

# CONSERVATION DISTRICT HANDBOOK

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AUGUST 2023



# THE HANDBOOK

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- Announced via email July 5, 2023
- Located on the OCC website
  - District Resources Page
  - Conservation District Handbook accordion
- Document is intended to be used electronically, not printed!

# SEPTEMBER 30, 2023

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## ACKNOWLEDGMENT

- Must be completed by all employees and directors
  - Newly serving individuals should complete the form within the first month of service

## ADOPTION

- Board must take action during a regular meeting to adopt as policy

\*Acknowledgement submissions will be reviewed September 15<sup>th</sup>; districts will be notified at that time if any have not been submitted. This will be the only reminder!

# CHANGES: EXECUTIVE SESSION

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- New process eliminates the requirement to keep written minutes in the Executive Session
  - Remember: Executive Session Minutes must be retained permanently!
- Example language and process are outlined in the handbook
- Guidance document has been developed and is available on the OCC website

# CHANGES: EXECUTIVE SESSION

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SPECIFIC PROVISIONS OF  
THE OPEN MEETING ACT  
THAT AUTHORIZE AN  
EXECUTIVE SESSION

- Personnel reasons, such as discussing the employment, hiring, appointment, promotion, demotion, disciplining, or resignation of any individual salaried public officer or employee, is authorized by [Title 25 O.S. §307\(B\) \(1\)](#).
- Discussing negotiations concerning employees and representatives of employee groups is authorized by [Title 25 O.S. §307 \(B\) \(2\)](#).
- Discussing the purchase or appraisal of real property is authorized by [Title 25 O.S. §307 \(B\) \(3\)](#).
- Discussing confidential matters with an attorney as to pending investigations, claims, or actions is authorized by [Title 25 O.S. §307 \(B\) \(4\)](#).
- Discussing any matter where disclosure of information would violate confidentiality requirements of state or federal law is authorized by [Title 25 O.S. §307 \(B\) \(7\)](#).



# CHANGES: EXECUTIVE SESSION - AGENDA

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## Example Agenda Item for a Proposed Executive Session

1. As authorized by the Oklahoma Open Meeting Act in Section 307(B)(1) of Title 25 of the Oklahoma Statutes, an executive session may be held for the purpose of discussing the employment, hiring, appointment, promotion, demotion, disciplining or resignation of any individual public officer or employee.” Pursuant to this provision, the \_\_\_\_\_ Conservation District Board proposes to hold an Executive Session for the purpose of discussing the employment of Elizabeth Taylor, District Manager. 25 O.S. Section 307(B)(1).
  - a. Vote to convene or not to convene into executive session.
  - b. Executive Session if authorized.
  - c. Acknowledge return to open session.
  - d. Executive Session Minutes Compliance Announcement.

- Agenda must:
  - Provide the specific provision of the OMA that authorizes the session
  - Include items for
    - Vote to enter
    - The session, if authorized
    - Acknowledgement of return to open session
    - Reading of Executive Session Compliance Statement

# CHANGES: EXECUTIVE SESSION – PROCESS

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- Process:
  1. Agenda Item read
  2. Vote to enter Executive Session
  3. Designation of persons other than board in session
  4. Executive Session held
  5. Board returns to Open Session and acknowledges the return
  6. Executive Session Minutes Compliance Statement is read
  7. Board votes on possible actions, if any, relating to matters discussed in executive session

# CHANGES: EXECUTIVE SESSION – COMPLIANCE STATEMENT

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- Compliance Statement must contain four elements:
  1. The time executive session was entered & exited
  2. Who was present
  3. What was discussed
  4. That no action was taken in the session

- Compliance Statement.

**The Chair or designated board member reads the compliance statement to everyone at the Open Meeting:**

“The Board entered into executive session at 10:37 a.m. to discuss the employment of Elizabeth Taylor, District Manager as authorized by 25 O.S. Section 307(B)(1). Those present in the executive session were Billy Joel, Chair of the Board; Betty Crocker, Board Member; Betsy Ross, Board Member; Bobby Kennedy, Board Member; Ben Franklin, Board Member; Elizabeth Taylor, District Manager and Harry Styles, NRCS District Conservationist. No vote or action was taken by the conservation district board while in executive session. The Board returned to regular session at 11:15 am.”



### ***Executive Session Minute Guidance***

Executive Session minutes are incorporated into the regular minutes through the compliance statement, no separate minutes should be kept, and should contain the following:

- Provide an official summary of members present and absent
- List any additional attendees and their titles, if any
- Summarize all matters discussed by the Board, and
- Reference the start and ending times of the executive session

**Sample Minutes.** Executive session minutes compliance statement.

*Billy Joel, chair, announced that the Redbud Conservation District Board entered into an executive session at 10:37 a.m. to discuss the employment of Elizabeth Taylor, District Manager as authorized by 25 O.S. Section 307(B)(1). Those present in the executive session were Billy Joel, Chair of the Board; Betty Crocker, Board Member; Betsy Ross, Board Member; Bobby Kennedy, Board Member; Ben Franklin, Board Member; Elizabeth Taylor, District Manager, and Harry Styles, NRCS District Conservationist. No vote or action was taken by the Board while in executive session. The board returned to open session at 11:15 a.m.*

### ***Regular Meeting Minute Guidance***

Regular minutes must:

- Record that the agenda showed a proposed executive session for the agenda item to be discussed and the statutory authority for the executive session (See Section 311 B.2)
- Show a motion and recorded vote to go into executive session
- Include the Executive Session Minutes Compliance Statement
- State all matters discussed in regular session, if any
- Show the motion and recorded vote for any actions taken on the issue(s) discussed in the executive session

# CHANGES: EXECUTIVE SESSION – MINUTES

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- Meeting minutes must contain:
  - Motion and vote to enter executive session
  - Executive session minutes compliance statement
    - Indicates time executive session was entered
    - Who was present
    - What was discussed
    - That no vote was taken
    - Indicates time open session resumed
  - All matters discussed in regular session, if any
  - Motion and recorded vote for any actions taken on items discussed in executive session

# CHANGES: EXECUTIVE SESSION

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- Remember:
  - An Executive Session may not be listed on an agenda if there is no specified topic
  - Executive Session may only be held for a limited set of circumstances
  - No action may be taken in an executive session
- **The new process should be used by ALL districts beginning no later than September 1.**



# CHANGES: ANNUAL LEAVE ACCRUAL

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- Went into effect July 1
- Based on years of service, you may accrue above 640 hours of AL
- 640 hours = maximum terminated leave payment
- Timesheet must be updated to allow increased accrual
- Leave accrual must still be managed appropriately

<i>YEARS OF CUMULATIVE SERVICE</i>	<i>ANNUAL LEAVE Accrual Rate per month</i>	<i>Maximum Statutory Limit</i>	<i>Excess that may be accrued</i>	<i>Total Maximum Allowable Accrued</i>	<i>SICK LEAVE Accrual Rate per month</i>
less than 5 years of service	10 hours	640 hours	0 hours	640 hours	10 hours
5 to 10 years of service	12 hours	640 hours	144 hours	784 hours	10 hours
10 to 20 years of service	13.33 hours	640 hours	160 hours	800 hours	10 hours
20 years of service or more	16.67 hours	640 hours	200 hours	840 hours	10 hours

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## REMINDER: LEAVE ACCRUAL



Annual Leave and Sick Leave accrue on the last day of the month



Cannot be used until the first of the next month



“Forward” column on the timesheet reflects the available leave for the month



Exception: Comp time may be used immediately after accrual



# CHANGES: INVESTIGATING COMPLAINTS

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- External complaints must be investigated by the district board
  - Internal complaints are handled through the grievance process
- A board member should lead all complaint investigations
  - Staff may assist in some circumstances

# CHANGES: DONATION POLICY

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- Districts may receive donations
- General policy outline and acceptance procedure
- Donation receipt template

# CHANGES: OTHER NEW POLICIES & PROCESSES

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- Take time to review other new policies in the handbook
  - Social Networking and Social Media
  - Drug, Tobacco, and Alcohol-Free Workplace
  - Workplace Violence
- New processes and tools
  - Grievance process
  - Disciplinary tools and termination process
  - Record disposition
  - Personnel record set-up and maintenance

# REVISIONS BASED ON YOUR FEEDBACK

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- Page 72 – clarify the use of state contracts by districts
- Page 87 – update language to clarify OPERS service purchase eligibility for retiring employees
- Page 92 – clarify employee eligibility for FMLA
- Page 95 – revised hour threshold for full longevity payment
- Page 107 – updated FCC hyperlink
- Page 127 – clarified youth boards are voluntary for districts
- Page 138 – add audit/compilation report and 5K form to records disposition schedule
- Summary of changes moving forward will be part of District Services monthly update



# QUESTIONS FROM YOU

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## QUESTION

- Why do all the links for forms, etc. go to the general webpage and not the specific form?

## ANSWER

- This is by design since many of our forms are Word or Excel based. In the case of specific static forms, the general link is an effort to limit the need for revisions to the document when a form changes.

# QUESTIONS FROM YOU

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## QUESTION

- Are districts required to have a seed license? And if so, what is the fee?

## ANSWER

- Yes, if your district sells seed you are required to have a seed license. The annual fee for the license is currently \$25.00; it is a reimbursable expense from your operating expense allocation.

# QUESTIONS FROM YOU

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## QUESTION

- Should the district have inventory decals from the Commission on its laptop since it cost over \$500.00?

## ANSWER

- No. If an item is purchased by the district and then reimbursed from operating expense allocation, a decal is not required.
  - If the Commission makes a special allocation for equipment purchase or deploys equipment to a district, a decal would be required.

# QUESTIONS FROM YOU

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## QUESTION

- Can we use state contracts to purchase computers and other IT assets?

## ANSWER

- Technically, yes. However, it is incredibly inefficient to do so and in the case of a computer, would require a state image if OMES were willing to help at all.
  - Current recommendation is to purchase IT assets on the open market after due diligence has been completed to determine the lowest and best solution.



# NOT DONE YET

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- 10-Minute Guide updates
  - Considering possible expansion of topics
- Position Descriptions & Performance Review resources
- List of Important Dates
- Topical Index
- Other forms, as needed/identified

# SEPTEMBER TRAINING: IRS *IRIS E-FILE* ENROLLMENT

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September 12 & September 13

1:30 p – 2:30 p

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QUESTIONS?

Conservation District Handbook  
Training Session 2

