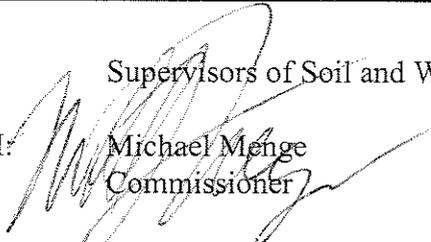


**MEMORANDUM**  
Department of Natural Resources

**STATE OF ALASKA**  
Office of the Commissioner

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TO: Supervisors of Soil and Water Conservation Districts

FROM:  Michael Menge  
Commissioner

DATE: November 7, 2005

SUBJECT: Department Order 147 AMENDED  
Soil and Water Conservation Districts (AS 41.10) Duties

Soil and water conservation districts are organized in Alaska under AS 41.10. The districts have long operated with a minimum of state oversight, notwithstanding their status as state agencies (for most, but not necessarily all purposes). Over the past seven years, local district activity has increased as more funding has become available. The increased activity has exposed certain issues that are not well covered in the current statutes or in the current department orders. Pursuant to my authority under AS 41.10.130 to "prescribe the duties" of the local soil and water conservation districts, this order is intended to address the following issues:

- Financial controls and accountability
- Procurement
- District meetings
- Ethics
- Status and control of agents, contractors, or employees
- Work plans

*Relationship to prior orders.* This amended order addresses language in section 6, "Work plans." This amended order is intended to supplement the current orders in effect related to soil and water conservation districts. To the extent prior orders are inconsistent, they are hereby superceded.

1. **Financial Controls and Accountability.** All districts shall comply with the District Operations Manual, as approved by the NRCDB at its December 20, 2004 meeting, and upon its final adoption by the NRCDB and the Commissioner.
2. **Procurement.** Districts shall comply with state procurement laws (AS 36.30) and regulations. Districts may deviate from these provisions upon the advice and consent of authorized state procurement officers.
3. **District Meetings.** Districts shall comply with the Open Meetings Act (AS 44.62.310). Regular meetings shall be noticed at least seven days in advance by:
  - a. Posting the notice and agenda at the district office;
  - b. Placing public service announcements on local TV or radio, if available at no cost;
  - c. Posting the notice and agenda at the local post office;

- d. Posting the notice and agenda on the State's Online Public Notice system; and
- e. Emailing the notice and agenda to cooperators and other interested parties who express a desire to receive meeting notifications.

Other forms of notice may be used, but are not a substitute for the above methods. Approved meeting minutes shall be provided electronically to the NRCDB Executive Director within 30 days of approval by the board of supervisors.

4. **Ethics.** District Supervisors shall conduct themselves in accordance with the executive ethics act (AS 39.52).

5. **Status and control of agents, contractors, or employees.**

- a. Districts are prohibited from hiring employees.
- b. Districts may contract with the Alaska Association of Conservation Districts for employees, such as office managers, professionals or technicians, including program or project managers. In the event an AACD employee does not perform to the expectations of the local district, the local district must notify the AACD of the district's dissatisfaction and, if the problem is not rectified in a reasonable amount of time, may refuse to allow the current AACD employee onto the district premises and 1) request the AACD send another employee, or 2) seek an independent contractor to provide the service.

6. **Work plans.** In conjunction with filing annual work plans with federal funding agencies, copies of these plans shall be submitted to the NRCDB and to the Commissioner's Office by providing six hard- copies or one electronic copy to the Executive Director of NRCDB. *The Commissioner or his designee shall ensure that district work plans are consistent with all applicable state statutes prior to implementation.*

cc: Natural Resources Conservation & Development Board  
Deputy Commissioners  
Division Directors  
Executive Director, NRCDB  
Special Assistants