

## Soil Conservation Districts – Accreditation Training Section

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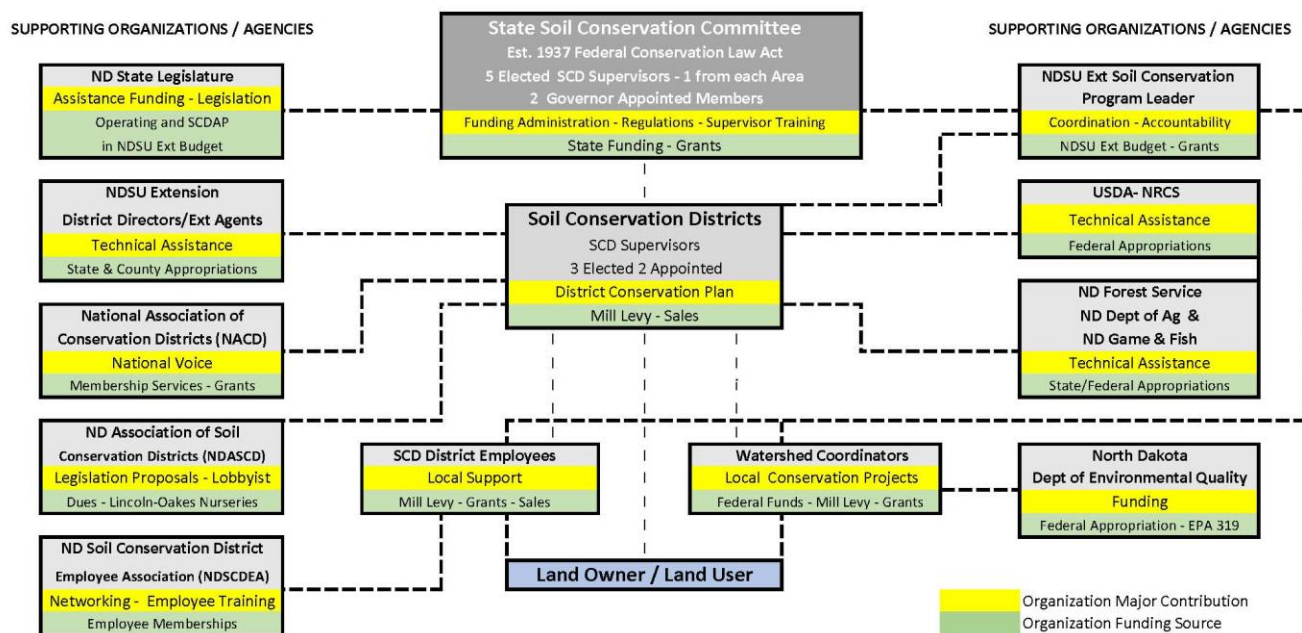
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### ND Structural Organization Soil Conservation Districts



## **Structural Organization of Soil Conservation Districts**

The Soil Conservation District is a crucial member of a three-way partnership of federal, state, and local agencies. The continuation of this working relationship is vital to the work of soil and water conservation. The partnering agencies in the above chart are integral working parts of a multi-agency team effort to protect and preserve natural resources.

Districts are generally organized in a similar manner. The board of supervisors provides overall supervision and sets policy assuring that the district performs tasks required by law and memorandums of understanding.

The everyday business of running a district is handled by the district staff. The district manager is responsible for handling administrative details and office operations on the board's behalf. Managers may also assume technical responsibilities. The district technician is responsible for providing technical support, plan reviews, etc. Each report to the board of supervisors and provides the board with the information it needs to make policy and planning decisions.

### **Soil Conservation District Supervisors**

The Soil Conservation District is considered a political subdivision, organized under the North Dakota Soil Conservation Districts Law enacted in 1937 and as later amended. They are organized by vote of the people within the district and are managed by a board of supervisors, also elected by the people.

Soil Conservation Districts are responsible for carrying out a program of soil and water conservation with all cooperating rural residents within the district boundaries.

#### **District Supervisors Shall Have the Power To: (N.D.C.C. 4.1-20 Conservation Law)**

- Appoint two additional supervisors. (4.1-20-18)
- Employ temporary and permanent employees. (4.1-20-20)
- Seek legal services from the County State's Attorney or Attorney General. (4.1-20-20)
- Conduct surveys, investigations and research. (4.1-20-24)
- Conduct demonstration projects. ((4.1-20-24)
- Carry out preventive and control measures within the district. (4.1-20-24)
- Cooperate or enter into agreements. (4.1-20-24)
- Obtain options upon or acquire real or personal property. (4.1-20-24)
- Make available machinery, equipment, seeds, and seedlings. (4.1-20-24)
- Construct, improve and maintain structures. (4.1-20-24)
- Develop comprehensive plans for the conservation of soil resources. (4.1-20-24)

- Administer and act as agent for the United States in any soil erosion, erosion control, or erosion prevention project; accept donations, gifts and contributions in money, services, and materials. (4.1-20-24)
- Sue and be sued in the name of the district. (4.1-20-24)
- Have a seal. (4.1-20-24)
- Have perpetual succession. (4.1-20-24)
- Make and execute contracts. (4.1-20-24)
- Make, amend and repeal, rules and regulations. (4.1-20-24)
- Require contributions from beneficial operations performed by a district on lands not controlled by this state (4.1-20-24)
- Expend moneys for education, promotion, and recognition activities. (4.1-20-24)
- To levy taxes. (4.1-20-24)
- Formulate land use regulations. (4.1 -20-25) through (4.1-20-37)
- District Supervisor Compensation. (4.1-20-18)

***ND Century Code website*** <https://www.legis.nd.gov/general-information/north-dakota-century-code>

### **District Supervisors Responsibilities and Duties:**

- Furnish to the State Soil Conservation Committee (SSCC), upon request, copies of any ordinances, rules, regulations, orders, contracts, or other documents they shall adopt or employ, and such other information concerning their activities as the SSCC may require.
- Provide for the execution of surety bonds for all employees and officers. N.D.C.C. Chapter 4.1-20-22.
- Provide for keeping of a full and accurate record of all proceedings, resolutions, regulations, and orders issued or adopted by them. N.D.C.C. Chapter 4.1-20-22.
- Maintain complete and accurate records of receipts and disbursements of the district and provide for an annual audit N.D.C.C. Chapter 4.1-20-22)
- Prepare an annual financial statement at the close of the business year and forward a copy to the SSCC.
- Attend and participate in regular monthly meetings and attend district functions.
- Keep the long-range planning current to meet total resource development needs of your district. The long range program should be reviewed annually.
- Develop a District Planning Process which provides for carrying out action projects of highest priority that seek to accomplish the goals and objectives of the long range program. Refer regularly to the District plan to see that activities are carried out.
- Be informed on the North Dakota Soil Conservation Districts Law and the administrative functions of the State Soil Conservation Committee. Be informed on your State Association, NACD, and the North Dakota Conservation District Employees Association. Keep abreast of changes in the law, operational policies and program concepts of importance to the district.

- Develop district conservation needs and set district priorities in providing technical assistance to landowners and operators for a complete coordinated soil conservation program for all rural residents.
- Invite agencies assisting in carrying out the district program to meet with the District Board to consider mutual problems. Keep these organizations and the general public informed of progress, objectives and district needs.
- Develop a realistic annual budget and manage the funds of the district by anticipating project activities and board expenditures for the coming year.
- Approve bills to be paid by the District
- Carry out a dynamic information and education program to include the general public, students, producers and others focusing on resource conservation, programs and services, district activities and other pertinent information This can be accomplished in part by printing and distributing annual reports, district newsletters, and by utilizing other news media.
- Conduct conservation tours, demonstrations, and support educational meetings
- Cooperate with fellow board members in establishing district policies.
- Know the functions of other agricultural agencies that operate in your district.

**District Supervisors / District Employees** - A large portion of the board's responsibility lies with their employees. The board is responsible for not only hiring district staff, but also supporting them and ensuring they have the means to perform their jobs, the equipment and knowledge. Providing guidance, support, and reviewing performance is a key component of the Board/Employee relationship. District staff are the customer facing link between the board and their constituents, ensuring they are properly trained and have the resources available to perform their duties, including professional development is vital.

Dealing with employees is not an easy task and one where a lot of consideration must be given to the well-being of the employee which is part of the well-being of the district. Board members have to decide on the wages, benefits and requirements of their employees. This is an area where state and federal laws must be taken into consideration.

The board does rely on their managers and employees to keep them informed on the current events affecting the district, but this by no means releases them from their obligation of being involved and informed by other sources. Communication between the board members, the employees and the landowners is critical in all areas.

Remember the conservation district supervisor's obligations as a public official. Any supervisor who finds it is impossible to fulfill these obligations because of poor health, lack of time, or any other reason, should resign from office and make way for an individual who can perform effectively.

**District Supervisor Removal** - After notice given and hearing held in accordance with N.D.C.C. Chapter 28-32, a supervisor of a Soil Conservation District may be removed from

office by the State Soil Conservation Committee. N.D.C.C. 4.1-20-18. Supervisors may also be removed by a vote of district residents, in the same manner as other locally-elected officials.

**District Supervisor Compensation** - Upon a majority vote of the supervisors, the supervisors of a soil conservation district are entitled to receive compensation of up to sixty-two dollars and fifty cents for attending each regular or special meeting or for attending other meetings or events in the performance of their official duties.

Supervisors of soil conservation districts are entitled to receive travel and subsistence expenses necessarily incurred in attending district, state, or other meetings. The compensation and all other expenses including travel incurred by district supervisors while transacting district business must be paid from district funds. N.D.C.C. Chapter 4.1- 20-18

**District Officers** – During the board's January meeting, the board of supervisors should hold an election for the various district board's officers; chair; vice-chair; secretary; and treasurer; or secretary-treasurer.

- An active district chair is the key to a successful board of supervisors meeting, it is the responsibility of the chair to accept the leadership roles, involving each member in the discussion of issues and programs of the district, starting meetings promptly and closing meetings after all business has been completed.
- The State Soil Conservation Committee recommends that, no one elected or appointed soil conservation district supervisor should serve as Chair of their district board for more than two consecutive years.
- District Reorganization Form - (SFN 17143). Your district reorganization meeting should be held as soon as possible after the first of the year. Please provide the State Soil Conservation Committee with this information by March 1. The reorganization form is available on-line.
- District Inventory - The soil district board may set a minimum value on equipment that gets logged on the inventory list. The inventory list should be reviewed annually and a walk through done with a supervisor to make sure inventory is accountable. Inventory information is due March 1<sup>st</sup>.
- Each meeting month the Chair should meet with the District Staff and District Conservationist prior to the scheduled meeting and work out a tentative agenda which is sent to each board member and other individuals invited with their notification of the meeting and post notice of the meeting as required by law. N.D.C.C. Chapter 44-04-17.1

*The Attorney General's office has a great resource on Guidelines for Open Meetings at: <https://attorneygeneral.nd.gov/sites/ag/files/documents/Open-Meetings-Guide.pdf>*

**Soil Conservation District Assistance Funds** – The ND Legislature may appropriate state funds each session to help defray costs of the local SCDs for conservation activities. These funds are used to cover salaries of SCDs employees who plan and design local soil conservation projects. The State Soil Conservation Committee approves the allocations and NDSU Extension notifies each district of their funding allocation, directions for reimburse them for salary expenditures through the NDSU Agriculture Budget Office.

**District Audit and Financial Report** – The district supervisors should arrange for the Annual Audit of the account of receipts and disbursements of their district as required by the Soil Conservation Districts Law N.D.C.C. Chapter 4-1-20-22.

Due to the 55th Legislative Assembly, Soil Conservation Districts were added to the list of political subdivisions to be audited by the State Auditor. The law requires the State Auditor, a Certified Public Accountant, or a License Public Accountant to audit the districts every two years.

The State Auditor may in lieu of conducting an audit every two years, require an annual financial report from districts with less than \$750,000 in annual receipts. Districts are required to complete the Annual Financial Report for the year by December 31. A template for this report can be found on the State Auditor's website, and their local government division can be of assistance.

The district needs to forward the completed report by June 1 to:

State Auditor's Office,  
600 E. Boulevard Ave. - Dept. 117  
Bismarck, ND 58505.

The State Auditor may also charge districts a fee not exceeding \$50 an hour for the cost of reviewing the report.