

CHAPTER III: DISTRICT DIRECTOR'S DUTIES & RESPONSIBILITIES

Section I: Duties of District Board Members

A Conservation District is a local unit of state government with statutory powers and responsibilities to carry out a program of natural resources conservation and encourage wise land management. As locally elected public officials, District directors are responsible for the operation and management of the Conservation District. District Directors develop policy implemented by employees and resource personnel available to the District.

An effective District board uses all the resources available to the District to carry out programs. Such resources include District employees, governmental agencies, private groups, individuals, industry, the natural resources of the District, and more. Listed below are basic duties performed by Conservation District Directors, either as an individual or as a member of a District Board of Directors:

- Attend and participate in all board meetings and functions.
- Prepare for, conduct, and participate in Conservation District Board meetings and events.
- Attend Michigan Association of Conservation Districts (MACD) state and regional meetings.
- Take part in training sessions conducted by the Michigan Department of Agriculture (MDA) and partners.
- Make decisions in response to all proposals presented to the board.
- Cooperate with fellow board members in establishing District policies.
- Establish, review, and understand Conservation District policies.
- Read and understand **ALL** grant requirements for which the District is responsible.
- Participate in setting District priorities in providing technical assistance to land users.
- Provide oversight for personnel:
 - Employ personnel and determine their qualifications, duties, and compensation.
 - Review staff's performance on a yearly basis and provide administrative supervision.
 - Understand working agreements established with personnel and comply with all conditions.
 - Ensure that all staff are working from a signed contract that outlines duties and compensation.
- Participate in developing annual plans of work.
- Participate in developing, publishing, and distributing Annual Reports.
- Stay informed of legislation and policies of local, state, and federal government pertaining to conservation issues. This includes maintaining contacts with local, state, and national public officials to keep them informed of the District's activities and the District residents' conservation needs.
- To be fully effective, directors should miss no more than three (3) District board meetings per year.
- Encourage resource users and public entities to become aware of and use the services of the District.
- Serve as District spokesperson by representing the District at public functions sponsored by the District and at functions related to natural resource conservation activities.
- Sponsor and actively participate in educational activities to inform people about natural resource conservation programs and to enlist their support.
- Cooperate with fellow board members to secure adequate operating funds for the District.
- Establish and maintain communications with public and private leaders within the Conservation District.
- Cooperate with fellow board members in establishing sound business practices required for adequate accounting and financial management of the District's fiscal affairs in accordance with state law and MDA guidelines.
- Cooperate with fellow board members in publishing information articles, newsletters, etc.
- Know the functions of other natural resource agencies that operate in the District.
- Understand and implement proper "Hiring and Employment" guidelines as outlined in this Manual.

Section 9307 of Public Act 463 of 1998, as amended, states: "The directors shall designate a chairperson annually." The chairperson is the only office that a Conservation District must have. Nevertheless, Conservation Districts have found it necessary (and MDA strongly recommends) to provide the other offices and designations in order to cover the District work load in a systematic fashion.

In addition to the chair, most Districts designate the officers of vice-chair, treasurer, and secretary. Districts may wish to combine certain offices (secretary/treasurer) or leave the offices separate. It is the District's prerogative and responsibility to assign the duties of the offices designated by the board. Typically, the duties and responsibilities are as follows:

Duties of the Chair

- Leads all District meetings in accordance with the District's locally accepted practices. (Refer to *Appendix C* for Parliamentary Procedures)
- Calls the meeting to order at the appointed time.
- Presides over all District meetings.
- Announces the business before the board in its proper order.
- Preserves order and decorum.
- When necessary, authenticates by his/her signature all acts, orders, and proceedings of the District.
- Calls for a vote on all properly presented motions.
- Votes in case of a tie vote, roll call vote, or vote by ballot.
- Receives input from other board members, administrative/executive director, NRCS Conservationist and others to assemble topics for the agenda for the next meeting.
- Acts as, or appoints, a liaison to the board and the Conservation District employees.

Duties of the Vice-Chair

- Is familiar with the duties of the chairperson.
- Presides as chairperson in his/her absence.

Duties of the Secretary

- Is familiar with the duties of the chairperson.
- Presides as chairperson in absence of vice-chairperson and chairperson. (Note: A quorum, which is a majority of directors, must be present.)
- Supervises all written reports.
- Supervises the recording of the minutes of all District meetings for their accuracy and compliance with the Open Meetings Act. (See section 15.267 of Public Act 267 of 1976 in *Appendix B* for details)
- Supervises the preparation of the Annual Report. Attends planning meeting for Annual Report with the administrator/executive director and the local NRCS District Conservationist and reviews the final draft before publication.

Duties of the Treasurer

- Supervises the paying of all bills of the District in accordance with MDA guidelines.
- Verifies the District's financial standing.
- Deposits the District funds in compliance with the Public Act 20 of 1943 (*See Appendix C for details*).
- Presents treasurer's report at board meetings.
- Signs and verifies all bank statements.
- Ensures that the Conservation District is in compliance with all aspects of the Michigan Conservation District Uniform Accounting Procedures Manual. This document can be found on the MACD website at <http://www.macd.org>.

Section II: Operation's Grant Activities Required of a Conservation District Director

The Michigan legislature has given Conservation District (CD) Directors broad powers to develop and carry out natural resources conservation programs. To carry out these powers, Directors must be knowledgeable of CD grant obligations. They have the responsibility to take a leadership role in the following:

- Participate in development of resource assessments, strategic plans of action, and in developing and carrying out the annual plan of work.
- Establish the priority of work.
- Provide for the keeping of a full and accurate record (minutes) of all proceedings and all resolutions, regulations, and orders issued or adopted.
- Provide for the preparation, publishing, and distribution of an Annual Report.
- Secure needed funds for adequate District operations and oversee proper dispersal of funds according to state and federal law. **It is important to note that it is the director's responsibility to secure funding by setting priorities, identifying sources, meeting with other public officials, and keeping open channels of communication with conservation organizations.** Staff will implement the necessary applications, but should not be expected to make all the contacts.
- Prepare an annual budget and maintain an approved bookkeeping system that reflects all income and expenditures. Prepare an annual financial statement and provide for an annual audit.
- Annually designate board chairperson and other board officers.
- See that all the special terms and conditions of the MDA Operations Grant is fulfilled by the District including but not limited to the timely completion of the Michigan Conservation District Auditing procedures. The full audit procedures may be obtained from:

Michigan Department of Agriculture
Finance and Administrative Services Division
P.O. Box 30017
Lansing, MI 48909

Section III: The Importance of Developing Conservation District Policy

The board is entrusted with the authority to establish policy for the governance of the Conservation District. Board policy establishes the parameters and guidelines for board members, committees, Management, and staff.

District policies exist to:

- Inform everyone of board intent, goals and aspirations.
- Prevent confusion among board members, staff and the public.
- Promote consistency of board action.
- Eliminate the need for instant (crisis) policy making.
- Reduce criticism of the board and management.
- Improve public relations.
- Clarify board member, Administrative/Executive, and staff roles.
- Give management a clear direction from the board.

Policy requires a majority of the board: All policy decisions should be made by majority vote of the board and only at board meetings. Before adopting any policy, all board members should receive a copy of the proposed policy in advance of the meeting at which the vote is to be taken.

Source of policies: Policies may be recommended to the board by committees of the board, individual board members, or by the Administrator/Executive Director. All proposed policies should be researched to ensure that they are legal, and do not contradict an already established policy of the District. If approved by the board, policies will be written, coded, dated at time of approval, and included in all copies of the board policy manual.

Considerations for all policies: All policies proposed to the board should be evaluated to make sure the proposed policy is:

- Truly necessary for good operation of the District.
- Consistent with the District's mission statement.
- Within the scope of board authority.
- Consistent with local, state and federal law.
- Compatible with other policies of the board.
- Practical.
- Broad enough to cover the subject completely.
- Enforceable.

Distribution of a policy manual: A copy of the board policy manual should at all times be available in the District office for review and inspection by employees and board members. Each board member must be given a revised policy manual. The policy manual should be kept updated by the Administrator.

Amendment or suspension of policy: All policies must be annually reviewed by the board or a committee of the board for accuracy and appropriateness, and recommendations should be made to the board for amendment, addition or elimination. Except as otherwise provided by law, any policy of the board may be suspended, repealed, amended, or waived by a majority vote of the board.

Recommended List of District Policies

The following, recommended by the Michigan Department of Agriculture and the Michigan Association of Conservation Districts, is a list of subjects on which Conservation Districts should adopt policy:

- Structure of the District (chain of command, delegation of activities to executive director/administrator)
- Board Organization (board meeting attendance, authority of board members, committees of the board, public forum during board meetings, board officers)
- Employment/Personnel
- Conflict of Interest (Board and Staff)
- District Finances (financial management, budgeting, signing checks, use of credit card, investment practices, spending authorizations)
- Facilities/Equipment
- Administrative procedures for conduct of board meetings

Conflict of Interest

A conflict of interest occurs when an individual or organization has an interest that might compromise their reliability. A conflict of interest exists even if no improper act results from it, and can create an appearance of impropriety that can undermine confidence in the conflicted individual or organization.

Conservation Districts are local units of government elected by the people. Therefore, the IRS as well as state regulatory and tax officials view the operations of Districts as a public trust, which is subject to scrutiny by and accountable to such governmental authorities as well as to members of the public.

Consequently, there exists between Districts and their boards, employees and the public, a fiduciary duty, which carries with it a broad and unbending duty of loyalty and fidelity. The board, officers, and management employees have the responsibility of administering the affairs of the District honestly and prudently, and of exercising their best care, skill, and judgment for the sole benefit of the community in which the District serves.

Those persons shall exercise the utmost good faith in all transactions involved in their duties, and they shall not use their positions with the District for their personal benefit. The interests of the organization must be the first priority in all decisions and actions.

Staff and board members should perform their official duties in a manner free from conflict of interest. The maintenance of unusually high standards of honesty, integrity, impartiality, and professional conduct by District employees and board members is essential to ensure the proper performance of District business as well as to earn and keep public confidence in the District. For an example policy on "Conflict of Interest," refer to *Appendix C*.

A Note on Diversity of the Board

Diversity within the conservation partnership refers to the concept of inclusiveness affecting both the clientele being served and those coordinating and providing the services. It should embrace all cultures and all people who use, manage, and receive the benefits of our natural resources.

Section IV: Bonding Policy

All District directors and employees entrusted with funds or property shall obtain a minimum \$10,000 surety bond. Districts with total ending cash balances exceeding \$10,000 on September 30 shall carry surety bonds at least equal to that amount.