

**LOUISIANA SOIL AND WATER CONSERVATION DISTRICT
SUPERVISOR'S HANDBOOK**

July 2009

Prepared by the

Louisiana State Soil and Water Conservation Commission

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FOREWORD

Conservation is everyone's responsibility. It means the management and protection of our natural resources. We must favorably influence the quality of our natural resources - soil, water, air, grasslands, forests, and wildlife. Conservation means managing these resources so they may be used wisely by the greatest number of people over the longest period of time. For the renewable resources, soil, water, animals, plants, and air, it means being able to use them into perpetuity.

Our natural resources are not only limited, but can be easily damaged or destroyed if misused. Trees and other crops are continually planted and harvested, and materials are extracted from the land for many essential uses. Forestlands, grasslands, croplands and natural areas are continuously converted to urban, industrial or other uses. Without proper management this often leads to altered hydrology and increased flooding; pollution of streams and water bodies, rendering them unfit for use; erosion, damaging soils and reducing their productivity for growing crops, as well as limiting their use for other purposes.

Whenever possible, used or damaged resources should be restored. The wise land user replaces the plant foods that crops take from the soil and installs measures to prevent soil erosion. Conservation involves the resources we need today as well as those which will be needed in the future. Our world population is growing rapidly and in each generation an individual's share of the world's resources become smaller. We have a moral duty to use resources wisely and maintain them for future generations.

Conservation district supervisors have a unique place in the world of conservation by being administrators of a local entity of state government responsible for stewardship of our two most vital natural resources. The Louisiana Soil and Water Conservation Commission recognizes the importance and magnitude of this task and provides this handbook as an informational and educational aid to assist districts in their efforts.

This handbook is prepared by the State Soil and Water Conservation Commission for supervisor's use as a guide and reference. It is furnished to assist district board members with the administration of their duties and responsibilities as supervisors.

Each supervisor is urged to read this handbook carefully. Every effort is being made to include current, accurate information. The Commission appreciates the assistance provided from other state conservation agencies during the preparation of this handbook.

INTRODUCTION

Whether you are a new conservation district supervisor serving your first term with the local board of supervisors, or one who has served the conservation district well for many years, this handbook is provided to familiarize you with, or refresh your memory on the basic duties and responsibilities of a supervisor.

To effectively carry out the function and duties of a district supervisor, you must have a clear understanding of your responsibilities and of the programs you represent. Supervisors must know the cooperating agencies which assist districts in carrying out their program along with the problems associated with managing our soil and water resources. You must work toward the wise use and protection of those natural resources. You must be an initiator of innovative solutions to the many diverse conservation problems and be able to work with others to achieve those solutions.

As an elected or appointed public official, you are charged with properly conducting the affairs of the local conservation district as set forth in Title 3. Agriculture and Animals, Chapter 9, Parts 1 and 2 of the Louisiana Revised Statutes. You are looked upon as a leader, decision maker, spokesperson, and salesman, and your fellow district board members count on you as an active member of the team to represent the people from your community as board decisions are made. Your opportunity to serve is unlimited. By better understanding your responsibilities and by becoming involved you can make an important difference in your community and district.

It will take time and effort to have a working knowledge of the conservation district program and its vital working relationships with others. To help you with this task, conservation district supervisor training programs will be made available to you. Your participation in these programs is very important to your success as a supervisor and the success of your conservation district.

A representative of the State Soil and Water Conservation Commission serves as an advisor to your district board. Your field representative will be happy to help you individually with your questions, problems or projects. Since the field representative works with many different districts, he can provide a wide range of ideas and experiences that can help your board carry out your responsibilities and achieve your goals. Any questions regarding the contents of this handbook, or requests for more explanation should be referred to your field representative or to the State Soil and Water Conservation Commission.

HISTORY OF THE LOUISIANA CONSERVATION PROGRAM

The Louisiana Conservation Program first began in the 1930's when Louisiana farmers became increasingly aware of the severe water erosion problems on their farmlands. It was this same period, referred to as the Dust Bowl days, when windblown topsoil drifted from the western great plains across eastern United States to Washington, D.C., and beyond. This soil erosion crisis resulted in a continuing crusade by Hugh Hammond Bennett, today referred to as the father of conservation, to convince the U.S. Congress of the need for a government conservation agency with federal funding. A North Carolina native, Bennett joined the USDA Bureau of Soils in 1903; within 4 years, the bureau began publishing the first soil surveys. In his years making surveys, Bennett came to realize the dramatic toll soil erosion was taking on the country's farm land and the subsequent impairments to the nation's security if left unchecked. His writings in the USDA bulletin *Soil Erosion: A National Menace* helped convince Congress to authorize a series of soil erosion experiment stations in 1929.

Thanks also to Bennett's efforts Congress included a clause in the National Industrial Recovery Act of June 16, 1933 to allow erosion control work within the emergency employment programs during the Great Depression. This provision led to the development of the Civilian Conservation Corp (CCC). Bennett continued to argue that conservation across the landscape would require many diverse measures such as contouring, strip cropping, crop rotations, pasture improvement and management, reforestation and wildlife habitat enhancement. Again Bennett's arguments were persuasive and in 1933 resulted in the development of the Soil Erosion Service within the US Department of the Interior (USDI). With funds provided to employ the CCC, Bennett began planning conservation demonstration projects on farms within selected watersheds, usually near the established experiment stations. With project staff including varied specialists such as agronomists, soil scientists, engineers, foresters, wildlife biologists, social scientists and others, and men from the CCC doing much of the work, farms were modified to include conservation practices according to every crop and land use. The concept of conservation planning as we know it was born.

With this work becoming more visible and gaining popularity, Bennett and others sought increased funding and legislative stability for the new conservation program. The Congressional hearing was a timelessly memorable one. As was common in the mid-1930s, a spring dust storm from the Dust Bowl region swept up into the atmosphere and was carried out to the eastern seaboard where, during Bennett's testimony, dust tinged the sky and began to settle onto Senate Office Building furniture, helping to convince Congress of the validity of his arguments. Consequently in 1935, Congress approved Public Law 46, changing the name of the service from the SES to the Soil Conservation Service (SCS) and moving the agency from the USDI into the USDA

(In 1994 the SCS would be renamed the Natural Resources Conservation Service (NRCS). Although this was a promising start to the conservation movement, many recognized that conservation needed to spread beyond the scattered demonstration projects and out to the rest of the country. To this end, the Under Secretary of Agriculture M.L. Wilson and USDA attorney Philip Glick drafted the concept of a new unit of government, the conservation district. The "district" would be organized under State, not Federal law and most of each district's supervisors would be elected by landowners living or working within the districts boundaries. Thus the conservation districts would provide a mechanism for spreading conservation across the nation. Also, with local groups planning and setting priorities, and the federal government contributing with financial and technical assistance, the reluctance of many farmers to accept aid from the federal government was overcome. The arrangement allowed for federal assistance toward conservation without complete federal control. With this design the USDA prepared a Standard Conservation District Act for the States to consider.

In discussing the conservation district "standard act," Secretary of Agriculture Henry Wallace wrote in 1936, "The nation that destroys its soil destroys itself. The soil is indispensable. Heedless wastage of the wealth which nature has stored in the soil cannot long continue without the effects being felt by every member of the society....Wind and water are seldom harmful when the natural environment is undisturbed. But, when soil resources are used unwisely, wind and water write a tragic story in dust storms and in muddy rivers that carry the good soil into the ocean." These thoughts are as applicable today as in 1936.

As a result, in 1938 the Louisiana Legislature passed enabling legislation, Act No. 370, which established the State Soil and Water Conservation Commission and authorized it to assist local farmers to petition and establish conservation districts. In 1938, the Feliciana Soil & Water Conservation District was the first Louisiana district organized, encompassing East and West Feliciana and parts of East Baton Rouge and St. Helena Parishes. Within a year twelve Soil and Water Conservation Districts were formed.

An additional 30 conservation districts were formed primarily on Parish boundaries over the next several years. In 1984 Plaquemines Parish was the final area of the state organized into a district. Over the years many of the original larger districts were divided into smaller districts, thus the most recent division created the newest Louisiana district in 2003, Jefferson Davis, with a total of 44 Louisiana conservation districts.

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CONSERVATION DISTRICTS

A. INTRODUCTION

Districts are established by resident landowners for the purpose of conserving our land and water resources as authorized by Act No. 370 of the Louisiana Legislature of 1938. Louisiana was one of the nation's first states to enact a conservation district law.

Conservation districts are local units of state government with specific responsibility in the management of our soil and water resources. The purpose for the formation of districts is to keep decision making on soil and water conservation matters at the local level. Each district is governed by a board of five supervisors who serve without pay. Two supervisors are appointed by the State Soil and Water Conservation Commission and three are locally elected by resident landowners.

The State Commission's functions and responsibilities are explained in greater detail in Chapter 3. In general, however, in addition to appointing conservation district supervisors, the Commission supports districts administratively through the formation and discontinuance process of individual districts, by overseeing district elections and by removal of any supervisor for neglect of duty or malfeasance. It also supports districts financially for the purpose of aiding the development of conservation programs and for the general operation of districts. To qualify for state funds, conservation districts must comply with certain state rules and policies.

Conservation districts depend upon the Louisiana Soil and Water Conservation Commission for operational policies, including those of administration, information, financial and technical nature. The Louisiana Department of Agriculture and Forestry, Office of Soil and Water Conservation assists the Commission in these activities through its state staff and field representatives, who serve as conservation district advisors.

Districts have a Memorandum of Agreement with the U.S. Department of Agriculture and Supplemental Memorandum of Understanding with the Natural Resources Conservation Service and also have agreements with other federal and state agencies that have conservation responsibilities within their district.

Since each district has a responsibility to conserve, develop and maintain all natural resources within its boundary, they are an important link in local, state, federal and private cooperation in all conservation and natural resource projects.

B. DISTRICT POWERS

Soil and Water Conservation Districts are governmental subdivisions of the state and exercise certain public powers. Conservation districts are given the following specific authorities by Act No. 370, as amended:

1. To carry out preventive and control measures for better utilization of soil and water resources.
2. To enter into agreements and furnish financial or other aid to any private or public agency or land user within the district for better utilization of soil and water resources and for removal of excess water as the supervisors deem necessary.
3. To obtain by purchase, exchange, lease, gift or otherwise, any real or personal property to accomplish the goals of the district.
4. To make available to land users any equipment and materials needed to carry out soil and water conservation programs.
5. To construct, improve, operate and maintain works of improvement as needed.
6. To develop comprehensive plans for soil and water management in the district and bring this information to the attention of land users.
7. To take over and administer any soil conservation, flood-prevention, drainage, irrigation, water management, erosion control or erosion prevention projects within the boundaries of the district.
8. To accept contributions in money, services or materials from any source for use in carrying out the district program.
9. To sue and be sued in the name of the district; to have perpetual succession unless terminated as provided in Act No. 370, as amended; to make and execute contracts and other instruments; and to make and amend rules and regulations as needed.
10. Districts do not have the power to levy, assess, or collect any taxes or special assessments.
11. As a condition to extending benefits on private lands, the district may require contributions in money, services, or materials, except that the district may not charge for technical services provided by, or through the aid of, NRCS or other agencies providing technical assistance.

12. To develop and enact, through a local referendum, land use regulations within the district when needed to conserve soil and water resources, as provided in Act No. 370, as amended.
13. To cooperate with other districts in the exercise of any of its powers.
14. To combine, divide or discontinue a district by petition to the State Soil and Water Conservation Commission, as provided in Act No.370,as amended.
15. To organize irrigation, drainage or watershed development projects, to install, operate and maintain works of improvement such as levees, ditches and pumping stations, as provided in Act No. 370, as amended.

C. DISTRICT RESPONSIBILITIES

1. LEGALITY. Act No. 370 of 1938, as amended, charges districts with the responsibilities for:
 - a. control and prevention of soil erosion, prevention of damage from flood water and sediment, utilization and disposal of water, wise guidance in present and future use of state land resources;
 - b. maintaining active roles in water management for irrigation, drainage, flood control, recreation, pollution abatement and fish and wildlife habitat;
 - c. soil surveys, erosion control practices, soil fertility and condition, and preserving agricultural land;
 - d. land and water management, landscape beautification, education and involvement of citizens in conservation programs.
2. METHODOLOGY. Districts discharge their responsibilities by:
 - a. District Board Organization. Districts furnish effective local leadership in the form of an organized governing body. Boards should reorganize annually although officers may succeed themselves an indefinite number of times. This reorganization should be done preferably at the first regular meeting of each calendar year with the election of a chairman, a vice-chairman and a secretary-treasurer. The State Commission and appropriate cooperating agencies are to be notified of results of officer elections.

The chairman should be selected on the basis of leadership ability, enthusiasm for conservation work and time available to devote to duties. Length of service should not be a major consideration in this decision.

- b. District Board Meetings. Districts hold regular and special meetings to determine community needs for conservation and resource development and to plan their work. At least one regular meeting should be scheduled each month and special meetings should be held as needed not to exceed 20 meetings per calendar year. (State Law)

One regular meeting may be held in conjunction with the annual area meeting and one in conjunction with the annual state meeting. (State Law)

All actions taken at the District Board of Supervisors meetings are required to be recorded in the minutes of the meeting. (State Law, PPM 9)

Business may be discussed when less than a quorum (three supervisors) is present, but the district board cannot legally conduct government business by vote without a quorum. Such business includes the approval of bills for payment, approval of district board minutes, etc. (State Law)

The freedom of Information Act requires that all board meetings be open to the public. The board may go into executive session and exclude the public when necessary, such as for discussion of personnel matters or cooperator files. Even in the case of executive session, announcement of the intent and purpose of the meeting must be made public. No action can be taken by the board while in executive session. A meeting announcement with agenda must be posted at the entrance of the meeting place twenty four hours prior to the scheduled meeting. (State Law)

- c. Planning. Districts are required to develop a long range plan for soil and water conservation as mutually agreed in the Memorandum of Understanding with the U.S. Department of Agriculture. The long range plan should recognize the interest and needs of all of the people and resources of the district and should be revised as needed, but at least once in every five years to ensure that it addresses the most important and current concerns. (State Law, Memorandum of Understanding)

Districts are also required to develop an annual work plan to serve as a guide in carrying out the long range plan. This is the district's plan and must be developed

by the Board of Supervisors in consultation with cooperating agencies. Many federal and state agencies can make valuable contributions toward developing the plan and should be asked to assist the district.
(State Law, Memorandum of Understanding)

The local NRCS staff is required to make its own annual plan of operations which should spell out how NRCS staff will help the district board of supervisors carry out the district's annual plan. (Memorandum of Understanding)

- d. Financial Management. Districts are required to develop an annual operating budget as set forth by state law, regulations, and State Commission policies which reflects financial requirements for carrying out the annual work plan. Districts also manage funds, facilities and equipment belonging to the district. (State Law)

NRCS employees are forbidden to engage in district financial activities. All such activities must be handled by district supervisors or by district employees. (Federal Law)

Districts are empowered to obtain and provide funds, services and facilities to carry out district activities. Districts should enlist needed assistance from whatever source is available. An example is the solicitation of financial assistance from city and parish governments or in obtaining adequate state funding to carry out district programs.

- e. Technical Assistance. Districts determine services and priorities regarding the kind and amount of work to be done in carrying out items in the long range plan and annual work plan. Districts should actively pursue and encourage all landowners and operators to become district cooperators.

- f. District Employees. The district provides for the supervision of district employees. District personnel are administratively responsible to the district. The district is responsible for hiring, separation, fixing the range of duties and hours of work, rate of pay and for paying employees. (State Law)

District employees may be placed under the technical guidance of NRCS by the district board. The NRCS then assigns duties and directs daily activities of the district personnel within guidelines set by the district.
(Memorandum of Understanding)

- g. Reporting. The district must prepare no later than November 15 each year an annual report of accomplishments reflecting the district's level of success in carrying out the annual work plan. (State Law, Memorandum of Understanding).

Districts are required to keep adequate financial records and are audited annually by the Louisiana Department of Agriculture and Forestry, or by Certified Public Accountants. (State Law)

The district should report regularly to the public on resource conservation needs and the work of the district. This can be accomplished through such means as news releases, public notices, public meetings and published annual reports. (State Law)

- h. Intergovernmental Cooperation. The district should cooperate with other districts and other governmental bodies in matters of mutual concern. (State Law)

Districts should consult with and make recommendations to all agencies of state and federal government with conservation responsibilities regarding conservation needs and programs to carry out conservation activities in their district. (State Law)

With State Commission approval, districts should enter into Memorandums of Understanding or working agreements with agencies and organizations as necessary. (State law)

Districts should become active members of various planning organizations and agencies and, through the district's representation, experience and knowledge, help guide these groups toward good resource management practices.

Districts should also maintain appropriate program records and make them available for use in statewide conservation planning.

- i. Education. Districts should provide information assistance to educational institutions and other organizations on soil and water conservation and related subjects.

Districts should promote natural resource management through workshops, contests, exhibits, tours, meetings, service clubs, special demonstration projects and through other means.

- i. Equal Opportunity. As units of government and cooperators with agencies of federal and state governments, conservation districts have responsibilities in equal opportunity for both programs and employment. (State and Federal Law)

District boards should use every opportunity to ensure program accessibility by the minority community. An equal opportunity statement should accompany both program and employment advertisements.

The Louisiana State Soil and Water Conservation Commission has a policy statement strongly supporting broader minority and women's involvement in the programs of conservation districts. District boards can do much to foster an atmosphere of confidence and support by actively promoting conservation programs through the minority community.

D. DISTRICT FINANCES

1. USE OF DISTRICT FUNDS. All district funds are public funds, regardless of the source, and are subject to public funding regulations. All funds must be used for public benefit in furthering the soil and water conservation program for which the district is established. No funds may be spent for individual benefit. (State Law, PPM 4)
2. SOURCE OF DISTRICT FUNDS. Act No. 370 of 1938, as amended, empowers districts "To accept donations, gifts, and contributions in money, services, materials, or otherwise, from the United States or any of its agencies, or from the State or any of its agencies, or from any other source, and to use or expend such moneys, services, materials, or other contributions in carrying on its operations". Appropriate sources include parish and city appropriations, local contributions, interest on reserve funds, rental income, income from sales or service and state legislative appropriations.
3. DISTRICT BOOKKEEPING. A bookkeeping system must be maintained to record all receipts and disbursements with a voucher file to support each transaction. All check stubs, cancelled checks and bank statements shall be kept for audit review. All expenditures must be approved by the district board and listed in the board meeting minutes. (State Law)
4. SURETY BONDS. Act No. 370 of 1938, as amended, states that: "The supervisors shall provide for the execution of surety bonds for all employees and officers who shall be entrusted with funds or property". Surety bonds may be obtained locally.

5. REIMBURSEMENT OF SUPERVISORS. Act No. 370 of 1938, as amended, states that a supervisor may receive "reimbursement for attendance at any scheduled meeting of the district. A supervisor may receive a sum not to exceed thirty-five dollars (\$35.00) plus mileage allowance at the rate authorized by state travel regulations for state employees, per mile traveled from the supervisors home to the place of meeting and return, and they may be reimbursed for actual expenses, including traveling expenses, necessarily incurred in the discharge of his other duties." (State Law)

The board must vote to pay all reimbursements. All reimbursements must be in compliance with state travel regulations.

For attendance at area, state, regional or national meetings or for performance of other district duties approved by the board, supervisors may be reimbursed for actual expenses incurred as provided for by Policy and Procedure Memorandum No.5:"Reimbursement for Travel and Subsistence". (State Law)

District boards will not pay for meals served at regular monthly board meetings.

6. TAX STATUS OF DISTRICTS

- a. Income Tax: Districts are not required to pay federal or state income tax because they are sub-divisions of the State of Louisiana. Districts, however, are required to withhold both federal and state income tax from employee salaries.
- b. Real Estate Tax: Districts are not required to pay tax on real estate used by governmental or charitable organizations when all proceeds from the real estate are used exclusively for district purposes.
- c. Donations to the Districts: Donations by individuals or companies to a district (a tax exempt agency) can be claimed as a tax deduction on that individual's or company's federal and state income tax. The district's Federal Tax Identifier Number should be provided to the donor. These numbers are maintained by the LDAF/Office of Soil & Water Conservation.

7. ANNUAL BUDGET. An annual operating budget is essential for sound financial management and is required to justify the district's expenditure of public funds. (State Law)
- a. Income: Estimate how much money will be available to the district. Include:
- (1) bank balance at beginning of the year,
 - (2) parish government appropriation,
 - (3) other local contributions,
 - (4) interest on or withdrawal from reserve funds,
 - (5) rental income,
 - (6) income from sales or services,
 - (7) state appropriation funds provided by the State Commission
 - (8) other sources of income.
- b. Expenditures: Allocate funds for all expected district expenditures such as:
- (1) salaries and fringe benefits,
 - (2) state and federal withholding taxes,
 - (3) purchase, operation and maintenance of equipment,
 - (4) state, area and national dues,
 - (5) tours, demonstrations and exhibits,
 - (6) conservation education and public information programs,
 - (7) workshops, contests, and awards,
 - (8) expenses for meetings, surety bonds, printing and advertising,
 - (9) other expenses.
- c. Adjustments: If projected expenditures exceed anticipated income and reserves are not adequate to cover the deficit, it is necessary to assign priorities and adjust the budget accordingly. Further adjustments may be required based on actual income and actual expenses.
8. STATE FUNDING OF DISTRICTS. Districts must comply with all State and State Commission rules and regulations to be eligible for state funds. State funding of district operations is contingent on legislative appropriation. All state allocated funds not used by each district by June 30 of each fiscal year are returned to the State General Fund. (State Law)

9. FINANCIAL REPORTS. State Law requires districts to have an annual review or audit made of their financial transactions on a state fiscal year basis (July 1 to June 30). LDAF internal auditors assist all districts with budget and audit preparations, and perform annual audits for districts with annual budgets less than \$50,000.00. State law also requires the following:
- a. Districts with annual budgets of less than \$50,000.00 must submit a sworn financial statement to the Legislative Auditors Office and the OSWC.
 - b. Districts with an annual budget from \$50,000.00 to \$199,999.00 must have an annual budget compilation performed by a CPA firm.
 - c. Districts with an annual budget from \$200,000.00 to \$499,999.00 must have an annual budget review/attestation performed by a CPA firm.
 - d. Districts with an annual budget of \$500,000.00 or greater must have an annual audit performed by a CPA firm.

All CPAs must be approved by the Legislative Auditors Office. Approved CPA firms are listed on the internet at <http://www.la.state.la.us/stategovernment/approvedcpas/> Copies of all audit reports are filed with the Legislative Auditor and the State Soil and Water Conservation Commission. (State Law)

10. RESERVE FUNDS. Reserve funds include self generated money other than state appropriations and other than that held in regular accounts such as checking or savings accounts, or certificates of deposit. Reserve funds should be established only for specific purposes such as specific program development, the replacement of equipment, purchase of office space, etc. The district's financial statement should explain the purpose of reserve funds. A statement that reserve funds "will be used to carry out the district program" is not adequate.

E. DISTRICT RELATIONS

1. CONSERVATION AGREEMENTS. The major functions of each conservation district are to provide leadership, direction and technical assistance in conservation planning. In dealing with local citizens, it is advisable to formalize relations between the district and its "cooperators" so that both parties know and understand the duties or roles of the other. This is accomplished by signing a Cooperative Agreement.

All districts in Louisiana use a standard cooperative agreement form. It is not necessary for the agreement to be lengthy but it must include the names of both parties, the acreage to which a conservation plan is to be applied, the location of the land, a brief description of the problems to be addressed and recommended practices. Both the cooperator and the district should keep a copy of the agreement for their records.

2. MEMORANDUM OF UNDERSTANDING. A Memorandum of Understanding (MOU) is an agreement, usually between the conservation districts and a governmental body or agency. All districts have a MOU with the USDA-Natural Resources Conservation Service to provide technical assistance in the district program. With State Commission approval, districts may enter into as many agreements with as many agencies or organizations as is necessary for implementation of district programs. Working relationships are established with a MOU and its purpose is to outline the common goal for which each party agrees, and to specify individual and mutual obligations of each. It is a step toward establishing the district as a vital local unit of state government and as an active participant in local efforts to protect our most vital natural resources.

F. DISTRICT EMPLOYEES

District employees are a valuable asset to the conservation district because they work directly for the district and serve to implement the district's programs. Therefore, district supervisors must take an active part in recruiting, hiring, maintaining and promoting qualified employees. In fact, district supervisors cannot divest themselves from their responsibility for district employees. (State Law)

The supervisors, as employers, are responsible for developing personnel management plans and policies that guarantee success of district programs and administration. This policy would include basic components of personnel policies of most types of employers. These basic components include: job descriptions and qualifications, classes of employment, employee compensation, employee relations, performance evaluations and employee training. The State Commission supports the districts and cooperating agencies in the development of a recommended personnel policy.

The State Commission also encourages conservation districts to enter into appropriate interagency working agreements dealing specifically with district personnel management in order to clarify and formalize the relationship between district employees and the employees of those agencies that provide assistance to the district. The agreement should be useful as a guide for better and more productive working relations.

CHAPTER 2: CONSERVATION DISTRICT SUPERVISORS

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CONSERVATION DISTRICT SUPERVISORS

A. INTRODUCTION

Act No. 370, as amended, provides for a five-member board of supervisors to govern the affairs of a conservation district. This board of supervisors is the official governing body which administers the Conservation District Law and implements the district's programs. They are public officials who represent the people within their district. Two members are appointed by the State Soil and Water Conservation Commission and three are elected by local landowners.

B. APPOINTED SUPERVISORS

Appointed supervisors are chosen for their knowledge, interest and experience in the conservation field. They are appointed by the State Commission for a three-year term. (State Law)

To qualify for appointment, an individual must own land or operate a farm and be a qualified voter within the State. Also, to qualify for re-appointment, "a supervisor must have attended at least sixty-six and two-thirds percent of the scheduled district meetings; provided, however, upon a showing of good cause this condition may be waived by resolution duly adopted by the State Commission". (State Law)

In making appointments, the State Commission will consider all recommendations made to them by the district.

When an appointed supervisor's term nears its expiration date or when the office becomes vacant, the remaining supervisors should submit the name of three qualified persons to the State Commission. Recommendations should include the person's name, address and phone number. The board must also certify that each person recommended owns land or operates a farm and is a qualified voter within the State. Ownership of a lot size parcel of land is sufficient to meet the land ownership requirement. The district should identify its preference of those nominated for appointment.

C. ELECTED SUPERVISORS

Three supervisors are elected in each conservation district. Only landowners or farm operators that are registered to vote within the State are eligible to run for office. Only qualified voters within the district may sign nominating petitions and vote in district elections. The term of office is for three years and it begins on the first day of July following the election. If a vacancy occurs before the expiration of an elected supervisor's term, the State Commission will appoint a supervisor to fill the unexpired portion of the term. Remaining board members should recommend three qualified persons for each vacant position.

Recommendations should include the person's name, address and phone number. The board must also certify that each person recommended is a landowner or operates a farm and is registered to vote within the State. The district should identify its preference of those nominated for appointments to unexpired elected positions.

D. STATE COMMISSION RESPONSIBILITIES

1. Oath of Office for Qualification for Appointment/Re-Appointment and/or Election/Re-Election

The term of office for appointed and re-appointed supervisors begins on the anniversary date of the appointed position to be filled and July 1 for elected supervisors. The Oath of Office form will be sent to the individual immediately following State Commission approval. A new supervisor cannot assume duties or be paid mileage or per diem until the Oath of Office is recorded by the State Commission and filed in the LDAF/Office of Soil & Water Conservation. (State Law)

2. Supervisor Waiver Request for Re-Appointment and/or Re-Election

The Conservation District Law, Act 370 of 1938, as amended, states in Part I Section 1207 Section (G)... "A supervisor shall not qualify for re-appointment or re-election unless he shall have attended at least sixty-six and two-thirds percent of the scheduled district meetings; provided however, upon a showing of good cause, this condition may be waived by resolution duly adopted by the State Soil and Water Conservation Commission. If a conservation district supervisor submits a waiver request for reappointment or to qualify as a candidate for re-election, the supervisor for whom the request is made will submit a signed written statement to the State Commission to explain why he/she was unable to meet the requirements during the term of office in question. (State Law)

3. Mandatory Supervisor Training

To assist individual supervisors and district boards to become fully knowledgeable of their duties and responsibilities, all supervisors, appointed or elected, are required to attend a minimum of one two-hour District Supervisor training session at least once in a two-year cycle. An annual District Supervisors training session is held in conjunction with each LACD Annual Meeting to increase every supervisor's opportunities for attendance. This mandatory training requirement for all supervisors is deemed necessary by the State Soil & Water Conservation Commission in order to meet its legislative oversight obligations and its responsibility to provide support to local conservation districts. These trainings in conjunction with the LACD Annual Meeting will be the only routinely scheduled District Supervisor trainings. (PPM 13)

E. RESIGNATION

To resign from a conservation district board, the supervisor should submit a formal letter of resignation to the board. The secretary/treasurer then notifies the State Commission of the resignation as soon as possible.

F. LIABILITY OF SUPERVISORS

The Conservation District Law provides that a district may sue or be sued in the name of the district. This duty is similar to that of other political corporations of the state (i.e. cities, school districts, etc.). While the outcome of a lawsuit is based upon an interpretation of the law and in light of the facts of the situation, the following general conclusions as to conservation districts and district supervisors can be drawn.

1. LIABILITY

a. Contract Liability.

A district can sue or be sued for breach of contract, including money damages or specific performance, for failure to perform a contract.

The district is a separate person under the law that acts through its supervisors. A supervisor is not personally liable for contractual agreements he makes for the district. In signing a contract on behalf of the district, a supervisor should make sure that it is clear on the written document that the supervisor is signing in his capacity as a supervisor and not personally.

Oral contracts may be binding but a written contract is much preferred. Authorization to enter into all contracts must be approved by both the board and the State Commission and included in the districts minutes. (State Law)

b. Tort Liability.

A tort is a wrongful act or injury resulting from breach of a duty imposed by society regarding interpersonal relationships.

The district's separate person status (corporate) would allow protection of supervisor's assets for any judgment against the district.

It should be noted that district and corporate status immunity will bar recovery, but is not a bar to a lawsuit.

c. Duties Imposed by General Statutes.

There is no immunity for districts for duties imposed by law. Districts must comply with laws covering such areas as worker's compensation, wage and hour, federal and state tax laws, social security, federal anti-discrimination laws and the expenditure of public funds.

d. Duties Imposed Specifically on Districts by Law:

(1) District Law. The district and its supervisors are open for suit to compel the district to take actions that its statutes require it to do. These suits are called writ of mandamus suits. They do not involve any type of money damages, but are to compel officials "to do their job". The only personal exposure would be for willful and wanton conduct.

(2) Project Improvement Area. The district law is specific as to duties of districts when undertaking improvement area projects. If your district is to undertake such a project it would be advisable to employ an attorney.

(3) Federal Statutes. Some federal statutes place responsibilities upon districts. Generally, these statutes have administrative appeals that take the decision back within the federal government for a final decision. Under the legal concept of ripeness, before a law suit can be brought, all administrative appeals must be exhausted. The final decision maker is within the federal agency and any lawsuits would be against the federal agency.

e. Liability Minimization. There are several actions districts may take to reduce exposure to claims:

(1) Know Your Job. All supervisors should know their responsibilities and duties. They can be found in the Conservation District Law.

(2) Act in Good Faith. As a supervisor, the law does not require you to make "perfect" decisions. It does require you to act in good faith. Good faith means an honest and sincere intention to fulfill one's obligation; a total absence of any intention to seek or give an unfair advantage. The primary measure of good faith is consistency. If you read the law and know your duties and responsibilities as supervisor and apply the law consistently toward all people equally, then you have acted in good faith.

- (3) Be Consistent by Adopting Policies. The board can be more consistent in making its decisions by adopting written policies. An example would be if the district provided technical services to persons in the district. A policy statement would contain such things as:
 - (a) Purposes for which assistance is given;
 - (b) The method for a person to qualify for the assistance;
 - (c) A set of priorities as to what order assistance is given.

Policies are developed by the board to benefit the public in general. Exceptions made to benefit individuals are unethical and may cause problems.

- (4) Records. The district must keep a complete record of its meetings in the form of minutes. Minutes must be approved and maintained permanently in the records of the district. Other district records should be maintained in an appropriate manner. With certain very limited exceptions all district records are open to the public for inspection. The exceptions include files which, if disclosed, would give advantage to competitors or bidders, and personnel records, to the extent that disclosure would constitute a clearly unwarranted invasion of personal privacy. See Policy & Procedure Memorandum # 14: "Records Retention".

2. INSURANCE

Except for motor vehicles, districts are not required to have liability insurance, but acquisition of this type of insurance is an allowable use of district funds. The purchase of insurance would allow recovery by the injured party up to the limits of the policy. The district may wish to or be required by contract to have property and casualty insurance.

3. LEGAL ASSISTANCE

The district can request legal assistance from the Office of the Attorney General through the State Commission, or from the local District Attorney's Office.

G. DUTIES OF DISTRICT SUPERVISORS

As an appointed or elected government official, the conservation district supervisor assumes a solemn obligation to the public upon taking the Oath of Office. Basically, the supervisor's job is to furnish leadership for the local soil and water conservation program. A supervisor must think, plan, recognize problems, examine alternative courses of action, make decisions and set priorities for conservation work.

1. ADMINISTRATION

Effective district supervisors do the following:

- a. Become familiar with the provisions of Act No. 370, as amended, to understand the legal basis for district responsibilities and powers. There should be a current file copy of the Act in the district office.
- b. Maintain and be knowledgeable of the contents of the district supervisor handbook.
- c. Attend district board meetings on a regular basis and take an active part in discussions.
- d. Assist in developing the agenda for board meetings by informing the chairman of items to be included. The chairman is responsible for the agenda.
- e. Cooperate with other board members in establishing district policies such as: district personnel, priority of technical assistance, etc.
- f. Participate in assessing district conservation needs and setting district priorities in relation to the district's long range plan, and in keeping that plan current.
- g. Take an active role in developing the district's annual work plan and compiling the annual report.
- h. Actively solicit support for the district.
- i. Maintain contact with appropriate local, state and national public officials. Do this by face-to-face contact, telephone and by mail. Keep officials informed of district programs, problems, needs and accomplishments.
- j. Annually review all working agreements and enter into additional working agreements as appropriate.
- k. Understand the legal and financial relationship between districts, the State Soil and Water Conservation Commission and the Natural Resources Conservation Service.

- l. Know what is in the Memorandum of Understanding with the USDA and the Supplemental Memorandum of Understanding with the NRCS and the role of the district, USDA and NRCS.
- m. Understand that technical assistance is available at the district's request to help the supervisors carry out the technical phase of the district's program.
- n. Invite others to participate in district meetings such as agency representatives, public officials, special interest groups and the public in general.
- o. Remember the supervisor's obligations as a public official. Any supervisor who finds it impossible to fulfill these obligations because of health, personal conflicts, lack of time, or any other reason should resign from office and make way for an individual who can perform effectively.

2. FINANCE

Effective district supervisors do the following:

- a. Cooperate with other board members in securing adequate operating funds for the district.
- b. Cooperate with other board members in establishing sound business procedures required for adequate accounting and management of public funds.
- c. Cooperate with other board members in developing an annual budget and financial report.
- d. Promote efficient and judicious use of district funds for purposes required and restricted by law.

3. LEADERSHIP

Effective district supervisors do the following:

- a. Attend and participate in area and state meetings.
- b. Keep in touch with local public opinion regarding soil and water conservation needs.
- c. Actively encourage land users to become district cooperators.
- d. Cooperate with other districts and governmental bodies in matters of mutual concern.

- e. Become an active member of various planning organizations and agencies and through the district's representation, experience and knowledge, help guide these groups toward good resource management practices.
- f. Wisely manage funds, facilities and equipment belonging to the district.
- g. Cooperate with other board members to enlist needed assistance from whatever sources available.
- h. Consult with and make recommendations to the proper agencies regarding conservation needs and programs of the district.
- i. Know the functions of other agencies that operate in your district.
- j. Work jointly with other board members to establish a communication system that functions to address problems and opportunities as they arise. Formalize a process of communicating outside of the regular board meeting.

4. EDUCATION

Effective district supervisors do the following:

- a. Create an education program to explain the district's responsibilities and policies to local units of government, business, civil clubs, professional groups, churches, schools and farm owners and operators.
- b. Promote natural resource management through workshops, contests, exhibits, tours, meetings, service clubs, special demonstration projects, etc.
- c. Cooperate with other board members to provide conservation materials to public schools, libraries and other educational institutions.
- d. Participate in district Soil Stewardship observances by providing educational materials for ministers and the community in relation to Soil Stewardship Week.

H. GUIDELINES FOR ASSOCIATE SUPERVISORS

Associate supervisors are appointed for several reasons, which may include the following: (a) to help elected and appointed supervisors who are donating their time to a very large undertaking; (b) to obtain a broader base of public input to district activities; and (c) to train new people for the position of elected or appointed district supervisor. While associate supervisors cannot participate in official votes (this function of elected and appointed officials cannot be delegated), they can participate in all other activities as assigned by the elected supervisors. Associate supervisors cannot collect per diem or travel for attending district board meetings nor, in most cases, can they be reimbursed for travel and other cost for attending area, state, regional or national meetings. The following guidelines should help them in their activities. An associate supervisor should:

1. thoroughly understand the conservation district laws and regulations,
2. be knowledgeable of the district's long range and annual work plans, goals and policies,
3. attend board meetings and participate in discussions and activities,
4. assist district supervisors in providing leadership to the district,
5. actively promote district programs among friends and associates,
6. set a good example of soil stewardship, and
7. consider ones self a potential elected or appointed supervisor.

I. RESPONSIBILITIES OF DISTRICT OFFICERS

At the first meeting of the calendar year, or some other appropriate annual date, the district board should elect its chairman, vice-chairman and secretary/treasurer. Any supervisor can be an officer. To utilize the talents of all supervisors, districts should consider rotating their officers every one or two years.

1. DUTIES OF THE CHAIRMAN
 - a. Preside at all meetings or arrange for the vice-chairman to preside.
 - b. Call special meetings when necessary.

- c. Plan the order of business, i.e. prepare an agenda with input from district board members, district employees and technical staff well in advance of the meeting.
- d. Ensure that the district secretary send a tentative agenda to board members one week in advance of the meeting.
- e. Through consultation with other board members, establish meeting dates.
- f. Ensure that invitations are sent to the media and all individuals who should attend meetings and/or take part in discussions.
- g. Ensure public notification of meeting time, date and place.
- h. Call the meeting to order on time. Announce the order of business. Distribute a typed agenda. Recognize visitors and others present.
- i. Handle discussions in an orderly manner.
 - (1) Give everyone a chance to speak--one at a time.
 - (2) Tactfully keep all speakers to rules of order and the subject at hand.
 - (3) Give "for" and "against" supervisors equal opportunities to speak.
 - (4) Encourage all supervisors to participate in the discussion.
 - (5) Enter into the discussion to give additional facts or information.
 - (6) Ensure ample opportunity for non-board members to participate in the discussion.
- j. State each motion before it is discussed and before it is voted upon. Put all motions to a vote and announce the outcome.
- k. Suggest motions, but do not make them.
 - (1) Avoid expressing your own opinion too soon and talk no more than necessary while presiding.
- m. Review the objectives of the District's Long-Range Plan and the District's Annual Plan regularly to make sure that all planned activities and assignments are carried-out.

- n. Review and discuss one chapter of the Supervisor's Handbook at each meeting.
- o. Appoint committees, assign their responsibilities and ask for their reports when due.
- p. Ensure that the board does not simply "rubber stamp" the actions and recommendations of cooperating agencies.
- q. Ensure that all supervisors are properly informed of and understand their duties.
- r. Encourage and plan for annual supervisor's involvement in leadership skills training.
- s. Set a good example by observing proper parliamentary procedure. All official actions require a motion and a vote.
- t. Allow time before and after the "official board meeting" for socializing but not during the meeting.
- u. Close the meeting on time. Encourage regular attendance, and follow-up on absentees.

2. DUTIES OF THE VICE CHAIRMAN

- a. Officiate in the absence of the chairman; assume other duties at the chairman's request.
- b. Be familiar with the duties of the chairman.
- c. Consult with and advise the chairman on matters of program and policy.
- d. Serve as a chairman for special programs.
- e. Succeed the chairman in the event of resignation or other conditions precluding continued service by the chairman.

3. DUTIES OF THE SECRETARY/TREASURER (Many of these duties should be coordinated with the district staff)

- a. Notify members of each meeting. Mail announcements of meetings with agenda to each supervisor one week prior to the meeting.
- b. Provide the chairman with a list of business items that should be placed on the agenda.

- c. Maintain detailed minutes of all proceedings and furnish a copy of the minutes as soon as possible but no later than 5 days following the meeting at which the minutes are approved to the State Soil and Water Conservation Commission. (State Law; PPM #9: "District Board Meetings")

Others that should receive copies of the district board minutes are:

- (1) USDA-NRCS State and Area Conservationist.
 - (2) Representatives of cooperating agencies such as: FSA, Extension Service, etc.
 - (3) State Legislators for your District
 - (4) Louisiana Association of Conservation Districts (LACD) President
 - (5) LACD Area Vice President
- d. The minutes should include the following minimum information:
- (1) Name of district, kind of meeting (regular or special).
 - (2) Name of presiding officer, date, hour and place.
 - (3) Attendance (supervisors, agency representatives and guests). If a large group appears, list the organization and its spokesperson.
 - (4) Those supervisors not in attendance should also be listed as absent.
 - (5) Reports made at the meetings. (Reports may be Summarized; ask agency representatives and committees to provide written reports when necessary).
 - (6) All motions, indicating the person making the motion, seconding the motion and the action that was taken on the motion. Record each motion in full and read the motion before action is taken. A motion that was withdrawn should not be recorded.
 - (7) All important statements should be recorded even though action was not taken.

- (8) All important correspondence reviewed and the action taken by the board.
- (9) Meeting Agenda.
- (10) All required attachments (PPM 9)
- (10) Time, date and place of next regular meeting.
- e. Insist that action be completed on each item of business so that a record can be made of all business conducted.
- f. Keep a record of all committees, both standing and special. Notify committee members of their appointment if they were not present when the appointment was made.
- g. Keep the State Soil and Water Conservation Commission informed concerning board membership by promptly furnishing copies of all letters of resignation as well as names of district officers and address changes.
- h. Initiate correspondence on behalf of the board as the need arises.
- i. In consultation with the board, prepare and maintain the district budget for the year's operation.
- j. Maintain complete and accurate records of receipts and expenditures.
- k. Ensure preparation of a monthly financial report for the board. The district employees can often provide assistance with the items to be included in the report.
- l. Pay only the bills approved by official action of the board and issue receipts for incoming funds.
- m. Maintain separate accounting of funds as needed.
- n. Arrange for an annual audit of district financial records.
- o. Procure copies of the Louisiana State Law pertaining to districts: Revised Statutes, Title 3, Sections 1201-1255, to be maintained on file in the district office for the boards periodic review.

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LOUISIANA SOIL AND WATER CONSERVATION COMMISSION

A. HISTORY

The Louisiana State Soil and Water Conservation Commission was created by the State legislature in 1938 under Act 370. The legislature made significant changes in the make up of the State Commission in 1956 and in 1985, and in 2008 changed its name from "Committee" to "Commission". Although the make up of the State Commission has changed, its functions and relationship with the conservation districts has remained the same since the enactment of Act No. 370 of 1938.

The State Commission consists of eight members. The Chancellor of the Louisiana State University Agricultural Center, the Commissioner of Agriculture and Forestry and the President of the Louisiana Association of Conservation Districts are members of the Commission by virtue of their offices. The other five members are elected by fellow supervisors, one from each of the five State Commission Areas established by the legislature. The make up of the five State Commission Areas is listed in the Louisiana Revised Statutes. A copy of the Revised Statutes are on file in the soil and water conservation district office and are available online at the Louisiana State Legislature website, <http://www.legis.state.la.us/> "Louisiana Laws Search" for RS, Title 3, Section 1201.

B. STATE SOIL AND WATER CONSERVATION COMMISSION RESPONSIBILITIES

The State Soil and Water Conservation Commission establishes policy and makes funding and regulatory decisions relative to the state's soil and water conservation program.

In addition to regulatory oversight, the State Commission supports conservation districts in the following ways:

- * Guides state policy in soil and water conservation.
- * Assists conservation districts in exercising their powers and carrying out their programs.
- * Makes supervisor appointments and assists in conducting district elections.
- * Directs the legal process of forming or discontinuing soil and water conservation districts.
- * Coordinates district programs by advice and consultation.
- * Secures assistance for districts from federal and state agencies.

- * Prepares budget requests for state appropriations to support district programs.
- * Disburses funds to districts and reviews district expenditures.
- * Keeps districts informed and facilitates the exchange of information and experiences among districts.
- * Disseminates statewide information on programs and activities of districts.

C. LDAF/OFFICE OF SOIL & WATER CONSERVATION

The LDAF/OSWC employs an office staff which is managed by the LDAF/OSWC Assistant Commissioner who also serves as the SWCC executive director. The executive director reports to the Commissioner of Agriculture and Forestry in matters concerning budget, personnel and related management concerns, but reports to the State Commission in matters related to policy and program assistance commitments to districts. The LDAF/OSWC staff has a diversity of responsibility: Administration, Soil and Water Conservation Commission, Agriculture Nonpoint Source Pollution Control, Coastal Restoration, LDAF conservation project management, Environmental Education, Agricultural Solid Waste Management Program, Prescribed Agricultural Burning, and a major role in providing assistance to Soil and Water Conservation Districts. LDAF/OSWC staff in many cases work directly with districts in carrying out special projects and programs.

D. CONSERVATION DISTRICT PROGRAMS

Act 370 of 1938, as amended, established a basis through which the 44 Conservation Districts and the State Commission can provide for the control and prevention of soil erosion, floodwater and sediment damages, preservation of natural resources, disposal of water and flood control.

1. STATE SOIL CONSERVATION PLANS

The State Conservation Plan titled "Conservation in Louisiana - a status report of Louisiana resources and outlook for the future" gives a statewide view of the nature, extent and priority of conservation related problems. It is based on information gathered by the Natural Resources Conservation Service and the Conservation Districts. The State Plan should reflect the conservation issues outlined in the districts long range plans. The technical and human resources needed to adequately address these problems are listed in the State Plan. The 44 conservation districts, by agreement with the USDA and NRCS, maintain long range plans and annual plans detailing the nature, extent and priority of conservation related problems within each district. These plans indicate the assistance, both technical and financial, needed by each district to meet its needs.

2. WATER QUALITY MANAGEMENT

The Federal Water Pollution Control Act, P.L. 92-500 (Clean Water Act) sets forth requirements for the establishment of comprehensive statewide water quality planning programs. Section 319 of the Clean Water Act addresses nonpoint source pollution, and the State Water Quality Management Plan was developed to address various nonpoint source pollutants. The Plan was jointly developed by Louisiana Department of Environmental Quality, Louisiana Department of Agriculture and Forestry and other state and federal agencies. It is administered by the Department of Environmental Quality. The Office of Soil and Water Conservation, along with other agricultural agencies are charged with managing the agricultural nonpoint source section of the Plan.

3. RESOURCE CONSERVATION ACT (RCA)

This act set up a USDA program that appraises the current status and condition of the resource base (soil, water and related resources) on the nation's non-federal lands. The State Commission uses the RCA data to: (a) update the State Conservation Plan and (b) determine the level of technical, administrative, and financial assistance conservation districts receive and (c) develop effective long range plans based on RCA appraisal data.

4. SOIL SURVEY

The State Commission, through the LDAF/OSWC and by agreement with the USDA-NRCS, provides support to the NRCS Cooperative Soil Survey Program.

5. COASTAL RE-VEGETATION

The Multi-Year LDNR/NRCS/SWCC Coastal Re-vegetation Program is an annual agreement between LDNR and the LDAF/OSWC to provide assistance to coastal districts in planning and implementing vegetative restoration projects within the State's Coastal Zone.

6. EDUCATION AND OUTREACH

Districts are required to create an awareness of the need and opportunities for conservation in their areas. All districts are encouraged to establish local education programs utilizing creditable venues such as Soil Stewardship to reach school teachers and students, community groups and land users. The LDAF/OSWC and the LA Association of Conservation Districts sponsor the LA Project WET (Water Education for Teachers) program and house the Project WET coordinator. Districts and LDAF/OSWC assist in delivery of the Master Farmer Program and training for prescribed burning of agricultural crops.

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ASSISTANCE AVAILABLE TO DISTRICTS

A. INTRODUCTION

The key to the success of a conservation district program is cooperation. As directors of the district program it is the supervisor's responsibility to know who to contact to arrange for desired assistance. Those agencies and groups that assist districts should understand the district's purpose and the role districts play in planning and implementing soil, water and related resource management programs. The relationship of the conservation district to those providing assistance is unique to each district. The decision of when and how to use available assistance can best be made by the individual district board.

The list of agencies and groups in this section that can provide assistance to conservation districts is by no means complete. Depending on problems, issues, concerns and interests, a district may work with some of these agencies, groups and organizations more than others or discover additional assistance that would be helpful in solving a resource management problem.

Assistance to conservation districts may be rendered in the form of publicity, goodwill, funds, services, property, office space, materials and equipment.

B. LOCAL ASSISTANCE

The most important source of assistance for a soil and water conservation district would obviously be from other local units of governments. The Conservation District Law (Act 370 as amended) allows for the advice, consultation and other assistance of local government representatives with district supervisors in matters of mutual interest.

<u>Regional</u>	<u>Parish</u>	<u>City</u>
Area Planning & Development District	Parish Judge's Office	Mayor's Office City Council
RC&D Councils	Parish Planning Dept.	City Planning Office
Watershed Projects	Police Jury	
Levee & Drainage Dists.	District Attorneys Office	
River Basin Comm.		

C. PRIVATE ORGANIZATIONS

Private organizations and groups can be helpful in situations of common interests. Examples include:

Louisiana Association of RC&D Councils, Inc.
Louisiana Cattlemen's Association
Louisiana Farm Bureau Federation
Louisiana Forestry Association
Benevolent Organizations
Environmental Interest Groups
Agricultural Commodity Groups

D. STATE AGENCIES

1. LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY

The Louisiana Department of Environmental Quality (DEQ) is the principal agency responsible for the protection of the air, water and soil of the state from pollution. DEQ has been delegated authority for permitting and enforcement in all environmental programs. The department also administers a construction grant program for municipal wastewater plants. Any discharge to surface or ground water, either permitted or unpermitted, emission to the air or disposal of solid or hazardous waste comes under DEQ regulations. Pesticide regulations come under the Louisiana Department of Agriculture and Forestry/Office of Ag & Environmental Sciences.

2. LOUISIANA DEPARTMENT OF AGRICULTURE AND FORESTRY

The Office of Forestry was created for the purpose of preventing and suppressing wildfires, growing and distributing native tree seedlings, control of forest insects and disease, and to gather and disseminate information concerning the growth, utilization, and renewal of forests to perpetuate the forest resources of the state. The Office of Forestry has divided the state into districts along parish lines. Office of Forestry personnel are located in each of their districts to provide services to landowners who are interested in managing their forested land. Landowners may contact any Office of Forestry district office to request management assistance.

The Office of Agricultural and Environmental Sciences is the primary regulatory office in the Louisiana Department of Agriculture and Forestry. The office regulates the use of all pesticides in the state to insure proper use, handling and disposal. The office also regulates production and sale of fertilizers, feed, seed and horticultural products.

3. LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES

This Department is responsible for the control, management, restoration, conservation and regulation of fish, game, fur-bearers, non-game wildlife species and invasive aquatic plants. The DWLF has program responsibilities in public information and education regarding fish and wildlife resources along with traditional wildlife and fisheries management, protection and enforcement authority.

4. LOUISIANA DEPARTMENT OF HEALTH AND HOSPITALS

The mission of the Louisiana Department of Health and Hospitals is to promote and protect the public health and well-being of citizens of Louisiana. Efforts are directed in the areas of direct provision of preventative environmental and personal health care services; certification and monitoring of health care facilities, systems and providers and serving as a catalyst to improve the state's health care system and environmental quality. The department extends its services to rural communities, including enforcement of the state's dairy sanitation laws, through parish health units and the parish sanitarian office.

5. LOUISIANA DEPARTMENT OF ECONOMIC DEVELOPMENT

The Louisiana Department of Economic Development is responsible for seeking and retaining jobs for Louisiana workers through its multiple divisions. The marketing division of the agency helps to sell Louisiana products both domestically and in foreign markets. The agency also has divisions responsible for aiding small business development, minority business assistance, established industry support, community development, research and agriculture development. The Louisiana Office of Economic Development has the job of stimulating the Louisiana economy in such a manner that the sustained result is more and better jobs.

6. LOUISIANA DEPARTMENT OF CULTURE, RECREATION AND TOURISM

The Louisiana Department of Culture, Recreation and Tourism is a division of the Lieutenant Governor's Office. It is responsible for the management of state parks throughout Louisiana. The agency is also responsible for tracking the tourism impact on the economy of the state. Other responsibilities include promoting the natural and scenic beauty of the state and aiding in new tourism opportunities.

7. LOUISIANA OFFICE OF RURAL DEVELOPMENT

The Louisiana Office of Rural Development is in the Office of the Governor. This office was created to work toward the improvement in the well-being of individuals and families in the rural areas of the state. The office is committed to responding to unique rural problems and to the development of rural community needs such as transportation, housing, public facilities, business and industry, education and culture, governmental and environmental management and health and human services. The office encourages cooperation and support from federal, state and local governments and individuals to promote rural development programs.

8. LOUISIANA DEPARTMENT OF NATURAL RESOURCES/COASTAL RESTORATION DIVISION

The Division of Coastal Restoration within the Department of Natural Resources has the responsibility for development and implementation of the state's coastal conservation and restoration program. The division works closely with the Office of Soil and Water Conservation, local Soil and Water Conservation Districts and the USDA Natural Resources Conservation Service in implementing the re-vegetation and shoreline erosion control phase of the coastal restoration program.

9. OTHERS

Louisiana Department of Education
Louisiana Geological Survey
Governor's Office of Homeland Security & Emergency Preparedness
State Colleges & Universities

E. FEDERAL AGENCIES

1. USDA FARM SERVICE AGENCY

Farm Service Agency (FSA) administers loans for farm commodity, crop insurance, credit, environmental, conservation, and emergency assistance programs for farmers and ranchers. The NRCS provides technical assistance for any environmental or conservation programs funded through the FSA.

2. USDA RURAL DEVELOPMENT

Rural Development is a rural credit agency of USDA. The basic objective of RD is to strengthen rural economies and help farmers and other rural residents maintain a satisfactory standard of living. Loans and other types of assistance are provided for energy efficiency improvements, housing, business, water, utilities and telecommunications.

3. USDA NATURAL RESOURCES CONSERVATION SERVICE

The NRCS is responsible for developing and carrying out a national program of conservation for land and water resources. They are the principal federal agency providing assistance to soil and water conservation districts and to the State Soil and Water Conservation Commission. NRCS has a Supplemental Memorandum of Understanding signed with each conservation district to provide technical assistance to landowners, users and groups in planning and applying soil and water conservation measures on the land.

Under this agreement, the board of supervisors has the responsibility of establishing priorities for providing this technical assistance to landowners. The NRCS also assists the districts in analyzing their conservation problems, resource needs and assists with developing long range and an annual work plans. NRCS assistance to districts also includes flood prevention studies and projects, and land treatment and water supply projects through the Watershed Protection and Flood Prevention Act. (Public Law 83-566).

4. LOUISIANA COOPERATIVE RESEARCH, EDUCATION AND EXTENSION SERVICE

The Cooperative Extension Service cooperates with the land-grant colleges in furthering broad-based national agricultural higher education, research, conservation resource and extension systems designed to address problems and needs related to agriculture, the environment, human health and well being, and communities. The Extension Service is supported by parish, state and federal government (USDA).

5. OTHERS

U.S. Environmental Protection Agency
U.S. Federal Emergency Management Agency
U.S. Army Corps of Engineers
U.S. Fish and Wildlife Service
U.S. Forest Service
U.S. Geological Survey
U.S. Office of Surface Mining

F. NATIONAL ASSOCIATION OF CONSERVATION DISTRICTS

The National Association of Conservation Districts (NACD) was organized in Chicago, IL on July 25, 1946. NACD represents almost 15,000 district supervisors in nearly 3,000 conservation districts. Its purpose is to facilitate the conservation and orderly development of America's land, water and related natural resources through self-government at the local level.

NACD works to secure for all conservation districts the technical, financial, educational and scientific services, from both public and private sources, that are required for districts to carry out their program objectives.

One of the major functions of NACD is to present to Congress justification for adequate funding and other needed legislation for federal agencies so they may provide effective assistance to districts. On request, NACD will assist state associations in preparing justification for new legislation and adequate funding for district needs.

NACD maintains staff in its Washington, D.C. headquarters as well as representatives in most of its seven regions. NACD also employs a Special Projects staff to assist with various operational needs such as web services, committee advisors, resource program coordinators, and communications specialists. Louisiana is a member of the NACD South Central Region, along with Arkansas, Oklahoma and Texas.

NACD holds a national convention each year during the first week of February. Officers include president, 1st vice president, 2nd vice president, secretary-treasurer, and CEO. The NACD Executive Board manages the business of NACD and makes recommendations to the NACD Board of Directors. The Executive Board consists of the officers, one member from each of the 7 regions, one member from the Conservation Technology and Information Center (CTIC), and the CEO, who serves as a non-voting member. The NACD Board of Directors is the association's policy making body and consists of one member and one alternate from each state association of conservation districts, 5 non-voting officers, one non-voting representative from each region, and one non-voting CTIC delegate. The Board is charged with the management of NACD affairs within policies established by NACD bylaws and the council, and acts as advisor to officers and executive board members of NACD, and may approve or disapprove basic policies proposed by them.

Each district and state association is a member of NACD. In Louisiana, the president of LACD is automatically chosen as our state's NACD Board of Directors member.

The NACD leaders meet during the national convention each year and at other times as needed. NACD assigns an annual dues quota to each conservation district in the nation. The NACD website is www.nacdnet.org

G. LOUISIANA ASSOCIATION OF CONSERVATION DISTRICTS

The Louisiana Association of Conservation Districts (LACD) is an organization composed of the district supervisors from each of the 44 conservation districts. One of the purposes of the organization is to provide a forum for individual supervisors to express their ideas and concerns about resource conservation and management. The association is able to create a stronger statement about resource conservation issues than any individual district or supervisor. The association operates solely for the mutual benefit of its members, landowners and farmers of Louisiana. The LACD was chartered in Baton Rouge on March 25, 1947.

LACD is organized administratively into five regions of the state utilizing the five State Soil and Water Conservation Commission Areas established by the state legislature. These five areas are each led by their own set of officers. LACD bylaws call for the yearly election in each area of an area vice president and two area directors. Area vice presidents serve on the state nominating committee to place into nomination the names of district supervisors for LACD offices at the annual state meeting.

LACD officers include president, 1st vice president, 2nd vice president and secretary-treasurer. The LACD Executive Committee is composed of all current officers, all past presidents, immediate past 1st and/or 2nd vice presidents and immediate past secretary-treasurer. The executive committee provides leadership for the association and meets during the annual state meeting and at other times as needed to conduct association business. The executive committee interprets association policy and directs efforts to implement policy directives. The board of directors may initiate new policy, or changes in policy subject to ratification by the full association membership.

The LACD Board of Directors is made up of the executive committee and includes the 5 area vice presidents and ten area directors. The affairs of LACD are managed by the board of directors. The board determines policies and procedures for the association. The board of directors approves the annual budget and gives guidance to the people and agencies working to accomplish goals and objectives compatible with those of LACD.

To facilitate the exchange of ideas and the creation of a position of unity, the association holds an annual meeting in each area as well as a state annual meeting. Pertinent issues are presented, debated and voted on. Each district is entitled to one vote on any issue brought before the LACD membership. Area meeting locations are rotated among the districts within each of the five areas and state annual meetings are rotated among the major cities within the five areas.

The LACD executive committee may create by resolution, any standing or ad-hoc committees and define their functions. Current standing committees include Information and Education, Resource Conservation Planning and Application, Legislative, Coastal Resource, Water Resources and RC&D and Forestry. According to policy, the president appoints supervisors to each of the standing committees. Committee members serve from the time of their selection at the end of one state meeting until the end of the next. Members may be reappointed an indefinite number of times.

LACD assigns an annual membership quota of \$300 to each conservation district. Membership quotas are assigned based on the cost of running an effective office. The finances of the association are used primarily for maintaining the strongest possible communication link between districts, between the LACD and the agencies/organizations involved in soil and water conservation programs, for day to day operation of LACD including travel and specific project activities, and meeting and correspondence expenses incurred by the executive committee in fulfilling the duties assigned them by association bylaws.

The LACD Political Action Committee (PAC) was organized in 2007 to provide a unified voice for conservation needs to the Louisiana Legislature in support of resource conservation interests and State and district soil and water conservation programs.

H. LOUISIANA ASSOCIATION OF CONSERVATION DISTRICTS AUXILIARY

The LACD Auxiliary membership consists primarily of spouses of district supervisors. Its primary function is to provide support to conservation districts, especially in their information and education programs. The auxiliary advocates that a child who understands the importance of our natural resources will want to use them carefully as an adult. The organization sponsors two major youth programs annually; the conservation essay contest for eight graders, and the conservation poster contest for students from elementary through high school.

Auxiliary members working through local soil and water conservation districts deliver conservation presentations, provide resource information materials, and assist in establishing conservation education programs in classrooms and school libraries across the state. They assist districts in conducting Soil and Water Stewardship Week activities; this is a nation wide soil and water conservation district program developed and sponsored by the NACD for each district's use. It is directed at informing the public of their responsibilities as stewards of soil, water and related resources.

The Auxiliary conducts fund raising projects to support their education programs and also assists LACD in planning and conducting area, state and national meetings.

I. LOUISIANA ASSOCIATION OF CONSERVATION DISTRICT EMPLOYEES

The Louisiana Association of Conservation District Employees (LACDE) membership consists of active and retired district employees and is an affiliate organization of the LACD. This is a professional organization of the dedicated individuals who typically serve as the primary connection between the conservation district and its constituent land users and cooperators. The mission of the LACDE is to promote professionalism and provide leadership, support and awareness among district employees for the conservation and development of natural resources through conservation programs. The LACDE works to develop opportunities for career enhancement and professional development whereby district employees can more fully utilize their capabilities as skilled employees and conservationists. Through the LACDE, district employees have a greater opportunity to take part in support of the LACD and the NACD. The LACDE accomplishes this in part by providing a system of communication between district employees to keep each other informed of relevant issues, events and job opportunities. Through this network district employees are also able to support each other in matters regarding administrative and technical duties that are common to all district employees, and to streamline an effective continuing education program for all district employees.

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PERSONNEL MANAGEMENT RESPONSIBILITIES OF DISTRICT SUPERVISORS

A. INTRODUCTION

Conservation districts as public entities and district supervisors as public officials are responsible for administering district programs in the most effective way. The choice of hired personnel is very important to the district program. Whether the district has one part-time secretary or a large staff makes little difference. District supervisors still bear the responsibility and accountability for personnel management policies and decisions needed to make their staff effective and productive. It is vital that district supervisors take an active role in formulating and implementing personnel policies. Don't assume that someone else will make the decisions for you.

B. MAJOR RESPONSIBILITIES

1. DISTRICT SUPERVISORS

The major responsibility for personnel management rests with district supervisors. This responsibility cannot be transferred to others. District supervisors should:

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

2. LOUISIANA STATE SOIL AND WATER CONSERVATION COMMISSION

By law, the State Soil and Water Conservation Commission is responsible for providing administrative advice and counsel to districts in managing district programs and administering public funds. The Commission also provides to districts through Policy and Procedure Memorandum guidance on specific personnel management matters and program administration.

C. MERIT PRINCIPLES

Quality personnel systems are based on merit principles. Generally accepted merit principles are as follows:

1. Recruitment, selection and advancement of employees will be based on knowledge, skills and ability, including open consideration of qualified applicants for initial employment.
2. Compensation for initial employment will be equitable and adequate.
3. Employees will be trained as needed to ensure high quality performance.
4. Employees will be retained based on the adequacy of their performance. Provisions will be made for correcting inadequate performance and for separating employees whose inadequate performance cannot be corrected.
5. Applicants and employees will be treated fairly in all aspects of personnel administration without regard to race, color, religion, sex, national origin, political affiliation, age, handicap, or other non-merit factors and with proper regard for their privacy and constitutional rights.
6. Employees will be protected against coercion for partisan political purposes.

D. OPERATION OF THE PROGRAM

The responsibility of district personnel administration lies solely with the conservation district board. The board or a personnel committee empowered by the board should:

1. Ensure the adequacy of personnel policy statements.
2. Review policy statements annually.
3. Ensure adherence to policy statements.
4. Conduct annual performance and compensation reviews.
5. Provide administrative supervision of district employees.

If these five actions are done by a personnel committee, the district board must formally accept, reject or revise the committee's findings.

E. EMPLOYEE SUPERVISION

District personnel are accountable to the conservation district board of supervisors and, depending on each district's situation, supervised by the board or its designee. Day to day supervision is normally not practical or necessary. However, the district board chairman or personnel committee should periodically review the performance of each district employee. This performance review will provide the employee with insight as to the direction the board wishes taken in managing the district program.

In most instances, district employees are assigned to work directly with employees of the district's cooperating agencies. The cooperating agencies should provide technical guidance of the district's employee to ensure quality control of assistance rendered to the public in relation to the cooperating agencies' programs. The district will maintain administrative control over the district employee. This administrative control is required, and will ensure that district priorities are given proper consideration.

F. ESTABLISHING WORKING ARRANGEMENTS

Conservation districts should take the lead in establishing working arrangements where district employees work closely with employees of the district's cooperating agencies. This initiative can minimize problems of conflicting work assignments and supervision of employees. Working arrangements should be clearly defined in the NRCS-District gratuitous agreement or operational agreement.

G. WORKLOAD AND STAFFING NEEDS

Determining a district's workload and how many and what types of employees are needed to accomplish a district's objectives is the first step in establishing a sound personnel management system. The accurate determination of staffing needs is indispensable to a progressive district program.

A workload analysis and staffing needs assessment should be part of each district's annual work plan. Each update of a district's long-range plan should include a consideration of anticipated staffing needs.

All annual plans, objectives and staffing decisions should be coordinated with those agencies that provide employees or services to the district. Staffing a district office with adequate personnel is always difficult for the district and its cooperating agencies. Continued coordination is essential to minimize the problems that may be encountered.

A workload analysis and staffing needs assessment should be a joint effort by the district board, district employees, agencies serving the district, and others that might provide information. The district board, following consideration of information and counsel provided by district and cooperating agency employees, should establish priorities.

All current, anticipated and projected activities of a district should be analyzed in terms of required staff days. After the workload analysis has been completed, the number of staff days available to the district should be determined.

A staffing needs assessment may reveal that there is more work to be done than resources to do it. It is at this point that a district must set priorities.

A properly completed workload analysis will help in determining those areas of work on which to concentrate funds and staff.

Setting priorities will help to determine what positions the district should try to fill. Further analysis of progress reports, time reports, existing job descriptions and available funds may help provide guidance for staff assignments.

H. RECRUITMENT

Recruitment is the active search for the best qualified applicants to fill jobs. Any recruitment effort should be preceded by a thorough analysis of the personnel needs of the district, plus a determination of the appropriate qualification standards for all positions. Once the decision has been made to hire a particular type of employee and the qualification standards have been set, the next step is to identify recruitment sources that will supply the best candidates. A vigorous recruitment effort should be undertaken, even to fill one position, in order to locate the best possible candidates.

I. EMPLOYMENT OF RELATIVES

The hiring practices of government and industry are criticized if people in authority hire or influence others to hire members of their family (nepotism). Districts should avoid the favoritism or the appearance of favoritism which is associated with employing members of the immediate family of district officials, district employees, or agency personnel having close working relationships with districts. State Commission PPMs prohibit the appointment or employment of relatives of current district employees and board members or the relatives of any NRCS employee rendering assistance to the district. This policy is not intended to

deprive any citizen of an equal chance for a district job. It is made solely to eliminate the appearance of preferential treatment of the relatives of district personnel, district officials, and cooperating agency personnel.

J. EQUAL EMPLOYMENT OPPORTUNITY

In passing the Civil Rights Act of 1964, Congress established a compelling national priority that discrimination in employment be eliminated. As a public employer, districts are responsible for insuring that discrimination on the basis of race, color, national origin, age, religion, or sex does not occur in any aspect of employment including advertising, recruitment, referrals, testing, hiring, assignment, transfer, promotion, training, apprenticeship, disciplinary action, layoff and recall, termination, compensation, benefits and all other terms, conditions, and privileges of employment.

K. WRITTEN POLICY

Numerous personnel management problems can be avoided if conservation districts establish written personnel policies. Once a district board has formulated personnel rules and procedures, these policies should be established in writing and provided to all employees. Where district employees are governed by the rules and regulations of other jurisdictions, copies of those regulations should be secured for the employees. Having written policies will simplify the delegation of responsibility for the day-to-day operation of a personnel system. The following checklist contains items that are basic to any policy statement. Each district board may determine it necessary to add other items.

When developing a written policy, study other existing policies. Look over copies of parish, city, and private industry policy statements. If possible, secure the services of a personnel specialist in developing the policy statement. The LDAF/OSWC can provide a basic template for developing a district personnel policy and job descriptions.

1. EMPLOYMENT

a. Classification

The perceived importance of a task and the length of time required to accomplish that task are two major considerations that are necessary for making a decision on the employment classification of the person involved with

the task. Conservation district supervisors must designate the classification of their employees according to State Commission PPMs. Classifications include:

Permanent full-time - a continuing position requiring a minimum of 40 hours per week with entitlement to all fringe benefits.

Permanent part-time - a continuing position requiring less than 40 hours per week on a regular schedule with fringe benefit entitlement on a pro-rated basis. (See section on Employee Benefits in this chapter for minimum hours to qualify for benefits).

Temporary - a position with limited duration that is paid an hourly wage for hours actually worked and receives no fringe benefits.

b. Probational Period

A test period of employment of some duration where the employee is observed by the board or its designee in actual work situations to determine whether the district wants to retain the employee. All districts should establish a probational period.

c. Orientation

An appropriate introduction to the new job and to the district program can improve performance. An informative atmosphere in the beginning can prevent misunderstandings, confusion and dissatisfaction.

The type of orientation will depend on the needs of the particular district but completeness and clarity are two of the more important aspects of orientation.

An orientation session should be part of the overall district training effort and should be the first training provided all employees.

d. Statement of Nondiscrimination

All conservation districts should make a uniform statement of their policy regarding recruitment, selection, retention or dismissal and advancement of district employees. A prospective, as well as a current district employee, should be assured that the conservation district to which he or she is applying or is employed will treat him or her fairly in all aspects of personnel administration. This fair treatment will be administered

by the district board of supervisors without regard to race, color, religion, sex, national origin, political affiliation, age, handicap or other non-merit factors and with proper regard for applicant or employee privacy and constitutional rights.

e. Authorization to Work in U.S.

According to the Immigration Reform and Control Act (P.L. 99-603) of 1986, every person hired after November 6, 1986 must be authorized to work in the United States.

Regulations require the employer to verify work authorization using an Immigration and Naturalization Service form. To verify working authority, the employer must examine documents that attest to the identity of the employee or prospective employee as well as his or her eligibility to work in this country. The employer must keep the authorization form on file with other employee records in perpetuity.

f. Qualifications for Employees

The district board, as developer of the district program, is best suited for discerning the qualifications of its employees for various employment positions. Qualifications usually take into account such attributes as knowledge, skills, abilities, and other requirements that are established for each position based upon the job demands of the position. To be valid, these standards must be job related. Conservation districts should develop and maintain a high standard of qualification for their employees.

g. Job Descriptions

The conservation district board of supervisors should have the best idea of the problems that need addressing in their district regarding soil and water conservation matters. Therefore, the job description necessary for the employees to accomplish the goals set by the board can be best determined by the board. Conservation districts should develop and maintain high standards of accomplishments through the use of district employees.

h. Authority to Hire and Set Salaries

The conservation district board of supervisors has the sole responsibility to hire and set salaries, terminate employment and/or otherwise affect the working relationship between district boards and their employees.

i. Working Hours

The district board is responsible for determining full-time, part-time or temporary employment status according to workload, funding or program need and for determining normal working hours.

2. EMPLOYEE COMPENSATION

Compensation is one of several areas of greatest interest to employees. Regardless of other factors, such as job satisfaction and good working relationships with fellow workers, employees are primarily concerned with their own welfare and that of their families. For this reason, districts should make every effort to provide competitive pay and fringe benefits to attract and retain high caliber personnel.

An employee compensation package consists of both salary and benefits. For comparability purposes, the value of benefits should be included with the salary when discussing compensation. In designing a compensation package, the employer should make every effort to provide employees with a fair and equitable return for their work. Districts should make a continuing effort to assess the pay and benefits prevalent in their communities.

The objective of establishing salaries is comparability. "A reasonable day's pay for a reasonable day's work" is the goal. Districts should insure that the pay for their workers is fair and equitable. Pay should neither be so high as to make the cost of district administration unnecessarily expensive nor so low as not to be competitive or to place district employees in a substandard employment category.

a. Method of Salary Progression

The district board, as an employer, has the duty and authority for setting salaries and making adjustments in pay as needed. District supervisors should include in their personnel policy a pay scale and a provision for an annual pay review and/or orderly salary increases based on the quantity and quality of work performed, the responsibility and difficulty accorded to the position, the merit of the individual in that position and the finances available to the district.

b. Employee Benefits

Employee benefits include all compensation received by the employee in excess of the base salary. Benefits are available in a broad range from which districts may pick and choose. In deciding what benefits to provide, custom and competition should be considered.

Few employees realize the advantage of these benefits. Therefore, these factors should be stressed when hiring or when discussing compensation with employees.

(1) State Employee Group Health and Life Insurance

District employees have the option to enroll in this program if the employee works at least 30 hours per week. The district pays the employer's share of the insurance premium for current and retired employees that are members of the State Employee Group Health and Life insurance System.

(2) Worker's Compensation Insurance

Participation in the Worker's Compensation insurance program is required by law and is available to the district employees. The district is responsible for obtaining this coverage.

(3) Retirement Plan

a) State Parochial Retirement System

Participation in the State Parochial Retirement System is mandatory for districts that are current members. Most districts are not in the Parochial Retirement System and are no longer eligible to participate. Member districts must contribute to the system and district employees must be on permanent status and work 28 hours or more per week to remain enrolled.

b) State Deferred Compensation Program

District employees are eligible to participate in the State Deferred Compensation program. This program provides the opportunities for a district employee to make a tax deferred contribution to a 457 retirement plan. For additional details on the Deferred Compensation Plan, employees are encouraged to contact the LDAF payroll section.

(4) Social Security

All conservation districts in Louisiana participate in the Social Security Program (FICA). District supervisors need to be aware of the fact that their employees have this coverage.

(5) Leave

A leave policy is a vital element of an employee's working arrangement. The State Commission has established a uniform leave policy for all districts (PPM No. 2: "District Leave Policy").

(6) Surety Bond (Fidelity Bond)

State law requires that conservation district supervisors and district employees who are entrusted with public funds and/or have check signing authority be bonded.

(7) Unemployment Insurance Program

Conservation districts are required to participate in the state's Unemployment Insurance Compensation Program. In order for district employees to be eligible for unemployment insurance benefits the unemployed worker must meet certain requirements. Districts may obtain assistance with Louisiana's Unemployment Insurance program by contacting the LDAF/OSWC. Districts are responsible for any unemployment claims charged to them.

3 EMPLOYEE RELATIONS

a. Communication

The district supervisor/district employee working relationship is highly critical aspect of the function of a conservation district office. Communication between the board and its employees is essential. Proper communication between employer and employee can help avoid many work related problems. Communication can greatly enhance the administration of district programs. Informing district employees about the actions of their board of supervisors is important. There is no better way to seek employee/employer interaction regarding district affairs than to require district employees to attend board meetings.

b. Grievance Procedure

The conservation district should adopt a policy that its employees shall be treated fairly and equitably in all respects. If an employee believes that he or she has not been treated fairly, that employee should have the right to present the grievance to the district board. There should be a system that will permit employees to present formal and informal complaints to the board. The filing of a grievance should not reflect unfavorably on an employee's performance or loyalty. Every effort should be made by the employer and employee to resolve grievances within a reasonable time-frame to the satisfaction of both parties.

c. Standards of Conduct and Ethics

A district program cannot be effective unless it is carried out by a district staff which, in addition to being technically competent, demonstrates professional integrity in its conduct. All district employees have a responsibility to perform their assigned duties, to support their supervisors and district board and to uphold the public trust in soil and water conservation districts. One of the best ways of maintaining these standards is by the examples set by district officials.

All employees should be expected to maintain high standards of ethics and personal conduct.

d. Administration of Discipline

The conservation district board should have a provision in their personnel policy that applies to correction of unsatisfactory employee behavior. District employees are expected to perform and to conduct themselves in a creditable manner. In some cases, however, it may be necessary to correct an employee who has not observed some standard of performance or conduct. Generally, correction is accomplished through constructive recommendation or verbal admonishment but occasionally an employee does not respond to verbal correction and a more serious and impressive form of administrative action is needed.

A personnel system based on merit provides the right of management to take necessary disciplinary action. The philosophy of merit also requires that there be "just cause" for administering the discipline. Discipline, if administered in a just, prompt and consistent manner, can actually be a morale booster. Although the major purpose of discipline is to create better habits and standards of work among employees, separation is at times required in the interest of service to the public.

Simple justice requires that employees who are to be disciplined be given advance notice of such action and be given the opportunity to reply in advance of the imposition of the reprimand or penalty. It is a principle of good management that employees clearly understand the reason for discipline. This understanding can best be accomplished by a written notice of disciplinary action. The district board should initiate or have full knowledge of all disciplinary actions that are taken.

e. Sexual Harassment

Conservation district supervisors need to be aware of the fact that under federal guidelines of the Civil Rights Act of 1964, as amended, provisions exist to safeguard employees against the human abuse of sexual harassment. Although criteria for determining sexual harassment is specified by federal guidelines, actions that may be defined as sexual harassment are not limited to the supervisor/employee situation but may include actions of co-workers, actions of the same or opposite sex and actions of individuals external to the district but who have contact with the employees in the work environment.

f. Freedom of Information - personal records

Conservation district supervisors should be aware of their employer responsibilities according to the Louisiana Freedom of Information Act. Certain employee records are not open to the public. For instances, personnel records are not available to the public to the extent that disclosure would constitute a clearly unwarranted invasion of personal privacy. Also, performance evaluation records are not open to the public except when there is a compelling public interest in their disclosure. Districts should designate a custodian of employee records that understands the responsibility of the duty and the consequence of negligent action regarding custodial duties.

4. PERFORMANCE EVALUATION

All employees have the right to know what is expected of them in their jobs and how well they are performing. A system of performance evaluation based on objective criteria should help achieve peak performance from employees. Evaluating the performance of subordinates can be very rewarding and enjoyable but also very trying. It is one of the most important jobs a supervisor has to do.

The standards by which an employee must perform each duty should be communicated to the employee in terms of quantity and quality. Any evaluation of performance should in turn be based on these objective job related criteria. Objectivity is the basic and most essential element in setting these standards. Overemphasizing objective or measurable elements, however, can lead to problems. Each duty that is developed for a position should have a corresponding standard by which it should be performed. This standard should be stated in terms of quantity and quality.

Most supervisors are aware of the quality of an employee's performance but this awareness is not enough. There should be a time when supervisor and employee get together for the specific purpose of reviewing performance. This periodic, formal review is essential in maintaining a high standard of employee performance.

The performance of an employee should be evaluated by the person who is most familiar with the work of the employee and who is involved in setting the performance standards.

5. EMPLOYEE TRAINING

The value of conservation district employees to the district can be greatly enhanced by proper training. The district board should make provisions for training their employees according to tenure, workload, expertise of the employees, projects and changes in programs. A training plan should be developed for specific positions held by district employees (clerk, secretary, manager, conservation technician, engineering technician, etc.). This plan should include basic orientation to the conservation district for new employees, an introduction to the job, basic general training, basic specific training and guidelines for specific training for special projects. The board of supervisors should allow for training to be provided by the best available sources.

6. EMPLOYEE RECORDS

It will be necessary for Districts to maintain certain kinds of personnel records to meet legal requirements and to promote the efficiency of district operations. All personnel records must be permanently retained by the district. Any system that is established should be coordinated to avoid duplication and unnecessary collection of data. Some basic personnel records are:

- Application for Employment
- Report of Accident of Occupational disease
- Retirement Records
- Payroll vouchers
- Employee Records of Earnings
- Employee W 2 Forms
- Quarterly Report of Wages Paid
- Position descriptions
- Performance evaluations
- Records of disciplinary actions
- Records of training
- Records of Leave (annual & sick)
- Employment eligibility verification

7. PERSONNEL POLICY CHECKLIST

A. EMPLOYMENT

1. Classification
2. Probation Period
3. Orientation
4. Statement of Nondiscrimination
5. Authorization of Work in U.S.
6. Qualifications for Employees
7. Job Descriptions
8. Authority to Hire and Set Salaries
9. Working Hours

B. EMPLOYEE COMPENSATION

1. Method of Salary Progression
2. Benefits

C. EMPLOYEE RELATIONS

1. Communication
2. Grievance Procedure
3. Standards of Conduct and Ethics
4. Administrative Discipline
5. Sexual Harassment
6. Freedom of Information - personal records

D. PERFORMANCE EVALUATION

E. EMPLOYEE TRAINING

F. EMPLOYEE RECORDS