

Hardee Soil and Water Conservation District Performance Review

Prepared for:
The Florida Legislature's
Office of Program Policy Analysis
and Government Accountability
(OPPAGA)

August 19, 2024



Table of Contents

- Key Takeaways 2**
- I. Background..... 3**
 - I.A: District Description 3
 - I.B: Creation and Governance 4
 - I.C: Programs and Activities 6
 - I.D: Intergovernmental Interactions 7
 - I.E: Resources for Fiscal Year 2022 – 2023..... 7
- II. Findings 9**
 - II.A: Service Delivery 9
 - II.B: Resource Management..... 11
 - II.C: Performance Management..... 14
 - II.D: Organization and Governance..... 16
- III. Recommendations 18**
- IV. District Response20**

Key Takeaways

- Hardee Soil and Water Conservation District’s Board of Supervisors meets jointly with the Board of Peace River Soil and Water Conservation District. The Hardee Soil and Water Conservation District’s Board met quarterly within the review period (October 1, 2020, through April 30, 2024).
- Hardee Soil and Water Conservation District’s only programming is administering Best Management Practices programs on behalf of the state.
- Hardee Soil and Water Conservation District’s primary source of revenues is funding it receives from the Florida Department of Agriculture and Consumer Services to administer programs.
- Hardee Soil and Water Conservation District’s operations are not guided by a strategic plan or any formalized goal-setting process.

I. Background

Pursuant to [s. 189.0695\(3\)\(b\)](#), *Florida Statutes*, Mauldin & Jenkins (“M&J”) was engaged by the Florida Legislature’s Office of Program Policy Analysis and Government Accountability to conduct performance reviews of the State’s 49 independent soil and water conservation districts. This report details the results of M&J’s performance review of Hardee Soil and Water Conservation District (“Hardee SWCD” or “District”), conducted with a review period of October 1, 2020, through April 30, 2024.

I.A: District Description

Purpose

Chapter [582](#) of the *Florida Statutes* concerns soil and water conservation within the State of Florida. The chapter establishes the processes for creation, dissolution, and change of boundaries of districts; the qualifications, election, tenure, and mandatory meetings of District Supervisors; the oversight powers and duties of the Department of Agriculture and Consumer Services (“FDACS”); and the powers and purpose of the districts. The District’s statutory purpose, per [s. 582.02](#), *Florida Statutes*, is “to provide assistance, guidance, and education to landowners, land occupiers, the agricultural industry, and the general public in implementing land and water resource protection practices. The Legislature intends for soil and water conservation districts to work in conjunction with federal, state, and local agencies in all matters that implement the provisions of ch. [582](#), *Florida Statutes*.”

The District identifies a mission statement on its website, which states “The mission of the Hardee Soil and Water Conservation District is to provide the administration of programs to conserve soil and improve water quality and quantity on private lands in Hardee County.”

Service Area

When the District was established in 1944, the service area included Hardee County. The current borders and territory are identical to those of Hardee County. The District’s service area includes unincorporated Hardee County and the County’s two cities, one town, and six census-designated places.¹ The District’s area incorporates all of Hardee Lakes Conservation, South Fort Meade Hardee County Conservation, Paynes Creek Historic State Park, Fussell Farms Old Town Creek Agricultural and Conservation, Charlie Creek Cattle Company Agricultural and Conservation, Walco Conservation, and Fort Green Gopher Tortoise Longterm Recipient Site. The District’s area also incorporates part of Crews Grove Conservation, Horse Creek Ranch Conservation, and Highlands Hammock State Park.

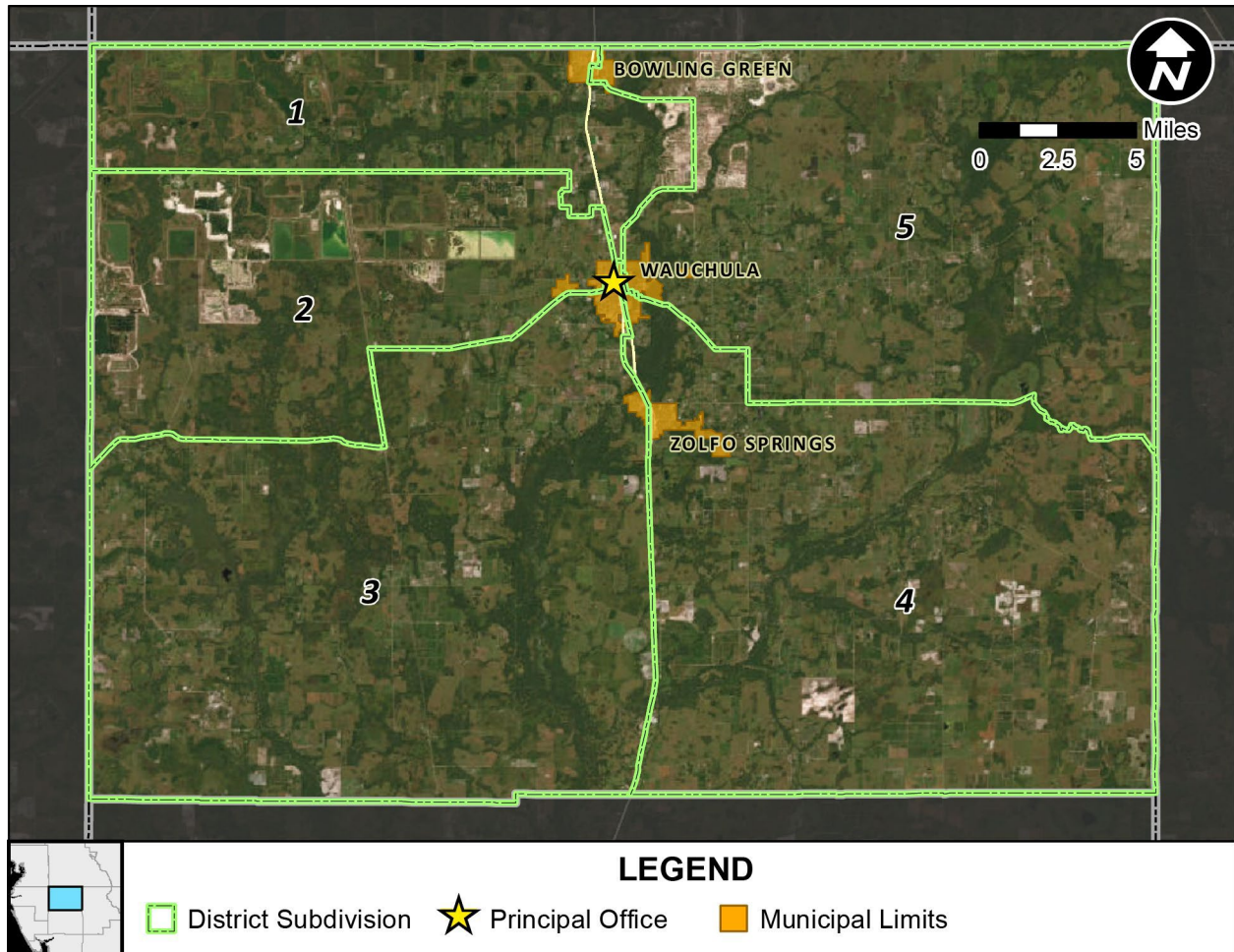
The District is bounded on the north by Polk County, east by Highlands County, south by DeSoto County, Northwest by Hillsborough County, and west by Manatee County. The total area within the District is 638 square miles, with 638 square miles of land and less than one square mile of water.

The District’s primary office is located at 316 North 7th Avenue, Suite 101, Wauchula, FL 33873 — The Natural Resources Conservation Service (“NRCS”) Wauchula Service Center. This building is owned by the United States Department of Agriculture (“USDA”).

¹ Cities: Bowling Green and Wauchula. Towns: Zolfo Springs. Census-designated places: Fort Green, Fort Green Springs, Gardner, Lemon Grove, Limestone, and Ona

Figure 1 is a map of the District’s service area, based on the map incorporated by reference in Rule 5M-20.002(3)(a)16, *Florida Administrative Code*, showing the District’s boundaries, electoral subdivisions, major municipalities within the service area, and the District’s principal office.

Figure 1: Map of Hardee Soil and Water Conservation District



(Source: Hardee County GIS, *Florida Commerce Special District Profile*)

Population

Based on the Florida Office of Economic and Demographic Research population estimates, the population within the District’s service area was 25,645 as of April 1, 2023.

District Characteristics

The Hardee Soil and Water Conservation District is situated in central Florida, encompassing Hardee County. The County's economy is diverse, with key sectors including agriculture, manufacturing, and distribution. Significant economic contributors include agricultural products like citrus, cattle, and vegetables, as well as phosphate mining and manufacturing facilities.²

²(Land Conservation Assistance Network n.d.) *Land Conservation Assistance Network*. Accessed May 24, 2024. <https://www.landcan.org/local-resources/Hardee-SWCD/3676>.

Hardee is primarily rural, with small urban centers located throughout. Wauchula, the county seat, is the largest urban area, while the remainder of the District is dominated by extensive agricultural lands and natural areas.³ The agricultural activities feature citrus groves, vegetable farming, and cattle ranching. These farmlands play a crucial role in local consumption and export. The District experiences a humid subtropical climate, marked by hot, humid summers and mild winters. Environmental threats include hurricanes, heavy rainfall leading to flooding, and occasional droughts, which necessitate robust conservation practices to maintain agricultural productivity.⁴

Hardee SWCD has a mostly flat terrain with some rolling hills. Prominent features include the Peace River and several smaller water bodies. The District's location along the Peace River makes it an important area for freshwater resource management and conservation. The Peace River is a vital water source for the region, supporting both agricultural irrigation and natural ecosystems. Peace River's health is crucial for sustaining the District's agricultural productivity and environmental balance.⁵ The District's rural character, agricultural focus, and environmental challenges create specific community needs. Effective water management, soil conservation, and disaster preparedness strategies are essential. The District also has extensive phosphate mining operations, which significantly impact both the economy and the environment. This industry requires specific land and water conservation practices to mitigate environmental impacts, including waterborne byproducts that may intrude into groundwater or contaminate freshwater resources.

I.B: Creation and Governance

Hardee SWCD was chartered on June 16, 1944, as the Hardee Soil Conservation District, following a successful referendum of local landowners and subsequent petition to the Florida State Soil Conservation Board. The District was created under the authority of the State Soil Conservation Districts Act (herein referred to as "ch. [582, Florida Statutes](#)").⁶ The Florida Legislature amended ch. [582, Florida Statutes](#), in 1965, to expand the scope of all soil conservation districts to include water conservation, which renamed the District to the Hardee Soil and Water Conservation District.⁷

The District is governed by a Board of Supervisors. Supervisors are unpaid, nonpartisan public officials elected by the voters within the service district. M&J analyzed the Supervisors' elections, appointments, and qualifications within the in-scope period pursuant to applicable *Florida Statutes*.⁸

³ (Hardee SWCD Official Website n.d.) Hardee SWCD Official Website. Accessed May 24, 2024. <https://www.hardeesoilandwater.org/>.

⁴ (UF IFAS Extension Hardee County n.d.) UF IFAS Extension Hardee County. Accessed May 24, 2024. <http://sfyl.ifas.ufl.edu/hardee/>.

⁵ (NRCS Soil Survey Hardee County n.d.) NRCS Soil Survey Hardee County. https://www.nrcs.usda.gov/wps/portal/nrcs/detail/fl/soils/?cid=nrcs141p2_017417.

⁶ s. [582, Florida Statutes](#)

⁷ ch. [65-334, Laws of Florida](#)

⁸ Including s. [582.15, Florida Statutes](#), s. [582.18, Florida Statutes](#), s. [582.19, Florida Statutes](#), [Rule 5M-20.002, Florida Administrative Code](#), and ch. [2022-191, Laws of Florida](#)

As of this report, the District has five Supervisors. M&J is not able to confirm the qualifications of any Supervisor who has served within the review period (October 1, 2020, through April 30, 2024). M&J requested documentation on Supervisor qualifications from the Hardee County Supervisor of Elections office, but no documentation has been provided as of this report. There have been no vacancies on the Board during the review period, as illustrated in Figure 2. Additional assessment of the District’s electoral patterns is detailed in II.D (Organization and Governance) of this report.

Figure 2: Supervisor Terms

Seat	FY21				FY22				FY23				FY24		
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3
1	Cindy Weinstein								Dusty Maddox						
2	Charles Matheny														
3	Roy Petteway														
4	Larry Davis														
5	Steve Johnson								Clint Hunnicutt						

(Source: District Meeting Minutes)

During the review period, the District met 13 times⁹ and met the mandatory meeting requirement of [s. 582.195, Florida Statutes](#), to meet at least once per calendar year with all five Supervisors for both 2022 (April) and 2023 (January, April, and October). M&J has determined that the District properly noticed each meeting and workshop. Additional assessment of the District’s pattern of providing meeting notices and adherence to relevant statutes is detailed in Section II.D (Organization and Governance) of this report.

Neither Hardee County nor the in-district municipalities have adopted any local regulations for the District.

I.C: Programs and Activities

The following is a list of programs and activities conducted by the District within the review period (October 1, 2020, through April 30, 2024), along with a brief description of each program or activity. The District’s programs and activities will be described in detail in Section II.A (Service Delivery) of this report.

- Best Management Practices (“BMP”) Cost-Share Program
 - The BMP Cost-Share Program provides Florida Department of Agriculture and Consumer Services (“FDACS”) funding to the District to administer reimbursement agreements with local agricultural producers.
- Conservation Technician BMP Implementation Assistance Program
 - The Conservation Technician BMP Implementation Assistance Program provides landowners with technical assistance related to implementing practices to improve water quality in agricultural and urban discharges.

⁹ Meetings occurred quarterly in January, April, July, and October 2021; January, April, July, and October 2022; January, April, July, and October 2023; and January 2024.

I.D: Intergovernmental Interactions

The following is a summary of federal agencies, state agencies, and/or public entities with which the District interacts, including the means, methods, frequency, and purpose of coordination and communication.

Florida Department of Agriculture and Consumer Services

The Florida Department of Agriculture and Consumer Services (“FDACS”) is the District’s primary source of funding. The District’s only programs are the administration of the Best Management Practices (“BMP”) program on behalf of FDACS.

Hardee County Board of County Commissioners

The District’s staff are employed by the Hardee County Board of County Commissioners (“Hardee BoCC”), for which the District reimburses the salary costs.

Natural Resources Conservation Service

The District’s principal office is in the Natural Resources Conservation Service (“NRCS”) Wauchula Service Center, used by the District at no cost. The District’s quarterly Board meetings are also held in this building.

Peace River Soil and Water Conservation District

Hardee SWCD has formed a collaborative relationship with Peace River Soil and Water Conservation District (“Peace River SWCD”), through which they hold joint Board meetings. Through this relationship, the Administrative Assistant for Hardee SWCD also does administrative work for Peace River SWCD, at no cost to Peace River SWCD.

I.E: Resources for Fiscal Year 2022 – 2023

The following figures quantify and describe the District’s resources for Fiscal Year 2022 – 2023 (October 1, 2022, through September 30, 2023, herein referred to as “FY23”). Figure 3 shows the total amount of revenues, expenditures, and long-term debt maintained by the District in FY23. Figure 4 shows the number of paid full-time and part-time staff, contracted staff, and volunteers by employer. Figure 5 shows the number and type of vehicles, number and type of major equipment, and number and type of facilities owned, leased, and used by the District.

Figure 3: FY23 Finances

	Revenues	Expenditures	Long-term Debt
Total for Year	\$781,627	\$776,259	\$0

(Source: District Audit Report)

Figure 4: FY23 Program Staffing

	Full-time Staff	Part-time Staff	Contracted Staff	Volunteers
District-employed Staff	0	0	0	0
Board of County Commissioners-employed staff	2	1	0	0
FDACS-employed staff	0	0	0	0
Total	2	1	0	0

(Source: District Meeting Minutes)

Figure 5: FY23 Equipment and Facilities

	Number	Ownership Status	Type(s)
Vehicles	1	1 owned by the District	Not Provided
Major Equipment	0	N/A	N/A
Facilities	1	1 owned by United States Department of Agriculture	1 principal office/meeting space

(Source: District Meeting Minutes)

II. Findings

The Findings sections summarize the analyses performed, and the associated conclusions derived from M&J's analysis. The analysis and findings are divided into the following four subject categories:

- Service Delivery
- Resource Management
- Performance Management
- Organization and Governance

II.A: Service Delivery

Overview of Services

M&J has identified the following services that the District has performed during the review period (October 1, 2020, through April 30, 2024):

Best Management Practices ("BMP") Cost-Share Program

A BMP is defined as "a practice or combination of practices determined by the coordinating agencies,¹⁰ based on research, field-testing, and expert review, to be the most effective and practicable on-location means, including economic and technological considerations, for improving water quality in agricultural and urban discharges. BMPs for agricultural discharge shall reflect a balance between water quality improvements and agricultural productivity."¹¹ Producers in an area with a Basin Management Action Plan¹² are required to either implement BMPs or conduct water quality monitoring.¹³

The BMP programs are administered by the District on behalf of the Florida Department of Agriculture and Consumer Services ("FDACS"). The District receives reimbursement for all costs related to the program, including staff salaries, equipment, vehicles, travel, administrative expenses, and the cost-share reimbursements. For all funds the District distributes through the BMP Cost-Share Program, the District receives a 5% fee for administering the program.

The BMP Cost-Share Program is designed to help agricultural producers offset the expenses related to purchasing conservation-related equipment. Producers are reimbursed up to 75% of the equipment cost with a reimbursement cap of \$50,000. District staff perform regular site visits for producers enrolled in the BMP Cost-Share Program to confirm their compliance with their agreement(s) terms.

¹⁰ Department of Agriculture and Consumer Services, Department of Environmental Protection, and South Florida Water Management District

¹¹ [s. 373.4595\(2\)\(a\), Florida Statutes](#)

¹² Defined by the Florida Department of Environmental Protection as "a framework for water quality restoration that contains local and state commitments to reduce pollutant loading through current and future projects and strategies."

¹³ [s. 403.067\(7\)\(b\)2.g, Florida Statutes](#)

Conservation Technician BMP Implementation Assistance Program

The Conservation Technician BMP Implementation Assistance Program allows the District to employ two Conservation Technicians to help provide agricultural producers with complete Notice of Intent to Implement BMPs forms and annual Common Practice Status Reports, to conduct Implementation Verification site visits, and to provide cost-share assistance. The Conservation Technician additionally provides technical assistance for designing and constructing more efficient farm infrastructures.

Analysis of Service Delivery

M&J evaluated each of the District's programs or activities, assessed whether the program or activity aligns with the District's statutory purpose and authority, and referenced the statute most relevant to each program or activity.

All of the programs and activities identified by M&J are within the scope of the District's statutory purpose and authority. The District's administering of the BMP Program aligns with the District's authority to demonstrate best management practices and conservation projects.

All costs incurred through the BMP program are fully reimbursed by FDACS. As the District does not maintain any other activities or programs, M&J has not identified any alternate methods for the District to provide services that would reduce costs or improve performance.

Comparison to Similar Services/Potential Consolidations

The following soil and water conservation programs are provided by other public and nonprofit entities within the District's service area:

- The University of Florida's Institute of Food and Agricultural Sciences ("UF/IFAS") Hardee Extension partners with the local 4-H chapter to provide agriculture and conservation educational programming for youth within the District's service area, and serves as a resource between agriculture scientists and the local community.
- The Natural Resources Conservation Service ("NRCS") provides technical advice and data collection assistance to landowners implementing conservation practices.
- The Hardee County Utilities Department has published water conservation documents on its website, giving residents tips for conserving water and how to calculate how much water they use.

The District has established a collaborative relationship with the neighboring Peace River Soil and Water Conservation District ("Peace River SWCD"). The two Districts hold joint Board meetings, and the Administrative Assistant staff position also provides administrative services for Peace River SWCD. Hardee SWCD's BMP program also operates in Desoto County, the county where Peace River SWCD is located. According to District meeting minutes, Hardee SWCD has paid Association of Florida Conservation Districts ("AFCD") dues for Peace River SWCD on at least one occasion.

II.B: Resource Management

Program Staffing

The District had three staff positions within the review period: a full-time Conservation Technician, a part-time Conservation Technician, and a full-time Administrative Assistant. The salaries of the two Conservation Technicians are fully reimbursed by the Florida Department of Agriculture and Consumer Services (“FDACS”) as part of the District’s Conservation Technician Best Management Practices (“BMP”) Implementation Assistance program. Both Conservation Technicians are paid by the Hardee County Board of County Commissioners (“Hardee BoCC”), and the District reimburses the County with FDACS funding. The salary of the Administrative Assistant is paid by Hardee BoCC as well.

Conservation Technicians are responsible for enrolling producers in the BMP Implementation Assistance Program and completing site visits to farms to ensure that producers are implementing BMPs appropriately. Conservation Technicians also provide assistance to producers on cost-share projects, and refer producers to other FDACS programs. One of the two Conservation Technician positions was created in October 2022; prior to October 2022, the District only had one Conservation Technician position. The initial Conservation Technician position was vacated in June 2021, briefly filled by a Conservation Technician who transferred over from Highlands Soil and Water Conservation District in January 2022, and then filled permanently in February 2022. This position was full-time until October 2022, when the staff member chose to change to part-time. A full-time Conservation Technician was hired into a newly created second position in October 2022, and both positions remained occupied for the remainder of the review period.

The Administrative Assistant is responsible for the District’s clerical work including taking meeting minutes and coordinating staff schedules. The position also helps with the administrative aspects of the BMP cost-share program. The Administrative Assistant position was occupied from the start of the review period to December 2023, when the occupant retired. The position was filled in January 2024 by the current occupant.

Equipment and Facilities

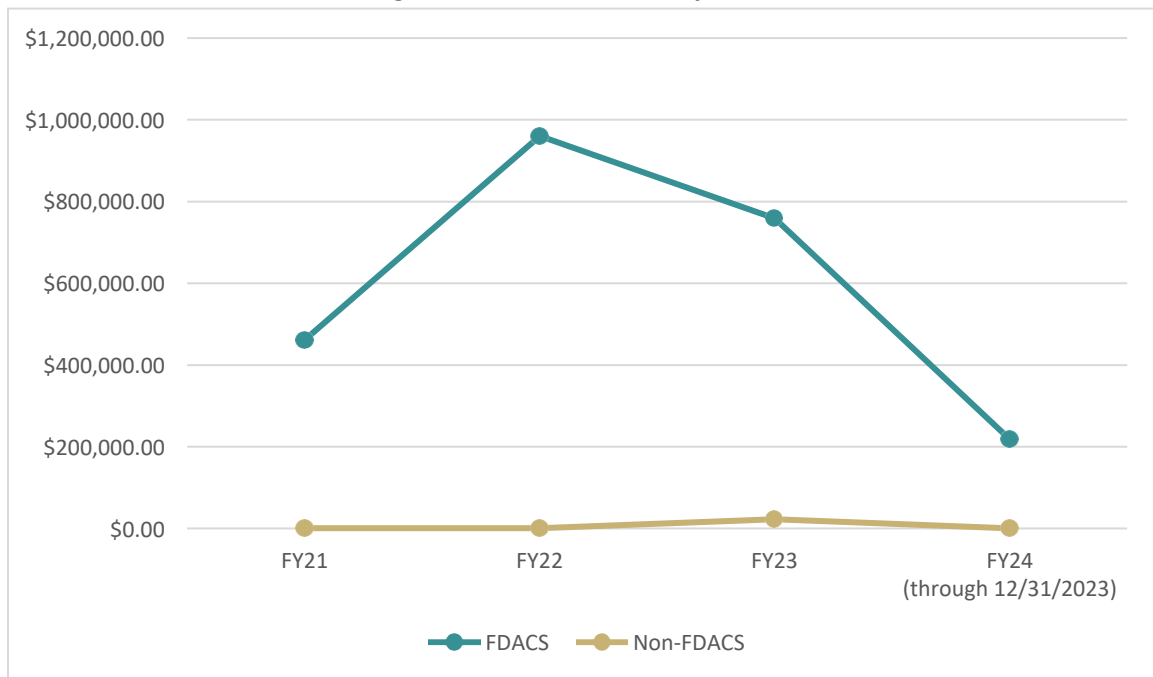
Hardee SWCD does not own any major equipment or facilities. Hardee SWCD received a used truck from Polk Soil and Water Conservation District in April 2023 at no charge, but the District paid for the vehicle's insurance and registration. The truck is used for transportation to and from enrollment sites visited as part of the BMP program.

District staff works out of the Natural Resources Conservation Service (“NRCS”) Wauchula Service Center through an Unfunded Cooperative Agreement the District has signed with NRCS. This agreement allows District staff to use NRCS office space, computers, and printers at no cost. In exchange, the District agrees to adopt NRCS policies and report on activities and accomplishments. The District’s jointly-held Board meetings with Peace River Soil and Water Conservation District are also held in this building.

Current and Historic Revenues and Expenditures

The District’s revenues are almost entirely from FDACS through its BMP funding, making up 99% of revenues for FY21 and FY22; and 98% of revenues in FY23. This revenue amount represents reimbursement for salaries and expenditures as part of the Conservation Technician BMP Implementation Assistance Program, money distributed through the BMP cost-share program, and the 5% administrative fee the District receives for administering the BMP program. The District’s non-FDACS revenues consist mainly of bank account interest, with one outlier in FY23. The District received a truck from Polk Soil and Water Conservation District in April 2023, which was recorded as a \$22,000 revenue in FY23.

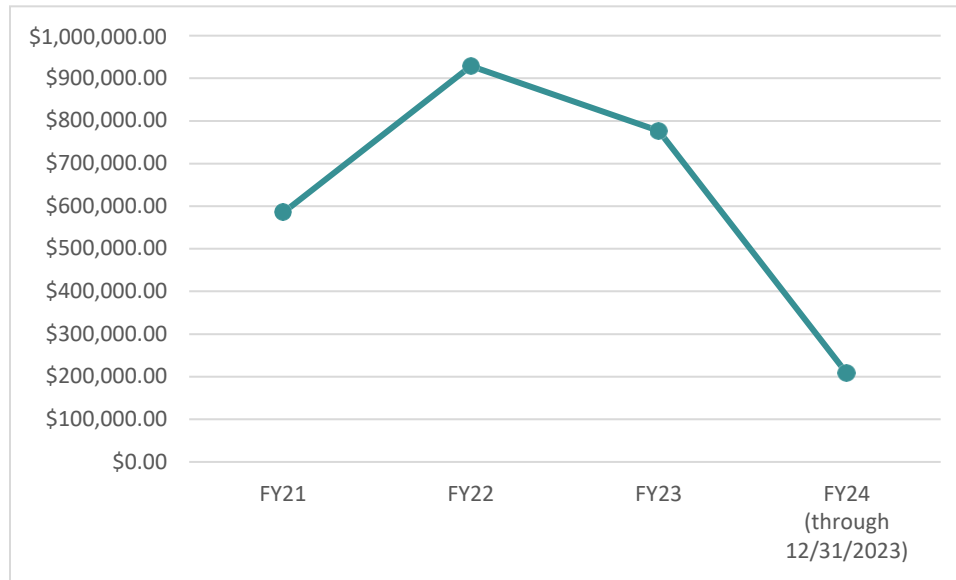
Figure 6: Total Revenues by Source



(Source: District Audit Report)

The District’s expenditures are also almost entirely BMP-related. Most expenditures are either funds from FDACS that the District distributes through the BMP cost-share program or costs of the Conservation Technician BMP Implementation Assistance Program. With the revenue from the 5% administrative fee the District receives for administering the BMP program, the District pays due to the Association of Florida Conservation Districts (“AFCD”) and donates to environmental activities hosted by other public entities.

Figure 7: Total Expenditures by Program



(Source: District Audit Report)

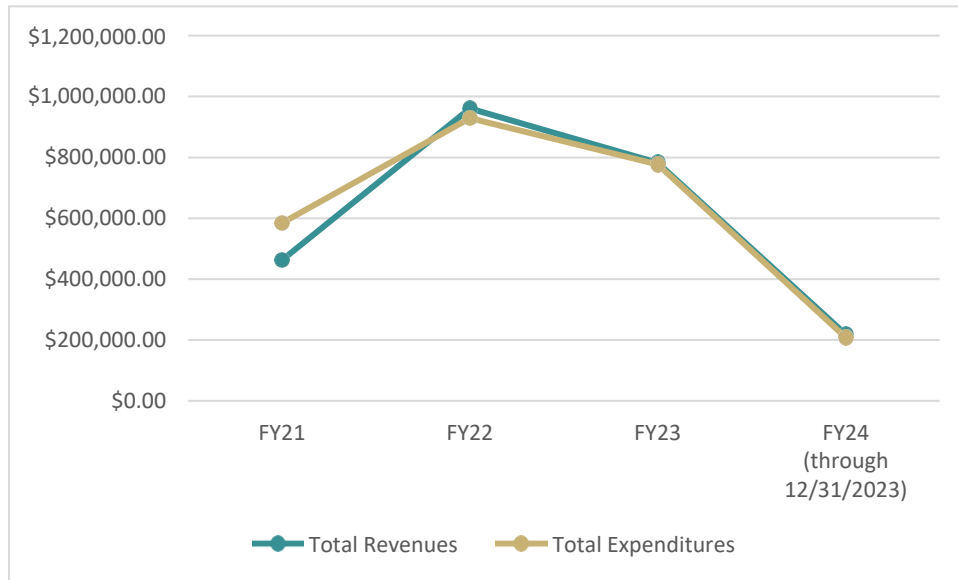
Hardee SWCD maintains a budgeting process for its BMP spending. The District tracks its BMP cost-share distribution in a spreadsheet maintained by the Administrative Assistant and tracks its Conservation Technician BMP Implementation Assistance Program-related expenditures and reimbursements through invoices to FDACS. The District has only provided M&J with a high-level budget in response to requests for budgeting details, so M&J cannot confirm if the District has a formal budgeting process for its minimal, non-BMP revenues and expenditures.

Trends and Sustainability

The District is sustainable as currently operating, as most of its expenditures are reimbursed by FDACS. The District's expenditures outpaced revenues in FY21 due to the District having less BMP projects that year. In FY22, FY23, and FY24 through December 31, 2023, the District's revenues have narrowly outpaced expenditures. The District's Conservation technicians have received satisfactory reviews from the FDACS project manager, indicating FDACS is satisfied with the District's administration of the BMP program.

The District should consider diversifying its revenue sources, as it is currently receiving nearly all of its revenues from a single source – FDACS. Reliance on a single source of revenue increases the risk of District operations being severely impacted were the revenue source to disappear.

Figure 8: Revenues vs Expenditures



(Source: District Audit Report)

Recommendation: The District should consider developing a plan to diversify revenue sources by increasing non-FDACS revenue funding. The District could consider proposing an agreement with the Hardee County Board of County Commissioners to allow for the District to present an annual budget request, which would be subject to approval by the Board of County Commissioners.

II.C: Performance Management

Strategic and Other Future Plans

Hardee SWCD does not have an adopted strategic plan in place. The District asserted in interviews with M&J that the Hardee County Board of County Commissioners is creating a strategic plan for the County and that the District intends to wait for that plan’s completion and use it to guide the creation of the District’s own strategic plan.

Recommendation: The District should consider developing and then adopting a strategic plan that builds on the District’s purpose and responsibilities defined in [s. 582.02\(4\), Florida Statutes](#). The strategic plan should not simply describe the District’s current programs or contracts, but rather reflect the District’s long-term and short-term priorities based on the needs of the community and in response to changing land use patterns within the District’s service area. A strategic plan does not need to be extensive as long as the document provides the District with direction for addressing the community’s needs.

Goals and Objectives

Hardee SWCD does not have any written goals or objectives. In interviews with M&J, District Supervisors indicated that the informal objectives of the District are to continue administration of the District’s Best Management Practices (“BMP”) programs.

Recommendation: The District should consider writing and then adopting a set of goals and objectives that align with the District’s statutory purpose, as defined in [s. 582.02\(4\), Florida Statutes](#), and the Board’s vision and priorities as established in the District’s strategic plan. The goals and objectives should contemplate measurable progress, capturing the results of the District’s efforts and ensuring a consistent direction forward for the District’s future prioritization of programs and activities.

Performance Measures and Standards

The performance of Conservation Technicians is monitored by a Florida Department of Agriculture and Consumer Services (“FDACS”) Project Manager. Each month, the Conservation Technician is evaluated based on correctly and accurately using the cost-share process, timeliness of responses to applications, and correct collection of data during the implementation assistance process.

Analysis of Goals, Objectives, and Performance Measures and Standards

Hardee SWCD does not maintain a written plan, goals, or objectives. While District Supervisors have unwritten goals and objectives, including continuing the District’s BMP Program administration, the goals and objectives are too broad for the District to communicate any meaningful progress.

As stated earlier in this section of the report, M&J recommends that the District consider developing and adopting a strategic plan, and subsequently goals and objectives, to provide the District direction and ensure that current and future programs and activities align with its intended statutory purpose, as defined in [s. 582.02\(4\), Florida Statutes](#).

Annual Financial Reports and Audits

Hardee SWCD is required per [s. 218.32, Florida Statutes](#), to submit an annual financial report to the Florida Department of Financial Services within nine months of the end of the District’s fiscal year (September 30).

Pursuant to Section [218.32, Florida Statutes](#), the District is required to submit an Annual Financial Report every fiscal year by the compliance deadline nine months after the end of the fiscal year (June 30 of the following year). The District filed its FY21 and FY23 Annual Financial Reports within the compliance deadline, but its FY22 Annual Financial Report was filed a month after the compliance deadline.

The District is also required to submit an annual financial audit report as its revenues or combined expenses and expenditures exceed \$100,000 each year of the review period, as per [s. 218.39, Florida Statutes](#). The District submitted the FY21 and FY23 financial audit reports to the Florida Auditor General within the compliance period of nine months after the end of the fiscal year or 45 days after the presentation of the audit report to the Board, whichever is shorter. The District’s FY22 financial audit report was submitted a month after the compliance deadline. The independent auditor did not issue any negative findings in the financial audit reports for FY21, FY22, or FY23.

Recommendation: The District should consider refining its timeline for preparing and submitting the Annual Financial Report to the Florida Department of Financial Services to ensure that the District is meeting the requirements of [s. 218.32\(1\)\(a\)](#), *Florida Statutes*.

Performance Reviews and District Performance Feedback

The performance of Conservation Technicians is monitored by an FDACS Project Manager. A performance monitoring document is sent to Conservation technicians each month, and a quarterly meeting is held with the FDACS Project Manager to discuss performance. The District provided M&J with performance monitoring documents for both Conservation Technicians within the review period, and both consistently received a ‘satisfactory’¹⁵ rating for each metric (or non-applicable, when appropriate).

II.D: Organization and Governance

Election and Appointment of Supervisors

Supervisors are required by [s. 582.19\(1\)\(b\)](#), *Florida Statutes* to sign an affirmation that they meet certain residency and agricultural experience requirements. These signed affirmations are required of both elected and appointed Supervisors. Beginning with the November 2022 Supervisor elections, Chapter [2022-191](#), *Laws of Florida*, amended [s. 582.19\(1\)](#), *Florida Statutes* required that candidates for election to a Supervisor seat had to live in the district and have agricultural experience, as defined by the Florida Legislature. Candidates in the November 2022 election were required by [s. 582.19\(1\)\(b\)](#), *Florida Statutes*, to sign an affirmation that they met the residency and qualification requirements.

M&J has not received requested documentation from the Hardee County Supervisor of Elections, and so is unable to confirm if any Supervisors signed an affirmation of qualifications. If the District failed to require appointed Supervisors to complete documentation that affirmed their compliance with the residency and qualification requirements of [s. 582.19\(1\)](#), *Florida Statutes*, the District may have unqualified and/or ineligible Supervisors occupying seats.

Two of the five Supervisor seats are up for election in November 2024.

Recommendation: The District should consider collaborating with the Hardee Supervisor of Elections to ensure that appointed Supervisors complete the affirmations necessary to document each Supervisor’s compliance with the requirements of [s. 582.19\(1\)](#), *Florida Statutes*.

Notices of Public Meetings

Section [189.015](#), *Florida Statutes*, requires that all Board meeting minutes be publicly noticed in accordance with the procedures listed in ch. [50](#), *Florida Statutes*. This chapter has been amended twice during the review period, and M&J reviewed for compliance with the governing statute in effect at the time of each meeting date and applicable notice period.

The District publishes meeting notices in The Herald-Advocate, a weekly local newspaper, which was confirmed by M&J through a review of [floridapublicnotices.com](#), the State of Florida’s designated repository of public notice publications. Meeting notices are also posted on the Hardee County website.

M&J’s review concluded that the District notices met the requirements of the version of ch. [50](#), *Florida Statutes*, in effect at the time of each meeting date and applicable notice period. Prior to January 2023, ch. [50](#), *Florida Statutes* required any board located in a county with a county-wide newspaper to publish meeting notices in that newspaper. The District met this requirement for meetings held in 2021 and

2022. Since January 2023, ch. [50](#), *Florida Statutes* has permitted publication of meeting notices on a publicly accessible website (such as the Florida Administrative Register) as long as the board publishes a notice once a year in the local newspaper identifying the location of meeting notices and stating that any resident who wishes to receive notices by mail or e-mail may contact the board with that request. The District met this requirement for meetings held in 2023 and 2024.

Retention of Records and Public Access to Documents

The District maintains a record of meeting agendas and minutes from September 2020 through January 2024 and was able to provide the agendas and minutes to M&J upon request. The District was able to provide the other existing records and documentation requested by M&J for this performance review and included the appropriate link to the District's Annual Financial Reports on its website. M&J concludes that there are no notable issues with the District's records retention and public access to information as required [s. 119.021](#), *Florida Statutes*.

III. Recommendations

The following table presents M&J’s recommendations based on the analyses and conclusions in the Findings sections, along with considerations for each recommendation.

Recommendation Text	Associated Considerations
<p>The District should consider developing a plan to diversify revenue sources by increasing non-FDACS revenue funding. The District could consider proposing an agreement with the Hardee County Board of County Commissioners to allow for the District to present an annual budget request, which would be subject to approval by the Board of County Commissioners.</p>	<ul style="list-style-type: none"> • Potential Benefit: Increase the District’s financial stability and long-term viability. It would also reduce the risk of District programs being severely impacted were FDACS funding to cease. • Potential Adverse Consequences: M&J does not anticipate any adverse consequences as a result of implementation of the recommendation. • Costs: M&J does not anticipate any additional funding needed. • Statutory Considerations: M&J does not anticipate any legal, operational, or other issues that may arise from the proposed change.
<p>The District should consider developing and then adopting a strategic plan that builds on the District’s purpose and responsibilities defined in <u>s. 582.02(4), Florida Statutes</u>. The strategic plan should not simply describe the District’s current programs or contracts, but rather reflect the District’s long-term and short-term priorities based on the needs of the community and in response to changing land use patterns within the District’s service area. A strategic plan does not need to be extensive as long as the document provides the District with direction for addressing the community’s needs.</p>	<ul style="list-style-type: none"> • Potential Benefit: An actionable roadmap to address the community’s needs and a more effective method of planning and goal setting. • Potential Adverse Consequences: M&J does not anticipate any adverse consequences as a result of implementation of the recommendation. • Costs: M&J does not anticipate any additional funding needed. • Statutory Considerations: M&J does not anticipate any legal, operational, or other issues that may arise from the proposed change.

Recommendation Text	Associated Considerations
<p>The District should consider writing and then adopting a set of goals and objectives that align with the District’s statutory purpose, as defined in s. 582.02(4), Florida Statutes, and the Board’s vision and priorities as established in the District’s strategic plan. The goals and objectives should contemplate measurable progress, capturing the results of the District’s efforts and ensuring a consistent direction forward for the District’s future prioritization of programs and activities.</p>	<ul style="list-style-type: none"> • Potential Benefit: Help focus the District resources on objectives that align with the District’s purpose and better serve the community. • Potential Adverse Consequences: M&J does not anticipate any adverse consequences as a result of implementation of the recommendation. • Costs: M&J does not anticipate any additional funding needed. • Statutory Considerations: M&J does not anticipate any legal, operational, or other issues that may arise from the proposed change.
<p>The District should consider refining its timeline for preparing and submitting the Annual Financial Report to the Florida Department of Financial Services to ensure that the District is meeting the requirements of s. 218.32(1)(a), Florida Statutes.</p>	<ul style="list-style-type: none"> • Potential Benefit: Avoiding penalties from Department of Financial Services for late submission • Potential Adverse Consequences: M&J does not anticipate any adverse consequences as a result of implementation of the recommendation. • Costs: M&J does not anticipate any additional funding needed. • Statutory Considerations: M&J does not anticipate any legal, operational, or other issues that may arise from the proposed change.
<p>The District should consider collaborating with the Hardee Supervisor of Elections to ensure that appointed Supervisors complete the affirmations necessary to document each Supervisor’s compliance with the requirements of s. 582.19(1), Florida Statutes.</p>	<ul style="list-style-type: none"> • Potential Benefit: Better transparency and avoidance of business potentially being voided. • Potential Adverse Consequences: M&J does not anticipate any adverse consequences as a result of implementation of the recommendation. • Costs: M&J does not anticipate any additional funding needed. • Statutory Considerations: M&J does not anticipate any legal, operational, or other issues that may arise from the proposed change.

IV. District Response

Each soil and water conservation district under review by M&J was provided the opportunity to submit a response letter for inclusion in the final published report. Hardee SWCD did not provide M&J with a response letter for inclusion in the final report.