass card, debit / credit card(s), & other agency property.
	<b>Forwarding Address:</b> Ensure that an updated and correct mailing address is left for end of year W-2.

## Part II: Transitioning-In Checklist

WELCOME INFORMATION	
	<p><b>Handbooks &amp; Guides:</b></p> <ul style="list-style-type: none"> <li>• Kansas Conservation District Handbook <ul style="list-style-type: none"> <li>✓ Administrative Section</li> <li>✓ Personnel Section</li> </ul> </li> <li>• District Employee Guide</li> <li>• “You” Book</li> <li>• Kansas Conservation District Supervisors Notebook</li> <li>• Programs Manual</li> <li>• QuickBooks For Conservation Districts</li> <li>• Records Retention Schedule</li> </ul>
	<p><b>Agency &amp; Partner Contacts:</b></p> <ul style="list-style-type: none"> <li>• Conservation District Board of Supervisors <ul style="list-style-type: none"> <li>✓ Chairperson, Vice Chairperson, Treasurer, Members</li> </ul> </li> <li>• Natural Resource Conservation Service (NRCS) <ul style="list-style-type: none"> <li>✓ District Conservationist &amp; other office staff</li> </ul> </li> <li>• Kansas Association of Conservation Districts (KACD) <ul style="list-style-type: none"> <li>✓ Employees Organization (KACD-EO) <ul style="list-style-type: none"> <li>○ Office operations, QuickBooks, board meetings</li> </ul> </li> </ul> </li> <li>• Division of Conservation (DOC) <ul style="list-style-type: none"> <li>✓ CSIMS, Cost-share, Budgets, Audits, Elections</li> </ul> </li> <li>• K-State Extension Office</li> <li>• County Farm Bureau Coordinator</li> </ul>
DISTRICT ADMINISTRATIVE ACTIVITIES	
	<p><b>Monthly Board Meeting</b> (contact KACD-EO for assistance):</p> <ul style="list-style-type: none"> <li>• Minutes (from previous month)</li> </ul>

	<ul style="list-style-type: none"> <li>• Unpaid Bills</li> <li>• Treasurer’s Report</li> <li>• Correspondence</li> <li>• Staff Reports</li> <li>• Old Business</li> <li>• New Business</li> </ul>
	<p><b>Cost-Share Information Management System</b> (CSIMS – contact DOC for assistance):</p> <ul style="list-style-type: none"> <li>• Cost-Share ledger, Contracts, (CS-3), Payments (CS-4)</li> <li>• Annual Meeting <ul style="list-style-type: none"> <li>✓ Minutes (due 10 days following Annual Meeting)</li> <li>✓ Election (due 5 days after election)</li> <li>✓ Supervisor Oath of Office (due March 30 – new supervisors only)</li> <li>✓ Update Supervisor Information</li> <li>✓ Annual Report (due March 1)</li> </ul> </li> <li>• Monthly Board Meeting <ul style="list-style-type: none"> <li>✓ Upload approved &amp; signed meeting minutes &amp; treasurer’s report to CSIMS (due 10 days after monthly board meeting)</li> </ul> </li> <li>• Annual Audit <ul style="list-style-type: none"> <li>✓ Upload final audit to CSIMS (due January 1)</li> <li>✓ Upload approved &amp; signed Notification of Conservation District Audit Review to CSIMS (due January 1)</li> </ul> </li> <li>• Programs (Water Resources &amp; Non-Point Source) <ul style="list-style-type: none"> <li>✓ Programs Manual</li> <li>✓ Program Adoption (CS-2 – due July 1)</li> <li>✓ Program Allocations (fiscal year starts July 1)</li> </ul> </li> <li>• State Aid to Conservation Districts (begins July 1)</li> <li>• Annual Work Plan (due September 1)</li> <li>• Conservation District Budget <ul style="list-style-type: none"> <li>✓ Final approved budget - upload into CSIMS (due September 1)</li> <li>✓ County / District Certification - upload into CSIMS (due September 1)</li> <li>✓ Financial Management Checklist - upload into CSIMS (due September 1)</li> </ul> </li> <li>• Deceased Supervisor - update in CSIMS (due October 15)</li> </ul>
	<p><b>End-of-Year Reporting Requirements</b> (contact KACD-EO for assistance):</p> <ul style="list-style-type: none"> <li>• W-2</li> <li>• W-3</li> <li>• K-3</li> <li>• 941</li> <li>• Kansas Sales Tax</li> <li>• KPERS</li> </ul>
	<p><b>Budget</b> (contact DOC for assistance):</p> <ul style="list-style-type: none"> <li>• Complete budget forms provided by DOC</li> <li>• Review budget with board of supervisors</li> </ul>

	<ul style="list-style-type: none"> <li>• Meet with County Commission Board to ask for allocation <ul style="list-style-type: none"> <li>✓ Provide County / District Certification to Commission</li> <li>✓ Provide budget presentation</li> <li>✓ Provide completed budget forms</li> </ul> </li> <li>• Obtain signed County / District Certification to Commission</li> <li>• Approve budget &amp; sign County / District Certification</li> <li>• Upload approved budget &amp; signed Certification separately in CSIMS</li> </ul>
	<p><b>Preserving a Legacy project:</b></p> <ul style="list-style-type: none"> <li>• Locate flash drive, passcode &amp; instructions</li> <li>• Check with DOC on possible submission of flash drive / possible completion</li> </ul>
	<p><b>KPERS:</b> contact KPERS for Designated Agent transfer information @ (888) 275-5737</p>
	<p><b>Health Insurance:</b> Contact insurance provider for enrollment forms (if applicable).</p>
	<p><b>Bank Accounts, Debit Card:</b> contact financial institutes and / or credit card company to add name to accounts &amp; cards. This will likely require a copy of board meeting minutes.</p>
	<p><b>Seed Sales License:</b> renew retailer’s seed sales license annually (if applicable).</p>
	<p><b>Phones:</b> Change voicemail on district phone and cell phone.</p>
	<p><b>Special Permissions:</b> Contact NRCS IT department to request permission for shared drive/folder.</p>
<b>INFORMATION &amp; EDUCATION ACTIVITIES</b>	
	<p>Below is a list of possible events &amp; activities (but is not limited to) that your district may be hosting / involved in. Many of these are in conjunction with other partners such as NRCS, FSA, K-State Extension or Farm Bureau (contact KACD-EO for assistance).</p> <ul style="list-style-type: none"> <li>• Water festivals</li> <li>• Poster, limerick, speech, essay contests</li> <li>• Range Youth Camp</li> <li>• Envirothon</li> <li>• Scholarships or Sponsorships</li> <li>• Conservation tour</li> <li>• Women in Ag event</li> <li>• Field Day</li> <li>• Earth Day</li> <li>• County fair booth</li> </ul>
<b>ANNUAL MEETING ACTIVITIES</b>	
	<p><b>Banker’s Tour:</b> Work with K-State Extension</p>
	<p><b>Annual Report:</b> Prepare for distribution at Annual Meeting (upload in CSIMS)</p>
	<p><b>Plan for Annual Meeting</b> (work with conservation district board):</p> <ul style="list-style-type: none"> <li>• Set date</li> <li>• Reserve venue</li> <li>• Plan meal</li> </ul>

	<ul style="list-style-type: none"> <li>• Plan speaker, entertainment, etc.</li> <li>• Order award signs</li> <li>• Recruit conservation district board supervisors for election</li> <li>• Prepare award presentations</li> </ul>
	<p><b>Following Annual Meeting:</b></p> <ul style="list-style-type: none"> <li>• Upload annual meeting minutes within 10 days into CSIMS</li> <li>• Submit Annual Report with financials within 10 days in CSIMS</li> <li>• Obtain Oath of Office for newly elected conservation district board supervisors &amp; upload to CSIMS by March 1</li> <li>• Share the Kansas Supervisory Training Modules with newly elected supervisors</li> <li>• Provide the New Supervisor Handbook to newly elected supervisors</li> </ul>
<b>NRCS ADMINISTRATIVE ACTIVITIES</b>	
	<b>Access:</b> Work with SDC or DC to obtain LincPass card & government computer access.
	<b>Mail:</b> Work with SDC or DC to obtain mailing instructions & information.
	<b>EarthTeam:</b> Work with SDC or DC to obtain EarthTeam Volunteer reporting instructions.
	<b>Filing:</b> Work with SDC or DC to obtain instruction on office filing & e-filing if applicable.
	<b>Programs:</b> Work with SDC or DC to obtain NRCS program information.
<b>HELPFUL TIPS</b>	
	<b>Read:</b> Take time to read the provided handbooks & guides. These will make your job much less intimidating and are great reference tools.
	<b>E-mails:</b> Take time to read all e-mails. Most information pertaining to your job comes from e-mails.
	<b>Ask questions:</b> Reach out to your KACD-EO Area Representative or the DOC for questions. They are all more than happy to assist.
	<b>Communicate:</b> Keep your board of supervisors informed & up-to-date on district operations & activities. Make sure to share all correspondence with them at board meetings.
	<b>Partners:</b> Maintain good working relationships with your partner agencies.
	<b>Chain of Command:</b> The district manager reports to the chairperson of the board of supervisors.
	<b>Importance of Role:</b> The district manager's role is crucial to the success (or failure) of the conservation district.
	<b>Settling in:</b> It takes at least a year to get settled into the district manager position.

**Kansas Conservation District  
Cost-Share Funding Processes  
(Updated February 2021)**

# STEPS IN A COST-SHARE CONTRACT

Landowner **contacts** NRCS-USDA Service Center / Conservation District regarding a resource concern.

*This may be in response to district ad, field day, or word of mouth.*

Landowner is greeted by conservation district staff and begins the process of working with NRCS and district staff to address the **resource concern**.

District employee works with NRCS and landowner to determine the **best program for them. This could be a State, Federal, or WRAPS program, or a combination of programs.**

Once the state program is selected, program eligibility needs to be determined. NRCS assist the conservation district in this process.

Once the project is determined to be eligible, the district, with assistance from NRCS, enters the ranking information into **Cost Share Information Management System (CSIMS)**. The ranking criteria are pre-determined by the conservation district board.

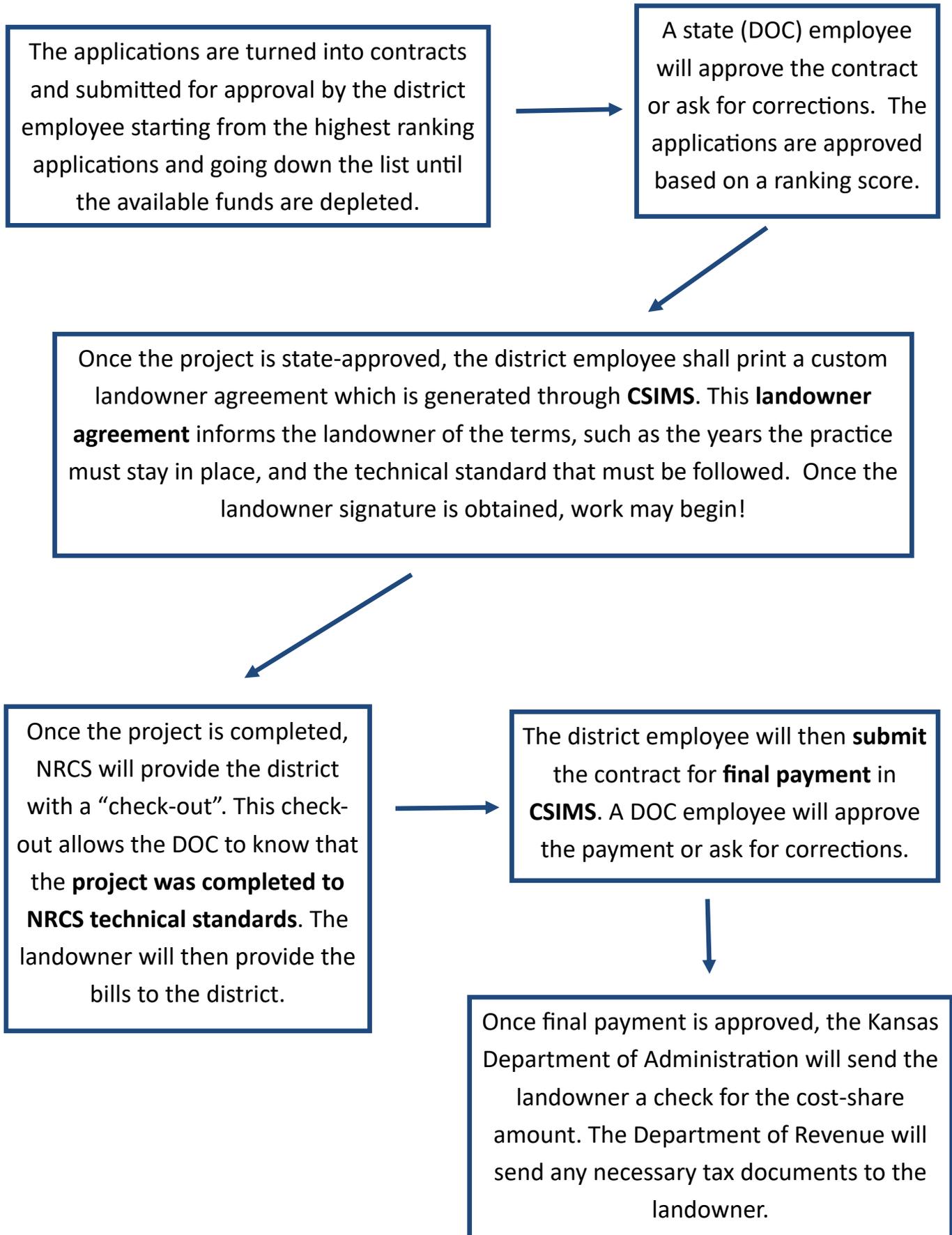
*Example Ranking Questions can include:*

- *Location of project (in TMDL area) (close to registered stream) etc.*
- *Type of project and its ability to meet state water plan goals.*

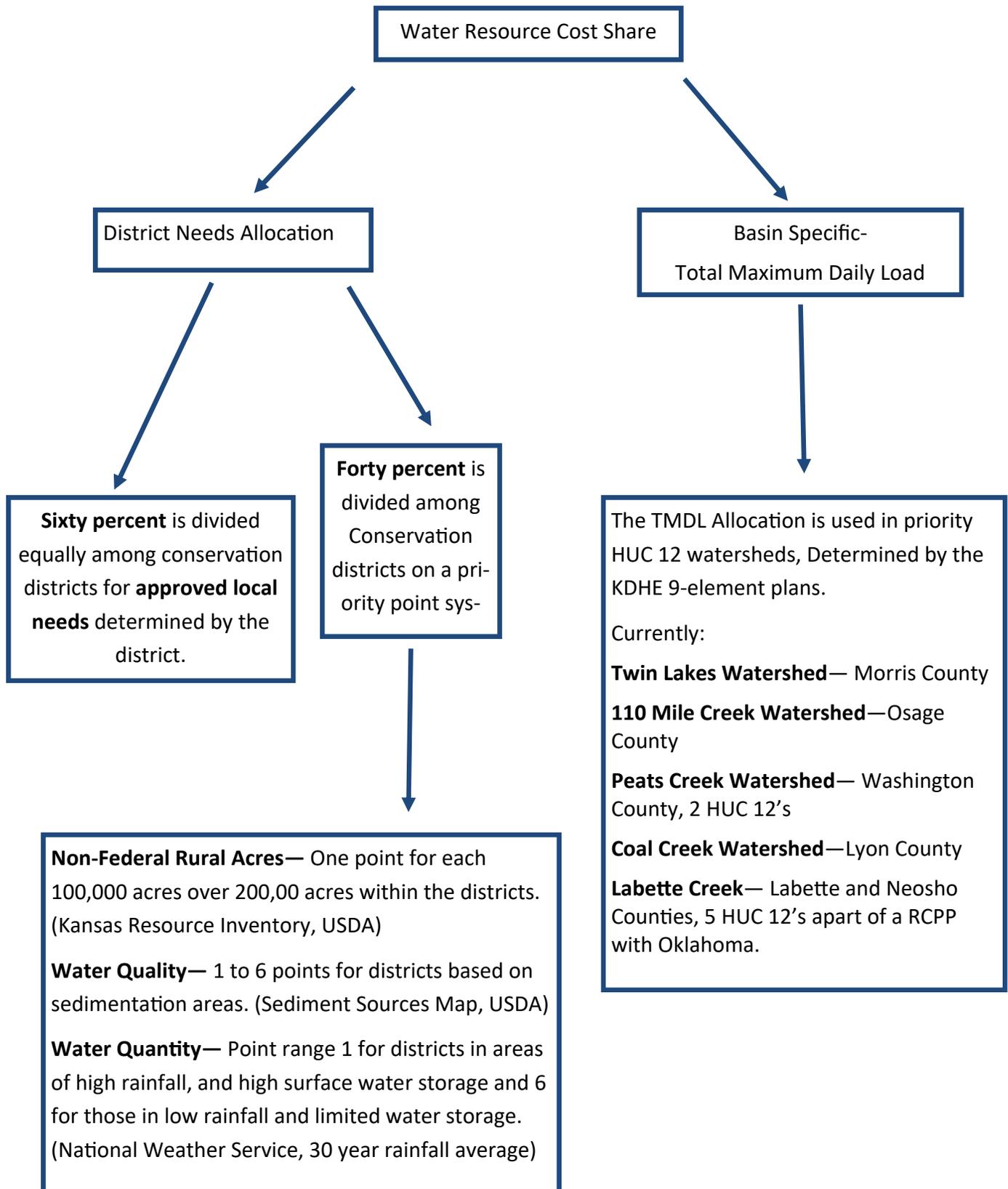
The landowner information is entered during the ranking phase in CSIMS.

Applications are approved in order of the ranking points, and the district board does not approve individual applications.

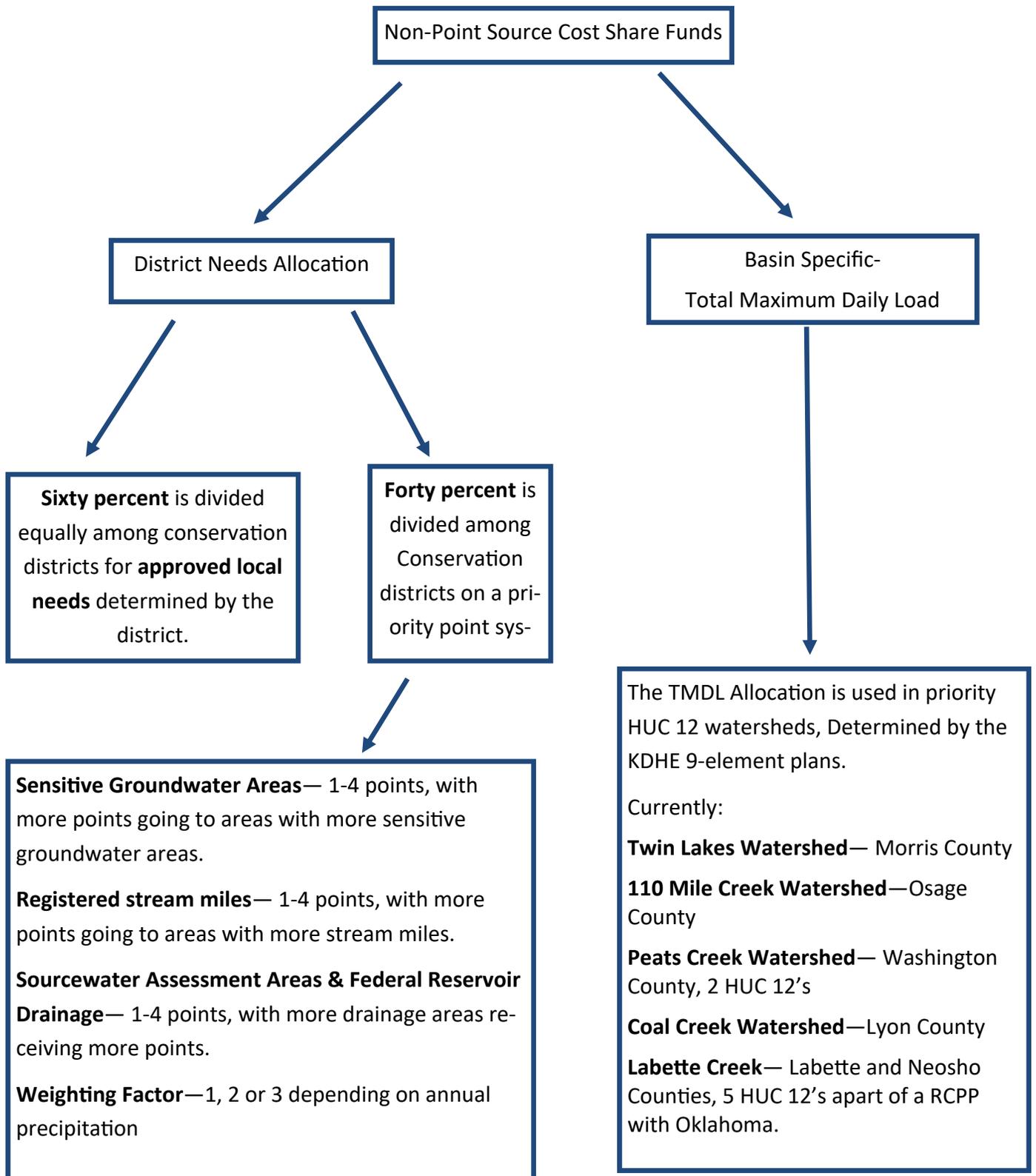
## STEPS IN A COST-SHARE CONTRACT (continued)



# HOW WATER RESOURCE FUNDS ARE ALLOCATED



# HOW NON-POINT SOURCE FUNDS ARE ALLOCATED





## Kansas Association of Conservation Districts

### ~ Our Mission ~

"Providing local leadership to protect and improve Kansas Natural Resources through collaboration, education and implementation"

On April 14, 1935 an estimated 300 million tons of soil blew from the land. That day, known as "Black Sunday," people of the Great Plains suffered the devastating effects of a massive drought. It was one of the darkest periods in Kansas history. However, just as every cloud has a silver lining, out of those dust clouds came a firm commitment to soil conservation. In 1937, the Kansas Legislature passed a bill that created conservation districts in Kansas. With that action, Kansas began a Commitment to conservation that has lasted more than eight decades.



The Kansas Association of Conservation Districts was established in 1944. KACD is comprised of five elected members that represent the state. Its members are the Conservation Districts located in the state's 105 counties. The conservation districts consist of:

- 525 Volunteer Supervisors
- 102 District Managers
- 9 Administrative Support Positions
- 44 Technical Support Positions

Throughout its history, KACD has helped forge key partnerships among federal, state, local and non-governmental entities all committed to a common goal: wise and efficient conservation practices to protect the state's natural resources. We are proud to partner with the following:

- State Conservation Commission
- USDA - Natural Resources Conservation Service (NRCS) and Farm Service Agency (FSA)
- Kansas Department of Agriculture - Division of Conservation (DOC)
- Kansas Water Office (KWO)
- Kansas Department of Health and Environment (KDHE)
- Watershed Restoration and Protection Strategy (WRAPS)
- Kansas Department of Wildlife Parks and Tourism (KDWPT)
- Kansas Forest Service (KFS)
- K-State Research and Extension
- Local Watershed Districts, County Commissions, County Health Departments and other Non-Governmental Organizations



# KANSAS 2020 ACCOMPLISHMENTS

## USDA - Natural Resources Conservation Service (NRCS)

Conservation districts have a unique partnership with NRCS. In the 95 counties where NRCS has an office, conservation districts are co-located. Each district has a Local Operating Agreement with NRCS to guide the partnership to deliver technical and financial assistance to producers. In FY 2020, conservation districts assisted NRCS in delivering conservation that resulted in:

### Financial Assistance

- EQIP - 942 contracts for \$34,816,385
- RCPP - 67 contracts for \$2,552,184
- ACEP - 13 contracts for \$2,873,241
- CSP - 98 contracts for \$14,017,044
- CSP-GCI - 640 contracts for \$3,587,527

### Technical Assistance

- Water Quality improvements on 925,715 acres
- Range Health improvements on 555,679 acres
- Soil Health improvements on 690,282 acres

## Watershed Restoration and Protection Strategy (WRAPS)

Kansas conservation districts work closely with KDHE to implement WRAPS projects in targeted priority areas across the state. Conservation districts are the primary sponsor of five project areas. KACD, through a partnership agreement with KDHE, is the primary sponsor for an additional 19 project areas touching nearly 50 conservation districts. Districts also assist other primary sponsors (KAWS, KSU, etc.) to implement WRAPS projects through efforts that include outreach, education and accepting applications.

## Kansas Department of Agriculture, Division of Conservation (DOC)

The DOC has the responsibility to administer the Conservation District Law (K.S.A. 2-1901 et seq) designed to protect and enhance the natural resources of Kansas. This is done through several programs that align with the mission of KACD and the goals of the Kansas Water Plan to assist local governments and individuals.

In FY 2020, the DOC allocated \$5,620,149 in cost-share funds to conservation districts to provide assistance to landowners to install conservation practices.

- Water Resources Cost-Share Program - \$2,448,289
- Streambank Stabilization Protection Program - \$500,000
- Non-Point Source Pollution Control Program - \$1,857,836
- Riparian & Wetland Protection Program - \$154,024
- Kansas Reservoir Protection Initiative - \$560,000
- Irrigation Technology - \$100,000

## Information and Education Outreach

Conservation districts excel at providing educational and informational programs to thousands of youth and adults across the state every year. These range from workshops, field days, newsletters, school visits and social media posts.

### Educational Tools Available

- Soil Tunnels
- Soil Tunnel Trailer
- Rainfall Simulators, Tabletop and Trailer
- Wind Erosion Kit
- Augmented Reality Sandboxes
- Earth Balloon

### 2020 Highlights

- Prescribed Burn Workshops
- Soil Health and Cover Crop Events
- Ag Women of the Heartland and Women in Ag
- Nutrient Management
- Hazard Waste Collection
- High Tunnel Workshops

