

CHAPTER 4 – SWCD BOARD GOVERNANCE AND OPERATIONS

Contents

- CHAPTER 4 – SWCD BOARD GOVERNANCE AND OPERATIONS 3
- EVOLUTION OF DISTRICT BOARDS..... 3
 - A Natural Transition from Hands-on to Managing..... 3
 - SWCD HISTORICAL EVOLUTIONARY PROGRESSION 3
- SUPERVISOR RESPONSIBILITIES 4
- ASSOCIATE SUPERVISORS 6
- DUTIES OF SWCD OFFICERS..... 7
 - Duties of the Chairperson 7
 - Duties of the Vice Chairperson..... 8
 - Duties of the Secretary..... 8
 - Duties of the Treasurer 9
 - Duties of the Fiscal Agent..... 9
- BOARD GOVERNANCE: STAFF, BOARD AND CHAIRPERSON EXPECTATIONS 10
 - A Board Should Expect Its District Administrator Will 10
 - A District Administrator Should Expect the Board Will..... 10
 - A Board and Administrator Should Expect Its Chairperson Will 11
- RULES OF PARLIAMENTARY PROCEDURE 11
- OHIO'S PUBLIC RECORD ACT 12
- DISTRICT CORRESPONDENCE..... 12
 - Non-Digital Correspondence 12
 - Digital Communications and Social Media 13
- OFFICIAL MINUTES OF THE DISTRICT 13
- SWCD RECORDKEEPING AND FILING 14
- RECORDS RETENTION 15
- STRATEGIC PLANNING 16
 - Strategic Planning vs. Long-Range Planning..... 17
 - How do we do Strategic Planning?..... 17
- ANNUAL PLAN OF WORK..... 17
- YEAR-END REMINDERS 19
- ANNUAL REPORTS 19
 - Annual Reporting for the OSWCC 19
 - Local Annual Reporting 19

Use and Benefits of Annual Reporting	20
OHIO'S OPEN MEETING ACT	20
ANNUAL MEETINGS	21
ELECTION OF SUPERVISORS.....	21
Nominating Committee Responsibilities.....	22
Candidate Eligibility and Qualifications.....	23
Nomination by Petition	23
CONDUCTING ELECTIONS AND VOTING	23
Voter Eligibility and Requirements.....	23
In-Person Voting.....	24
Mail-in Voting.....	24
Notice of Elections	24
Obtaining Ballots	24
ADDITIONAL ELECTION REQUIREMENTS	24
Forms Required for Scheduling, Conducting, and Reporting Elections	25
FILLING SUPERVISOR VACANCIES	25
APPENDIX.....	26
APPENDIX A: SAMPLE POLICY ON THE RULES OF ORDER.....	27
APPENDIX B: CHAIR'S BOARD MEETING EVALUATION.....	30
APPENDIX C: SIMPLIFIED PARLIAMENTARY PROCEDURES TABLE	31
APPENDIX D: OHIO'S PUBLIC RECORDS ACT – COMMON QUESTIONS	32
APPENDIX E: GUIDELINES FOR NON-DIGITAL DISTRICTCORRESPONDENCE	35
APPENDIX F: GUIDELINES FOR SOCIAL MEDIA & DIGITAL DISTRICT COMMUNICATIONS.....	36
APPENDIX G: SWCD GUIDELINES FOR RECORDING OFFICIAL MINUTES	40
APPENDIX H: SAMPLE SWCD FILE INDEX.....	42
APPENDIX I: ANNUAL PLAN OF WORK (APW/APOW) TEMPLATE	44
APPENDIX J: SAMPLE POLICY ON PUBLIC COMMENT AT SWCD BOARD MEETINGS.....	45
APPENDIX K: OHIO'S OPEN MEETING ACT – COMMON QUESTIONS.....	46
APPENDIX L: SWCD ANNUAL MEETING CHECKLIST	48
APPENDIX M: SWCD NOMINATING COMMITTEE CHECKLIST.....	49

CHAPTER 4 – SWCD BOARD GOVERNANCE AND OPERATIONS

This chapter is a comprehensive guide to the roles and responsibilities you have as an elected board member of an independent political subdivision of the state of Ohio. This information will assist you in 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 within this chapter.

EVOLUTION OF DISTRICT BOARDS

A Natural Transition from Hands-on to Managing

The first Ohio 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 them 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 millions of dollars locally for district programming. Today districts employ approximately 600 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 have a direct bearing on the success of the overall 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 be largely 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. 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 and beyond
No Budgets	Budgets Grow	Budgets Surge	Continued Increases
<ul style="list-style-type: none"> • No Employees • Supervisors are Hands-On 	<ul style="list-style-type: none"> • 1-2 Employees • Supervisors begin turning work over to employees. • Begin Hiring District Administrators (DA) 	<ul style="list-style-type: none"> • 3-7 Employees • DA's given greater responsibility. • New Programs initiated • Increase policy setting and direction • Board Time Requirements 	<ul style="list-style-type: none"> • 8 > Employees • Diversity of Programs • Work Force Divided by Specialties • District Staff Answer to DA • DA's Answers to Board • Board Answers to Public • Admin. Policy & Format Moves • District Ahead to The Future

SUPERVISOR RESPONSIBILITIES

Supervisors are the keys to the success of every district. Each supervisor has the important 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.

Soil and water conservation 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 best when you give your best.

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) (These are outlined in Chapter 2).

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 conservation challenges and to inform them of the district's programs. These leaders may include:
 - State and federal agency representatives concerned with resource management
 - Agricultural and civic organization leaders
 - Local development groups
 - Representatives of federal, state, and local organizations
 - Local, state and federal legislators
3. Know thoroughly the powers, authorities, and responsibilities placed upon you by Ohio soil and water conservation districts law (Section 940 of the Ohio Revised Code and other statutes). Keep in mind your responsibility to the people of the district to administer its program. Interpret these responsibilities as opportunities for the district.
4. Stay informed and up to date with the administrative and technical policies and actions of the Ohio Soil and Water Conservation Commission (OSWCC) by keeping in close contact with your assigned Program Specialist from the Ohio Department of Agriculture (ODA) Division of Soil and Water Conservation (DSWC).
5. Be familiar with and understand the land and water conditions within the entire district and the best management practices required to conserve and develop its natural resources.

6. Keep the strategic plan for conservation and development of natural resources of the district current and comprehensive. The planning process is discussed in more detail later.
7. Develop and carry out the annual plan of work for reaching the SWCD's objectives and goals as outlined in the strategic plan.
8. Arrange for help and cooperation needed to meet SWCD goals and objectives. Enlist assistance from all local, state, federal and other sources.
9. Establish sound policies and priorities concerning the work to be accomplished in conservation education and technical assistance on the land.
10. 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.
11. 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 responsibility.
12. With your District's strategic goals and objectives in mind, collaborate with other agencies and coordinate the District's activities with similar activities sponsored by those agencies. Enter into memoranda of understanding or working agreements as appropriate to coordinate these efforts.
13. 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 Agriculture, Ohio Department of Natural Resources and Natural Resources Conservation Service (NRCS).
14. Responsibly manage all funds, facilities and equipment belonging to the district. Establish business procedures as necessary to facilitate planning, record keeping, and sound financial accounting and procedures.
15. Cooperate with other districts in multi-district resource activities, such as comprehensive regional planning, watershed development, river basin programs, resource conservation and development projects, and joint boards.
16. Exchange ideas on administrative procedures with other district governing bodies and adopt any ideas that offer promise of improvement.

17. Report to the public by mass media the progress and work of the district.
18. Prepare an Annual Financial Report and Notes as required by the Auditor of State (AOS) and a District Annual Report of accomplishments as required by the OSWCC.
19. Demonstrate leadership and promote collaborative conservation projects and programming.
20. Keep current on regional, state and national conservation issues by supporting and participating in the programs and conferences sponsored by the Ohio Federation of Soil and Water Conservation Districts (OFSWCD) and the National Association of Conservation Districts (NACD).
21. Arrange for an annual meeting or other event to elect new supervisors and inform the public of the activities of the district.

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
- 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 recruited based on skills needed, geographic region of the district, population demographic, or their willingness to serve. Often, districts may have specific jobs that require specific training and may need individuals to fill this need. Also, districts may consider retired SWCD supervisors or professional people interested in community service to be associate supervisors. 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 may take a supervisor several months to become acquainted with all the district activities. Being an associate supervisor provides individuals with the opportunity to test their talent and determine for themselves the kind of contributions they can make to the district program.

DUTIES OF SWCD OFFICERS

The district governing body should elect its chairperson, vice-chairperson, secretary, treasurer, and appoint a fiscal agent as soon as newly elected/re-elected board members begin their terms. 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 by promoting diversity in leadership and deepening board member understanding of SWCD finances and operations.

Duties of the Chairperson

Plan the order of business or agenda with the administrative assistant, district administrator and NRCS district conservationist prior to the monthly board meeting. Ensure that the finalized agenda and supporting documents are distributed to board members and others who requested it, at least one week prior to the meeting date. Additionally, the chair should:

- Preside at all meetings or arrange for the vice chairperson 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 printed 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.
 - Allow supervisors with opposing views equal opportunities to speak.
 - Encourage all supervisors to participate in the discussion.
 - Enter 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. (For small boards, it is appropriate for the chair to make a motion and to vote on all matters.)
- Appoint committees, assign their responsibilities, and ask for their reports when due. OSWCC rules mandate the chair appoint a nominating committee annually. Doing so in January but not later than 6 months before the annual election is an effective routine to establish.
- At the close of your term of office, turn over to your successor the chair'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 making 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 chairperson's request.
- In case of resignation or death of the chairperson the vice-chairperson serves as chair until the board is reorganized.
- Serve as chair of at least one standing committee.
- Consults with and advises chairperson on matters of program and policy.
- Act as program chair for arranging a special program for regular board meetings.

Duties of the Secretary

- Notify members of each meeting. Ensure the SWCD is following board policy regarding public and media notifications as prescribed in the Ohio Open Meetings Act.
- Provide the chair 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 10 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, special or emergency).
 - 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". The minutes should specify who was attending by teleconference, video conference, and who was physically present. Any vote taken in a meeting held by teleconference that is not unanimous shall be recorded as a roll call vote.
- By law, 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. Best

practices suggest showing the numerical score of the vote to ensure that motions pass with 3 affirmative votes as required by law.

- Reminder: If only three board members are present, a unanimous vote is required to pass a motion.
- All pertinent statements even though action was not taken.
- Initiate correspondence on behalf of the board as need arises.

Note: SWCD administrative staff can provide valuable assistance with many of the items 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 creation and maintenance of financial records. Only the treasurer or the fiscal agent and the appropriate district personnel should be authorized to sign financial documents authorizing the purchase of SWCD equipment or supplies or other financial transactions. 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 all bills authorized for payment by the district board are recorded in the minutes of the meeting
- 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
- Support proper internal fiscal checks and balances by providing regular fiscal oversight of all SWCD transactions to ensure policies and procedures are implemented as directed
- Understand your requirements or annual exemption process for the Center for Public Investment Management (CPIM) training required of public officials in charge of public funds as required by law from the Treasurer of state. Generally, if the SWCD only manages its funds through low-risk checking, savings or state sponsored investment programs, board members who are signatories on those accounts can file annually for exemption from the training requirement

Note: SWCD administrative staff can provide valuable assistance with many of the items 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 reviewing revenues and expenditures in tandem or in place of the treasurer. Also, upon

recommendation and properly approved motion sign all checks and vouchers after the board of supervisors has authorized the expenditure.

Just like the treasurer or other board member given authority to sign SWCD financial drafts or other financial instruments, the fiscal agent must understand the requirements or annual exemption process for Center for Public Investment Management (CPIM) training required of public officials in charge of public funds as required by law from the Treasurer of state. Generally, if the SWCD only manages its funds through low-risk checking, savings or state sponsored investment programs, board members who are signatories on those accounts can file annually for exemption from the training requirement.

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 she/he lives closer to the office or works near the office location.

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. Effectively implement 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 constructively evaluate them.
9. Devote time to improving the staff.
10. Collaborate with the board in developing and conducting community information programs, such as cover crop field day, annual meetings, and other general education workshops.

A District Administrator Should Expect the Board Will

1. Counsel and advise--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.
8. Collaborate with staff in developing and conducting community information programs, such as cover crop field day, annual meetings, and other general education workshops.

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 efficiently and 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 she/he represents the organization.

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

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 chairperson, it becomes your responsibility to conduct the business meeting. The chairperson should become familiar with the proper rules of parliamentary procedure, and they should insist those rules be observed to ensure an organized and highly productive meeting.

Each District should adopt a policy or rule on how they conduct official meetings. A [Sample Policy on Rules of Order](#) is included in the appendix of this chapter. Most boards should find that utilizing Robert's Rules of Order and the procedural flexibility that Robert's allows for small boards, or some similar "rules of order" will suffice for maintaining order.

To aid the chairperson 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 Chairperson," and waits to be recognized. When recognized, the member states the motion, "Mr. or Madam Chairperson, 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 to discuss the motion

and the chair feels there has been adequate discussion, the chair asks 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 take the affirmative vote, then the negative vote and then announce the result. If the vote is not unanimous or the result is unclear, a roll call 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 Chairperson, I move the previous question,” this requires a second. The chairperson 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 amid 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 chairperson and the board a [Chair’s Board Meeting Evaluation](#) and a [Simplified Parliamentary Procedure Table](#) are included in the appendix.

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 specific records of a public office are public; it does not mean 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 Attorney General’s Website for information on current Ohio Sunshine Laws - The Yellow Book.](#)

DISTRICT CORRESPONDENCE

Non-Digital 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 of 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-composed letter will convey to the reader the professional nature of your office and should instill trust the issue at hand will be handled in an efficient and professional manner.

All correspondence should be sent on SWCD letterhead and signed by the appropriate person. It is best for a supervisor to sign the SWCD letters. However, if a supervisor is not available, the board can give the District Program Administrator or other staff the authority to sign on their behalf.

There are many reference guides for the development of written communications. Some districts maintain copies of these, as well as stock templates and examples of common communications the district may frequently use.

For additional information, [Guidelines for Non-Digital District Correspondence](#) are included in the appendix.

Digital Communications and Social Media

Whether in the field or office, technology has changed how districts operate. Smart phones, email, webpages, social media, blogs and other software and applications, have made communicating easier and timelier. However, when using digital communications, you still need to maintain professional standards. It is important to remember that all official communications sent to and from your office, including email and other forms of digital communications, are considered **public records** and should be maintained according to your retention schedule.

While email is often considered less formal than a paper letter sent regular mail, items such as grammar, spelling, and format standards should be maintained. A poorly written email filled with misspellings and grammatical errors will reflect badly on both the sender and the district as a whole.

For more information, [Guidelines for Social Media & Digital District Communications](#) are included in the appendix.

OFFICIAL MINUTES OF THE DISTRICT

The SWCD meeting minutes are among the most important parts of the SWCD's records. Minutes of SWCD board meetings are the **only official record** of actions and policies approved by the board of supervisors. Therefore, the minutes should be worded precisely and present an account and summary so those not in attendance can understand the extent to which matters were discussed as well as the subsequent actions.

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 of the proceedings but must include enough facts

and information for the public to understand and appreciate the rationale behind the public body's decisions. Because executive sessions are not open to the public, minutes are not taken while a board is in "executive session," and no actions or formal decisions may be made while in an executive session.

A district must promptly prepare, file, and make its minutes available for public inspection. The term "promptly" is not defined. One court has adopted the definition applied by courts to the Public Records Act (without delay and with reasonable speed, depending on the facts of each case), to define that term in the Open Meetings Act. The final version of the official minutes approved by members of the public body is a public record. Note that a draft version of the meeting minutes that the public body circulates for approval, as well as handwritten notes used to draft minutes, may also be public records.

The board meeting minutes should be distributed to the supervisors in the packet sent to them with the next meeting's agenda and financial reports at least a week prior to the next board meeting.

[SWCD Guidelines for Recording Official Minutes](#) is included in the appendix.

SWCD RECORDKEEPING AND FILING

SWCD Supervisors must ensure the proper maintenance of records of district activities because:

- There are laws that require records such as minutes, financial and annual reports and other work products be kept for public viewing as well as laws dictating records retention by government organizations
- Records may have historical value (annual reports, newsletters 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 communicated to the district by the Division of Soil and Water Conservation and the Ohio Soil and Water Conservation Commission is often coded according to this filing system.

A [Sample SWCD File Index](#) is included 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.

From the Ohio Revised Code:

“149.412(A) 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 they wish or have disposed of:

- RC-1 “Application for One-Time Disposal” – Used for a one-time disposal or transfer of records that are no longer created or maintained by the local government and are not listed on an RC-2
- RC-2 “Schedule of Records Retention and Disposition” – Used to document the records series that are created and how long records are retained
- RC-3 “Certificate of Records Disposal”- Used to document destruction or transfer of records identified on the local government’s RC-2 form

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. 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.

Recent legislation also allows for SWCDs to become part of the county records commission. However, this does not eliminate the responsibility to develop a SWCD records retention schedule.

Contact your county records commission for details and guide should the SWCD consider joining.

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 to facilitate the identification and preservation of local government records with enduring historical value. Please contact them and send forms to:

Ohio History Connection
State Archives Local Government Records Program
800 E. 17th Ave.
Columbus, OH 43211
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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 a means of improving the quality of life. For example, nonpoint source water pollution is extensive, only recently has the public become aware of the causes, and there is a popular desire to address the problems.

Although well situated within local communities, many districts have not fully mobilized to address the myriad of conservation and environmental concerns affecting soil and water quality. 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 always capitalized on the growing public interest in environmental quality. To preserve their role, SWCDs should regularly look for ways to improve and evolve services provided and ways to 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. Districts have correlating staffing relationships with Cooperative Extension Service and Natural Resources Conservation Service (NRCS), making the need to effectively train and direct additional staff a great importance. Many districts would benefit by developing strategic plans and initiatives to meet new responsibilities.

The above serves as indicators that districts need to engage in a strategic planning process that will address these 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, measurable, 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 challenges 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 organizations 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 pursue goals and strategies

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 help the SWCD board:

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

Long-range Planning is usually done internally with traditional partners, without the involvement of external stakeholders or non-traditional partners. 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. 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 Conservation Program Specialist to provide additional resource information or help developing and/or facilitate strategic planning.

ANNUAL PLAN OF WORK

The SWCDs Annual Plan of Work (APW/APOW) is a tool created and used by districts to identify goals and keep track of its accomplishments on a yearly basis. The APW will contain work and action items derived from goals and objectives of the SWCD strategic plan, results of workload-

staffing analysis, and whatever the heck this means>"performance items within employees' standards of". There is no standard format for an "Annual Plan of Work," however the Ohio Soil and Water Conservation Commission has set minimum content standards for APWs and DSWC staff have created a template that meets the minimum standards when completed. The [APW template](#) is included in the appendix of this chapter.

Many SWCDs use "Annual Planning" meetings to help define the natural resource concerns within the community. These can be combined with federal "Local Work Group" meetings required to be held annually within each SWCD by USDA/NRCS staff. In November 2016, the Conservation Partnership developed a model for combining these events. An outline for this model is included as a resource on the website under the Chapter 4 heading.

An annual planning meeting may be broad in scope or may focus on just one program area. The format of these meetings can vary but should be well-organized and an efficient use of participants' time and effort. Ensure that the results and other outcomes of the meeting are shared with those who attended. This is your greatest outreach moment to discuss natural resource issues and concerns within the district. General public involvement and input in the planning and implementation process of your APW is crucial since the district's strength is in the people it represents. Contact your ODA Program Specialist for program format ideas and consider inviting them to act as planning meeting facilitators.

Employee Standards of Performance (explained in Chapter 6) can also inform the SWCD annual plan of work as to action items that need to be included. Some employee performance items that carry the responsibility for major events, programs and grants can often dictate a good portion of what goes into 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 upon 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 to consider:

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 physically updating the Annual Plan of Work to note progress and revisions. Also, Ohio Soil and Water Conservation Commission state-match policy requires the SWCD board review the APW document at least quarterly.

YEAR-END REMINDERS

Each year the ODA-DSWC SWCD Program Staff will update a list of year-end reminders that will be posted to the Division Website. The annual “Reminders and Resources” can be found on the Resources for SWCDs page under the [SWCD Forms and Guidance](#).

ANNUAL REPORTS

An Annual Report is often described as a comprehensive report detailing a district’s activities throughout the preceding year. Districts typically have two kinds of annual reports: an Annual Report generated by the Division of Soil and Water (DSWC) for the Ohio Soil and Water Conservation Commission (OSWCC) and a local “Annual Report” often created by the district. Serving as key communication tools between the districts, state and local partners, funders, and the public, annual reports offer transparent and in-depth accounts of the districts’ activities. Annual reports are important because they serve as a comprehensive tool for sponsors and the public to gain a holistic understanding of the district’s strategic direction, financial performance, and governance practices, contributing to informed decision-making and trust building.

Annual Reporting for the OSWCC

Ohio Revised Code Section 940.05(E) states that,

“At least once each year, a district shall submit to the commission a report of progress and operations, including a summary of receipts and disbursements during the period covered by the report. A district shall submit additional financial reports as requested by the commission.”

In 2018, OSWCC began utilizing an asset management software, Beehive Industries, to meet the statutory “Annual Reporting” requirements in the Revised Code and obtain a statewide uniform reporting format. Information entered by district staff into the Beehive software is extracted annually by the DSWC and provided to OSWCC as the District’s Annual Report.

Each District is also required to prepare two original copies of their Annual Financial Report and Notes, retaining one copy for their records and submitting the other copy to the Auditor of State (AOS) no later than 60 days after the close of the fiscal year. Digital copies of the report should also be shared with ODA DSWC’s Financial Program Manager and Program Specialist. In 2016, submissions to the AOS became electronic utilizing the AOS’s Hinkle System.

Local Annual Reporting

Districts are legally responsible for carrying out a constructive program of resource use and conservation. It’s recommended that districts also create a local annual report geared towards publicizing and promoting their achievements to local stakeholders, elected officials, and public. This locally created report typically includes data and statistics from work completed and goals

accomplished, narrative descriptions, graphics, and images, to provide a detailed representation of the district's accomplishments.

Use and Benefits of Annual Reporting

Your District's Annual Financial Report and Notes and a well-prepared Annual Report as queried in Beehive 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.
- Outline the district's 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 ODA-Division of Soil and Water Conservation and others assisting the district.

An Annual Report can be a valuable resource to evaluate the vigor of a district and identify and utilize program opportunities, but it can also be an invaluable tool to communicate and emphasize the value of the District to its local community by the services and programs it provides. Use factors of the annual report, including distribution size and scope, should be considered when determining the size and quality of the annual report. Annual reports should strive to be transparent and adopt a style of communication that uses clear, concise, and accurate language to convey information.

By preparing and distributing an annual report, Districts can demonstrate their commitment to transparency and accountability while increasing their visibility and credibility in the community. Distribution to cooperators, county commissioners, state legislators, state offices, and other interested parties, can help all learn about the district's valuable community services and accomplishments while garnering support. Distribution at other public meetings, government offices, your district's website, and other gathering places such as libraries, can help reach potential cooperators and possible supporters. Some SWCDs also opt to include their annual report in the newspaper or other periodicals.

OHIO'S OPEN MEETING ACT

Like the public records act, the Ohio open meetings act evolves from the principle that the public must be able to observe the operations of their representative government. [The Open Meetings Act requires public bodies \(SWCD Board of Supervisors\) in Ohio to conduct all public business in open meetings that the public may attend and observe. This means that if a public body \(SWCD Board\) is meeting to discuss and vote on or otherwise decide public business, the meeting must be open to the public.](#) ORC 121.22.

Closed-door sessions, or executive sessions, are initiated when a member (*Board Supervisor*) makes a motion for a closed-door session and the public body (*SWCD Board*) votes on it. These sessions are attended by only members of the public body (*Supervisors*) and the people they invite. Executive

sessions may be held for only a few specific purposes. No votes may be taken or decisions made during the executive session on the matter(s) discussed. Members (*Supervisors*) would have to reconvene their public meeting and then openly conduct a vote. ORC 121.22(G), (H).

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 attendees with the specific right to be heard or speak at meetings, only to attend. Those wanting to address the SWCD board during a meeting should be directed to follow SWCD policy on requesting time to speak at board meetings.

Furthermore, 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 Attorney General's Website for information on current Ohio Sunshine Laws - The Yellow Book](#).

ANNUAL MEETINGS

Annual meetings are an important part of the soil and water conservation district program. This is an opportunity to showcase the SWCD accomplishments; recognize staff and partners and demonstrate the SWCD's leadership role in supporting the community. If your meeting is conducted successfully, those attending should leave with a sense of being a valuable stakeholder and beneficiary of the District program.

Here are some suggestions for a successful annual meeting:

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

A Sample [SWCD Annual Meeting Checklist](#) is included in the appendix.

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 sections 901:13-3-01 thru 901:13-3-05](#).

Supervisors are elected for three-year terms and take office January 1st. Ohio law stipulates the election of supervisors may be held by establishing well publicized voting places 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. It is OSWCC policy that the election ballot must have a list of candidates that includes at least one more candidate than the number of expiring terms to be filled unless the district can prove they have

done their due diligence and were still unable find an additional candidate. The [“SWCD Nominating Committee Checklist”](#) which outlines the tasks to be performed to show due diligence is included in the appendix. Current seated supervisors, with expiring terms and wishing to continue service, must be nominated or petition to run just as potential candidates not currently on the board.

Candidates may be selected by a nominating committee formed in compliance with OSWCC rules. It is recommended this committee, at a minimum, be reconstituted each January or at least 6 months prior to the beginning of a district’s election period to allow for the proper vetting of candidates. By rule, the nominating committee shall be composed of a minimum of three members. One member of the committee will be a continuing member of the board of supervisors appointed by the chair. The remaining two members are also to be appointed at the discretion of the chair, but they should be knowledgeable of SWCD operations. It is not recommended that district employees, 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 review.

Nominating Committee Responsibilities

- OSWCC policy requires nominating committees to offer a slate with the number of candidates exceeding the number of seats to be filled unless the district can prove they have done their due diligence and were still unable to find an additional candidate. Therefore, nominate at least two candidates for one seat and a minimum of three candidates for two seats to be filled.
- Contact the candidates in person to determine their willingness to be nominated and their ability to serve if elected. Consider a formal interview process or screening.
- 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.
- All candidates nominated by the SWCD nominating committee and those nominated by petition must complete, sign and date the **“Statement of Candidacy Form” (EL-1)** and return to the SWCD office.
- **SWCD staff should keep the completed and signed EL-1** with the other election materials to turn over to the election official at the end of the 30-day SWCD election voting period.
- Confirm completed EL-1 forms, along with any properly completed **Candidate Nomination Petition (EL-2)** forms, **are submitted to the SWCD office not less than 35 days prior to the election period.**
- The SWCD staff, on the 34th day preceding the in-person election period, will take inventory of all valid petitions for supervisor received by the district. The SWCD staff shall complete the **District Supervisor Candidate Submission (EL-3)** form. Once the EL-3 is completed, the form should be scanned and emailed or mailed immediately to the Ohio Soil & Water Conservation Commission, so it is received no less than 30 days prior to the first day of the election period.

- SWCDs not meeting election deadlines and form completion standards as prescribed in the rules may be subject to rescheduling of the election.
- To be accepted by the OSWCC, EL-1 forms must be dated and received (date stamped) by the SWCD office no less than 45 days prior to the start of the 30-day voting period. Retain EL-1 forms at the SWCD office.
- To be accepted by the OSWCC, EL-2 forms must be received (date stamped) by the SWCD office not less than 35 days prior to the start of the voting period.

To be accepted by the OSWCC, the completed EL-3 form, including the list of candidates for the ballot must be received by the OSWCC not less than 30 days and no more than 35 days prior to the start of the voting period.

Candidate Eligibility and Qualifications

A supervisor must be at least eighteen years of age and a legal resident of the district in which they are elected. When deciding upon a 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 all geographic, educational, gender, ethnic, and land use interests within the district are represented
- Complement the existing make-up of the board so both youth and experience are represented
- Possess an interest in soil and water conservation district affairs
- Ability to 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
 - As many SWCD events as their schedule allows; and
 - OFSWCD Area and statewide meetings.

Nomination by Petition

Not less than 35 days prior to the conduct of the election, any legal resident of the District who is at least eighteen years of age may seek placement on the ballot as a candidate for a supervisor election by submitting a completed **“Candidate Nomination Petition” (EL-2)** form with ten valid signatures of individuals who are eighteen years of age or older, and who own or occupy land within the district where the election is to occur. All candidates nominated or self-nominated by petition must complete, sign, date and return to the SWCD office the **“Statement of Candidacy Form” (EL-1)**.

CONDUCTING ELECTIONS AND VOTING

Voter Eligibility and Requirements

All owners and occupiers of land at least 18 years of age or older within the SWCD/county are

eligible to vote for SWCD board supervisor. This includes legal residents of the SWCD/county, non-resident landowners, non-resident land occupiers, and representatives of firms, corporations, limited liability companies (LLC), or trusts located within the SWCD/county. All eligible voters must certify their status as an eligible voter by signature on the ballot application. Individuals may vote under each of the above listed applicable categories only once regardless of the number of parcels owned, or number of leases or properties rented. One LLC officer or representative may vote on behalf of an LLC, but members may not. A trustee or designee may vote for a trust, but not a beneficiary.

In-Person Voting

All eligible voters may cast ballots where the SWCD provides a polling area

- A. At a SWCD office during regular business hours within the published election period.
- B. At an SWCD event where an election area is provided and supervised.

Mail-in Voting

All eligible voters may obtain an official ballot application and election ballot by requesting one from the SWCD by the following request methods:

- A. Contact the SWCD office during the published election period. The SWCD will then mail the ballot application and election ballot to the person making the request. The ballot application and election ballot must be received by the last day of the 30-day election period. A person shall limit their request for their own personal ballot and to any qualified electors in the same household.
- B. In person at the SWCD during regular business hours within the published election period.

Notice of Elections

The SWCD shall provide public notice not more than 30 days and not less than 7 days prior to the first day of the 14-day election period within one or more newspapers of general circulation within the boundaries of the SWCD in which the election is being conducted or on the SWCD's website. SWCDs may use the Election Notice Form (EL-4) as a template.

Obtaining Ballots

Official election ballots provided by the Ohio Soil and Water Conservation Commission must be used in conducting district elections. OSWCC rules require the SWCD to inform the Division of Soil and Water Conservation of the selected nominees not less than 30 days prior to the beginning of the voting period for the preparation of the ballots by completing and submitting the **“District Supervisor Candidate Submission (EL-3)”** form. Such a prepared ballot will have the names of those nominated arranged in alphabetical order, a place to mark the ballot before each name, and directions to vote for the proper number of candidates stated.

ADDITIONAL ELECTION REQUIREMENTS

- Election officials will submit the **“Election Results Form (EL-6)”** to the Ohio Soil and Water Conservation Commission.

- All ballots and ballot applications shall be delivered to the commission designated agent after the election has concluded and will be held for at least sixty days after the election has concluded. After such time, the ballots and ballot applications may be destroyed provided a challenge of the election has not been filed with the Ohio Soil and Water Conservation Commission.
- 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 any time after the election.

Forms Required for Scheduling, Conducting, and Reporting Elections

All Ohio Soil & Water Conservation Commission election forms and an “Election Process & Procedures Guide” are available on the ODA Division of Soil and Water Conservation website within the [Resources for SWCDs page under the SWCD Forms and Guidance tab](#):

- SWCD Election Designee Guidance
- EL-1 Statement of Candidacy
- EL-2 Candidate Petition Form
- EL-3 District Supervisor Candidate Submission
- EL-4 Election Notice
- EL-5 Election Registry
- EL-6-Election Result Form
- EL-7 Voter Verification Form
- SWCD Supervisor Election Timeline Calculator
- Ballot
- Example Ballot Return Envelope

FILLING SUPERVISOR VACANCIES

In case of death or resignation of an elected supervisor before their term expires, the vacancy may be filled by OSWCC appointment 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 and has been duly sworn into office.

Please use the “OSWCC Request for SWCD Board Member Appointment” form available on the Ohio Department of Agriculture Division of Soil and Water Conservation website within the [Resources for SWCDs page under SWCD Forms and Guidance tab](#).

APPENDIX

<u>APPENDIX</u>	26
<u>APPENDIX A: SAMPLE POLICY ON THE RULES OF ORDER</u>	27
<u>APPENDIX B: CHAIR'S BOARD MEETING EVALUATION</u>	30
<u>APPENDIX C: SIMPLIFIED PARLIAMENTARY PROCEDURES TABLE</u>	31
<u>APPENDIX D: OHIO'S PUBLIC RECORDS ACT – COMMON QUESTIONS</u>	32
<u>APPENDIX E: GUIDELINES FOR NON-DIGITAL DISTRICTCORRESPONDENCE</u>	35
<u>APPENDIX F: GUIDELINES FOR SOCIAL MEDIA & DIGITAL DISTRICT COMMUNICATIONS</u>	36
<u>APPENDIX G: SWCD GUIDELINES FOR RECORDING OFFICIAL MINUTES</u>	40
<u>APPENDIX H: SAMPLE SWCD FILE INDEX</u>	42
<u>APPENDIX I: ANNUAL PLAN OF WORK (APW/APOW) TEMPLATE</u>	44
<u>APPENDIX J: SAMPLE POLICY ON PUBLIC COMMENT AT SWCD BOARD MEETINGS</u>	45
<u>APPENDIX K: OHIO'S OPEN MEETING ACT – COMMON QUESTIONS</u>	46
<u>APPENDIX L: SWCD ANNUAL MEETING CHECKLIST</u>	48
<u>APPENDIX M: SWCD NOMINATING COMMITTEE CHECKLIST</u>	49

APPENDIX A: SAMPLE POLICY ON THE RULES OF ORDER

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

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:

- a) The approval of a majority vote of the Board
- b) 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.

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.
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: _____

APPENDIX B: CHAIR'S BOARD MEETING EVALUATION

TASK	YES	NO
1 Meet with the administrative assistant, district administrator, and others to plan the agenda at least one week before the meeting	_____	_____
2 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 meeting begin promptly at the designated hour if this practice becomes the rule rather than the exception.	_____	_____
3 Announce the order of business by distributing typed agendas.	_____	_____
4 Introduce visitors present.	_____	_____
5 Guide the discussion in an orderly manner.	_____	_____
6 Give everyone a chance to speak -- one at a time.	_____	_____
7 Restrict comments to the question at hand.	_____	_____
8 Give "for" and "against" supervisors' equal opportunities to speak.	_____	_____
9 Encourage each supervisor to participate in the discussion.	_____	_____
10 On small boards, the chair may participate in the discussion; however, the chair should not monopolize the discussion.	_____	_____
11 State each motion before discussion and before the vote is taken.	_____	_____
12 Bring all motions to a vote and announce the outcome.	_____	_____
13 Call for motions as necessary.	_____	_____
14 Request a report from each standing committee	_____	_____
15 Based on your boards policies or tradition, request the motion to adjourn or adjourn the meeting when all business is completed.	_____	_____
16 Decide all points of order raised by board members.	_____	_____
17 _____	_____	_____
18 _____	_____	_____

*If you have answered any of these questions "No" please review the resources available in this chapter and/or ask your Program Specialist for assistance.

APPENDIX C: 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?
Privileged Motions							
1. Adjourn	No	Yes	No	No	Majority	None	None
2. Recess	No	Yes	Yes ¹	Yes ¹	Majority	None	Amend ¹
3. Question of privilege	Yes	No	No	No	None	None	None
Subsidiary Motions							
4. Postpone Temporarily	No	Yes	No	No	Majority ²	Main Motion	None
5. Close Debate (Question ³)	No	Yes	No	No	2/3 Vote	Debatable Motions	None
6. Limit Debate	No	Yes	Yes ¹	Yes ¹	2/3 Vote	Debatable Motions	Amend ¹
7. Postpone Definitely	No	Yes	Yes ¹	Yes ¹	Majority	Main Motion	Amend ¹ , close debate, limit debate
8. Refer to committee	No	Yes	Yes ¹	Yes ¹	Majority	Main Motion	Amend ¹ , close debate, limit debate
9. Amend	No	Yes	Yes	Yes	Majority	Reword Motion or Amendment	Close debate, limit debate
Main Motions							
10a. The Main Motion	No	Yes	Yes	Yes	Majority	None	Specific main, subsidiary
10b. Specific Main Motions							
Reconsider	Yes	Yes	Yes ¹	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
INCIDENTAL MOTIONS							
Motions							
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
Requests							
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

APPENDIX D: 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 Open Records Rules go to the Ohio Attorney General's Website at <https://www.ohioattorneygeneral.gov/Legal/Sunshine-Laws>.

APPENDIX E: GUIDELINES FOR NON-DIGITAL DISTRICT CORRESPONDENCE

Preparing Non-digital 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:** If you use acronyms, such as 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.

The following instructions apply specifically to SWCD correspondence:

- **When sending District mail, you must always use postage stamps purchased with District funds.** The "penalty paid" indication is only allowed for mail sent by federal agencies, not local districts.
- **One officer or an employee of the district must sign correspondence** on behalf of the SWCD board of supervisors.

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 other district staff the authority to sign on their behalf. With the Board's approval you could sign the appropriate Board members' signature without having to put your initial beside their name. You could sign your own name, for 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.

APPENDIX F: GUIDELINES FOR SOCIAL MEDIA & DIGITAL DISTRICT COMMUNICATIONS

Social Media & Digital Communications

Participation in social media is, for many, a personal activity. However, given the potential impact that engagement in social media can have on a District professional's career, the care of their district and its goals, and the profession as a whole, personal use can often extend into the professional domain.

Any attempt at determining the appropriate use of social media and electronic communication should begin by considering the same scenario in the absence of social media and electronic communication. The standards of ethics and professionalism should be the same, regardless of the medium.

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 in your office, are considered Public Records. As such they may and will likely be viewed by people other than those that they were intended for.

Please advise that if the District is currently active on social media, a social media policy should be in place and reviewed on a regular basis.

Guidelines for Social Media Use and Electronic Communications

- Do not disclose individually identifiable information or post images or videos online without the express written consent of the person/producer.
- Be mindful of and remain in compliance with all relevant professional and legal responsibilities, as well as policies and guidelines in Ohio.
- Maintain appropriate professional boundaries with the public, as well as colleagues, at all times, whether online or in person.
- Politely turn down requests from the public to connect on social networking sites. It may be acceptable to accept requests on professional accounts, provided that the account is used for professional purposes only.
- Communicate and engage in social media in personal and professional settings with civility and respect for others.
- Conduct yourself professionally, even when communicating or posting in a personal capacity. If you discover unprofessional or inappropriate content online posted by a professional colleague, notify the individual so that they may remove the post or change their methods of communicating. If the situation does not improve, report the behavior to the relevant authority.
- Do not engage in disruptive behavior online such as cyberbullying, and report instances of such behavior by professional colleagues to the relevant authority.
- Consider all online content as open and accessible to anyone, regardless of whether it is posted in a closed or private forum and regardless of privacy settings and levels of

encryption used.

- Consider any social media post as permanent, even after it has been deleted.
- Be mindful of how and where you use devices, often referred to as AI Assistants, that record conversations, such as Amazon’s Alexa, Apple’s Siri, Google’s Google Assistant and Microsoft’s Cortana. If these devices are used during board meetings, they should be turned off or their settings changed in order that they do not record closed executive sessions.
- Be transparent about any conflicts of interest, financial or otherwise.
- Think twice before posting. If you would not comment publicly in your professional or personal capacity, do not do so online.
- Consider innovative ways in which social media can enhance your district that reflects sound ethical and professional principles.

Digital Etiquette and Housekeeping

- **Read, think, and then respond.** This guideline is one of the most important to follow because it can prevent unintended repercussions, such as misunderstandings, arguments, and negative views from outsiders. Let’s say, you skim over an email and felt the sender’s tone was hostile, you then quickly respond with an equally hostile email. Imagine that the sender’s tone was not hostile at all, and you just misunderstood their tone. You have now risked your professional reputation and relationship with that individual. It’s important to abstain from skimming over material and quickly responding without much thought. Remember to read, think, and then respond. This guideline also applies to social media. Before sharing your opinion about an article or updating your followers about something personal, read and/or think before responding or posting. Doing this can also benefit your professional reputation because it shows that you are attentive and not reactive.
- **Mind mechanical and grammatical errors.** Although mistakes are inevitable, it is important to be aware of your spelling, capitalization, punctuation, and grammar. Not only can poor mechanical and grammatical errors cause confusion and frustration for the reader, it can also harm your professional reputation. Repeatedly making the same mistakes may cause you to appear uncreditable, unintelligent, and in some cases disrespectful. Good grammar and clear sentences suggest respect. This goes for social media posts as well.
- **Mind word usage and tone.** Depending on your situation, using jargon, idioms, and slang may be appropriate, but it is important to know your audience and setting. Be sure to provide context, avoid repetition, and differentiate between these different types of word usage. Using them inappropriately can have a negative effect on your professional reputation. Similarly, to the “Read, think, and then respond” guideline, it is important to be aware of your tone. Be mindful and try to be respectful and kind, avoiding a blunt tone.
- **Other tips:**
 - Avoid using all CAPS
 - Avoid fancy formatting, flowery or colorful backgrounds
 - Avoid sarcasm

- Respect other's privacy
- Upload appropriate file types
- Check the facts
- Remember your communicating with a person
- Avoid or reduce after-hour emails
- Be clear about response times
- Define acronyms
- Use Carbon Copy (cc) and Blind Carbon Copy (bcc) when appropriate
- 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.

Identifying Suspicious/Malicious Emails

What is phishing?

Phishing is the top social attack on businesses, responsible for more than 90% of security breaches. Phishing occurs when a bad actor sends fraudulent emails, text messages, or Teams messages to convince you to disclose sensitive information, such as your password or credit card details, through your replies or by clicking on links. While not every unsolicited email is a phishing attack, it should be inspected for other suspicious elements that may help you identify if it's legitimate.

Here are some characteristics of a phishing message that will help you identify malicious emails:

- **Unsolicited.** Be cautious of emails that you were not expecting to receive. Often, unsolicited emails are from senders outside of the district.
- **Too good to be true.** If it sounds too good to be true, it probably is. Part-time job scams often offer to pay an exorbitant amount of money for a simple task.
- **Asking for personal or financial information.** Beware of emails asking for personal information or that ask you to supply confidential information. Example: the district would never email you with a link requesting you provide your credentials to keep your account active. Never provide account numbers, passwords, credit card numbers, etc.
- **Deceptive web links.** Hover your mouse on the hyperlink to view its true destination. If you don't recognize it, don't click it.
- **Variations of legitimate addresses.** Look for email addresses with domain names that do not appear to be associated with the organization the email is supposed to be from. For example, an email address ending in @agri.ohio.net instead of @agri.ohio.org.
- **Fake senders address.** Click the sender's name to view the email address, if the email address is not something you recognize from the alleged sender, proceed with caution.
- **Requesting urgency.** The intention of urgency is to influence users to act quickly to prevent them from noticing suspicious elements. Beware of emails that threaten loss of service if you do not respond by a certain date. Example: "Your account will not be valid

after June 1 if you do not follow the instructions in this email."

- **Fraudulent sites often don't start with HTTPS.** The "s" stands for secure. Never sign into websites that are not using HTTPS.
- **Misspelled words and bad grammar.** Phishing emails often contain misspellings and grammar issues.
- **Installation links.** Beware of emails that ask you to install software by clicking on a link the email message.

Keep these things in mind:

- the SWCD and DSWC will NOT send emails with links directing you to download and install software.
- the SWCD and DSWC will NOT request detailed personal information through email.
- the SWCD and DSWC will NOT send email requesting you to respond by providing your user ID, password, or financial information such as details of accounts or credit cards.

If you receive a suspicious email, take these steps to protect yourself:

- Do not reply.
- Do not open any attachments, as they could infect your computer.
- Do not click on any links. If you have clicked on links in a suspicious email or website and entered confidential information, visit the Federal Trade Commission website (www.ftc.gov) and review the commission's information on identity theft.
- If you're using a private email account, your provider likely has a process for reporting phishing emails. In Gmail, for example, you can report a phishing attack directly from your inbox. Other email services provide similar functionality. The more these emails are reported, the better the services can filter similar scams and junk emails from reaching you.
- Delete the email. Never forward the email, since the recipient might click a link or download an attachment.

APPENDIX G: 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.

APPENDIX H: SAMPLE SWCD FILE INDEX

1.0 APPLICATIONS & AGREEMENTS
1.1 Cooperative Conservation Agreement - OSWCC No. 30
1.2 Group Request - OSWCC No. 31
1.3 Request for Assistance – OSWCC No. 39
2.0 DISTRICT ELECTIONS / REORGANIZATIONS
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
3.0 LEGISLATIVE
3.1 Legal Opinions
3.2 Laws - S.B. 160, H.B. 88
3.3 Pending Legislation
3.4 Ohio Legislature & Congressional names/maps
4.0 MEMORANDUMS OF UNDERSTANDING
4.1 Local
4.2 State
4.3 Federal
5.0 BOARD MEETING MINUTES (PERMANENT)
5.1 Official Minute check sheet
5.2 Policies
6.0 OFFICIAL RECORDS AND DOCUMENTS
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.
7.0 SOIL & WATER CONSERVATION COMMISSION
7.1 Members, Organizational Chart
7.2 OSWCC Minutes (one year)
7.3 OSWCC Policy
8.0 OFSWCD BY-LAWS, POLICIES, OFFICERS
8.1 State Minutes
8.2 Committees
9.0 PLANS OF OPERATIONS
9.1 Strategic Plan
9.2 Annual Plan of Work
9.3 District Committee Assignments
10.0 BUDGET AND FINANCE

11.0 FUND MANAGEMENT GUIDELINES & RULES
12.0 SPECIAL FUNDS
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)
13.0 DISTRICT FUND
13.1 District Vouchers
13.2 Bank Records
13.3 Credit Card Records
14.0 FORM 11'S, FINANCIAL STATEMENTS
15.0 ANNUAL FINANCIAL REPORTS
16.0 AUDIT REPORTS
17.0 PETTY CASH RECORDS
20.0 SUPPORT ORGANIZATION RECORDS
21.0 LETTERS - SWCD
22.0 COUNTY OFFICES
22.1 Commissioners/Councils
22.2 Engineer
22.3 Planning Commission
22.4 Health Board
22.5 Township
22.6 Municipal
23.0 OHIO FEDERATION OF SOIL AND WATER CONSERVATION DISTRICTS
24.0 OHIO SOIL & WATER CONSERVATION COMMISSION
25.0 NATIONAL ASSOCIATION OF CONSERVATION DISTRICTS
26.0 NATURAL RESOURCE CONSERVATION SERVICE
27.0 DEPARTMENT OF AGRICULTURE
27.1 Division of Soil and Water Conservation
28.0 OTHER SUPPORT GROUPS
28.1 Associate Supervisors
28.2 SWCD Auxiliary
28.3 District Employee Assoc.
30.0 EQUIPMENT OPERATION & MAINTENANCE
31.0 BIDDING GUIDELINES
32.0 EQUIPMENT PURCHASED/LEASED INFO.
40.0 INFORMATION/EDUCATION
41.0 CONTESTS, PROGRAMS, TOURS
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 YOUTH ACTIVITIES
42.1 Envirothon
42.2 Poster Contest

CONTINUED ON NEXT PAGE

APPENDIX H: SAMPLE SWCD FILE INDEX

43.0	CURRENT NEWS RELEASES
44.0	NEWSLETTERS
44.1	District
44.2	NACD
45.0	MAILING LISTS
46.0	SPEAKERS ROSTER
47.0	RESOURCE INFORMATION
50.0	OPERATIONS CASE FILES (PERMANENT)
51.0	WATERSHEDS
52.0	ITEMS FOR RESALE
52.1	Tree Sales
52.2	Fish Sales
53.0	CONSERVATION WORKS OF IMPROVEMENT
54.0	GRANTS
54.1	Manure Nutrient Management
54.2	319 Non-Point
54.3	Natureworks
54.4	Other
55.0	DRAINAGE PROGRAM
55.1	Ditch Maintenance
56.0	STREAM MONITORING
57.0	OTHER
60.0	PERSONNEL RECORDS
61.0	Personnel-prior service record, form 20 (permanent)
62.0	Applications
63.0	BENEFIT INFORMATION
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	RECORDS AND REPORTS
71.0	ANNUAL MEETING PROGRAMS
72.0	ANNUAL REPORTS
80.0	SUPPLIES
81.0	SUPPLY CATALOGS
82.0	OSWCC BLANK FORMS
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	DISTRICT CREATED FORMS
84.0	POLLUTION ABATEMENT

85.0	ADMINISTRATIVE RULES AND GUIDELINES
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	SEWAGE SLUDGE
87.0	COMPOSTING
88.0	BROKERING

APPENDIX J: 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: _____

APPENDIX K: 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 1st 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 counsel 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 Open Records Rules go to the Ohio Attorney General's Website at <https://www.ohioattorneygeneral.gov/Legal/Sunshine-Laws>.

APPENDIX L: SWCD ANNUAL MEETING CHECKLIST

I. Planning the Program:	Yes	No
Was the date 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?		
II. The Meeting Place:	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?		
III. Notice of Meeting and Publicity Used:	Yes	No
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 before the meeting?		
Were supervisors, associate supervisors and others asked to sell tickets?		
Did you invite the local news media?		
Were cooperators notified through the district newsletter?		
IV. Conducting the Meeting:	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?		
V. After the Meeting:	Yes	No
Were bills paid by check or voucher?		
Was the meeting given proper publicity after the event?		
Did the board and staff discuss the meeting at the next monthly meeting and list ways to improve the meeting.		

APPENDIX M: SWCD NOMINATING COMMITTEE CHECKLIST

SWCD Nominating Committee Checklist	
	The committee was organized and functioning four months prior to the SWCD election date.
	The committee consisted of at least three individuals that have knowledge of the district.
	The committee held at least one meeting after the organizational meeting to select possible candidates.
	The SWCD advertised to the public, by newsletter or through social media, the opportunity to be nominated as a candidate for the SWCD Board of Supervisors at least once within six months of the SWCD election.
	When requested by the nominating committee, SWCD staff suggested names of individuals to contact.
	The committee contacted and involved other local agencies and partners, for input. (OSU Extension, local conservation groups, etc.)
	The committee has a record of contacting at least four individuals about their willingness to serve on the SWCD Board of Supervisors, which must include new potential candidates not contacted in previous years.
	The committee properly explained the role of a SWCD Board of Supervisors and provided written information about the district to each possible candidate.
	The SWCD made DSWC staff aware of the inability to recruit non-incumbent candidates at least sixty days prior to the election.