

MARION SOIL AND WATER CONSERVATION DISTRICT



BY-LAWS

www.marionswcdfl.gov

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Marion Soil and Water Conservation District

ARTICLE I: NAME AND PURPOSE

Mission

To administer programs to conserve soil, improve water quality, and enhance water quantity in Marion County, Florida.

Vision

To promote the conservation, improvement, and sustainable management of our natural resources through outreach and educational programs.

Purpose

To provide assistance and education to landowners, land occupiers, and the agricultural community in implementing effective land and water resource protection practices. This includes promoting sustainable soil and water use, protecting water quality, preventing flood damage, preserving wildlife, and enhancing public health and welfare, while collaborating with agencies to safeguard Florida's vital natural resources and green spaces.

Core Values

- Learning - Expanding our collective understanding of natural resources and conservation practices.
- Stewardship - Leading initiatives to conserve natural resources and advocate for environmental awareness and responsible management.
- Community - Engaging and collaborating with our community and partners for collective growth.
- Support and Sustainability - Promoting best management practices and providing ongoing support for eco-friendly land use operations and implementations.

ARTICLE II: ORGANIZATIONAL STRUCTURE

Board Responsibilities

The Marion Soil and Water Conservation District (MSWCD) Supervisors serve as the governing body overseeing the District's operations and activities to fulfill its mission of conserving soil, water, and related natural resources within its jurisdiction. The District operates under a Board of five Supervisors, elected in accordance with Chapter 582.18, Florida Statutes. Each Supervisor is expected to have a deep understanding of local conservation issues and a commitment to addressing them through effective governance, collaboration, and stewardship. Their responsibilities include setting policies, approving budgets, and overseeing programs to ensure the successful implementation of the District's objectives and goals.

Composition and Election

The District Board of Supervisors consists of elected, non-partisan volunteers who must comply with Chapter 582, Florida Statutes. Supervisors in Seats One, Three, and Five are elected during one term, while Seats Two and Four are elected in the following term, with elections rotating every four years. The Board shall annually elect from among its members a Chairman, Vice-Chairman, Secretary, and Treasurer. Additionally, a Public Relations Representative may be elected if a majority of the Supervisors calls for it at any publicly noticed Board meeting. All elections will be conducted in accordance with Florida's Sunshine Law. In the event of a vacancy, a new Supervisor will be appointed in accordance with Chapter 582. The appointee must be a resident of Marion County, complete the State's oath, pay the qualification fee, meet the State's affidavit requirements, and assume the position of the Supervisor being replaced.

Task Execution and Special Assignments

The Executive Administrator, in consultation with the Board, is responsible for executing tasks and managing special projects to fulfill the District's goals and objectives. The Executive Administrator, along with the Program Assistant, will ensure that all assignments are carried out efficiently and report progress regularly to the Board.

Meetings and Quorum

Board of Supervisors shall establish a regular meeting schedule, with special meetings called as necessary. A quorum, as defined as majority or 51% of the Supervisors, must be present for the Board to conduct official business. The Board must meet at least once during a calendar year with all five Supervisors.

Adherence

Supervisors should adhere to the District's established policies, designed to ensure effective management and compliance with relevant Federal, State, and Local regulations. Supervisors should adhere to all Florida Statutes and rules governing the District, as well as to any contracts, memorandums of understandings, or other agreements. Additionally, Supervisors should promptly inform the Executive Administrator of any public requests, or the Program Assistant in the absence of the Executive Administrator.

ARTICLE II: ORGANIZATIONAL STRUCTURE

Board of Supervisors

Chairman

- **Preside Over Meetings** - Lead all noticed Board meetings.
- **Meeting Notifications** - Ensure that staff member(s) communicate meeting details to all interested parties in a timely and effective manner.
- **Special Meetings** - Call special meetings when necessary.
- **Agenda Planning** - Collaborate with the Executive Administrator to plan meeting agendas.
- **Meeting Order** - Recognize visitors, distribute agendas, and call meetings to order.
- **Orderly Meetings** - Conduct meetings according to Robert's Rules of Order. Allow equal speaking opportunities. Tactfully manage discussions and ensure all Supervisors participate. Provide necessary facts and information. Ensure meetings start and end on time and adhere to the agenda. Set an example by adhering to proper parliamentary procedure.
- **Motion Handling** - State and facilitate the voting process for all motions.
- **Motions and Discussions** - Ensure discussions and motions are relevant and lawful.
- **Impartial Leadership** - Avoid expressing personal opinions and limit speaking time while presiding.
- **Quorum Verification** - Confirm with District Secretary that a quorum is present before conducting official business.
- **Advisory Role** - Provide guidance to the District personnel. Ensure that District personnel keep all Supervisors fully informed on all relevant matters. Represent the Board or assign a designee when the District must serve in an advisory role (for a Local, State or Federal review and/or meeting).
- **Plan Review** - Review the District's Long-Range and Strategic Plans at minimum annually, ensuring activities and assignments are executed. Review the Annual Narrative at minimum quarterly to ensure the Board is compliant.
- **Prevent Rubber Stamping** - Ensure the Board does not merely approve recommendations without due consideration.

ARTICLE II: ORGANIZATIONAL STRUCTURE

- **Custodian of Records** - When the Executive Administrator is unable to act as the “custodian of records” as defined under Chapter 119, Florida Statutes, the Chairman is responsible for responding to public records requests.
- **Supervisor Training** – Attend all Supervisor trainings, when applicable, and encourage Supervisors to participate in all trainings.
- **Understanding and Adherence to Regulatory Guidelines** - Be familiar with the Florida Soil and Water Conservation District Handbook. Adhere to performance measurements for each activity and event, ensuring compliance with State requirements established in Florida House Bill 7013. Comply with all statutes, rules, memorandum of understandings, contracts, and other relevant regulations. Verify the District submits all required documents (financial disclosure, taxes, reports, etc.) in order to meet their deadlines. Enforce District approved resolutions, policies, and referendums.
- **Representation** - Represent the District at Local, State and National conservation functions, Land Management reviews, and meetings. Represent the District at Marion County Board of County Commissioner meetings. Assign a designee to represent the District when unable to attend.
- **Decision Making** - Make timely decisions outside of Board meetings regarding District operations, activities, and District personnel, when necessary.
- **Committee Records** - In coordination with the Secretary and District personnel, keep a record of all committees, both standing and special. Notify committee members at the next Board meeting of appointment(s), especially if they were not in attendance when these were made.
- **Board Membership Communication** - In coordination with the Executive Administrator or District personnel, notify the Florida Department of Agriculture and Consumer Services (FDACS), the Association of Florida Conservation Districts (AFCD), and the Local and State Supervisors of Elections about Board membership(s), providing current or changes to District Supervisors’ information. Include any corresponding materials, such as copies of all appointment and resignation letters, relevant minutes, notarized oaths, and affidavit forms.
- **Other Duties** - Perform additional duties as approved by the Board.

ARTICLE II: ORGANIZATIONAL STRUCTURE

Vice-Chairman

- **Assume Chairman Duties** - Assume the duties of the Chairman in his/her absence and assist in the performance of his/her duties when applicable. Succeed the Chairman in the event of resignation or other conditions preventing his/her continued tenure, until the Board can appoint another Chairman through an election.
- **Additional Responsibilities** - Serve as Chairman for special programs or committees as appointed.
- **Understanding and Adherence to Regulatory Guidelines** - Be familiar with the Florida Soil and Water Conservation District Handbook. Adhere to performance measurements for each activity and event, ensuring compliance with State requirements established in Florida House Bill 7013. Comply with all statutes, rules, memorandum of understandings, contracts, and other relevant regulations.
- **Other Duties** - Perform other duties as approved by the Board.

Secretary

- **Assume Duties of Absent Board Supervisors** - Assume the duties of the Chairman and Vice-Chairman in their absences and assist in the performance of their duties when applicable.
- **Meeting Minutes** - Ensure accurate minutes are kept for each meeting. Include the type of meeting (regular, workshop, or special). Record the name of the presiding officer, date, time, and location. Document attendance, including supervisors, agency representatives, and guests.
- **Record official business** - Determine if a quorum is met during District meetings; official business cannot be transacted without a quorum, defined as the majority, at least 51% (e.g. three Supervisors when five are currently serving on the Board). Record all motions, including the names of the individuals making and seconding the motion, and the action taken.
- **Motion Review** - Read back each motion before action is taken and ensure that each motion is recorded in full.
- **Action Completion** - Ensure action is completed on each business item, with a record of all business conducted.

ARTICLE II: ORGANIZATIONAL STRUCTURE

- **Committee Records** - In coordination with the Chairman and District personnel, keep a record of all committees, both standing and special. Notify committee members at the next Board meeting of their appointment(s), especially if they were not in attendance when these were made.
- **Board Membership Communication** - In coordination with the Executive Administrator or District personnel, notify FDACS, AFCD and the Local and State Supervisors of Elections about Board membership(s), providing current or changes to District Supervisors' information. Include any corresponding materials, such as copies of all appointment and resignation letters, corresponding minutes, notarized oaths and affidavit forms.
- **Correspondence Initiation** - Initiate correspondence on behalf of the Board, when approved and/or applicable, in coordination with the Executive Administrator or District personnel.
- **Understanding and Adherence to Regulatory Guidelines** - Be familiar with the Florida Soil and Water Conservation District Supervisor Handbook. Adhere to performance measurements for each activity and event, ensuring compliance with State requirements established in Florida House Bill 7013. Comply with all statutes, rules, memorandum of understandings, contracts, and other relevant regulations.
- **Other Duties** - Perform other duties as approved by the Board.

Treasurer

- **Financial Record Keeping** - Ensure accurate financial records are maintained for the District in accordance with Chapter 189, Florida Statutes. Submit all required reports as mandated by statute or rule, in coordination with the Executive Administrator.
- **Financial Transaction Accountability** - Keep an accurate account of the District's financial transactions through an accounting software program in coordination with the District personnel.
- **Budget Preparation and Maintenance** - Prepare and maintain the District's budget for the operating year, in coordination with the Executive Administrator or District personnel.
- **Monthly Treasurer's Report** - Prepare a monthly Treasurer's report for presentation at regular Board meetings.

ARTICLE II: ORGANIZATIONAL STRUCTURE

- **Authorization of Expenditures** - Authorize or sign all approved District expenditures made by check or direct deposit (ACH), or ensure they are signed by another registered account signer. This must be done in conjunction with approval from either the Chairman or the Executive Administrator. Personnel are authorized to make approved payments up to \$250 with their credit card; any amount exceeding this must be approved either through a motion during a meeting or by the Treasurer or Chairman outside a meeting.
- **Record of Receipts and Expenditures** - Maintain complete and accurate records of all receipts and expenditures, in coordination with the Executive Administrator or District personnel.
- **Payment Instructions** - Instruct the Executive Administrator or a designated District personnel to pay only expenditures approved by official action of the Board, and issue receipts for incoming funds.
- **Special Fund Accounting** - Maintain separate accounting for any funds the District receives for specific purpose(s).
- **Annual Audit** - Arrange for an annual audit of receipts and disbursements in accordance with Chapter 218.32, Florida Statutes ("Annual Financial Report"), and Chapter 11.45, Florida Statutes ("Audit"), in coordination with the Executive Administrator or District personnel.
- **Compliance with Financial Laws** - Ensure the District complies with State and Federal laws and does not expend or mishandle District funds.
- **Mail Management** - Responsible for the District's mail when District personnel cannot oversee the retrieval and distribution of it.
- **Understanding and Adherence to Regulatory Guidelines** - Be familiar with the Florida Soil and Water Conservation District Supervisor Handbook. Adhere to performance measurements for each activity and event, ensuring compliance with State requirements established in Florida House Bill 7013. Comply with all statutes, rules, memorandum of understandings, contracts, and other relevant regulations.
- **Other Duties** - Perform other duties as approved by the Board.

ARTICLE II: ORGANIZATIONAL STRUCTURE

Public Relations Officer

- **Agenda and Minutes Publicity** - Verify that the most current version of the proposed agenda is published at least seven (7) days before a meeting or workshop, and that the approved minutes are publicized online, both in accordance with Florida Statutes and in coordination with District personnel. When necessary, post the agenda and/or minutes online. Ensure that notices and agendas are publicly posted in accordance with Chapter 50, Florida Statutes, notifying Board members and stakeholders in advance.
- **Media Relations** - Build and maintain relationships with local newspapers, radio, television stations, and other media sources to ensure adequate publicity of District activities and events.
- **Media and Website Management** – In coordination with District personnel, manage, update, and assist with the District’s media accounts and the website, using these platforms to share information and updates about District activities and events. Be a contact and approver for the District’s media accounts and website, in coordination with the Executive Administrator. Maintain the website and media sites in accordance with Florida Statutes.
- **Media Submission** - Submit media items (articles, pictures, etc.), about District activities or events for potential inclusion in media sources or publications, in coordination with District personnel.
- **Activity Records** - Develop and maintain performance measurement records of all District activities and events, in coordination with District personnel.
- **Public Information Writing** - Update the District’s Plans or write informational publications, in coordination with the District personnel and input from the Board.
- **Understanding and Adherence to Regulatory Guidelines** - Be familiar with the Florida Soil and Water Conservation District Supervisor Handbook. Adhere to performance measurements for each activity and event, ensuring the District’s compliance with State requirements established in Florida House Bill 7013. Comply with all statutes, rules, memorandum of understandings, contracts, and other relevant regulations.
- **Other Duties** - Perform other duties as approved by the Board.

ARTICLE II: ORGANIZATIONAL STRUCTURE

Associate Supervisors

- **Appointment** - Appointed by the majority of the Board, a quorum, and serve on a voluntary basis.
- **Residency and Voter Registration** - Must be residents of Marion County and registered voters as confirmed by the Supervisor of Elections. Applicants must submit a letter of interest, detailing their background and reasons for wishing to become an Associate Supervisor, before the Board votes on their appointment.
- **District Involvement** - Attend and engage in Board meetings. Assist with the planning, preparation, and execution of District contests, functions, activities and events, as needed by the Board.
- **Understanding and Adherence to Regulatory Guidelines** - Be familiar with the Florida Soil and Water Conservation District Supervisor Handbook. Adhere to performance measurements for each activity and event, ensuring compliance with State requirements established in Florida House Bill 7013. Comply with all statutes, rules, memorandum of understandings, contracts, and other relevant regulations.
- **Other Duties** - Perform other duties as approved by the Board.
- **Removal** - May be removed by a majority vote of the Board at any time.

ARTICLE II: ORGANIZATIONAL STRUCTURE

District Personnel

Executive Administrator

- **Administrative Leadership** - Serve as the principal administrative executive for the District. Provide specialized administrative and technical support for the District and assist other County, State, and Federal agencies, with approval from the Board. Work under minimal supervision and direction from the District Board.
- **Meeting Documentation and Publicity** - Prepare and publicize the most current version of the proposed meeting agenda at least seven (7) days before a meeting or workshop per Florida Statutes, in coordination with the Public Relations Officer and Program Assistant. Seek Chairman approval for meeting agendas before posting and distributing. Maintain minutes and post to the website after Board approval, in coordination with the Public Relations Officer and District personnel. Ensure that notices and agendas are publicly posted in accordance with Chapter 50, Florida Statutes, notifying Board members and stakeholders.
- **Media and Website Management** – In coordination with the Program Assistant and the Public Relations Officer, manage, update, and assist with the District’s media accounts and the website, using these platforms to share information and updates about District activities and events. Be a contact and approver for the District’s media accounts and website, in coordination with the Public Relations Officer. Maintain the website and media sites in accordance with Florida Statutes.
- **Media Submission** - Submit media items (articles, pictures, etc.), about District activities or events for potential inclusion in media sources or publications, in coordination with the Public Relations Officer and the Program Assistant.
- **Activity Records** - Develop and maintain performance measurement records of all District activities and events, in coordination with the Public Relations Officer and the Program Assistant.
- **Public Information Writing** - In coordination with input from the Board, the Public Relations Officer and Program Assistant, develop and assist in the creation of public information sections for the District’s Annual Year-in-Review, implementation of the District’s Long-Range Plan, updates to the By-laws, and preparation of the Annual Narrative. Remind the Board to review the Long-Range and Strategic Plans at minimum annually and the Annual Narrative at minimum quarterly.

ARTICLE II: ORGANIZATIONAL STRUCTURE

- **Report and Project Coordination** - Plan, develop, organize, implement, and direct administrative reports, special projects, and presentations in coordination with the Board and Program Assistant, when applicable.
- **Financial Oversight** - Prepare monthly financial reports in conjunction with the Treasurer, including balances and maintaining financial records. Prepare and make payments for authorized expenditures by the District Board. Keep records for the award programs(s) along with the other District activities in coordination with District personnel. Maintain District business transactions in an orderly fashion in coordination with the Treasurer and District personnel.
- **Financial Record Keeping** - Ensure accurate financial records are maintained for the District in accordance with Chapter 189, Florida Statutes. Submit all required financial reports and taxes as mandated by statute or rule, in coordination with the Chairman and Treasurer.
- **Financial Transaction Accountability** - Keep an accurate account of the District's financial transactions through an accounting software program in coordination with the Treasurer and District personnel.
- **Authorization of Expenditures** - Authorize or sign all approved District expenditures made by check or direct deposit (ACH), or ensure they are signed by another registered account signer. This must be done with approval from either the Chairman or the Treasurer. Personnel are authorized to make approved payments up to \$250 with their credit cards; any amount exceeding this must be approved through a motion during a meeting or by the Treasurer or Chairman outside a meeting.
- **Budget Preparation and Maintenance** - Prepare and maintain the District's budget for the operating year, in coordination with the Treasurer and District personnel.
- **Record of Receipts and Expenditures** - Maintain complete and accurate records of all receipts and expenditures, in coordination with the Treasurer and District personnel.
- **Annual Audit** - Prepare for an annual audit of receipts and disbursements in accordance with Chapter 218.32, Florida Statutes ("Annual Financial Report"), and Chapter 11.45, Florida Statutes ("Audit"), in coordination with the Chairman, Treasurer, and District personnel.

ARTICLE II: ORGANIZATIONAL STRUCTURE

- **Educational Outreach** - Assist in planning educational programs and events in collaboration with the District Personnel.
- **Committee Records** – In coordination with the Chairman, Secretary, and Program Assistant, keep a record of all committees, both standing and special. Notify committee members at the next Board meeting of their appointment(s), especially if they were not in attendance when these were made.
- **Board Membership Communication** - In coordination with the Chairman, Secretary and District personnel, notify FDACS, AFCD and the Local and State Supervisors of Elections about Board membership(s), providing current or changes to District Supervisors' information. Include any corresponding materials, such as copies of all appointment and resignation letters, corresponding minutes, notarized oaths and affidavit forms. Keep a schedule of all events concerning the Board, in coordination with District personnel, notifying them accordingly.
- **Custodian of Records** - Act as the “custodian of records” as defined under Chapter 119, Florida Statutes, the Vice-Chairman is responsible for responding to public records requests when the Executive Administrator cannot. Maintain a standardized filing system for the District and ensure all records are properly organized, in coordination with the District personnel. Collect mail and assist in District and other business-related correspondence, directed by the Board in coordination with the District personnel. Maintain District financial bookkeeping, including maintaining separate ledgers for various accounts such as “State Funds” and “District Funds”, in coordination with the Treasurer and District personnel. Manage bank deposits, account, CD(s), ACH(S), and handle other signatory responsibilities, in coordination with the Treasurer and any other Board Supervisor Bank signatory. Receive and confirm contributions to the District, in coordination with the Treasurer and District personnel.
- **Personnel Management** - Supervise, hire, and train all District personnel in consultation with the Chairman. Represent the District at public and staff personnel functions as directed by the Board.
- **Research and Analysis** - Conduct research and analysis for the Board, when applicable, in coordination with the District personnel.

ARTICLE II: ORGANIZATIONAL STRUCTURE

- **Compliance** - Comply with the Memorandum of Understanding and Cooperative Agreements. Assist other agencies and perform additional assignments or responsibilities as directed by the Board. Be well-versed in the District Supervisor's Handbook and Florida rules/statutes.
- **Customer Service** - Provide front-line customer service. Function as a lead worker and supervise volunteers in coordination with the District personnel.

Program Assistant

- **Administrative Support** - Provide administrative support or other assigned duties for the District and Executive Administrator. Assist in coordinating training and educational outreach activities with the Executive Administrator. Maintain bookkeeping for District bank accounts using QuickBooks, in coordination with the Treasurer and Executive Administrator. Represent the District at public and personnel functions as directed by the Board or Executive Administrator. Provide specialized administrative and technical support for the District and assist other County, State, and Federal agencies, with Board approval. Work under minimal supervision from the District Board.
- **Financial Transaction Accountability** - Ensure financial transaction accountability through an accounting software program in collaboration with the Treasurer and Executive Administrator.
- **Media and Website Management** – In coordination with the Executive Administrator and the Public Relations Officer, manage, update, and assist with the District's media accounts and the website, using these platforms to share information and updates about District activities and events. Maintain the website and media sites in accordance with Florida Statutes.
- **Compliance** - Comply with Memorandum of Understanding and Cooperative Agreements. Be well-versed in the District Supervisor's Handbook and Florida rules/statutes.
- **Research and Analysis** - Conduct research and analysis for the Board as needed, coordinating with the Executive Administrator.

ARTICLE II: ORGANIZATIONAL STRUCTURE

- **Agenda, Minutes and Public Notices** - Publicize the most current version of the proposed meeting agenda at least seven (7) days before a meeting or workshop per Florida Statutes, in coordination with the Public Relations Officer and Executive Administrator. Publicize approved meeting minutes to the website, in coordination with the Public Relations Officer and Executive Administrator. Ensure notices and agendas are publicly posted according to Chapter 50, Florida Statutes, notifying Board Members and Stakeholders.
- **Media Submission** - Submit media items (articles, photographs, etc.) about District activities and event for potential inclusion in media sources or publications, coordinating with the Public Relations Officer and Executive Administrator.
- **Activity Records** - Develop and maintain performance measurement records of all District activities, coordinating with the Public Relations Officer and Executive Administrator.
- **Public Information Writing** - In coordination with input from the Board, the Public Relations Officer, and Executive Administrator, develop and assist in the creation of public information sections for the District's Annual Year-in-Review, implementation of the District's Long-Range Plan, updates to the By-laws, and preparation of the Annual Narrative. Develop educational materials for educators regarding the contests hosted by the District each year.
- **Cooperative Agreements and Contracts** - Maintain familiarity with all cooperative agreements, contracts, District forms, and Memorandum of Understandings. Assist citizens with applications for technical assistance and other District programs.
- **Record Keeping** - Keep records for award programs and other District activities, in coordination with the Chairman, Public Relations Officer, and Executive Administrator. Maintain District business transactions orderly with the Treasurer and Executive Administrator.
- **Financial Records** - Keep accurate records of all receipts and expenditures in coordination with the Treasurer and Executive Administrator.
- **Educational Outreach** - Assist in planning educational outreach programs (field days, tours, special events) with the Executive Administrator.

ARTICLE II: ORGANIZATIONAL STRUCTURE

- **Event Scheduling** - Maintain a schedule of all Board events, notifying members accordingly, in coordination with the Executive Administrator.
- **Filing and Organization** - Standardize filing for the District and ensure proper organization of records.
- **Correspondence** - Collect mail and assist with District correspondence as directed by the Board or the Executive Administrator.
- **Financial Bookkeeping** - Maintain District financial bookkeeping, including separate ledgers for State and District Funds, in coordination with the Treasurer and Executive Administrator. Receive and confirm contributions to the District with the Treasurer and Executive Administrator.
- **Communication** - Prepare newsletters, presentations, articles, and program correspondence, coordinating with local partners (e.g., NRCS, UF/IFAS, FDACS). Manage volunteer onboarding, background screening, and supervision with the Executive Administrator. Communicate with schools, community groups, and the public about District programs. Keep a schedule of all events concerning the Board, notifying them accordingly, in coordination with the Executive Administrator.
- **Reporting** - Complete monthly reports on activities and accomplishments, providing customer service to District members, the public, and other stakeholders. Inform the Executive Administrator of public requests or the District Secretary when the Executive Administrator is unavailable.
- **Committee Records** - In coordination with the Chairman, Secretary, and Executive Administrator, keep a record of all committees, both standing and special. Notify committee members at the next Board meeting of their appointment(s), especially if they were not in attendance when these were made.

Dissolution

In the event of dissolution, assets allocated for MSWCD, Special District shall be distributed to another 501(c)(3) tax-exempt organization, governmental entity, or non-profit engaged in similar conservation efforts, as determined by a majority vote of the MSWCD Board of Supervisors. However, any assets that belong to the Marion County Board of County Commissioners will be given back to the County.

ARTICLE III: MEETINGS

Regular Meetings

The meetings shall take place monthly at a designated meeting time and public location, which will be specified in a public notice, in accordance with Chapter 50 and Chapter 582, Florida Statutes. The Board may, by resolution, change the date, time, or location of a regular meeting, provided that proper notice is given to the public in accordance with Florida's Sunshine Law.

Special Meetings

Special meetings may be called by the Chairman or upon the request of a majority of the Board members. Notice of a special meeting shall be given to the public at least 24 hours in advance and shall state the purpose, date, time, and location of the meeting.

Quorum

A quorum for the transaction of business at any regular or special meeting shall consist of a majority of the total number of Board members. No official action shall be taken in the absence of a quorum, except to adjourn the meeting to a later date.

Participation

All meetings of the District Board of Supervisors shall be open to the public, and public participation shall be encouraged. Members of the public shall have the opportunity to speak on any agenda item during the designated public comment period. The Chairman may set reasonable time limits for individual speakers to ensure that all who wish to participate have an opportunity to do so.

Notice of Meetings

Notice of all regular and special meetings shall be posted in a manner that complies with Florida's Sunshine Law and other applicable statutes. The notice shall include the date, time, and location of the meeting. The notice should indicate that special accommodations and the meeting agenda will be provided upon request by contacting the District.

ARTICLE IV: EDUCATIONAL CONTESTS AND PROGRAMS

The District shall annually organize and host the following educational contests and programs. These contests may consist of, but are not limited to:

- **Envirothon** - A collective team-based environmental education competition for students, focusing on soils, aquatics, forestry, wildlife, and current environmental issues.
- **Land Judging** - A contest where participants learn about soil and land management's techniques, applying their knowledge to evaluate different soil types.
- **Found Junk Art** - An art competition encouraging creativity by repurposing discarded materials into art pieces that resemble Florida's native flora or fauna.
- **Posters** - A contest where students create posters to promote conservation themes and messages.
- **Conservation Landscape Trays** - A direct and engaged (hands-on) contest where participants design and create trays depicting conservation landscapes.

ARTICLE V: OUTREACH ACTIVITIES

The District shall actively engage in outreach activities to promote conservation awareness within the community. These activities may include, but are not limited to:

- **Festival Participation** - The District shall attend and participate in local festivals and community events to engage with the public, distribute educational, conservation materials, and promote the District programs.
- **Partnerships** - The District shall work in partnership with organizations, such as the Florida Department of Agriculture and Consumer Services (FDACS), the Natural Resources Conservation Service (NRCS), the University of Florida Institute of Food and Agricultural Sciences (UF/IFAS), the Association of Florida Conservation Districts (AFCD), the Marion County Board of County Commissioners (MCBCC), and other relevant entities to support and expand its outreach efforts.
- **Workshops and Presentations** - The District shall organize and participate in educational conservation workshops, presentations, and events aimed at various audiences, including students, landowners, and community groups, to provide information on best management and land use practices in conservation and natural resource management.
- **Public Information Campaigns** - The District shall develop and disseminate educational conservation materials such as newsletters, brochures, magazines, and news releases in media sources, to keep the public informed about conservation issues, District activities, and opportunities for involvement.

ARTICLE VI: KEY PARTNERSHIPS

The District shall seek to develop new partnerships with organizations that align with the District's mission and objectives. Personnel shall identify potential partners, propose collaborative initiatives, and work to establish formal agreements when appropriate. These partnerships may include additional governmental agencies, non-profits, educational institutions, and community groups. The District maintains and actively engages in partnerships with the following organizations:

- **Marion County Board of County Commissioners (MCBCC)** - The District shall maintain a strong relationship with the Marion County Board of County Commissioners and its subsidiaries departments, ensuring that conservation goals are integrated into local planning and development efforts.
- **Florida Department of Agriculture and Consumer Services (FDACS)** - The District collaborates with FDACS primarily through the administration of the cost-share contract(s). This partnership supports the implementation of conservation practices that improve soil health, water quality, and environmental sustainability within the State. The District shall continue to work with FDACS to explore additional opportunities for collaboration and program development.
- **Natural Resources Conservation Services (NRCS)** - The District partners with NRCS to support conservation efforts through the Local Working Group and outreach activities. This partnership helps identify local conservation needs, prioritize resource concerns, and implement effective conservation strategies. The District shall work closely with NRCS to facilitate technical assistance, share resources, and ensure that conservation plans are aligned with Federal and State guidelines.
- **University of Florida Institute of Food and Agricultural Sciences (UF/IFAS)** - The District collaborates with UF/IFAS to provide educational programs, and resources that support sustainable agriculture and natural resource conservation. This partnership enhances the District's outreach efforts and provides valuable expertise to landowners and the community. The District shall continue to partner with UF/IFAS to deliver relevant and impactful, conservation education and outreach programs.

**ARTICLE VII: MARION SOIL AND WATER
CONSERVATION DISTRICT, INC. (MSWCD, INC.)
501(c)(3) Non-profit Organization**

District's Non-Profit Governance and Compliance

MSWCD is listed as a Special District under Florida Statutes 582, however, was incorporated as a non-profit 501(c)(5) in the 1990s, under the same tax ID number and name. MSWCD filed to change its status to a 501(c)(3) in 2024, and the IRS granted this status change.

Pursuant to Chapter 617.0202, Florida Statutes, effective October 2024, enacting that all non-profit names include the title of incorporated in their designation, and since the original MSWCD Articles of Incorporation or the Sunbiz number were unable to be located, MSWCD is pursuing a separate tax ID number for their non-profit organization, which will be referred to as Marion Soil and Water Conservation District, Inc. (MSWCD, Inc.), to distinguish the separation of both.

The MSWCD Board of Supervisors operate as a Florida Special District; however, the MSWCD, Inc. will operate as a 501(c)(3) organization for charitable, educational, and scientific purposes. The MSWCD, Inc. at minimum will hold an annual meeting to review their 501(c)(3) status, during a MSWCD Board meeting. The annual meeting will require members to complete a conflict-of-interest form, if not done previously upon their appointment. The MSWCD Board of Supervisors shall serve in a dual role for both entities, as the governing body for the MSWCD District and additionally for the non-profit organization, MSWCD, Inc., unless another Director is appointed by majority vote of the MSWCD Board of Supervisors to fill a vacant position.

Articles of Incorporation / Separation of Entities

Marion Soil and Water Conservation District – Florida Special District:

Governmental entity under Florida law
Operates under Chapter 582, Florida Statutes
Public governance and conservation oversight
Land owner petitioned and approved status in 1941

Marion Soil and Water Conservation District, Inc. – Non-profit 501(c)(3):

Private non-profit for charitable, scientific, and educational purposes
Operates under IRS Code 501(c)(3) and organized under Chapter 617, Florida Statutes
Conducts outreach, education, and fundraising activities
IRS-approved 501(c)(3) status granted in 2024

**ARTICLE VII: MARION SOIL AND WATER
CONSERVATION DISTRICT, INC. (MSWCD, INC.)
501(c)(3) Non-profit Organization**

Adherence

The MSWCD, Inc. Board of Directors shall adhere to the District's established policies, designed to ensure effective management and compliance with relevant Federal, State, and Local regulations. Directors shall adhere to all Florida Statutes and rules governing the District, as well as to any contracts, memorandums of understandings, or other agreements. Additionally, Directors should promptly inform the Executive Administrator of any public requests, or the Chairman in the absence of the Executive Administrator.

Purpose

MSWCD, Inc. is organized exclusively as a non-profit entity under the laws of the State of Florida and under Section 501(c)(3) of the Internal Revenue Code. MSWCD, Inc. shall engage in activities that qualify for tax-exempt status under Section 501(c)(3), specifically focusing on charitable, scientific, and educational outreach. Funds allocated for 501(c)(3) qualifying purposes shall be maintained separately and used exclusively for those purposes, in accordance with IRS regulations.

MSWCD, Inc. will utilize 501(c)(3) status for the following purposes:

- Promote and implement conservation stewardship through educational, outreach programs.
- Provide public education and outreach initiatives to enhance environmental stewardship.
- Organize and expand conservation-related contests across the District.
- Collect data, surveys, and information.
- Recognize outstanding contributions in conservation.
- Readily disseminate conservation stewardship materials

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CONSERVATION DISTRICT, INC. (MSWCD, INC.)
501(c)(3) Non-profit Organization**

Board of Directors

The affairs of MSWCD, Inc. shall be managed by the MSWCD Board of Supervisors, serving in a dual role for both entities, as MSWCD Supervisors and MSWCD, Inc. Directors; unless a majority vote of the MSWCD Board of Supervisors appoint an alternative MSWCD, Inc. Director, when applicable. The Board of MSWCD, Inc. Directors shall meet at minimum once a year during a MSWCD Board meeting.

Non-profit Nature

MSWCD, Inc. is organized exclusively and will operate as a non-profit entity under the laws of the State of Florida and the Internal Revenue Code 501(c)(3). It shall not engage in activities that result in undue private benefit to any individual or organization, except for reasonable compensation for services rendered in furtherance of its exempt purposes.

As a 501(c)(3) organization, MSWCD, Inc. primarily serves the public interest and promotes conservation stewardship through advocacy and related activities. Additionally, MSWCD, Inc. will conduct 501(c)(3) qualifying activities, such as educational and charitable outreach programs, in compliance with IRS regulations.

Funds designated for 501(c)(3) purposes shall be separately maintained and exclusively used for charitable, scientific, and educational initiatives, ensuring compliance with all applicable non-profit regulations. No part of the net earnings of MSWCD, Inc. shall inure to the benefit of, or be distributable to its Supervisors, Officers, or other private persons, except for the fulfillment of its exempt purposes, as set forth in the purpose clause hereof.

Upon dissolution, any remaining assets allocated for 501(c)(3) purposes shall be distributed to another 501(c)(3) tax-exempt organization, governmental entity, or non-profit organization engaged in similar conservation efforts, in accordance with IRS guidelines.

**ARTICLE VII: MARION SOIL AND WATER
CONSERVATION DISTRICT, INC. (MSWCD, INC.)
501(c)(3) Non-profit Organization**

Limitations

- **Non-profit Operations** - MSWCD, Inc. shall operate exclusively as a non-profit entity. No part of its net earnings shall inure to the benefit of, or be distributable to, any private individual or member, except as reasonable compensation for services rendered in furtherance of its exempt purposes.
- **Political and Legislative Activities** - Any activities conducted under 501(c)(3) status shall strictly comply with the limitations imposed on tax-exempt charitable organizations. MSWCD, Inc. shall not engage in political campaign activities for or against any candidate for public office. Any legislative activities must align with the permissible limits set by the IRS for 501(c)(3) entities.
- **Separation of Funds** - All funds allocated for 501(c)(3) purposes shall be maintained separately from other funds and used exclusively for charitable, educational, and scientific purposes in accordance with IRS regulations.
- **Private Benefit and Personal Gain** - No Director, staff member, and/or volunteer shall receive any financial benefit from MSWCD, Inc.'s activities, except for reasonable compensation for services rendered in furtherance of its mission.

Dissolution

In the event of dissolution, assets allocated for MSWCD, Inc., purposes shall be distributed to another 501(c)(3) tax-exempt organization, governmental entity, or non-profit engaged in similar conservation efforts, as determined by a majority vote of the MSWCD Board of Supervisors.

ARTICLE VIII: PROPERTIES

The District must comply with the building codes and policies established by the Marion County Board of County Commissioners while its offices are located in a County building.

Amendments to the By-laws

These By-laws may be amended by a majority vote of the MSWCD Board of Supervisors, provided that the proposed amendment also aligns with the non-profit purposes of MSWCD, Inc. and complies with all 501(c)(3) regulations. Any amendments affecting the 501(c)(3) status must be consistent with the requirements of the Florida Statutes, Internal Revenue Code and applicable laws governing tax-exempt organizations. Amendments or changes to the By-laws require a 30-day written notice and must be approved by a majority of the Board.

Acknowledgment of Receipt - Marion Soil and Water Conservation District By-laws & Florida Supervisor Handbook

This will acknowledge that I have received my copy of the Marion Soil and Water Conservation District By-laws and the Florida Supervisor Handbook link and will visit the following link:
<https://afcd.specialdistrict.org/training>

I will review these materials, familiarize myself with their content, and adhere to the Florida Statutes outlined within them, as well as the District By-laws and the Florida Supervisor Handbook. I will uphold my Oath of Office as a Soil and Water Conservation District Supervisor for Marion County, Florida.

Print Full Name: _____

Signed: _____

Date: _____

**Originals will be kept on file at the Marion Soil and Water Conservation District.
Copies are available upon request.**