

## **Chapter 1 – OHIO SOIL AND WATER CONSERVATION PARTNERSHIP**

### ***OHIO SOIL AND WATER CONSERVATION HISTORY***

The information contained in this section of the SWCD Administrative Handbook has been included in an effort to educate the reader/user on the early history of Soil and Water Conservation Districts in Ohio, as well as the history of the Ohio Department of Natural Resources, Division of Soil and Water Conservation (DSWC) and Division of Soil and Water Resources (DSWR).

The information contained herein up to the 1980s is selected text which has been excerpted from an existing document entitled "DIVISION OF SOIL AND WATER CONSERVATION DISTRICTS", written by Floyd E. Heft. For those desiring a more inclusive account of this time period in its entirety, it is suggested that the original document be reviewed.

We would like to express our sincere thanks and deepest appreciation to former DSWC Chief Larry Vance and DSWR Chief David Hanselmann, and former DSWC Deputy Chief, Brad Ross for their contribution of historical content and review of the sections 1980 through 2012.

### ***OHIO SOIL AND WATER CONSERVATION DISTRICTS BY ORDER OF OFFICIAL ORGANIZATION***

#### ***THE FLEDGLING THIRTIES***

The first governmental recognition of soil erosion in our nation was marked by the Buchanan Amendment to the Agriculture Appropriation Bill enacted by the United States Congress in 1929. The appropriation of \$160,000 to the United States Department of Agriculture (USDA) for erosion investigation signaled the beginning of today's soil and water conservation programs not only in the United States but also for many other countries.

On May 12, 1934 the worst dust storm in the nation's history swept eastward from the Great Plains to the Atlantic Ocean, obscuring the sun and depositing obvious films of dust as it moved. This catastrophic storm served as the catalyst for public outcry and congressional action for soil and water conservation throughout the nation. On April 27, 1935, Congress passed and President Franklin D. Roosevelt signed the Soil Conservation Act of 1935, Public Law No. 46. The act established the Soil Conservation Service (SCS) within USDA.

#### ***Failed Federal Presence***

Until 1937, all the new soil and water conservation thrust had originated with the federal government working directly with landowners, primarily farmers. Farmers previously had little direct contact with USDA and they were very skeptical of federal involvement. Hugh H. Bennett, Chief of SCS; M.L. Wilson, Director of the Federal Cooperative Extension Service; and Phil Glick, legal counsel in USDA recognized the fragility inherent in this direct relationship between the federal government and local landowners. They realized that the future trust and long term cooperation of landowners would depend upon a linkage of and involvement with federal, state, and

local government. Because of their efforts, Congress passed a resolution which the President signed, calling for states to become the conduit for soil and water conservation assistance from USDA to land users through enactment of a law establishing a state soil conservation agency and procedures whereby local soil and water conservation Districts could be organized. By the end of 1937, 22 states had enacted such a law, but Ohio's attempt to secure enactment in 1939 failed because of reluctant support of agricultural leadership in the state.

The decade of the 1930s, nevertheless, through federal action gave meaning and visibility to soil and water conservation. The rapid fire passage of other laws created several federal agricultural agencies new to rural America, and not all proved acceptable. The Agricultural Adjustment Act was declared unconstitutional because of direct payments to farmers. Congress hastily amended the Act to create the Agricultural Stabilization and Conservation Service (ASCS) of USDA which was viewed as constitutional because of the conservation designation and cost-sharing of payments for conservation practices.

## **THE FORMATIVE FORTIES**

As the decade of the 1940s began, world conflicts were bringing our nation closer to war each passing month and intense pressures were developing on farmers to increase food production on the land they managed. The 94th General Assembly retained soil conservation on its agenda, and on May 16, 1941 passed House Bill 646, which became the Ohio Soil Conservation District Enabling Act when it was signed by Governor John W. Bricker on June 5, 1941. This act created the Ohio Soil Conservation Committee (OSCC) as an agency of the State of Ohio with offices at The Ohio State University. The Act also established procedures for the formation of local Soil Conservation Districts, and the election of local District Boards of Supervisors in addition to defining the authorities and responsibilities of these local District Boards and OSCC. The roots of the Division of Soil and Water Districts trace directly to this legislation.

### **Local Referendum**

Procedures for the formation of a local Soil Conservation District required that a petition requesting a hearing and containing signatures of a least 75 landowners within the proposed District be submitted to OSCC. Then OSCC would conduct a public hearing concerning possible formation of the District. Testimony at the hearing provided information which assisted OSCC to determine the sufficiency of need for the District. A favorable decision resulted in OSCC authorizing the local petitioners to conduct a local referendum for or against the proposed District. Both OSCC hearings and the local referendum were advertised by legal notices in the local newspapers. The description of the District's boundaries, name of the District, hearing and referendum dates, and balloting locations and times were required in the referendum legal notice. Landowners within the proposed District were eligible to vote. No referendum was ever challenged on the basis of this procedure. Results of the local referendum were tallied and certified to OSCC for review and action declaring the District organized if 65 percent of those voting favored establishment of the proposed District. Why the law required a 65 percent majority vote was never clarified, but the favorable vote in all but a few Districts exceeded 85 percent. This overwhelming support indicated that local people were dedicated to the cause of soil conservation and spoke emphatically at the polls when given the opportunity.

Administration of an organized District and its program was provided in the Act by requiring the election of a District Board of Supervisors consisting of five members, not necessarily farmers or landowners. The law stated that no Supervisor shall receive compensation for services but may be reimbursed for necessary expenses incurred in the discharge of official duties. Upon submission to OSCC of petitions nominating candidates for Supervisors signed by 25 landowners within the District, OSCC conducted an election of Supervisors. OSCC upon receipt of election results declared a District functional and transmitted to the Ohio Secretary of State a copy of its finding and decree incorporating the District and a list of Supervisors of the District. The District thereupon became a political subdivision of the State of Ohio.

### **Commission, Federation Forge the Future**

A new era of soil conservation leadership erupted 25 March 1942 when OSCC met for the first time. Its membership included OSU Dean of Agriculture John F. Cunningham, ODA Director Robert Brown, Harry Silcott of Fayette County, Cosmos D. Blubaugh of Knox County, and John Grierson of Highland County. Dean Cunningham was elected the first chair. Six petitions for the formation of local Districts were presented, and OSCC conducted official hearings on petitions from Clark, Highland and Columbiana Counties and recognized receipt of petitions from Butler, Morrow and Coshocton Counties. Practically all Districts in Ohio were organized by county boundaries and carried the county name as recommended by local petitioners. Although the first hearing was for the Clark Soil Conservation District, the Highland District sponsors conducted their election of Supervisors sooner after their hearing and thereby were officially designated District No. 1 in Ohio. Many legal and procedural issues soon developed, and OSCC, with no staff was nearly overwhelmed with organizational problems. Dean Cunningham spent much time interpreting the law and setting procedures with the help of the Ohio Attorney General. He retired in 1947, and his successor, Dean Leo L. Rummell, was also elected Chair of OSCC.

A landmark event occurred on 20 October 1943 when the Ohio Federation of Soil Conservation District Supervisors was established with three Districts participating - Clark, Butler and Highland. This embryonic organization was destined beyond all expectation to become the most influential and respected force for land and water conservation and management in Ohio. Interested nonagricultural groups almost instantly gave support to the Federation. Trent Sicles, Manager of the Great Southern Hotel and Public Relations Vice President of Lazarus Department Stores in Columbus, sponsored a statewide meeting of District Supervisors on 17 December 1943 at the Southern Hotel.

The Federation's first annual meeting was also held at the Southern Hotel in February 1944 with 19 organized Districts (and 18 in the process of organizing) in attendance. Allen Craig of the Clark District was elected President and continued to serve in that capacity until 1947 at which time Clay Stackhouse of the Huron District served as President until 1950. Both gave excellent leadership during the formative and critical stages of Soil Conservation District development in Ohio and the United States.

### **MOUs Established**

Districts upon formation were encouraged to enter into agreements with USDA and SCS whereby technical conservation assistance could be provided through Districts to cooperating landowners. Basically, the District was to provide office space and operational costs for the federal technicians. Because Districts did not receive financial assistance from the State or local government, they could

not provide such assistance and accepted the offer from SCS not only to provide facilities for its own employees but also to allow its office to be used as the District's office. This arrangement created an image problem for Districts because all office identification was federal and telephones were answered as such. News stories were seldom credited to the District and all field equipment was federally labeled. It was no small wonder that farmers and the public usually considered the District a federal agency run by SCS.

Regardless, the Districts appreciated their autonomy and guarded it very effectively. An unsuccessful challenge to this autonomy developed in 1944 when a bill was introduced into the Ohio General Assembly to place all conservation agencies into a single department of State government. Supervisors adamantly rejected the concept because they viewed entrance into the partisan political setting as detrimental to their local acceptance. A second challenge developed in 1948 when bills were introduced into Congress to place SCS under the federal Cooperative Extension Service. Districts throughout the nation objected strenuously and the legislation did not pass. Districts continued to oppose becoming a part of a State department and when in 1949 the Ohio Department of Natural Resources was created by Amended Senate Bill 13, Districts and OSCC were not included.

### **THE BREAKTHROUGH FIFTIES**

The soil conservation movement in Ohio experienced landmark success in the 1950s. The long-sought State appropriation to OSCC was approved in 1950 and staff was hired to assist Districts. The enactment of House Bill 116 in 1951 authorized county commissioners to appropriate funds to Districts and the State to match such appropriations. It also provided funds for OSCC to hire an Executive Secretary. Floyd E. Heft was named to this position in 1951, and was immediately engaged as Treasurer for the National Association of Conservation Districts Annual Convention held in Cleveland in 1952.

In 1952, Congress again proposed to place SCS under the federal Cooperative Extension Service over strong District objection. Districts won the battle, but SCS structure was changed to eliminate all regional offices thus linking Washington, D.C. directly to the states. Hugh Bennett retired as Chief of SCS, and an Ohio agronomist, Dr. Robert Salter, was named successor. The United States Secretary of Agriculture issued Memorandum 1278 giving SCS technical approval responsibility for design and construction of conservation practices receiving cost-sharing from ASCS. Districts viewed this action as diluting SCS technical services assigned to Districts and objected, but the memorandum prevailed. This policy actually benefited Districts because it provided services to many non-cooperating farmers, and technically sound practices were installed within the District with or without a conservation plan.

### **Watershed Protection and Flood Prevention Act**

The year 1954 may truly be called a "watershed year" for conservation. Congress passed Public Law 83-566, the Watershed Protection and Flood Prevention Act, authorizing and funding SCS planning and construction of facilities and features within a hydrological unit (watershed) not to exceed 250,000 acres in size. The Act was opposed by the United States Army Corps of Engineers because of that agency's position that flood prevention could not be cost effective under the small watershed concept, and the "big dam-little dam" battle of the early 1950s was launched. Congress in 1953 had authorized two pilot projects in Ohio, Upper Hocking in Fairfield District and Rocky Fork in

Highland District. These projects, in addition to others nationally, were to provide evidence for or against establishment of a major, permanent, small watershed program. Interestingly, congress was impatient and moved the following year to make the "Watershed" program permanent and began major funding as pilot watershed-planning was just getting under way. Governor Frank J. Lausche designated ODNR as the "Small Watershed" coordinating agency for Ohio.

Conservation education grew rapidly in the 1950s. Major new and expanded activities included educational programs, publications, expanded training schools for District Supervisors, new educational format for Ohio 4-H Conservation Camp, soil stewardship materials for churches, air tours to view conservation practices, co-sponsorship of world conservation expositions and plowing matches in Adams District, Queen of the Furrow Contest, and a graduate course in conservation for professionals.

The Ohio Federation in the 1950s profited from good leadership and five outstanding presidents:

**James Lane (1950-1951)**, a fruit farmer of Greene District;

**Orran Hofstetter (1952-1953)** of Wayne District, a natural salesperson and promoter;

**Frank Sollars (1954-1955)** of Fayette District, the youngest President and an innovative farmer;

**Robert Grieser (1956-1957)** of Clark District, a farmer and excellent community and state leader;

**Sam Studebaker (1958-1959)** of Miami District, farmer, a molder of unity, and first Ohio President of the National Association of Conservation Districts.

Robert Grieser's and Sam Studebaker's induction into both the Ohio Conservation and Agriculture Halls of Fame and Frank Sollars's induction into the Ohio Agriculture Hall of Fame are indicative of their leadership qualities. Districts and the Ohio Federation came of age in the 1950's. Both were successful in legislative endeavors and initiating District identity with their State legislators through a very successful annual legislative breakfast, the first of which was held in 1959. They had laid the cornerstones for the building of the future.

Structural and organizational changes of OSCC during the 1950s expanded the Committee to seven members to include the ODNR Director and an additional farmer. Herbert Eagon, prior to his appointment as ODNR Director, was appointed farmer member and ODNR Director Marion became a new member. The Ohio State University representative to OSCC, Dean L.L. Rummell, retired and Dr. Roy M. Kottman replaced him. Herbert Eagon became ODNR Director in 1957, and resigned from the Committee as farmer member. SCS leadership changed in 1959 as the first State Conservationist for Ohio, Thomas Kennard, retired and Raymond Brown succeeded him. Brown, an engineer by training, was given a strong mandate by SCS Chief Williams to get the Public Law 83-566 Watershed program moving in Ohio. Gene Derickson was hired in 1959 as the second full-time OSCC staff member and was given responsibility for statewide program development.

## ***THE SENSATIONAL SIXTIES***

The role of the soil conservation movement in Ohio in the 1960s moved from an almost total orientation of agricultural soil conservation to one involving soil and water conservation with a

much-expanded segment of citizen's interests. The capabilities of Districts to service water conservation needs fully were challenged constantly by legal restraints of the law governing them.

Program expansion suffered because of the structural position of the OSCC within State government. The SCS expansionist philosophy, in view of a shrinking agricultural clientele, brought pressures to include new programs serving nonagricultural interests. Districts by receiving and expending public funds came under scrutiny of State auditors. Many operational changes during the 1960s were attained only after testy debates and greater scrutiny than in any previous time. Watershed activities and applications soared with great rapidity. By 1964, 53 Watershed applications were submitted of which six were being planned and eight approved for planning.

The explosion of Watershed applications in Ohio caused many problems. The planning capability of SCS was swamped and generated a need for establishing a dual planning priority system by ODNR to prevent SCS from giving priority to the Maumee River basin applications over other applications from other areas of the state. Processing of applications took so long that local interests subsided and, in some cases, disappeared or became a testy force of disenchantment and bickering criticism. SCS argued that extra planning money could be secured only by flooding Congress with Watershed applications and local pressure for planning assistance. Ohio was unable to provide funds to SCS for additional Watershed planning staff, and federal construction funds were so inadequate that completion of projects required decades, not years as promised.

### **Naming Becomes Issue**

Ohio's Districts, OSCC and the Federation secured legislation to provide for their voluntary name change to include water to represent better their major natural resources areas of service. Within two years, all local Districts changed their names to include water; for example, the Jackson Soil Conservation District changed its name to the Jackson Soil and Water Conservation District. Such name changes are certified with the Ohio Secretary of State. OSCC's name was changed to the Ohio Soil and Water Conservation Committee, and the Federation changed its name to the Ohio Federation of Soil and Water Conservation Districts (OFSWCD).

Because of their extensive tree-planting activities and forest management interests, Districts had frequently encouraged expansion of the forestry program at OSU. Neither OSU nor any other school in Ohio had an accredited forestry program, and Ohio students desiring to obtain a degree in forestry were obliged to leave Ohio to find such a program. For many years, resolutions to enlarge the forestry program at OSU had been passed by Districts and forwarded the University, but few tangible results developed. Eventually, the Federation prompted by the Athens District, passed a resolution calling for the establishment of a School of Forestry at Ohio University in Athens. Administrators at OSU were quick to understand that message and moved immediately to address the Districts' major concerns. An agreement was negotiated with Michigan State University whereby Ohio students could obtain a forestry degree at Michigan State with OSU paying the additional out-of-state fees. Shortly thereafter, OSU added additional forestry faculty which led to the establishment of degree programs in Forest Industry Management and Forest Products Management. Districts had accomplished a significant long-term improvement, not only for their own interests but for others as well.

Soil erosion in and about incorporated areas resulting from exploding residential and other urban and suburban development became a concern. Because of the impacts of such erosion on drainage

channels, storm sewers and water supply reservoirs, many incorporated areas became a part of Districts by petition. Cooperation between Districts and incorporated areas led to such programs as evaluation of a soils capability to support industrial building and various housing structures; downstream impact of accelerated water flow from housing, industrial and shopping center sites; and the possibility of multiple-purpose structures for water impoundment, retardation, sediment control and recreational facilities at a given site within an urban-growth area.

Multiflora rose generated so much landowner concern because of its spreading and difficulty of control that Districts pursued passage of legislation designating it as a noxious weed and prohibiting its propagation in Ohio. Objection to the rose became intense and eradication so expensive, ASCS developed a cost-share for its control, a total reversal of the cost-sharing practice for the original establishment of rose plantings in the 1940s and early 1950s.

### **Senate Bill 160**

Major legislation, Senate bill 160, was passed by the General Assembly in 1969. It replaced the Ohio Soil and Water Conservation Committee by creating the Ohio Soil and Water Conservation Commission (OSWCC) and the Division of Soil and Water Districts in the Ohio Department of Natural Resources. Districts and OSCC, with support of other farm organizations, ODA and ODNR, provided the major thrust in enactment of Senate Bill 160. There were five compelling reasons for Districts to switch their long-standing position of opposing a merger into any department of State government:

Greater State financial involvement in Watershed projects was essential in light of experiences in the Chippewa and Buffalo Creek Watersheds.

Districts, to secure the amounts of money required for Watershed projects and other District programs needed an organizational connection with a department of State government having cabinet status.

Districts and OSCC had gained public and legislative respect sufficient to request and attain their desired status and authorities within a major department of State government.

Although recognizing the greatly expanded partisan political influence in ODNR since 1963, Districts had developed sufficient political clout in soil and water conservation affairs either to prevent or alter significantly any future irrational or politically motivated administrative directives.

District programs could serve better local needs if Districts possessed the ability to communicate directly through State administrative channels.

The Ohio Soil and Water Conservation Committee, by motion made by ODA Director John Stackhouse, seconded by Dean Kottman, unanimously approved merging into ODNR. Chair Harle Hicks appointed a committee to draft the necessary legislation bringing about the merger and containing certain provisions necessary for the Committee's support. Districts gave their tentative support contingent upon approval of the finally drafted legislation. Essential provisions for support of the Districts were as follows:

- The Committee be made a Commission advisory to a newly created Division and be given representative membership on the Recreation and Resources Commission functioning as advisory to the ODNR Director.

- The Commission to consist of seven members: Dean of OSU College of Agriculture, ODA Director, four members appointed by the Governor of which not than two shall be from the same major political party, and a member appointed by resolution of the Federation; the ODNR Director to be an advisory member.
- The Commission would retain authority to distribute State matching funds to Districts, to supervise
- elections in local Districts, to make loans for preliminary expenses necessary in planning Watershed and other conservation works of improvements, to authorize creation of joint boards between Districts, to recommend to the ODNR Director State cost share funds for construction of watershed projects and conservation works of improvements, and to have the services of an Executive Secretary designated by ODNR.

All these provisions were included in Senate Bill 160; however, ODNR initially pursued a section status in the Department rather than a divisional status. The Committee and districts disagreed and succeeded in securing divisional status. Senator Harry Armstrong of Logan was the prime sponsor of the Bill and insisted upon divisional status. Armstrong, a past District Supervisor, Treasurer of the Ohio Federation, Hocking County Commissioner and State Representative, had misgivings about the merger. He feared injection of partisan politics into the soil and water conservation arena. Districts, OSWCC, and staff experienced some degree of skepticism in autumn of 1969 when the physical move and organizational move into ODNR were accomplished. Floyd Heft was appointed Chief of the newly created Division of Soil and Water Districts and Executive Secretary of OSWCC.

After enactment of Senate Bill 160 in 1969, the newly established Ohio Soil and Water Conservation Commission (OSWCC) elected David Urmston of Butler District as its first Chair. Other appointed members were Orran Hofstetter of Wayne District, Robert Grieser of Clark District and Donald Leith of Fairfield District. Jay Skinner of Delaware District was the first appointed member by resolution of the Federation.

Expansion of programs and services included in Senate Bill 160 has provided more opportunities for natural resources management at the local District level every year since its passage. The most significant was the provision for sponsorship and implementation of Watershed projects and Conservation Works of Improvement (CWI) supported by a rotary loan fund and a cost-share fund to pay the costs of public benefits designed into a project. The provision for CWI in Senate Bill 160 was approved by the General Assembly to assist the Public Law 83-566 Watershed program in Ohio. This specific language provided for not only small watersheds but also for any other project that would enhance natural resource management. Recreation, forestry, wildlife, water supply, flood control and many other types of natural resource projects qualify under the present language. Districts have successfully and increasingly used these provisions of Senate Bill 160 to solve local needs both rural and urban.

Excellent leadership prevailed in the Districts and the Federation in the 1960's:

**Harle Hicks (1960-1961)** of Putnam District, successful grain farmer and cattle feeder;

**Sam Frantz (1962-1963)** of Franklin District, an agricultural engineering graduate of OSU, a certified seed producer and a community leader;

**Paul Stockman (1964)** a grain farmer from Henry District served only one year due to his untimely death by cancer;

**Homer Bohl (1965-1966)** of Highland District, a good public speaker and producer of registered Jersey cattle, became President in 1965 to complete Stockman's term and again was elected in 1966;

**Wayne Darr (1967-1968)** of Coshocton District, a successful cattle feeder; and Harold Dobbins (1969-1970) of Greene District, a grain and livestock farmer.

In 1968, the Committee hired Robert Goettemoeller as a third staff person, and Floyd Heft served as the first President of the National Association of State Conservation Administrative Officers.

### ***THE RENAISSANCE SEVENTIES***

The major environmental thrusts in the early 1970s culminated in the enactment of the federal Clean Water Act with immediate targeting of point sources of pollution from industrial and municipal polluters. These were not easy targets but they were manageable targets. Districts, the Commission and the Division were analyzing these actions in anticipation of future legislative thrusts and they ultimately established five basic positions:

Nonpoint source pollutants would not go unidentified and would involve pollutants primarily from farms and other land-disturbing activities.

Although not desiring regulatory responsibilities, Districts were the logical administrative structure to deal with pollution from agricultural operations and other land-disturbing activities.

Districts possessed the capability and knowledge of working with agriculture and its complex uncontrollable aspects. The Division was well-positioned within ODNR to enable development of a broadly based resources management program coordinated locally through Districts to landusers.

Due to the nature and complexities of the reasonable control of nonpoint pollutants, the major point of attack must be by a local governmental unit; and if Districts did not accept the responsibility, another existing or newly created local unit of government would.

Many of the conceivable pollution control practices and structures that may be required were synonymous with present-day conservation practices.

These conservation groups, agricultural organizations and State and federal agencies agreed that it behooved Soil and Water Conservation Districts to take the initiative for developing a nonpoint source pollution abatement program for Ohio. Action prior to any major environmental thrust was appropriate because such sensitive programs can best be developed outside an emotionally charged, emergency oriented atmosphere. Senate Bill 305 was enacted in 1971 giving responsibility to the Division of Soil and Water Districts and two technical advisory boards named by the Division for the development of an agricultural pollution abatement and urban sediment pollution abatement program. Districts, OSWCC and the Division after three years of frustration, criticism and defensive tactics surrounding the "channelization" issue had regained a favorable public image and were again on the offensive in their pursuit of wise natural resource management.

## **District, Division Staff Expand**

Another major initiative began in 1970. Districts were finding that their programs had matured and their staffs had grown to the degree that more management assistance at the District program level was needed. Executive Secretaries for Districts were viewed as a way to provide more program direction by the Supervisors, delegating day-to-day staff and program details to be handled by the Executive Secretary. Several Districts had developed broadly based agricultural and urban assistance programs that extended beyond the scope of traditional SCS and OCES programs, and those Districts needed to develop and manage employees and programs accordingly.

The Division also responded by initiating a program specialist project through which District program development and administrative assistance could be coordinated at a regional level. Larry Vance filled the first of eventually ten positions to serve this need. Vance became the fourth Division staff member in 1970.

A change of State administration and political party control in January 1971 brought many new philosophies and pursuits into ODNR with the appointment of Director William B. Nye. The Division and Districts received extensive support from Nye's administration in the form of a large increase in State matching funds for Districts and Division staff expansion. Three staff positions were funded to assist Robert Goettmoeller, the newly designated pollution abatement coordinator and three new field program specialist positions were established.

After more than two years of research, debate and strategy considerations, the Agricultural Nonpoint Pollution Abatement Program was approved by OSWCC and Director Nye. Recommendations centered around four types of potential pollutants: agricultural erosion, agricultural chemicals, animal wastes and air pollution. Strategies included the following: 1) an economic fairness strategy, 2) a fair enforcement procedure emphasizing local review and peer evaluation, 3) a public complaint procedure, 4) an educational and informational initiative, 5) a technical assistance service and 6) a cost-share strategy.

The Urban Sediment Pollution Abatement Program was completed and submitted to OSWCC for review and recommendation a few months later. It encountered more debate regarding strategies of approach, content and implementation due to involvement of realtors, builders, townships, counties and incorporated municipalities. Concerns focused on impingement upon municipal "home rule" doctrines of law, burdening the construction industry with additional permit delays and requirements, and extensive costs of applying corrective measures. Strategies included the following: 1) an implementation and enforcement strategy, 2) a suggestion that the original permit for construction be issued by local units of government, 3) an assurance that there would be no interference or involvement by State government should local units enact and enforce ordinances, and 4) a model ordinance to be prepared by the Division with an illustrated publication.

The mid-1970's brought emphasis upon nonpoint source pollutants as the federal Clean Water Act required a "208 Plan" for all pollution abatement efforts to attain fishable, swimmable waters by 1985. Guidelines of the United States Environmental Protection Agency (USEPA) for acceptable 208 Plans required inclusion of a nonpoint source pollution abatement strategy containing enforcement capability for attainment of clean water goals. The Agricultural and Urban Sediment Pollution Abatement Program then being developed by the Division, fit these requirements perfectly, and required legislative enactment of the necessary authorization. Both programs were

approved by OSWCC, Director Nye and Ohio Environmental Protection Agency Director Ira Whitman.

Another change of State administration and political party control in January 1975 resulted in the appointment of a new ODNR Director, Robert W. Teater and a new OEPA Director, Ned E. Williams, both of whom were supportive of the Programs and the need for legislation. In spite of strong opposition from ODA Director John Stackhouse, who was also a member of OSWCC, legislation was introduced in 1977 by Representative Fred Deering, a farmer from Monroeville well-acquainted with Districts and the Division. After much debate and numerous revisions, a weakened bill was enacted in 1978. Rules for Ohio's nonpoint source pollution abatement programs were adopted and the cost-share provisions put into operation with limited funds starting in 1980.

### **Programs Soar**

The 1970's produced many other legislative and conservation politics activities. The Ohio Soil Conservation District law was amended to place all lands in a county into the existing Soil and Water Conservation District and to grant all owners and occupiers the right to vote in electing District Supervisors. The Ohio Drainage laws were amended to modernize antiquated, cumbersome and procedural conflicts. Districts and OSWCC strongly supported "Bottle Bill" legislation in an effort to control throw-away containers to reduce litter, because throw-away cans and bottles were proving quite hazardous to farm equipment operations, livestock, and human safety. Operationally, the Districts,

Division and OSWCC experienced several challenges and a gradual shift to less federal assistance and greater State and local assistance with similar shifts of program activities.

In regard to technical capabilities, the Division, Districts and OSWCC established an unprecedented level of acceptance and performance in the 1970's. A significant dialogue with USEPA regarding animal waste regulations and the issuance of permits and monitoring of tile drain outlets gained excellent results. The idea of issuance of permits for tile outlets was eliminated as totally impractical and nearly impossible. Animal waste regulations were adopted which practically paralleled the Ohio regulation and implementation strategy.

Conservation tillage, although meaning different things to different farmers, gained a significant place in conservation technology and application during the 1970's. The range in definition included the elimination of one seedbed preparation operation over the land to no land disturbance at all, commonly termed "no-till". Conservation tillage by any definition served to reduce land compaction, erosion, water runoff, and the exposure of the soil to rainfall through the retention of surface biomass, commonly known as surface mulch. No-till was the ultimate in almost eliminating soil erosion and maximizing infiltration and percolation of rainfall. Research and use proved no-till to be equal or better in more ways than any previously recommended conservation practice. The practice requires less labor, lower fuel costs, equipment investment, and tractor horsepower and less preplanting preparation. It does, however, require the use of more chemicals, a more expensive planter, and sharper management skills.

Even with all the benefits, farmers were reluctant to adopt this "radical change in the way they farmed" until they had practical hands-on experience. Districts worked to resolve this limitation through no-till demonstrations and farmer-field trial programs. Districts proceeded to purchase,

rent, or lease no-till equipment from the various local implement dealers for use by several interested farmers on a small acreage of one, two, or three years. Usually, this learning experience was enough for the farmer to adopt the practice.

All forms of conservation tillage were given extensive recognition as one of the primary practices needed to reduce nonpoint source pollutants coming from agricultural operations. The Seneca, Huron and Crawford Districts formed a Joint Board of Supervisors and entered into a three-year cooperative agreement with the Corps of Engineers to measure and evaluate the pollution abatement and economic impacts of no-till farming and the farmers' acceptance attitudes within the Honey Creek Watershed. The project also gave added information to Dr. David Baker of Heidelberg College who was conducting research on nonpoint source pollution under USEPA grants. Perhaps of all soil erosion control alternatives, conservation tillage saved more soil through residue management than all the engineering and structural practices installed since the inception of the program.

Districts were very successful in securing appropriations from local boards of county commissioners for expediting local soil inventory programs by counties. These additional funds were meshed with federal funds from SCS and State funds from the Division of Lands and Soil. By the end of the 1970's, all but two counties had been completely mapped or were in the process of being mapped.

Administratively, Districts reached a realistic stage of maturity in the 1970s when many found it necessary to hire administrative assistants and more technical assistance. Districts by the end of the 1970's were employing approximately 300 such persons due to public demand for their programs. Robert Quilliam, State Conservationist of SCS, retired in 1979 after giving Ohio ten years of outstanding leadership.

The 1970s demonstrated that the merger into ODNR was the right decision because soil and water conservation programs of Ohio and local Districts flourished. Benefits were as predicted, although unexpected challenges surfaced and were satisfactorily resolved.

Soil and water conservation in Ohio through the 1970's was guided by five outstanding Presidents:

**Mason McConnell (1971-1972)**, a Portage District fruit grower;

**Calvin Kiracofe (1973-1974)**, an Allen District grain farmer and cattle feeder;

**Clarence Durban (1975-1976)**, a Union District grain farmer and former dairyman and Ohio's second President of the National Association of Conservation Districts;

**Arthur Brandt (1977-1978)**, a Darke District grain and livestock farmer; and

**Wilbur Gantz (1979-1980)**, a Franklin District dairy farmer.

Soil and water conservation educational efforts of previous decades with assistance from the Ohio Cooperative Extension Service were continued with the addition of conservation tillage, pollution abatement and the Division's leadership in establishing training activities for District technicians, secretaries, and administrative personnel. The Division staff and staff of the OSU Department of Agricultural Education jointly developed a soil and water conservation teaching outline for use by vocational agriculture teachers of Ohio. The 1970s with the expanded conservation programs and challenges shall always be identified with strong, capable and consistent leadership within the soil

and water conservation spectrum providing a legacy of performance laced with opportunities to determine long-term program direction and expanded public service.

### **EXPANSIVE EIGHTIES**

The momentum of the 1970's was sustained with vigor throughout the 1980s. Pollution abatement continued as a priority with HB 655 giving the chief of the Division the power to issue administrative orders, also known as chief's orders to producers of operations with less than 1000 animal units for which valid pollution complaints had been received and continued unresolved. Also in 1980, legislation was passed to include all lands, both unincorporated and incorporated, within the SWCD boundaries. In 1981, USEPA granted funds to 20 Lake Erie Basin SWCDs to accelerate the adoption of no-till farming practices. Included were funds for the purchase of no-till planters for producers to use to trial the practice as well as funds to hire technicians to assist with implementation.

With SWCDs now in the forefront of pollution abatement, growth began to happen on the organizational and financial side of the equation. In 1982, legislation was approved merging the Division of Lands and Soils with the Resources Analysis section of the Division of Water forming the new Division of Soil and Water Conservation. Also in that year the Ohio Federation of Soil and Water Conservation Districts began its Ohio Conservation Fund initiative to raise the level of state match dollars going to SWCDs to match the ever increasing workload. At that time state match of local appropriations was about 41%. Out of 19 different funding sources identified, two proposals were vetted seriously: a tax on carry out food or dedicated general revenue funds. The OFSWCD chose to pursue the increase in general revenue funds at the 1 to 1 rate allowed by law. Heavy pressure was placed on seated governors and gubernatorial candidates to commit to this funding level for SWCDs. In successive biennium's, 1984 through 1987 state match was increased at least 600,000 dollars in each biennium taking total match dollars from 1.08 million dollars to 3.05 million dollars and producing an 80% match rate on local appropriations by decades end. SWCD influence on the land also continued.

In 1985, oil and gas development of the Clinton sandstone precipitated assistance to the ODNR Division of Oil and Gas on well site restoration issues in both rural and urban areas. Also the multiflora rose eradication cost-share program was begun.

### **Food Security Act of 1985**

However the most influential event of the decade was the passage and implementation of the 1985 Farm Bill also known as the Food Security Act of 1985. No other piece of federal legislation, since the Standard State District Act would have so much direct influence on the nature of soil and water conservation practices in Ohio and the relationship among the conservation delivery partners. This act redefined the SCS approach from field assistance to planning and monitoring. Highlights from the act included targeting funding and cross compliance; Sod Buster and Swamp Buster provisions, Conservation Reserve program, and called for management plans on all Highly Erodible Lands (HEL) to be developed by 1990 and implemented by 1995.

Rounding out the decade were several other program and legislative changes that continue to influence SWCD operations today:

- 1987 – Federal Clean Water Act Amendments:

- Infuse hundreds of millions of dollars into the Great Lakes and create the Great Lakes Nation Program Office and Great Lakes Research Office;
- Initiates the targeted watershed approach water quality improvements;
- Establishes the national estuary reserve designation;
- Sets in motion the Municipal Separate Storm Sewer (MS4) permitting program and
- Created the “319” grant program, a national program to control nonpoint source pollution under Section 319 of the act.
- 1987 – Chapter 1515 is amended by HB 595 to allow for municipal appropriations to SWCDs
- 1988 – Envirothon competition is introduced in Ohio adding a new dimension to conservation education
- 1989 – The Ohio Soil and Water Conservation Commission approved funding for the Division to provide grants to SWCDs for thirteen Manure Nutrient Management Specialists.

Outstanding OFSWCD leadership prevailed in the 1980s:

**James Vines (1981-82)**, an Ashland SWCD dairy farmer

**Robert Pitts (1983-1984)**, a Lorain SWCD grain farmer

**Albert Ashbrook (1985-1986)**, a Licking SWCD grain farmer

**Nevin Smith (1987-1988)**, a Logan SWCD beef cattle and grain farmer

**Lynn Meyer (1989-1990)**, a Butler SWCD grain farmer and golf course owner

### ***NEVER SAY NEVER NINETIES***

As the millennium winded down, SWCDs in Ohio were just reaching their peak in terms of authority, funding and control of their own destiny. At the end of the decade match rates skyrocketed to 91% with 6.78 million dollars of state funds allocated to SWCDs – a 3.7 million dollar gain in only 8 years.

This feat was matched only by the passage of HB88 legislation in 1991 granting enforcement authority to the Division for Agriculture Pollution Abatement Standards including animal waste and agricultural and silvicultural sediment. The Division soon delegated this authority to the individual SWCDs via memos of understanding with the intent to foster keeping local problems local and reinforcing the long held ethic of voluntary compliance.

Scrutiny of USDA programs by the media and members of Congress along with new programs and policy in conservation title of the 1985 and subsequent Farm Bills led to many changes by SCS in the 1990s and its relationship with SWCDs. In 1994, USDA changed the name of SCS to the Natural Resources Conservation Service (NRCS) to reflect the broadening of their scope and mission. Thirteen NRCS field offices in Ohio were closed by Congress in 1994 amid accusations of bloated USDA budgets and under used USDA offices. This left many SWCDs which had enjoyed shared office equipment, shared office space, shared telephone and shared employees, to now operate independently.

The closing of the 13 NRCS field offices acted as wakeup call and set in motion a new paradigm for the delivery of conservation programs and services. These changes also prompted a change in the Division's policy in supporting SWCDs. Once tuned to enabling SWCDs by expanding capacity with public funds and legislation authority; providing supervisor responsibility training and individualized staff training; and providing leadership in coordination with partnering agencies and organizations, the Division began to rethink its role. What evolved was a policy not to enable or direct SWCDs but to provide tools to SWCDs boards to exercise local self-government as independent political subdivisions of the state of Ohio. The new goal was to assist them in the credible and efficient delivery conservation programs that meet their local needs determined by local strategic planning. The Cooperative Working Agreement among the SWCDs, NRCS and the Division was also revised during this time to better reflect the separation of programs, policy and supervision of staff.

### **OSWCC, DSWC Support SWCD Transition**

In response to the office closings, the Ohio Soil and Water Conservation Commission set aside dollars for closed offices to assist with short term needs of paying for office space, purchasing office equipment, telephone service and other operational requirements. For the long term, an instep with its new philosophical approach to supporting independent SWCDs, the Division created and provided Governance and Leadership training to board members and District Program Administrator who were now being endorsed by the Division and Federation to lead the day to day operations of the SWCD. District Administrators, as they were suggested to be titled, were charged with implementing the mission and vision of the board of supervisors.

The Commission and Division also assisted local SWCDs to address local natural resource concerns by encouraging and leading the SWCDs through strategic planning efforts to define their mission/vision/strengths and weaknesses/strategic goals. The Commission also offered a variety of state grants and funding opportunities focused on various natural resource concerns that SWCDs could choose to participate in, while maintaining local decision-making and goal development.

Amid all the organizational changes, SWCD programs were still on a growth path. Among the significant programs underdevelopments were:

- 1993 – Stormwater management requirements of the Clean Water Act emerged as a growing suburban/urban issue and SWCDs began to assist local governments and developers;
- 1993 – The Conservation Reserve Program popularity peaked with a half million acres signed up for 10 year easements;
- 1994 – The Division added 3 new Program Specialist to the ranks and completing the goal of providing 2 Program Specialists to each of the 5 administrative areas;
- 1998 – The Division of Soil and Water Conservation and the Division of Wildlife began to partner to offer grants to SWCDs to employ Wildlife Specialists; and
- 1999 – The OSWCC and the Division partnered to provide funding to SWCDs to hire Urban Stormwater Specialists as the workload to assist local governments meet NPDES stormwater permit requirements increased.

Under this cadre of strong leadership, the decade and the century end with Ohio conservation efforts well-positioned:

**Robert Rockwell (1991-1992)**, a Belmont SWCD Orchardist

**Ed Elliott (1993-1994)**, a Hardin SWCD grain and livestock farmer, restaurateur, and entrepreneur

**Gary Mast (1995-1996)**, a Holmes SWCD dairy farmer and 3<sup>rd</sup> NACD president from Ohio.

**Bob Carroll (1997-1998)**, a Fulton SWCD grain farmer

**Steve Robinson (1999-2000)**, a Union SWCD grain farmer and excavation contractor and Ohio's 4<sup>th</sup> NACD president.

### **MILLENNIUM MARKS CONSERVATION MILESTONES**

The push for more state match dollars continued into the 2000s. By 2001 both state and local funds were up and a record 98% match rate was attained with the 8.6 million state dollars. In just 16 years local dollars had increased by 6.3 million dollars and state dollars had increased by 7.59 million for a total increase of 13.89 million dollars of conservation funding.

A significant portion of the funding increase on the state side came in 2000 with successful funding of the Ohio Watershed Action Agenda. Under the Watershed Action Agenda, Ohio EPA, Ohio DNR and OSU Extension went to the State legislature and asked for funding to allow SWCD and watershed organizations to hire local watershed coordinators. The Division of Soil and Water Conservation received \$300,000 and OSU Extension sufficient funds for five watershed agent positions to initiate the program in 2000. Together with \$400,000 annually from Ohio EPA's 319 program and \$100,000 annually from the ODNR Division of Mineral Resources Management, (and since 2002 \$80,000 from ODNR's Ohio Coastal Management Program), the grants allow local units of governments, including SWCDs, and non-profit organizations to employ watershed coordinators to identify water quality impairments and work with the community to address the impairments. The program envisioned that local units of governments and concerned citizens would see the value of water resource protection and support the watershed program as the state funds declined. In 2000, 21 local units of governments and nonprofits received grants; in 2001, four were funded; and in 2002 six more projects joined the ranks.

At the turn of the century the Division also experienced growth, mostly out of necessity with the NRCS program priorities and budgets in constant flux. A full time training coordinator was hired as well as a professional engineer for each of the 5 administrative areas to assist with farm bill program workload and the ever increasing urban stormwater management assistance to local governments.

In January 2002, 20-year Chief of the Division of Soil and Water Conservation, Larry Vance, retired. Division Administrator Jill Evans was named acting Chief by ODNR Director Sam Speck. In March, nineteen year plus, assistant chief, David Hanselmann, was named chief.

Late in 2002, the Division established an advisory committee to recommend changes to the Agricultural Pollution Abatement Program. Changes adopted in 2003 included responding to all complaints – both written and oral – to determine if any rule violations or means for improvements could be determined. Other changes obligated the Division and SWCDs to follow through on observed pollution without a complaint being filed; stronger outreach and training for integrator companies, and elimination of the preliminary Chief's Order step prior to a final order.

In 2003, the Division and its new staff of professional engineers initiated an extensive training program for the 175 plus SWCD technicians, and NRCS staff, with 5 levels for professional development. The Technician Development Program quickly garnered attention from many other states wanting to improve technical training.

### **SWIMS Provides Accountability**

Due to the rapid growth in funding and conservation programs during the past decade, it became increasingly clear that there potentially would be a need for accountability of the public expenditure in conservation. For several years the Division had recognized the need for a tracking system to be able to show county and state officials, as well as the general public, where the investment in conservation was paying off. The Minnesota Bureau of Water and Soil Resources (BOWSR) had recently developed an information management system designed to track various state program participation by Minnesota Conservation Districts. The Division negotiated an agreement with the BOWSR and a private software developer to create a tracking system for use in Ohio. From 2003 to 2004, SWCD and Division personnel painstakingly developed and defined the framework for the Soil and Water Information Management System (SWIMS) – a tool which provides SWCDs, as well as the Division with the ability to track all aspects of the SWCD program and activities, as well as personnel management. This tool provides the OFSWCD with needed information to show accountability to the state legislature, as well as other information.

USDA approved the ODNR, Division and partners' application to establish a 70,000 acre Scioto River Conservation Reserve Enhancement Program (CREP) for the entire Scioto River watershed in October 2004. Sign-up was robust with over 90% of the enrollment goal met within the six-year plan, bringing over \$150 million of federal funds to the watershed over the life of the project.

By October 2005 a Division-led partnership advisory committee announced recommendations to improve the silvicultural (forestry) part of the Agricultural Pollution Abatement Program. Recommended changes included stronger BMP and complaint investigation/procedures training for SWCD staff and boards, better BMP training for loggers, greater recognition for loggers following BMP guidelines, and use of a Notice of Intent to Harvest sent to SWCDs prior to logging onset.

During 2006, USDA approved significant improvements to Ohio's first CREP project – for Lake Erie. Shorter contract periods were added as an option, and higher payment rates and new practices were also approved. The slow steady sign-up improved significantly, especially as “regular” CRP contracts expired.

### **Budgets Tighten; Division Merged, Renamed**

After beginning on a high, the first decade of the 2000s was tainted by an economic downturn leading to a succession of budget cuts and staff reductions by most state agencies. The state matching funds account for SWCDs was always an area of concern, but with strong SWCD support, cuts were often minimized or even avoided. One dramatic episode was when the new Governor announced significant cuts in January 2007 and just minutes before the package was made public SWCDs learned that the match account had been spared further cuts.

In March 2009, then ODNR Director Sean Logan announced plans to merge the Divisions of Soil and Water Conservation and Water, and place the Division of Recycling and Litter Prevention (DRLP) under the same administrative umbrella. David Hanselmann was named as chief of the combined Division of Soil and Water Resources and the DRLP. Part of the rationale for the merger was to improve access of SWCDs and their constituents to the “water” and recycling programs at ODNR, and vice versa.

Ohio's conservation partnership embarked on discussions for adopting a set of strategic directions for the future in 2009. However, further declines in local and state budgets made the effort even more challenging. The partnership engaged Battelle Memorial Institute to survey stakeholders and develop recommendations. Battelle's recommendations were made public in January 2011, and among the options/recommendations was one to reduce to consolidate Ohio's 88 SWCDs down to 22. Not all recommendations were immediately embraced.

**Other highlights include:**

- The OFSWCD took full control of its administrative tasks hiring its first administrative staff, including its first CEO, Brad Ross who had retired in 2005 as Deputy Chief of the ODNR-DSWC. Ross later joined the staff of the National Association of Conservation Districts and the OFSWCD then hired Mindy Bankey, a well-seasoned legislative professional and well respected in her former post as one of ODNRs legislative liaisons to serve as CEO
- Successful agricultural nutrient trading programs in the Great Miami and Sugar Creek watersheds provide the impetus for expansion of nutrient trading across Ohio;
- The publication of the first annual Dam Safety Report (for 2009) occurred in March 2010, with copies sent to over 1300 dam owners in Ohio. More extensive training opportunities for dam owners were also initiated, along with joint Division and SWCD outreach efforts;
- A celebration was held in September 2010 by numerous partners to mark the milestone of enrolling over 100,000 acres in Ohio's three CREP projects – Lake Erie, Upper Big Walnut Creek, and Scioto River Watershed; and
- At the end of the decade Ohio had endorsed over 50 watershed action plans covering nearly 1/3 of the state. Program staff also developed innovative technologies for stream management. This enables projects to move forward while allowing creeks and drainage ways to “provide” environmental services on-site, including nutrient and sediment removal, habitat, stable channels, and flooding mitigation.

Steadfast at the helm despite a sea of change were some of the OFSWCDs strongest leaders:

**Dave Linkhart (2001-2002)**, a Greene SWCD grain and livestock farmer

**Tom Reininger (2003-2004)**, a Hamilton SWCD equine operation owner

**Kenny Riedlinger (2005-2006)**, a Wyandot SWCD grain farmer

**Clark Sheets, Jr. (2007-2008)**, a Hocking SWCD grain farmer and truck operator

**Lawrence Burdell (2009-2010)**, a Gallia SWCD grain and livestock farmer

**2010s: A DECADE DEFINED BY DISTRESS**

Poor water quality conditions at Grand Lake St. Mary (GLSM) in the summer and early fall 2010 significantly worsened and concentrations of toxic algae grew far above health standards.

Concurrently, although at lower levels, algal conditions were found at other Ohio lakes.

Recreational use of GLSM ceased. The DSWR led intense and rapid discussions with stakeholders and by fall put forward a package of agricultural pollution abatement program rules allowing designation of “watersheds in distress.”

In January 2011 the OSWCC consented to DSWR designation of the GLSM watershed and invoking phasing in of rules requiring nutrient management plans for almost all farms as well as significant restrictions on winter application of liquid manure.

### **Conservation Program Delivery Task Force**

The 2010 elections seated a new governor and a new ODNR administration in early 2011. Substitute House Bill 153 required the Ohio Soil and Water Conservation Commission (OSWCC) to convene the Conservation Program Delivery Task Force. The Chairman of the OSWCC, in cooperation with the Director of ODNR and in consultation with the Office of Budget and Management (OBM), appointed a task force of nine members which began meeting in August 2011.

The objective of the task force was to develop policy and legislation recommendations that encourage the sharing of services across all levels of government and removing impediments to organizational management and program delivery through SWCDs. The Task Force was to submit recommendations by December 31, 2011, to the Director of the Ohio Department of Natural Resources and the Ohio Soil and Water Conservation Commission.

During a five-month period, seven meetings of the Task Force were held. The Task Force considered information from many sources including comments of SWCD staff and Boards of Supervisors, ODNR Division staff, survey data on SWCD program use from local government officials, results from a January 2011 Battelle Report on SWCDs, presentations by OSU experts and input of a 22 person advisory group representing many different conservation and natural resource interests from across the state.

On December 31, 2011, the report was submitted. Recommendations suggested streamlining and focusing the current flow of public resources, aligning natural resource priorities, expanding the flexibility of SWCDs to voluntarily adapt their operational structure, and continuing to explore areas where cooperative efforts are possible.

Concurrently, water quality in GLSM and the western basin of Lake Erie was still poor and the state responded by ramping up its involvement especially as it related to Lake Erie. In August 2011, the Directors of the Ohio Department of Natural Resources, Ohio Environmental Protection Agency and Ohio Department of Agriculture called together a diverse working group that included research scientists, agribusiness leaders, and environmentalists to discuss how agricultural practices may be contributing to the deteriorating conditions in the Western Lake Erie Basin (WLEB) and to develop recommendations on how the State of Ohio can partner with the agricultural community to encourage agricultural production practices that promote nutrient stewardship. The working group met for an introductory meeting on August 25, 2011. Additional meetings were held on September 26, October 17, November 7, December 5, December 19, and January 23, 2012.

In October 2011, the three Ohio agency directors established the foundation of their recommendations by encouraging farmers to adopt production guidelines known as 4R Nutrient Stewardship, which is effective in reducing dissolved forms of phosphorus from impacting waterways across the state. The 4R concept promoted using the right fertilizer source, at the right rate, at the right time, with the right placement. The OFSWCD and NRCS immediately aligned themselves and their programs to support the 4R effort.

## **Nutrient Reduction: Priority One**

After the short tenure of several acting chiefs and appointments through most of 2011, ODNR Director James J. Zehringer appointed Karl Gebhardt chief of the Division of Soil and Water Resources in January 2012

The anticipated March 2012 release of the Directors' Recommendations on Agricultural Nutrients and Water Quality, prompted the OFSWCD to create and launch the *4R Tomorrow* program for SWCDs and partners with the support of the Ohio Soybean Council, to educate and promote wise nutrient management to conserve water quality and soil health using the 4R nutrient stewardship principles and conservation practices. The OSWCC and DSWR partnered as well, providing grants to SWCDs for collaborative 4R Tomorrow programming statewide.

NRCS significantly increased federal efforts and cost-share programs in the western Lake Erie Watershed and the Grand Lake Saint Mary's Watershed in response to the re-emergence of algal problems. From October of 2009 until mid-2013 NRCS had invested more than 24.5 million dollars in conservation cost-share funding contracts with land managers in the Western Lake Erie watershed. This included more than 8.2 million dollars in federal Great Lakes Restoration Initiative (GLRI) funds received by NRCS, nearly 850,000 dollars in GLRI Phosphorous Funding specifically for the Blanchard Watershed, and more than 15.5 million dollars in regular and special NRCS EQIP cost-share funding received by Ohio.

Ohio NRCS also modified its ranking system to give more priority and higher rankings to cost-share applications with nutrient management resource concerns and nutrient management practices for both watersheds. Additionally, NRCS provided accelerated implementation of conservation by increasing staffing capacity in both watersheds. Cooperative agreements supplied needed support to the local SWCDs for Farm Bill program assistance. In the Western Lake Erie Basin, SWCD staff facilitated practice planning, program support and implementation in the watershed; described as WLEB Conservationists and SWAT Conservationists. NRCS hired three additional staff to work exclusively on Grand Lake Saint Mary's via USEPA interagency agreement as well as several additional NRCS staff were detailed to the watershed to assist with development of contracts.

The Ohio state legislature also responded by investing a total of \$2.5 million in cost share funds to implement the Western Lake Erie Basin Nutrient Reduction program. The program paid eligible farmers and other landowners to reduce their nutrient application and placement of fertilizer, plant cover crops and install control drainage structures on cropland in the targeted counties. The program was supervised locally by the SWCDs and funded through the Ohio Department of Natural Resources, Division of Soil and Water Resources. By July 2013, nutrient reducing BMPs had been applied to over 28,000 acres of cropland and over 400 controlled drainage structures installed.

By mid-2013, of the qualifying 155 livestock farmers in the Grand Lake St. Mary's watershed all but one had submitted their nutrient management plans, in accordance with the Watershed in Distress Rules. Of the submitted plans, nearly 90% area farmers exceeded that requirement by completing the more detailed comprehensive nutrient management plan.

High quality OFSWCD leadership again set the pace for this decade:

**Kent Stuckey (2011-2012)**, a Crawford SWCD dairy and grain farmer.

**Joe Glassmeyer (2013-2014)**, a Clermont SWCD grain and cattle farmer.

## **CONSERVATION PARTNERSHIP AND LEGISLATIVE LINKS**

### **OHIO CONSERVATION PARTNERSHIP**

#### **Ohio Federation of Soil and Water Conservation Districts - OFSWCD**

Each county SWCD is governed by a board of five locally elected officials, who are familiar with the county's resource needs. Therefore, the OFSWCD organization actively involves all board members from each of the 88 counties, thereby totaling 440 supervisors. The OFSWCD is led by four officers including the OFSWCD Past President and a board of directors composed of five supervisors from each of the given areas of the state. The officers and directors serve two year terms.

#### **ODNR – Division of Soil and Water Resources - DSWR**

The Division of Soil and Water Resources DSWR was statutorily created in July 2010 through the merger of the Division of Soil and Water Conservation and the Division of Water. The DSWR mission is to provide leadership and services that enable Ohioans to conserve, protect, and enhance soil, water, and land resources. The division chief also serves as a Deputy Director for the Department. The Division's central office is in Columbus with many field offices and local staff stationed throughout the state.

#### **Ohio USDA Natural Resources Conservation Service - NRCS**

NRCS puts 70 years of experience to work in assisting owners of Ohio's private land with conserving their soil, water, and other natural resources. Local, state and federal agencies and policymakers also rely on their expertise. They deliver technical assistance based on sound science and suited to a customer's specific needs. The partnership with local soil and water conservation districts serves almost every county in Ohio. NRCS' conservation programs help people reduce soil erosion, enhance water supplies, improve water quality, increase wildlife habitat, and reduce damages caused by floods and other natural disasters. NRCS provides funding opportunities for agricultural producers and other landowners through these programs.

#### **Ohio Association of Soil and Water Conservation District Employees - OASWCDE**

The mission of the OASWCDE is to strengthen local SWCD programs by: promoting the professional development of employees; enhancing cooperation between Districts through improved communication and information sharing; establishing a platform for which to communicate with affiliated state and national associations; offering the talent and expertise of all District employees throughout the state as a resource to assist, support and develop District programs; and foster a sense of belonging for employees that extends beyond individual Districts and binds dedicated people to the cause of conservation.

#### **Ohio Soil and Water Conservation Commission - OSWCC**

The principal responsibility of Ohio's Soil and Water Conservation Commission is to ensure that Ohio counties are served by effectively administered, adequately supported soil and water conservation districts. The OSWCC consists of seven members, four of whom are appointed by the Governor to four-year terms; of the appointed members, two shall be farmers. The OFSWCD designates a member by resolution. The other two members are the Director of Ohio's Department of Agriculture and the Dean of the College of Food, Agricultural and Environmental Science of The Ohio State University. The Director of ODNR may participate in commission meetings, but without the power to vote. The Deputy Chief of ODNR's Division of Soil and Water Conservation serves as the commission's executive secretary.

### **OHIO CONSERVATION PARTNERSHIP ADMINISTRATIVE AREA MAP**

## ***NATIONAL CONSERVATION PARTNERS***

National Association of Conservation Districts

National Association of State Conservation Agencies

National Association of Conservation District Employees

USDA Natural Resources Conservation Service

## ***LEGISLATIVE RESOURCES***

County Commissioners Association of Ohio

Ohio Township Association

Ohio Municipal League

Ohio General Assembly

- Ohio House of Representatives (2012-2022)
- Ohio State Senate

United States Congress

- Ohio U.S. Representatives

United States Senate

- Ohio U.S. Senators
  - Brown
  - Portman

## **OHIO SOIL AND WATER CONSERVATION PARTNERSHIP ACRONYMS**

<b>AA</b> -Administrative Assistant	<b>CO</b> -Conservation Operations (NRCS)
<b>AADP</b> - Administrative Assistant Development Program	<b>CPA</b> -Conservation Priority Areas
<b>AFO</b> -Animal Feeding Operation	<b>CPO</b> -Conservation Plan of Operations (NRCS)
<b>AgNPS</b> -Agriculture Nonpoint Source Pollution	<b>CREP</b> -Conservation Reserve Enhancement Program
<b>AOC</b> -All-Ohio Chapter Soil and Water Conservation Society	<b>CRES</b> -Conservation Reporting Evaluation System
<b>AOC</b> -Area of Concern (Remedial Action Plan)	<b>CRP</b> -Conservation Reserve Program
<b>AOP</b> -Association of Ohio Pedologists	<b>CSO</b> -Combined Sewer Overflow
<b>APO</b> -Annual Plan of Operations	<b>CSP</b> -Conservation Stewardship Program
<b>APW</b> -Annual Plan of Work	<b>CWI</b> -Conservation Works of Improvement
<b>ARS</b> - Agricultural Research Service	<b>DA</b> -District Administrator
<b>BLM</b> -Bureau of Land Management	<b>DC</b> -District Conservationist (NRCS)
<b>BMP</b> -Best Management Practice	<b>DEFA</b> -Division of Environmental and Financial Assistance (OEPA)
<b>CAFO</b> -Confined Animal Feeding Operation	<b>DOF</b> -Division of Forestry (ODNR)
<b>CAP</b> -Conservation Action Project	<b>DOW</b> -Division of Wildlife (ODNR)
<b>CAPS</b> -Conservation Activity Plans	<b>DSWR</b> -Division of Soil & Water Resources (ODNR)
<b>CAT</b> -Critical Area Treatment	<b>DT</b> -District Technician
<b>CAUV</b> -Current Agricultural Use Value	<b>EBI</b> -Environmental Benefits Index
<b>CCC</b> -Commodity Credit Corporation	<b>EDP</b> -Educator Development Program
<b>CED</b> -County Executive Director (FSA)	<b>EEO</b> -Equal Employment Opportunity
<b>CMP</b> -Corrugated Metal Pipe	<b>eFOTG</b> -Electronic Field Office Technical Guide
<b>CNMP</b> -Comprehensive Nutrient Management Plan	

**EIS**-Environmental Impact Statement

**EQIP**-Environmental Quality Incentive Program

**ERIN**-Earth Resources Information Network

**EWP**-Emergency Watershed Protection

**FCIC**-Federal Crop Insurance Corporation

**FFY**-Federal Fiscal Year

**FIP**-Forestry Improvement Program

**FMP**-Forestry Management Plan

**FO**-Field Office

**FOIA**-Freedom of Information Act

**FRPP**- Farm and Ranchland Protection Program

**FSA**-Farm Services Agency

**FSR**-Farm Science Review

**FTS**-Federal Telecommunications System

**FY**-Fiscal Year

**GIS**-Geographic Information System

**GLSM**-Grand Lake St. Mary

**GMP**-Grazing Management Plan

**GRP**-Grassland Reserve Program

**GPS**-Global Positioning System

**GSA**-General Services Administration

**HEL**-Highly Erodible Land

**HUA**-Hydrologic Unit Area

**HUC**-Hydrologic Unit Code

**IJC**-International Joint Commission

**IPM**-Integrated Pest Management

**LESA**-Land Evaluation Site Assessment

**LICA**-Land Improvement Contractor's Association

**LIM**-Land Inventory and Monitoring

**LRP**-Long Range Plan

**LTA**-Long Term Agreement

**MLRA**-Major Land Resource Areas

**MNM**-Manure and Nutrient Management

**MO**-MLRA Regional Office

**MS4**-Municipal Separate Storm Sewer System

**MUG**-Map Unit Generator

**NACD**-National Association of Conservation Districts

**NASCA**-National Assoc. of State Conservation Agencies

**NASIS**-National Soil Information System

**NCSS**-National Cooperative Soil Survey

**NFC**-National Finance Center

**NIPF**-Non-Industrial Private Forest

**NOI**-Notice of Intent

**NPDES**-National Pollutant Discharge Elimination System

**NPS**-Nonpoint Source Pollution

**NRCS**-Natural Resources Conservation Services

**NRI**-National Resource Inventory

**OARDC**-Ohio Agricultural Research and Development Center

**OASWCDE**-Ohio Association of Soil & Water Conservation District Employees

**OCC**-Ohio Chamber of Commerce

**ODA**-Ohio Department of Agriculture

**ODH**-Ohio Department of Health

**ODNR**-Ohio Department of Natural Resources

**ODOT**-Ohio Department Of Transportation

**OEC**-Ohio Environmental Council

**OEPA**-Ohio Environmental Protection Agency

**OFA**-Ohio Forestry Association

**OFBF**-Ohio Farm Bureau Federation

**OFSWCD**-Ohio Federation of Soil & Water Conservation Districts

**OFU**-Ohio Farmers Union

**OGRIP**-Ohio Geographically Referenced Information Program

**OBM**-Office of Budget and Management (Ohio)

**OMB**-Office of Management and Budget (Federal)

**ORC**-Ohio Revised Code

**OSHA**-Occupational Safety & Health Act

**OSIB** -Ohio Soil Inventory Board

**OSU**-Ohio State University

**OSUE**-Ohio State University Extension

**OSWCC**-Ohio Soil & Water Conservation Commission

**OUPS**-Ohio Utilities Protection Service

**PA**-Pollution Abatement

**PERS**-Public Employee’s Retirement System

**PM**-Plant Materials (Program)

**PRS**-Performance Reporting System

**PS**-Program Specialist (Div of Soil & Water Conservation)

**PSS**-Project Soil Scientists

**QAR**-Quality Assurance Review

**RAMP**-Rural Abandoned Mine Program

**RCA**-Resource Conservation Act

**RC&D**-Resource Conservation & Development

**RD**-Rural Development

**RFP** - Request for Proposals

**RI**-Resource Inventory

**RMS**-Resource Management Specialist

**RMS**-Resource Management System

**RPC**-Regional Planning Commission

<b>RSS</b> -Resource Soil Scientist	<b>USFWS</b> -United States Fish & Wildlife Service
<b>RUSLE</b> -Revised Universal Soil Loss Equation	<b>USGS</b> -United States Geological Survey
<b>SO</b> -State Office	<b>USEPA</b> -United States Environmental Protection Agency
<b>SSURGO</b> -Soil Survey Geographic Overlay	<b>USLE</b> -Universal Soil Loss Equation
<b>SWCD</b> -Soil & Water Conservation District	<b>VRT</b> -Variable Rate Technology
<b>SWCS</b> -Soil & Water Conservation Society	<b>WAE</b> -While Actually Employed
<b>SWEET</b> -Source Water Environmental Education Teams	<b>WASCB</b> -Water and Sediment Control Basin
<b>SWIMS</b> -Soil & Water Information Management System	<b>WHIP</b> -Wildlife Habitat Incentives Program
<b>TDP</b> -Technician Development Program	<b>WLEB</b> -Western Lake Erie Basin
<b>TSI</b> -Timber Stand Improvement	<b>WMAO</b> -Water Management Association of Ohio
<b>TNC</b> -The Nature Conservancy	<b>WQIP</b> -Water Quality Incentives Program
<b>TSP</b> -Technical Service Provider	<b>WRP</b> -Wetland Reserve Program
<b>USDA</b> -United States Department of Agriculture	<b>WRRSP</b> -Water Resource Restoration Sponsor Program
<b>USFS</b> -United States Forest Service	<b>WS</b> -Watershed

## OHIO SOIL AND WATER CONSERVATION DISTRICTS BY ORDER OF OFFICIAL ORGANIZATION

DISTRICT	ORGANIZED	ORDER	DISTRICT	ORGANIZED	ORDER
HIGHLAND	APRIL 18, 1942	1	VINTON	FEB. 23, 1946	45
<b>COSHOCTON</b>	<b>MAY 25, 1942</b>	<b>2</b>	<b>HANCOCK</b>	<b>JAN. 10, 1946</b>	<b>46</b>
MORROW	JUNE 1, 1942	3	ATHENS	MAY 6, 1946	47
<b>CLARK</b>	<b>APRIL 24, 1942</b>	<b>4</b>	<b>SHELBY</b>	<b>FEB. 23, 1946</b>	<b>48</b>
BUTLER	MAY 25, 1942	5	SUMMIT	JULY 12, 1946	49
<b>NOBLE</b>	<b>JULY 14, 1942</b>	<b>6</b>	<b>LAKE</b>	<b>JULY 10, 1946</b>	<b>50</b>
COLUMBIANA	APRIL 24, 1942	7	FAYETTE	JUNE 4, 1946	51
<b>GUERNSEY</b>	<b>OCT. 22, 1942</b>	<b>8</b>	<b>MADISON</b>	<b>JULY 25, 1946</b>	<b>52</b>
MONROE	OCT. 27, 1942	9	SCIOTO	MAY 4, 1946	53
<b>TUSCARAWAS</b>	<b>NOV. 14, 1942</b>	<b>10</b>	<b>CLINTON</b>	<b>AUG. 17, 1946</b>	<b>54</b>
MEIGS	APRIL 2, 1943	11	PORTAGE	SEPT. 5, 1946	55
<b>LOGAN</b>	<b>MAY 17, 1943</b>	<b>12</b>	<b>KNOX</b>	<b>FEB. 18, 1947</b>	<b>56</b>
CLERMONT	AUG. 21, 1943	13	WAYNE	MARCH 3, 1947	57
<b>MIAMI</b>	<b>DEC. 9, 1943</b>	<b>14</b>	<b>WILLIAMS</b>	<b>APRIL 12, 1947</b>	<b>58</b>
FAIRFIELD	AUG. 21, 1943	15	ROSS	APRIL 4, 1947	59
<b>CHAMPAIGN</b>	<b>FEB. 2, 1944</b>	<b>16</b>	<b>AUGLAIZE</b>	<b>JUNE 29, 1946</b>	<b>60</b>
WARREN	FEB. 15, 1944	17	HOLMES	JULY 25, 1947	61
<b>ADAMS</b>	<b>FEB. 12, 1944</b>	<b>18</b>	<b>SANDUSKY</b>	<b>JULY 2, 1947</b>	<b>62</b>
JEFFERSON	MARCH 20, 1944	19	HARDIN	APRIL 10, 1948	63
<b>JACKSON</b>	<b>MARCH 7, 1944</b>	<b>20</b>	<b>ALLEN</b>	<b>JUNE 1, 1945</b>	<b>64</b>
HOCKING	MARCH 18, 1944	21	LAWRENCE	SEPT. 4, 1947	65
<b>GREENE</b>	<b>MARCH 30, 1944</b>	<b>22</b>	<b>WYANDOT</b>	<b>SEPT. 7, 1948</b>	<b>66</b>
CARROLL	FEB. 29, 1944	23	RICHLAND	FEB. 27, 1943	67
<b>LICKING</b>	<b>FEB. 29, 1944</b>	<b>24</b>	<b>LORAIN</b>	<b>NOV. 23, 1948</b>	<b>68</b>
ASHLAND	APRIL 8, 1944	25	FULTON	DEC. 11, 1948	69
<b>MUSKINGUM</b>	<b>APRIL 21, 1944</b>	<b>26</b>	<b>MONTGOMERY</b>	<b>DEC. 30, 1948</b>	<b>70</b>
MEDINA	MARCH 3, 1944	27	PREBLE	JAN. 31, 1949	71
<b>DELAWARE</b>	<b>APRIL 22, 1944</b>	<b>28</b>	<b>PIKE</b>	<b>JAN. 26, 1949</b>	<b>72</b>
PERRY	JUNE 27, 1944	29	SENECA	FEB. 10, 1949	73
<b>GEAUGA</b>	<b>JUNE 24, 1944</b>	<b>30</b>	<b>ASHTABULA</b>	<b>JAN. 28, 1949</b>	<b>74</b>
MERCER	SEPT. 20, 1944	31	WOOD	FEB. 26, 1949	75
<b>PICKAWAY</b>	<b>SEPT. 9, 1944</b>	<b>32</b>	<b>DEFIANCE</b>	<b>MARCH 10, 1949</b>	<b>76</b>
MORGAN	AUG. 4, 1944	33	PAULDING	MARCH 18, 1949	77
<b>BROWN</b>	<b>OCT. 6, 1944</b>	<b>34</b>	<b>CUYAHOGA</b>	<b>APRIL 5, 1949</b>	<b>78</b>
BELMONT	FEB. 10, 1945	35	TRUMBULL	DEC. 6, 1949	79
<b>HAMILTON</b>	<b>APRIL 7, 1945</b>	<b>36</b>	<b>STARK</b>	<b>MARCH 7, 1950</b>	<b>80</b>
CRAWFORD	MARCH 6, 1945	37	MAHONING	JUNE 16, 1950	81
<b>HARRISON</b>	<b>MAY 26, 1945</b>	<b>38</b>	<b>VAN WERT</b>	<b>FEB. 15, 1949</b>	<b>82</b>
UNION	MAY 1, 1945	39	OTTAWA	JAN. 8, 1952	83
<b>GALLIA</b>	<b>DEC. 9, 1944</b>	<b>40</b>	<b>ERIE</b>	<b>MARCH 30, 1953</b>	<b>84</b>
WASHINGTON	AUG. 24, 1945	41	HENRY	NOV. 9, 1954	85
<b>HURON</b>	<b>AUG. 17, 1945</b>	<b>42</b>	<b>DARKE</b>	<b>MARCH 26, 1955</b>	<b>86</b>
MARION	SEPT. 7, 1945	43	PUTNAM	JAN. 24, 1956	87
<b>FRANKLIN</b>	<b>AUG. 15, 1945</b>	<b>44</b>	LUCAS	MAY 7, 1964	88

## **OHIO SOIL AND WATER CONSERVATION PARTNERSHIP ACRONYMS**

<b>AA</b> -Administrative Assistant	<b>CO</b> -Conservation Operations (NRCS)
<b>AADP</b> - Administrative Assistant Development Program	<b>CPA</b> -Conservation Priority Areas
<b>AFO</b> -Animal Feeding Operation	<b>CPO</b> -Conservation Plan of Operations (NRCS)
<b>AgNPS</b> -Agriculture Nonpoint Source Pollution	<b>CREP</b> -Conservation Reserve Enhancement Program
<b>AOC</b> -All-Ohio Chapter Soil and Water Conservation Society	<b>CRES</b> -Conservation Reporting Evaluation System
<b>AOC</b> -Area of Concern (Remedial Action Plan)	<b>CRP</b> -Conservation Reserve Program
<b>AOP</b> -Association of Ohio Pedologists	<b>CSO</b> -Combined Sewer Overflow
<b>APO</b> -Annual Plan of Operations	<b>CSP</b> -Conservation Stewardship Program
<b>APW</b> -Annual Plan of Work	<b>CWI</b> -Conservation Works of Improvement
<b>ARS</b> - Agricultural Research Service	<b>DA</b> -District Administrator
<b>BLM</b> -Bureau of Land Management	<b>DC</b> -District Conservationist (NRCS)
<b>BMP</b> -Best Management Practice	<b>DEFA</b> -Division of Environmental and Financial Assistance (OEPA)
<b>CAFO</b> -Confined Animal Feeding Operation	<b>DOF</b> -Division of Forestry (ODNR)
<b>CAP</b> -Conservation Action Project	<b>DOW</b> -Division of Wildlife (ODNR)
<b>CAPS</b> -Conservation Activity Plans	<b>DSWR</b> -Division of Soil & Water Resources (ODNR)
<b>CAT</b> -Critical Area Treatment	<b>DT</b> -District Technician
<b>CAUV</b> -Current Agricultural Use Value	<b>EBI</b> -Environmental Benefits Index
<b>CCC</b> -Commodity Credit Corporation	<b>EDP</b> -Educator Development Program
<b>CED</b> -County Executive Director (FSA)	<b>EEO</b> -Equal Employment Opportunity
<b>CMP</b> -Corrugated Metal Pipe	<b>eFOTG</b> -Electronic Field Office Technical Guide
<b>CNMP</b> -Comprehensive Nutrient Management Plan	

**EIS**-Environmental Impact Statement

**EQIP**-Environmental Quality Incentive Program

**ERIN**-Earth Resources Information Network

**EWP**-Emergency Watershed Protection

**FCIC**-Federal Crop Insurance Corporation

**FFY**-Federal Fiscal Year

**FIP**-Forestry Improvement Program

**FMP**-Forestry Management Plan

**FO**-Field Office

**FOIA**-Freedom of Information Act

**FRPP**- Farm and Ranchland Protection Program

**FSA**-Farm Services Agency

**FSR**-Farm Science Review

**FTS**-Federal Telecommunications System

**FY**-Fiscal Year

**GIS**-Geographic Information System

**GLSM**-Grand Lake St. Mary

**GMP**-Grazing Management Plan

**GRP**-Grassland Reserve Program

**GPS**-Global Positioning System

**GSA**-General Services Administration

**HEL**-Highly Erodible Land

**HUA**-Hydrologic Unit Area

**HUC**-Hydrologic Unit Code

**IJC**-International Joint Commission

**IPM**-Integrated Pest Management

**LESA**-Land Evaluation Site Assessment

**LICA**-Land Improvement Contractor's Association

**LIM**-Land Inventory and Monitoring

**LRP**-Long Range Plan

**LTA**-Long Term Agreement

**MLRA**-Major Land Resource Areas

**MNM**-Manure and Nutrient Management

**MO**-MLRA Regional Office

**MS4**-Municipal Separate Storm Sewer System

**MUG**-Map Unit Generator

**NACD**-National Association of Conservation Districts

**NASCA**-National Assoc. of State Conservation Agencies

**NASIS**-National Soil Information System

**NCSS**-National Cooperative Soil Survey

**NFC**-National Finance Center

**NIPF**-Non-Industrial Private Forest

**NOI**-Notice of Intent

**NPDES**-National Pollutant Discharge Elimination System

**NPS**-Nonpoint Source Pollution

**NRCS**-Natural Resources Conservation Services

**NRI**-National Resource Inventory

**OARDC**-Ohio Agricultural Research and Development Center

**OASWCDE**-Ohio Association of Soil & Water Conservation District Employees

**OCC**-Ohio Chamber of Commerce

**ODA**-Ohio Department of Agriculture

**ODH**-Ohio Department of Health

**ODNR**-Ohio Department of Natural Resources

**ODOT**-Ohio Department Of Transportation

**OEC**-Ohio Environmental Council

**OEPA**-Ohio Environmental Protection Agency

**OFA**-Ohio Forestry Association

**OFBF**-Ohio Farm Bureau Federation

**OFSWCD**-Ohio Federation of Soil & Water Conservation Districts

**OFU**-Ohio Farmers Union

**OGRIP**-Ohio Geographically Referenced Information Program

**OBM**-Office of Budget and Management (Ohio)

**OMB**-Office of Management and Budget (Federal)

**ORC**-Ohio Revised Code

**OSHA**-Occupational Safety & Health Act

**OSIB** -Ohio Soil Inventory Board

**OSU**-Ohio State University

**OSUE**-Ohio State University Extension

**OSWCC**-Ohio Soil & Water Conservation Commission

**OUPS**-Ohio Utilities Protection Service

**PA**-Pollution Abatement

**PERS**-Public Employee's Retirement System

**PM**-Plant Materials (Program)

**PRS**-Performance Reporting System

**PS**-Program Specialist (Div of Soil & Water Conservation)

**PSS**-Project Soil Scientists

**QAR**-Quality Assurance Review

**RAMP**-Rural Abandoned Mine Program

**RCA**-Resource Conservation Act

**RC&D**-Resource Conservation & Development

**RD**-Rural Development

**RFP** - Request for Proposals

**RI**-Resource Inventory

**RMS**-Resource Management Specialist

**RMS**-Resource Management System

**RPC**-Regional Planning Commission

**RSS**-Resource Soil Scientist

**RUSLE**-Revised Universal Soil Loss Equation

**SO**-State Office

**SSURGO**-Soil Survey Geographic Overlay

**SWCD**-Soil & Water Conservation District

**SWCS**-Soil & Water Conservation Society

**SWEET**-Source Water Environmental Education Teams

**SWIMS**-Soil & Water Information Management System

**TDP**-Technician Development Program

**TSI**-Timber Stand Improvement

**TNC**-The Nature Conservancy

**TSP**-Technical Service Provider

**USDA**-United States Department of Agriculture

**USFS**-United States Forest Service

**USFWS**-United States Fish & Wildlife Service

**USGS**-United States Geological Survey

**USEPA**-United States Environmental Protection Agency

**USLE**-Universal Soil Loss Equation

**VRT**-Variable Rate Technology

**WAE**-While Actually Employed

**WASCB**-Water and Sediment Control Basin

**WHIP**-Wildlife Habitat Incentives Program

**WLEB**-Western Lake Erie Basin

**WMAO**-Water Management Association of Ohio

**WQIP**-Water Quality Incentives Program

**WRP**-Wetland Reserve Program

**WRRSP** -Water Resource Restoration Sponsor Program

**WS**-Watershed

## CHAPTER 2 - LAWS, RULES, AGREEMENTS AND RULINGS

This chapter provides links to the various enabling statutes and subsequent rules establishing the soil and water conservation district (SWCD) government structure in Ohio as well as defining certain powers and authorities with regard to erosion and pollution abatement. Also included are ancillary state and federal laws and rules by which SWCD boards and supervisors must adhere to as employers, as a public entity and as public officials. Additionally, agreements are included which set working relationships between and among SWCDs and federal and state conservation agencies.

### ***SOIL AND WATER CONSERVATION DISTRICT ENABLING LAWS AND RULES***

**Law creating the soil and water conservation districts in Ohio including the formation and authorities of the Ohio Soil and Water Conservation Commission:**

[Chapter 1515 Ohio Revised Code](#)

- **Related Rules** outlining the Ohio Soil and Water Conservation Commission public meeting process and procedures for the election of soil and water conservation district supervisors under the direction of the Ohio Soil and Water Conservation Commission:

[Chapter 1515 Ohio Administrative Code](#)

**Law creating the Division of Soil and Water Conservation within the Department of Natural Resources including authority and enforcement regarding Non-Agricultural and Agricultural Pollution Abatement:**

[Chapter 1511 Ohio Revised Code](#)

- **Related Rules** establishing state standards to achieve a level of management and conservation practices which will control wind or water erosion of the soil and minimize the degradation of water resources by soil sediment in conjunction with soil-disturbing activities on land used or being developed for non-farm commercial, industrial, residential, or other non-farm purposes:  
[Chapter 1501:15-1 Ohio Administrative Code - Erosion and Sediment Control](#)
- **Related Rules** pertaining to the public notice process when rules are created, amended or rescinded:  
[1501:15-2-01 Ohio Administrative Code - Notice of public hearing to adopt, amend or rescind rules.](#)
- **Related Rules** establishing state standards for a level of management and conservation practices in farming, silvicultural operations and animal feeding operations on farms in order to abate excessive soil erosion or the pollution of waters of the state by soil sediment including pollutants attached to the sediment and animal manure:  
[Chapter 1501:15-5 Ohio Administrative Code - Animal Waste and Agricultural Pollution](#)

## **OHIO ETHICS LAW**

The Ohio Ethics Law was originally enacted in 1973 to promote confidence in government.

The law:

- Establishes a code of conduct making it illegal for state and local public officials and employees to take official action if they have certain conflicts of interest;
- Provides for the filing of financial disclosure statements by many public officials, and for public inspection of those statements;
- Establishes procedures by which citizens may participate in the enforcement of the law; and
- Creates agencies within the three branches of government to administer the law.

[Ethics Law](#)

[Ohio Ethics Commission Overview](#)

[Ohio Ethics Commission Authority](#)

[Fact Sheets: The Ethics Law and You – Public Official, Board Member, Local Government](#)

[Model Ethics Policy for Local Agencies](#)

[Compatibility of Public Offices Index](#)

[Conflict Of Interest Designation Form](#)

## **OHIO SUNSHINE LAWS - PUBLIC MEETINGS & PUBLIC RECORDS LAWS AND REQUIREMENTS**

The [Ohio Open Meetings Act](#) requires public officials to deliberate, discuss and conduct the people's business in open meetings. This means that if a public body is meeting to discuss and decide public business, the meeting must be open.

The [Ohio Public Records Act](#) provides the public with procedures to request records from any public office in Ohio, while protecting certain specific types of records from release. It also establishes a legal process to enforce compliance when a requester feels that a public office has failed to satisfy its public records obligations. The Public Records Act ensures that documents belong to the people, and not to the government body holding them.

[Ohio Sunshine Law Manual](#)

[Required Training for Public Officials](#)

149.43 (E)(1) of the Ohio Revised Code provides to ensure that all employees of public offices are appropriately educated about a public office's obligations under division (B) of this section, all elected officials or their appropriate designees shall attend training approved by the attorney general as provided in section 109.43 of the Revised Code. In addition, all public offices shall adopt a public records policy in compliance with this section for responding to public records requests. In

adopting a public records policy under this division, a public office may obtain guidance from the model public records policy developed and provided to the public office by the attorney general under section 109.43 of the Revised Code.

### [Model Public Records Policy](#)

### [Ohio's Sunshine Law 101: What Newly Elected Officials Need to Know...and Understand about Open Meetings and Public Records](#)

### [Local Government Records Retention Laws](#)

General Assembly has created “records commissions” for certain governmental entities. Through enactment of R.C. 149.38-.42, the General Assembly has established a comprehensive statutory plan for the supervision of records retention and disposition by local governmental entities. Records commissions are responsible for reviewing and approving records retention schedules and applications for one-time disposal of obsolete records submitted by public offices within the records commissions’ jurisdiction.

### [Local Government Records Program Forms](#)

### [SWCD Records Commission: Ohio Attorney General Opinion](#)

## ***CIVIL RIGHTS ACT OF 1964***

This federal law makes it illegal to discriminate against someone on the basis of race, color, religion, national origin, or sex. The law also makes it illegal to retaliate against a person because the person complained about discrimination, filed a charge of discrimination, or participated in an employment discrimination investigation or lawsuit. The law also requires that employers reasonably accommodate applicants' and employees' sincerely held religious practices, unless doing so would impose an undue hardship on the operation of the employer's business.

### [Civil Rights Statute](#)

### [U.S. Equal Employment Opportunity Commission Overview and Guidance](#)

### [Prohibited Employment Policies/Practices](#)

## ***FAIR LABOR STANDARDS ACT***

The Fair Labor Standards Act (FLSA), which prescribes standards for the basic minimum wage and overtime pay, affects most private and public employment. The Act is administered by the Employment Standards Administration's Wage and Hour Division within the U.S. Department of Labor.

### [The Fair Labor Standards Act of 1938 \(PDF\)](#)

### [Compliance Assistance Materials](#)

[Wage and Hour Division](#)

### **CHARITABLE CONTRIBUTIONS TO SWCDs**

Charitable contributions to governmental units are tax-deductible under section 170(c) (1) of the Internal Revenue Code if made for a public purpose. As a special service to government entities, IRS will issue a “governmental information letter” free of charge.

[IRS Tax-Exempt Status - Government Information Letter](#)

### **MEMORANDUMS OF UNDERSTANDING**

SWCD and ODNR – Division of Soil and Water Conservation and Ohio USDA Natural Resources Conservation Service: [Cooperative Working Agreement](#)

State of Ohio and USDA and SWCD: [Mutual Agreement](#)

Presentation: [Cooperative Relationships Between NRCS and Districts](#)

\_\_\_\_\_ **Soil & Water Conservation District**

**Conflict of Interest Information Form**

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

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

Please describe below any interest, or any family or business relationship that could rise to a potential or actual conflict of interest (as defined by Ohio's Ethics Law and related statutes and/or \_\_\_\_\_ Soil & Water Conservation District's Policy).

*I hereby certify that the information set forth above is true and complete to the best of my knowledge. I have reviewed, and agree to abide by, the Policy of Conflict of Interest of \_\_\_\_\_ Soil & Water Conservation District and Ohio's Ethics Laws and related statutes.*

*Signature:* \_\_\_\_\_ *Date:* \_\_\_\_\_



**SWIMS CORE MODULES  
USE GUIDANCE DOCUMENT**  
*ADOPTED BY THE OSWCC, NOVEMBER 2007*



Per the Ohio Soil and Water Conservation Commission's (OSWCC) adoption of the SWIMS Program Use Policy, the following guidance defines those fields in the individual core modules **required** to be populated, and those tasks to be completed. Input of this information and completion of these tasks will provide required data for local and state level reporting.

**1. Cooperator Module:**

For any clients entered in SWIMS, the following information is required.

- |                                                  |                                                           |
|--------------------------------------------------|-----------------------------------------------------------|
| <input type="checkbox"/> First Name              | <input type="checkbox"/> Zip Code                         |
| <input type="checkbox"/> Last Name               | <input type="checkbox"/> Primary Interest                 |
| <input type="checkbox"/> Telephone Number (Home) | <input type="checkbox"/> Parcel or Tract Number(s) –_only |
| <input type="checkbox"/> Address                 | <u>required</u> if you plan to use the                    |
| <input type="checkbox"/> City/Town               | Conservation 6 Note feature.                              |

**2. Cooperator Projects Module:**

Each SWCD should capture as much of their “technical” work as possible in this module. The following fields/tasks are to be completed for each individual Cooperator project created.

- |                                                                                                    |                                                                                                                                                  |
|----------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Project Name                                                              | <input type="checkbox"/> Input of “Practice Measurement” (e.g. acres, feet, instances) for each assigned BMP/Service upon installation/delivery. |
| <input type="checkbox"/> Program Type                                                              | <input type="checkbox"/> Input of “Installed Date” for each assigned BMP/Service upon installation/delivery.                                     |
| <input type="checkbox"/> Project Type                                                              |                                                                                                                                                  |
| <input type="checkbox"/> Actual Start Date                                                         |                                                                                                                                                  |
| <input type="checkbox"/> Assign BMPs/Services to each Project                                      |                                                                                                                                                  |
| <input type="checkbox"/> Mapping, in GIS, of each assigned BMP/Service upon installation/delivery. |                                                                                                                                                  |

**3. Initiatives Module**

Each SWCD should capture as much of their “education and outreach” work as possible in this module. The following fields/tasks are to be completed for each individual Initiative created.

- |                                                                                                                                                       |                                                                                                                  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Initiative Name                                                                                                              | <input type="checkbox"/> At a minimum, the following fields are required to be populated for each “Event” entry: |
| <input type="checkbox"/> Program Type                                                                                                                 | - Date;                                                                                                          |
| <input type="checkbox"/> Initiative Type                                                                                                              | - Presentation/Activity Type;                                                                                    |
| <input type="checkbox"/> Actual Start Date                                                                                                            | - # of Presentations/Activity; and                                                                               |
| <input type="checkbox"/> “Events” (found under Events tab) are to be added to record/report all activities actually accomplished for each Initiative. | - # of Attendees/Participants                                                                                    |

**4. Timesheet Module**

- SWIMS timesheet is the only recognized timesheet by the Ohio Soil and Water Conservation Commission and is to be used by all SWCD staff for time keeping.
- The timesheet will track leave earned, used and balances for all employees.
- Timesheet records will be available at all times for review by the DSWR staff and ODNR Audit Section staff.
- Time spent by staff working on individual Cooperator Projects and Initiatives will be charged to the applicable Cooperator Projects(s) or Initiative(s).



## AGRICULTURAL RELATED PROJECTS IN THE SWIMS PROGRAM



This document will provide guidance to SWCDs on how to set-up the SWIMS program so that Agricultural Projects and Best Management Practices (BMPs) completed by SWCDs can be captured for reporting to local entities and sponsors, and for statewide reports.

### **LAND AND WATER PROJECTS**

In order to make projects conducted with SWCD assistance reportable, SWCDs should create in SWIMS a separate Land Water (L & W) project for each Project they're involved with. This would apply to any "on the land" project that the SWCD would like to capture staff time for, as well as the BMPs and quantities completed with the project.

#### **Project vs. Practice**

There is a lot of confusion as to whether or not a Land and Water Project in SWIMS is setup by the "project" or the "practice". The answer is: It depends on how you want to charge your staff time.

For example: Joe Smith has been approved for an EQIP contract that contains the following CNMP, Manure Storage Structure, Roof Runoff, and Filter Strip practices. You have a few options on how to enter this information into SWIMS:

1. **EQIP-Smith-Headquarters:** This is setup as one big project that allows work on any of the above BMPs to be used to charge time to. Under the practice tab, you would be able to add the individual BMPs and capture quantities for each BMP. The drawback is that you cannot capture time on the individual BMPs you have worked on. Time spent on the CNMP will be lumped in with time spent surveying the filter strip. For contributing agreements and to have the ability to track time spent on the individual BMPs you will want to have some separation.
2. **Projects: EQIP-Smith-CNMP and EQIP-Smith-Headquarters:** This allows you to charge time spent on the CNMP separately from all other work on the EQIP contract.
3. **Some other combination of practices that you want to track time on specifically:** If your office wants to see how much staff time is being spent on Filter Strips, then all Filter Strip practices should be setup as separate projects.
4. **Charging time to a specific BMP** within a project is now an option in SWIMS. As long as you list the BMPs in the BMP tab, a check box in timesheets will allow you to attach your hours to that specific BMP, if so desired.

## A. Project Set-up:

### Step 1: Creating/naming the projects in the L&W module.

Use of a consistent naming convention will allow for consistent reporting results. For example please use the following type of naming convention: **Program – landowner name – Project or practice**

Examples:

- EQIP – Jones – Pasture Management
- CRP— Weston - Waterway
- 319 – Smith- Riparian Buffer

Putting “Program Type” in the front of each L&W project name, will allow querying to be done on all projects that contain “EQIP” or “319” or “CRP” ~~the~~ project name. This will also group all like projects together on your L&W projects list.

Once the project is created in the L&W module, time can then be charged by staff against each individual project. Summary reports and queries are then available for each project showing individual employee or entire staff time spent on a project.

### Step 2: Choosing a Project “Category”

When setting up the project in the L&W module, select the most appropriate type from the project “**Category**” list. Do not leave this blank, as reports will be completed based on this box.

### Step 3: Choosing a “Program” Type

From the “**Program**” type list, choose one of the following which best describes the project. This may be EQIP, 319, CRP, or another local option, but as above, do not leave this blank as reports will be completed based on this box as well.

### Step 4: Assigning BMPs to the Project

To spatially capture and record the work being completed by SWCDs, the BMPs that are assigned to a L&W project are “drawn and saved” in the L&W module’s GIS interface. Drawing and saving the BMPs in the GIS then allows reporting to be done by: SWCD, Township, 11 digit watershed, 14 digit watershed, State “House and Senate” districts as well as Federal Congressional district. The BMPs you will assign to Agricultural projects will be used to delineate the acres in the practice planned, the length (ft.) of the planned practice, or the instances of occurrence depending on the BMP selected.

Please assign the proper BMPs to each project. These are found on the L&W BMP list that exists in the L&W module. To access the list, click on the “Add BMP” button, then choose the following BMPs:

- All individual Projects should have at least one BMP added to locate and define the BMP being installed in this project. From the BMP list choose the appropriate BMP(s) and assign it/them to the project.
- For each BMP that you assign/add to the project, click on/highlight them with your mouse/cursor, then click on “Edit BMP” button, when the “Edit BMP” box appears on the screen, enter the total acres/feet/instance in the “Practice Measurement” field. Then click the “OK” button to save.

- When you go into the SWIMS GIS to draw and save the BMP(s), simply locate on the aerial where the practice to be installed is located and draw the shape (shape to be drawn is predetermined by the BMP chosen). BMPs quantified by acres are drawn as a polygon, BMPs quantified by feet are drawn as lines, and BMPs quantified as instances are drawn as points).

### **B. Charging Time To Projects - Additional Info**

Once projects are set-up as L&W projects, you then have the ability to charge time against them. By using the comment box on the Timesheet you can describe the activity or activities that the hours charged against the project represents.

Remember, since the Timesheet “Comments” box is queriable, you can very easily run a query to obtain hours spent doing specific activities for individual Wildlife projects. This does require the consistent use of consistent verbiage to describe those activities. This can be easily accomplished by creating a list of activities that can then be cut and pasted by SWCD staff into the Timesheet comment box. A sample list might include the following:

- Survey
- Design
- Planning
- Follow up

As long as you consistently cut and paste the activities into the comment box, you can run a query to show time spent on that particular activity.

### **C. Conservation 6 Notes**

Conservation 6 notes are accessible either through the Client or L&W module. The 6 notes allow you to capture the date and notes for a particular visit or phone call with a landowner/client. This is a good way to document follow up visits or occasions where additional information/contact was given to the person.



## SWCD PROCESS FOR ENTERING POLLUTION COMPLAINTS IN THE SWIMS POLLUTION COMPLAINT MODULE



### Step 1: Enter The Cooperator Information For The Complaint

This will include information for both the Alleged Violator as well as the Complainant. Both of these have to exist as Cooperators in the Cooperator module.

- After logging into SWIMS, select the *Cooperators* icon from the main SWIMS toolbar on the left side of the screen.
- Then click on *Cooperator Search*, the “Cooperator Search” page comes up, enter the cooperator’s last name and click *Search*. Do this for the both the alleged violator and the complainant.
- If the cooperator name is returned in the “Search Results”, single click the entry to select it and then press the “Edit” button to open/display the cooperator details. Click on the “Locations” tab to display the Tract or Parcel information that has been entered for the Cooperator.

**Important:** The alleged violator’s tract or parcel associated with the pollution complaint/investigation **must** be entered prior to completing the complaint, entering any Communication notes, (cons 6 notes), or completing the PIR in the SWIMS Pollution Complaint module. *It is not required to enter tract or parcel information for the Cooperator who is the Complainant.*

- If the Cooperators (alleged violator and complainant) have not been entered, click “Cooperators” on the main SWIMS toolbar, then click “*Add Cooperator*”. This will bring up a blank Cooperator “Details” screen. At a minimum, you will need to populate the following fields: 1) First Name, 2) Last Name, 3) Address, 4) City, 5) State 6) Zip Code and 7) County.

**Important:** Once completed then be sure to add the applicable tract or parcel information under the *Locations* tab for the alleged violator.

- If the alleged violator is **unknown**, use the following information to create an “Unknown” Cooperator.
  - First name: **Violator**
  - Last name: **Unknown**
  - Address: **Unknown**
  - City: **Unknown**
  - County: **Use the actual county name**
  - Tract #: **9999**
- Click *OK* to return to the *Cooperator Search* screen
- Continue to **Step 2**

## Step 2: Begin Work In The *Pollution Complaints Module – Complaint Tab.*

- Click on the *Pollution Complaints* button on the main SWIMS toolbar on the left side of the screen, then click on *Pollution Complaints*”.
- The *Pollution Complaint/Pollution Investigation Report Search* page opens.
- Click *Search* to see if the complaint has been entered. If not, select the *New Complaint* button on the right side of the page.
- Complete all information on the Complaint screen down through the comments box and select the **SAVE** button at the top left of the screen before entering the Cons. 6 notes. If your 6 notes are long, SWIMS can time out before you finish and all the information you have entered will be lost. The only way you’ll find out that SWIMS has timed out is when you go to *Save* and have to log in again. **(Remember, SAVE early and often)**

**Note:** Ensure that you have selected an “*Alleged Violator*” before you “Save” the complaint. If you have not done so, the SWIMS generated complaint number will be incomplete (i.e. – Mercer-2007-\_\_\_\_\_). If the alleged violator is unknown, select the “Unknown” cooperater that you created.

- To enter a 6 note, click the grey box located next to the “*Click here to add a new record*” statement at the bottom of the page. Then double-click on the date cell. You must enter the date using the following format: yyyy-mm-dd. To select a tract/parcel double click on the tract button; pick the applicable tract/parcel off the drop down list. To better see the *Tract/Parcel* numbers, select any tract and then select the *Planner* box, this will expand the *Tract* box and make it easier to see which tract/parcel number you picked or would like to pick. This also applies to the *Note* box.

### Notes:

- When entering in the *Note* field, you can use the “Enter” key just like you would in a word processing program. This will not cause you to lose the page as it does in other SWIMS modules.
  - Conservation 6 note entries can be created in MS Word (highly recommended) and then cut & pasted into the 6 note box. The advantage is ease of typing as well as spell check.
- If in the complaint module, you generate cons 6 notes for *Violator Unknown* on *Tract #9999*, those 6 notes will always be associated with *Violator Unknown* on *Tract #9999*. If you change the alleged violator in the complaint module to a known person, you should cut and paste the applicable 6 notes from *Unknown* to the new person’s 6 notes.
  - When done entering information, click on the “Change Status” button near top of the screen; select “Complaint Entered.”
  - Then Select the *Save* button at the top left of the screen. The complaint has now been entered in the system.
  - Continue to **Step 3**

### Step 3: Completion Of The “PIR – General” Form And Other “Forms” As Required.

- On *Complaint* page, click on “*Here*” button (right side of page, just below box labeled “DSWC Use Only”). This will generate the “PIR – General” form for the complaint.
- Then click on the “PIR – General” tab and complete the PIR form for the complaint.
- Important Note:** Question 3 requires you to enter a latitude and longitude reading (in Degrees, Minutes, Seconds format). This information **MUST** be entered on the PIR form or NONE of the information entered on the form will be SAVED,

The following websites/programs are helpful for determining/finding latitude and longitude readings.

- <http://touchmap.com/latlong.html>
- Google Earth

**Note:** On question 6, depending on the rules that have been violated, additional PIR forms may need to be completed. If additional PIR forms are needed, click on the “*Enable/Disable Supplemental Forms*” button found at the end of Question 6. This will activate the appropriate supplemental form(s).

- Complete any required additional forms.
- When all PIR forms have been completed, return to the “Complaint” tab, click on the “Change Status” button near top of the screen, and select “PIR Submitted.”
- Select the *Save* button at the top left of the screen.
- The PIR(s) is/are now in the system.



## SWIMS SET-UP GUIDANCE FOR CAPTURING/REPORTING SWCD URBAN ASSISTANCE



Following is guidance regarding how the SWIMS program can be set-up so that “Urban” work completed by the SWCD for a County, Township, Municipality, or other Unit of Government, can be captured and reported both locally and at the State level as well.

In the SWIMS program there are three different methods, which can be used to capture/record time.

1. **Timesheet Module Time Codes/time code details** – these can be utilized when the work/time to be captured is mostly administrative and nothing needs to be mapped/saved in the GIS, and there is no “attendance” or total “participants” information that needs to be captured/reported.
2. **Initiatives** - should be used when the work/time spent on an individual task, event, function, etc. needs to be captured/reported. Initiatives should also be used when attendance numbers /participant information needs to be captured/reported.
3. **Land & Water Projects** – use when work/time to be captured/reported involves installation of a BMP or providing a service (e.g. ditch maintenance, subdivision reviews, site review, etc.). You can also record acres, feet or instances, depending on the type of BMP being installed. Drawing and saving the BMP(s) assigned to the Land & Water project in the Land & Water GIS allows township, county, major watershed (11 digit HUC), minor watershed (14 digit HUC), Ohio House and Senate Districts, U.S. Congressional District and Municipality to be captured and reported on.

### **SETTING UP LAND AND WATER PROJECTS**

In order for Urban practices installed “On the Land” or “Urban Assistance” provided to, a County, Township, Municipality, or other Unit of Government to be reportable, the SWCD should set-up a separate Land and Water (L & W) project for each entity to which the SWCD is providing service. This will allow the SWCD to then be able to keep track of time spent with that entity and be able to report that time.

#### **Naming Projects**

When creating the L&W Projects, a consistent naming convention should be used when naming the individual L&W Projects, doing so will allow for easier querying/reporting. Inserting the word “Urban” in each Project name will allow querying to be done on all Projects that contain “Urban” in the project name. Following are some example L&W project names:

- Urban - Erie County
- Urban - Blue Rock Township
- Urban - City of Painesville

#### **Drawing/Saving “BMPs” in the L&W Module GIS**

In order to geographically capture urban work completed by the SWCD, BMPs should be assigned to each of the Urban L&W Projects. These BMPs can then be drawn/mapped and saved in the L&W module’s GIS component.

One of the first steps is to determine which BMPs would need to be mapped.

Following are some examples of BMPs:

- Site investigations
- Inspections
- Subdivision Reviews
- Inventory and Evaluation, aka I & E

By drawing and saving the BMPs in the GIS the following attribute details are captured and are then reportable: township, county, major watershed (11 digit HUC), minor watershed (14 digit HUC), Ohio House and Senate Districts, U.S. Congressional district and Municipality. An example might look like this:

- L&W Project Name: Urban - City of Painesville
- BMP assigned to the Project, drawn/saved in GIS: - Subdivision Reviews

The SWCD would go into the L&W module GIS component and draw/save a point in the correct location on the aerial map identifying where the subdivision reviews were/will be completed. Potentially the SWCD might perform this BMP (sub-division reviews) many times for the City of Painesville. Therefore to capture the number of “instances” this BMP was completed, the SWCD would record the number completed in the “Practice Measurement Instances” box located on the “Edit BMP” screen.

By using the described process, reports could then be generated by the SWCD, the DSWC or the OFSWCD, which would show the total number (instances) of site inspections completed by SWCDs. The fact that the BMPs had been drawn in the GIS would provide the ability to run the query based on township, county, watershed, or any of the other attributes captured as a result of spatially locating the practices.

### **Charging Time to L&W Projects**

Once a Project has been created in the L&W module, SWCD staff can then charge time against it. You can charge time against a project from the Timesheet module (this is faster) or by opening the L&W Project, clicking on the Staff Time button and entering the number of hours charged.

### **Using “Comments” Box in the Timesheet Module for Querying Purposes**

Use of the “comments” box (found on the “Enter Time” screen in the Timesheet module) also provides a means of tracking/reporting/querying Urban work done by the SWCD. Consistently entering comments in the “comments” box describing work that was performed for a County, Township, Municipality, or other Unit of Government can be queried for. An easy way to accomplish this would be to create a list of activities in a MS Word or Excel document, which could then be consistently copied and pasted into the comments box each time. The list of activities could be text, reference numbers or a combination of both.

A sample list might look like the following:

- 101 - Urban I & E
- 102 - Urban Site Investigations
- 103 – Urban Site Inspections
- 104 – Urban Violations

Consistent entry of the activities into the comments box would allow the SWCD to query the County, Township, Municipality, or other Unit of Government, as well as the specific work/service provided within

that municipality. For instance you could run a report that shows how much time has been spent for the City of Painesville L&W Project, where “I & E” has been entered in the comments box. The report will then show you instances where an employee charged time to this project with “I & E” in the comments box, giving you total hours spent towards that activity in that location.

### **L&W Summary**

To begin using the different L&W Project tracking methods described thus far in this document, a SWCD would simply need to do the following:

- Create L & W Projects for each entity where Urban work/service will be provided (e.g. County, Township, Municipality, or other Unit of Government)
- Identify a list of BMPs/services that will be drawn/saved in the GIS to spatially identify those activities. Talk to Martin Joyce about adding them to the SWIMS BMP list if they currently don't exist.
- Create a list of “Details” or “Reference Numbers” that can be consistently entered in the “Comments” box (found on the “Enter Time” screen in the Timesheet module) by SWCD staff when entering their time. This will allow you to query information entered in the comments.

### **Tracking time using Initiatives vs. Time Code Details**

Urban work/services provided by the SWCD can also be captured by using Time Codes/time code details or by using Initiatives (set up in the “Objectives” module). Depending on what your reporting/tracking needs are, that determines whether to use an Initiative or a Time Code/time code details to capture time spent on urban work.

The Objective/Initiative module is used to track education and outreach (non-conservation practice) activities completed by the SWCD. If an SWCD is interested in how much time is spent on individual urban projects, then setting them up as Initiatives is the best option. By doing so, time can be charged back against individual Initiatives.

In reality a SWCD might set up an Initiative that would complement an existing L&W project – e.g. an Initiative for education and outreach associated with NPDES Phase II activities. When doing this, it makes sense to name the Initiative the exact same thing as the L&W project. By doing so it will then be very easy to run one query and pull the time charged to both the L&W project as well as the Initiative. This will allow for easier, more complete reports. If you decide to capture time with Time Codes/time code details you end up with a total amount of time spent for all activities not individual ones.



## FORESTRY RELATED PROJECT SET-UP GUIDANCE IN THE SWIMS PROGRAM



### **For Woodland Management Plans, Timber Harvest Plans (THP), and Notice of Intent Forms (NOI) completed by SWCDs**

This document will provide guidance to SWCDs on how to set-up the SWIMS program so that Forestry related assistance provided by SWCD's can be captured for reporting to local entities/sponsors and for statewide reports as well.

#### **WOODLAND MANAGEMENT PLANS**

In order to make Woodland Management Plans created with SWCD assistance reportable, SWCDs should create in SWIMS a separate "Cooperator Project" for each management plan they're involved with.

**Note:** As with all Cooperator Projects, "Cooperator" name and address information as well as Parcel/Tract information for the "Cooperator" can be captured if you wish. This information is entered in the SWIMS "Cooperators" module.

#### **Cooperator Project Set-up**

##### **Step 1: Creating/naming the projects in the Cooperator Projects module.**

Use of a consistent naming convention will allow for consistent querying results. For example please use the following type of naming convention:

- Forestry – Smith-Forest Management Plan
- Forestry – CAUV-Jones Forest Management Plan

Putting "Forestry" in the front of each Cooperator Project name, will allow querying to be done on all projects that contain "Forestry" in the project name. This will also group all "Forestry" projects together on your Cooperator Projects list.

Once the Forestry related project is created in the Cooperator Projects module, staff can then charge time against each individual project. Summary reports and queries are then available for each project showing individual employee or entire staff time spent on the project(s).

##### **Step 2: Choosing a "Project Type"**

When setting up the project in the Cooperator Projects module, choose "Woodland" from the "Project Type" drop-down list.

##### **Step 3: Choosing a "Program" Type**

From the "**Program**" drop-down list, indicate the program that the landowner is participating in. Choose one of the following:

- CAUV
- EQIP

- Ohio Forest Tax Law (OFTL)
- SWCD Program
- Tree Farm

#### **Step 4: Use of the Cooperator Projects “Description” field**

Information inserted in the “Description” field (this field is found on the “Details” screen) can be queried. This provides the ability to build reports based on information inserted into the field. For example, SWCDs that are writing woodland management plans for the CAUV Program or something similar, might insert in the Description field, work timelines contained in the Forest Management Plan (see below).

For example, let’s assume the management plan you’re writing requires the following work to be completed:

2007 - TSI Tract 3

2008 - TSI Tract 1

2010 - Thinning Tract 2

2010 - Harvest Tract 4

If you insert this type of information into the Description field for all Forest Management Plans and you do it consistently, you could then run a query based on a certain year when an activity needs to take place. In the above example, by querying for the year “2007”, all projects having work scheduled for completion that year would be listed in the query results and the required follow-up and inspection could then be completed. This will not work for years inserted as “2006-2010 - TSI”, each individual year must be entered into the box. So “2006-2010 - TSI”, would need to be entered as separate entries in the field – e.g. 2006-TSI, 2007-TSI, 2008-TSI, etc. or TSI 2006 2007 2008 2009 2010.

#### **Step 5: Assigning BMPs to the Cooperator Project**

Please assign the proper BMPs to the project. These are found on the BMP list that exists in the Cooperator Projects module, on the BMPs/Activities tab.

- To access the BMP list, from the BMPs/Activities screen, click on the “Add” button, then choose “Woodland Management” from the “Activity Type” drop down list. Then choose the appropriate BMPs from the “BMP/Activity Name” drop down list to assign them to the project.
- To spatially capture and record the work being completed by SWCDs, the BMPs that are assigned to a project are “drawn and saved” in the Cooperator Projects module’s GIS interface. Drawing and saving the BMPs in the GIS then allows reporting to be done based on the following attributes: SWCD, Township, 11 digit Watershed, 14 digit Watershed, Ohio “House” District, Ohio “Senate” District, Federal “Congressional” district and Municipality.
- Please draw and save all completed BMPs in the GIS

## **TIMBER HARVEST PLAN (THP) AND TIMBER HARVEST NOTICE OF INTENT (NOI)**

Notice of Intent (NOI) submitted by Landowners, Loggers or Foresters. Every SWCD in Ohio has the potential to receive THPs and/or Timber Harvest NOIs. The following guidance will walk you through the setup of SWIMS to track the THPs and NOIs that your SWCD receives.

- The **THPs** can be tracked by either creating an “individual” Cooperator Project for each THP received or they can be tracked by creating one “Generic” project for THPs. If you want to be able to track staff time spent on individual THPs, then you’ll want to create individual Cooperator Projects for each THP received.
- If tracking staff hrs. spent on individual THPs is not an issue, then you can create a “Generic” project to track them.
- **NOIs** typically require minimal staff time; therefore they can be easily tracked by creating one “Generic” project to track them.

### **A. Timber Harvest Plan (THP) – tracking with “individual” Cooperator Projects.**

For each THP submitted to the SWCD, create a separate project in the SWIMS Cooperator Projects module.

**Note:** As with all Cooperator Projects “Cooperator” name and address information as well as Parcel/Tract information for the “Cooperator” can be captured if you wish. This information is entered in the SWIMS “**Cooperators**” module.

#### **Step 1: Creating/naming the projects in the Cooperator Projects module.**

Use of a consistent naming convention will allow for consistent querying results. For example please use the following type of naming convention: **Forestry - Smith - THP**

#### **Step 2: Choosing a “Project Type”**

When setting up the project in the Cooperator Projects module, choose “**Woodland**” from the Project Type drop-down list.

#### **Step 3: Choosing a “Program” Type**

From the “**Program**” drop-down list, choose the following option: **Timber Harvest**

#### **Step 4: Use of the Cooperator Projects “Description” field**

Information inserted in the “Description” field (this field is found on the “Details” screen) can be queried. This provides the ability to build reports based on information inserted into the field Refer to page 1 of the submitted THP form and enter the following names and their relationship to the Timber Harvest in the “Comments” field. For example:

- Landowner Name - John Smith
- Logger \ Logging Company Name - James Miller
- Forester \ Consultant Name - Mark Williams
- Name of Submitter - Wade Garrett

#### **Step 5: Assigning BMP to the Project.**

The BMPs are found on the list that exists in the Cooperator Projects module, on the BMPs/Activities tab.

- To access the BMP list, from the BMPs/Activities screen, click on the “Add” button, then choose “Woodland Management” from the “Activity Type” drop down list.

- Then choose “THP (Timber Harvest Plan) Review” to assign it to the project.
- To spatially capture and record the work being completed by SWCDs, the BMPs that are assigned to a project are “drawn and saved” in the Cooperator Projects module’s GIS interface. Drawing and saving the BMPs in the GIS then allows reporting to be done based on the following attributes: SWCD, Township, 11 digit Watershed, 14 digit Watershed, Ohio “House” District, Ohio “Senate” District, Federal “Congressional” district and Municipality.
- Please draw and save all completed BMPs in the GIS.

## **B. Timber Harvest Plan (THP) – tracking with “Generic” Cooperator Project.**

**Note:** As with all Cooperator Projects “Cooperator” name and address information as well as Parcel/Tract information for the “Cooperator” can be captured if you wish. This information is entered in the SWIMS “Cooperators” module.

### **Step 1: Creating/naming the project in the Cooperator Project module.**

Create a Cooperator Project named – “\_\_\_\_\_ Timber Harvest Plans (THPs)  
(Your county name)

### **Step 2: Choosing a “Project Type”**

When setting up the project in the Cooperator Projects module, choose “**Woodland**” from the “Project Type” drop-down list.

### **Step 3: Choosing a “Program” Type**

From the “**Program**” drop-down list, choose the following option: **Timber Harvest**

### **Step 4: Assigning BMPs to the Project.**

After creating the “Timber Harvest Plan” Project as indicated above, please assign the appropriate BMP to the project.

- The BMPs are found on the BMP list that exists in the Cooperator Projects module, on the BMPs/Activities tab. To access the BMP list, from the BMPs/Activities screen, click on the “Add” button, then choose “Woodland Management” from the “Activity Type” drop down list.
- Then choose “THP (Timber Harvest Plan) Review” to assign it to the project.
- To spatially capture and record the work being completed by SWCDs, the BMPs that are assigned to a project are “drawn and saved” in the Cooperator Projects module’s GIS interface. Drawing and saving the BMPs in the GIS then allows reporting to be done based on the following attributes: SWCD, Township, 11 digit Watershed, 14 digit Watershed, Ohio “House” District, Ohio “Senate” District, Federal “Congressional” district and Municipality
- Please draw and save all completed BMPs in the GIS.

### **Step 5: BMP “Comments” Field**

After you assign/add the “THP (Timber Harvest Plan) Review” BMP to the project, refer to page 1 of the submitted THP (Timber Harvest Plan) Review form and enter the following names and their relationship to the Timber Harvest in the “Comments” field. For example:

- Landowner Name - John Smith

- Logger \ Logging Company Name - James Miller
- Forester \ Consultant Name - Mark Williams
- Name of Submitter - Wade Garrett

**Step 6. In the future, every time your SWCD receives a new Timber Harvest Plan (THP), open up the “Timber Harvest Plan (THP)” Project and simply repeat steps 4 and 5.**

### **C. Timber Harvest Notice of Intent (NOI) - tracking with “Generic” Cooperator Project.**

**Note:** As with all Cooperator Projects “Cooperator” name and address information as well as Parcel/Tract information for the “Cooperator” can be captured if you wish. This information is entered in the SWIMS “Cooperators” module.

#### **Step 1: Creating/naming the project in the Cooperator Project module.**

Create a Cooperator Project named – “\_\_\_\_\_ Timber Harvest NOIs”.  
(Your county name)

#### **Step 2: Choosing a “Project Type”**

When setting up the project in the Cooperator Projects module, choose “**Woodland**” from the “Project Type” drop-down list.

#### **Step 3: Choosing a “Program” Type**

From the “**Program**” drop-down list, choose the following option: **Timber Harvest**

#### **Step 4: Assigning BMPs to the Project.**

- After creating the “Timber Harvest NOI” Project as indicated above, please assign the appropriate BMP to the project.
- The BMPs are found on the BMP list that exists in the Cooperator Projects module, on the BMPs/Activities tab. To access the BMP list, from the BMPs/Activities screen, click on the “Add” button, then choose “Woodland Management” from the “Activity Type” drop down list, then choose NOI (Timber Harvest) Submitted” to assign it to the project.

#### **Step 5. BMP “Comments” Field**

After you assign/add the “NOI (Timber Harvest) Submitted” BMP to the project, refer to page 1 of the submitted Timber Harvest NOI form and enter the following names and their relationship to the Timber Harvest in the “Comments” field. For example:

- Landowner Name - John Smith
- Logger \ Logging Company Name - James Miller
- Forester \ Consultant Name - Mark Williams
- Name of Submitter - Wade Garrett

**6. In the future, every time your SWCD receives a new Timber Harvest NOI, open up the “Timber Harvest NOI” Project and simply repeat steps 4 and 5.**

### **CHARGING TIME AGAINST FORESTRY PROJECTS - ADDITIONAL INFO**

Once Forestry projects are set-up as Cooperator projects, hours can be charged against them. By using the “Comment” field on the Timesheet you can describe the activity or activities that the hours charged against the project represents. Remember, since the Timesheet Comments field is queriable, you can very easily run a query to obtain hours spent doing specific activities for individual Forestry projects or for all Forestry projects. This does require the consistent use of consistent verbiage to describe those activities. This can be easily accomplished by creating a list of activities using the “Timesheet Comments” feature in the Timesheet. A sample list might look like the following:

- Forestry – Logging Complaint Investigation
- Forestry – Mapping
- Forestry – Inventory and Evaluation, aka I & E

Then it’s just a matter of staff selecting the appropriate comment for insertion in the “Comment” field. Queries could then be run to show time spent on those particular Forestry activities.

### **COMMUNICATION NOTES**

While working with a particular individual, you have the ability to capture the date and notes for a particular visit or phone call with a landowner/client by using the Communication Note feature found in SWIMS. This is a good way to document follow up visits or occasions where additional information/contact was given to the client such as timelines for practice completion.



## GUIDANCE FOR SET-UP OF WILDLIFE SPECIALIST/WILDLIFE RELATED PROJECTS IN THE SWIMS PROGRAM



This document will provide guidance to SWCDs on how to set-up the SWIMS program so that Wildlife Specialist Assistance provided by SWCDs can be captured for reporting to local entities/sponsors, the ODNR-DOW and for Statewide reports.

### **LAND AND WATER PROJECTS**

In order to make Wildlife Damage or Wildlife Habitat work/projects conducted with SWCD assistance reportable, SWCDs should create in SWIMS a separate Land Water (L & W) project for each Project they're involved with. This would apply to Wildlife Damage or Wildlife Habitat Assistance through both Farm Bill Programs and Local programs as well.

**Important Note:** As with all L&W projects, both the Client name and address information as well as Parcel/Tract information for the client (entered in the Client module, on the "Location" tab) **must** be completed before you can create L&W projects.

### **Project Set-up**

#### **Step 1: Creating/naming the projects in the L&W module.**

Use of a consistent naming convention will allow for consistent reporting results. For example please use the following type of naming convention:

- Wildlife Damage – Jim Jones
- Wildlife Habitat – Weston Food Plot
- Wildlife Nuisance – Guernsey County Calls

Putting "Wildlife" in the front of each L&W project name, will allow querying to be done on all projects that contain "Wildlife" in the project name. This will also group all "Wildlife" projects together on your L&W projects list.

Once the Wildlife related project is created in the L&W module, time can then be charged by staff against each individual project. Summary reports and queries are then available for each project showing individual employee or entire staff time spent on project.

#### **Step 2: Choosing a Project "Category"**

When setting up the project in the L&W module, from the project "Category" list choose **Wildlife Management**.

#### **Step 3: Choosing a "Program" Type**

From the "Program" type list, choose one of the following which best describes the project:

- Wildlife Damage Complaint
- Farm Bill Program funding (CREP, CRP, WHIP, etc...)
- SWCD Program or another type that fits the project

#### **Step 4: Assigning BMPs to the Project.**

To spatially capture and record the work being completed by SWCDs, the BMPs that are assigned to a L&W project are “drawn and saved” in the L&W module’s GIS interface. Drawing and saving the BMPs in the GIS then allows reporting to be done by: SWCD, Township, 11 digit watershed, 14 digit watershed, State “House and Senate” districts, Federal Congressional district and Municipality. The BMPs you will assign to Wildlife projects will be used to: 1) delineate the acres in the practice planned, the length (ft.) of the planned practice, or the instances of occurrence depending on the BMP selected and 2) indicate the type (species) of wildlife damage occurring for Wildlife Damage Complaints.

Please assign the proper BMPs to each Wildlife project. These are found on the L&W BMP list that exists in the L&W module: To access the list, click on the “Add BMP” button, then choose the following BMPs:

##### **A. For Wildlife Damage Complaints:**

- All individual Projects should have a BMP added to locate and define the primary animal causing the damage. From the BMP list choose the appropriate species causing the damage and assign it to the project.
- When you go into the SWIMS GIS to draw and save this BMP, simply locate the field where the damage is occurring on the aerial and mark it with a point. (You do not need to draw the outline of the entire field; a point will be used to indicate the location.)

##### **B. For Wildlife Habitat Assistance:**

- All individual Projects should have a BMP added to locate and define the BMP being installed in this project. From the BMP list choose the appropriate BMP(s) and assign it/them to the project.
- For each BMP that you assign/add to the Wildlife Habitat project, click on them with your mouse/cursor, then click on “Edit BMP” button, when the “Edit BMP” box appears on the screen, enter the total acres/feet in the “Practice Measurement” field. Then click the “OK” button to save.
- When you go into the SWIMS GIS to draw and save the BMP(s), simply locate on the aerial where the practice to be installed is located and draw the shape (shape to be drawn is predetermined by the BMP chosen). BMPs quantified by acres are drawn as a polygon, BMPs quantified by feet are drawn as lines, and BMPs quantified as instances are drawn as points)

##### **C. For Wildlife Nuisance Calls**

In order to capture time spent on and numbers of, Nuisance Wildlife Calls, please use the format listed below in order to have consistency statewide.

- You will need to setup a “generic” client called “\_\_\_\_\_ County”, if someone in your office has not already done so. Plus, you will also need to enter a generic parcel/tract for this client. **(Please note: client and parcel/tract number is only required if you plan to use the “Conservation 6 Note” feature in SWIMS)**
- Every Wildlife Specialist should create a project named “(County Name) Nuisance Calls” This will create a way for you to charge time for all of those calls that are one-time contacts, where assistance is usually given over the phone. This also gives you the ability to track the number of

calls you receive, and map them in the GIS if you choose. The generic client you have created will be linked with this project.

- If you choose to map these calls, you will add a BMP called “Nuisance Animal Complaint” to the project each time you receive a call. Each one is then mapped as an individual BMP.
- If you choose to simply keep track of the number of these calls, after you have added the BMP, “Nuisance Animal Complaint”, you can edit the BMP and change the number of calls in the box marked “instances”, updating it every time you get this type of call.

### **CHARGING TIME AGAINST WILDLIFE PROJECTS - ADDITIONAL INFO**

Once Wildlife projects are set-up as L&W projects, you then have the ability to charge time against them. By using the comment box on the Timesheet you can describe the activity or activities the hours charged against the project represents.

Remember, since the Timesheet “Comments” box comments are able to be queried, you can very easily run a query to obtain hours spent doing specific activities for individual Wildlife projects. This does require the consistent use of consistent verbiage to describe those activities. This can be easily accomplished by creating a list of activities that can then be cut and pasted by SWCD staff into the Timesheet comment box. A sample list might look like the following:

- Wildlife – Survey
- Wildlife – Design
- Wildlife – Planning
- Wildlife – Damage
- Wildlife – Nuisance

As long as you consistently cut and paste the activities into the comment box, you can run a query to show time spent on that particular activity.

### **CONSERVATION 6 NOTES**

Conservation 6 notes are accessible either through the Client or L&W module. The 6 notes allow you to capture the date and notes for a particular visit or phone call with a landowner/client. This is a good way to document follow up visits or occasions where additional information/contact was given to the person, especially for follow up on deer damage permits, collection, and receipt.



## **DRAINAGE PROJECT SET-UP GUIDANCE IN SWIMS PROGRAM**



### **For SB 160, ORC 6131, Mutual Agreements and Ditch Maintenance by SWCDs**

The goal of this document is to provide guidance to SWCDs on how to set-up the SWIMS program so that Drainage Assistance provided by SWCD's can be captured for reporting to local entities/sponsors and for statewide reports as well.

### **LAND AND WATER PROJECTS**

In order to make drainage work/projects conducted with SWCD assistance reportable, SWCDs should create in SWIMS a separate Land and Water (L & W) project for each Drainage Project they're involved with. This would include new projects as well as Ditch/Tile that are on "Maintenance" (through the District).

### **Project Set-Up**

#### **Step 1: Creating/naming the projects in the L&W module.**

Use of a consistent naming convention will allow for consistent reporting results. For example please use the following type of naming convention:

- Drainage – Jones Ditch;
- Drainage – Weston Ditch;
- Drainage – Smith Tile Main, etc.

Putting "Drainage" in the front of each L&W project name, will allow querying to be done on all projects that contain "Drainage" in the project name. This will also group all "drainage" projects together on your L&W projects list.

Once the drainage project is created in the L&W module, time can then be charged by staff against each individual project. Summary reports and queries are then available for each project showing individual employee or entire staff time spent on a project.

#### **Step 2: Choosing a Project "Category"**

When setting up the project in the L&W module, choose from the project "Category" list, one of the following:

- Drainage – Design & Construction
- Drainage – Maintenance

For SWCDs that operate a "Ditch Maintenance Program", when a project is completed and is ready to go on "Maintenance" you can change the Project "Category" from "Drainage - Design & Construction" to "Drainage – Maintenance".

#### **Step 3: Choosing a "Program" Type**

From the "Program" type list, choose one of the following::

- Drainage – ORC 1515-CWI

- Drainage – ORC 6131
- Drainage – Mutual Group

#### **Step 4: Assigning BMPs to the Project.**

To spatially capture and record the work being completed by SWCDs, the BMPs that are assigned to a L&W project are “drawn and saved” in the L&W module’s GIS interface. Drawing and saving the BMPs in the GIS then allows reporting to be done by: SWCD, Township, 11 digit watershed, 14 digit watershed, State “House and Senate” districts, Federal Congressional district and Municipality. The BMPs you will assign to Drainage projects will be used to: 1) delineate the acres in the drainage area and 2) indicate the construction type of the ditch.

Please assign the following BMPs to each Drainage project. These are found on the L&W BMP list that exists in the L&W module. To access the list, click on the “Add BMP” button, then choose from the following BMPs:

- Drainage – Acres in Drainage Area (this BMP should be assigned to all drainage projects)
  - After adding this BMP to the drainage project, click on it with your mouse/cursor, then click on “Edit BMP” button, when the “Edit BMP” box appears on the screen, enter the total acres of the Drainage Area in the “Practice Measurement” field. Then click the “OK” button to save.
  - When you go into the SWIMS GIS to draw and save this BMP, simply locate the mouth of the watershed or drainage area on the aerial and mark it with a small polygon. (You do not need to draw the outline of the entire watershed).
- Type of Construction (assign as many of the following to the project that apply)
  - Drainage – 2 Stage
  - Drainage – Natural Channel
  - Drainage – One-Sided Construction
  - Drainage – Over-wide Channel
  - Drainage – Snag & Clear
  - Drainage – Tile Main
  - Drainage – Two Sided Construction

For each BMP that you assign/add to the drainage project, click on them with your mouse/cursor, then click on “Edit BMP” button, when the “Edit BMP” box appears on the screen, enter the total length/feet in the “Practice Measurement” field. Then click the “OK” button to save.

When you go into the SWIMS GIS to draw and save the/these BMP(s), simply draw a line on the aerial indicating the physical location/drainage course of the BMP.

#### **Charging Time To Drainage Projects**

Once drainage projects are set-up as L&W projects, you then have the ability to charge time against them. By using the comment box on the Timesheet you can describe the activity or activities that the hours charged against the project represents. Since the Timesheet “Comments” box is queryable, you can very easily run a query to obtain hours spent doing those activities for individual drainage projects. This does require the

consistent use of consistent verbiage to describe those activities. This can be easily accomplished by creating a list of activities that can then be cut and pasted by SWCD staff into the Timesheet comment box. As long as all staff consistently cut and paste the activities into the comment box, you can run a query to show time spent on that particular activity. A sample list might look like the following:

- Drainage – Group Meetings
- Drainage – Public Hearings
- Drainage – Surveying
- Drainage – Design
- Drainage – Construction
- Drainage – Inspections
- Drainage – Administration



## SWIMS QUERY BUILDER MODULE “HELP SHEET”



### GETTING STARTED

Following is basic information/guidance to help you get started using the SWIMS Query Builder module.

When you open the Query Builder module, the first screen displayed is the “Query Builder Main” screen. It allows you to run an existing query or start a new query. Copies of queries that have been saved will be displayed as “Favorites” on this screen.

The buttons on the toolbar, located on the left side of the screen, will tell you what function they perform by holding the cursor over the buttons. See explanation below.

- The Green and white button or **EXECUTE** button  allows you to run/execute a saved query. Simply click on a query you want to run and then click on the Execute button. The query results are displayed on the right side of the screen.
- The orange globe **VIEW MAP** button  will show a map of a saved query if the query contains “mapped” (spatial) fields/attributes.
- The yellow paper **NEW QUERY** button , allows you start/create a new query.
- The pink gear box **MANAGE QUERIES** button  allows you to manage existing/saved queries, or create a new one.

**Most of the time you will be selecting the:**

- **NEW QUERY** button , when you click it, it opens the “Query Editor” screen where you can start/create a new query); **or the**
- **MANAGE QUERIES** button ; gives you access to your “Master Query List”. When you click this button, the right side of the screen will re-configure. It will then display a “second” toolbar with buttons. Also displayed will be a list of any queries previously saved. This is your “Master” list of queries.

The buttons on the toolbar perform different functions:

- The **NEW QUERY** button , allows you start/create a new query.
- The **EDIT QUERY** button , allows you to change an existing query. Simply select/click on a query in the Master list, then hit the Edit Query button. The selected query will then open, allowing you to edit/change the query.

## **STARTING/BUILDING A QUERY**

Once you have decided to start a new query, hit the **NEW QUERY** button , the screen will re-configure, you will then be setting at the “Query Editor” screen. This screen will allow you to choose fields of data for your query.

### **Step One - CURRENT INFO TYPE**

On the left side of the screen you will see the “Current Info Type” heading. Beneath it will be a drop down box, which contains the different SWIMS information types that you can query. By default, “Land and Water Projects” will be the displayed info type. Beneath the drop down box will be a list of all the different fields (attributes) associated with Land and Water Projects that you may query.

**NOTE:** Queries can only be built within the chosen Info Type, you cannot query “across” other info types. Changing the info type will result in erasing any of the attributes that you have selected. When you change an info type, SWIMS will display a warning box asking you if you want to proceed. Selecting “Yes” will allow you to choose a different info type, selecting No, will keep you at the current info type.

### **Step Two - CHOOSING ATTRIBUTES**

Once your desired info type is selected, you then select the attributes to be displayed in the query results. To do this, simply click on, drag and then drop the attributes into the **RESULTS COLUMN** box.

**Helpful Hint:** You know the attribute has been successfully dropped into the Results Column box as soon as the border around the Results Column box is highlighted with a thick black border. At this time you can release the mouse control.

You may drag as many of the attributes into the Results Column box as you like. The order, in which they are displayed in the box, is the same order the data will be displayed in the query results. So if you want data to be displayed in a certain order in your query results, simply arrange the attributes in the box in that same order.

When you have finished selecting all the attributes for your query, you may then want to select how the query results data is sorted (e.g. sort by last name). To do this, simply select from the attribute list on the left side of the screen, the attribute(s) you want to use to sort with. Click on, drag and drop them into the **SORT ORDER** box.

**Important Note:** You must select the attribute(s) to be used for sorting from the attribute list on the left side of the screen, not from the Results Column box above. Once the attribute has been dropped in the Sort Order box you may then click the attribute to change A-Z to Z-A if needed. You may use multiple attributes to sort with if needed. The data results will be sorted (left to right) by the first attribute, then the second, and so on.

### Step Three – SETTING A FILTER

Depending on the query you are building, you may also need to set a filter. To do so, select from the attribute list on the left side of the screen, the attribute you wish for filtering. Click on, then drag and drop the attribute into the long, narrow, gray box located under the **FILTER CRITERIA** heading.

**Helpful Hint:** You may drop and release the attribute as soon as the gray box turns “yellow”. After the attribute is dropped in the box, additional data choices (dates, texts, categories, etc.) can be used to further refine the query results.

**Important Note:** Please keep in mind that in order to build a query, you only need to populate the **RESULTS COLUMN** box. The **SORT ORDER** and **FILTER CRITERIA** boxes only need to be populated when a specific type of result is desired.

### Step Four – RUNNING A QUERY / EXPORTING RESULTS

After all the needed attributes are placed in the boxes, simply hit the **EXECUTE** button  and the query results will be displayed in a new screen. If you want to change something in the query, close the results screen by clicking on the “X” in the upper right hand corner. You will be returned to the “Query Editor” screen. Then change/edit the query and re-run.

Once the query results contain the data you want, the results can be “Exported” if desired. To do this click on the **EXPORT** button located on the upper right hand corner of the query results screen. The query results are then exported to an MS Excel spreadsheet document.

### Step Five – SAVING A QUERY

You may want to save some of the queries you build so they can be used/viewed in the future. To save a query after it has been created, enter a name for the query in the “Query Title” box at the top of the Query Editor screen. You must also enter a description for the query in the “Description” box.

**Important Note:** Both the “Query Title” and “Description” boxes must be populated in order to save a query.

Once information is entered in both boxes, click the “Save” button on the toolbar at the top of the Query Editor screen. After the **SAVE** button is pressed, a copy of the query is saved in your Master query list and in Favorites list. Both of these lists are found on the Query Builder Main (first) screen of the module.

## **CHAPTER 4 – SWCD BOARD GOVERNANCE AND OPERATIONS**

This chapter is a comprehensive guide to the roles and responsibilities as an elected board of an independent political subdivision of the state of Ohio and conducting business within the scope of the laws and rules that govern soil and water conservation in Ohio with professionalism, efficiency and effectiveness. Several fact sheets and other helpful ancillary documents are referenced here and archived in the Appendix – Chapter 10.

### ***SUPERVISOR RESPONSIBILITIES***

Supervisors are the keys to the success of a district. Each supervisor has the task of coordinating the efforts of all agencies, organizations, and individuals with responsibilities in natural resource conservation and development in your district. How well you conduct these affairs will be reflected in the accomplishments of the district. You represent those who elected you to this responsibility. Soil and Water Resources district business is essential. It demands your attention and leadership abilities. Your reward is the satisfaction in making a valuable contribution to the future welfare of your district. The very credibility and success of districts has been based upon local leadership. It works when you do.

As a supervisor, you are an elected public official responsible to the people of your district and state. Like all public officials the rights and responsibilities of your office are laid out in the applicable sections of the Ohio Revised Code (ORC) and the Ohio Administrative Code (OAC).

#### **The job of a supervisor is to:**

1. Meet at least monthly as a board to carry out the official duties of your office and participate in other district related activities.
2. Request appropriate local leaders to meet with your board to discuss particular conservation problems and to inform them of the district's programs:
  - State and federal agency representatives concerned with resource management
  - Agricultural and civic organization leaders
  - Local development groups
  - Representatives of federal, state, and local organizations
  - Legislators
3. Know thoroughly the powers, authorities, and responsibilities placed upon you by the State soil and water conservation districts law (ORC 1515 and other statutes). Keep in mind the responsibility to the people of the district to administer its program. Interpret these responsibilities as opportunities for the district.
4. Keep in close contact with a Program Specialist of the Division of Soil and Water Resources, ODNR, and the Ohio Soil and Water Conservation Commission on all administrative matters.
5. Know the land and water conditions of the entire district and the practices required to conserve and develop its natural resources.

6. Keep the long-range program for conservation and development of natural resources of the district current and comprehensive. The long-range program is discussed in more detail later.
7. Develop and carry out the annual plan of work for reaching goals of the district. The annual plan of work is discussed further late in this Chapter.
8. Arrange for help and cooperation needed within the district. Identify and enlist assistance from all local, state, federal and other sources.
9. Enter into memoranda of understanding or working agreements with as many agencies as appropriate to coordinate the SWCD conservation and resource development program.
10. Establish sound policies and priorities concerning the work to be accomplished in conservation education and technical assistance on the land.
11. Hire capable district employees to carry out the daily work of the district. Provide each employee with an accurate job description and a copy of the district employment policy. Provide proper oversight for all employees. Ensure employees are evaluated at least annually and provide them with adequate training opportunities to allow them to remain current with the skills they need to be successful in their position.
12. Assign specific responsibilities, committee duties, or other responsibilities to individual members of the board, if doing so will contribute to the progress of the district. When needed, appoint additional associate supervisors and delegate authority.
13. Through knowledge and experience, guide cooperating agencies and coordinate the District's activities with similar activities sponsored by the agencies.
14. Correlate the district programs with those of other agencies engaged in resource planning and development, such as planning commissions and the various divisions within the Ohio Department of Natural Resources.
15. Manage all funds, facilities and equipment belonging to the district. Establish business procedures as necessary to facilitate planning, record keeping, and sound financial procedures.
16. Cooperate with other districts in multi-district resource activities, such as comprehensive regional planning, watershed development, river basin programs and resource conservation and development projects.
17. Exchange ideas on administrative procedures with other district governing bodies, and adopt any ideas that offer promise of improvement.
18. Report to the public by mass media concerning resource conservation needs and the progress and work of the district.
19. Prepare a Cash Basis Financial Report and District Annual Report of accomplishments

20. Demonstrate leadership and promote group activity in conservation, and provide for follow-up. Promote initiative on the part of landowners and operators in groups and as individuals.
21. Support and participate in the program of area, state, and national associations of conservation districts.
22. Arrange for an annual meeting to display to the public the activities of the district and, at this time, hold an election of supervisors.

### **ASSOCIATE SUPERVISORS**

Each district should consider appointing associate supervisors to assist in carrying out the district program. With an increased number of people working on the district program, it is possible to establish committees to carry out various operational functions. These additional people will also expand the scope of district activities and programs. People with special talents can be chosen to do specific jobs.

#### **Associate supervisors may serve on various committees to:**

- Assist with operational activities of the district;
- Organize neighborhood demonstrations;
- Explain the district program to prospective cooperators and other interested individuals;
- Distribute soil stewardship material;
- Enlist affiliate members;
- Conduct watershed meetings; and but not limited to
- Assist with district annual meetings.

An excellent time to assign associate supervisors to specific activities is during preparation of the annual plan of work. Also, decisions on when associate supervisors should meet with the board should be made well in advance and become part of the annual plan of work.

Associate supervisors may be selected on the basis of one per township from those townships not represented by regular supervisors and an associate supervisor from the county seat or other metropolitan areas. Often, districts may have specific jobs that require particular training and may need individuals to fill this need. Also, districts may ask retired supervisors or professional people to be associate supervisors if they are active and interested in serving. There is no limit on the number of associate supervisors a district may have.

Associate supervisors may be given as much responsibility as regular supervisors; however, they cannot participate in a board meeting as a voting member.

Being an associate supervisor provides excellent training for potential supervisors. Generally, it requires a supervisor several months to become acquainted with all the district activities. Being an associate supervisor provides individuals the opportunity to test their talent and determine for themselves the kind of contributions they can make to the district program.

## **RULES OF PARLIAMENTARY PROCEDURE**

Supervisors of local soil and water conservation districts are busy people--most of them with full time occupations. Since the district may hold several meetings each month, supervisors are naturally interested in participating in well-organized and business-like meetings. A typical two-hour session should be sufficient to conduct the affairs of the district only if proper rules of order are observed.

When you serve as chairman, it becomes your responsibility to conduct the business meeting. The chairman should become familiar with the proper rules of parliamentary procedure and he should insist that those rules be observed to assure an organized and highly productive meeting.

Each District should adopt a policy or rule on how they will conduct official meetings. A [“Sample - Policy on the Rules of Order”](#) is included in the appendix of this manual. Most boards should find that utilizing [Robert’s Rules of Order, Newly Revised](#), including those procedures and procedural flexibility that Robert’s allows for small boards, or some similar “rules of order” will suffice for maintaining order in their board meetings.

**To aid the chairman in conducting board meetings, we offer the following condensed examples of parliamentary procedure rules:**

**To Make a Motion:** The member addresses the chair, “Mr. or Madam Chairman,” and waits to be recognized. When recognized, the member states the motion, “Mr. or Madam Chairman, I move to ....” The chair then states the motion and requests a second to the motion. When moved and seconded, the chair restates the motion and opens discussion. The assembly may not discuss any other business until the motion is disposed of; when every board member has been allowed discuss the motion and the chair feels there has been adequate discussion, the chair and asked if the board is ready to vote. If any board member feels there has been adequate deliberation on the motion they may informally ask for “the Question” the chair should then determine if the board is indeed prepared to vote on the motion at hand. The chair should restate the motion (or have the secretary or minute taker) read the motion, then takes the affirmative vote, then the negative vote and then announces the result. If the vote is not unanimous a voice vote is taken and recorded.

**To Table:** This motion postpones the subject under discussion to a later time, when a motion “to take from the table” would be appropriate. Not debatable or amendable; majority vote is taken.

**The Previous Question:** This motion closes debate on the pending question when the debate becomes drawn out. “Mr. or Madam Chairman, I move the previous question,” this requires a second. The chairman then asks, “Shall debate be closed and the question now be put?” If the motion is adopted by a two-thirds vote, the question is immediately voted upon. Not debatable.

**To Adjourn:** This motion is always in order except when a speaker has the floor, when a vote is being taken, after it has just been voted down, or when the assembly is in the midst of some business which cannot be abruptly stopped. If all the items on the approved agenda have been disposed of and there is no further business. The chair may close the meeting by declaring; “seeing no further business before the board, the meeting is adjourned at (insert time).”

To further assist the chairman and the board a [“Chairman’s Board Meeting Checklist”](#) and a [“Simplified Parliamentary Procedures Table”](#) are included in the appendix.

## **DUTIES OF SWCD OFFICERS**

The district governing body should elect its chairman, vice-chairman, secretary, treasurer, and appoint a fiscal agent as soon as possible following each district annual meeting. Frequently the latter two offices are combined. Any elected supervisor can be an officer. Districts have found it advantageous to their program for officers to be rotated annually. This has provided a broad outlook to their total program. Also, it enables each supervisor to use his or her best talents.

### **Duties of the Chairperson**

Plan the order of business or agenda with the administrative assistant, district administrator and district conservationist before the meeting. Mail/e-mail the agenda with announcements of meeting if possible, one week prior to the meeting date.

- Preside at all meetings or arrange for the vice chairman to preside.
- Open and close all meetings on time and insist on regular attendance.
- Call meeting to order. To announce the order of business, distribute a typed agenda. Recognize visitors and others present at the meetings.
  - Handle the discussions in an orderly way:
  - Give every supervisor a chance to speak--one at a time.
  - Allow guests and staff an opportunity to contribute discussion where applicable.
  - Tactfully keep all speakers to rules of order and to the question at hand.
  - Give “for” and “against” supervisors’ equal opportunities to speak.
  - Encourage all supervisors to participate in the discussion.
  - Enter into discussion to give additional facts or information.
- State each motion before it is discussed and before it is voted upon. Put all motions that are properly moved and seconded to a vote and announce the outcome.
- Ask for motions.
- Appoint committees, assign their responsibilities, and ask for their reports when due.
- At the close of your term of office, turn over to your successor the chairman’s material and explain his or her responsibilities.
- Make sure that all new supervisors and associate supervisors are properly informed and understand their duties.
  - Set a good example by observing proper parliamentary procedure:
  - By calling the meeting to order properly and at the designated time.
  - By putting each question to a vote and announcing the outcome.
  - By giving decisions on any point of order.
  - By recognizing speakers and introducing visitors.

### **Duties of the Vice Chairperson**

- Acts in place of the chair when needed and assumes other duties at the chairman’s request.
- In case of resignation or death of the chairman the vice-chairman serves as chairman until the board is reorganized.

- Serve as chairman of at least one standing committee.
- Consults with and advises chairman on matters of program and policy.
- Act as program chairman for arranging a special program for regular board meetings.

### **Duties of the Secretary**

- Notify members of each meeting.
- Provide the chairman with a list of business items that should be placed on the agenda.
- Keep minutes of each meeting. (Make a complete record of all proceedings and supply the DSWC program specialist with a copy within 30 days of the meeting.)
- Keep a record of all committees, both standing and special. (Notify committee members of their appointment, if they were not present when appointment was made.)
- Sign all minutes and official records.) The minutes should include:
  - Kind of meeting (regular, annual or special).
  - Name of presiding officer, date, hour, and place.
  - Attendance (supervisors, agency representatives, guests). If a large group appears, name the organization and list the spokesman. Those supervisors not in attendance should also be listed as “absent”.
  - Official business cannot be transacted without a quorum - at least three supervisors.
  - Reports made at the meetings. (May be summarized, ask agency representatives and committees to make written reports when necessary.)
  - All motions, showing the person making the motion, seconds, and action taken.
  - All pertinent statements even though action was not taken.
- Initiate correspondence in behalf of the board as need arises.

**Note:** Administrative Assistants and or Secretaries can provide valuable assistance with many of the item listed above. Upon election to the office of Secretary, take the time to review these responsibilities with the board chair and decide which duties can be delegated to the staff.

### **Duties of the Treasurer**

The district treasurer is responsible for the financial matters of the district, including the financial records. Only the treasurer or the fiscal agent and the appropriate district personnel should be authorized to purchase equipment or supplies with district moneys.

#### **Specific responsibilities include:**

- Maintain complete and accurate records of receipts and expenditures;
- Give periodic financial reports;
- Pay bills approved by the board and issue receipts for incoming funds;
- Maintain separate accountings of any funds the district may receive for a specified purpose;
- Assure that all bills authorized for payment by the district board are recorded in the minutes of the meeting; and

- Arrange for the bonding of the Board and all district employees through the blanket bond arrangement of the Ohio Federation of Soil and Water Conservation Districts or through another insurance provider.

**Note:** Office Administrative Assistants and or Secretaries can provide valuable assistance with many of the item listed above. Upon election to the office of Treasurer, take the time to review these responsibilities with the board chair and decide which duties can be delegated to the staff.

### **Duties of the Fiscal Agent**

Each SWCD board must appoint a fiscal agent for the district. The fiscal agent is responsible for signing all checks and vouchers after the board of supervisors has authorized the expenditure.

**Note:** The fiscal agent does not have to be the treasurer for the district, however, the district may wish to appoint a supervisor who is more available to the office between board meetings either because he lives closer to the office or works near the office location.

## **EVOLUTION OF DISTRICT BOARDS**

### **A Natural Transition from Hands-on to Managing**

The first district supervisors would scarcely recognize the Soil and Water Conservation Districts of today. Those first inspired individuals had no budgets and no staff. None had gone before to show them the way. They were building a program that began a 70-plus year journey that is still growing today.

A milestone that allowed tremendous growth in districts was the passage in 1959 of legislation by the Ohio General Assembly that began the state matching of local funds. The matching formula started a ratcheting effect that generated approximately \$12 million dollars for district programs in 2013. Today districts employ approximately 400 full and part-time employees. The hiring and administration of those employees is the responsibility of district supervisors. How supervisors effectively manage budgets and staff has a direct bearing on the success of the overall district program.

So how have district supervisors managed the evolution from no budgets and no employees to very large budgets with large staff carrying out a variety of very complicated programs? Some have handled the transition very well and others have struggled.

All dynamic organizations go through a natural evolutionary process as they grow and districts are no different. The success of a district program, as it grows in complexity, will, to a great extent, be directly related to an evolutionary transition from direct involvement (hands-on) to management (policy setting). Some supervisors have found it hard to turn over responsibilities to staff fearing a loss of control. However, as a board sets rules and policy for the office, they are more in charge than ever before. (See "Sample Policies at the end of this chapter)

How will your District meet the challenges of the future? Begin managing for change and you'll find the transition from "hands-on" to "policy setting" a necessary and a positive experience.

#### **SWCD HISTORICAL EVOLUTIONARY PROGRESSION**

1942	1960	1980	2000
No Budgets	Budgets Grow	Budgets Surge	Continued Increases
No Employees	1-2 Employees	3-7 Employees	8 > Employees
All Hands-On	Management Begins	Initiate New	Diversity Of Programs
W/Supervisors	Turn Over Hands-On To Employees	Programs	
	Begin Hiring District Administrators (DA)	Board Time Requirements Increase	Work Force Divided By Specialties
		Set Policy And Direction	District Staff Answers To DA
		DA's Given Greater Responsibility	DA's Answers To Board
			Board Answers To Public Admin. Policy & Format Moves District Ahead To The Future

## **BOARD GOVERNANCE: STAFF, BOARD AND CHAIRPERSON EXPECTATIONS**

### **A Board Should Expect Its District Administrator Will:**

1. Serve as chief operations executive of the organization.
2. Serve as professional advisor to the board.
3. Recommend appropriate policies for consideration.
4. Implement effectively all policies.
5. Inform the board fully and accurately regarding the program.
6. Interpret the needs of the program and present professional recommendations on all problems and issues considered by the board.
7. Develop a budget (in conjunction with the finance committee) and keep the board up-to-date on budget problems.
8. Recruit the best personnel, develop a competent staff and supervise it.
9. Devote time to improve the staff.
10. Assist the board in developing and conducting community information programs.

### **A District Administrator Should Expect A Board Will:**

1. Counsel and advice--giving the benefit of its judgment, expertise and familiarity with the local setting.
2. Consult with the executive on all matters that the board is considering.
3. Delegate responsibility for all executive functions.
4. Make all staff responsible to the District Administrator.
5. Share all communications with the District Administrator.
6. Provide support to the District Administrator and staff in carrying out their professional duties.
7. Support the District Administrator in all decisions and actions.

### **A Board and Administrator Should Expect Its Chairperson Will:**

1. Provide leadership to the board in expediting the goals of the organization.
2. Guide the board in fulfilling its stated roles.
3. Chair board meetings effectively, assuring adequate discussion of all issues, but keeps the meeting moving.
4. Utilize the board's time effectively.
5. Represent the board in supervising the District Administrator.
6. Supervise standing committee chairpersons.
7. Represent the organization in important matters that affect it.
8. Develop selected board members to assume future leadership roles in the organization.
9. Enhance the organization's image in the community.
10. Be a role model for other volunteers as demonstrated by the way he or she represents the organization.

Adapted from: The Institute for Conservation Leadership "Role of the Board" Workshop,  
September 1999

## **STRATEGIC PLANNING**

Conservation districts have untapped abilities organizationally. While districts are satisfying some traditional roles, they are often not connected to a greater network where conservation is pursued as one means of improving the quality of life. For example, nonpoint source water pollution is extensive, the public has become aware of the caused, and there is popular desire to address the problems.

Although well suited within local communities, many districts have not fully mobilized to address conservation and environmental concerns. Numerous local organizations devoted to environmental concerns have been created in recent years while the existence of a local conservation district may have gone unrecognized. Despite extreme variations among districts, as a whole, they have not capitalized on the growing public interest in environmental quality. To preserve their role, they need to aggressively redefine and promote themselves as vital units of government.

The need to effectively mobilize the district becomes more apparent when trends of cooperating agency funding and personnel are examined. In recent years both the Extension Service and Natural Resources Conservation Service have faced reductions in funding, and support staff for districts are on the decline. By contrast district employees have increased in numbers. The need to effectively train and direct this added district staff is apparent, and many districts need to develop plans to meet this new responsibility.

The above serve as indicators that districts need to engage in a strategic planning process that will address the above concerns, as well as others that may be raised by stakeholders during the process. Outcomes that could be realized through a strategic planning process include:

- A Mission and Vision for districts that is shared by board members and stakeholders
- Goals and strategies that will enable districts to realize their mission and vision, thus improving the environmental quality of the community. These goals and strategies need to be future oriented and address issues and concerns identified by local stakeholders.
- Development and implementation of programs and activities that will enable districts to accomplish their goals and strategies.
- An organizational assessment that will enable districts to build on their strengths and deal with issues of funding, personnel, training, marketing, and relationships with other entities.
- Development of an accountability plan that will provide a means for evaluating programs and activities so program impact can be demonstrated.
- Productive relationships with cooperating agencies, other conservation and environmental organization and agencies that will result in improved community environmental quality.

### **Strategic Planning vs. Long Range Planning**

Strategic Planning is planning for the fulfillment of the organization's fundamental purposes, It includes:

- Establishing and clarifying purpose
- Deciding on goals, strategies whose attainment will help fulfill purpose
- Determining the major means and pathways to pursuing goals and strategies

It is based on a vision of what the world will look like in 3 to 5 years from now and the district role in it. The process involves inviting external stakeholders to join district Supervisors and staff as partners in the development of the Plan. Together they engage in a process that will:

- Identify and resolve issues
- Assess the external environment for opportunities and threats
- Assist the organizational environment for strengths and weaknesses
- Focus on goals that are action oriented, keeping many options open

Long-range planning is based on the assumption the world of tomorrow will look very much like the world of today, therefore:

- The existing mission and vision is still appropriate
- The programs, services, and products that are being offered are still appropriate
- Funding and resource levels will remain the same

Long-range Planning is usually done internally with traditional partners, without the involvement of external stakeholders or non-traditional partners. It focuses on:

- Goals and objectives, translating them into budgets
- An assumption that current trends both external and internal will continue
- An assumption of a most-likely future

### **How do we do Strategic Planning?**

There are many models for strategic planning. Each involves a commitment of time and energy to be accomplished properly. Contact your Division of Soil and Water Resources. Program Specialist for additional resource information or help with facilitating Strategic Planning.

## ***ANNUAL PLAN OF WORK***

The SWCDs Annual Plan of Work (APO) is a tool created and used by Districts to identify goals and keep track of its accomplishments on a yearly basis. Information contained in the annual plan of work will include the results of work load and staffing analysis, input from the public about natural resource priorities and performance items within employees' standards of performance as well as priorities set by the District supervisors. There is no standard format for an "Annual Plan of Work," however most APOs list objectives, action items, person(s) responsible, and time frame.

Many SWCDs use "Annual Planning" meetings to help define the natural resource concerns within in the community. This is your greatest outreach moment to discuss natural resource issues in the District because if you did not do it, then, who would do it? The District's strength is in the people it represents, so involve the general public in both the planning and implementation process. An Annual planning meeting may be broad in scope or may focus on just one program area. The formats of these meetings vary as well. Many SWCDs have used the "Nominal Group Technique," encouraging participants to brainstorm and come to consensus on priorities. Others have held no formal meeting at all, but sent out surveys to targeted audiences. Contact your Program Specialist for other program format ideas.

Employee Standards of Performance (explained in Chapter 6) should provide information as to action items that need to be included in an annual plan of work. Some employee performance items that carry the responsibility for major events, programs and grants can often dictate a good portion of what goes in to the Annual Plan of Work.

Strategic Planning and Long Range Planning as described in the previous section helps to identify action items and time frames based on customer needs and critical issues. These documents should relate directly to the Annual Plan of Work and vice versa.

Not to be left out, of course is the expertise of both the supervisors and staff in setting accomplishments for the coming year. One way to build on these resources is to form committees. Committees or Teams are a good way to structure part of the annual plan of work. Some committees might function once and are done. Others might take longer. Here are some possible committees:

Budget	Project	Drainage
Personnel	Education	Forestry
Annual Meeting	Easements	Wildlife
Nominating	Agronomy	Technology
Training	Urban	GIS etc.
Grant	Watershed	
Equipment	Employment Policy	

The Annual Plan of Work should be distributed to each Board member, staff member, and committee or team member and program specialist. One staff member should be delegated the responsibility for updating the Annual Plan of Work and the SWCD board should review it at least quarterly.

## ***DISTRICT CORRESPONDENCE***

### **Non-Electronic Correspondence**

As Elected Officials and Public Employees in the State of Ohio it is important to remember that all communications you send and receive, that pertain to the management and work your office, are considered Public Records. As such they may be viewed by persons other than those for whom the records were created.

The correspondence sent by your office, as an employee or on behalf of your board, may be the first encounter a cooperator, partner agency or elected official has with your office. A well written letter will convey to the reader the professional nature of your office and should instill a trust that the issue at hand will be handled in an efficient and professional manner.

All correspondence should be sent under District letterhead and signed by the appropriate person. It is best for a supervisor to sign the District's letters. However, if a supervisor is not available, the Board could give the District Program Administrator or Administrative Assistant the authority to sign on their behalf.

There are many excellent reference guides and textbooks on for the development of written communications, your district may wish to retain copies of some of these for staff and board use as well as maintaining stock templates and examples of common types of communication the district may use frequently.

For additional information [“Guidelines for Non-Electronic District Correspondence”](#) is included in the appendix

### **Electronic Communications**

A modern Soil and Water Conservation District could not function without the use of the latest technologies. Whether in field or office, technology has changed how districts operate. Email, WebPages, Social Media, Blogs, FTP sites, and other software Applications have made communicating with cooperators and others easier and timelier. However, when using electronic communications you still need to maintain professional standards in your communications.

While e-mail is often considered less formal than a written letter, some standards still apply. A poorly written e-mail, filled with misspellings and grammatical errors will reflect badly on both the sender and the district as a whole.

Also it is important to remember, that all official communications sent to and from your office, including e-mail and other forms of electronic communications, are considered public records and should be maintained according to your retention schedule.

For additional information [“Guidelines for Electronic District Communications”](#) is included in the appendix – Chapter 10.

### **SWCD RECORDKEEPING AND FILING**

Your SWCD Supervisors maintain records of district activities because:

- Law requires records such as minutes, financial and annual reports.
- Records may have historical value (newspaper clippings, etc.)
- Records may serve as evidence in case of legal action (concerning disputes over cooperative agreements, easements, employment policy changes, etc.)
- Records serve as a basis for making future decisions (district programs, cooperator plans, board minutes and policies, equipment rental, etc.)

A uniform filing system has been developed for SWCDs. We strongly recommend the use of this system since the material mailed to you by the Division of Soil and Water Resources and the Ohio Soil and Water Conservation Commission is often coded according to the uniform filing system.

A [“Sample SWCD File Index”](#) is located in the Appendix

### **RECORDS RETENTION**

The Ohio Revised Code gives the State Archivist at the Ohio Historical Society (OHS) authority to administer the Public Records Program and develop guidelines for all public agencies of Ohio to

follow for the Retention and/or disposal of Public Records. As determined by Ohio Attorney General Opinion Number 2013-006, Soil and Water Conservation District is not a County Office and is Subject to the Jurisdiction of a Special Taxing District Records Commission. For a copy of this opinion, please follow the link below:

<http://www.ohioattorneygeneral.gov/OhioAttorneyGeneral/files/25/25468d81-79fb-4f38-81f2-9323205b0e4e.pdf>

From the Ohio Revised Code:

“149.412 Special taxing district records commission

There is hereby created in each special taxing district that is a public office as defined in section 149.011 of the Revised Code and that is not specifically designated in section 149.38, 149.39, 149.41, 149.411, or 149.42 of the Revised Code a special taxing district records commission composed of, at a minimum, the chairperson, a fiscal representative, and a legal representative of the governing board of the special taxing district. The commission shall meet at least once every twelve months and upon the call of the chairperson.

The functions of the commission shall be to review applications for one-time disposal of obsolete records and schedules of records retention and disposition submitted by any employee of the special taxing district. The commission may dispose of records pursuant to the procedure outlined in section 149.381 of the Revised Code. The commission, at any time, may review any schedule it has previously approved and, for good cause shown, may revise that schedule under the procedure outlined in that section.”

The District should use the established procedures and correct forms provided by the OHS - Local Government Records Program (LGRP) to revise and maintain their Records Retention Schedule. the OHS-LGR program uses three forms for documenting the “public records” a District holds and those that they wish or have disposes of:

- RC-1 “Application for One-Time Disposal”
- RC-2 “Schedule of Records Retention and Disposition”
- RC-3 “Certificate of Records Disposal”

The RC-2 “Schedule of Records Retention and Disposition” is the primary document that catalogs and describes the type of records a District maintains and the schedule for when those records can legally be disposed of. The RC-2 should be completed or revised by the District in consultation with their Records Commission.

Districts that have RC-2s on file prior to September 29, 2011; will need to continue submitting RC-3s for disposal until they have submitted a revised RC-2. For Districts with RC-2 forms that were approved by your records commission and submitted to the OHS-LGRP on or after September 29, 2011 may no longer be required to submit an RC-3 for certain types of records. Your approved RC-2 will indicate if the RC-3 is required for any of the types of records you wish to dispose of. Your Records Commission must meet annually and approve of the disposal of any records, changes to your RC-2 or the submittal of an RC-1 or RC-3.

The State Archivist assists local government agencies with establishing records management and archival programs through the Local Government Records Program (LGRP). Working through the seven Network Centers, the LGRP provides records related advice and assistance to local governments in order to facilitate the identification and preservation of local government records with enduring historical value. Please contact them and send forms to:

The Ohio Historical Society  
Local Government Records Program  
800 E. 17th Ave.  
Columbus, OH 43211  
[localrecs@ohiohistory.org](mailto:localrecs@ohiohistory.org)  
(614) 297.2553 (phone) (614) 297.2546 (fax)

### **OHIO'S PUBLIC RECORD ACT**

The Ohio public records act evolves from the principle that Ohio's citizens are entitled to access the records of their government. To advance that principle, the public records act is to be interpreted liberally in favor of disclosure. That means where the decision whether to disclose a record is unclear, a public office should disclose it. And if a statute expressly states that specific records of a public office are public, it does not mean that all other records of that office are protected from disclosure. Additionally, the exceptions to the public records act should be narrowly construed. If a record does not clearly fit within an exception, the public office must disclose the record.

Additional guidance in the form an “Ohio's Public Records Act – Common Questions” factsheet is included in the Appendix.

For further information on the Ohio Opens Records Rules go to the Ohio Auditor of State's Website for an Adobe PDF copy of the current Ohio Sunshine Laws - The Yellow Book: an Open Government Resource Manual at:

<http://www.auditor.state.oh.us/services/opengov/resources/OhioSunshineManual.pdf>

### **YEAR-END REMINDERS**

Each year the ODNR-DSWR SWCD Program Staff will update a list of year-end reminders that will be posted to the Division Website. The “Top 20 Items To Stay On Top Of In 20XX” can be found at: <http://ohiodnr.com/tabid/18738/Default.aspx>

### **ANNUAL REPORTS**

The Ohio Soil and Water Conservation Commission require districts to submit an annual report to the Ohio Soil and Water Conservation Commission. Since 2009, the OSWCC has utilized the SWIMS program to meet the statutory “Annual reporting” requirements in the Revised Code. The Division of Soil & Water Resources will annually run the necessary Queries in SWIMS to provide the OSWCC with the information that will constitute each District's Annual Report.

Each District is also required to prepare two original copies of their Cash Basis Annual Financial Report, retaining one copy for their records and submitting the other copy to the Auditor of State no later than 60 days after the close of the fiscal year. Additionally, electronic copies of the report

should be sent the ODNR, Office of External Audits and the Division of Soil & Water Resources, Fiscal Officer and your DSWR, Program Specialist. A copy of the current form can be found on the ODNR-DSWR Website. Contact information and mailing instructions are located on the form.

Since the district is legally responsible for carrying out a constructive program of resource use and conservation, they should also consider creating a locally produced annual report geared towards publicizing their achievements to local stakeholders, elected officials and the public at large. This "Annual Report" while using the data reported in SWIMS as a basis for documenting the work completed can also include more narrative, graphics and pictures that will provide a complete picture of the districts accomplishments to local partners, funders and the resident of the district.

Your District's Cash Basis Annual Financial Report and a well prepared Annual Report will enable the Board of Supervisors to:

- Review their responsibilities in handling the district's affairs.
- Review their district's financial situation and determine priorities based on expected budgets.
- Sum up the districts activities and accomplishments in relation to the:
  - District's Strategic Plan and/or Long Range Plan
  - District's Annual Plan of Work
- Serve as a report to district cooperators, partners and elected officials.
- Inform the Division of Soil and Water Resources and others assisting the district.

The size and scope of desired distribution will govern the size and quality of your annual report, however, we encourage you to "let the people know" what you are doing. Remember marketing the district is a vital part of your programs. If the district doesn't "blow its own horn," who will? In addition to distributing the report to cooperators, county commissioners, state legislators, state offices, and other interested parties, many potential cooperators and possible supporters can learn of your activities by coming in contact with and reading your annual report in public meetings and gathering places.

### ***OFFICIAL MINUTES OF THE DISTRICT***

Many fail to realize that the minutes of the District are the official records of actions and policies approved by the Board of Supervisors. The minutes are the official records of an entity of the State. Therefore, the minutes should be worded precisely, thorough and have a minimum of errors. The minutes are the historical record of the District.

As defined by law: A public body must keep full and accurate minutes, which must enable the public to understand and appreciate the rationale behind the public body's decisions. It must prepare the minutes promptly, file them, and maintain them for all public meetings. Minutes are merely the record of actions; they are not actions in and of themselves. For example, if a public body fails to approve minutes of a meeting, that failure does not necessarily render all action taken during that meeting void. Minutes do not have to be a "verbatim transcript," however, they need to provide enough detail so the lay reader will understand the thinking of the board as to the decisions they make. Minutes are not taken while a board is in "executive session," however, no actions or formal decisions may be made while in an executive session.

Minutes of a public body's meetings are open for public inspection. And public release of information contained in the minutes that has a certain stigma attached to it or would negatively affect the subject of the information is not an invasion of privacy.

The minutes should be mailed to the Supervisors with the next meeting's agenda a week prior to the next Board Meeting. The Ohio Soil and Water Resources Commission requires that a copy of your minutes be sent to your ODNR, Program Specialist, the Board can determine who else will receive copies of minutes and agendas. Also a financial statement should be sent with the minutes.

[“SWCD Guidelines for Recording Official Minutes”](#), is included in the Appendix

### **OHIO'S OPEN MEETING ACT**

Similar to the public records act, the Ohio open meetings act evolves from the principle that people must be able to observe the operations of their representative government. The Open Meetings Act is intended to require public bodies to take official action and to conduct deliberations upon official business in open meetings. The law is to be liberally construed with these goals in mind. There are limited situations, however, where a public body may adjourn into executive session to discuss matters privately.

Openness requires that the public be permitted to attend and observe all meetings of any public body. However, the Open Meetings Act does not provide (or prohibit) attendees the right to be heard at meetings. Further, a disruptive person waives his or her right to attend, and the body may remove that person from the meeting. A [“Sample – Policy on Public Comment at SWCD Board Meetings”](#) is included in the Appendix. The appendix also contains [“Ohio's Open Meeting Act - Common Questions”](#).

For further information on the Ohio Open Meetings Rules go to the Ohio Auditor of State's Website for an Adobe PDF copy of the current Ohio Sunshine Laws - *The Yellow Book: an Open Government Resource Manual*  
<http://www.auditor.state.oh.us/services/opengov/resources/OhioSunshineManual.pdf>

### **ANNUAL MEETINGS**

Annual meetings are an important part of the soil and water conservation district program. If your meeting is conducted properly, those attending should leave with a sense of being a part of the District program.

A Sample [“SWCD Annual Meeting Check List”](#) is included in the Appendix

#### **Here some suggestions for a successful annual banquet:**

- Start planning well in advance.
- Welcome people as they arrive.
- Be prompt; start and end on time.
- Get the best meal for the money
- Keep it short.
- Try a light program for a change. Long-winded, dry speakers are sudden death

## **ELECTION OF SUPERVISORS**

A summary of information related to SWCD Supervisor Elections is included in this chapter. The full provisions may be found in the Ohio Administrative Code: <http://codes.ohio.gov/oac/1515-3>

The Ohio Soil and Water Conservation Commission, or whomever it may designate as its official representative, is responsible for holding supervisor elections.

Supervisors are elected for three-year terms and take office January 1st. Ohio law stipulates that the election of supervisors may be held by establishing well publicized voting places, at the time and place of an annual meeting of the local soil and water conservation district, provided suitable notice of the election is made available to all landowners and occupiers of the district. An election must be held annually so that not more two supervisors' terms expire at one time. At least two persons should be nominated for each vacancy to be filled. Supervisors can succeed themselves if nominated and reelected.

The Board of Supervisors shall appoint a nominating and election committee at least three months prior to the district's annual meeting. The nominating committee shall be composed of three members. One member of the committee will be a continuing member of the board of supervisors. The remaining two members are to be appointed at the discretion of the chairman, but they should be knowledgeable of SWCD operations. It is not recommended that district employee, NRCS employees, or other agency personnel be part of the nominating committee. However, the office staff can assist the nominating committee by preparing a slate of possible candidates for the committee to review.

### **Nominating Committee Responsibilities**

- Nominate at least two candidates for one seat and a minimum of three candidates for two seats to be filled. It is recommended to have at least two candidates for each seat to be filled.
- Contact the candidates personally (Not by telephone) and determine their willingness to be nominated and their ability to serve if elected.
- Inform each candidate of the responsibilities that they will assume if elected. The committee member contacting the candidate should review the duties of a supervisor as outlined in the Administrative Procedures Guide (APG)
- Complete, with the assistance of staff, the “[Candidate Submission and Ballot Printing Request](#)” (SEL-4) form along with any legally completed “[Candidate Nomination Petitions](#)”(SEL-5) forms, at least 30 days prior to the date of the election.

A supervisor must be at least eighteen years of age and a legal resident of the district in which he/she is elected. When deciding upon nominee test your choices against these criteria:

- Widespread knowledge of natural resources within the district;
- Leadership ability;
- Knowledge of persons living within the district;
- Complement the existing make-up of the board so that all geographic, educational, and land use interests within the district are represented;
- Complement the existing make-up of the board so that both youth and experience are represented;
- Possess an interest in soil and water conservation district affairs;
- Make time available to adequately perform if elected. The time demanded of a supervisor is considerable. All supervisors are expected and should feel an obligation to attend:
  - Every district board meeting, both regularly scheduled and special meetings;

- Area meetings; and the
- OFSWCD Annual Meeting and Summer Supervisors' School

### **Nomination By Petition**

Any legal resident of the District who is at least eighteen years of age may seek nomination as a candidate for SWCD board of Supervisors by submitting a completed “Candidate Nomination Petition” (SEL-5) form with ten valid signatures, of individuals who are eighteen years of age or older, or who own or occupy land within the district where the election is to occur, not less than thirty-five days prior to the conduct of the election.

### **Conducting An Election**

During the annual meeting or designated time to election the Ohio Soil and Water Conservation Commission or their official representative shall:

- Prior to the established starting time for voting to begin, receive from the SWCD staff a updated copy of the Districts “Resident Election Registry” (SEL-6) form and the “Non-resident, firm, corporation Election Registry” (SEL-7) form.
- An eligible voter is anyone of legal voting age who resides within the district or owns land within the district.
- Ensure that each eligible voter has registered on the appropriate registry. **Note:** Non-residents and corporation, firm, LLC or trust representatives must also have on file or bring a signed and notarized affidavit affirming their eligibility to vote. “Sample Non-resident Affidavit” (SEL-8) form or “Sample Corporation, Firm, LLC or Trust Affidavit” (SEL-9)
- Provide a prepared ballot to each eligible voter, and provide any necessary instructions.
- At the conclusion of the established election interval, the appointed person shall, along with the local election tellers, tabulate the results and complete the “Election Results Form” (SEL-10)
- Report the results to the chairman and/or announce them at the time specified on the agenda.
- In the case of a tie, the winner shall be determined by the flip of a coin in the presence of candidates.

### **Notice of Elections**

The District shall cause notice to be given of the proposed election, Due notice is given and shall have been achieved when such notice has been published once not more than three weeks within one or more newspapers of general circulation within the boundaries of the District in which the election is being conducted and not less than one week prior to conduct of official election.

The legal notice must conform to Ohio Soil and Water Conservation Commission policy. The District shall use the “Election Legal Notice” (SEL-1) form and may also use the “Sample Letter to Newspaper with Election Legal Notice” (SEL-1a) form.

### **Obtaining Ballots**

Official Ballots provided by the Ohio Soil and Water Conservation Commission must be used in conducting district elections. The SWCD shall inform the Division of Soil and Water Resources of the selected nominees at least 30 days prior to the annual meeting for the preparation of the ballots by completing the “Candidate Submission and Ballot Printing Request” (SEL-4) form. Such a prepared ballot would have the names of those nominated arranged in alphabetical order. A place to mark the ballot should be provided before each name and directions to vote for the proper number of candidates stated.

## Absentee Voting Process

To ensure the integrity of the election process, each District should designate one staff person, preferably the District Program Administrator, Manager or Administrative Assistant who will control access to all Absentee Ballot Requests, Ballots and Election Envelopes. In the event that the designated person is out of the office, another staff person may fill out the official application for absentee ballot, and leave for action to be processed by the designee.

Those eligible electors who cannot attend the annual meeting and/or election can obtain an official ballot and registration envelope by requesting it from the District:

- **In writing** in a document sent to the SWCD address by regular mail (or other mail couriers), no earlier than 21 days prior and no later than 5 days prior to the election date. The request must contain a statement that the elector(s) requesting absentee ballots in that household is (are) 18 years of age or older and that they either reside, own land, or operate/lease land within the district (county). Also the document must bear the original personal signatures of each elector within the household making the request. The document must be mailed to the SWCD office at the address indicated in the legal notice of the election in order to receive a ballot and registration envelope. No digital scans sent by email or facsimile copies of documents will be accepted as a valid request.

A person shall limit their request for their own personal ballot, except that written requests signed from all other qualified electors in the same household can be submitted in the same envelope. The ballot and registration envelopes are to be mailed back individually to each person making the request, regardless of whether they reside in the same household.

**OR**

- **In writing**, by submission the “Resident Request of Absentee Ballot” (SEL-2) form or “Firm, Corporation, LLC and Non-Residents Request of Absentee Ballot” (SEL-3) form no earlier than 21 days prior and no later than 5 days prior to the election date. \*These forms may be obtained from the SWCD office or other venue provided by the SWCD. The ballot and registration envelopes are to be mailed back individually to each person making the request, regardless of whether they reside in the same household. No digital scans sent by email or facsimile copies of the completed forms will be accepted as a valid request.

**OR**

- **In person** at the SWCD office during regular business hours no earlier than 21 days prior and no later than the hour of day of the day of the election as prescribed in the legal notice of the election. In person requests will require completion and return of either a SEL-2 or SEL-3 form or presentation of a document described above by each individual voter in person **before** the ballot and registration envelopes are to be released.

\***Note:** Obtaining request forms, SEL-2 or SEL-3 may be made by various media as provided by the SWCD including but not limited to phone requests, picked up at the SWCD office, or downloaded from the SWCD website. However, valid requests on the actual completed request SEL-2 or SEL-3 forms for ballots must be either mailed individually or delivered in person by the individual elector.

The OSWCC representative makes the final determinations of the validity of all requests, registrations, and ballots for counting. Ballots should be marked as instructed on the ballot next to a preprinted name. The completed ballot should be folded and sealed inside the “official ballot” envelope. The sealed official ballot envelope must be inserted into the registration envelope. The information requested on the inside of the flap of the registration envelope must be completed and signed by the individual voter as well as a return address indicated on the front. The registration envelope must then be sealed and returned individually by mail or in person by the individual voter within the time frame and SWCD location as prescribed by the legal notice of the election.

Election tellers should take reasonable precaution to ensure that people voting absentee do not also vote in person at the annual meeting.

### **Additional Election Requirements:**

- Forward the “[Election Results Form](#)” (SEL-10) to the Ohio Soil and Water Conservation Commission within forty-eight hours of the election.
- Retain all ballots and registration forms at least 60 days (unless the OSWCC official representative takes them) at which time they may be destroyed providing no protest has been registered within the 60 - day limitation.
- Boards of supervisors shall reorganize annually no later than the first meeting in January and the results of the reorganization shall be forwarded to the Ohio Soil and Water Conservation Commission prior to February 1st. Reorganizations may take place anytime after the election.

### **Forms Required In Scheduling, Conducting, And Reporting Elections**

All Ohio Soil & Water Conservation Commission election forms and an “Election Process & Procedures Guide” are available on the ODNR –DSWR Website at:

<http://www.dnr.state.oh.us/tabid/18738/Default.aspx>

Election Process and Procedures Guide

SEL-1 Election Legal Notice

SEL-1a Sample Letter to Newspaper with Election Legal Notice

SEL-2 Resident Request for Absentee Ballot

SEL-3 Firm, Corporation, LLC, Trust and Non-resident Absentee Ballot Request

SEL-4 Candidate Submission and Ballot Printing Request

SEL-5 Candidate Nomination Petition

SEL-6 Resident Election Registry

SEL-7 Non-resident, Firm, corporation Election Registry

SEL-8 Sample Non-resident Affidavit

SEL-9 Sample Corporation, Firm, LLC or Trust Affidavit

SEL-10 Election Results Form

SEL-11 Oath of Office Form

### ***FILLING SUPERVISOR VACANCIES***

In case of death or resignation of an elected supervisor before his term expires, the vacancy may be filled by the OSWCC upon the unanimous recommendation of the remaining supervisors. If a unanimous decision cannot be agreed upon, a successor to serve the remainder of the unexpired term shall be elected in the same manner in which his predecessor was elected.

The appointed supervisor cannot officially hold office until the Ohio Soil and Water Conservation Commission has officially acted upon the appointment.

Please use the “OSWCC Request for SWCD Board Member Appointment” form available from the ODNR-DSWR website at:

[http://www.dnr.state.oh.us/Portals/12/swcds/forms/Request\\_to\\_Appoint\\_Supervisor12\\_17\\_2012.doc](http://www.dnr.state.oh.us/Portals/12/swcds/forms/Request_to_Appoint_Supervisor12_17_2012.doc)

## **SAMPLE -POLICY ON THE RULES OF ORDER**

### **Rules of Order Policy for the**

### **\_\_\_\_\_ Soil & Water Conservation District (SWCD)**

All meetings of the \_\_\_\_\_ SWCD and any established committees thereof shall conduct board business using the following rules of order. In the absence of any specific legal requirement or policy established by the Board, *Robert's Rules of Order, Newly Revised* (including those procedures and procedural flexibility that Robert's allows for small boards) shall apply.

However, the failure to follow Robert's Rules or any other local procedural rule(s) that have been set at the discretion of the Board shall not, standing alone, be construed to render any decisions made by the Board void, voidable, or otherwise invalid.

#### **Duties of the Presiding Officer**

1. At the appointed time and with a quorum is present at a meeting; the presiding officer shall call the meeting to order and proceed to board business. In the absence of a quorum (including as a result of the loss of a quorum during a meeting), the only official action that the Board may take is to adjourn the meeting.
2. It shall be the duty of the presiding officer at all times to preserve order at the meeting and to decide questions of order and parliamentary procedure, subject to an appeal to the Board by any two members.
3. The presiding officer has authority to make motions and vote just as other Board members do.

#### **Motions and Discussion**

1. Any Board member, including the presiding officer, shall be permitted to enter discussion on any subject on the meeting agenda. Limitations include:
  - (a) The presiding officer shall stop the discussion of a matter if the Board or committee previously agreed to limit discussions to a specified period of time and that period of time has been exceeded.
  - (b) The presiding officer shall stop any discussion that does not apply to the pending motion/subject matter.
2. Action on items of business will be taken by motion. In this policy, the term "motion" is intended to include any "resolution" of the Board. A motion stated by one Board member may be seconded by another Board member. The effect of seconding a motion is that the motion may thereafter be withdrawn or amended prior to a vote being taken only with either:
  - (1) The approval of a majority vote of the Board
  - (2) The approval by unanimous consent. Unanimous consent can be shown by verbally asking whether any individual Board member has an objection to the proposed amendment to, or withdrawal of, the pending motion.

Prior to a pending motion being seconded, the maker of the motion shall be entitled to amend or withdraw the pending motion until such time as a vote is taken.

*(Disclaimer – this is a sample policy only, should your board chose to adopt it in part or in total it should be fully reviewed by the Board and/or their legal advisor.)*

3. In the event a motion has been stated but not seconded, any Board member may make a "call for a second" any time prior to a vote being taken. If a pending motion is not seconded after a "call for a second" has been made, then the minutes of the meeting shall reflect that the motion "failed for lack of a second," and the presiding officer shall continue the meeting without a vote on that motion. If a main motion has received a second and a Board member wishes to dispose of the motion without a direct vote on it, the proper procedure is to make a secondary motion to postpone the main motion (either indefinitely or to a date certain), which motion also requires a majority vote in order to pass.
4. Board members are not required to obtain the floor prior to speaking or making motions.
5. Board members are not limited in the number of times they may speak to a question, except as the result of a motion to limit or end debate that has been adopted by the Board.
6. When extended discussion/debate is occurring over a pending motion, any motion to end or limit discussion/debate and move to a vote on the pending main motion must be approved by a two thirds vote of those Board members who vote on the motion. A motion to establish a specific time limit for discussion of an item of business that is set prior to the beginning of the debate/discussion (or to modify such a limit after the limit has been set) shall also require a two thirds vote.
7. A new motion shall be out of order while another motion is being discussed with the exception of appropriate secondary motions, such as the following: an amendment to the motion under discussion, a motion to adjourn, a motion to postpone the main motion (either indefinitely or to a time certain), a motion to refer the motion being discussed, or a motion to end or limit debate in order to reach a vote on the pending main motion.
8. Informal discussion of a subject is allowed without a motion pending.
9. No member shall be interrupted while speaking, unless he/she is out of order, or for the purpose of correcting mistakes or misinterpretations.
10. If any member acts in any respect in a disorderly manner, it shall be the privilege of any member, and the duty of the presiding officer to call him/her to order.

### **Voting**

1. Voting may be by a yes or no voice vote by the members present at the meeting, except when a roll call vote is required by law or by Board policy, or when requested by the presiding officer or any member of the Board or committee. All votes on a motion to convene in executive session shall be by roll call vote.
2. Members may abstain from voting on a matter where they believe they have cause for doing so, but must announce their abstention. The names of members abstaining shall be recorded in the minutes of the meeting.
3. No Board member may cast a vote by proxy or by absentee ballot.
4. A motion is passed/adopted when a majority of the Board (3 affirmative votes) cast their votes in favor of the motion, except as otherwise required by law or by the Board.
5. On split votes, the names of the members voting with the minority shall be recorded in the minutes of the meeting. When a vote is taken by roll call, the minutes shall clearly reflect the vote of each voting Board member.

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6. A motion, once voted upon, and whether defeated or adopted, cannot be reconsidered at the same meeting without the approval of a motion to reconsider by a majority of the members of the Board or committee. Any Board member who voted on the prevailing side of the vote on the original motion may make such a motion to reconsider the original motion.

7. A motion to rescind (nullify) any prior motion adopted by the Board at a subsequent meeting shall be handled as provided for in Robert's Rules of Order. Any motion to suspend the rules shall require the approval of a two-thirds vote of those members who are present at the meeting.

This policy, while setting forth procedural rules for the conduct of meetings of committees, it shall not be construed to grant any committee the power to take action on behalf of the Board

This policy shall be in force until such time as it is; rescinded, amended or replaced by the duly elected or appointed Board of Supervisors holding office at that time.

Adopted by the \_\_\_\_\_ Soil & Water Conservation District Board of Supervisors on:

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

Chair: \_\_\_\_\_

*(Disclaimer – this is a sample policy only, should your board chose to adopt it in part or in total it should be fully reviewed by the Board and/or their legal advisor.)*

## CHAIR'S BOARD MEETING CHECKLIST

<b>TASK</b>	<b>YES</b>	<b>NO</b>
<input type="checkbox"/> Meet with the administrative assistant, district administrator, and others to plan the agenda at least one week before the meeting.	_____	_____
<input type="checkbox"/> Call the meeting to order on time. Waiting for all five supervisors to arrive wastes the time of all those who arrived on time. Supervisors will respect the fact that all meetings begin promptly at the designated hour if this practice becomes the rule rather than the exception.	_____	_____
<input type="checkbox"/> Announce the order of business by distributing typed agendas.	_____	_____
<input type="checkbox"/> Introduce visitors present.	_____	_____
<input type="checkbox"/> Guide the discussion in an orderly manner.	_____	_____
<input type="checkbox"/> Give everyone a chance to speak -- one at a time.	_____	_____
<input type="checkbox"/> Restrict comments to the question at hand.	_____	_____
<input type="checkbox"/> Give “for” and “against” supervisors’ equal opportunities to speak.	_____	_____
<input type="checkbox"/> Encourage each supervisor to participate in the discussion.	_____	_____
<input type="checkbox"/> On small boards, the chair may participate in the discussion; however the chair should not monopolize the discussion.	_____	_____
<input type="checkbox"/> State each motion before discussion and before the vote is taken.	_____	_____
<input type="checkbox"/> Bring all motions to a vote and announce the outcome.	_____	_____
<input type="checkbox"/> Call for motions as necessary.	_____	_____
<input type="checkbox"/> Request a report from each standing committee.	_____	_____
<input type="checkbox"/> Based on your board's policies or tradition, request the motion to adjourn or adjourn the meeting when all business is completed.	_____	_____
<input type="checkbox"/> Decide all points of order raised by board members.	_____	_____
<input type="checkbox"/> _____	_____	_____
<input type="checkbox"/> _____	_____	_____

## Simplified Parliamentary Procedures Table

Principle rules and orders of precedence governing motions.							
Order	Interrupt	Second	Debate	Amend	Vote	Applies to what other motions?	Can have other motions applied?
<b>Privileged Motions</b>							
1. Adjourn	No	Yes	No	No	Majority	None	None
2. Recess	No	Yes	Yes <sup>1</sup>	Yes <sup>1</sup>	Majority	None	Amend <sup>1</sup>
3. Question of privilege	Yes	No	No	No	None	None	None
<b>Subsidiary Motions</b>							
4. Postpone Temporarily	No	Yes	No	No	Majority <sup>2</sup>	Main Motion	None
5. Close Debate (Question <sup>3</sup> )	No	Yes	No	No	2/3 Vote	Debatable Motions	None
6. Limit Debate	No	Yes	Yes <sup>1</sup>	Yes <sup>1</sup>	2/3 Vote	Debatable Motions	Amend <sup>1</sup>
7. Postpone Definitely	No	Yes	Yes <sup>1</sup>	Yes <sup>1</sup>	Majority	Main Motion	Amend <sup>1</sup> , close debate, limit debate
8. Refer to committee	No	Yes	Yes <sup>1</sup>	Yes <sup>1</sup>	Majority	Main Motion	Amend <sup>1</sup> , close debate, limit debate
9. Amend	No	Yes	Yes	Yes	Majority	Reword Motion or Amendment	Close debate, limit debate
<b>Main Motions</b>							
10a. The Main Motion	No	Yes	Yes	Yes	Majority	None	Specific main, subsidiary
<b>10b. Specific Main Motions</b>							
Reconsider	Yes	Yes	Yes <sup>1</sup>	No	Majority	Main Motion	Close debate, limit debate
Rescind	No	Yes	Yes	No	Majority	Main Motion	Close debate, limit debate
Resume Consideration	No	Yes	No	No	Majority	Main Motion	None
<b>INCIDENTAL MOTIONS</b>							
<b>Motions</b>							
Appeal	Yes	Yes	Yes	No	Majority	Decision of Chair	Close debate, limit debate
Suspend Rules	No	Yes	No	No	2/3 Vote	None	None
Consider Informally	No	Yes	No	No	Majority	Main Motion	None
<b>Requests</b>							
Point of Order	Yes	No	No	No	None	Any error	None
Parliamentary Inquiry	Yes	No	No	No	None	All motions	None
Withdraw a Motion	Yes	No	No	No	None	All motions	None
Division of a Question	No	No	No	No	None	Main motion	None
Division of Assembly	Yes	No	No	No	None	Indecisive Vote	None
<sup>1</sup> Restricted							
<sup>2</sup> Requires 2/3 vote when it would suppress a motion without debate.							
<sup>3</sup> Informal call for "The Question" is a request by one person to end debate. Chair may call for a vote, if he/she is convinced there has been enough debate.							

## ***GUIDELINES FOR NON-ELECTRONIC DISTRICT CORRESPONDENCE***

### **Preparing Non-electronic Correspondence**

- **Be complete:** Your letter should include everything pertinent to the question or problem. A good guide is to read the letter and consider what questions the addressee might have. Then have someone else read the letter to check for clarity.
- **Be clear:** Use the familiar word instead of the fifty-cent word. If technical words or phrases cannot be avoided, use them, but define them.
- **Use a conversational, friendly tone,** just as you would in person. Use "We" and "You" and other personal references. Use "We" instead of "I" whenever possible.
- **Make the sentences and paragraphs short** - but don't overdo it to the point that your letter sounds choppy. It's good to have "white space" on the page because this helps the reader remain interested in reading what you have to say.
- **Favor the active over the passive voice:** "We received your letter" is better than "Your letter was received." Better Still - "Thank you for the letter" They know you got the letter, and you will have made them feel appreciated, too.
- **Check with the author of letters before changes are made.** Usually your job will be to make the letter grammatically correct. But, if you don't think the content of the letter is clear it probably isn't and should be reviewed by the writer.
- **Stay away from agency terms and names.** But if you are going to use acronyms, such and NRCS, ODNR, SWCD give the complete title in words first with the initials in brackets immediately after the words. As it is used later in a document then the initials can be used.
- **Use the necessary tools.** You will want to accumulate your own file of reference aids, including a good dictionary and a reliable manual on grammar. Whenever you are in doubt, check!

### **The following instructions apply specifically to SWCD correspondence:**

- **District- paid postage stamps must be used.** District mail may not carry the "postage and fees paid" penalty indicated which is restricted to federal mail. That is until such a time as the federal agency is permitted to use general postage.
- **One officer or an employee of the district must sign correspondence** on behalf of the SWCD board of supervisors. A sample letter shown later in the chapter contains the general format suggested for district letters.

### **Sample of Signature Lines on District Letters**

It is best for a supervisor to sign the District's letters. However, if a supervisor is not available, the Board could give the District Program Administrator or Administrative Assistant the authority to sign on their behalf. With the Board's approval you could sign the appropriate Board member's signature without having to put your initial beside their name. You could sign your own name, example:

*Terry Fields, Buckeye District Coordinator*  
*On behalf of Buckeye District Board of Supervisors*

But remember, it is much better for a supervisor's signature to be on the Board's correspondence.

## **GUIDELINES FOR ELECTRONIC DISTRICT COMMUNICATIONS**

Email, Social Media, Blogs, FTP, and APPS, are more than words, too many they represent the electronic media worlds we enter on a daily basis. There are an established set of “professional” standards and manners which should be used at all times.

As elected officials and public employees in the state of Ohio it is important to remember that **all communications** you send and receive, that pertain to the management and work your office, are considered **public records**. As such they may and will likely be viewed by persons other than those that they were intended for. While many consider electronic communications as a less formal way of communicating, many professional standards and common courtesy’s still apply.

E-mail is an essential part of our professional life. If you want your messages read, consider your recipient. That’s what the rules are all about.

### **Here are tips on what some have termed Netiquette:**

- **Think short:** Limit the message to three or four paragraphs, tops, each with no more than four sentences. If you must include more, introduce points with a short preview- for instance, “Deadline? Did I miss it?”
- **Just the “Plain” Facts:** Avoid the fancy formatting or colorful backgrounds, some people still use e-mail programs that support plain text only. Also, what’s cool on your monitor may not look good on mine.
- **One person, please:** If you’re sending an e-mail to a large group of people, hide the recipient list to keep the file size down. It’s all right to use your e-mail app’s carbon copy (cc) feature if you need to let everyone know who else is getting the message, but otherwise use the blind copy (bcc) feature. You can address the message to yourself (or leave the “To:” field blank, if your software allows it) and bcc everyone else
- **Clean it up:** Forwarded messages are overloaded with annoying brackets (>), extra spaces and returns.
- **Risky attachments:** Unless you know the person, don’t attach anything - images, programs, or Internet movies - to an e-mail. If you must, and if the file’s larger than one megabyte, be sure you get the recipient’s permission first. You can save yourself grief by setting your e-mail program not to accept attachments over a reasonable size.
- **Are you a groupie?** Email, LISTSERV groups, Mailing lists .....sound familiar? Under United States law, it is unlawful "to use any telephone facsimile machine, computer, or other device to send an unsolicited advertisement" to any "equipment which has the capacity (A) to transcribe text or images (or both) from an electronic signal received over a regular telephone line onto paper." The law allows individuals to sue the sender of such illegal "junk mail" for \$500 per copy. Most states will permit such actions to be filed in Small Claims Court. This activity is termed "spamming" on the Internet
- **Password or Passport?** NEVER give your User ID or password to another person. System administrators that need to access your account for maintenance or to correct problems will have full privileges to your account. Never assume your email messages are private or that they can be read by only yourself or the recipient. Never send something that you would mind seeing on the evening news.
- **Spreading the word or spreading manure?** When quoting another person, edit out whatever isn't directly applicable to your reply. Don't let your mailing software automatically quote the entire body of messages you are replying to when it's not necessary. Take the time to edit any quotations down to the

minimum necessary to provide context for your reply. Nobody likes reading a long message in quotes for the third or fourth time, only to be followed by a one line response: "Yeah, me too."

- **Who do you think you are?** Include your signature at the bottom of email messages when communicating with people who may not know you personally or broadcasting to a dynamic group of subscribers. Your signature footer should include your name, position, affiliation and Internet addresses and should not exceed more than four lines. Address and phone number is optional.
- **You can almost hear the email talk!** Capitalize words only to highlight an important point or to distinguish a title or heading. Capitalizing whole words that are not titles is generally termed as SHOUTING!

### **Important Additional Tips:**

- **Never send chain letters** through the Internet. Sending them may spread malicious digital viruses.
- **Complaint Department?** Follow chain of command procedures for corresponding with superiors. For example, don't send a complaint via email directly to the "top" just because you can. Be professional and careful what you say about others. Email is easily forwarded.
- **You can be rude without trying:** It is considered extremely rude to forward personal email to mailing lists without the original author's permission. Also, attaching return receipts to a message may be considered an invasion of privacy.
- **Funny weird or Funny Ha Ha?** Be careful when using sarcasm and humor. Without face to face communications your joke may be viewed as criticism. When being humorous, use emoticons to express humor. (tilt your head to the left to see the emoticon smile) :- ) = happy face for humor
- **More alphabet soup:** Acronyms can be used to abbreviate when possible, however messages that are filled with acronyms can be confusion and annoying to the reader.
- **E-mail rules to remember:**
  - "Email Responsibly!" The content and maintenance of a user's electronic mailbox is the user's responsibility:
  - Check email daily and remain within your limited disk quota.
  - Email that relates to your work is considered a public record
  - Non work related emails may be deleted to reduce storage requirements.
  - Keep messages remaining in your electronic mailbox to a minimum; move unwanted older messages to an archive folder where they can be stored until they can be deleted based on your records retention schedule.
  - Email messages can be downloaded or extracted to files to be backed up for future reference.
  - Never assume that your email is private and will only be read by yourself and the recipients; others may be able to read or access your mail.
  - Never send or keep anything that you would mind seeing on the evening news.
  - Keep files to a minimum. Files should be downloaded to your personal computer's hard drive or stored on CD's, USB drives or backup servers.
- **Routinely and frequently virus-scan** your system, especially when receiving or downloading files from other systems to prevent the spread of a digital virus.
- **Do not maintain anything private** in your disk storage area. Your files may be accessible by other persons with system privileges.

## SAMPLE SWCD FILE INDEX

<b>1.0 APPLICATIONS &amp; AGREEMENTS</b>
1.1 Cooperative Conservation Agreement - OSWCC No. 30
1.2 Group Request - OSWCC No. 31
1.3 Request for Assistance – OSWCC No. 39
<b>2.0 DISTRICT ELECTIONS / REORGANIZATIONS</b>
2.1 Election Procedures
2.11 Absentee Ballot request forms
2.2 Election Results
2.3 Supervisors, Current and Past (Permanent Record)
2.4 Reorganization Notices
2.5 Supervisor Handbook
<b>3.0 LEGISLATIVE</b>
3.1 Legal Opinions
3.2 Laws - S.B. 160, H.B. 88
3.3 Pending Legislation
3.4 Ohio Legislature & Congressional names/maps
<b>4.0 MEMORANDUMS OF UNDERSTANDING</b>
4.1 Local
4.2 State
4.3 Federal
<b>5.0 BOARD MEETING MINUTES (PERMANENT)</b>
5.1 Official Minute check sheet
5.2 Policies
<b>6.0 OFFICIAL RECORDS AND DOCUMENTS</b>
6.1 Charter of District (permanent)
6.2 Surety Bond renewal notices
6.3 Inventory
6.4 Employment Policies
6.5 Job Descriptions
6.6 Office Rental Agreement
6.7 Insurance Policies for equipment, space, liability
6.8 Licenses and Permits
6.81 Bulk Mailing Permit
6.82 Nursery Dealers License
6.9 Tax Exemption & Federal ID No.

<b>7.0 SOIL &amp; WATER CONSERVATION COMMISSION</b>
7.1 Members, Organizational Chart
7.2 OSWCC Minutes (one year)
7.3 OSWCC Policy
<b>8.0 OFSWCD BY-LAWS, POLICIES, OFFICERS</b>
8.1 State Minutes
8.2 Committees
<b>9.0 PLANS OF OPERATIONS</b>
9.1 Strategic Plan
9.2 Annual Plan of Work
9.3 District Committee Assignments
<b>10.0 BUDGET AND FINANCE</b>
<b>11.0 FUND MANAGEMENT GUIDELINES &amp; RULES</b>
<b>12.0 SPECIAL FUNDS</b>
12.1 Budget Requests and Records of Appropriations
12.2 Special Fund/Auditor's account
12.2 Certification of Fiscal Agent
12.2 Monthly Printouts
12.3 Special Fund Vouchers (1099's with voucher)
<b>13.0 DISTRICT FUND</b>
13.1 District Vouchers
13.2 Bank Records
13.3 Credit Card Records
<b>14.0 FORM 11'S, FINANCIAL STATEMENTS</b>
<b>15.0 ANNUAL FINANCIAL REPORTS</b>
<b>16.0 AUDIT REPORTS</b>
<b>17.0 PETTY CASH RECORDS</b>
<b>20.0 SUPPORT ORGANIZATION RECORDS</b>
<b>21.0 LETTERS - SWCD</b>
<b>22.0 COUNTY OFFICES</b>
22.1 Commissioners/Councils
22.2 Engineer
22.3 Planning Commission
22.4 Health Board
22.5 Township
22.6 Municipal

(continued on next page)

## SAMPLE SWCD FILE INDEX

23.0	<b>OHIO FEDERATION OF SOIL AND WATER CONSERVATION DISTRICTS</b>
24.0	<b>OHIO SOIL &amp; WATER CONSERVATION COMMISSION</b>
25.0	<b>NATIONAL ASSOCIATION OF CONSERVATION DISTRICTS</b>
26.0	<b>NATURAL RESOURCE CONSERVATION SERVICE</b>
27.0	<b>DEPARTMENT OF NATURAL RESOURCES</b>
27.1	Division of Soil and Water Conservation
28.0	<b>OTHER SUPPORT GROUPS</b>
28.1	Associate Supervisors
28.2	SWCD Auxiliary
28.3	District Employee Assoc.
30.0	<b>EQUIPMENT OPERATION &amp; MAINTENANCE</b>
31.0	<b>BIDDING GUIDELINES</b>
32.0	<b>EQUIPMENT PURCHASED/LEASED INFO.</b>
40.0	<b>INFORMATION/EDUCATION</b>
41.0	<b>CONTESTS, PROGRAMS, TOURS</b>
41.1	Ohio Farmer Conservation Awards Program
41.2	Ohio Conservation Program Evaluation Award
41.3	Annual Planning Meeting
41.4	Soil Stewardship
42.0	<b>YOUTH ACTIVITIES</b>
42.1	Envirothon
42.2	Poster Contest
43.0	<b>CURRENT NEWS RELEASES</b>
44.0	<b>NEWSLETTERS</b>
44.1	District
44.2	<b>NACD</b>
45.0	<b>MAILING LISTS</b>
46.0	<b>SPEAKERS ROSTER</b>
47.0	<b>RESOURCE INFORMATION</b>
50.0	<b>OPERATIONS CASE FILES (PERMANENT)</b>
51.0	<b>WATERSHEDS</b>
52.0	<b>ITEMS FOR RESALE</b>
52.1	Tree Sales
52.2	Fish Sales
53.0	<b>CONSERVATION WORKS OF IMPROVEMENT</b>
54.0	<b>GRANTS</b>
54.1	Manure Nutrient Management
54.2	319 Non-Point

54.3	Natureworks
54.4	Other
55.0	<b>DRAINAGE PROGRAM</b>
55.1	Ditch Maintenance
56.0	<b>STREAM MONITORING</b>
57.0	<b>OTHER</b>
60.0	<b>PERSONNEL RECORDS</b>
61.0	Personnel-prior service record, form 20 (permanent)
62.0	Applications
63.0	<b>BENEFIT INFORMATION</b>
63.1	PERS
63.2	Workers Compensation
63.3	Medicare
63.4	Health Insurance
63.5	Life Insurance
63.6	Unemployment Information
63.7	Deferred Compensation
70.0	<b>RECORDS AND REPORTS</b>
71.0	<b>ANNUAL MEETING PROGRAMS</b>
72.0	<b>ANNUAL REPORTS</b>
80.0	<b>SUPPLIES</b>
81.0	<b>SUPPLY CATALOGS</b>
82.0	<b>OSWCC BLANK FORMS</b>
82.1	Form 11 - due June 5
82.2	Form 20 - Activity/leave Sheet
82.3	Form 24 - Vacation/Sick leave
82.4	Expense Account Forms
83.0	<b>DISTRICT CREATED FORMS</b>
84.0	<b>POLLUTION ABATEMENT</b>
85.0	<b>ADMINISTRATIVE RULES AND GUIDELINES</b>
85.1	Animal Waste/Erosion Complaint Procedures
85.2	Pollution Abatement Investigative Reports
85.3	Cost Share Forms
85.4	Cost Share Recipients
86.0	<b>SEWAGE SLUDGE</b>
87.0	<b>COMPOSTING</b>
88.0	<b>BROKERING</b>

## **OHIO'S PUBLIC RECORDS ACT – COMMON QUESTIONS**

### **What is a "public record?"**

A public record is a record held by a public office. A record is any item that is:

- stored on a fixed medium (such as paper, computer, film, voicemail, etc.); **and**
- created, received, or sent under the jurisdiction of a public office; **and**
- documenting the organization functions, policies, decisions, procedures, operations, or other activities of the office.

### **Are items such as photographs, videos, maps, voice mail and computer files "records"?**

Yes. A public office has discretion to determine the form in which it will keep its records. But a record doesn't have to be paper -- any item, regardless of its physical form, is a record if it has the characteristics described above. Any material that a public office can or does rely upon in carrying out its duties may be a "record." However, **proprietary computer software is not a public record.**

### **What are "confidential records?"**

In the public record context, the word "confidentiality" has different meanings. In short, public offices generally hold three types of records:

1. Public records that are not subject to any exception, which **must be released**
2. Public records that are subject to an exception, which **may be released** if the public office chooses to waive the exception
3. Highly confidential records the release of which is prohibited by law, **which must not be released**, even if the public office would like to do so. Exceptions to the public records act are to be **narrowly construed**

So, if a record does not clearly fit into one of these exceptions, a public office must disclose the record. There are fifteen expressly stated exceptions to Ohio's public records act and one 'catch-all' exception.

- Some of these exemptions are:
- Medical records;
- Trial preparation records;
- Confidential law enforcement investigatory records;
- Social Security Numbers

### **How does an exception to the Public Records Act apply?**

When faced with a record that contains certain exempt information, a public office may redact the exempt portion of the record; the remainder of the record must be disclosed.

### **What records must a public office keep?**

Under Ohio law, a public office may only create records that are "necessary for the adequate and proper documentation of the organization, functions, policies, decisions, procedures, and essential transactions of the agency and for the protection of the legal and financial rights of the state and persons directly affected by the agency's activities." This standard appears to grant a public office a considerable degree of discretion in determining the records it will maintain.

However, this discretion is not absolute. And a public office is not required to create new records to respond to a public record request. For example, if a person asks a public office for a list of cases pending against it, but the office does not keep such a list, the public office is under no duty to create a list to respond to the request.

**How does the federal Freedom of Information Act apply in Ohio?**

No. The federal FOIA does not apply to state agencies or officers. If you want records from a state agency or officer, your request must be made pursuant to Ohio's public records act, which is codified in the Ohio Revised Code at 149.43. A request made to a federal office located in Ohio would be governed by the federal FOIA.

**What are a person's rights and a public office's responsibilities under the public record act?**

An individual has two basic rights, and a public office has two primary corresponding duties under the public records act:

1. Prompt inspection of public records; and
2. Upon request, copies of public records within a reasonable amount of time.

**When must a public office allow inspection of records?**

Inspection may occur at all reasonable times during regular business hours. Regular business hours means: established business hours.

**Can a public office charge a person to inspect records?**

No. The public records act does not permit a public office to charge the public for inspection of public records.

**How much can a public office charge for copies of records?**

A public office is limited in the amount it can charge for copies of public records -- it may only charge its actual cost, unless the cost is otherwise set by statute. Employee time may not be calculated into the charge for copying a public record.

**Can requestors insist that they be permitted to make their own copies of public records?**

No. The public records act does not require the public office to allow a requestor to make the copies.

**What if the person requesting copies of records is indigent or refuses to pay for the copies?**

A public office has no duty to provide copies of public records free of charge to someone who indicates an inability or unwillingness to pay for them.

**Can a public office require a person to pay for copies in advance?**

Yes. Many Ohio courts feel that pre-payment of copy charges is appropriate under the public records act.

**What if the person requesting the copies insists the records to be mailed?**

A public office has no duty to mail copies of public records, no matter what the requestor's circumstances.

**What is a proper request for public records? Who can request public records?**

Any "person," who includes corporations, individuals, and even other governmental agencies, may request public records. The requestor does not have to be an Ohio resident. And the person seeking the records may designate someone else to inspect or retrieve copies.

**Does the request have to be in writing?**

No. The law does not have any such requirement.

**Is the motive of the requestor relevant?**

No. Any person may obtain public records without having to state the reason.

**Is undue burden or expense a valid excuse for a public office's non-compliance with a public record request?**

No. A request cannot be denied or delayed on grounds that fulfilling it interferes with the operation of the public office. However, where a request unreasonably interferes with the discharge of the public office's duties, the office may not be obligated to comply.

**If a public office is not sure whether a record should be released, is it best just to deny the request?**

No. In the context of a public record request, automatically saying "no" almost always creates more problems than it solves. In all but the most routine situations, the right response to a public record request is that "we will be happy to allow inspection or provide copies to the extent permissible as soon as our staff legal counsel has had an opportunity to review the documents."

**When confidential material in a record is mixed with material that is not confidential, should the public office withhold the entire record?**

No. Simply redact the portions of the record that are exempt from disclosure; the remainder of the record must be disclosed. This issue arises most commonly when a request is made to inspect or copy **personnel files** of public employees. But absent an expressly applicable exception, such as the medical record exception, nearly all of the records in a personnel file are public record. **Social security numbers**, however, are protected by the federal Privacy Act (5 U.S.C. ~ 552a) and generally should be redacted.

**Additional Information**

For further information on the Ohio Opens Records Rules go to the Ohio Auditor of State's Website for an Adobe PDF copy of the current Ohio Sunshine Laws - *The Yellow Book: an Open Government Resource Manual* <http://www.auditor.state.oh.us/services/opengov/resources/OhioSunshineManual.pdf>

## **SWCD Guidelines for Recording Official Minutes**

**Date of Meeting**

**Place meeting occurred**

**Type of Meeting - (Regular, Special or Emergency Meeting)**

**Names of Supervisors present and absent**

**Names of guest and staff**

**Name of presiding officer**

**Call to order and time**

**Approval of previous minutes by following options:**

Approved as read without vote

Approved as read with vote; minimum 3 affirmative

Approved as mailed without vote

Dispense with reading of minutes; minimum 3 affirmative

Minutes approved as corrected; minimum 3 affirmative

Minutes signed by Chairman, Secretary and Note Taker

(If neither is available other Board members can sign if they were there)

**Treasurer's Report**

Time covered

Cash in District and Special and Other i.e. Maintenance

Money received during report

Money paid out during report

All Account Balances

Contingent Liabilities from Employee Leave Balances and potential Unemployment Liabilities.

Unused leave totals for all employees should be approved monthly as listed in the minutes

Bills to whom and what for

Outstanding accounts receivable

Motion to accept Treasurer's report and bills be paid

Motion for bills to be paid must include statement of exact amount.

**Motions (Need 3 affirmative votes to pass including Chairman's if necessary)**

Indicate name of maker and second

Debate - recorded what is pertinent to the decision making process

Did it pass or not

Amendment to motion name of maker and second

Amendment passed or defeated

**When voting via roll call, all votes are recorded for or against Required for Executive Sessions.**

**Appointments by Chairman i.e. committees, delegates**

**Correspondence received**

**Condensed committee reports (If written they can be attached to the minutes)**

**Motion to accept new cooperators or requests for assistance**

**List of new cooperators**

**Summary of staff reports**

**Adjournment: time, motion, who? passed?**

**Other items to remember:**

Sunshine Law provisions affect all board conducted business.

Refer the Ohio Public Records Law and Open Meetings Act Handbook

Executive Sessions must be approved by a majority of the Board using a roll call vote.

The vote, by roll call, must be recorded in the minutes.

The specific reason for the executive session must be stated in the minutes (only 6 reasons).

Executive session must begin and end in open session. Note the time when open session ends and resumes.

No official board actions may be taken while in an executive session.

## **SAMPLE - POLICY ON PUBLIC COMMENT AT SWCD BOARD MEETINGS**

The public is welcome to make comments pertaining to the soil and water conservation district at any regularly scheduled \_\_\_\_\_ SWCD board meeting.

The public will be given the opportunity to comment during the “Public Comments” portion of the agenda. Members of the public may make comments once per regularly scheduled meeting and limit comments to no more than five minutes in duration. Total participation will be limited to one hour unless the Board Chair allows for extra time with the time limit of no more than five minutes per person.

Persons are required to sign in with the Administrative Assistant 10 minutes prior to the meeting if they wish to participate in the public comment portion of the agenda. Persons wishing to speak must state their name and address for the record. If the number of people wishing to speak on the same topic exceeds the one-hour time frame allocated to “Public Comments” the Board Chair may ask that the group designate several spokespersons to relay the comments of the group.

All public comments and subsequent board action may be recorded in tape, digital audio and or video format and retained according the SWCD records retention policy. Written minutes will be recorded as well and filed in the \_\_\_\_\_ SWCD Minutes book. Official copies of the minutes of any board meeting may be reviewed by the public upon request. Copies may be purchased at a rate equal to the cost of production.

If board action is warranted, the subject will be investigated following normal procedures by the Board, NRCS, and/or SWCD staff. After investigation, if the subject falls under SWCD jurisdiction, the item will be put on the next regularly scheduled SWCD meeting agenda.

Where warranted, and following investigation and the subsequent board meeting, a letter will be sent to the person raising the concern with results of the investigation and the Board’s recommendations. The Board’s decision will be considered final. The same concern shall not be presented again unless new information pertaining to the problem is presented.

Adopted by the \_\_\_\_\_ Soil & Water Conservation District Board of Supervisors on:

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

Chair: \_\_\_\_\_

## **OHIO'S OPEN MEETING ACT - COMMON QUESTIONS**

### **What are a public body's responsibilities under the open meetings act?**

- **Openness.** All public bodies must take all official actions and hold all deliberations on official business in meetings that are open to the public.
- **Notice.** Depending upon the type of meeting, the public body must meet specific requirements for the timing and type of notice it provides to the public.

### **What is a "regular meeting?"**

A regular meeting is a meeting that is held at prescheduled intervals, such as "the 1<sup>st</sup> Tuesday of every month, at 7:30 p.m. in Ag Center Conference Room." The notice requirement for a regular meeting is that public bodies must establish by rule (policy) a reasonable method allowing the public to determine the time and place of regular meetings. Any meeting other than a regular meeting is a special or emergency meeting.

### **What are the notification requirements of "special meetings?"**

The notice requirement for a special meeting is that public bodies must establish by rule (policy) a reasonable method that allows the public to determine the time, place and purpose of a special meeting. The **rule must require at least 24 hours advance notification** to all media outlets that have requested such notification. Although the notice for a special meeting must state the purpose for the meeting, it may be for "general purposes." And if a public body wants to adjourn into executive session during a special meeting, the topic of the executive session should directly relate to some matter expressly included in the notice.

### **What is considered an "emergency meeting?"**

An emergency meeting is a special meeting that is convened because a situation requires immediate official action. For this type of meeting, the **notice requirement is immediate**. The members of the public body must immediately notify all news media outlets that have requested such notice.

### **Can requests be made for notification of a meeting when certain types of business to be discussed?**

Yes. A public body is to establish a method by which a person may sign up to receive notice of meetings when a particular type of business is going to be discussed. The method may require payment of a reasonable fee, and failure to pay that fee means that a person cannot complain about not receiving the requested notice. If the topic of a special or emergency meeting relates to the particular type of business that a person asked to be notified about, the notice should go to that person as well as the media.

### **For what reasons can executive session be held?**

There are only eight valid reasons for a SWCD Board to adjourn into executive session, and they are listed in the open meetings statute.

1. **Personnel.** Consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official, or [to consider] investigation of charges or complaints against a public employee, official, licensee, or regulated individual, unless the employee, official, licenses, or regulated individual requests a public hearing.
2. **Property.** Consider the purchase of property (real property and personal property, whether it is tangible or intangible). A public body may also adjourn into executive session to consider the sale of property by competitive bid (real or personal property) if disclosure of the information would result in a competitive advantage to the other side.
3. **Court action.** Discuss with the public body's designated legal council to discuss pending or imminent court action. A public body may not use this exception to adjourn into executive session for discussions with a board member who also happens to be an attorney -- the attorney should be

the duly appointed counsel for the District. **Note:** *by statute the County Prosecutor or their designee is the Districts Legal Council.*

4. **Collective Bargaining.** A public body may adjourn into executive session to prepare for, conduct, or review collective bargaining strategy. **Note:** *There are no current District employees with collective bargaining rights.*
5. **Confidential Matters.** A public body may adjourn into executive session to discuss matters required to be kept confidential by federal law, federal rules, or state statutes. **Note:** Cooperator records pertaining to their involvement in USDA programs would fall under federal jurisdiction and are not covered under the Ohio Open Records Act.
6. **Security Arrangements.** A public body may adjourn into executive session to discuss specialized details of security arrangements where disclosure might reveal information that could be used to commit, or avoid prosecution for, a violation of the law.
7. **Hospital Trade Secrets.** A public body may adjourn into executive session to discuss trade secrets of a county hospital, a joint township hospital, or a municipal hospital.
8. **A Veterans Service Commission** must hold an executive session when considering an applicant's request for financial assistance, unless the applicant requests a public hearing.

#### **Are there restrictions on discussions held in executive session?**

There are indeed restrictions on the discussions held in executive session. First, there can be no decision-making (actual voting) in the executive session. In fact, perhaps the only vote that may be taken during executive session is the vote on a motion to adjourn or recess the executive session. An executive session must always begin and end in open session.

#### **What is the proper procedure for adjourning into executive session?**

1. **Motion.** First, there must be a motion that states the purpose for the executive session, and the motion must be specific as to the matters to be discussed. For instance, if the purpose of the executive session is to discuss one of the personnel-related matters listed in the personnel exception, the motion must specify one or more of the listed purposes it is going to discuss, i.e., "to discuss the dismissal of a public employee." It is not sufficient to move for an executive session to discuss "personnel." But the motion does not need to specify the person who is to be discussed by name.
2. **Second.** After the motion, there must be a second on the motion.
3. **Roll Call Vote.** A vote to adjourn into executive session must be made by roll call vote by a majority of a quorum of the public body. The vote may not be by acclamation or by show of hands. And the vote must be recorded in the minutes.

**What are the rights and remedies under the open meetings act?** What are the ramifications of violating the open meetings act?

- **A person is guaranteed the right to attend** a public meeting, **not the right to be heard** at that meeting. And a disruptive person waives the right to remain and observe the meeting.
- **Audio and video recording may not be prohibited**, but the public body may establish reasonable rules regulating the use of such equipment, such as requiring equipment to be silent, unobtrusive, self-contained, and self-powered to limit interference with the ability of others to hear, see, and participate.

#### **Additional Information**

For further information on the Ohio Opens Meetings Rules go to the Ohio Auditor of State's Website for an Adobe PDF copy of the current Ohio Sunshine Laws - *The Yellow Book: an Open Government Resource Manual* at <http://www.auditor.state.oh.us/services/opengov/resources/OhioSunshineManual.pdf>

## SWCD Annual Meeting Check List

Use this checklist when preparing for the annual meeting and election:

<b>I. Planning the Program:</b>	Yes	No
Was the date was set at least three months in advance of the meeting?		
Was the speaker contacted at least three months in advance of the meeting?		
Was the nominating committee appointed at least three months in advance?		
Did you have a welcoming committee?		
<b>II. Nominating Committee</b>	Yes	No
Were at least three persons appointed to the nominating committee?		
Was the nominating committee adequately instructed to:		
Nominate at least one more than the number of positions being elected?		
Contact each nominee personally and inform them of supervisor duties?		
Were the members of the nominating committee appointed as tellers?		
Were the election registries, absentee requests & ballots compiled ahead of the meeting?		
Were all election related materials provided to the OSWCC Representative prior to voting?		
<b>III. The Meeting Place:</b>	Yes	No
Does the chosen facility provide ample space for your meeting?		
Did you rotate geographical areas within the district?		
Or always hold meeting in a central location?		
Will the heating/cooling system be adequate?		
<b>IV. Notice of Meeting and Publicity Used:</b>	Yes	No
Was a Legal Notice printed in the paper of record between 7 & 21 days prior to the election?		
Was a special news releases about the meeting be sent to all local newspapers?		
Did local radio and TV stations announce the meeting?		
Was publicity started at least five weeks ahead of the meeting?		
Were supervisors, associate supervisors and other asked to sell tickets?		
Did you invite the local news media?		
Were cooperators notified through the district newsletter?		
<b>V. Conducting the Meeting:</b>	Yes	No
Did the meeting start on time as advertised?		
Did a supervisor act as master of ceremonies?		
Did each supervisor participate in the meeting or have some responsibility?		
If a financial report was presented, was it brief?		
If an annual report was presented, was it brief?		
Were VIPs introduced--if so, was adequate planning done ahead of time?		
Was the legal election procedure followed?		
Did the meeting end on time?		
Were pictures taken?		
<b>VI. After the Meeting:</b>	Yes	No
Was the election report forwarded to the OSWCC within 48 hours?		
Were the ballots and registrations forms retained for 60 days?		
Were bills paid by check or voucher?		
Was the meeting given proper publicity after the event?		
Was the public made aware of election results through the district newsletter and local newspaper?		
Did the board and staff discuss the meeting at the next monthly meeting to list ways the meeting could be improved for next year?		

## **CHAPTER 5 – SOIL AND WATER CONSERVATION DISTRICT FINANCES**

### ***INTRODUCTION TO SWCD FINANCES***

The basic operating funds for the SWCD consist of local appropriations from either (or a combination of) the county commissioners, townships, or municipalities, which are then matched by state funds (nearly dollar for dollar) by the Ohio Soil and Water Conservation Commission. These dollars make up what is called “The Special Fund.” The county treasurer acts as the bank for this fund and no monies can be deposited or spent out of this account unless specifically directed by the SWCD board of supervisors.

Local appropriations must be garnered before June 1 if they are to be matched in the current year. Beginning in late July a portion of match dollars are sent directly to the county auditor for deposit into the special fund. State match funds are sent to the county auditor throughout the year until all state match funds are exhausted. Expenses paid out of the Special Fund must follow county auditor procedures.

Most SWCDs have another fund called the “District Fund.” The District Fund revenues typically come from district sales and equipment rentals, grants and donations. The only expenditures that are not made by the District Fund are employee salary and benefits, which come from the Special Fund. Typically District Fund dollars are held at a local bank in a checking, savings account or short-term Certificate of Deposit. District Funds are sometimes held in a state of Ohio backed interest bearing account approved for use by government entities called the State Treasury Asset Reserve aka “Star Ohio.”

#### **Points to remember:**

- As a subdivision of state government, all SWCD funds – both the Special Fund and District Fund - (whatever the source) are public funds. SWCDs have a responsibility to use both funds for proper public purposes.
- Soil and Water Conservation Districts are organized under state law, but funding is not mandated.

## **THE SPECIAL FUND**

House Bill 104 passed by the General Assembly in 1963 provided for the establishment of an SWCD special fund by the county auditor. All tax funds, local, state and federal are placed in this special fund. The special fund is the primary fund used by most SWCDs for day to day operations and expenditures. Ohio Revised Code Sections [1515.07](#), [1515.08](#), [1515.09](#), and [1515.14](#) provide the legal basis for SWCD fund management.

### **Income for the special fund comes from 5 sources:**

- County appropriated;
- Municipal/township funds;
- State flat rate (aka State funds);
- State matching monies; and
- Special accounts.

State matching funds are based on county appropriated funds plus township and municipal monies received. These monies can be matched on an amount not to exceed one dollar for each dollar received to a maximum of (\$8,000). However, the Ohio Soil and Water Conservation Commission (OSWCC) may approve payment to a district of an amount in excess of (\$8,000) in any calendar year upon receipt of a written request and justification from the district so long as the amount does not exceed the one to one ratio. The OSWCC may use a SWCDs Annual Plan of Work for such justification. To be considered matchable by the OSWCC, county appropriated funds must actually be transferred to the SWCD.

### **County Funds**

A board of supervisors of a local district submits a budget request annually to the county commissioners. Such a budget should be prepared in accordance with budget request deadlines within respective counties. A complete budget must be submitted to the county commissioners indicating all your needs, all sources of income, and the balance of funds that you anticipate will be carried over from the current year. (See Budget Example at the end of this chapter). County funds are appropriated on the calendar year (Jan. 1 through Dec. 31)

County funds are transferred to the district's special fund and appropriated into one of fourteen accounts (additional special accounts such as ditch maintenance grant funds, etc., can be established as necessary) on behalf of the district by the county auditor. The district board of supervisors authorizes payments from this fund as obligations are incurred.

Unused money at the end of the year remains in the special fund year and does not revert back into the general fund of the county as with other county agencies. Unused money in the special fund must be re-appropriated into the desired account upon certification by the county commissioners.

New funds (exclude re-appropriated money from the previous year) to the district from the county commissioners are eligible for state matching funds. It is important to obtain monthly reporting from the county auditor documenting both month to date and year to date totals and ending account balances. A board of supervisors may approve a resolution to provide the authority for the county auditor to honor PERS, Medicare, and Workers Compensation from the Special Fund.

## **Municipal and Township Funds**

The law does allow for matching on funds appropriated to the district by municipal and township governments. These funds must be deposited in the Special Fund. The amounts must be included on the Ohio Soil and Water Conservation Commission Form 11 to be included as matchable funds. Also these funds must be appropriated for the general district operations, not for specific project or service, otherwise they may be deemed "unmatchable" by the Ohio Soil and Water Conservation Commission.

## **State Matching And Flat Rate Funds.**

Legislation passed in 1959 permits the State of Ohio to appropriate state monies in support of local soil and water conservation districts. Such monies are appropriated to the Ohio Department of Natural Resources to be administered and distributed by the Ohio Soil and Water Conservation Commission to the local districts through their respective county auditor. When distributed by the state commission and received by the county auditor, it is placed in the special fund established by the county auditor in behalf of the district.

*State Matching Funds:* These funds are provided by the state legislature, whereby, each local soil and water conservation district shall be reimbursed an amount not to exceed one dollar for each one dollar received as a county appropriation from the commissioners or a municipality provided that no district shall receive an amount in excess of eight thousand dollars (\$8,000) in any calendar year without a written request and justification from the district. The Ohio Soil and Water Conservation Commission establish the percentage of state match received for each district.

*Flat Rate Funds:* Flat rate funds are those funds provided to each district regardless of local appropriations. The flat rate funding amount (currently \$15,000) is established by the Ohio Soil and Water Conservation Commission. This amount is included together with state matching funds. State matching funds are forwarded to each county auditor and this money is placed in the special fund for the district board of supervisors.

The above sources of income are placed in the special fund and then appropriated into from one to fourteen "L accounts" (or additional special accounts) by the county auditor upon the certification of the county commissioners. (A list of accounts as developed by the State Auditor appears later in this chapter)

*Special Accounts:* Special purpose funds may be made available to districts by special grants and/or contracts. These shall be placed in a special account for accounting and auditing purposes. These accounts can be separate from other special funds and can be under the jurisdiction of the SWCD board or county auditor. An example, is funding provided to a local soil and water conservation district through an Ohio EPA Clean Water Act Section 319 Grant. The state auditor's office has determined that special service funds should be placed in separate accounts. Upon receiving special purpose funds, a district should contact the Division of Soil and Water Resources Program Specialist to determine the proper account number.

## **Special Fund Management**

All monies in the special fund of your soil and water conservation district are tax funds and can only be spent according to Chapter 1515 O.R.C.

Each soil and water conservation district receiving county appropriations, flat rate, or state matching money, shall establish a special fund account with the county auditor indicating all receipts and expenditures.

Expenditures from the special fund shall be made by the county auditor upon the presentation of a voucher signed by the fiscal agent for the district after authorization by a majority of the supervisors of the district. All vouchers should be sent directly to the auditor's office. ([See the "Certification of Fiscal Agent sample letter"](#)). The unexpended balance does not revert back to the county general fund at the end of the year

Expenditures from this special fund should be in line with the budget submitted to the county commissioners. It is suggested that budgets be in line with actual needs so that there is a minimum balance in the state matching and flat rate funds at the end of the calendar year.

While the county maintains an accounting of the Special Fund for SWCDs, it is highly recommended that SWCDs keep their own computer accounting of the Special Fund and reconcile it monthly with county records.

*Special attention should be given to Travel Expenditures:* Travel expenditures from the special fund must be limited to elected supervisors and employees of the district. Travel expenses should be submitted at least quarterly to facilitate good bookkeeping procedures.

The foregoing specifically excludes guests; associate supervisors; wives or husbands of supervisors and/or another agency's employees. Exception: When the board of supervisors designates an associate supervisor by resolution at a board meeting to represent the district at a function on the district's behalf. This would be someone other than a spouse of a board member, employee, NRCS staff or their spouses.

**Travel expenditures include the following meal expenses:**

- Mileage by car or other public transportation;
- Parking charges, taxi fares, and other out-of-pocket expenses;
- Meals;
- Lodging;
- Registration fees;
- Planned tours (primarily for educational and non-recreational purposes);
- Tips for meals not to exceed 15% of the meal cost.

Note: A flat rate allowance (per diem) is not acceptable under the State law for districts.

## ***DISTRIBUTION OF STATE MATCHING FUNDS***

Within limits of funds appropriated to the department for such purpose, each SWCD shall be reimbursed an amount not to exceed one dollar for each one-dollar received in accordance with section [1515.10 ORC](#).

### **Funds that can be matched by state funds include the following:**

- 1) Appropriated funds from County Commissioners received through:
  - A tax levy within the ten-mill limitation
  - The general fund of the county
- 2) Funds received from a municipality or township.

Matching fund distribution is based on income. State matching funds are distributed in accordance to county and municipal appropriations received during the previous year. In no case will state matching money exceed \$1.00 for each \$1.00 of local income, nor will any district receive more than \$8,000.00 of state matching money per year without a written request and justification from the district and approved by the Ohio Soil and Water Conservation Commission.

Review [OSWCC Form 11](#) for the mechanical procedure of obtaining state matching monies. Form 11 must be returned to the Ohio Soil and Water Conservation Commission by June 5th each year. Be certain to complete all questions to assure your district receives full credit. Always include justification of need for state matching monies exceeding \$8,000.00

**EXAMPLE**  
**Soil and Water Conservation District**  
**Proposed Budget for Special Fund**  
**Calendar Year xxxx**

**EXPENSES**

Account	Account Name	2012	2013	Increases
L-1	Salaries	\$126,000	\$150,600	*1, *2, *3
L-2	Supplies	1700	1900	* 4
L-3	Equipment	3,800	18,000	* 5
L-4	Contract Repairs	1400	1400	
L-5	Contract Services	1,500	1,500	
L-6	Rentals	7,000	7,900	*6
L-7	Service Fees	2,480	2,562	*7
L-8	Education & Information	2,300	2,300	
L-9	Travel & Expenses	2,750	2,950	*8
L-10	Advertising & Printing	2,500	2,700	*4
L-11	PERS	17,480	20,406	*1 *2 *3
L-12	Workers Compensation	2,600	3,012	*1 *2 *3
L-13	Other	17,000	20,000	*9
L-14	Reimbursement	-0-	-0-	
Total		191, 510	235, 230	

**INCOME**

Revenue Source	2012	2013	Increases (Decreases)
County Commissioners	\$84,960	106683	\$21,723
State Funds	75,170	92,547	17,377
Municipal Funds	30,000	35,000	5,000
Expected Carryover	1,380	1,000	(380)
<b>Total</b>	<b>\$191,510</b>	<b>\$235230</b>	<b>43,720</b>

* 1 Pay raises for employees	(L-1)	\$ 4,500		
* 2 Cost of Living Adjustments for employees				
Salary	(L-1)	3,100	*5 Purchase second vehicle	(L-3) 14,200
PERS	(L-11)	1,030	*6 Increase in rental for office	(L-6) 900
Workers Comp	(L-12)	132	*7 Increase in service fees	(L-7) 82
Medicare	(L-13)	110	*8 Increase in travel allowance for mileage from .32 to .34 per mile	(L-9) 200
* 3 Hire additional Part-time District Technician			*9 Increase in Hospitalization	(L-13) 2,687
Salary	(L-1)	14,000		
PERS	(L-11)	1,896		
Workers Comp	(L-12)	280		
Medicare	(L-13)	203		
*4 Continue newsletter of 6 issues per year to 1,600 district cooperators			<b>TOTAL</b>	<b>\$43,720</b>
Printing	(L-10)	200		
Postage	(L-2)	200		

## **THE DISTRICT FUND**

### **District Fund Revenue**

District Funds are usually received through the following sources:

- Rental of district-owned equipment.
- Any type of public cost-sharing payments for practices applied on district owned land.
- Funds received for newsletter, radio, or special event advertising. Sale of materials such as tree packets, life-saving kits, pond inlet floats, bird seed packets, etc.
- Payments to the district for specific services rendered or anticipated such as applications or entry fees for contests, tours, camp scholarships, or educational workshops.
- Donations of food, materials, equipment, entertainment, or prizes for specific projects; such as annual meetings, luncheons, workshops, fair booths, contests, field days, and demonstration projects.
- Sale of tickets for meetings, air tours, etc.
- Interest from financial institutions.
- Donations of any kind from individuals, groups, organizations.
- Funds received from State or Federal Government.
- Special project funds or transfer of county, municipal, or township funds for a specific purpose. For example: county ditch maintenance monies.
- Funds derived from fees, deposits, or service charges.

### **District Fund Expenses**

It is recommended that the following types of expenditures be honored from this account:

- Service fees to national, state, and local organizations.
- Annual meetings and other individuals and/or groups having program responsibilities.
- Equipment repair and purchase of equipment.
- Certificates, trophies, etc. in specific recognition of participating in a special program or activity approved as such in the official records of the district board.
- Petty cash expenditures.
- Special projects for which the district will later be reimbursed.

### **Purchase of Food**

According to Attorney General Opinion 82-006 "The governing body of a political subdivision other than a municipality may expend public funds to purchase coffee, meals, refreshments, and other amenities for its officers, employees, or other persons if it determines that such expenditures are necessary to perform a function or to exercise a power expressly conferred upon it by statute or necessarily implied and therefrom and if its determination is not manifestly arbitrary or unreasonable".

In order to exercise these broad powers a board of soil and water conservation district supervisors must approve a resolution at a regularly scheduled board meeting stating its intent and that such expenditures are necessary in the performance of their responsibilities.

## **District Fund Management**

All monies in the district fund are public funds and are subject to public scrutiny and audit at all times. A district ledger must be maintained and kept in the district office. All sources of funds credited to this account shall be clearly accountable.

### **The following are Best Management Practices for the District Fund:**

- State policy requires that consecutively pre-numbered duplicate receipts be written for income. These entries must also be clearly accountable and are to be available for audit at all times.
- All income received that is not deposited into accounts with the county auditor must be deposited in the district's bank account.
- Any money received by the district should be deposited in a timely manner (within 3 calendar days).
- All District funds should be deposited into financial institutions that are properly insured (FDIC, NCUSIF). The coverage limits for both (FDIC and NCUSIF) is \$250,000 per depositor at a single financial institution.
- For each financial institution that a district invests public funds a depository agreement should be developed and kept current. The SWCD board should designate their public depository at least once every five years if not more often.
- District change funds should be kept in a locked environment with restricted access. The change fund should consist of small bills and change. The amount in the change fund should always equal the board authorized fund level.
- Petty cash expenditures are for small non-reoccurring expenses. These funds should be kept in a locked environment with restricted access. Receipts should be initialed by purchases before reimbursement.
- Petty cash and change funds should be self-reconciling, meaning that receipts and cash on hand should always equal the authorized amounts.
- Expenditures (beyond those already segregated for change and or petty cash) from the district account can be made only as authorized by the local board of supervisors. Payment must be made by check only.
- The state auditor has strongly suggested that all district fund checks be co-signed by the SWCD treasurer and the selected office employee.
- All funds should be accounted for in definite accounts.
- All financial materials including, but not limited to checkbooks, bank statements, district credit card, etc. should be kept in the district office under lock and key.
- All financial records must be kept for five years after an official audit by the state examiner.
- Checks should only be signed once all information has been recorded on the check. Do not sign blank checks.

## **STATE AUDITOR APPROVED SOIL AND WATER CONSERVATION DISTRICT ACCOUNTS**

The following is the basic Chart of Accounts for Soil and Water Conservation Districts as prescribed by the auditor of state. All SWCD accounting must use these.

### **Computer Accounting**

SWCDs are encouraged and expected to use a computer accounting program to manage their funds. It is not the role of the Division of Soil and Water Resources nor any other government office or agency to endorse a specific product. There is however a very limited number of accounting programs which meet the standards for security and internal controls set forth by the Auditor of State for fund management by a government agency. Computer accounting programs are continually being developed, some of which may be acceptable for governmental accounting. Before utilizing such a program, please check with the ODNR-Division of Soil and Water Resources Program Specialist in your area to verify whether it meets governmental accounting standards.

TYPE	SOURCE	DESCRIPTION
<b><u>L. SOIL AND WATER CONSERVATION SPECIAL FUND - 15</u></b>		
<b>REVENUE RECEIPTS</b>		
1. LEVIES	Taxes	The board of county commissioners may levy a tax within the ten mill limitation for salaries and expenses. Section 1515.10, R.C.
2. GRANT -COUNTY	Intergovernmental Receipts	In lieu of the tax levy the Board of County Commissioners may appropriate funds from the general fund. Section 1515.10, R.C.
3. STATE FUNDS	Intergovernmental Receipts	The Ohio Soil and Water Conservation Commission shall pay a flat rate, based on the availability of funds, each year to the district. Section 1515.14, R.C.
4. OTHER RECEIPTS	All Other Revenue	Any other revenue receipts not included in L-1 through L-3.
<b>NON-REVENUE RECEIPTS</b>		
5. REIMBURSEMENT - STATE	Other Financing Sources	Matching funds from the Ohio Soil and Water Conservation Commission for moneys received by levy or appropriation. Section 1515.14, R.C.
6. REFUNDS	Other Financing Sources	Any other non-revenue receipts not included in L-5 through L-6.
7. OTHER RECEIPTS	Other Financing Sources-Operating Transfers-In	Funds from other county funds identifying each transfer fund source.

TYPE	SOURCE	DESCRIPTION
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8. a. ADVANCES -IN	Other Financing Sources Advances-In Not Repaid	Advancement of funds for Receipt of Repayment of advancement indicating the fund from which the advancement is received or from which reimbursement is received.
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**L. SOIL AND WATER CONSERVATION SPECIAL FUND - 15**

**EXPENDITURES**

1. SALARIES EMPLOYEES	Conservation-Recreation	Compensation is prescribed by the supervisors for assistants, as they deem necessary. Section 1515.09, R.C.
2. SUPPLIES	Conservation Recreation -	All expendable supplies such as paper, pens, pencils, postage, letterhead, envelopes, photography supplies, blank computer CDs, printer and copier cartridges, etc. Section 1515.09 R.C.
3. EQUIPMENT	Conservation-Recreation	New equipment and replacement ssuch as desks, chairs, file cabinets, vehicle, copier, etc. Section 1515.09 R.C.
4. CONTRACTS REPAIRS	Conservation-Recreation	Repair of equipment by outside contractors - labor and materials.
5. CONTRACTS SERVICES	Conservation-Recreation	All contracts for heat, fuel, light, telephone, water, trash collection, etc. Section 1515.09, R.C
6. RENTALS	Conservation Recreation	Expenditures for the lease of office space from individuals and firms. 1515.09, R.C.
7. SERVICE FEES	Conservation Recreation	Fees to NACD and OFSWCD for educational material and speakers. Section 1515.10, R.C.
8. SCHOLARSHIPS	Conservation - Recreation	Scholarships and educational support. 1515.10, R.C.
9. TRAVEL AND EXPENSES	Conservation Recreation	Expenses incurred by supervisors, and employees in the performance of their duties. ORC 1515.09
10. ADVERTISING	Conservation-Recreation	Cost of publishing reports, newsletters, surveys, investigations, plans, and research in regards to soil and water conservation projects. Section 1515.08, R.C.
11. PUBLIC EMPLOYEE'S RETIREMENT	Conservation-Recreation	The district's share or employer contribution to the Public Employee's Retirement Fund as determined by O.R.C. 145

TYPE	SOURCE	DESCRIPTION
12. WORKER'S COMPENSATION	Conservation-Recreation	The county's share of contribution to the Public Insurance Fund determined by the Industrial Commission for workers' compensation as provided in Sections 4123.39 to 4123.41, R.C., and assessments on the gross payroll, for the preceding twelve months, for the Disabled Workers' Relief Fund
12 A. UNEMPLOYMENT COMPENSATION	Conservation Recreation	The district's contribution to the Unemployment Compensation Fund determined by the Bureau of Employment Services as provided in Section 4141.25 R.C.
13. OTHER EXPENSES	Conservation Recreation	Any other items of expense not included in L - 1 through L - 12a.
14. TRANSFERS	Other Operating Uses - Operating Transfers - Out	Transfers of funds to other funds, identifying each fund transferred to.
14 A ADVANCES - OUT	Other Financing Uses - Advances Out Not Repaid	Advancement of funds per 1964 O.A.G. No. 1209 and resolution of the legislative authority indicating the fund to which the advancement is made. Repayment of fund indicating fund repaid.

**LL. AGRICULTURAL AND URBAN SEDIMENT POLLUTION FUND - 17**

1. GRANT -COUNTY	Intergovernmental Receipts	Contributing funds received from counties for purposes established in Section 1501.20, R.C.
2. STATE FUNDS	Intergovernmental Receipts under Section 1501.20, R.C.	Funds contributed from agencies
3. OTHER	All Other Revenue	Any other revenue receipts included LL-1 through LL-2.

**NON-REVENUE RECEIPTS**

4. REFUND	Other Financing Sources	Overpayments
5. OTHER RECEIPTS	Other Financing Sources	Any other non-revenue receipts not included in LL-4
6. TRANSFERS	Other Financing Sources Operating	Funds received from other funds identifying each transfer fund source
6A. ADVANCES - IN	Other Financing	Advancement of funds for receipt

TYPE	SOURCE	DESCRIPTION
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Sources - Advances In Not Repaid	of repayment of advancement  indicating the fund from which the advancement is received or from which reimbursement is received
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**LL. AGRICULTURAL AND URBAN SEDIMENT POLLUTION FUND - 17**

**EXPENDITURES**

1. SALARIES - EMPLOYEE(S)	Conservation - Recreation	Compensation as prescribed by the supervisors for employees they deem necessary. Section 1501.20, R.C.
2. SUPPLIES	Conservation - Recreation	All expendable supplies such as paper, pens, pencils, computer diskettes, letterheads, envelopes, etc. Section 1501.20, R.C.
3. EQUIPMENT	Conservation - Recreation	New equipment and replacement of equipment such as desks, chairs, tables, file cabinets, vehicles, field equipment, etc. Section 1501.20, R.C.
4. CONTRACTS- REPAIRS	Conservation - Recreation	Repair of equipment by outside contractors, including labor and materials.
5. CONTRACTS - SERVICES	Conservation - Recreation	All contracts for heat, fuel, light, electric, water, telephone and trash collection. Section 1501.20, R.C
6. RENTALS	Conservation - Recreation	Expenditures for the lease of office space from individuals and firms, Section 1501.20, R.C.
7. SERVICE FEES	Conservation - Recreation	Fees to Ohio Soil and Water Conservation Commission for educational material and speakers. Section 1515.10, R.C.
8. SCHOLARSHIPS	Conservation - Recreation	Conservation scholarships and conservation education related costs. Section 1515.10, R.C.
9. TRAVEL AND EXPENSES	Conservation Recreation	Reasonable and necessary expenses incurred by supervisors and staff in the performance their duties. Section 1501.20, R.C.
10. ADVERTISING AND PRINTING	Conservation - Recreation	Cost of publishing reports of newsletters, surveys, investigations, plans and research in regards to agricultural pollution abatement and urban sedimentary pollution control projects. Section 1501.20, R. C.
11. PUBLIC EMPLOYEE'S RETIREMENT	Conservation - Recreation	The district's share or employer contribution to the Public Employee's Retirement Fund as determined by Chapter 145 of the Revised Code.

TYPE	SOURCE	DESCRIPTION
12. WORKER'S COMPENSATION	Conservation - Recreation	The SWCD contribution to determined by the industrial Commission for Workers' Compensation as provided in Sections 4123.39 to 4123.41, R.C., and assessments, on the gross payroll, for the preceding twelve months, for the Disabled Workers' Relief Fund. Section 4123.411. R.C.
13. UNEMPLOYMENT COMPENSATION	Conservation - Recreation	The district's contribution to the Unemployment Compensation Fund determined by the Bureau of Employment Services as provided in Section 4141.15, R.C.
14. REIMBURSEMENT-STATE	Conservation - Recreation	Reimbursements made to the Ohio Soil and Water Conservation Commission Section 1501.20, R.C.
15. OTHER EXPENSES	Conservation - Recreation	Any other items of expense not included in LL-1 through LL-14.
16. TRANSFERS	Other Financing, Uses -Operating Transfers - Out	Transfers of funds to other funds identifying each fund transferred to.
16. a. ADVANCES - OUT	Other Financing Uses - Advances - Out Not Repaid	Advancement of funds per 1964O.A.G. No. 1209 and resolution of the legislative authority indicating the fund to which the advancement is made. Repayment of fund indicating fund repaid.

## **T. FEDERAL FUNDS - 70**

### **REVENUE RECEIPTS**

1. GRANT	Intergovernmental Receipts	Federal moneys as provided within approved applications.
2. OTHER RECEIPTS	All Other Revenue	Any other revenue receipts not included in T-1
2A. INTEREST	All Other Revenue	Investment Income - federal funds.

### **NON--REVENUE RECEIPTS**

3. REIMBURSEMENTS	Other Financing Sources	Reimbursements of Federal and State funds as provided within approved applications.
4. OTHER RECEIPTS	Other Financing Sources	Any other non-revenue receipts not included in T-3.
5. TRANSFERS	Other Financing Sources - Operating Transfers - In	Moneys transferred from local funds identifying each transfer source.

TYPE	SOURCE	DESCRIPTION
5A. ADVANCES - IN	Other Financing Sources - Advances -In Not Repaid	Advancement of funds for Receipt of Repayment of advancement indicating the fund from which the advancement is received or from which reimbursement is received.
<b>EXPENDITURES</b>		
1. PROJECT FUND EXPENSES	See Workbook	Expenditures made in compliance with the stipulations and/or limitations relative to each of the various Federal Projects using the appropriate classification or expenditures in the general fund.
2. TRANSFERS	Other Financing Uses - Operating Transfers-Out	Transfers of funds to other funds, identifying each fund transferred
2A. ADVANCES - OUT	Other Financing Uses - Advances Out Not Repaid	Advancement of funds per 1964 O.A.G. No. 1209 and resolution of the legislative authority indicating the fund to which the advancement is made. Repayment of fund indicating fund repaid.
<b><u>TT. STATE FUNDS - 71</u></b> REVENUE RECEIPTS		
1. GRANT	Intergovernmental Receipts	State money provided to the county. Use is restricted to a particular purpose; Section 5705.09(F), R.C.
2. OTHER RECEIPTS	All Other Revenue	Any other revenue receipts not included in TT - 1.
<b>NON-REVENUE RECEIPTS</b>		
3. REIMBURSEMENTS	Other Financing Sources	Reimbursements of State funds.
4. OTHER RECEIPT	Other Financing Sources	Any other non-revenue receipts not included in TT-3.
5. TRANSFERS	Other Financing Sources - Operating Transfers - In	Moneys transferred from other funds identifying each transfer fund source.
5A.ADVANCES - IN	Other Financing Sources - Advances -In, Not Repaid	Advancement of funds for Receipt of Repayment of advancement indicating the fund from which the advancement is or from which reimbursement is received.

**TT. STATE FUNDS - 71**

TYPE	SOURCE	DESCRIPTION
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**DISBURSEMENTS**

1. FUND SERVICES	See Workbook	Expenditures made in compliance with the restrictions relative to each state fund using the appropriate classification of expenditures shown under the general fund.
2. TRANSFERS	Other Financing Uses - Operating Transfers - Out	Transfers of money to other funds identifying each fund transferred to.
2.A. ADVANCES - OUT	Other Financing Uses - Advances - Out Not Repaid	Advancement of funds per 1964 O.A.G. No. 1209 and resolution of the legislative authority indicating the fund to which the advancement is made. Repayment of fund indicating fund repaid.

## **PURCHASING OF SWCD EQUIPMENT AND SERVICES**

Chapter [1515.09](#) allows for SWCD purchase of equipment and services and Chapter [1515.08 \(H\) \(1\)](#) provides for the process of purchasing goods and services. When the cost of any contract (lease purchase, etc.) other than compensation for personal services or rental of office space, involves an expenditure of more than the amount established in [ORC 307.86](#) regarding expenditures by Boards of County Commissioners (presently \$50,000), the sealed bidding process is required. As the County Commissioners' bid limit goes up over time, so does the bid limit for SWCDs.

Two legal notices should be placed in a newspaper of general circulation (and any other publication as determined by the Board of Supervisors) for not less than two or more than four weeks apart. Twice at thirteen day intervals is the standard. Bids may be opened any time after the last advertisement.

The notice shall state the general character of the work and materials to be furnished, the place where plans and specifications may be examined, and the time and place of receiving bids.

Each bid shall contain the full name of every person interested, and at the discretion of the Supervisors, may be accompanied by a bond or certified check on a solvent bank in an amount not to exceed five percent of the bid. The Supervisors shall make a written contract with the lowest and best bidder. However, the Supervisors have the authority to reject any and all bids.

The State Auditor recommends that purchases falling below the sealed bid limit have documentation of at least three bids from vendors to ensure that the public funds are being frugally spent.

SWCDs may purchase vehicles from the state bid contract without going through the bid process themselves (the state has already bid for you). Additionally, HB 204 (122<sup>nd</sup> General Assembly) allows political subdivisions to purchase vehicles from local vendors not on the state bid contract if there are equivalent terms, conditions, and specifications but at a lower price. Sufficient documentation of a purchase under HB204 is required to verify the necessary provisions were met.

## **DISPOSING OF SWCD EQUIPMENT**

[Chapter 1515.092](#) ORC details conditions under which SWCDs may sell used or non-essential equipment. When selling any item valued at \$2000 or more, the public notice and sealed bid process is required. The sealed bid process may also be used for items valued at less than \$2000.

Advertisements should include a description of the item, place to view item, location for placing bids, and date, time, and location of bid opening. Supervisors and staff are discouraged from bidding due to the appearance of conflict of interest. If no bids are received after advertising in a paper of general circulation for a reasonable length of time, the Supervisors may want to explore other methods of disposal. An example might be the county auction of excess inventory.

Items should only be given away or salvaged when it is established (and documented) that the item has no commercial value.

## **EXEMPTION FROM CONTINUING EDUCATION REQUIREMENTS FOR TREASURER/FISCAL AGENTS**

Ohio law requires that various public financial officials receive continuing training in the investment and management of public finances. Public funds managers, excluding county treasurers, who invest in only interim deposits with eligible public depositories ([ORC 135.08](#)), no-load money market mutual funds ([ORC 135.14](#)) or STAR Ohio ([ORC 135.14](#)), may annually file for exemption from the continuing education requirement found in Ohio Revised Code [135.22](#).

For questions regarding exemption eligibility, contact your legal advisor, city attorney, and/or county prosecutor for a legal opinion to determine exemption eligibility.

SWCD Board members are subject to this training requirement unless deposits meet the exemption criteria noted above. Only board members who are bank signatories must file for the exemption.

Please check the [State Treasurer of Ohio FAQs](#) on the [Treasurer of State website](#). Visit these sites to find the most current information and exemption forms available.

## **BONDING**

Chapter [1515.07](#) of the Ohio Revised Code requires that SWCD boards of supervisors obtain an insurance bond to cover all public employees or officials who handle public funds. Bonding insurance options for SWCDs include: County Risk Sharing Authority (CORSA), the Ohio Federation of Soil and Water Conservation Districts or other risk management groups. A copy of the bond insurance policy should be kept on file under District file code 6.1 (Surety Bond and Bond Renewal). Contact your program specialist to determine if the minimum bond amount is adequate for your district and to determine who needs to be bonded. Example minimum bond amounts are provided for in [Bond Requirements for Township Clerks – Chapter 507.03 ORC](#)

### **Sources of Surety Bonds:**

- [County Risk Sharing Authority \(CORSA\)](#) - 614-220-7993
- [Ohio Federation of Soil and Water Conservation Districts](#) - 614-784-1900
- [Other Ohio Risk Management Groups](#)

## **SEGREGATION OF DUTIES, FISCAL POLICIES AND TESTING TRANSACTIONS**

### **Segregation of Duties**

Segregation of duties is the concept of having more than one person required to complete a task. By having more than one individual participate in one single task helps prevent errors and fraud.

#### **The State Auditor recommends the following district activities have more than one individual involved:**

- Tracking of re-sale of any merchandise and collection of revenue
- Billing of accounts receivable and collection of revenue
- Dual signatures on all checks/withdrawal of funds
- Board personnel initialing bank statement reconciliations
- Board personnel approving fiscal reports

### **Fiscal Policies**

Fiscal policies are needed to define the expectations on the use of district funding. Like all SWCD operational policies, these should be reviewed annually and updated as needed.

#### **The State Auditor recommends the following fiscal policies be in place for each district:**

- Revenue procedures
- Delinquent accounts receivable policy
- Bank deposits –timeliness and amount threshold
- Transfers from one account to other accounts
- Inventory procedures and threshold
- Petty cash procedures and approvals
- Expenditure thresholds (Staff authority to pay without Board approval)
- Expenditure purpose
- Current bank signature cards
- Fiscal report review

### **Test District, Special and Grant Fund Transactions**

Fiscal Agents and/or Treasurers can gain confidence that funds are being properly handled by the SWCD by random testing of transactions in all SWCD funds and accounts. Testing of fund transactions will help to ensure that proper procedure and proper accounting of SWCD dollars are being maintained. It also demonstrates to the public and the auditor that there are internal controls on your SWCDs finances.

#### **A properly processed transaction must show three things:**

- Authorization** means that the board has given their statutory O.K. to receive funds and incur and make payment on expenses. This means that the item was presented at a board meeting and motion and subsequent majority vote approved payment or receipt;
- Relevance** means the dollars received or expended for proper public purposes including limits set by grant work plans; travel or other policies adopted by the board and ethical and legal limits set by the Ohio Revised Code; and

- Record keeping** means that receipts, invoices, purchase orders, vouchers, sub account tracking all must be maintained to justify that not only were the dollars spent or received for a particular purpose but that they were in fact transacted with other parties.

### **District Fund Balance Reconciliation**

Besides actually testing transactions, you should randomly review bank reconciliation, especially if two staff members are doing regular reconciliation. Ask to see the most recent bank statement reconciliation. Ensure that the ending balance at all banks including "Star Ohio" and the SWCD are the same and that any differences (outstanding checks, interest payments etc) are verified.

### **Special Fund Verification**

For the Special Fund, ask to see the monthly report from the Auditors office and ensure that items approved for expenditure from the Special Fund at the previous board meeting have been processed out of the correct account and in a timely manner. Verify that all funds received into the Special Fund have been appropriated accurately or as instructed into one or more Special Fund accounts.

### **Steps for Testing District and Special Fund Transactions**

From a recent treasurer's report, pick one transaction from each of the following: General District Fund (look for routine and non-routine items alike and pay particular attention to refunds). Each District Fund sub account where there was activity (e.g. Petty Cash, Pollution Abatement, 319 grant, ODNR Education Grant etc), and Special Fund (not salary or benefits).

- 1. For each transaction, verify that proper authorization was given to receive or expend the funds from the SWCD board meeting minutes. Verify the following:**
  - The item was listed as a bill to be paid or was brought before the board as monies to accept in the minutes;
  - A motion was made, seconded and a majority vote approved the payment or receipt: and;
  - Note the day and the month of the meeting.
  - If the item was listed as a bill that was paid prior to the board meeting by a staff member with board authorized spending limits, verify that the amount and purpose was within the authorization limits and restrictions.
- 2. Verify that the payment or receipt was relevant to SWCD business. You should be able to answer yes to at least one of the following questions:**
  - Was the expense necessary for district operations such as rent, utility bills, and basic office supplies?
  - Was the expense from a grant or other sub-account detailed in the grant work plan or grant application?
  - Was the expense consistent with the necessary to carry out a program supported by the SWCD in its annual, long-range or strategic plan?
  - Was the expense of funds to SWCD board members or staff in line with SWCD travel or other reimbursement policies?
  - Can you verify the purpose and amounts for receipt of funds? Was there a grant or other request made? If so, find the documentation and compare amounts. Was this a donation? Was this a transfer from another District fund account or from Special Funds?

**3. Verify the record keeping following each transaction:**

- An invoice, bill or purchase order was kept on file.
- A voucher signed by the fiscal agent, treasurer or authorized staff member is attached to the invoice, bill or purchase order
- For travel expenses, a travel request and or reimbursement form completed and signed according to board policy should also be attached.
- The records are organized such that they are readily accessible.
- For receipts:

Find the receipt for the item in the receipt book:

- Request to, see the copy of the bank deposit slip and deposit receipt on which the receipt is listed.
- In the case of interest, look at the bank statement to verify that the correct amount was entered in to the receipt book;
- Special fund receipts are issued by the Treasurer and should be reflected on the monthly print out.

## **COMMON AUDIT MANAGEMENT COMMENT AND RECOMMENDATIONS**

SWCDs are subjected to fiscal audits by the state of Ohio. Audits are performed by the Ohio Department of Natural Resources' External Auditors. Over the last several years the auditors have gathered some of the most common management comments and recommendations made in SWCD audit reports and the recommended actions to be taken by SWCDs boards to remedy the issue. Below you will find the current list. Use these as a guide to review your SWCD's internal controls, financial procedures and policies.

### **Reporting**

***Comment:*** Treasurer of State (TOS) exemption forms were not submitted for all the necessary Board members.

***Recommendation:*** TOS exemption forms should be completed by all Board members that are listed as an authorized signer on the bank signature card on file at the District's financial institution. Once completed, they should be submitted to the TOS. This will help to ensure the District is compliant with all relevant sections of the Ohio Revised Code.

***Comment:*** The SWCD expended more funds than it took in as revenue for calendar year 2010.

***Recommendation:*** The District should identify what caused this situation and determine if it was a temporary or long-term problem. If it was a temporary (one year) problem, the District can continue operating as normal. If the situation was caused by a long-term problem, the District should examine ways to increase revenues, decrease expenditures, or a combination of both. This will help the District plan for the future and by taking appropriate action now; eliminate the need to take drastic measures in the near future once the cash reserves are exhausted.

***Comment:*** Merit increases paid to SWCD employees were not reported to the IRS.

***Recommendation:*** All wages paid to District employees either by paycheck or merit increase should be reported to the IRS. This will help to provide District employees with accurate data to be used when filing their taxes and ensure the District is compliant with all Federal & State laws.

### **Expenditures**

***Comment:*** Public funds were used to pay a Board member's non-business expense to attend an event (Reds game) during a supervisor training conference.

***Recommendation:*** The Board, as part of the approval process, should ensure that funds are used for a proper public purpose. This would include paying expenses only for those employees or Board members that are on District business. This will help to ensure that funds are spent in the public's best interest.

***Comment:*** Postage meter payments did not have sufficient support documentation for payment.

***Recommendation:*** A report should be obtained from the Farm Service Agency (FSA) to show the SWCD's postage usage for the month/quarter. The payment to the FSA should agree with the amount of usage documented on the report. This will help to provide sufficient support documentation for all payments.

***Comment:*** Special Fund vouchers were not being signed by the Fiscal Agent.

***Recommendation:*** All Special Fund vouchers should be signed by the Board of Supervisors' Fiscal Agent. Prior to approving these payments, the Fiscal Agent should verify that the supporting documentation agrees with the information contained on the voucher. This will help to ensure the District only pays for those items that are properly supported by adequate record documentation.

### **Payroll**

***Comment:*** During our review, we found that the employment policy was not reviewed and updated annually by the Board and all District employees.

Recommendation: The employment policy should be reviewed, approved and signed off by the Board and all District employees on an annual basis. This will help to ensure that the employment policy is current and contains all necessary information.

**Comment:** The District employees were using and earning compensatory time in the same week. The compensatory time used was erroneously considered as hours worked; therefore the compensatory time earned was at a rate of one and a half time per hour worked.

Recommendation: Employees should not use and earn compensatory time within the same week. Since compensatory time used is not considered hours worked, the compensatory time earned should be at a rate of one to one until the total hours worked (vacation leave, holiday, and sick leave) meet the 40 hour threshold. Only when that threshold is met should compensatory time be earned at the rate of one and a half time each hour. This will help the District comply with the Board's intent to minimize overtime and compensatory time as included as part of the employment policy.

**Comment:** Timesheets did not contain written approval.

Recommendation: The District Program Administrator should approve all employees' timesheets. In the case of the District Program Administrator, the Board Chairman or Board Fiscal Agent should review and approve the time sheet. This will help ensure payroll for all employees is being reviewed for accuracy and completeness.

### **Personnel Policies**

**Comment:** The current employment policy documents a sick leave payout at retirement that exceeds the minimum required by Ohio Revised Code (ORC) section 124.39.

Recommendation: The SWCD employment policy states that employees, who retire and have been employed at least 10 years, can be paid for 50% of the accrued sick leave at their rate of pay for their sick leave balance up to a maximum of 720 hours. ORC section 124.39 (B), states in part:

“...an employee of a political subdivision covered by section 124.38 of the revised code may elect, at the time of retirement from active service with the political subdivision, and with ten or more years of service with the state, any political subdivisions, or any combination thereof, to be paid in cash for one-fourth the value of the employee's accrued but unused sick leave credit...”

The Board should amend their employment policy to include the “one-fourth” criteria in their sick leave policy so the benefits administered by the District are consistent with those as stated above. This will help the District use funds wisely and increase the likelihood that these funds will be available to further the District's mission.

**CERTIFICATION OF FISCAL AGENT**

(Sample letter)

Mr. Bill Payer  
County Auditor  
Court House  
Anytown, OH 00000

Dear Sir:

At the \_\_\_\_\_ official meeting of the \_\_\_\_\_ Soil and  
(date) (name)  
Water Conservation District (SWCD) Board of Supervisors, \_\_\_\_\_  
(name)  
was designated as their fiscal agent for the SWCD effective \_\_\_\_\_ .  
(date)

His/her designation shall remain in effect until further notice. His/her signature on the  
vouchers or other official fiscal correspondence shall be accepted as representing the  
official action of the SWCD Board of Supervisors.

\_\_\_\_\_ signature will appear as follows:  
(name)

\_\_\_\_\_  
(signature of designated fiscal agent)

Sincerely,

\_\_\_\_\_,  
Chair

**NOTE: THIS FORM MAY BE REPRODUCED BY LOCAL SWCD'S FOR THEIR USE.**

Voucher No. \_\_\_\_\_

# District Fund Voucher

\_\_\_\_\_ Soil and Water Conservation District

Date \_\_\_\_\_

Pay to \_\_\_\_\_

For \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Amount \_\_\_\_\_

Check No. \_\_\_\_\_

Fiscal Agent \_\_\_\_\_

\_\_\_\_\_

***Note: Many soil and water conservation districts find the above form helpful for attaching receipts and/or canceled checks for filing purposes.***

## CHAPTER 6 - EMPLOYMENT AND MANAGEMENT OF PERSONNEL

The ability of SWCD boards to hire employees is authorized under Chapter 1515.09 of the Ohio Revised Code. This employer role is as important a responsibility as setting the direction and priorities of the SWCD. SWCD employees carry out the SWCD mission to achieve the strategic vision of the board. Hiring effective personnel and managing them to get the best possible performance are essential. In this chapter, you will find guidance on hiring, managing and evaluating personnel. The following guidance should not be construed or depended upon as legal advice but only guidance as to matters board members should consider. For legal opinions contact the SWCD legal advisor.

### **PERSONNEL MANAGEMENT ESSENTIALS**

SWCD board should have the following documents and or processes in place for effective employee management:

- Strategic Plan
- Annual Plan of Work
- Staffing Plan
- Job Descriptions for all staff positions
- Employment Policy
- Performance Standards for all staff positions
- Employee Evaluation forms and procedures
- Employment Manual

Guidance for developing and maintaining SWCD strategic plans and annual plans of work can be found in Chapter 4 of this guide. Guidance on developing an Employment Policy, job descriptions, performance standards and employee evaluations are discussed later in this chapter.

### **SWCD Employment**

As independent political subdivisions of the state of Ohio, SWCDs are “at will” employers, allowing them to hire staff at any time and without a competitive process and to terminate them at anytime without cause. Employees of SWCDs are public employees, but they are neither “classified” nor “unclassified” as other county, township and state workers and therefore have no appeal rights with the [Ohio Personnel Board of Review](#). Employees of SWCDs do not participate in collective bargaining as some other public employees do in Ohio.

However, SWCD boards should be mindful that a competitive hiring process not only fosters a culture of openness and accountability but widens the pool of potential candidates to ensure the best person for the job is hired. Similarly, terminations without cause do not necessarily absolve the board from all litigation; therefore establishing good performance standards as well as effective feedback and evaluation tools and procedures will help minimize employee turnover and provide necessary documentation should the need arise.

SWCD boards and employees are also subject to the federal Fair Labor Standards Act (FLSA), the Civil Rights Act of 1964, Equal Employment Opportunity; Americans with Disabilities Act; the

Family and Medical Leave Act and unemployment compensation requirements as it applies to state of Ohio public employees. The following may be of assistance to boards and employees understanding their obligations and rights, respectively under these mandates:

[Ohio Revised Code and the federal Fair Labor Standards Act](#) - link to the portion of the Ohio Revised Code describing Ohio's adherence to the FLSA for public employment

[US Department of Labor](#) – link to the Wage and Hour division webpage offering employers and employees current information, fact sheets and tutorials on several employment related issues.

[Ohio Department of Administrative Services Resources](#): As an Ohio employer SWCDs are required by the state and federal government to provide notice to employees as to their rights on certain issues. This page includes a list and as well as download links to many of the required federal and state posters required for employee notification. This page also includes a “Policy Library” SWCDs may use as a reference for developing SWCD policies.

[Unemployment - Ohio Revised Code](#) – link to the portion of the Ohio Revised Code describing unemployment for Ohio employers.

[Unemployment – Ohio Job and Family Services](#) – link to the Office of Unemployment providing information for both employers and employees as to their benefits and obligations, respectively.

[New Hire Checklist](#)

## **Staffing Plans**

For SWCD boards, the most important hiring decision will be the one selecting the Administrator for your SWCD. The District Administrator or Executive Director is the person in the SWCD office primarily responsible for implementing the SWCD strategic and annual plans and carrying out its mission as well as communicating progress. Administrators/Executives are day to day supervisors for staff and day to day liaisons for the board with other agencies and officials. Developing a staffing plan with the help of your Administrator will aid in determining how many staff and the needed credentials necessary to reach your goals

### **Here's a step by step approach to developing a staffing plan.\***

#### **Step 1 – Gather information**

Gather all of the statistics you can regarding the productivity of your current workforce. Keeping accurate statistics is a vital part of business management as those statistics can be used to reward your best workers, develop effective training plans and identify when process changes need to occur. SWCDs can use the reporting capabilities of the Soil and Water Information Management System (see Chapter 3) to help with gathering and analyzing the data. Also review your Strategic Plan with staffing in mind; do you have the right people, spending the right amount of time on your strategic goals and priorities?

#### **Step 2 – Determine Average Workload**

Use the statistics you gather to determine how much the average worker can do in each working hour or day. For technicians this may be the number of inspections or number of plans created. Or

for administration assistants it may be the number of hours it takes to prepare board packets or how much of the day is spent answering the phone. Be sure to use the average.

### **Step 3 – Determine Your Busiest Season for Each Position**

Examine the statistics for your SWCD to determine your needs during the busiest periods. Many SWCDs have a slow season in the winter months and a busy season in the spring - be sure to factor in the needs you have during the busiest time of year. This may be different for different goals. If you plan to do classroom education programs, that position's busiest time may be during the winter when kids are in school.

### **Step 4 - Determine the Numbers**

Determine how many workers you will need during your heaviest periods by dividing the number from Step 3 by the average productivity number you found in Step 2. Keep in mind that you might need to round that number up to account for the training of new workers. Until they get up to speed and gain some experience, your new hires will probably be less productive than the average veteran worker. Also consider the cost of each position including, salaries, benefits and any revenue generated by the position or program with which the position is associated.

### **Step 5 – Create a Balanced Plan with contingencies**

Create a plan to staff your SWCD during the peak times without leaving you with too many staff when business goes back to its normal levels. One of the most effective ways to ramp up quickly during peak periods of activity is to use temporary/contract/intern employees or to find volunteers. Developing a sound volunteer program or a good relationship with a quality staffing agency or university can help you get the workers you need when those spikes in activity occur. Another advantage of using volunteer, temporary or intern workers is that they can be an excellent source of full-time employees when the need arises.

**\* Adapted from How to Develop a Staffing Plan for a Business Organization  
by Bonnie Conrad, Demand Media. [Huston Chronicle](#).**

## **Job Descriptions**

Establishing and creating the most effective position(s) to meet the conservation goals of the SWCD start with a well developed strategic plan and a clear mission. Job descriptions should express the knowledge, skills and abilities necessary to accomplish district goals and also define primary and secondary areas of responsibility as well as general performance levels.

Job descriptions should be reviewed annually, along with correlating standards of performance. The board should approve all job description at a board meeting and a representative of the board or the district administrator/executive should provide a signature for approval. Employees should received a copy and be asked to provide written acknowledgement of receipt and understanding of the job descriptions when they are created or updated.

[Click here to view a sample job description. \(District Technician\)](#)

## **Standards of Performance and Employee Performance Evaluations**

Once completed, a strategic plan should layout in chronological order the actions necessary to complete each of the plans goals. Those items with the soonest time frame should be the basis for

developing the annual plan of work. Annual standards of performance should be established for each employee to communicate their role in helping reach the annual and strategic plan goals and how to measure success.

A good evaluation process is dependent upon many things but a key part to the process is completion of a performance standard for each duty or area of responsibility described in each employee's job description. Corresponding elements are color coded similarly in the sample Job Description and Standard of Performance documents provided in this chapter. The elements of the standards of performance should be specific and measurable and should be used as part of any employee evaluation and feedback process. It is this document that is essential to a performance based evaluation system. A performance standard removes the 'guesswork' out of the evaluation process and allows both the evaluator and employee to understand at what level tasks are expected to be completed

[Click here for a sample Standards of Performance Document. \(District Technician\)](#)

### **Performance Evaluation**

The Performance Evaluation should take place during the Introductory Period and on an Annual basis thereafter.

**Introductory Period Ratings:** All employees in the introductory period should be rated at least twice during the period. Introductory periods are usually four to six months in length. The first rating is to be made at the end of the first half of the period. The final rating is to be made prior to the completion of the period. If the employee is terminated before these two dates, the final rating should be made at the time of termination. The rating form should indicate the reasons the employee's service did not meet the required standards.

**Annual Ratings:** All employees who are not in introductory status should be evaluated once a year. The rating should cover the employee's performance during the entire year preceding the date of rating or during the time since completion of the employee's introductory period.

**Evaluation Form.** It is recommended that each SWCD board choose their own evaluation tool. However, SWCDs boards have frequently requested a sample evaluation tool for the District Administrator Position, so one is being provide below and can also be used along with the Standards of Performance document as the basis for evaluation tools for other positions.

### [Sample SWCD District Administrator Performance Analysis](#)

Completing the performance review and interview. The District Administrator or Program manager should conduct performance reviews and interviews for all employees they supervise on a day to day basis. The District Administrator should review the results with SWCD board and recommend any actions based on the review. In turn, the SWCD board should conduct performance reviews and interviews for the District Administrator/Executive. Below is a checklist outlining a sample process and item for consideration for an effective evaluation of all employees

## **Formal Performance Interview Planning Checklist**

**Be prepared** – know the objectives and goals of the meeting

**Time and Place** – choose a quiet, private spot with as few interruptions as possible

### **Conducting the interview**

- Create a positive environment and help the employee feel at ease
- Give balanced feedback, both positive and negative, but start with the positive
- Focus on the job, not the person
- Ask questions and allow the employee to provide feedback. When discussing areas for improvement, discuss methods and objectives for improving
- Discuss possibilities for advancement, the employee's aspirations and professional development necessary to be a candidate for such future positions (See Professional Development Section)

### **Conclusion**

- Summarize and review the important points of the discussion
- Restate the action steps that have been recommended and provide a time frame for completion
- Make sure employee reviews the appraisal and provides comments
- Have employee sign it to acknowledge that he or she has read it (does not signify agreement with the content)

### **Follow-up**

- Follow-up with the employee to see how plans are proceeding within the given time frames
- Offer the employee assistance in achieving objectives and encourage discussion of successes and obstacles.

## **Employee Manual**

An employee handbook is an important communication tool between you and your employees. A well-written handbook sets forth SWCD employment protocols and expectations for employees. It also should describe your legal obligations as an employer, and your employees' rights. All employees should be familiar with the employee manual, given a chance to ask questions for clarification, be advised of changes and know where to find the most up-to-date version.

Copies of past employment policies and or manuals should be retained along with employment records, so any future questions about past employee benefits or other matters can be reviewed with the employment manual or policy in place at the time in question.

SWCD boards and administrators should be reviewing employment manuals and policies annually and record that review process in meeting minutes. Employees should be given a copy and asked to submit a signed acknowledgement of receipt.

### **Checklist**

Below is a sample of some of the policies that may be contained in the Manual. Some items are hyperlinked to provide direct links to related state or federal laws or more detailed guidance. Still need more help? Review a generic Employee Handbook Template or view the National Conservation District Employees Association sample Employee Handbook

## Employment Manual Checklist

### Section One: Employment

- Notice to Employees
- Receipt and Acknowledgement of Employee Manual
- [Employment-At-Will](#)
- Termination of Your Employment
- [Equal Employment Opportunity/Affirmative Action](#)
- [Americans with Disabilities Act](#)
- Standards of Conduct

Document your expectations of how you want your employees to conduct themselves including dress code and ethics.

Ethics /Conflict of Interest Statements

- [Ohio Ethics Law \(.pdf\)/Ethics Law Outline](#)
- [Ethics Is Everybody's Business](#)
- Conflict of Interest: [Ohio Ethics Commission Fact Sheets](#)
- Dress Code
- Unacceptable Activities
- Disciplinary Actions
- Discipline Procedures
- Crisis Suspension

- Introductory Period
- Work Schedule

Describe your SWCD policies regarding work hours and schedules, attendance, punctuality and reporting absences, along with guidelines for flexible schedules and telecommuting.

- Business Hours
- Attendance
- Absence or Lateness
- [Meal and Break Periods](#)
- Severe Weather and Emergency Conditions

- Employment Classifications
- Personnel Records and Administration
- Access to Medical Records
- Employment of Former Employees/Retirees
- Employment of Relatives
- Employee domestic partnership/co-habitation; dating
- Interviewing and Selection
- Orientation

### Section Two: Compensation

- Wage and Salary Administration
- Pay Period and Hours

- Mandatory Deductions From Paycheck
- Direct Payroll Deposit
- [Overtime Pay](#)
- Call-In Pay
- On-Call Pay
- Loans and Pay Advances
- Garnishments
- Bonus Pay
- Training Wage
- Travel Pay
- [Time Records/SWIMs](#)

### **Section Three: Performance and Compensation Reviews**

- Performance Reviews
- Compensation Reviews

### **Section Four: Benefits**

- Health Insurance
- Eligibility for Benefits
- Health Insurance Coverage
- Worker's Compensation
- Short-Term/Long-Term Disability
- 125 Flexible Benefit Plan
- Educational Assistance
- Unemployment Compensation
- Employee Assistance Program
- [Deferred Compensation](#)

### **Section Five: Leaves**

- [Holidays](#)
- [Vacation](#)
- Personal Leave
- Paid Time Off
- [Sick Leave](#)
- [Family Medical Leave](#)
- Disability (Including Pregnancy) Leave of Absence
- Military Leave of Absence
- Military Reserves or National Guard Leave of Absence
- Bereavement (Funeral) Leave
- Jury Duty
- Leave Without Pay
- Return To Work

- [Catastrophic Leave Program Participation](#)

### **Section Six: Safety**

Describe your company's policy for creating a safe and secure workplace, including compliance with the [Occupational Safety and Health Administration's](#) laws that require employees to report all accidents, injuries, potential safety hazards, safety suggestions and health and safety related issues to management. Safety policies should also include your company's policy regarding bad weather encountered on the job and hazardous community conditions.

- General Employee Safety
- Reporting Safety Issues
- Safety Programs/Rules
- Personal Protective Equipment
- Accident Reports
- Emergencies
- Fire Prevention
- Motor Vehicle Safety
- Severe Weather

### **Section Seven: Workplace Policies**

- [Harassment Policy](#)
- Drug-free Workplace
- Violence in the Workplace
- Solicitation
- Smoking
- Telephone Use
- Cellular Phones/Pagers/Two-way Radios
- Visitors
- Bulletin Boards
- Parking
- Educational Assistance Program
- Driver's License and Driving Record
- Computers/Software/Internet/E-Mail/ Messaging
- Employee Lockers /Travel

### **Section Eight: Separation of Employment**

- Voluntary vs. Involuntary Termination
- Severance Pay
- [Retirement](#)
- Insurance Conversion Privileges (COBRA)
- Exit Interviews
- Return of Company Property

## New Hire Checklist

Employee \_\_\_\_\_

Start Date \_\_\_\_\_

**Check off the following and note the date when completed by the employee and returned:**

Form	Date completed/returned
<input type="checkbox"/> Form I-9	_____
<input type="checkbox"/> Form W-4	_____
<input type="checkbox"/> Age certificate and work permit (if under 18)	_____
<input type="checkbox"/> New hire report for state	_____
<input type="checkbox"/> Benefits enrollment	_____
<input type="checkbox"/> Benefits beneficiary designation(s)	_____
<input type="checkbox"/> Direct Deposit authorization	_____
<input type="checkbox"/> Emergency Contact Information	_____
<input type="checkbox"/> Employee handbook acknowledgement, including at-will notice	_____
<input type="checkbox"/> Conflict of Interest/Ohio Ethics Law	_____

**Check off the following and note the date when given to, or conducted for the employee:**

Form	Date Provided
<input type="checkbox"/> COBRA notice for new hires and covered dependents (sent to home address)	_____
<input type="checkbox"/> Summary plan descriptions for benefits plans	_____
<input type="checkbox"/> Employee Handbook	_____
<input type="checkbox"/> Job Description	_____
<input type="checkbox"/> Ethics training	_____
<input type="checkbox"/> Harassment training	_____
<input type="checkbox"/> Post-offer medical examinations <i>(only if policy requires)</i>	_____
<input type="checkbox"/> Organizational Chart	_____
<input type="checkbox"/> Map of facilities	_____
<input type="checkbox"/> Internal telephone lists	_____
<input type="checkbox"/> Office keys	_____
<input type="checkbox"/> Security codes	_____

## Job Description

**Job Title:** *District Technician I*

**Reports To:** District Program Administrator

**EEO Classification:** Technician

**Prepared By/Date:** jfp 02/26/03

**Summary:** The *District Technician* provides technical assistance on conservation and natural resource planning and development initiatives.

### Essential Duties and Responsibilities:

1. Assist landowners in vegetative practices (i.e. cropping; seeding; pasture legumes and grasses).
2. Assist landowners in woodland management practices (i.e. tree planting; windbreaks; woodland protection and timber site improvement).
3. Conduct site and soil investigations, assist with preliminary engineering surveys, and soil reconnaissance.
4. Assist in the establishment of recreation land use; advise and assist landowners with fish pond management, protection and development of wildlife areas and the planting of adequate wildlife feed; provide follow-up to ensure compliance with the application and maintenance programs.
5. Plan and develop conservation practices such as pasture improvement, wetlands, waterways or water disposal systems.
6. Maintain engineering equipment; assist with other equipment maintenance as requested.
7. Develop and maintain accurate and timely required forms, records and requests (i.e. work unit records); ensure contract compliance.
8. Locate boundaries on aerial photographs of land to be planned; prepare land use maps; use design software to measure acreage fields.
9. Assist with tours, field days, educational meetings, public information and related activities.
10. Other duties and responsibilities as directed by the District Program Administrator.

### Additional Requirements

1. Actively promote conservation initiatives and the mission of \_\_\_\_\_ Soil and Water Conservation District.
2. Participate in the team process.
3. Maintain safe driving record and have reliable transportation.
4. Knowledge and understanding of governing rules, working agreements, regulations and strategic plans specific to \_\_\_\_\_ SWCD, Division of Soil Water Conservation – Ohio Department of Natural Resources, Natural Resources Conservation Service and other conservation organizations (i.e. U.S. Department of Agriculture, Ohio Cooperative Extension Service and Ohio Department of Transportation).
5. Obtain and adhere to the approval authority provided by the NRCS District Conservationist.
6. Attend internal and external meetings.
7. Pursue continuous education and professional development opportunities as identified and directed.

**Qualifications:**

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required.

**Education/Experience:**

Associate Degree (A.A.) in Conservation, Natural Resources or Agriculture related field; or two to four years related experience in conservation/environmental land use planning or agriculture; or equivalent combination of education and experience.

**Language Ability:**

Ability to read and comprehend simple instructions, short correspondence, and memos. Ability to write simple correspondence. Ability to effectively present information in one-on-one and small group situations to customers, clients, and other employees of the organization.

**Math Ability:**

Ability to calculate figures and amounts such as discounts, interest, commissions, proportions, percentages, area, circumference, and volume. Ability to apply concepts of basic algebra and geometry.

**Reasoning Ability:**

Ability to apply common sense understanding to carry out instructions furnished in written, oral, or diagram form. Ability to deal with problems involving several concrete variables in standardized situations.

**Computer Skills:**

To perform this job successfully, an individual should have knowledge of word processing and spreadsheet software; internet/e-mail.

**Work Environment:**

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. While performing the duties of this job, the employee is regularly exposed to outdoor weather conditions. The employee is frequently exposed to fumes or airborne particles. The employee is occasionally exposed to vibration. The noise level in the work environment is usually moderate.

**Physical Demands:**

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. While performing the duties of this job the employee is regularly required to stand; walk and sit. The employee is frequently required to talk or hear. The employee must frequently lift and/or move up to 25 pounds and occasionally lift and/or move up to 50 pounds. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

**Competency:** To perform this job successfully, candidates for this position will require:

**Learning Index** Ability to learn and understand complex information without difficulty.

**Verbal Skill** Ability to communicate effectively in a variety of settings and assimilate complex instructions.

Verbal Reasoning	Ability to analyze and make reliable interpretations of complex verbal information.
Numerical Ability	Ability to perform complex calculations on a regular basis and communicate complex data to others.
Numeric Reasoning	Ability to efficiently base decisions on numerical data and communicate this data in easily understood formats.
People Service	Ability to be highly motivated by a position that offers the opportunity to help others or provide some facilitative service.
Mechanical	Above average ability to be motivated by realistic, hands-on tasks.
Energy Level	Ability to respond well to demands on time.
Assertiveness	Above average ability to take on leadership roles.
Sociability	Ability to be persuasive and motivated by the opportunity to present ideas to others and ability to work in a team environment.
Manageability	Ability to respond well to a structured environment and willingness to accept the leadership of others.
Attitude	Ability to demonstrate a positive attitude.
Independence	Above average ability to be independent.
Objective Judgment	Ability to utilize data in order to make deliberate decisions based on the logical application of objectivity and practicality.

I UNDERSTAND THE REQUIREMENTS AND SPECIFICATIONS FOR THE POSITION AND CERTIFY THAT I HAVE THE QUALIFICATIONS THAT ARE NECESSARY TO FILL THE POSITION AND PERFORM THE REQUIRED DUTIES AND RESPONSIBILITIES.

Employee Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Hiring Supervisor Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## PERFORMANCE STANDARD - DISTRICT TECHNICAL POSITION

**Element:** Technical and Engineering Assistance.

**Duty:** Provides technical and engineering field assistance to District cooperators and units of government.

**Standard:** Engineering surveys, soil reconnaissance, recommended needs and construction layout is applied using standards and specifications of the Natural Resources Conservation Service. All information will be collected on first or second visit of the site review and survey, so that subsequent visits for data collection will not be necessary. Construction layout reflects the engineering plan with any deviation noted. Scheduling is done in accordance with district work priorities.

**Duty:** Prepare engineering plans for conservation projects.

**Standard:** Engineering plans are prepared under guidelines of the NRCS National Engineering Manual <http://www.mi.nrcs.usda.gov/technical/engineering/neh.html> and Related Handbooks to meet design and plan preparation requirements. Engineering projects will be completed in a timely manner, referring to the following estimated time table.

### **Estimated typical job in man hours:**

- Structures Each 15 hours
- Ponds 1/4 - 1/2 ac 30 hours
- Waterways 500 ft. 30 hours
- Animal waste each 80 hours
- Open ditches 1.5 mile 200 hours
- Tile topo 80 ac. 36 hours
- Surface drain 80 ac. 36 hours
- Windbreak .5 mile 10 hours

**Duty:** Provide technical information to land users.

**Standard:** The land users requests should be assessed to the technical needs and appropriate specialists scheduled for assistance. Work will be completed in a timely manner under district policy and NRCS standards and specifications. Land user requests will be responded to in \_\_\_\_\_.

**Duty:** Develop resource conservation plans for district cooperators applying conservation practices.

**Standard:** Resource conservation plans will be developed under guidance of the District Conservationist, within \_\_\_\_\_ of engineering plan completion.

---

**Element:** Tours, Field days, Demonstration Plots

**Duty:** Assist in conducting tours, field days, public viewing of demonstrations, including equipment, plots, practices, etc.

**Standard:** Collect sufficient information for public presentations; begin preparations on a timely basis, being mindful of any potential unsafe areas or practices that could expose participants to some risk. Provide information and suggestions that will help carryout SWCD special events.

---

**Element:** Equipment Maintenance

**Duty:** Perform preventative maintenance on automotive, tillage, engineering and office equipment assigned by NRCS to the work unit and/or owned by the SWCD.

**Standard:** \_\_\_\_\_ maintenance is performed on equipment. Corrects deficiencies not requiring mechanical knowledge. Informs supervisor of malfunction immediately. A safety check will be performed \_\_\_\_\_ and noted in appropriate report.

---

**Element:** Office Administration

**Duty:** Develops and maintains resource inventories, process cooperators applications, completes various reports regarding the conservation program, writes news articles, maintains equipment lease records.

**Standard:** Handles administrative matters in accordance with guidelines and established time frames. Identifies administrative problems within the organization and recommends action to supervisor, offers suggestions for improvement in administrative procedure covering technical matters. Resource inventories will be updated annually.

---

**Element:** Legal authorities under S.B. 160 Conservation Works of Improvement and H.B. 88 Agricultural Pollution Abatement

**Duty:** Provide assistance to land users under S.B.160 procedures; provide assistance to farmers to under the provisions of H.B. 88.

**Standard:** Have working knowledge of the legal authorities given to districts. Able to provide leadership in guiding group projects under S.B. 160 to completion in a timely fashion. Takes leadership in site inspection of Ag pollution, voluntary and involuntary complaint procedures, utilizing NRCS technical guidance. Be familiar with State cost-share forms and procedures. No procedural errors in applications and information gathering.

# Performance Analysis

**Employee Name:**

**Position Title:** District Program Administrator

**Date of Hire:**

**Name of Person Completing Analysis:**

**Title:**

**Date:**

**Indicate skill level:**

1= Unsatisfactory    2 = Needs improvement    3 = Meets job requirements    4 = Exceeds job requirements

**1. Responsible for overall management and development of \_\_\_\_\_ SWCD including program and-related budgets, reporting requirements and business development.**

1= Unsatisfactory    2 = Needs improvement    3 = Meets job requirements    4 = Exceeds job requirements

**2. Maintain updated knowledge of programs and new initiatives.**

1= Unsatisfactory    2 = Needs improvement    3 = Meets job requirements    4 = Exceeds job requirements

**3. Provide accurate, timely information such as SWIMs Queries, progress reports, budget information, etc. to the Board of Supervisors.**

1= Unsatisfactory    2 = Needs improvement    3 = Meets job requirements    4 = Exceeds job requirements

**4. Ensure contract and regulatory obligations and Annual Plan of Work and Long Range/Strategic Plan are being achieved.**

1= Unsatisfactory    2 = Needs improvement    3 = Meets job requirements    4 = Exceeds job requirements

**5. Provide supervision of staff including hiring, disciplining, evaluation and development; update the Board on issues and seek advice from the Board as directed.**

1= Unsatisfactory    2 = Needs improvement    3 = Meets job requirements    4 = Exceeds job requirements

**6. Develop and provide leadership that advocates a team environment; establish and maintain effective communication avenues between the staff, the Board of Supervisors and partners.**

1= Unsatisfactory    2 = Needs improvement    3 = Meets job requirements    4 = Exceeds job requirements

**7. Identify and pursue potential revenue resources; develop annual budget; inform and seek approval when required, from the Board of Supervisors of income, expenses and other operating issues.**

1= Unsatisfactory    2 = Needs improvement    3 = Meets job requirements    4 = Exceeds job requirements

**8. Develop and maintain relationships with public officials, funding sources and other community and state leaders.**

1= Unsatisfactory    2 = Needs improvement    3 = Meets job requirements    4 = Exceeds job requirements

---

Indicate how frequently the competency is demonstrated by the individual.

**FREQUENCY SCALE:**

1 = Never    2 = Rarely    3 = Sometimes    4 = Frequently    5 = Always

**Learning Index - Demonstrates the ability to learn quickly and understand complex information without difficulty.**

1 = Never    2 = Rarely    3 = Sometimes    4 = Frequently    5 = Always

**Verbal Skill - Demonstrates the ability to communicate effectively in a variety of settings and assimilate complex instructions.**

1 = Never    2 = Rarely    3 = Sometimes    4 = Frequently    5 = Always

**Verbal Reasoning - Demonstrates the ability to analyze and make reliable interpretations of complex verbal information.**

1 = Never    2 = Rarely    3 = Sometimes    4 = Frequently    5 = Always

**Numerical Ability - Demonstrates the ability to perform complex calculations and communicate complex data.**

1 = Never    2 = Rarely    3 = Sometimes    4 = Frequently    5 = Always

**Numeric Reasoning - Demonstrates the ability to efficiently base decisions on numerical data and communicate this data in easily understood formats.**

1 = Never    2 = Rarely    3 = Sometimes    4 = Frequently    5 = Always

**Financial Administrative - Demonstrates above average ability to be motivated by administrative duties or financial information processing.**

1 = Never    2 = Rarely    3 = Sometimes    4 = Frequently    5 = Always

**People Service - Demonstrates above average ability to be motivated by a position that offers the opportunity to help others or provide some facilitative service.**

1 = Never    2 = Rarely    3 = Sometimes    4 = Frequently    5 = Always

**Energy Level** - Demonstrates the ability to respond well to demands on time.

1 = Never    2 = Rarely    3 = Sometimes    4 = Frequently    5 = Always

**Assertiveness** - Demonstrates the ability to take on leadership roles.

1 = Never    2 = Rarely    3 = Sometimes    4 = Frequently    5 = Always

**Sociability** - Demonstrates the ability to be persuasive and motivated by the opportunity to present ideas to others; and ability to work in a team environment.

1 = Never    2 = Rarely    3 = Sometimes    4 = Frequently    5 = Always

**Manageability** - Demonstrates the ability to respond enthusiastically to a highly structured environment that requires one to work under the direct supervision SWCD Board of Supervisors.

1 = Never    2 = Rarely    3 = Sometimes    4 = Frequently    5 = Always

**Attitude** - Demonstrates the ability to consistently maintain positive expression and motivation in order to be successful.

1 = Never    2 = Rarely    3 = Sometimes    4 = Frequently    5 = Always

**Decisiveness** - Demonstrates the ability to be consistently responsive in a timely fashion and make quick decisions under pressure.

1 = Never    2 = Rarely    3 = Sometimes    4 = Frequently    5 = Always

**Accommodating** - Demonstrates the ability to express a highly accommodating presentation, even in stressful conditions.

1 = Never    2 = Rarely    3 = Sometimes    4 = Frequently    5 = Always

**Independence** – Demonstrates above average ability to be independent.

1 = Never    2 = Rarely    3 = Sometimes    4 = Frequently    5 = Always

**Objective Judgment** - Demonstrates the ability to utilize data in order to make deliberate decisions based on the logical application of objectivity and practicality.

1 = Never    2 = Rarely    3 = Sometimes    4 = Frequently    5 = Always

Summary statement:

Plans for Improvement:

**EMPLOYEE ACKNOWLEDGEMENT:**

I HAVE RECEIVED THIS DOCUMENT AND DISCUSSED THE CONTENTS WITH MY MANAGER.

Employee Signature:

Date:

Employee Comments:

Supervisor Signature:

Date:

**Reviewed and updated July 2012**

[Please note: This sample handbook is intended to be broad and applicable to a wide variety of industries and work environments. Because policies and procedures may vary based on state laws, company size, industry, organizational culture and other factors, this handbook should be customized to reflect your company's needs. The information in this handbook should not be considered legal advice and does not reflect state laws and regulations. Any new policies should be reviewed by legal counsel for compliance with federal and state laws and regulations. To supplement this handbook, SHRM provides **Sample Policies** and several **State and Local Statutes and Regulations**.]

# **SAMPLE EMPLOYEE HANDBOOK**

## **[COMPANY NAME]**

FOREWORD	
DIVERSITY	
• Equal Employment Opportunity Statement	
• Antiharassment Policy and Complaint Procedure	
• Americans with Disabilities Act (ADA) & Amendments Act (ADAAA)	
EMPLOYMENT	
• Employee Classification Categories	
• Background and Reference Checks	
• Internal Transfers/Promotions	
• Nepotism, Employment of Relatives and Personal Relationships	
• Progressive Discipline	
• Separation of Employment	
WORKPLACE SAFETY	
• Drug-Free Workplace	
• Workplace Bullying	
• Violence in the Workplace	
• Safety	
• Smoke-Free Workplace	
WORKPLACE EXPECTATIONS	
• Confidentiality	
• Conflicts of Interest	
• Outside Employment	
• Attendance and Punctuality	
• Attire and Grooming	

• Electronic Communication and Internet Use	
• Social Media—Acceptable Use	
• Solicitations, Distributions and Posting of Materials	
• Employee Personnel Files	
COMPENSATION	
• Performance and Salary Reviews	
• Payment of Wages	
• Time Reporting	
• Meal/Rest Periods	
• Overtime Pay	
• On-Call Pay	
• Employee Travel and Reimbursement	
TIME OFF/LEAVES OF ABSENCE	
• Holiday Pay	
• Vacation	
• Sick Leave	
• Family and Medical Leave (FMLA)	
• Personal Leave of Absence	
• Bereavement Leave	
• Jury Duty	
• Voting Leave	
• Military Leave of Absence	
• Lactation/Breastfeeding	
BENEFITS	
• Medical and Dental Insurance	
• Domestic Partners	
• Flexible Spending Account	
• Group Life Insurance	
• Short-Term Disability Benefits	
• Long-Term Disability Benefits	
• 401(k) Plan	
• Workers' Compensation Benefits	
• Tuition Assistance	
• Employee Assistance Program (EAP)	

## FOREWORD

[Brief description of [Company Name].]

Whether you have just joined our staff or have been at [Company Name] for a while, we are confident that you will find our company a dynamic and rewarding place in which to work, and we look forward to a productive and successful association. We consider the employees of [Company Name] to be one of its most valuable resources. This handbook has been written to serve as the guide for the employer/employee relationship.

There are several things to keep in mind about this handbook. First, it contains only general information and guidelines. It is not intended to be comprehensive or to address all the possible applications of, or exceptions to, the general policies and procedures described. For that reason, if you have any questions concerning eligibility for a particular benefit or the applicability of a policy or practice to you, you should address your specific questions to the Human Resource department. Neither this handbook nor any other company document confers any contractual right, either express or implied, to remain in the company's employ. Nor does it guarantee any fixed terms and conditions of your employment. Your employment is not for any specific time and may be terminated at will with or without cause and without prior notice by the company, or you may resign for any reason at any time. No supervisor or other representative of the company (except the president) has the authority to enter into any agreement for employment for any specified period of time or to make any agreement contrary to the above.

The procedures, practices, policies and benefits described here may be modified or discontinued from time to time. We will try to inform you of any changes as they occur.

This handbook and the information in it should be treated as confidential. No portion of this handbook should be disclosed to others, except [Company Name] employees and others affiliated with [Company Name] whose knowledge of the information is required in the normal course of business.

Some subjects described in this handbook are covered in detail in official policy documents. Refer to these documents for specific information because the handbook only briefly summarizes those guidelines and benefits. Please note that the terms of the written insurance policies are controlling and override any statements made in this or other documents.

## Employee Handbook Acknowledgment and Receipt

**I have received my copy of the Employee Handbook.**

The employee handbook describes important information about [Company Name], and I understand that I should consult my manager or Human Resources regarding any questions not answered in the handbook. I have entered into my employment relationship with [Company Name] voluntarily and acknowledge that there is no specified length of employment.

**Accordingly, either I or [Company Name] can terminate the relationship at will, with or without cause, at any time, so long as there is not violation of applicable federal or state law.**

I understand and agree that, other than the president of company, no manager, supervisor or representative of [Company Name] has any authority to enter into any agreement for employment other than at will; only the president of the company has the authority to make any such agreement and then only in writing signed by the president of [Company Name].

This handbook and the policies and procedures contained herein supersede any and all prior practices, oral or written representations, or statements regarding the terms and conditions of my employment with [Company Name]. By distributing this handbook, the company expressly revokes any and all previous policies and procedures that are inconsistent with those contained herein.

I understand that, except for employment-at-will status, any and all policies and practices may be changed at any time by [Company Name], and the company reserves the right to change my hours, wages and working conditions at any time. All such changes will be communicated through official notices, and I understand that revised information may supersede, modify or eliminate existing policies. Only the president of [Company Name] has the ability to adopt any revisions to the policies in this handbook.

**I understand and agree that nothing in the Employee Handbook creates, or is intended to create, a promise or representation of continued employment and that employment at [Company Name] is employment at will, which may be terminated at the will of either [Company Name] or myself. Furthermore, I acknowledge that this handbook is neither a contract of employment nor a legal document.** I understand and agree that employment and compensation may be terminated with or without cause and with or without notice at any time by [Company Name] or myself.

I have received the handbook, and I understand that it is my responsibility to read and comply with the policies contained in this handbook and any revisions made to it.

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Employee's Signature

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Employee's Name (Print)

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Date

**TO BE PLACED IN EMPLOYEE'S PERSONNEL FILE**

# DIVERSITY

## Equal Employment Opportunity Statement

[Company Name] provides equal employment opportunities (EEO) to all employees and applicants for employment without regard to race, color, religion, gender, sexual orientation, gender identity, national origin, age, disability, genetic information, marital status, amnesty or status as a covered veteran in accordance with applicable federal, state and local laws.

[Company Name] complies with applicable state and local laws governing nondiscrimination in employment in every location in which the company has facilities. This policy applies to all terms and conditions of employment, including hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation and training.

[Company Name] expressly prohibits any form of unlawful employee harassment based on race, color, religion, gender, sexual orientation, national origin, age, genetic information, disability or veteran status. Improper interference with the ability of [Company Name] employees to perform their expected job duties is absolutely not tolerated.

## **[Company Name]'s Antiharassment Policy and Complaint Procedure**

[Company Name] is committed to a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits unlawful discriminatory practices, including harassment. Therefore, [Company Name] expects that all relationships among persons in the office will be business-like and free of bias, prejudice and harassment.

It is the policy of [Company Name] to ensure equal employment opportunity without discrimination or harassment on the basis of race, color, religion, gender, sexual orientation, gender identity, national origin, age, disability, genetic information, marital status, amnesty or status as a covered veteran. [Company Name] prohibits any such discrimination or harassment.

[Company Name] encourages reporting of all perceived incidents of discrimination or harassment. It is the policy of [Company Name] to promptly and thoroughly investigate such reports. [Company Name] prohibits retaliation against any individual who reports discrimination or harassment or who participates in an investigation of such reports.

### **Definitions of Harassment**

Sexual harassment constitutes discrimination and is illegal under federal, state and local laws. For the purposes of this policy, sexual harassment is defined, as in the Equal Employment Opportunity Commission Guidelines, as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; b) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or c) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Sexual harassment may include a range of subtle and not-so-subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering, whistling or touching; insulting or obscene comments or gestures; display in the workplace of sexually suggestive objects or pictures; and other physical, verbal or visual conduct of a sexual nature.

Harassment on the basis of any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal, written or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, religion, gender, sexual orientation, national origin, age, disability, marital status, citizenship, genetic information or any other characteristic protected by law or that of his/her relatives, friends or associates, and that a) has the purpose or effect of creating an intimidating, hostile or offensive work environment; b) has the purpose or effect of unreasonably interfering with an individual's work performance; or c) otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes; and written or graphic material that denigrates or shows hostility or aversion toward an individual or group and that is placed on walls or elsewhere on the employer's premises or circulated in the workplace, on company time or using company equipment via e-mail, phone (including voice messages), text messages, tweets, blogs, social networking sites or other means.

### **Individuals and Conduct Covered**

These policies apply to all applicants and employees, whether related to conduct engaged in by fellow employees or someone not directly connected to [Company Name] (e.g., an outside vendor, consultant or customer).

Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings and business-related social events.

### **Complaint Process**

Individuals who believe they have been the victims of conduct prohibited by this policy statement or who believe they have witnessed such conduct should discuss their concerns with their immediate supervisor, Human Resources or any member of management.

When possible, [Company Name] encourages individuals who believe they are being subjected to such conduct to promptly advise the offender that his or her behavior is unwelcome and request that it be discontinued. Often this action alone will resolve the problem. [Company Name] recognizes, however, that an individual may prefer to pursue the matter through complaint procedures.

[Company Name] encourages the prompt reporting of complaints or concerns so that rapid and constructive action can be taken before relationships become irreparably strained. Therefore, although no fixed reporting period has been established, early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment.

Any reported allegations of harassment, discrimination or retaliation will be investigated promptly. The investigation may include individual interviews with the parties involved and,

where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge.

Confidentiality will be maintained throughout the investigatory process to the extent consistent with adequate investigation and appropriate corrective action.

Retaliation against an individual for reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action. Acts of retaliation should be reported immediately and will be promptly investigated and addressed. Misconduct constituting harassment, discrimination or retaliation will be dealt with appropriately.

If a party to a complaint does not agree with its resolution, that party may appeal to [Company Name]'s \_\_\_\_\_ or \_\_\_\_\_.

False and malicious complaints of harassment, discrimination or retaliation may be the subject of appropriate disciplinary action.

## **Americans with Disabilities Act (ADA) and the ADA Amendments Act (ADAAA)**

The Americans with Disabilities Act (ADA) and the Americans with Disabilities Amendments Act, known as the ADAAA, are federal laws that prohibit employers with 15 or more employees from discriminating against applicants and individuals with disabilities and that when needed provide reasonable accommodations to applicants and employees who are qualified for a job, with or without reasonable accommodations, so that they may perform the essential job duties of the position.

It is the policy of [Company Name] to comply with all federal and state laws concerning the employment of persons with disabilities and to act in accordance with regulations and guidance issued by the Equal Employment Opportunity Commission (EEOC). Furthermore, it is our company policy not to discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training or other terms, conditions and privileges of employment.

The company will reasonably accommodate qualified individuals with a disability so that they can perform the essential functions of a job unless doing so causes a direct threat to these individuals or others in the workplace and the threat cannot be eliminated by reasonable accommodation and/or if the accommodation creates an undue hardship to [Company Name]. Contact the Human Resource department with any questions or requests for accommodation.

# EMPLOYMENT

## Employee Classification Categories

All employees are designated as either nonexempt or exempt under state and federal wage and hour laws. The following is intended to help employees understand employment classifications and employees' employment status and benefit eligibility. These classifications do not guarantee employment for any specified period of time. The right to terminate the employment-at-will relationship at any time is retained by both the employee and [Company Name].

**Nonexempt employees** are employees whose work is covered by the Fair Labor Standards Act (FLSA). They are NOT exempt from the law's requirements concerning minimum wage and overtime.

**Exempt employees** are generally managers or professional, administrative or technical staff who ARE exempt from the minimum wage and overtime provisions of the FLSA. Exempt employees hold jobs that meet the standards and criteria established under the FLSA by the U.S. Department of Labor.

[Company Name] has established the following categories for both nonexempt and exempt employees:

- **Regular, full time:** Employees who are not in a temporary status and who are regularly scheduled to work the company's full-time schedule of 37.5 hours per week. Generally, these employees are eligible for the full benefits package, subject to the terms, conditions and limitations of each benefits program.
- **Regular, part time:** Employees who are not in a temporary status and who are regularly scheduled to work less than the full-time schedule but at least 20 hours each week. Regular, part-time employees are eligible for some of the benefits offered by the company subject to the terms, conditions and limitations of each benefits program.
- **Temporary, full time:** Employees who are hired as interim replacements to temporarily supplement the workforce or to assist in the completion of a specific project and who are temporarily scheduled to work the company's full-time schedule for a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status.
- **Temporary, part time:** Employees who are hired as interim replacements to temporarily supplement the workforce or to assist in the completion of a specific project and who are temporarily scheduled to work less than the company's full-time schedule for a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status.

Temporary workers are not eligible for company benefits unless specifically stated otherwise in company policy or are deemed eligible according to plan documents.

## **Background and Reference Checks**

To ensure that individuals who join [Company Name] are well qualified and to ensure that [Company Name] maintains a safe and productive work environment, it is our policy to conduct pre-employment background checks on all applicants who accept an offer of employment. Background checks may include verification of any information on the applicant's resume or application form.

All offers of employment are conditioned on receipt of a background check report that is acceptable to [Company Name]. All background checks are conducted in conformity with the Federal Fair Credit Reporting Act, the Americans with Disabilities Act, and state and federal privacy and antidiscrimination laws. Reports are kept confidential and are only viewed by individuals involved in the hiring process.

If information obtained in a background check would lead [Company Name] to deny employment, a copy of the report will be provided to the applicant, and the applicant will have the opportunity to dispute the report's accuracy. Background checks may include a criminal record check, although a criminal conviction does not automatically bar an applicant from employment.

Additional checks such as a driving record or credit report may be made on applicants for particular job categories if appropriate and job related.

[Company Name] also reserves the right to conduct a background check for current employees to determine eligibility for promotion or reassignment in the same manner as described above.

## **Internal Transfers/Promotions**

Employees with more than twelve months of service may request consideration to transfer to other jobs as vacancies become available and will be considered along with other applicants. At the same time, the company may initiate transfers of employees between departments and facilities to meet specified work requirements and reassignment of work requirements.

[Company Name] offers employees promotions to higher-level positions when appropriate. Management prefers to promote from within and may first consider current employees with the necessary qualifications and skills to fill vacancies above the entry level, unless outside recruitment is considered to be in the company's best interest.

To be considered, employees must have held their current position for at least 12 months, have a satisfactory performance record and have no disciplinary actions during the last 12 months. Management retains the discretion to make exceptions to the policy.

## **Nepotism, Employment of Relatives and Personal Relationships**

[Company Name] wants to ensure that corporate practices do not create situations such as conflict of interest or favoritism. This extends to practices that involve employee hiring, promotion and transfer. Close relatives, partners, those in a dating relationship or members of the same household are not permitted to be in positions that have a reporting responsibility to each other. Close relatives are defined as husband, wife, domestic partner, father, mother, father-in-law, mother-in-law, grandfather, grandmother, son, son-in-law, daughter, daughter-in-law, uncle, aunt, nephew, niece, brother, sister, brother-in-law, sister-in-law, step relatives, cousins and domestic partner relatives.

If employees begin a dating relationship or become relatives, partners or members of the same household and if one party is in a supervisory position, that person is required to inform management and Human Resources of the relationship.

[Company Name] reserves the right to apply this policy to situations where there is a conflict or the potential for conflict because of the relationship between employees, even if there is no direct-reporting relationship or authority involved.

## Progressive Discipline

Every employee has the duty and the responsibility to be aware of and abide by existing rules and policies. Employees also have the responsibility to perform his/her duties to the best of his/her ability and to the standards as set forth in his/her job description or as otherwise established.

[Company Name] supports the use of progressive discipline to address issues such as poor work performance or misconduct. Our progressive discipline policy is designed to provide a corrective action process to improve and prevent a recurrence of undesirable behavior and/or performance issues. Our progressive discipline policy has been designed consistent with our organizational values, HR best practices and employment laws.

Outlined below are the steps of our progressive discipline policy and procedure. [Company Name] reserves the right to combine or skip steps in this process depending on the facts of each situation and the nature of the offense. The level of disciplinary intervention may also vary. Some of the factors that will be considered are whether the offense is repeated despite coaching, counseling and/or training; the employee's work record; and the impact the conduct and performance issues have on our organization.

The following outlines [Company Name]'s progressive discipline process:

- **Verbal warning:** A supervisor verbally counsels an employee about an issue of concern, and a written record of the discussion is placed in the employee's file for future reference.
- **Written warning:** Written warnings are used for behavior or violations that a supervisor considers serious or in situations when a verbal warning has not helped change unacceptable behavior. Written warnings are placed in an employee's personnel file. Employees should recognize the grave nature of the written warning.

- **Performance improvement plan:** Whenever an employee has been involved in a disciplinary situation that has not been readily resolved or when he/she has demonstrated an inability to perform assigned work responsibilities efficiently, the employee may be given a final warning or placed on a performance improvement plan (PIP). PIP status will last for a predetermined amount of time not to exceed 90 days. Within this time period, the employee must demonstrate a willingness and ability to meet and maintain the conduct and/or work requirements as specified by the supervisor and the organization. At the end of the performance improvement period, the performance improvement plan may be closed or, if established goals are not met, dismissal may occur.

[Company Name] reserves the right to determine the appropriate level of discipline for any inappropriate conduct, including oral and written warnings, suspension with or without pay, demotion and discharge.

## Separation of Employment

Separation of employment within an organization can occur for several different reasons.

- **Resignation:** Although we hope your employment with us will be a mutually rewarding experience, we understand that varying circumstances cause employees to voluntarily resign employment. Resigning employees are encouraged to provide two weeks' notice, preferably in writing, to facilitate a smooth transition out of the organization. Management reserves the right to provide an employee with two weeks' pay in lieu of notice in situations where job or business needs warrant such action. If an employee provides less notice than requested, the employer may deem the individual to be ineligible for rehire depending on the circumstances regarding the notice given.
- **Retirement:** Employees who wish to retire are required to notify their department director and the Human Resource department in writing at least one (1) month before the planned retirement date.

It is the practice of [Company Name] to give special recognition to employees at the time of their retirement. The recipient must be employed with [Company Name] for five (5) years to be eligible for a retirement gift. The amount provided for the gift is \$100 per year, based on the employee's uninterrupted full-time service. The department director should contact the Human Resource department to purchase a gift or a gift card. Departmental funds may not be used to augment the gift.

- **Job abandonment:** Employees who fail to report to work or contact their supervisor for three (3) consecutive workdays shall be considered to have abandoned the job without notice, effective at the end of their normal shift on the third day. The supervisor shall notify the Human Resource department at the expiration of the third workday and initiate the paperwork to terminate the employee. Employees who are separated due to job abandonment are ineligible to receive accrued benefits and are ineligible for rehire.
- **Termination:** Employees of [Company Name] are employed on an at-will basis, and the company retains the right to terminate an employee at any time.

**Return of Company Property**

The separating employee must return all company property at the time of separation, including uniforms, cell phones, keys, PCs and identification cards. Failure to return some items may result in deductions from the final paycheck. An employee will be required to sign the Wage Deduction Authorization Agreement to deduct the costs of such items from the final paycheck.

The separating employee shall contact the Human Resource department as soon as notice is given to schedule an exit interview. The interview will be on the employee's last day of work or another day, as mutually agreed on.

Accrued vacation leave will be paid in the last paycheck unless the employee resigned and did not give and work a full two weeks' notice. [Note: Check state laws on vacation payout at termination because some states may require the employer to pay out for all separations; see SHRM [Vacation/Sick/PTO Laws](#) by state.

Health insurance terminates the last day of the month of employment, unless an employee requests immediate termination of benefits. Information for Consolidated Omnibus Budget Reconciliation (COBRA) continued health coverage will be provided. Employees will be required to pay their share of the dependent health and dental premiums through the end of the month.

**Rehire**

Former employees who left [Company Name] in good standing and were classified as eligible for rehire may be considered for reemployment. An application must be submitted to the Human Resource department, and the applicant must meet all minimum qualifications and requirements of the position, including any qualifying exam, when required.

Supervisors must obtain approval from the Human Resource director or designee prior to rehiring a former employee. Rehired employees begin benefits just as any other new employee. Previous tenure will not be considered in calculating longevity, leave accruals or any other benefits.

An applicant or employee who is terminated for violating policy or who resigned in lieu of termination from employment due to a policy violation will be ineligible for rehire.

# WORKPLACE SAFETY

## Drug-Free Workplace

[Company Name] has a longstanding commitment to provide a safe and productive work environment. Alcohol and drug abuse pose a threat to the health and safety of employees and to the security of our equipment and facilities. For these reasons, [Company Name] is committed to the elimination of drug and/or alcohol use and abuse in the workplace.

This policy outlines the practice and procedure designed to correct instances of identified alcohol and/or drug use in the workplace. This policy applies to all employees and all applicants for employment of [Company Name]. The Human Resource department is responsible for policy administration.

### Employee Assistance and Drug-Free Awareness

Illegal drug use and alcohol misuse have a number of adverse health and safety consequences. Information about those consequences and sources of help for drug/alcohol problems is available from the Human Resource department, whose members have been trained to make referrals and assist employees with drug/alcohol problems.

[Company Name] will assist and support employees who voluntarily seek help for such problems before becoming subject to discipline and/or termination under this or other policies. Such employees may be allowed to use accrued paid time off, placed on leaves of absence, referred to treatment providers and otherwise accommodated as required by law. Such employees may be required to document that they are successfully following prescribed treatment and to take and pass follow-up tests if they hold jobs that are safety sensitive or that require driving or if they have violated this policy previously.

Employees should report to work fit for duty and free of any adverse effects of illegal drugs or alcohol. This policy does not prohibit employees from the lawful use and possession of prescribed medications. Employees must, however, consult with their doctors about the medications' effect on their fitness for duty and ability to work safely and promptly disclose any work restrictions to their supervisor. Employees should not, however, disclose underlying medical conditions unless directed to do so.

### Work Rules

The following work rules apply to all employees:

- Whenever employees are working, are operating any company vehicle, are present on company premises, or are conducting related work off-site, they are prohibited from:
  - Using, possessing, buying, selling, manufacturing or dispensing an illegal drug (to include possession of drug paraphernalia).
  - Being under the influence of alcohol or an illegal drug as defined in this policy.

- The presence of any detectable amount of any illegal drug or illegal controlled substance in an employee's body while performing company business or while in a company facility is prohibited.
- [Company Name] will not allow any employee to perform their duties while taking prescribed drugs that are adversely affecting the employee's ability to safely and effectively perform their job duties. Employees taking a prescribed medication must carry it in the container labeled by a licensed pharmacist or be prepared to produce it if asked.
- Any illegal drugs or drug paraphernalia will be turned over to an appropriate law enforcement agency and may result in criminal prosecution.

### **Required Testing**

The company retains the right to require the following tests:

- **Pre-employment:** All applicants must pass a drug test before beginning work or receiving an offer of employment. Refusal to submit to testing will result in disqualification of further employment consideration.
- **Reasonable suspicion:** Employees are subject to testing based on observations by a supervisor of apparent workplace use, possession or impairment. Human Resources must be consulted before sending an employee for reasonable suspicion testing.
- **Post-accident:** Employees are subject to testing when they cause or contribute to accidents that seriously damage a company vehicle, machinery, equipment or property and/or result in an injury to themselves or another employee requiring off-site medical attention. In any of these instances, the investigation and subsequent testing must take place within two (2) hours following the accident, if not sooner.
- **Follow-up:** Employees who have tested positive, or otherwise violated this policy, are subject to discipline up to and including discharge. Depending on the circumstances and the employee's work history/record, [Company Name] may offer an employee who violates this policy or tests positive the opportunity to return to work on a last-chance basis pursuant to mutually agreeable terms, which could include follow-up drug testing at times and frequencies for a minimum of one (1) year but not more than two (2) years. If the employee either does not complete his/her rehabilitation program or tests positive after completing the rehabilitation program, he/she will be subject to immediate discharge from employment.

### **Consequences**

Applicants who refuse to cooperate in a drug test or who test positive will not be hired.

Employees who refuse to cooperate in required tests or who use, possess, buy, sell, manufacture or dispense an illegal drug in violation of this policy will be terminated.

The first time an employee tests positive for alcohol or illegal drug use under this policy, the result will be discipline up to and including discharge.

Employees will be paid for time spent in alcohol/drug testing and then suspended pending the results of the drug/alcohol test. After the results of the test are received, a date/time will be scheduled to discuss the results of the test; this meeting will include a member of management

and Human Resources. Should the results prove to be negative, the employee will receive back pay for the times/days of suspension.

### **Confidentiality**

Information and records relating to positive test results, drug and alcohol dependencies and legitimate medical explanations provided to the medical review officer (MRO) shall be kept confidential to the extent required by law and maintained in secure files separate from normal personnel files.

### **Inspections**

[Company Name] reserves the right to inspect all portions of its premises for drugs, alcohol or other contraband. All employees, contract employees and visitors may be asked to cooperate in inspections of their persons, work areas and property that might conceal a drug, alcohol or other contraband. Employees who possess such contraband or refuse to cooperate in such inspections are subject to appropriate discipline up to and including discharge.

### **Crimes Involving Drugs**

[Company Name] prohibits all employees from manufacturing, distributing, dispensing, possessing or using an illegal drug in or on company premises or while conducting company business. Employees are also prohibited from misusing legally prescribed or over-the-counter (OTC) drugs. Law enforcement personnel shall be notified, as appropriate, when criminal activity is suspected.

## **Workplace Bullying**

[Company Name] defines bullying as “repeated inappropriate behavior, either direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment.” Such behavior violates the company Code of Ethics, which clearly states that all employees will be treated with dignity and respect.

The purpose of this policy is to communicate to all employees, including supervisors, managers and executives, that the company will not tolerate bullying behavior. Employees found in violation of this policy will be disciplined up to and including termination.

Bullying may be intentional or unintentional. However, it must be noted that where an allegation of bullying is made, the intention of the alleged bully is irrelevant and will not be given consideration when meting out discipline. As in sexual harassment, it is the effect of the behavior upon the individual that is important. [Company Name] considers the following types of behavior examples of bullying:

- **Verbal bullying:** Slandering, ridiculing or maligning a person or his/her family; persistent name calling that is hurtful, insulting or humiliating; using a person as the butt of jokes; abusive and offensive remarks.
- **Physical bullying:** Pushing, shoving, kicking, poking, tripping, assault or threat of physical assault; damage to a person’s work area or property.

- **Gesture bullying:** Nonverbal threatening gestures or glances that convey threatening messages.
- **Exclusion:** Socially or physically excluding or disregarding a person in work-related activities.

## Violence in the Workplace

[Note: See also [Workplace Violence Prevention and Intervention](#).]

All employees, customers, vendors and business associates must be treated with courtesy and respect at all times. Employees are expected to refrain from conduct that may be dangerous to others.

Conduct that threatens, intimidates or coerces another employee, customer, vendor or business associate will not be tolerated. [Company Name] resources may not be used to threaten, stalk or harass anyone at the workplace or outside the workplace. [Company Name] treats threats coming from an abusive personal relationship as it does other forms of violence.

Indirect or direct threats of violence, incidents of actual violence and suspicious individuals or activities should be reported as soon as possible to a supervisor, security personnel, Human Resources, member of [Company Name]'s Threat Management Team or any member of senior management. When reporting a threat or incident of violence, the employee should be as specific and detailed as possible. Employees should not place themselves in peril, nor should they attempt to intercede during an incident.

Employees should promptly inform the Human Resource department of any protective or restraining order that they have obtained that lists the workplace as a protected area. Employees are encouraged to report safety concerns with regard to intimate partner violence. [Company Name] will not retaliate against employees making good-faith reports. [Company Name] is committed to supporting victims of intimate partner violence by providing referrals to [Company Name]'s employee assistance program (EAP) and community resources and providing time off for reasons related to intimate partner violence.

[Company Name] will promptly and thoroughly investigate all reports of threats of violence or incidents of actual violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as possible. [Company Name] will not retaliate against employees making good-faith reports of violence, threats or suspicious individuals or activities. In order to maintain workplace safety and the integrity of its investigation, [Company Name] may suspend employees suspected of workplace violence or threats of violence, either with or without pay, pending investigation.

Anyone found to be responsible for threats of or actual violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action up to and including termination of employment.

[Company Name] encourages employees to bring their disputes to the attention of their supervisors or Human Resources before the situation escalates. [Company Name] will not discipline employees for raising such concerns.

## **Safety**

It is the responsibility of each employee to conduct all tasks in a safe and efficient manner complying with all local, state and federal safety and health regulations and program standards, and with any special safety concerns for use in a particular area or with a client.

Although most safety regulations are consistent throughout each department and program, each employee has the responsibility to identify and familiarize her/himself with the emergency plan for his/her working area. Each facility shall have posted an emergency plan detailing procedures in handling emergencies such as fire, weather-related events and medical crises.

It is the responsibility of the employee to complete an Accident and Incident Report for each safety and health infraction that occurs by an employee or that the employee witnesses. Failure to report such an infraction may result in employee disciplinary action, including termination.

Furthermore, management requires that every person in the organization assumes the responsibility of individual and organizational safety. Failure to follow company safety and health guidelines or engaging in conduct that places the employee, client or company property at risk can lead to employee disciplinary action and/or termination.

The Health and Safety Committee and the safety director shall have the responsibility to develop and the authority to implement the safety and health program in the interest of a safer work environment.

## **Smoke-Free Workplace**

It is the policy of [Company Name] to prohibit smoking on all company premises in order to provide and maintain a safe and healthy work environment for all employees. The law defines smoking as the "act of lighting, smoking or carrying a lighted or smoldering cigar, cigarette or pipe of any kind."

The smoke-free workplace policy applies to:

- All areas of company buildings.
- All company-sponsored off-site conferences and meetings.
- All vehicles owned or leased by the company.
- All visitors (customers and vendors) to the company premises.
- All contractors and consultants and/or their employees working on the company premises.
- All employees, temporary employees and student interns.

Smoking is permitted in parking lots only.

Employees who violate the smoking policy will be subject to disciplinary action up to and including immediate discharge.



# WORKPLACE EXPECTATIONS

## Confidentiality

Our clients and other parties with whom we do business entrust the company with important information relating to their businesses. It is our policy that all information considered confidential will not be disclosed to external parties or to employees without a “need to know.” If an employee questions whether certain information is considered confidential, he/she should first check with his/her immediate supervisor.

This policy is intended to alert employees to the need for discretion at all times and is not intended to inhibit normal business communications.

All inquiries from the media must be referred to [insert name, title, contact information].

## Conflicts of Interest

Employees must avoid any relationship or activity that might impair, or even appear to impair, their ability to make objective and fair decisions when performing their jobs. At times, an employee may be faced with situations in which business actions taken on behalf of [Company Name] may conflict with the employee’s own personal interests. Company property, information or business opportunities may not be used for personal gain.

### **Conflicts of interest could arise in the following circumstances:**

- Being employed by, or acting as a consultant to, a competitor or potential competitor, supplier or contractor, regardless of the nature of the employment, while employed with [Company Name].
- Hiring or supervising family members or closely related persons.
- Serving as a board member for an outside commercial company or organization.
- Owning or having a substantial interest in a competitor, supplier or contractor.
- Accepting gifts, discounts, favors or services from a customer/potential customer, competitor or supplier, unless equally available to all company employees.

Employees with a conflict-of-interest question should seek advice from management. Before engaging in any activity, transaction or relationship that might give rise to a conflict of interest, employees must seek review from their manager or the Human Resource department.

## Outside Employment

Employees are permitted to engage in outside work or to hold other jobs, subject to certain restrictions as outlined below.

Activities and conduct away from the job must not compete with, conflict with or compromise the company interests or adversely affect job performance and the ability to fulfill all job responsibilities. Employees are prohibited from performing any services for customers on nonworking time that are normally performed by [Company Name]. This prohibition also extends to the unauthorized use of any company tools or equipment and the unauthorized use or application of any confidential information. In addition, employees are not to solicit or conduct any outside business during paid working time.

Employees are cautioned to carefully consider the demands that additional work activity will create before accepting outside employment. Outside employment will not be considered an excuse for poor job performance, absenteeism, tardiness, leaving early, refusal to travel or refusal to work overtime or different hours. If [Company Name] determines that an employee's outside work interferes with performance, the employee may be asked to terminate the outside employment.

Employees who have accepted outside employment may not use paid sick leave to work on the outside job. Fraudulent use of sick leave will result in disciplinary action up to and including termination.

## **Attendance and Punctuality**

Vacation and holidays must be scheduled with one's supervisor in advance. Sick leave may be used in the case of emergency or sudden illness without prior scheduling. Patterns of absenteeism or tardiness may result in discipline even if the employee has not yet exhausted available paid time off. Absences due to illnesses or injuries that qualify under the Family and Medical Leave Act (FMLA) will not be counted against an employee's attendance record. Medical documentation within the guidelines of the FMLA may be required in these instances.

Not reporting to work and not calling to report the absence is a no-call/no-show and is a serious matter. The first instance of a no call/no show will result in a final written warning. The second separate offense may result in termination of employment with no additional disciplinary steps. **A no call/no show lasting three days may be considered job abandonment and may be deemed an employee's voluntary resignation of employment.**

## **Attire and Grooming**

It is important for all employees to project a professional image while at work by being appropriately attired. [Company Name] employees are expected to be neat, clean and well groomed while on the job. Clothing must be consistent with the standards for a business environment and must be appropriate to the type of work being performed.

All employees must be covered from shoulders to knees at all times (no see-through or sleeveless clothing is permitted at any time). Natural and artificial scents may become a distraction from a well-functioning workplace and are also subject to this policy

[Company Name] is confident that employees will use their best judgment regarding attire and appearance. Management reserves the right to determine appropriateness. Any employee who is improperly dressed will be counseled or in severe cases may be sent home to change

clothes. Continued disregard of this policy may be cause for disciplinary action, which may result in termination.

## **Electronic Communication and Internet Use**

The following guidelines have been established for using the Internet, company-provided cell phones and e-mail in an appropriate, ethical and professional manner:

- Internet, company-provided equipment (e.g., cell phone, laptops, computers) and services may not be used for transmitting, retrieving or storing any communications of a defamatory, discriminatory, harassing or pornographic nature.
- The following actions are forbidden: using disparaging, abusive, profane or offensive language; creating, viewing or displaying materials that might adversely or negatively reflect upon [Company Name] or be contrary to [Company Name]'s best interests; and engaging in any illegal activities, including piracy, cracking, extortion, blackmail, copyright infringement, and unauthorized access of any computers and company-provided equipment such as cell phones and laptops.
- Employees may not copy, retrieve, modify or forward copyrighted materials, except with permission or as a single copy to reference only.
- Employees must not use the system in a way that disrupts its use by others. Employees must not send or receive large files that could be saved/transferred via thumb drives. Employees are prohibited from sending or receiving files that are not related to work.
- Employees should not open suspicious e-mails, pop-ups or downloads. Contact IT with any questions or concerns to reduce the release of viruses or to contain viruses immediately.
- Internal and external e-mails are considered business records and may be subject to discovery in the event of litigation. Be aware of this possibility when sending e-mail within and outside the company.

### **Right to Monitor**

All company-supplied technology and company-related work records belong to the company and not to the employee. [Company Name] routinely monitors use of company-supplied technology. Inappropriate or illegal use or communications may be subject to disciplinary action up to and including termination of employment.

## **Social Media—Acceptable Use**

Below are guidelines for social media use.

Employees may not post financial, confidential, sensitive or proprietary information about the company, clients, employees or applicants.

Employees may not post obscenities, slurs or personal attacks that can damage the reputation of the company, clients, employees or applicants.

When posting on social media sites, employees must use the following disclaimer when discussing job-related matters, *“The opinions expressed on this site are my own and do not necessarily represent the views of [Company Name].”*

[Company Name] may monitor content out on the Internet. Policy violations may result in discipline up to and including termination of employment.

## **Solicitations, Distributions and Posting of Materials**

[Company Name] prohibits the solicitation, distribution and posting of materials on or at company property by any employee or nonemployee, except as may be permitted by this policy. The sole exceptions to this policy are charitable and community activities supported by [Company Name] management and company-sponsored programs related to [Company Name]’s products and services.

Provisions:

- Nonemployees may not solicit employees or distribute literature of any kind on company premises at any time.
- Employees may only admit nonemployees to work areas with management approval or as part of a company-sponsored program. These visits should not disrupt workflow. An employee must accompany the nonemployee at all times. Former employees are not permitted onto company property except for official company business.
- Employees may not solicit other employees during work times, except in connection with a company-approved or sponsored event.
- Employees may not distribute literature of any kind during work times or in any work area at any time, except in connection with a company-sponsored event
- The posting of materials or electronic announcements are permitted with approval from Human Resources.

Violations of this policy should be reported to Human Resources.

## **Employee Personnel Files**

Employee files are maintained by the Human Resource department and are considered confidential. Managers and supervisors may only have access to personnel file information on a need-to-know basis.

A manager or supervisor considering the hire of a former employee or transfer of a current employee may be granted access to the file, or limited parts of it, in accordance with antidiscrimination laws.

Personnel file access by current employees and former employees upon request will generally be permitted within three days of the request unless otherwise required under state law. Personnel files are to be reviewed in the Human Resource department. Personnel files may not be taken outside the department.

Representatives of government or law enforcement agencies, in the course of their duties, may be allowed access to file information.

[Note: Please be advised that company policy may be subject to state requirements, including potential requirements to provide copies of personnel files. Please see [Recordkeeping/Access to Personnel Files](#).]

# COMPENSATION

## Performance and Salary Review

Performance appraisals are conducted on an annual cycle. Employees will receive a performance review on the established date each year. The performance appraisal will be discussed, and both the employee and manager will sign the form to ensure that all strengths, areas for improvement and job goals for the next review period have been clearly communicated. Performance evaluation forms will be retained in the employee's personnel file.

Merit increases are based on company performance and financials and are not guaranteed. A performance review does not always result in an automatic salary increase. The employee's overall performance and salary level relative to his/her position responsibilities are evaluated to determine if a salary increase would be warranted.

Budget allocations for merit increases are planned for and allocated before the start of each calendar year. The annual salary increase program is designed to assist management in planning and allocating merit and promotional increases that reward individual performance, that are market competitive and that are internally equitable.

Salary adjustments are occasionally requested or warranted at times other than the employee's scheduled annual salary reviews. Out-of-cycle salary increases must be preapproved by the department manager, HR and the company president. Human Resources will review all salary increase/adjustment requests to ensure internal equity and compliance with company policies and guidelines.

## Payment of Wages

[Note: Some states have specific provisions for wage payments and direct deposit. See [Payment of Wages/Direct Deposit Law](#) before implementing a policy.]

Salary payment is made \_\_\_\_\_ [e.g., biweekly] for base salary due up to the pay date. Paydays are usually \_\_\_\_\_ [e.g., biweekly] on every other \_\_\_\_\_.

Overtime payment, which is included with the nonexempt employee's base salary payment, is also paid \_\_\_\_\_ [e.g., biweekly] with such payment covering hours worked in the prior \_\_\_\_\_ [biweekly] period.

It is the company's policy that employee paychecks will only be given personally to that employee or mailed to his/her home address.

If the normal payday falls on a company-recognized holiday, paychecks will be distributed one workday before the aforementioned schedule.

Employees may be paid by check or through direct deposit of funds to either a savings or checking account at the financial institution of their choice.

In the event of a lost paycheck, the Human Resource department must be notified in writing as soon as possible and before a replacement check can be issued. In the event the lost paycheck is recovered and the company identifies the endorsement as that of the employee, the employee must remit the amount of the replacement check to the company within 24 hours of the time it is demanded.

If an employee's marital status changes or the number of exemptions previously claimed increases or decreases, a new Form W-4 must be submitted to the Human Resource department.

Except for extreme emergencies and vacation pay, no salary advances will be made.

## **Time Reporting**

A work hour is any hour of the day that is worked and should be recorded to the nearest tenth of an hour. The workday is defined as the 24-hour period starting at 12:00 a.m. and ending at 11:59 p.m. The workweek covers seven consecutive days beginning on Sunday and ending on Saturday. The usual workweek period is 40 hours.

Overtime is defined as hours worked by an hourly or nonexempt employee in excess of 40 hours in a workweek and should be recorded to the nearest tenth of an hour. Overtime must be approved in advance by the manager to whom the employee reports.

Employees will submit their time record weekly as directed by their manager. Each employee is to maintain an accurate daily record of his or her hours worked. All absences from work schedules should be appropriately recorded.

## **Meal/Rest Periods**

[Note: Please check [State Meal/Rest Period Requirements](#) as some states have different requirements for meal and rest breaks than what is provided below.]

The scheduling of meal periods at [Company Name] is set by the employee's immediate manager with the goal of providing the least possible disruption to company operations.

### **Mandatory Meal Period**

Employee meal periods are important to company productivity and employee health. Employees who work at least [Insert Time Frame] consecutive hours will be provided a meal break not to exceed 60 minutes [State Meal/Rest Period Requirements](#). The meal period will not be included in the total hours of work per day and is not compensable. Nonexempt employees are to be completely relieved of all job duties while on meal breaks and must clock out for meal periods.

### **Rest Breaks**

Salaried employees, as they are paid a weekly salary regardless of the hours they work, may

choose to take breaks as needed. Nonexempt employees are permitted a 15-minute rest break for each four hours of work. Nonexempt employees on rest breaks are not required to clock in and clock out because this time is considered “time worked” and is compensable.

### **Impermissible Use of Meal Period and/or Rest Breaks**

Neither the lunch period nor the rest break(s) may be used to account for an employee's late arrival or early departure or to cover time off for other purposes—for example, rest breaks may not be accumulated to extend a meal period, and rest breaks may not be combined to allow one half-hour long break.

## **Overtime Pay (nonexempt employees)**

Nonexempt employees who exceed 40 hours of work time in a workweek will be paid time and one half.

Paid leave, such as holiday, sick or vacation pay, does not apply toward work time.

The workweek begins at 12:00 a.m. on Sunday morning and ends at 11:59 p.m. on Saturday night.

Supervisors are required to obtain approval from managers prior to the use of overtime.

Employees who anticipate the need for overtime to complete the week's work must notify the supervisor in advance and obtain approval before working hours that extend beyond their normal schedule.

During busy periods employees may be required to work extended hours.

[Note: Some states require the payment of overtime to be calculated on a daily basis rather than on a workweek basis. See [State Overtime Laws](#) before implementing an overtime policy.]

## **On-Call Pay (nonexempt employees)**

An on-call employee who is called back to work outside his or her normal work schedule shall be paid for the time worked or a minimum of two (2) hours, whichever is greater.

Time worked while on call will be calculated at the employee's regular rate of pay. If an employee is called back to work, he or she will be paid for travel time. If an on-call employee is not called back, no pay will be earned. Overtime compensation is applicable only when total hours worked exceed 40 hours in a workweek.

## **Employee Travel and Reimbursement**

Employees will be reimbursed for reasonable expenses incurred in connection with approved travel on behalf of the company.

Travelers seeking reimbursement should incur the lowest reasonable travel expenses and exercise care to avoid the appearance of impropriety. If a circumstance arises that is not specifically covered in the travel policies, the most conservative course of action should be adopted.

Travel for staff must be authorized in advance. Travelers should verify that planned travel is eligible for reimbursement before making travel arrangements. Upon completion of the trip, and within 30 days, the traveler must submit a Travel Reimbursement Form and supporting documentation to obtain reimbursement of expenses. For more details, refer to the company intranet for detailed travel policies, procedures and authorization and reimbursement forms.

Exempt employees will be paid their regular salary for weeks in which they travel. Nonexempt employees will be paid for travel time in accordance with federal and state wage payment laws.

# TIME OFF/LEAVES OF ABSENCE

## Holiday Pay

[Company Name] recognizes nine paid holidays each year:

- New Year's Day
- Martin Luther King Jr. Day
- Presidents Day
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day
- Day After Thanksgiving
- Christmas Day

Should a holiday fall on a weekend, the holiday will be observed on the work day closest to the holiday.

Time off may be granted to employees who desire to observe a religious holiday that is not recognized by the company.

## Vacation

[Note: Some states have specific provisions for vacation/PTO. See state [Vacation/Sick/PTO Laws](#) before implementing a policy.]

All full- and part-time employees are eligible for vacation leave benefits. Part-time employees working 20 to 29 hours per week will earn vacation on a prorated basis. Full-time employees are those working 30-plus hours per week. Vacation accrual begins on the first day of full- or part-time employment. Vacation is accrued according to the schedule in this policy. Vacation can be used only after it is earned. Vacation leave will not be earned during an unpaid leave of absence.

To schedule vacation time, employees should submit a completed leave form to the supervisor at least two weeks before the requested leave. Employees must ensure that they have enough accrued leave available to cover the dates requested. Requests will be approved based on a number of factors, including department operating and staffing requirements. The supervisor should return the leave request to the employee within three business days of the date it is submitted indicating that the request has been approved or denied. If the request for vacation leave is denied, the supervisor should provide an appropriate reason on the form returned to the employee.

Vacation will be paid at the employee's base rate at the time the leave is taken. Vacation pay is not included in overtime calculation and does not include any special forms of compensation such as incentives, commissions, bonuses or shift differentials. If a holiday falls during the employee's vacation, the day will be charged to holiday pay rather than to vacation pay.

Leave taken beyond an employee's available vacation balance may be unpaid unless otherwise required under state or federal law.

If employment is terminated, accrued unused vacation leave earned through the last day of active employment will be paid at the employee's base rate of pay at termination. In the event of the employee's death, earned unused vacation time will be paid to the employee's estate or designated beneficiary.

## **Sick Leave**

All full-time, regular employees accrue sick leave from the date of hire, for a total of 10 days per year. Part-time, regular employees accrue sick leave from the date of hire, in a prorated amount using the full-time total of 10 days per year and the average number of hours the part-time employee works per week.

Sick leave may be used for an employee's personal illness, well-care, and medical and dental appointments. Sick leave may also be used for illness and well-care in an employee's immediate family.

Sick leave may be accrued to a maximum of 120 hours. Sick leave may not be used before accrual. If sick leave is exhausted, any available vacation hours will be used in its place. An employee who has a sick leave absence in excess of three consecutive working days must present medical documentation for the absence. Employees are not paid for unused sick leave upon termination of employment.

## **Family and Medical Leave Act**

Upon hire, [Company Name] provides all new employees with notices required by the U.S. Department of Labor (DOL) on [Employee Rights and Responsibilities Under the Family and Medical Act](#) .

The function of this policy is to provide employees with a general description of their FMLA rights. In the event of any conflict between this policy and the applicable law, employees will be afforded all rights required by law.

If you have any questions, concerns or disputes with this policy, you must contact [insert name and contact info for appropriate person] in writing.

### **General Provisions**

Under this policy, [Company Name] will grant up to 12 weeks (or up to 26 weeks of military caregiver leave to care for a covered service member with a serious injury or illness) during a 12-month period to eligible employees. The leave may be paid, unpaid or a combination of paid and unpaid leave, depending on the circumstances of the leave and as specified in this policy.

## **Eligibility**

To qualify to take family or medical leave under this policy, the employee must meet the following conditions:

- The employee must have worked for the company for 12 months or 52 weeks. The 12 months or 52 weeks need not have been consecutive. Separate periods of employment will be counted, provided that the break in service does not exceed seven years. Separate periods of employment will be counted if the break in service exceeds seven years due to National Guard or Reserve military service obligations or when there is a written agreement, including a collective bargaining agreement, stating the employer's intention to rehire the employee after the service break. For eligibility purposes, an employee will be considered to have been employed for an entire week even if the employee was on the payroll for only part of a week or if the employee is on leave during the week.
- The employee must have worked at least 1,250 hours during the 12-month period immediately before the date when the leave is requested to commence. The principles established under the Fair Labor Standards Act (FLSA) determine the number of hours worked by an employee. The FLSA does not include time spent on paid or unpaid leave as hours worked. Consequently, these hours of leave should not be counted in determining the 1,250 hours eligibility test for an employee under FMLA.
- The employee must work in a work site where 50 or more employees are employed by the company within 75 miles of that office or work site. The distance is to be calculated by using available transportation by the most direct route.

## **Type of Leave Covered**

To qualify as FMLA leave under this policy, the employee must be taking leave for one of the reasons listed below:

- The birth of a child and in order to care for that child.
- The placement of a child for adoption or foster care and to care for a newly placed child.
- To care for a spouse, child or parent with a serious health condition (described below).
- The serious health condition (described below) of the employee.

An employee may take leave because of a serious health condition that makes the employee unable to perform the functions of the employee's position.

A serious health condition is defined as a condition that requires inpatient care at a hospital, hospice or residential medical care facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care or as a condition that requires continuing care by a licensed health care provider.

This policy covers illnesses of a serious and long-term nature, resulting in recurring or lengthy absences. Generally, a chronic or long-term health condition that would result in a period of three consecutive days of incapacity with the first visit to the health care provider within seven days of the onset of the incapacity and a second visit within 30

days of the incapacity would be considered a serious health condition. For chronic conditions requiring periodic health care visits for treatment, such visits must take place at least twice a year.

Employees with questions about what illnesses are covered under this FMLA policy or under the company's sick leave policy are encouraged to consult with the Human Resource manager.

If an employee takes paid sick leave for a condition that progresses into a serious health condition and the employee requests unpaid leave as provided under this policy, the company may designate all or some portion of related leave taken as leave under this policy, to the extent that the earlier leave meets the necessary qualifications.

- Qualifying exigency leave for families of members of the National Guard or Reserves or of a regular component of the Armed Forces when the covered military member is on covered active duty or called to covered active duty.

An employee whose spouse, son, daughter or parent has been notified of an impending call or order to covered active military duty or who is already on covered active duty may take up to 12 weeks of leave for reasons related to or affected by the family member's call-up or service. The qualifying exigency must be one of the following: a) short-notice deployment, b) military events and activities, c) child care and school activities, d) financial and legal arrangements, e) counseling, f) rest and recuperation, g) post-deployment activities, and h) additional activities that arise out of active duty, provided that the employer and employee agree, including agreement on timing and duration of the leave.

*Covered active duty* means:

- In the case of a member of a regular component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country.
- In the case of a member of a reserve component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country under a call or order to active duty under a provision of law referred to in Title 10 U.S.C. §101(a)(13)(B).

The leave may commence as soon as the individual receives the call-up notice. (*Son or daughter* for this type of FMLA leave is defined the same as for *child* for other types of FMLA leave except that the person does not have to be a minor.) This type of leave would be counted toward the employee's 12-week maximum of FMLA leave in a 12-month period.

- Military caregiver leave (also known as covered service member leave) to care for an injured or ill service member or veteran.

An employee whose son, daughter, parent or next of kin is a covered service member may take up to 26 weeks in a single 12-month period to take care of leave to care for that service member.

*Next of kin* is defined as the closest blood relative of the injured or recovering service member.

The term *covered service member* means:

- A member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation or therapy or is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness.
- A veteran who is undergoing medical treatment, recuperation or therapy for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of five years preceding the date on which the veteran undergoes that medical treatment, recuperation or therapy.

The term *serious injury or illness* means:

- In the case of a member of the Armed Forces (including a member of the National Guard or Reserves), an injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces (or that existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member's office, grade, rank or rating.
- In the case of a veteran who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during a period when the person was a covered service member, a qualifying (as defined by the Secretary of Labor) injury or illness that was incurred by the member in line of duty on an active duty in the Armed Forces (or that existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that manifested itself before or after the member became a veteran.

### **Amount of Leave**

An eligible employee may take up to 12 weeks for the first five FMLA circumstances above (under heading "Type of Leave Covered") under this policy during any 12-month period. The company will measure the 12-month period as a rolling 12-month period measured backward from the date an employee uses any leave under this policy. Each time an employee takes leave, the company will compute the amount of leave the employee has taken under this policy in the last 12 months and subtract it from the 12 weeks of available leave, and the balance remaining is the amount of time the employee is entitled to take at that time.

An eligible employee can take up to 26 weeks for the FMLA military caregiver leave circumstance above during a single 12-month period. For this military caregiver leave, the company will measure the 12-month period as a rolling 12-month period measured forward. FMLA leave already taken for other FMLA circumstances will be deducted from the total of 26 weeks available.

If a husband and wife both work for the company and each wishes to take leave for the birth of a child, adoption or placement of a child in foster care, or to care for a parent (but not a parent "in-law") with a serious health condition, the husband and wife may only take a combined total of 12 weeks of leave. If a husband and wife both work for the company and each wishes to take leave to care for a covered injured or ill service member, the husband and wife may only take a combined total of 26 weeks of leave.

### **Employee Status and Benefits During Leave**

While an employee is on leave, the company will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work.

### **Employee Status After Leave**

An employee who takes leave under this policy may be asked to provide a fitness for duty (FFD) clearance from the health care provider.

### **Use of Paid and Unpaid Leave**

All paid vacation, personal and sick leave runs concurrently with FMLA leave.

Disability leave for the birth of a child and for an employee's serious health condition, including workers' compensation leave (to the extent that it qualifies), will be designated as FMLA leave and will run concurrently with FMLA.

### **Intermittent Leave or a Reduced Work Schedule**

The employee may take FMLA leave in 12 consecutive weeks, may use the leave intermittently (take a day periodically when needed over the year) or, under certain circumstances, may use the leave to reduce the workweek or workday, resulting in a reduced-hour schedule. In all cases, the leave may not exceed a total of 12 workweeks (or 26 workweeks to care for an injured or ill service member over a 12-month period).

### **Certification for the Employee's Serious Health Condition**

The company will require certification for the employee's serious health condition. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave.

### **Certification for the Family Member's Serious Health Condition**

The company will require certification for the family member's serious health condition. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave.

### **Certification of Qualifying Exigency for Military Family Leave**

The company will require certification of the qualifying exigency for military family leave. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave.

### **Certification for Serious Injury or Illness of Covered Service Member for Military Family Leave**

The company will require certification for the serious injury or illness of the covered service member. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave.

### **Recertification**

The company may request recertification for the serious health condition of the employee or the employee's family member when circumstances have changed significantly, or if the employer receives information casting doubt on the reason given for the absence, or if the employee

seeks an extension of his or her leave. Otherwise, the company may request recertification for the serious health condition of the employee or the employee's family member every six months in connection with an FMLA absence.

### **Procedure for Requesting FMLA Leave**

All employees requesting FMLA leave must provide the HR manager with verbal or written notice of the need for the leave. Within five business days after the employee has provided this notice, the HR manager will provide the employee with the DOL Notice of Eligibility and Rights. When the need for the leave is foreseeable, the employee must provide the employer with at least 30 days' notice. When an employee becomes aware of a need for FMLA leave less than 30 days in advance, the employee must provide notice of the need for the leave either the same day or the next business day. When the need for FMLA leave is not foreseeable, the employee must comply with the company's usual and customary notice and procedural requirements for requesting leave.

### **Designation of FMLA Leave**

Within five business days after the employee has submitted the appropriate certification form, the HR manager will provide the employee with a written response to the employee's request for FMLA leave.

### **Intent to Return to Work from FMLA Leave**

The company may require an employee on FMLA leave to report periodically on the employee's status and intent to return to work.

## **Personal Leave of Absence**

Employees who require time off in addition to vacation may request a personal leave of absence without pay for up to a maximum of 30 days. An extension may be approved in limited circumstances.

All regular employees employed for a minimum of 90 days are eligible to apply for an unpaid personal leave of absence. Job performance, absenteeism and departmental requirements will all be taken into consideration before a request is approved.

Please contact Human Resources for more information on request procedures.

The employee must return to work on the scheduled return date or be considered to have voluntarily resigned from his or her employment. Extensions of leave will only be considered on a case-by-case basis.

## **Bereavement Leave**

An employee who wishes to take time off due to the death of an immediate family member should notify his or her supervisor immediately.

Bereavement leave will be granted unless there are unusual business needs or staffing requirements.

Paid bereavement leave is granted according to the following schedule:

- Employees are allowed five days of paid leave in the event of the death of the employee's spouse, child, father, father-in-law, mother, mother-in-law, brother, sister, stepfather, stepmother, stepbrother, stepsister, stepson or stepdaughter.
- Employees are allowed three days of paid leave in the event of death of the employee's brother-in-law, sister-in-law, son-in-law, daughter-in-law, aunt, uncle, grandparent, grandchild or spouse's grandparent.
- Employees are allowed up to four hours of bereavement leave to attend the funeral of an employee or retiree of the company.

## **Jury Duty**

[Note: Some states have specific provisions for jury duty. Review your [Jury/Witness Duty Leave](#) laws by state before implementing a policy.]

Upon receipt of notification from the state or federal courts of an obligation to serve on a jury, employees must notify their supervisor and provide him/her with a copy of the jury summons. The company will pay regular full-time and regular part-time employees for time off for jury duty up to one week of pay.

## **Voting Leave**

[Note: Some states have specific provisions for vacation/PTO. Review your [State Voting Leave Laws](#) before implementing a policy.]

### **Voting Time**

All employees should be able to vote either before or after regularly assigned work hours. However, when this is not possible due to work schedules, employees will receive up to three hours during the work day to vote. Time off for voting should be reported and coded appropriately on timekeeping records.

### **Election Leave**

Employees who are chosen to serve as election officials at polling sites will be permitted to take required time off to serve in this capacity. It is incumbent on employees who are chosen to act as election officials to notify their manager a minimum of seven days in advance of their need for time off in order to accommodate the necessary rescheduling of work periods. Time engaged as an election official should be reported and coded appropriately on timekeeping records.

## **Military Leave of Absence**

[Company Name] is committed to protecting the job rights of employees absent on military leave. In accordance with federal and state law, it is the company's policy that no employee or prospective employee will be subjected to any form of discrimination on the basis of that person's membership in or obligation to perform service for any of the Uniformed Services of the

United States. Specifically, no person will be denied employment, reemployment, promotion or other benefit of employment on the basis of such membership. Furthermore, no person will be subjected to retaliation or adverse employment action because such person has exercised his or her rights under applicable law or company policy. If any employee believes that he or she has been subjected to discrimination in violation of company policy, the employee should immediately contact Human Resources.

Employees taking part in a variety of military duties are eligible for benefits under this policy. Such military duties include leaves of absence taken by members of the uniformed services, including Reservists and National Guard members, for training, periods of active military service and funeral honors duty, as well as time spent being examined to determine fitness to perform such service. Subject to certain exceptions under the applicable laws, these benefits are generally limited to five years of leave of absence.

Employees requesting leave for military duty should contact Human Resources to request leave as soon as they are aware of the need for leave. For request forms and detailed information on eligibility, employee rights while on leave and job restoration upon completion of leave, refer to the policies, procedures and forms on the company intranet site at \_\_\_\_\_ or contact Human Resources.

## **Lactation/Breastfeeding**

For up to one year after a child's birth, any employee who is breastfeeding her child will be provided reasonable break times as needed to express breast milk for her baby. [Company Name] has designated the room located [insert location] for this purpose. A small refrigerator reserved for the specific storage of breast milk is available. Any breast milk stored in the refrigerator must be labeled with the name of the employee and the date of expressing the breast milk. Any nonconforming products stored in the refrigerator may be disposed of. Employees storing milk in the refrigerator assume all responsibility for the safety of the milk and the risk of harm for any reason, including improper storage or refrigeration and tampering. Nursing mothers wishing to use this room must request/reserve the room by contacting [insert name and phone number]. Additional rules for use of the room and refrigerator storage are posted in the room. Employees who work off-site or in other locations will be accommodated with a private area as necessary.

Breaks of more than 20 minutes in length will be unpaid, and the employee should indicate this break period on her time record.

[Note: State laws on breaks for nursing mothers vary. Check your state laws before implementing a policy.]

# BENEFITS

For more information regarding benefits programs, please refer to the company Summary Plan Descriptions, which were provided to employees upon hire, or contact the Human Resource department.

## Medical and Dental Insurance

The company currently offers regular full-time employees regularly scheduled to work a minimum of 30 hours per week enrollment in medical and dental insurance coverage options after they have been employed for 30 days.

Employees have up to 30 days from their date of hire to make medical and dental plan elections. Once made, elections are fixed for the remainder of the plan year. Changes in family status, as defined in the Plan document, allow employees to make midyear changes in coverage consistent with the family status change. Please contact the Human Resource department to determine if a family status change qualifies under the Plan document and IRS regulations.

At the end of each calendar year during open enrollment, employees may change medical and dental elections for the following calendar year.

The Human Resource department is available to answer benefits plan questions and assist in enrollment as needed.

## Domestic Partners

[Note: Check with state regulations/laws as well as benefit plan documents before using this policy.]

Domestic partners are persons who:

- Are at least 18 years of age and of the same gender.
- Are not legally married to any person and are not related in any way that would prohibit marriage in the company's state of operation.
- Share permanent residence.

Domestic partners must have two of the following:

- Joint lease, mortgage or deed.
- Joint ownership of a vehicle.
- Joint ownership of a checking account or credit account.
- Designation of the domestic partner as beneficiary for the employee's life insurance or retirement benefits.
- Shared household expenses.

Company registration of a domestic partnership will be required for coverage under company benefits.

- An employee who wishes to register a domestic partnership must contact the Human Resource department for information and the registration form. Upon receipt of a properly completed form, the department will consider the partnership registered as of the date on the form's signature line.
- Children of domestic partners are eligible for benefits under the same conditions as are the children of employees' legal spouses.
- Enrollment of domestic partners and eligible dependent children is subject to the same rules as enrollment of other dependents.
- Domestic partners and their enrolled dependents receive the same or equivalent benefits as spouses, and their enrolled dependents receive group continuation health coverage through COBRA and/or individual conversion.
- An employee may terminate a domestic partnership by notifying Human Resources in writing of the termination of the domestic partnership within 30 days of its termination.

The tax consequences of a domestic partnership are the responsibility of the employee. The value of benefits provided to an employee's domestic partner (and to the domestic partner's eligible children, if any) is considered part of the employee's taxable income, unless the employee's domestic partner qualifies as a dependent under Section 152 of the Internal Revenue Code.

Questions regarding this policy should be directed to the Human Resource department.

## **Flexible Spending Account**

As part of the company's Flexible Benefits Plan, we currently offer an employee-funded flexible spending account (FSA) to regular full-time employees hired on or before January 1 of a calendar year. Plan participants may elect an annual amount of flexible dollars to pay for eligible health care expenses, including medical or dental insurance deductibles, copayments, and out-of-pocket costs for vision care and other types of care.

If eligible medical or dental expenses are less than the elected annual amount of flex dollars for that year, the balance will be forfeited.

## **Group Life Insurance**

The company offers regular full-time employees who have been employed by [Company Name] for 30 days an employer-paid basic group term life policy along with an accidental death and dismemberment policy. Each policy generally pays a death benefit equal to the lesser of their "Life Salary" (as defined in the Plan document) or \$50,000.

## **Short-Term Disability Benefits**

The company's short-term disability plan is a benefit that provides partial pay for employees who are unable to work due to illness, injury or disability not related to work, after an absence of

more than seven consecutive calendar days. Benefits begin on the eighth day of disability and continue for related absences up to a maximum of 26 weeks. Employees will not be able to return to work without submitting to Human Resources a note from a physician or licensed health care professional authorizing the employee's return. Any time spent on short-term disability counts as part of the employee's FMLA leave.

## **Long-Term Disability Benefits**

[Company Name] offers eligible employees (i.e., regular full-time employees who are regularly scheduled to work a minimum of 30 hours per week) a noncontributory long-term disability (LTD) base plan. This noncontributory base plan provides for monthly LTD benefits of 50% of basic monthly earnings to a maximum benefit of \$1,000 per month, less any other offsets. Eligible employees are automatically enrolled as of the first day of the calendar month on or following their date of hire. Long-term disability coverage terminates on the last day of employment.

Please contact Human Resources for more information.

## **401(k) Plan**

The company offers a voluntary pretax salary reduction plan in which regular full-time and regular part-time employees (scheduled for and working a minimum of 20 hours per week), who are 21 years of age or older, may elect to participate beginning with the first payroll period administratively feasible after employment. The "window" periods during which an employee may change the dollar amounts or the percentages of his/her contributions are around January 1st, March 1st, July 1st and October 31st of each year. Notices of these "window" periods and other information regarding the Plan are circulated to all employees periodically throughout the year.

Further details about the Plan may be obtained from the Human Resource department and the Plan document.

## **Workers' Compensation Benefits**

The company is covered under statutory state workers' compensation laws. Employees who sustain work-related injuries must immediately notify their department supervisor.

## **Tuition Assistance**

The company will reimburse up to a maximum of \$5200 per year incurred by an employee for continuing education through an accredited program that either offers growth in an area related to his or her current position or might lead to promotional opportunities. Courses include college credit courses, continuing education unit courses, seminars and certification tests. Employees must earn a passing grade of "B" or its equivalent or obtain a certification to receive any

reimbursement. Expenses must be validated by receipts, and a copy of the final grade card or certification must be presented to show hours or certification received.

Any questions or comments should be directed to the HR department.

## **Employee Assistance Program (EAP)**

Through the employee assistance program (EAP), [Company Name] provides confidential access to professional counseling services. The EAP, available to all employees and their immediate family members, offers problem assessment, short-term counseling and referral to appropriate community and private services. This service is provided on behalf of the [Company Name] by \_\_\_\_\_.

The EAP is strictly confidential and is designed to safeguard an employee's privacy and rights. Contacts to and information given to the EAP counselor may be released to [Company Name] only if requested by the employee in writing. There is no cost for an employee to consult with an EAP counselor. If further counseling is necessary, the EAP counselor will outline community and private services available. The counselor will also let employees know whether any costs associated with private services may be covered by their health insurance plan. Costs that are not covered are the responsibility of the employee.

## **CHAPTER 7 - GUIDELINES FOR CONSERVATION WORKS OF IMPROVEMENT**

Conservation Works of Improvement are projects to conserve soil resources, control and prevent soil erosion, flood prevention, and the conservation, development, utilization and disposal of water within a district. Any landowner located in a Soil and Water Conservation District, may petition for construction of Conservation Works of Improvement. The following guidelines outline step-by-step procedures for planning and constructing improvements for natural resource conservation and development.

### ***PLANNING AND CONSTRUCTING CONSERVATION WORKS OF IMPROVEMENT***

The Soil and Water Conservation District Law ([Chapter 1515 of the Ohio Revised Code](#)) enables local Soil and Water Conservation Districts (SWCD), in addition to their other responsibilities, to construct improvements for natural resource conservation and development. Such improvements are:

- Flood protection impoundments;
- Flood protection by channel improvement;
- Channel improvement for drainage;
- Water quality control;
- Irrigation water supply;
- Community water supply;
- Recreation;
- Fish and wildlife; and
- Erosion control.

The purpose of this legislation was to enable local people and local units of government to initiate, construct and maintain natural resource works of improvement through the legal authority of Soil and Water Conservation Districts working cooperatively with the boards of county commissioners. The authorities in Chapter 1515 may be utilized to accomplish a project whether or not state funds are used in the project.

#### **Two funding opportunities are provided for use by districts:**

1. A "rotary fund" (Section 1515.15 ORC) was created whereby a loan may be obtained from the state to finance the cost of surveys and plans, appraisal, cost estimates, land options and incidental expenses. The loan is to be repaid upon collection of local revenue through the issuance of notes, sale of bonds, or collection of assessments. The availability of these funds is extremely limited.
2. State Cost-Sharing (Section 1515.15 ORC) is authorized whereby the Director of Natural Resources upon recommendation by the Ohio Soil and Water Conservation Commission may enter into agreements with boards of county commissioners under which the state shares up to fifty percent of the non-federal cost of construction of works of improvement by a county for a Soil and Water Conservation District provided the planned improvement meets the policies and guidelines established by the Department of Natural Resources. Availability of funds may be limited.

## **AN OUTLINE OF THE CWI PROCESS**

- 1. A problem is identified by a group of landowners, a unit of local government, or other entity.** An official request for assistance ([Form CWI -1](#)) may be submitted to the local Soil and Water Conservation District, if after investigation of the various possible alternatives, the group chooses the Conservation Works of Improvement
- 2. The local SWCD Board shall make a preliminary determination to accept or reject the petition.**
  - a. The petition may be rejected if the supervisors determine that the information that it contains about the proposed improvement is insufficient to enable the supervisors to proceed with the petition under this chapter 1515 or if the petition appears frivolous.
  - b. The supervisors may reject the petition on the grounds that the district lacks sufficient staff or other resources to proceed with the improvement.
  - c. If the supervisors reject a petition, they shall notify the petitioner of the reasons for rejection. A petition that was rejected due to insufficient information may be supplemented with additional information and filed again.
- 3. A "Joint Board" of the local Soil and Water Conservation Districts involved must be formed** if the project exceeds county boundaries. ([1515.17 ORC](#))
  - a. The District where the petition was filed should submit a letter of request for formation of a Joint Board showing official action of each board to the Ohio Soil and Water Conservation Commission (OSWCC) with the majority of the project area within its boundaries. If a joint board has an even number of representatives, then the county with the majority of the project area within its boundaries shall designate an additional supervisor.
  - b. The [letter of request](#) shall be accompanied by form CWI-2 "[Project Information Supporting Joint Board Request](#)".
  - c. Upon approval of the joint board by the OSWCC, each District will receive a letter of the OSWCC action and the primary District will receive copies of form [CWI-3 "Organization of a Joint Board of Supervisors Report"](#). The primary District should complete form CWI-3, forward one copy to each District of the joint board for their files; retain one copy for their own file, and forward one copy to the OSWCC.
- 4. Upon acceptance of a petition, the supervisors (or joint board of supervisor) shall establish a date and time for the view and hearing.**
  - a. The view shall occur between 25 to 90 days of acceptance of the petition.
  - b. The hearing on the project shall occur within 90 days of the view.
  - c. Within 20 days prior to the view, a written notice of the view and hearing shall be sent to all landowners in the area to be benefited by the project and to the County Commissioners and Engineer. The written notice shall be sent by certified mail to all landowners adjacent to the project and by certified or first class mail to all others. Any such notice shall have "Legal Notice" printed in plain view on the face of the envelope.
  - d. The supervisors shall invite to the view and hearing, the staff of the local soil and water conservation district, the staff of the natural resources conservation service, and any other parties that supervisors consider necessary to the proceedings.
- 5. District prepares a preliminary report including:**
  - a. Estimate of costs
  - b. Comments of the feasibility of the project

- c. And statement of the supervisors' opinion as to whether the benefits from the project are likely to exceed the estimated cost.
- 6. The supervisors shall conduct the view.**
  - a. The supervisors shall meet at the designated location near the proposed improvement, and shall hear proof of the need for the proposed improvement offered by any landowner affected.
  - b. The supervisors shall view the area in which the proposed improvement is to be constructed.
- 7. The supervisors shall conduct the hearing.**
  - a. Prior to the hearing, landowners affected by the proposed improvement may file objections to it with the supervisors.
  - b. The preliminary report shall be presented.
  - c. They shall hear any evidence offered by any landowner for or against construction of the proposed improvement. If necessary, the hearing may occur more than one day so that all interested landowners may have an opportunity to be heard in favor or opposition to the proposed improvement.
  - d. If modifications or alternatives to a proposed improvement are proposed or discussed at the hearing on the improvement, the supervisors may adjourn the hearings for period of time to conduct a subsequent view. The same persons shall be notified in the same manner as were required to be notified of the first view.
- 8. At the conclusion of the hearing, supervisors (or joint board of supervisors) may approve the petition if:**
  - a. They find that benefits exceed the costs.
  - b. The project is necessary.
  - c. Conducive to the public welfare.
  - d. Will improve the water management and development in the county.
  - e. And will promote economical, industrial, environmental, and social development to the area.
- 9. Upon approval, the supervisors shall establish a date for the completion of the plans and specifications** together with estimates of damages of the project in accordance with sections [1515.19 to 1515.193](#) and submit to the County Commissioners.
  - a. Technical design and review shall be done by:
    - i. The SWCD or NRCS personnel with the applicable engineering job approval authority, based on their technical skills and job performance.
    - ii. Consulting engineering firms and county engineers, licensed by the state of Ohio may design and construct Conservation Works of Improvement projects. Their design must also follow the district technical guides standards and specifications. The NRCS will provide consultative assistance during the design process, review plans and provide comments as requested.
    - iii. ODNR Division of Soil and Water Conservation will review any project requesting state cost sharing. All plans and design calculations, including hydraulic grade lines, must be submitted according to schedule for joint review. The Office of Chief Engineer's review is required prior to final approval of plan by the Director, Ohio Department of Natural Resources.
- 10. Upon completion of the plans, specifications, and estimates, the supervisors shall:**

Determine the area that would be benefited by the proposed improvement and certify the

determination together with the supervisors' approval of the improvement to the board of county commissioners of each county containing land included in the benefited area.

- a. Submit the plans, specifications, and estimates together with the preliminary report to each such board.
- b. The supervisors or their designee shall estimate the value of land or other property that must be taken and the damages to be sustained by any owner as a result of the construction and subsequent maintenance of a proposed improvement.
  - i. The schedule of damages shall consist of the name and address of each owner that is alleged to be damaged, the amount of estimated damages, and an explanation of the injury upon which the estimate is based.
  - ii. The schedule of damages shall contain the value of land or other property that is necessary to be taken and a complete description of that land or other property.
- c. The supervisors shall include this total of the estimated damages and valuations as part of the estimate of the total cost of constructing the improvement and shall submit the schedule of damages to the board of county commissioners of each county in which the improvement is to be located.

**11. The commissioners of each county involved shall (or joint board of county commissioners),** within 60 days of receipt of certification, approve or disapprove construction of the improvement. Considerations are listed in [1515.21](#). Plans, which are found inadequate or otherwise disapproved by a board of commissioners, can be revised and reconsidered by beginning from step 9.

**12. The board of commissioners or joint board of commissioners determines the procedure to be used for securing the local share of the project costs.** The county engineer or consulting board of appraisers or district personnel determines the assessments. A list is made of all benefited or damaged properties by name and address of owner, location, acreage, and total cost to be paid by owner as the assessment for benefits; or damage payments to be received by the owner. Once an estimated cost of the project has been determined, the property owners are notified of their proposed assessment.

**There is an alternative for securing the local (nonfederal) share of project cost includes the Varied Rate Assessment as provided for in [Section 1515.24 ORC](#).**

- a. Commissioners levy assessment
- b. Notice is given by first class mail to every person whose property is subject to assessment.
- c. Assessment must only be published in newspaper if property ownership can't be determined.
- d. Objections to assessments must be filed in writing at the office of the commissioners within 30 days after the mailing of notice or within 30 days of publication.
- e. Upon receipt of written objections, a final hearing is held within 30 days for the objectors and the board or joint board of county commissioners' actions is journalized.
- f. Assessments objections, which are not allowed by the commissioners, may be appealed to the Court of Common Pleas within 30 days.

**13. The Commissioners may proceed to advertise for bids and let contracts** as prescribed by Section [307.86 through 307.91](#) of the Ohio Revised Code, or may designate the board of supervisors as the contracting agency as provided in Section [1515.21](#). The board of supervisors proceeds under the authority of Section [1515.08\(H\)](#) of the Ohio Revised Code.

- a. Invitations for bids will include construction drawings and specifications, and general provisions that contain all applicable administrative requirements for the performance of the

contract. Section 100 of ODOT Construction and Material Specifications, or the equivalent, should be used as the general provisions for the contract

- b. If the cost of the improvement exceeds \$15,000, the board of county commissioners, board, or joint board of supervisors shall advertise for bids for not less than two consecutive weeks or more than four consecutive weeks at least 30 days prior to the date for opening the bids. Upon opening the bids, the contract will be awarded to the lowest and best bidder.
  - c. The contractor must conform to Ohio's Equal Employment Opportunity Act (EEO) mandate.
  - d. The contractor is required to provide a performance bond, for the full amount of the contract price before construction can be initiated. The commissioners or board of supervisors may alter their procedures or regulations regarding contracting as provided in Section 1515.21 ORC to be in accordance with rules and regulations of state, federal, or other cooperating agencies participating in the project.
  - e. The county commissioners or board of supervisors shall designate someone from their technical staff to serve as contracting officer. The contracting officer shall be responsible for coordinating a pre-construction meeting, measuring quantities, and preparing pay estimates, construction approval reviews by the authorized SWCD technical representative.
14. **The board of county commissioners certifies the assessment to the county auditor**, who in turn directs the county treasurer to collect the assessments under section 6131.23, If one of the following has occurred as applicable:
- a. Final notice is provided by mail or publication
  - b. Imposition of assessments is upheld in final disposition of an appeal.
  - c. The resolution levying the assessments is approved in a referendum pursuant to section 305.31 of the revised code.
15. **The commissioners may levy a tax** on property within the project area according to Section 1515.28 of the Ohio Revised Code.
- a. County Commissioners specify by resolution the rate, purpose, and duration of the tax.
  - b. The proposed tax will be submitted to the electors within the project area at the next succeeding November general election.
  - c. A sixty percent favorable vote is required to levy the proposed tax.
16. **The commissioners secure land, easements, and rights of way necessary for construction of the project** following legal authorization for appropriation or collection of funds. The commissioners may exercise the power of eminent domain if necessary.
17. **The commissioners may issue bonds or notes** in anticipation of assessment or tax collections and proceed to construct. The bonds or notes would be retired upon receipt of revenue from assessments or taxes.
18. **The board or joint board of county commissioners shall maintain the works of improvement** constructed for a soil and water conservation district, and may contract with or authorize the board or joint board of supervisors to do the maintenance.
19. **Any monies collected in excess of the amount needed for construction may be placed in a maintenance fund for the project.** When assessments are necessary for maintenance, the assessments shall be levied on the property within the project area at a uniform percentage based upon the schedule used in determining the construction assessment.

## **COMMON QUESTIONS - CONSERVATION WORKS OF IMPROVEMENT PROJECTS**

**Q. Should each person's assessment be discussed at the legal hearing held by the District?**

**A.** No. The purpose of the legal hearing is to review the project, discuss feasibility methods by which local monies can be collected and amounts of federal, state, and local funds. It is the board chair's task to keep the meeting on course.

**Q. Can an Improvement Project assess a Public Utility (e.g. Gas Utilities, Rail Roads, ODOT.)?**

**A.** Yes. There must be documentation that reflects the utility is benefited or in need of the improvement (e.g. restriction attached to the property deed).

**Q. Can the District charge an up front cost of doing a certified/first class mailing notification for an Improvement?**

**A.** Yes. The SWCD should develop a policy for recoupment of these expenses. One method for doing this is to set an administrative cost (e.g. 2% of the total estimated project cost) that is charged to the overall project. SWCDs may also charge a deposit to the petitioning landowners through a services agreement.

**Q. Who determines the cost-benefit analysis of a project?**

**A.** The board of supervisors and their representatives do. It is the responsibility of each board of supervisors in determining the estimated costs of doing an improvement.

**Q. Should the "View" be considered a special meeting of the SWCD?**

**A.** Yes. If any business will be performed during the "view" that requires a quorum of the SWCD board of, then the view should be advertised and posted as a special meeting of the SWCD.

**Q. Can a "View" and the "Public Hearing" be held on the same date?**

**A.** Yes. The law does not preclude a SWCD to set up the "View" and the "Public Hearing" on the same day. Notification of both functions shall be performed as required by Ohio Revised Code.

**Q. Does the Public Hearing have to have a record of minutes?**

**A.** Yes. Any meeting of the SWCD has to have an official accounting or minutes of the meeting done by the District's Secretary or a professional stenographer.

**Q. Who is responsible for completing the "Schedule of Damages" for an improvement project?**

**A.** The district board of supervisors is responsible for this action.

**Q. Do Supervisors' decisions on certification depend only upon support or opposition heard at the legal hearing?**

**A.** No. General support and interest indicated from the projects beginning, as well as any opposition and responses at the legal hearing, should be used in making a decision on certification. Supervisors must gather all information as whether the benefits exceed the cost. Supervisors may approve the petition if they find that project benefits exceeds the costs, the project is necessary, the project is conducive to the public welfare, the project will improve the water management and development in the county and the project will promote economical, industrial, environmental, and social development to the area

- Q. What happens after 60 days if the County Commissioners neither approves nor disapproves a Conservation Works of Improvement project?**
- A. The district board of supervisors should urge the commissioners to make a decision, or the district should request the Prosecuting Attorney to advise the Commissioners that a decision should be made, or the steering committee may retain a private attorney to pursue adherence to the law.
- Q. Who acquires land rights or easements for construction and maintenance?**
- A. The County Commissioners through the county engineer. The county engineer files a plat that is recorded by the County Recorder.
- Q. Can an individual pay his entire share of the project at one time?**
- A. Yes. Payment should be made according to county procedure after official notification of assessment is received.
- Q. Are assessments based on the estimate or adjusted to the actual project cost?**
- A. Assessments should be based on the estimate of project costs. Any monies collected in excess of actual cost may be put into the maintenance fund or returned to the project participants in like percentages collected.
- Q. What is the maximum time frame between the date the district accepts a Conservation Works of Improvement (CWI) application to the required view and public hearing?**
- A. From acceptance of application, the District has 180 days to hold a “View” and conduct the “Public Hearing”.
- Q. Who may testify at a legal hearing?**
- A. Anyone in the project area or anyone representing someone else.
- Q. Does the District staff have the right to enter private property for preliminary investigation and survey?**
- A. Section [1515.08\(K\)](#) of the Ohio Revised Code states that Supervisors have the power to enter, either in person or by designated representatives, upon land, private or public, in the necessary discharge of their duties.
- Q. What are some advantages of the Conservation Works of Improvement process over other methods such as county petition?**
- A. There is several:
1. No bond is required to initiate the project.
  2. If the District's technical representative does the engineering; it may be less expensive for the benefiting landowners.
  3. There is possibility of receiving state cost share funds for erosion control and environmental elements of the project from Capital Improvement Funds or line item funding from the state legislature. The Ohio Soil and Water Conservation Commission, through the Division of Soil and Water Conservation, administer these funds.
- Q. Do Conservation Works of Improvement projects require that the contractors be paid prevailing wages?**
- A. Not necessarily. Contractors preparing bid packages should know that [Chapter 4115 ORC](#) exempts Conservation Works of Improvement through SWCDs from paying prevailing wages if:
- 1) No less than seventy-five percent of the project is located on private land
  - 2) No less than seventy-five percent of the cost of the improvement is paid for by private property owners.

## **CONSIDERATIONS FOR CONDUCTING CWI PUBLIC HEARINGS**

1. Supervisors of the soil and water conservation district hold the public hearing.
2. The Chairman conducts and refers to it as a legal hearing - not a meeting.
3. The public hearing is not designed to serve as a debate session. It is designed to serve as a session in which the Supervisors:
  - Shall hear any objections filed against the project.
  - Present the preliminary report for the proposed improvement.
  - Shall hear any evidence offered by any landowner for or against construction of the improvement.
  - Explain alternatives and methods of financing the improvement.
  - Estimated assessments are made available to benefited landowners.

### **Tips And Suggested Protocols For Conducting The Public Hearing:**

- Always reference the event as a legal hearing
- Keep an official record of the entire hearing: Use a court stenographer or a tape recorder with a back-up note taker
- Anyone speaking should give their name and if they represent someone other than themselves. Indicate whom they represent
- Those speaking should be directed to do so into the microphone.
- Have the agency or the people responsible for development of the engineering plan present the details of the projects.
- The chairman or the chairman of the steering committee presents the cost of the projects, where funds will be obtained, approximate cost per parcel of land and the method that the district will recommend to the county commissioners for obtaining the local funds.
- Remind attendees that this hearing is for the explanation of the project not to debate assessments.
- It is not necessary to stimulate comments - the chairman gives those present an opportunity to ask questions and then closes the meeting.
- Introductions at beginning of meeting should include self and those people assisting with the project including but not limited to:
  - Supervisors;
  - County Commissioners;
  - District Personnel;
  - Prosecuting Attorney;
  - NRCS Personnel;
  - County Engineer and;
  - Other elected officials

## ***COST SHARE OPTIONS FOR CWI PROJECTS***

**From section 1515.16 Ohio Revised Code.** “The Director of the Department of Natural Resources, upon recommendation by the Ohio Soil and Water Commission, may enter into agreements with Boards of County Commissioners under which the state shares the cost of construction of works of constructed by the County for a Soil and Water Conservation District. The state share shall be paid from moneys appropriated for such purposes. The state authorized under this section shall not exceed fifty percent of the non-federal cost of the project.”

Conservation Works of Improvement must, as a condition for state cost-sharing, be deemed by the Department of Natural Resources as beneficial to water and land conservation management and development. The intent of the program is to encourage efficient and orderly development of Ohio’s water and land resources.

To receive state cost-sharing, each project must comply with the provisions outlined in the following section "Conditions for Cost-sharing," project plans must be approved by the Department of Natural Resources, and the project plans must be accompanied by an environmental statement assessing the environmental effects of the project.

### **Works of improvement shall address one or more of the following purposes:**

- Flood Protection - Impoundments
- Flood Protection - Channel Improvement
- Channel Improvement for Drainage
- Water Quality Control
- Irrigation Water Supply (loan agreements only; no cost share)
- Community Water Supply (loan agreements only; no cost share)
- Recreation
- Fish and Wildlife
- Erosion Control

The Director of the Department of Natural Resources may enter into cost sharing agreements subject to the availability of funds. The Director shall be guided by recommendations of the Ohio Soil and Water Conservation Commission.

The Chief of the Division of Soil and Water Conservation, upon receipt of a request for cost sharing, shall provide for the appropriate review of the project by other divisions of the department. The Chief shall present his findings to the Commission for consideration in making their recommendations to the Director.

### **Flood protection - Impoundments**

The state may share the non-federal cost of providing works of improvement for flood protection provided:

1. The legal sponsors assume responsibility for maintenance and operations of the constructed works in accordance with existing statutory requirements.
2. The state of Ohio has received assurance that the local authorities have taken, or will take, acceptable steps to control development (according to departmental floodplain management criteria) in areas of

frequent flooding within the project area. Post construction violations will constitute legal grounds for the state to recover all cost-share funds contributed by the state to the project.

3. A perimeter strip of land shall be provided by easement or purchase surrounding permanent pools. Assurance of public use shall be a condition for cost sharing. The cost for this land acquisition will be shared by the state if legal sponsors guarantee public use.
4. Cost-sharing on projects relating to flood control and/or storm water control will only be allowed where the community has adopted and is enforcing the proper floodplain protection, regulations of flood insurance programs and meets or exceeds the standards in the Rainwater and Land Development handbook prepared by Department of Natural Resources, Second Edition 1996.

### **Flood protection - Channel Improvement**

1. When flood protection is provided through channel improvement, any vegetation, including trees, in the channel and adjacent maintenance area which will not hinder project purposes or normal maintenance is to remain undisturbed.
2. Stream channel improvements will be done with the minimum effect on local fish and wildlife resources with protective measures provided wherever possible.
3. Protection of channels by fencing out livestock shall be required.
4. Maintenance of channel improvements must include, but not necessarily be limited to, clearance of brush and trees (other than brush and trees exempted as a result of Item B. 1) in the channel and channel maintenance strip, clearance of debris and silt bars which would be detrimental to stream flow, and periodic mowing. Time and frequency of maintenance shall be accomplished with consideration given to recommendations of the Division of Wildlife for the prevention of damage to wildlife.
5. In addition to providing flood protection, an objective must be to retain or improve wildlife habitat by leaving areas of the streambed and adjacent land as natural as possible. Wildlife mitigation measures are to be specified in the project plan.
6. Cost-sharing on projects relating to flood control and/or storm water control will only be allowed where the community has adopted and is enforcing the proper floodplain protection, regulations of flood insurance programs and meets or exceeds the standards in the Rainwater and Land Development handbook, Second Edition 1996, prepared by the Ohio Department of Natural Resources.

### **Channel improvement for drainage**

1. When drainage is provided as a co-benefit with flood protection in improvements, the state will share incremental non-federal costs incurred in providing this benefit. Applicable drainage problems are those which affect and require action by groups of landowners, communities, and the general public through cooperation with local, state and federal governments.
2. In assessing the need for state cost sharing the department will take into consideration whether drainage problems would exist in a measurable degree after individual efforts had been exhausted.
3. Limitations and conditions set forth in B--Flood Protection- Channel Improvement applies if the Ohio Department of Natural Resources determines these features to be in the public interest.

### **Water quality control**

1. In areas where the general welfare is affected and responsibility for poor water quality cannot be assigned to individual landowners, the state will share the non-federal cost of providing works for the improvement of water quality.

2. Cost sharing is limited to those areas of water quality improvement, which are not eligible for sufficient aid from other state and federal programs.
3. This specifically includes, but does not limit to, projects involving reduction of acid mine drainage from abandoned mines and abatement of sedimentation.
4. Cost-sharing will be furnished provided:
  - a. The legal sponsors assume ownership or permanent easements and responsibility for maintenance of the constructed works in accordance with existing statutory requirements.
  - b. Need for the project is determined to be necessary by the Department of Natural Resources.

### **Irrigation water supply**

The state shall share the non-federal cost of providing irrigation from water storage reservoirs, wells, or river intake systems provided:

1. The legal sponsors assume ownership or permanent easements and responsibility for maintenance of the improvements in accordance with existing statutory requirements.
2. Irrigation benefits are provided to a minimum of 1,000 acres as a single purpose structure and lesser areas in a multiple purpose structure.
3. The legal sponsors accept responsibility for reimbursement of the state cost as agreed upon by contract, the capital for which could accrue through user fees.

### **Community water supply**

The state will share the non-federal cost of providing community water supply reservoirs, wells or river intake systems provided:

1. Funding is limited to those communities, which have inadequate quantity and/or quality of water and have exhausted assistance possibilities through the Ohio Water Development Authority and other sources both state and federal.
2. The legal sponsors assume ownership or permanent easements and responsibility for maintenance of improvements in accordance with existing statutory requirements.
3. The legal sponsors accept responsibility for reimbursement of the state cost, the capital for which could accrue through user fees.
4. The legal sponsors have assured the Department of Natural Resources that adequate sewage treatment facilities are in existence or will be installed prior to operation of the water supply system.

### **Recreation**

The state will share the non-federal cost for development of public recreation provided:

1. The legal sponsors assume ownership and responsibility for maintenance and operation of the development in accordance with existing statutory requirements; maintenance standards will be determined through mutual agreement by the Ohio Department of Natural Resources and the legal sponsors.
2. Necessary water supply and waste disposal facilities are provided which are approved by the Ohio Department of Natural Resources and other state departments as appropriate. Cost of these facilities may be shared by the state.
3. Public fishing rights on reservoirs will be required where feasible. The costs incurred for providing public access to reservoirs may be shared by the state. Swimming and other body contact activities should be included.
4. The project meets a need identified in the statewide comprehensive Outdoor Recreation Plan.

## **Fish and Wildlife**

The state will share the non-federal cost for development of fish and wildlife areas provided:

1. The legal sponsors assume ownership or control and responsibility for maintenance of any development in accordance with existing statutory requirements.
2. Public access is provided and where practical public fishing and hunting (where advisable) is guaranteed. The cost of public access development will be shared by the state.
3. The state will share the cost of obtaining easements along streams undergoing channel modification for flood protection, provided the easements are properly planted to be conducive as cover for wildlife. These easements must extend at least 15 feet beyond the channel maintenance strip on either or both sides of the channel and be maintained by state wildlife or other funds.

## **Erosion Control**

The state will share the non-federal cost of soil erosion control practices provided:

1. The project involves erosion protection along streams, man-made lakes, roads, and drainage ways.
2. Erosion problems applicable are those which affect and require action by groups of landowner, communities, and the general public through cooperation with local, state, and federal government.
3. The problem would still exist in a measurable degree after individual efforts have been exhausted.
4. The legal sponsors shall assume control and responsibility for maintenance of all improvements in accordance with existing statutory requirements.
5. If the project is designed to remedy a problem caused by urban development, applicable local units of government shall have adopted (or be proceeding toward the adoption of) urban sediment control regulations.

## **Cost-Share Criteria**

The Soil and Water Conservation Commission will use the following criteria for recommending projects to the Director of the Department of Natural Resources for state cost sharing. The Director of Natural Resources will use these criteria when entering into agreements with boards of county commissioners for sharing the cost of constructing works of improvement for a soil and water conservation district in accordance with Section 1515.16 of the Ohio Revised Code.

The state's share of the cost of a project shall be limited by the specific element percentages listed below, by the availability of funds, and by a total maximum of 50 percent of the non-federal cost of the project. The total project costs may include planning, land rights, easements, construction costs and other costs agreed to by the Ohio Soil and Water Conservation Commission.

## **Cost sharing elements of a project and individual levels of cost sharing include:**

1. **Channel excavation** relating to improving stream channel stability and maintaining or improving wildlife habitat if:
  - a. The project plans are approved by ODNR,
  - b. If channel side slopes are a minimum of 2:1, and
  - c. If at least a ten-foot berm with suitable vegetative cover for erosion control and wildlife food and cover is established on one or both sides of the channel as appropriate. The berm or berms must be maintained in such cover and may be used infrequently as a channel maintenance or field access road.

- d. Cost sharing will be limited to 10 percent of the non-federal cost of excavation of channels. Where slopes flatter than 2:1 are recommended by the technical staff of the soil and water conservation district for stability and maintenance purposes, the cost will be increased up to 35 percent of the excavation cost for the increment of earth moving between 2:1 and such flatter slopes designed and built into a project.
  - e. Preference will be for larger projects with 5 or more square miles of drainage area above the area where excavation is cost shared, or where stream flow is generally continuous throughout the year.
2. **Erosion control measures** including grade stabilization structures, drop inlets, chutes, and other kinds of critical area stabilization and bank slope protection. Cost-sharing will be limited to 50 percent of the nonfederal cost of these structures and measures.
  3. **Collector tile mains** paralleling the stream channel used to reduce the number of outlets to the stream channel. Cost-sharing will be limited to 30 percent of the nonfederal cost.
  4. **Pipe extensions** (with appropriate animal guards) on tile outlets where 8 inch or larger pipe is required. Cost-sharing will be limited to 30 percent of the nonfederal cost.
  5. **Grassed waterways and related components** (subsurface drainage, etc.), cost-sharing will be limited to 75 percent of the nonfederal cost of the waterway and necessary subsurface drainage for the waterway only. Cost-sharing on required tile drainage will be limited to a maximum of 75 percent of the cost of 6 inch tile installed.
  6. **Diversions or terraces** for the purpose of erosion and flood control. Cost-sharing will be limited to 50 percent of the nonfederal cost.
  7. **Establishment of vegetative cover**, both herbaceous and woody, for erosion control and for wildlife cover in conjunction with channel modification, stream channel berms, waterways, diversions, detention facilities including appropriate planting of adjacent odd areas to suitable wildlife food and cover plants. Cost-sharing will be limited to 75 percent of the nonfederal cost including seedbed preparation, fertilization, seeding, mulching, or sodding as recommended by the technical staff of the soil and water conservation district in cooperation with wildlife biologists. Channel banks may be seeded to tall fescue, however, berm areas and other odd areas shall be seeded to a legume grass mixture compatible with erosion control and wildlife habitat.
  8. **Land rights (easements)** for permanent vegetated berms, field corners, or odd areas adjacent to channel banks on one or both sides of the channel. Such berms and other areas shall be seeded and maintained in grass legume cover or suitable woody vegetation compatible with reasonable project maintenance and good wildlife habitat.  
 Cost-sharing will be limited to 80 percent of the value of the land as appraised for tax purposes for berms of at least 10 feet and not to exceed 15 feet in width from the existing top of the channel slope or for special wildlife areas such as existing trees, field corner areas or other odd areas. Such land rights (easements) cost shall be paid to the pertinent landowners or credited to their assessments.
  9. **Snagging and clearing of stream channel** banks and permanent berm areas as part of a stream channel modification project. Cost-sharing will be limited to 20 percent of the total non-federal project cost (excluding individual landowner costs) for clearing and snagging on both sides of the channel.
    - a. Cost-sharing will be limited to 50 percent of the total nonfederal project cost for clearing and snagging where suitable erosion control vegetation and wildlife habitat cover exists, is considered desirable, and is retained on one side of the channel.
    - b. Snagging and debris removal as an alternative to total clearing and channel modification on projects where continuing maintenance will be assured by local government. Cost-sharing

Preferences will be for projects where the drainage area above the proposed work exceeds 25 square miles.

- c. Stream or river obstruction removal on isolated sections of large streams or rivers, primarily for the removal of log jams and other similar obstructions on isolated projects in a reach of stream where long term maintenance is not assured. Cost-sharing will be limited to 25 percent of the nonfederal cost of projects where the watershed area above the obstruction exceeds 50 square miles.

**10. Special wildlife features** having limited benefit to the landowner such as fish pools, in stream fish habitat improvement structures and set-aside food and cover areas. In addition, other aspects or special features unique to a specific project and having limited benefit to but agreeable by the property owner. This might include special planting such as up to five foot balled and burlaped trees and shrubs in odd corners or other suitable planting areas. Cost-sharing will be up to 100 percent of the nonfederal cost.

**11. Construction of detention facilities** and impoundments to control existing flooding and stream channel erosion. Cost sharing will be limited to 50 percent of the non-federal cost of the practice.

## REQUEST FOR ASSISTANCE

Under the provisions of Sections 1515.01 to 1515.29 inclusive of the Revised Code of Ohio, commonly referred to as Conservation Works of Improvement

We request that the \_\_\_\_\_ Soil and Water Conservation District assist us in the planning and construction of the works of improvement needed to attain the following:

\*\*\*\*List those improvements you feel are needed in your project area. Attach additional sheet if necessary\*\*\*\*

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We recommend the following name for our project:

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Approximately \_\_\_\_\_ acres and approximately \_\_\_\_\_ people are included in the project scope.

The following assistance will be needed: (Check all those that apply)

- Organizational       Financial       Planning       Educational  
 Other (Specify) \_\_\_\_\_

\_\_\_\_\_  
Chairman, Group or Steering Committee      Date: \_\_\_\_\_  
Month      Day      Year

Request was received in the SWCD office on: \_\_\_\_\_

This project  Approved  Disapproved by the board of supervisors of the  
\_\_\_\_\_ Soil and Water Conservation District at an official meeting

held on \_\_\_\_\_ .  
Month      Day      Year

\_\_\_\_\_  
Chairman, Soil and Water Conservation District

If tabled, when was this project removed from the table and acted upon.

This project  Approved  Disapproved by the board of supervisors of the  
\_\_\_\_\_ Soil and Water Conservation District at an official meeting

held on \_\_\_\_\_ .  
Month      Day      Year

\_\_\_\_\_  
Chairman, Soil and Water Conservation District

## PROJECT INFORMATION SUPPORTING DISTRICT JOINT BOARD REQUEST

The following information is submitted to the Ohio Soil and Water Conservation Commission, with our formal letter of request, seeking permission to form a Joint Board of Supervisors who shall assume the district's responsibility in implementing works of improvement in the

\_\_\_\_\_ Project area, in accordance with Chapter 1515 of the Ohio Revised Code.

The following districts wish to form a Joint Board of Supervisors

\_\_\_\_\_

The Joint Board will consist of \_\_\_\_\_ district supervisors selected as follows:

\_\_\_\_\_

(designate the number from each district forming the joint board)

The majority of the benefits resulting from the construction of this project will be in the \_\_\_\_\_ Soil and Water Conservation District.

List the main purposes of the project in order of importance:

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

The majority of the land area in the project area is in the \_\_\_\_\_ district.

The project area is approximately \_\_\_\_\_ acres in size.

The district having the most people in the watershed is \_\_\_\_\_.

The County Commissioners in the affected counties have been informed of the project:      YES      NO

Their position is:      Supportive      Unfavorable

The contracting agency for construction will be \_\_\_\_\_  
\_\_\_\_\_

Please complete the back of this page.





## APPLICATION FOR ADVANCE OF MONIES FROM THE SOIL AND WATER CONSERVATION ROTARY FUND

**I. BOARD OR JOINT BOARD OF COUNTY COMMISSIONERS:**

1. Name: \_\_\_\_\_

2. Official Address: \_\_\_\_\_

3. Primary objectives of Works of Improvement:

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**II. LOAN DATA:**

1. Amount requested: \$ \_\_\_\_\_

2. Brief description of project(s) and/or items to be supported by loan:

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3. Source of funds for repayment of loan

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4. Estimated repayment date: \_\_\_\_\_

5. If installment plan is requested, what date do you suggest for the:  
Initial payment? \_\_\_\_\_ Final payment? \_\_\_\_\_

6. Has the board applied elsewhere for funds?  Yes  NO  
If yes, provide source and amount(s) borrowed:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**III. PLANS AND BUDGET:** Specify the nature and importance of project(s) to be supported, cost of each, and any future plans relative to these projects.

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

Signed by Board of County Commissioners \_\_\_\_\_ Date \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The \_\_\_\_\_ Soil and Water Conservation District Board of Joint Board of Supervisors at an official meeting \_\_\_\_\_ **Date** \_\_\_\_\_ requested the above Board or Joint Board of County Commissioners to apply for the loan requested in this application for the purposes set forth above.

Signed by the Soil and Water Conservation District Board  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**APPLICATION FOR  
STATE COST-SHARE FUNDS  
FROM  
THE OHIO SOIL AND WATER CONSERVATION COMMISSION  
AND  
THE OHIO DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF SOIL AND WATER CONSERVATION**

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Name of Board or Joint Board of County Commissioners

**ASSISTING**

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Name of Board or Joint Board and Soil and Water Conservation District

Received: \_\_\_\_\_  
(Date)

Ohio Soil and Water Conservation Commission  
Bldg. B-3  
2045 Morse Road  
Columbus, Ohio 43229

**A. General Project Information:**

1. Applicant Board: \_\_\_\_\_  
County Commissioners or Joint Board of County Commissioners

2. Official Address \_\_\_\_\_  
\_\_\_\_\_

3. Name of Project: \_\_\_\_\_

4. Project Chairman or Coordinator: \_\_\_\_\_

5. Brief description of the project and the primary objectives:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. List specific improvements needed in the project area:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

7. The project contains approximately \_\_\_\_\_ acres.

8. Number of people living within the project area \_\_\_\_\_

9. The project contains approximately \_\_\_\_\_ landowners.

10. List facilities (if any) that are a part of the project that will be available to the public:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

11. Who will assume responsibility for maintenance and operations of the project?  
\_\_\_\_\_

12. What steps have been taken to control development in areas of frequent flooding?

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13. Environmental Assessment Statement (Be brief!)

a) Favorable environmental impact: \_\_\_\_\_

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b) Adverse environmental impact: \_\_\_\_\_

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c) Alternatives: \_\_\_\_\_

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14. Has an application been filed with the U.S. Army Corps of Engineers for a "404" Permit?

YES

NO

15. Has an application been filed with Ohio EPA for a "401" Permit?

YES

NO

16. In our best judgement, all federal, state, and local laws relating to area use, minimum wages, exemption from minimum wages, conflicts of interest, non-discrimination in employment, and similar matters can be met.

YES

NO

**B. Cost-Sharing Data:**

1. Total Estimated Project Costs: \$ \_\_\_\_\_
2. Cost-sharing amount requested: \$ \_\_\_\_\_
3. Source of local funds: \_\_\_\_\_  
\_\_\_\_\_
4. Additional information impacting the project: \_\_\_\_\_  
\_\_\_\_\_

**C. Plans and Budget** (Specify in detail the items to be financially supported):

	Development item	Purpose	Estimated Cost			
			Local	State	Federal	Total
1.	_____	_____				
2.	_____	_____				
3.	_____	_____				
4.	_____	_____				
5.	_____	_____				
6.	_____	_____				
7.	_____	_____				
8.	_____	_____				
9.	_____	_____				
10.	_____	_____				

Total cost of project (Should be the same as B-1 above): \$ \_\_\_\_\_

We, the \_\_\_\_\_ (board or joint board) of county commissioners, do hereby request cost-share funds as indicated in the foregoing application, according to Section 1515.16 of the Ohio Revised Code.

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

\_\_\_\_\_  
Chairman of Board County Commissioner or Joint Board of County Commissioners

The \_\_\_\_\_ Soil and Water Conservation District (board) (joint board) of supervisors at an official meeting on \_\_\_\_\_ Date of board meeting \_\_\_\_\_ requested the above board of county commissioners to apply for the state cost-share funds requested in this application for the purpose set forth in this application.

\_\_\_\_\_  
Chairman of Soil and Water Conservation District Board or Chairman of Joint Board of Supervisors

## ***SAMPLE LETTER OF REQUEST TO FORM A JOINT BOARD***

Date

Ohio Soil and Water Conservation Commission  
Ohio Dept. of Natural Resources  
Building B-3  
2045 Morse Road  
Columbus, Ohio 43229

Dear Commission Chairman,

The Clearwater Soil and Water Conservation District respectfully requests the formation of a Joint Board of Supervisors to carry out the Upper Little Jackson Watershed Project. The project involves the following soil and water conservation districts – Muster, Johnson, Meyers, and Clearwater. The project received funding from Ohio EPA 319 Funds. Each soil and water conservation district has agreed through Board action to support the project and to appoint a representative to the joint board.

The accompanying Attachment 2, [Project Information Supporting Joint Board Request](#), contains information about the project. However, please feel free to contact our office if you have any questions.

Sincerely,

Seth Dobson, Chairman  
Clearwater SWCD

CC: Johnson SWCD  
Meyers SWCD  
Muster SWCD  
Program Specialist

## **SAMPLES OF LEGAL NOTICES & NEWS RELEASES FOR CWI PROJECTS**

### **Public Hearing**

#### **LEGAL NOTICE**

The Warren County Soil and Water Conservation District Board of Supervisors, in carrying out Section 1515.184 of the Ohio Revised Code, will conduct a PUBLIC HEARING for the purpose of presenting the final plans on the Myrtle Village Drainage project. Such PUBLIC HEARING to be held in J.F. Burns Elementary School on Columbia Road near U.S. 22 at 7:30 P.M. on Tuesday, March 9, 2005.

A copy of the project plans can be viewed at the office of the Warren County Soil and Water Conservation District, 777 Columbus Avenue, Lebanon, Ohio Monday through Friday, 8 A.M. to 5 P.M.

### **Notice of View and Hearing Preliminary Hearing**

#### **NOTICE OF VIEW AND DATE OF PRELIMINARY HEARING TO OWNERS OF LAND AFFECTED BY THE PROPOSED IMPROVEMENT**

The Allen Soil and Water Conservation District will conduct a VIEWING and PRELIMINARY HEARING for property owners and/or their representatives of the Little Cranberry Creek Project, #12-222, to reconstruct the open ditch and waterway and install structure and tile on land in Monroe Township, Allen County, Ohio. The VIEWING and PRELIMINARY HEARING will be held, on Tuesday, December 6, 2005 at 1:30 P.M. at the Monroe Township Hall located at 8500 Slabtown Road, Columbus Grove, Ohio. The VIEWING will be for the purpose of visiting the proposed project, followed by the PRELIMINARY HEARING, which will be for the purpose of hearing any public comment for or against the proposed project. Anyone unable to attend may contact the Allen Soil & Water Conservation District, 3900 Campus Drive, Lima, Ohio, Monday through Friday, 8A.M. to 5P.M. Phone 419-223-0040.

Robert Hutchinson, Chair, Allen Soil and Water Conservation District.

### **Special Board Meeting, Viewing and Preliminary Hearing**

#### **SPECIAL MEETING NOTICE**

The Defiance Soil and Water Conservation District Board of Supervisors, will be holding a special meeting at 10:30 am on Wednesday, November 9, 2005 at the Evansport Township Hall, 5656 St. Rt. 2, Evansport, Ohio for the propose of addressing the VIEWING and PRELIMINARY HEARING on the John Hollenbacher Group Tile Project.

## **CHAPTER 8 - OHIO AGRICULTURAL POLLUTION ABATEMENT PROGRAM**

### **ADMINISTRATION**

Ohio's Agricultural Pollution Abatement Program (APAP) is administered by ODNR-Division of Soil and Water Resources (DSWR) and implemented locally by all 88 Soil and Water Conservation Districts (SWCDs). Rules 1501:15-5-01 to 1501:15-5-20 of the Ohio Administrative Code establish state standards for a level of management and conservation practices in farming, silvicultural operations and animal feeding operations on farms in order to abate excessive soil erosion or the pollution of waters of the state by soil sediment and animal manure. These rules also define Ohio's pollution abatement grant program for landowners or operators to voluntarily install conservation practices.

The Chief of ODNR-DSWR has entered into cooperative agreements with all 88 SWCDs to implement the APAP. SWCDs assist ODNR-DSWR in implementing the Agricultural Pollution Abatement Program by providing landowners, farm operators and loggers technical assistance, advice and expertise and informing them of the level of conservation necessary to comply with the rules and standards. SWCD Board of Supervisors or their designee perform the following tasks: approve or disapprove nutrient management plans, approve or disapprove operation and management plans including timber harvest plans, and investigate agricultural pollution complaints. When agricultural pollution abatement violations cannot be resolved voluntarily, the division chief can issue an order against any person who fails to comply with the rules and standards and any person failing to comply with these orders is subject to criminal penalties.

### **HISTORY OF THE AGRICULTURAL POLLUTION ABATEMENT PROGRAM**

[Click Here to review APAP timeline.](#)

### **LAW AND RULES**

#### **[Chapter 1511 of Ohio Revised Code](#)**

The Chief of ODNR-DSWR shall establish technically feasible and economically reasonable standards to achieve a level of management and conservation practices in farming or silvicultural operations that will abate wind or water erosion of the soil or abate the degradation of the waters of the state by animal waste or by soil sediment including substances attached thereto, and establish criteria for determination of the acceptability of such management and conservation practices.

#### **[Chapter 1501:15-5 of Ohio Administrative Code](#)**

Rules 1501:15-5-01 to 1501:15-5-20 of the Administrative Code apply to the control of pollutants from areas within the state used for agricultural production or silvicultural operations, including land being used for the production or keeping of animals or for the production of agricultural crops or private, industrial, commercial, and public woodlands.

## **AGREEMENTS AND POLICIES**

The ODNR-DSWR maintains a website with guidance documents, complaint forms and other documents to assist SWCDs with carrying out APAP responsibilities. Below are several of those documents. To view the complete website: [Click Here](#) and [Here](#).

### **[APAP Memorandum of Understanding with SWCDs](#)**

The chief of the ODNR-DSWR has entered into cooperative agreements (MOU) with the 88 boards of supervisors of districts to implement the agricultural pollution abatement program.

### **[Standard Operating Procedures \(SOP\) for Handling Complaints](#)**

The SOP provides a step by step outline for SWCDs to refer to as they receive and investigate agricultural pollution abatement complaints.

### **[Entering Complaints into Soil and Water Information Management System \(SWIMs\)](#)**

This document provides a step by step process for SWCDs entering pollution complaints in SWIMs. All complaints must be entered into the SWIMs database within 10 working days of receiving the complaint. Also, the complaint form can be found at the [ODNR-DSWR website](#).

### **[APAP Cost Share Program and Advisory Report](#)**

The APAP program has typically provided cost share dollars to assist operations that are seeking voluntary compliance. Funds are limited and ODNR-DSWR Resource Management Specialists (RMSs) should be contacted to check on availability. Forms for applying for cost share can be found at the [ODNR-DSWR website](#).

AGRICULTURAL POLLUTION ABATEMENT PROGRAM  
MEMORANDUM OF UNDERSTANDING

This Agreement made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between the Chief of the Division of Soil and Water - Resources, Ohio Department of Natural Resources (hereinafter referred to as the "Chief"), acting under authorization of Section 1511.05 of the Ohio Revised Code, and the Board of Supervisors of the Soil and Water Conservation District, hereinafter referred to as the "Board."

WITNESSETH THAT:

WHEREAS, The Board desires to implement Agricultural Pollution Abatement Programs, within the district as authorized in Chapters 1511 and 1515 of the Ohio Revised Code and rules promulgated thereto; and,

WHEREAS, under the provisions of Section 1511.05 of the Ohio Revised Code, the Chief shall, upon approval of the terms of the agreement by the Ohio Soil and Water Conservation Commission, enter into agreements with any Board desiring to enter such agreements under the provisions of Paragraph 1515.08 (L) of the Ohio Revised Code for the purpose of carrying out the aforementioned programs.

NOW THEREFORE, in consideration of the mutual covenants by and between the parties hereto, the parties agree as follows:

1. The Board, with funds appropriated under the authority of Ohio Revised Code Sections 1515.10 (County appropriations) and 1515.14 (State matching funds and municipal and township appropriations), with other funds available to the Board, and with assisting agency personnel as available, agrees to prioritize district personnel time to fulfill the terms of this agreement, within the district's overall priorities and capabilities.
2. The Board and the Chief will operate in accordance with Ohio Administrative Code Sections 1501: 15-5, sub-sections 01 through 20 (Agricultural Pollution Abatement Rules and Standards). The Board will investigate complaints and seek to resolve those deemed valid. The Board, will also contact landowners having known or suspected pollution problems, even though no complaints have been filed, investigate known or suspected problems and seek to address any problems. The board will enter all complaints into the Soil and Water Information Management System (SWIMS) program and insert necessary updates thereafter.
3. The Board agrees to adopt policies and procedures guiding the district's agricultural pollution abatement program, consistent with ORC Chapters 1511 and 1515 and OAC 1501, and will operate in accordance with ODNR-DSWR SWCD Standard Operating Procedures (SOP) for handling pollution complaints.

4. The Board shall approve or disapprove operation and management plans for agricultural operations, pursuant to OAC 1501: 15-5-15,
5. The Board will recommend the eligibility of landowners and practices for State cost sharing; final approval of such practices will be determined by the Chief or his designee, subject to availability of funds and staff. The Board will also provide technical assistance in planning, layout and construction; certify that practices are completed and meet required standards and specifications; and assist in assuring the maintenance of cost shared practices.
6. The Board will inspect practices previously installed with district and/or state assistance to ensure proper maintenance through the project's life.
7. The Chief will provide training for district supervisors and personnel in their duties, responsibilities and authorities in implementing the pollution abatement program according to ORC Chapters 1511 and 1515.
8. The Chief will provide administrative guidance to the Board in planning, budgeting, staffing, implementing and administering the pollution abatement program.
9. The Chief will provide engineers and resource management specialists to provide technical training (e.g. Technician Development Program and Silvicultural BMP Training) and to provide assistance for the development and/or review of engineering, conservation, Operation and Management and Nutrient Management Plans.
10. The Chief will provide engineers and resource management specialists, at the request of the Board, to assist district staff with complaint investigations, BMP recommendations, and to provide information on cost share eligibility.
11. The Chief may share the cost of constructing eligible agricultural pollution abatement practices to the extent allowable under rules and procedures of the State cost share program, and subject to the availability of funds for such purpose.
12. The Chief, after reviewing that efforts have been exhausted and appropriately documented by the Board to resolve a pollution complaint or problem or upon request of the Board will initiate a Notice of Violation and if necessary Chief's Order.
13. The Board may appropriate funds as necessary to implement the provisions of APAP rules and standards as outlined in Ohio Administrative Code.
14. If the District notifies the Division that they choose not to carry-out the requirements of OAC 1501:15-5 or this MOU, the Chief reserves the right to recommend to the Ohio Soil and Water

Commission that the District be invoiced for Division staff time at their normal per hour rate of pay, mileage at the state reimbursement rate and other related expenses in order to investigate the complaint or address the pollution issue. The Commission will take into account the availability and technical capability of District staff in order to carry-out these requirements in making their decision.

15. Either party has the right to cancel this agreement after giving thirty days written notice to the other respective party.

The signing of this agreement on behalf of the \_\_\_\_\_ Soil and Water Conservation District Board was authorized by a resolution on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Chair  
Board of Supervisors  
Soil and Water Conservation District

\_\_\_\_\_  
, Chief  
Division of Soil and Water Resources  
Department of Natural Resources

Approved by the Ohio Soil and Water Conservation Commission

\_\_\_\_\_  
DATE

\_\_\_\_\_  
, Chair



## SWCD PROCESS FOR ENTERING POLLUTION COMPLAINTS IN THE SWIMS POLLUTION COMPLAINT MODULE



### Step 1: Enter The Cooperator Information For The Complaint

This will include information for both the Alleged Violator as well as the Complainant. Both of these have to exist as Cooperators in the Cooperator module.

- After logging into SWIMS, select the *Cooperators* icon from the main SWIMS toolbar on the left side of the screen.
- Then click on *Cooperator Search*, the “Cooperator Search” page comes up, enter the cooperator’s last name and click *Search*. Do this for the both the alleged violator and the complainant.
- If the cooperator name is returned in the “Search Results”, single click the entry to select it and then press the “Edit” button to open/display the cooperator details. Click on the “Locations” tab to display the Tract or Parcel information that has been entered for the Cooperator.

**Important:** The alleged violator’s tract or parcel associated with the pollution complaint/investigation **must** be entered prior to completing the complaint, entering any Communication notes, (cons 6 notes), or completing the PIR in the SWIMS Pollution Complaint module. *It is not required to enter tract or parcel information for the Cooperator who is the Complainant.*

- If the Cooperators (alleged violator and complainant) have not been entered, click “Cooperators” on the main SWIMS toolbar, then click “*Add Cooperator*”. This will bring up a blank Cooperator “Details” screen. At a minimum, you will need to populate the following fields: 1) First Name, 2) Last Name, 3) Address, 4) City, 5) State 6) Zip Code and 7) County.

**Important:** Once completed then be sure to add the applicable tract or parcel information under the *Locations* tab for the alleged violator.

- If the alleged violator is **unknown**, use the following information to create an “Unknown” Cooperator.
  - First name: **Violator**
  - Last name: **Unknown**
  - Address: **Unknown**
  - City: **Unknown**
  - County: **Use the actual county name**
  - Tract #: **9999**
- Click *OK* to return to the *Cooperator Search* screen
- Continue to **Step 2**

## Step 2: Begin Work In The *Pollution Complaints Module – Complaint Tab.*

- Click on the *Pollution Complaints* button on the main SWIMS toolbar on the left side of the screen, then click on *Pollution Complaints*”.
- The *Pollution Complaint/Pollution Investigation Report Search* page opens.
- Click *Search* to see if the complaint has been entered. If not, select the *New Complaint* button on the right side of the page.
- Complete all information on the Complaint screen down through the comments box and select the **SAVE** button at the top left of the screen before entering the Cons. 6 notes. If your 6 notes are long, SWIMS can time out before you finish and all the information you have entered will be lost. The only way you’ll find out that SWIMS has timed out is when you go to *Save* and have to log in again. **(Remember, SAVE early and often)**

**Note:** Ensure that you have selected an “*Alleged Violator*” before you “Save” the complaint. If you have not done so, the SWIMS generated complaint number will be incomplete (i.e. – Mercer-2007-\_\_\_\_\_). If the alleged violator is unknown, select the “Unknown” cooperater that you created.

- To enter a 6 note, click the grey box located next to the “*Click here to add a new record*” statement at the bottom of the page. Then double-click on the date cell. You must enter the date using the following format: yyyy-mm-dd. To select a tract/parcel double click on the tract button; pick the applicable tract/parcel off the drop down list. To better see the *Tract/Parcel* numbers, select any tract and then select the *Planner* box, this will expand the *Tract* box and make it easier to see which tract/parcel number you picked or would like to pick. This also applies to the *Note* box.

### Notes:

- When entering in the *Note* field, you can use the “Enter” key just like you would in a word processing program. This will not cause you to lose the page as it does in other SWIMS modules.
- Conservation 6 note entries can be created in MS Word (highly recommended) and then cut & pasted into the 6 note box. The advantage is ease of typing as well as spell check.
- If in the complaint module, you generate cons 6 notes for *Violator Unknown* on *Tract #9999*, those 6 notes will always be associated with *Violator Unknown* on *Tract #9999*. If you change the alleged violator in the complaint module to a known person, you should cut and paste the applicable 6 notes from *Unknown* to the new person’s 6 notes.
- When done entering information, click on the “Change Status” button near top of the screen; select “Complaint Entered.”
- Then Select the *Save* button at the top left of the screen. The complaint has now been entered in the system.
- Continue to **Step 3**

### Step 3: Completion Of The “PIR – General” Form And Other “Forms” As Required.

- On *Complaint* page, click on “*Here*” button (right side of page, just below box labeled “DSWC Use Only”). This will generate the “PIR – General” form for the complaint.
- Then click on the “PIR – General” tab and complete the PIR form for the complaint.
- Important Note:** Question 3 requires you to enter a latitude and longitude reading (in Degrees, Minutes, Seconds format). This information **MUST** be entered on the PIR form or NONE of the information entered on the form will be SAVED,

The following websites/programs are helpful for determining/finding latitude and longitude readings.

- <http://touchmap.com/latlong.html>
- Google Earth

**Note:** On question 6, depending on the rules that have been violated, additional PIR forms may need to be completed. If additional PIR forms are needed, click on the “*Enable/Disable Supplemental Forms*” button found at the end of Question 6. This will activate the appropriate supplemental form(s).

- Complete any required additional forms.
- When all PIR forms have been completed, return to the “Complaint” tab, click on the “Change Status” button near top of the screen, and select “PIR Submitted.”
- Select the *Save* button at the top left of the screen.
- The PIR(s) is/are now in the system.

## **CHAPTER 9 – SWCD EDUCATION AND OUTREACH PROGRAMS**

The intent of this chapter is to provide a valuable resource for expanding and improving your district's education and public outreach efforts. It is designed to be used by all SWCD staff and district board members. Education and outreach are part of everyone's job, as everyone in your SWCD interacts with the public, elected officials, teachers and students, partnering agencies, and the media. Hopefully this chapter contains practical and useful information and links to resources that will help you present your soil and water conservation message more effectively to a variety of audiences.

### **CAMPS – DAY AND RESIDENTIAL**

**SWCDs in Northwest Ohio** – SWCDs in Northwest Ohio sponsor a Kids' Outdoor Science Camp each June at 4-H Camp Palmer. This 4-day, 3-night residential camp targets youth in grades 3-8 and can accommodate up to 125 students. More information on their program is available at <http://swcd.fultoncountyoh.com/students.htm>

**The Muskingum SWCD** – The Muskingum SWCD hosts Camp Adventure every summer for students entering the 4th, 5th, or 6th grade. It is held at Friendly Hills Grange Camp. Each year, approximately 100 children have the opportunity to experience the joy of nature in a safe and fun setting. For two days, campers explore the outdoors and enjoy hands-on activities based around a yearly theme. <http://www.muskingumswcd.org/education/campadventure.html>

**Pickaway SWCD** – Pickaway SWCD puts on "Experience Earth" Day Camp for children who have completed 3rd or 4th grade. It takes place for three days each July, and campers are charged a small fee. <http://www.pickawayswcd.org/education.html#Experience Earth>.

### **COMMUNITY PROGRAMS**

SWCDs provide a wide variety of educational and informational programs targeting the general public. A few of the most common examples are listed below, along with tips, sample agendas, or links to exemplary programs and/or resources.

**Arbor Day Programs** – Traditionally, National Arbor Day is celebrated each year on the last Friday in April. While it is a worldwide event, in individual communities the date is frequently set to tie in with optimum tree planting conditions for the area, or to coincide with Earth Day celebrations. Possible Arbor Day related activities include: tree sales, community tree plantings, "big tree" contests, and school programs. Franklin SWCD offers a program featuring The Lorax by Dr. Seuss. Students sit in the setting of The Lorax as they listen to the story. The 30 ft. wide felt backdrop hangs from a 10 ft. by 10 ft. pop-up tent. <http://www.franklinswcd.org/programs-and-services/youth-education/youth-presentations/> National Arbor Day info at <http://www.arborday.org/>

**Backyard Conservation: Lawns & The Environment** – The OFSWCD has partnered with the National Association of Conservation Districts and Scotts Miracle-Gro to provide resource materials, brochures, and sample presentations on how to care for your lawn in an environmentally friendly way. <http://ofswcd.org/BackyardConservation.html>

**Backyards for Wildlife** – The National Wildlife Federation coordinates a program entitled "Backyards for Wildlife," with information and resources on plants that are native to your locale as well as tips on improving your property with habitat enhancements. Backyards and garden areas can be certified through this program: [Certify Your Garden](#)

## **CONTESTS**

**Big Tree** – The Big Tree Contest is designed to stimulate or continue interest in trees. In this competition, entrants submit a nomination for a predetermined type of tree that they believe to be the largest in their county. Guidelines for the Big Tree Contest are determined by the ODNR Division of Forestry. Winning trees may be nominated for the Ohio Big Tree Program.

<http://ohiodnr.com/Home/bigtrees/OhioBigTrees/tabid/4806/Default.aspx> . Gallia SWCD awards an engraved plaque made from the same type of wood as that of the contest tree. They also present the winner with a copy of National Audubon Society Field Guide to North American Trees.

**Photography Contest** – Photography contests provide a great way to make the public aware of your SWCD and what you do. To successfully hold a contest you must set a theme, provide a timeline and guidelines, select winners, and decide on prizes and ways to promote the contest. Winning photos are often displayed at SWCD annual meetings.

- **Athens SWCD** used their winning photo and top honorable mention winners to create a beautiful calendar. [http://www.athensohiotoday.com/celebrate/athens-swcd-announces-photo-contest-winner/article\\_e95eae36-f2e8-11e1-817b-001a4bcf887a.html](http://www.athensohiotoday.com/celebrate/athens-swcd-announces-photo-contest-winner/article_e95eae36-f2e8-11e1-817b-001a4bcf887a.html)
- **Summit SWCD** displays their winning entry on a billboard. <http://www.copley.oh.us/news/latest-news/summit-swcd-photography-contest.html> .
- **Jefferson SWCD** uses the photos in just about everything they do with marketing – flyers to advertise programs, brochures, blank note cards as meeting favors, the header on their newsletter. Official “judges” determine the top five entrants in each category, and then annual meeting participants determine the final winners. Here is a copy of their rules.

## **COUNTY FAIR PROGRAMS**

County fairs can be an ideal place to promote your SWCD through personal contact or via unmanned displays, exhibits, flyers, or educational models. It always helps to have a “hook” to capture fairgoers attention and kindle an interest in what you have to share. For example, offer a prize, provide free water and a place to sit, have a quick and easy activity for kids, such as making a seed mosaic or getting their picture taken with a cute farm animal or on a toy tractor.

## **DISTRICT OWNED OR MANAGED OUTDOOR LEARNING CENTERS**

Several SWCDs own and/or manage outdoor learning centers where they can demonstrate best management practices, host school programs and special events, and promote natural resource conservation.

- **Ashland SWCD** – Hazel Willis Woods – [http://www.ashlandswcd.com/index\\_files/Page435.htm](http://www.ashlandswcd.com/index_files/Page435.htm)
- **Delaware SWCD** – Natural Resources Park at the Delaware County Fairgrounds – <http://www.delawareswcd.org/>
- **Meigs SWCD** – Conservation Area – <http://www.meigsswcd.com/conservation-area.html>
- **Seneca SWCD** – Miller Farm – <http://senecaswcd.com/2012%20Miller%20Farm%20Brochure.pdf>
- **Tuscarawas SWCD** – Norma Johnson Center – <http://www.tuscsoil.com/njc/>

## **EARTH DAY CELEBRATIONS**

Traditionally Earth Day has been observed on April 22. Senator Gaylord Nelson of Wisconsin came up with the idea for a peaceful educational event, and his dream became a reality on April 22, 1970. Now Earth Day is an annual event celebrated throughout the world. Many of the activities conducted by SWCDs such as water festivals, canoe floats, stream clean-ups, and poster contests can easily be re-titled and fine-tuned to fit the Earth Day theme. Some good online resources for planning an Earth Day event can be found at:

- <http://greenliving.nationalgeographic.com/planning-earth-day-event-2925.html>;
- <http://www.allcrafts.net/earthday.htm>;

## **EDUCATIONAL TOOLS**

**Models** – Most SWCDs have available a variety of educational models for use in bringing natural resource concepts and processes to life for their audiences. Most common are the EnviroScape Watershed model and the Drinking Water and Waste Water Treatment model (<http://www.enviroscapecom/models.html>). The Ground Water Flow Simulator (<http://www.envisionenviroed.net/>) helps teach concepts such as fractured bedrock, confined and unconfined aquifers, artesian wells, and ground water recharge and discharge. The Streamulator provides insights into stream dynamics and the value of riparian buffers. Each SWCD has their own policy for demonstrating or lending out their models.

**Portable Exhibits** – Several SWCDs have interactive educational trailers or other portable exhibits that can be used for special events such as county fairs, school programs and teacher workshops, water festivals, and other community events. Several examples include:

- **Butler SWCD** – The World Beneath Your Feet, Soil and Water Educational Trailer <http://www.butlerswcd.org/Education/Trailer/Trailer.html>
- **Delaware SWCD** – The World Below the Tree Roots inflatable soil tunnel <http://www.delawareswcd.org/>
- **Franklin SWCD** – Journey Through the Soil painted canvas tent, a dry stream model, and a soil erosion simulator are just a few of their interactive exhibits. <http://www.franklinswcd.org/programs-and-services/youth-education/youth-presentations/>
- **Muskingum SWCD** – Aquatic Education Trailer – <http://www.muskingumswcd.org/education/education.html>
- **Erie Basin RC& D** – S. K. Worm allows for basic audience interactivity. The model moves and talks; activated either by a push button interface or from live takeover controlled by an instructor. Designed to help third grade students meet their Ohio Department of Education (ODE) Benchmarks for Earth and Space science, the model will teach soil composition, soil conservation, soil diversity, and renewable energy. The model can also be used at events to educate the general public on the importance of soils in our environment, including fairs, field days, day camps, and other venues. The S.K. Worm model is available for rental by educators and other groups. A trailer painted with an environmental mural transports the model. [Order Form](#), [Rental Form](#), [Coloring Book](#), [Activity Book](#).

**Kits for Loan** – Lending trunks are great, compact, mobile resources. They contain a variety of resources for a particular topic and can be loaned out to educators for a specific period of time. In

addition to books and posters, trunks should contain items that students can touch, smell and hear as well as supplies for hands-on activities. Examples of trunk themes include agriculture, forestry, recycling, soils, water quality, nonpoint source pollution, and more.

- **The ODNR/Division of Wildlife** has developed a number of trunks that can be borrowed from their District Offices on a variety of different species.  
Click Here to download the brochure
- **Seneca SWCD** has a variety of lending trunks shown on their education resource brochure.  
<http://senecaswcd.com/2012%20Education%20Prog%20Brochure.pdf>

## **ENVIROTHON**

The Envirothon is a competitive, outdoor academic team event for high school students. Teams consist of five students, all from the same high school or home school organization and they are tested on their knowledge and skills related to soils and land use, forestry, wildlife, aquatic ecology, and current environmental issues. Five area (or regional) competitions are held in April and May, with the top 4 teams from each event progressing to compete in the Ohio Envirothon in June. In addition to the outdoor tests, Ohio Envirothon teams must also prepare and present an oral presentation on a specific environmental issue. The winning team from the Ohio Envirothon advances to represent Ohio at the North American Envirothon, which is held in a different state or Canadian province each summer.

- Several of the Areas host their own Envirothon web site:
  - <http://area1envirothon.org/>
  - <http://www.areaivenvirothon.org/>
- The Ohio Envirothon site  
<http://www.dnr.state.oh.us/default/education/envirothon/default/tabid/8652/Default.aspx>

## **FIELD DAYS**

Field days can be held for a variety of reasons such as demonstrating conservation tillage practices, pasture management, controlled drainage structures, pond maintenance, and more. When planning an event, it is helpful to form a committee and talk with staff from your SWCD or others who have held similar events as to what made their program successful. Sample field day flyers below:

- Coshocton SWCD conducts a forestry field day and a pasture walk –  
<http://www.coshoctoncounty.net/agency/swcd/fielddaysworkshops.php>

## **(FOR) 4R TOMORROW NUTRIENT STEWARDSHIP EVENTS**

The goal of this program is to educate and engage *all* water quality stakeholders to reduce the amount of excess nutrients making its way into Ohio waterways by applying fertilizers from the right source, at the right rate, at the right time, and in the right place. The program targets crop farmers, livestock farmers, fertilizer dealers and custom applicators, homeowners, the lawn care industry, municipal wastewater treatment facilities, and developers. This campaign can be promoted at Farmer Breakfasts, community events, county fairs, and through a variety of marketing strategies.

- **The Athens SWCD** featured 4R Tomorrow programs at their county fair –  
[http://www.athensohiotoday.com/news\\_briefs/swcd-fair-booth-to-showcase-water-quality-solutions/article\\_7d601964-da64-11e1-8766-0019bb2963f4.html](http://www.athensohiotoday.com/news_briefs/swcd-fair-booth-to-showcase-water-quality-solutions/article_7d601964-da64-11e1-8766-0019bb2963f4.html)

## **LAND LABS**

Quite often schools approach SWCDs looking for assistance in developing a school “land lab.” The ODNR Division of Soil and Water Resources produced a motivational video and guide book on land lab development in the 1990s. Each SWCD was given multiple copies of each, and several copies are available on loan from the Division Environmental Education Section.

- **The ODNR Division of Wildlife** sponsors a “Wild School Sites” program. More information is available on their web site, including grant opportunities for land lab development. [http://www.dnr.state.oh.us/Home/wild\\_resourcessubhomepage/Educator\\_Resources/Wild\\_Schoolsplaceholder/resourceswildschoolsdefault/tabid/5821/Default.aspx](http://www.dnr.state.oh.us/Home/wild_resourcessubhomepage/Educator_Resources/Wild_Schoolsplaceholder/resourceswildschoolsdefault/tabid/5821/Default.aspx)

## **POND CLINICS**

Many SWCDs hold free pond clinics to provide the general public with information on pond construction, maintenance, safety, stocking, aeration, weed control, and nuisance wildlife.

- **Clermont SWCD** holds an annual pond clinic – <http://www.clermontcountyohio.gov/nr0312pondclinic.aspx>
- **Allen SWCD** offers a downloadable pond management guide on their website at <http://www.allenswcd.com/publications/PondManagementGuide.pdf>

## **RAIN BARREL WORKSHOPS**

A rain barrel is a container used to collect and store rainwater from your roof that would otherwise be lost to runoff and diverted to a storm drain or out onto your property. The water in the rain barrel can then be used for watering your landscape. A variety of different rain barrel events are held by different SWCDs. Some Districts sell rain barrels; others offer “make your own” rain barrel workshops, while others promote rain barrel yard art contests.

- **Geauga SWCD** offers a brochure describing the function of rain barrels and the yard art program – [http://geaugaswcd.com/yahoo\\_site\\_admin/assets/docs/RainBarrel\\_Brochure\\_2010.209130358.pdf](http://geaugaswcd.com/yahoo_site_admin/assets/docs/RainBarrel_Brochure_2010.209130358.pdf)
- **Lake SWCD** holds rain barrel construction workshops in collaboration with their county park district – <http://www.lakecountyohio.gov/swcd/Residents/RainBarrels.aspx>

## **RAIN GARDEN DEMONSTRATIONS AND SEMINARS**

A rain garden is a shallow depression that is planted with deep-rooted native plants and grasses. Gardens are positioned near a runoff source like a downspout, driveway or sump pump to capture rainwater runoff and stop the water from picking up pollutants and transporting them to the sewer system, and eventually our streams, rivers and lakes. SWCDs provide technical assistance in designing and installing rain gardens – often providing demonstration rain gardens with signage to describe this practice.

- **Warren SWCD** promotes its rain garden program with an informational brochure that is downloadable on its web site <http://www.co.warren.oh.us/warrenswcd/owners/info.pdf>, as well as a list of suggested Ohio native rain garden plants <http://www.co.warren.oh.us/warrenswcd/owners/plants.pdf>

## **SCHOLARSHIPS**

SWCDs offer a variety of different scholarship programs encouraging students to attend outdoor education camps as well as helping support college students interested in studying natural resource topics.

- **Geauga SWCD** as well as many other SWCDs sponsors a Forestry and Wildlife Conservation Camp Scholarship. The camp is held at FFA Camp Muskingum in Carroll County. [http://geaugaswcd.com/education\\_programs](http://geaugaswcd.com/education_programs)
- **Miami SWCD** offers a \$750 scholarship to college students majoring in agriculture or natural resources. <http://www.miamiswcd.org/>
- **Montgomery SWCD** offers a college scholarship program as well as a scholarship to attend Forestry Camp. Both applications can be accessed on their web site. <http://www.montgomeryswcd.org/Scholarships.htm>
- **Ashtabula SWCD** offers two \$500 scholarships established to provide financial assistance to high school graduates pursuing college or college students of Ashtabula County majoring in a natural resource field. <http://www.ashtabulaswcd.org/Education/Education.htm>

## **SCHOOL PROGRAMS**

Most SWCDs spend considerable time working with schools and developing school programs. Of utmost importance when working with schools is basic awareness of the current academic content standards established by the Ohio Department of Education (<http://www.ode.state.oh.us/GD/Templates/Pages/ODE/ODEDetail.aspx?page=3&TopicRelationID=1705&ContentID=126258>). Each district's program is unique, tailored to meet the needs of partnering teachers, and supplemental to the local curriculum. Listed below are some examples of the most common SWCD school-related programs and activities, and links to resources and information such as lesson plans, promotional brochures, etc.

**Classroom Presentations** – District staff may be asked by local schools to do classroom presentations on soils, water quality, conservation, geology, agriculture, pollution, ground water, stormwater runoff, and more. Some SWCDs have designed brochures that explain their programs and what areas of the curriculum they complement.

- **Crawford SWCD** educational program listing: <http://www.crawfordswcd.org/education.html>
- **Geauga SWCD** offers a downloadable Conservation Education Brochure, along with links to teacher guides that include pre and post assessments and correlations to the current academic content standards. [http://www.geaugaswcd.com/education\\_programs](http://www.geaugaswcd.com/education_programs)

**Student Contests** – SWCDs sponsor several different contests for school students.

- **Poster Contest** – One of the most common contests is the Soil and Water Stewardship Poster Contest, coordinated by the OFSWCD Auxiliary in conjunction with the NACD Poster Contest. The annual theme is the same as Soil and Water Stewardship week. SWCDs promote the program and choose winners locally. The top poster in grade categories is sent to be judged during Summer Supervisor School, and the high scoring posters are sent on to be judged at the national level. Some SWCDs add their own special twist to the competition.
  - **Franklin SWCD** requires that students create their poster on recycled paper. Some SWCDs distribute paper grocery sacks to be used for the posters.

- **Pickaway SWCD** features their winning poster on a billboard for the whole community to enjoy. <http://www.pickawayswcd.org/education.html>
- **Soil Judging Contest** – Some SWCDs host soils judging competitions for their local FFA chapters. Information about the **Licking SWCD** soils judging program is described: <http://www.lickingswcd.com/services-and-information/lcswcd-programs/education-and-outreach/school-age-educational-programs/ffa-soil-judging>
- **Other Contests – Hamilton SWCD** offers a poster and essay contest, recycled sculpture contest, rain barrel art contest, and “Caring for Our Watersheds” competition. <http://www.hcswcd.org/contests.html>

## **SOIL AND WATER STEWARDSHIP WEEK**

In 1955, the National Association of Conservation Districts began a national program to encourage Americans to focus on stewardship. Stewardship Week is officially celebrated from the last Sunday in April to the first Sunday in May. The program relies on locally-led conservation districts sharing and promoting stewardship and conservation activities. Districts provide conservation and stewardship field days, programs, workshops and additional outreach efforts throughout their community to educate citizens about the need to care for our resources. Each year the NACD selects an annual theme, and provides materials that can be purchased and used by churches, schools, and in community programs. More information is available on the NACD web site:

<http://www.nacdnet.org/stewardship>

## **TEACHER WORKSHOPS**

Scheduling workshops for teachers can be challenging because of their wide range of interest levels, grade levels, and degrees of expertise. Carefully consider timing, offering professional development credits, correlating to the current academic content standards

(<http://www.ode.state.oh.us/GD/Templates/Pages/ODE/ODEDetail.aspx?page=3&TopicRelationID=1705&ContentID=126258>), and partnering with neighboring SWCDs to increase your probability of success. It is also helpful to work with your local Education Service Center.

<http://www.oesca.org/>

- **National Programs.** Some SWCDs feature national programs in their teacher workshops, such as Project WILD and Aquatic WILD (coordinated in Ohio by the Division of Wildlife), Project Learning Tree (coordinated by the Division of Forestry) and Project WET (coordinated by the Division of Soil and Water Resources). Workshop information is available at <http://ohiodnr.com/tabid/9521/Default.aspx>
- **The Black Swamp Educators Extravaganza** is a multiple day teacher workshop coordinated by several northwest Ohio SWCDs. It offers sessions and field trips on a variety of topics each June. More information is available from Wood, Lucas, or Ottawa SWCDs.
- In addition to featuring national “projects,” **Hamilton SWCD** offers educator workshops on vermicomposting, stormwater, soils, and more. <http://www.hcswcd.org/teacher-workshops.html>

## **TOURS – DRIVE-IT-YOURSELF, BUS, WALKING, AIR, CANOE**

Tours can be an important part of your SWCDs outreach efforts, targeting elected officials, landowners, school groups, contractors, and the general public. Myriad variations on tours exist,

including air tours, bus tours, canoe tours, and drive-it-yourself. Listed below are several examples of tours offered by different SWCDs.

- **Madison SWCD** organized a land and water bus tour for public officials highlighting agriculture, alternative energy, and water quality. Stops included a local farmers' market, community garden, and nature preserve. Information on their tour is available in this newsletter: <http://co.madison.oh.us/swcd/Conservation%20QuarterlySummer12.pdf>
- **Muskingum SWCD** hosted their first ATV Conservation Tour on Saturday, July 14, 2012. Invitations to this conservation tour included Muskingum County elected officials and community members. The tour highlighted nine locations where practices have been installed with assistance from the SWCD and NRCS offices. <http://muskingumswcd.org/events/ATVConservationTour.html>
- **Mercer SWCD** partnered with local groups to put on the Grand Lake St. Marys watershed drive-it-yourself tour. Stops featured dredging demonstrations, a nature park, a dairy, and nutrient management practices. <http://www.lakeimprovement.com/drive-it-yourself-tour>

## **WATER FESTIVALS**

Water festivals come in all shapes and sizes targeting the general public or school groups from a specific watershed or county. Most feature displays, hands-on activities, food, and informational handouts. The Groundwater Foundation in Lincoln, NE offers a variety of resources on how to plan and conduct a successful water festival. <http://groundwater.org/>

- **Several SWCDs in southwest Ohio** participate in the Children's Water Festival at the University of Dayton. This YouTube video gives a taste of what a water festival entails. <http://www.youtube.com/watch?v=5OtnmwflWRM>

## **WATER QUALITY MONITORING INITIATIVES**

Water quality monitoring (WQM) programs can be conducted with a variety of groups and organizations. The purposes of these monitoring programs vary, as well as the methods, data collection, and reporting techniques used. Ohio EPA coordinates a "Credible Data Program" designed to encourage and oversee the collection, analysis and use of data collected by volunteer individuals and organizations. Information on the different levels of credible data, training programs, and rules are available at: <http://www.epa.ohio.gov/dsw/credibledata/index.aspx> .

**Biological Monitoring** – ODNR's Division of Watercraft coordinates a stream quality monitoring (SQM) program on Ohio's scenic rivers and provides training for volunteers. SQM volunteers fill out assessment forms for their assigned stations a few times per year, which helps the division prepare a cumulative index value for each stream station. These values rank a stream's health as excellent, good, fair or poor at the time of monitoring, and are a direct result of the diversity of collected macroinvertebrates. Assessment forms are compiled into a yearly report. Many SWCDs are involved with biological monitoring for educational purposes with school, scout, or watershed groups.

- **Trumbull SWCD** – Stream Watch biological monitoring program for schools – <http://www.swcd.co.trumbull.oh.us/pdfs/Stream%20Watch%20program%20flyer%202.pdf>
- **Licking SWCD** recruits and trains volunteers for their "Stream Team" to increase awareness of local water resources and connect county residents to their local environment. <http://www.lickingswcd.com/news/2012/05/29/volunteer-for-stream-team>

**Chemical Monitoring** – A number of companies and organizations provide resources for chemical monitoring. The *Healthy Water, Healthy People (HWHP)* water quality educators guide and test kit manual offer a good starting point when planning a chemical monitoring program.

- **Information on Ohio's HWHP program** is available through Ohio EPA <http://www.epa.state.oh.us/oeef/EnvironmentalEducation.aspx> .
- **The national program is coordinated through Project WET** and Hach International. <http://projectwet.org/water-resources-education/water-quality-education/>
- **Butler SWCD** partners with several other agencies to coordinate the Butler County Stream Team. <http://www.butlercountystreamteam.org/> This group monitors for nitrates, total phosphorus, conductivity, bacteria, total dissolved solids, pH, and turbidity.

**Physical Monitoring** – Ohio EPA's Division of Surface Water conducts physical assessment of streams using their Qualitative Habitat Evaluation Index. A manual is downloadable from their web site. <http://epa.ohio.gov/portals/35/documents/QHEIManualJune2006.pdf> Some of the parameters they assess include stream substrate, in-stream cover, stream morphology, bank erosion, riparian width, and velocity. A less rigorous physical assessment program is detailed in this US EPA site. <http://water.epa.gov/type/rsl/monitoring/vms41.cfm>

Following are several additional water quality monitoring resources.

- Izaak Walton League of American Monitoring Site: <http://www.iwla.org/index.php?ht=display/ContentDetails/i/709/pid/1976>
- Adopt a Stream Foundation Streamkeepers Program: <http://www.streamkeeper.org/aasf/Welcome.html>