

# **FLORIDA SOIL AND WATER CONSERVATION COUNCIL**

ADVISORY COUNCIL  
TO THE  
COMMISSIONER OF AGRICULTURE

MISSION STATEMENT

AND

PROCEDURAL GUIDELINES

**SOIL AND WATER CONSERVATION COUNCIL**

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**SOIL AND WATER CONSERVATION COUNCIL**

**MISSION OF THE COUNCIL**

The mission of the Soil and Water Conservation Council is to advise and consult with the Commissioner of Agriculture regarding laws, rules and policies related to soil and water.

## **POWERS AND DUTIES OF THE COUNCIL**

**The Council is created by s. 582.06 F.S. and shall have powers and duties as described in s. 570.0705, F.S.:**

- Consider and study the entire field of soil and water;
- Consider matters submitted to it by the Commissioner;
- Submit proposed legislation and rules to the Commissioner; and
- Advise and consult with the Commissioner for the conduct of business by the Department

## **GOALS OF THE COUNCIL**

**Given that the members represent a wide variety of interests and backgrounds, the Council provides a forum for the development and implementation of consensus-based solutions to agricultural and natural resource issues.**

Because soil and water issues are inextricably linked to the critical water

resource and policy challenges facing agriculture in modern Florida, examples of areas the Council may wish to consider include agricultural water resource issues posed by regulation, the Water Resources Implementation Rule, or factors related to water supply, water conservation, reuse, and alternative water supply development. Issues of importance to the state's sixty-three Soil and Water Conservation Districts should also be addressed by the Council. Other state, federal, and university partners should be freely engaged when formulating recommendations.

The Council may also find opportunities in related areas at the national level, working with the Department and its affiliations with groups, such as the National Associations of State Departments of Agriculture, the National Association of State Conservation Agencies, the National Association of Conservation Districts, and others. National policies originating in these forums may be brought to the Council for consideration and advice. In this capacity, the Council may play an important proactive role in guiding the Department and Soil and Water Conservation Districts in developing national policy.

Toward this end, this process should focus on the following goals:

- ✓ Coordinate with the Department when developing appropriate agricultural water policy recommendations to the Commissioner of Agriculture that affect agricultural interests statewide.
- ✓ Periodic review and update of "Florida's Agricultural Water Policy."
- ✓ Advise the Department about opportunities to improve the level of service on water resource issues provided by the SWCDs. This may occur through review of program plans, activities, performance and resources, and, when appropriate, the development of recommendations for new program objectives including strengthening the association between individual SWCDs to enhance effectiveness.
- ✓ Develop recommendations to stimulate progress on soil and water conservation initiatives, through input to the Department, and through outreach to federal, state, regional and local organizations and partnering agencies, and landowners.

## **ORGANIZATION**

### **Membership (Section 582.06, F.S.)**

The Soil and Water Conservation Council is created in the Department of Agriculture and Consumer Services and shall be composed of 23 members as follows:

- Eleven members shall be persons who have been involved in the practice of soil or water conservation, or in the development or implementation of interim measures or best management practices related thereto, and who have been engaged in agriculture or an occupation related to the agricultural industry for at least 5 years at the time of their appointment.
- Twelve nonvoting ex officio members shall include one representative each from the Department of Environmental Protection, the five water management districts, the Institute of Food and Agricultural Sciences at the University of Florida, the United States Department of Agriculture Natural Resources Conservation Service, the Florida Association of Counties, the Florida League of Cities, and two representatives of environmental interests.
- All members shall be appointed by the commissioner. Ex officio members shall be appointed by the commissioner from recommendations provided by the organization or interest represented.
- Members shall serve 4-year terms or until their successors are duly qualified and appointed. If a vacancy occurs, it shall be filled for the remainder of the term in the manner of an initial appointment.

**OFFICERS (sections 582.06 and 570.0705, F.S.)**

The council shall elect a Chair, Vice Chair and Secretary for one-year terms. Nominations will be made from the floor at the first meeting of the year, every year.

**Chair**

It is the duty of the Chair to conduct meetings of the Council, approve the agenda for each meeting, sign Council documents designating official action, assure that the Council acts within the intent of its powers and duties as specified by Florida Statutes, appoint special work groups members, designate group leaders and determine specific objectives and assign tasks to the groups.

**Vice Chair**

It is the duty of the Vice Chair to conduct meetings of the Council in the absence of the Chair.

## **Secretary**

Along with an elected Secretary from the voting membership of the Council, the Department's Soil and Water Conservation Administrator shall serve as an assistant secretary to the Council. It is the duty of assistant secretary to maintain a current list of Council members, including their business addresses, e-mail addresses, telephone numbers, fax numbers and others as required for personal reference or distribution upon request. The assistant secretary shall be responsible for prior notice requirements for Council meetings, for recording Council meetings and preparing and maintaining meeting summaries, and for providing support to the Secretary as required in the discharge of duties

## **Voting Member Work Group**

This work group is composed of the eleven voting members as set forth in ch. 582.06(1)(a). F.S.

The Voting Member Work Group shall meet as needed to resolve historic, administrative issues of the Council such as formal Soil and Water Conservation District business, creation and dissolution. Voting Member Work Group meetings will be held at times most convenient to members, usually just prior or following full Council meetings. Voting Member Work Group meetings shall be advertised within the Florida Administrative Weekly and all Council members are welcome to participate.

## **Special Work Groups**

Special Work Groups are established by the Council Chair, with a designated Chair, to undertake specific and time-limited assignment for the Council. Members shall consist of two or three Council members with a maximum of two non-member experts deemed appropriate by the Council Chair, with input from the work group Chair. Meetings of the Special Work Groups shall be called by the Chair or at the request of the Council Chair, and shall be noticed by the Council assistant secretary. The Special Working Group shall, where possible, identify the agency or agencies, and agricultural, environmental and other organizations, which may be requested to provide input to work group deliberations. The Council Secretary shall provide administrative support to Special Working Groups, and shall participate to the degree requested by the Chair. When the assignment of a Special Work Group is completed with a final report to the Council, the Council Chair shall officially dissolve the group, and the report and this action shall be duly recorded in the meeting minutes.

## **PROCEDURES**

### **Meetings**

The Council shall meet at least semi-annually, or at the call of its Chair, a request of a majority of its members, at the request of the Department, or at times specified by its rules of procedure. Additional meetings shall be called during interim periods as needed.

The assistant secretary shall arrange for publication in the Florida Administrative Weekly a notice of the time, date, and location of the next meeting. Such notice shall be published at least 14 days prior to the meeting. The Department shall arrange suitable location and facilities for Council meetings. A majority of Council members shall constitute a quorum. In the absence of a quorum, Council meeting should continue as planned, although no formal actions will be taken. Upon absence of both the Chair and Vice Chair, the remaining Council members shall designate a member present to chair the scheduled Council meeting.

The assistant secretary shall record Council meetings and shall prepare a meeting summary in a timely manner. A draft meeting summary of each meeting shall be distributed to Council members two weeks following the meeting for review and correction as needed. The assistant secretary shall advise the Chair of any changes in draft minutes. The Council Chair shall indicate satisfaction of draft minutes to be presented during the next Council meeting for amendment or approval by majority vote.

### **Preparation and Approval of Agenda**

Approximately two months prior to the scheduled Council meeting, the assistant secretary shall remind/inform members of the meeting date and location, and shall request any items which members may wish to include on the agenda. Each agenda item shall include a complete title of the topic to be presented and the individual's name and organization who will introduce the subject to the Council. The Secretary shall review previous minutes to determine if any reports are due, and will so inform the responsible person(s). No later than one month prior to the scheduled meeting, the Secretary shall prepare a draft agenda and forward it to the Chair for review and approval. The final agenda, previous meeting minutes and related materials shall be distributed by the assistant secretary to Council members and other interested parties no later than 14 days prior to the scheduled meeting date.

## **Files**

All official records of the Council shall be maintained by the Secretary, under Department procedures for records. All records (agendas, summaries, recordings, handouts) of the Council are considered public records. Council members shall copy the assistant secretary in all correspondence dealing with official Council business.

## **Public Requests for Information**

If sufficient copies are not available for all interested members of the audience at Council meetings, the Secretary shall obtain the addresses of interested parties and provide them with the requested copies as soon as possible following the meeting.

## **Voting**

The Council shall follow acceptable rules of procedure, and shall make formal recommendations or other actions during properly noticed meetings. Formal recommendations or other actions shall be placed before the Council in the form of a motion by a Council member. Following its rules of procedure, the Council shall approve or deny such recommendations or actions by a majority vote of a quorum of eligible Council membership. Recommendations of the Council shall be forwarded to the Commissioner of Agriculture, via the assistant secretary, under the signature of the Council Chair, unless otherwise directed by the Council.

## **Meeting Attendance, Substitute for Absent Member**

The Council Chair shall request an explanation from any member of the Council not attending more than two consecutive scheduled Council meetings, and shall forward this explanation to the Department, via the Secretary. The Council shall consider a recommendation to the Department to terminate the appointment of any Council member chronically absent.

Any member, upon his or her absence for good cause, may authorize a substitute to attend the Council's regular meeting. The substitute may participate in discussions and record information, but may not make motions nor vote on motions brought before the Council at the meeting. However, the substitute may deliver to the Council Chair, in writing at the opening of the meeting, an absentee vote of the member he or she represents on a motion scheduled for approval or denial by the Council

during the meeting. Such written absentee vote shall be included in the minutes of the meeting. No substitute shall be authorized to attend more than two consecutive Council meetings.

### **Meeting Conduct**

The Council shall follow acceptable rules of procedure in conducting business and interacting with the public. The Council shall follow the meeting agenda to the degree practicable. The Council Chair may entertain requests from Council members to modify the agenda, due to speaker convenience, travel schedules, etc., and may modify the agenda upon approval by a majority vote of the Council.

Meeting agendas shall provide a topic specific to general input from the public, following agency reports and other agenda business items by Council members. Comments from any individual during this public comment topic shall be limited to a ten-minute period, subject to extension granted by the Chair due to exchange during public comment. However, the Council Chair may, at any time during the meeting, request comments from the public regarding an issue before the Council. Requests for Council action by the public shall be submitted by the requestor to the Council in writing, and shall be recorded in the meeting minutes.

### **Supporting Staff**

Because membership of the Council is composed of individuals who have full-time responsibilities elsewhere, and because the Council has no staff specifically assigned to it, staff within the Department's Office of Agricultural Water Policy shall, through the assistant secretary, shall provide administrative and technical assistance to support Council activities. The Council anticipates requesting staff assistance by inviting Department staff to serve on work groups, requesting oral and written reports, and by consulting in technical matters. The Council shall have available to it the support and advice of the Department's legal counsel in all matters relating to official Council business.

### **Requests for Support from Partnering Agencies and Organizations**

Although the Council has no statutory authority to make recommendations for assistance directly from partnering agencies, the Council shall, where deemed appropriate by the Chair, make a specific request to a partner agency or organization for voluntary assistance, through a Council member representing such organization, through the Chair, or by requesting the Department to make a request on behalf of the Council.

## **MEETING REPORTS AND INFORMATION**

In order to conduct proper deliberations and to make informed recommendations, the Council requires detailed and up-to-date information from the Department, member organizations, federal, state, regional and local partnering agencies, educational and technical assistance organizations, and other persons. As needed, the Council shall receive regular reports by the Department's Office of Agricultural Water Policy, and shall request reports by other divisions of the Department. The Council shall also request reports by federal, state, regional and local agencies, and by educational and technical assistance organizations as needed, through member reports or reports by invited technical and management personnel.

Council meetings may include reports by soil and water conservation districts regarding soil and water conservation district activities and important issues.

Approved by unanimous vote of the Florida Soil and Water Conservation Council on  
July 21, 2004.

Representative Richard Machek  
Chair