2020 DELEGATE NOTEBOOK

77th Annual Conference of Indiana Soil and Water Conservation Districts

January 13-14, 2020
Indianapolis Marriott Downtown

www.iaswcd.org
info@iaswcd.org
IASWCD Annual Business Meeting Rules

1. Delegates shall check in at the Credentials Desk (outside ballroom).
2. Delegates should be seated 10 minutes prior to the start of the meeting.
3. All cell phones are to be turned off or silenced during the meeting.
4. The meeting shall be called to order promptly.
5. The Credentials Report (seating of Delegates) shall report the number of registered delegates.
6. Late delegates may be seated by unanimous consent of the assembly.
7. Delegates and non-delegates shall wear the official meeting badge at all functions.
8. Non-delegates shall be seated in an area appropriately marked and separated from official delegates.
9. Delegates wishing to speak to the assembly shall come to the microphone and address the President. After the President recognizes the delegate, the delegate should identify himself/herself by name and District.
10. Delegates may speak only two times to a motion or proposal and may not speak a second time until all other delegates have had an opportunity to speak. Each speech is limited to 3 minutes.
11. Voting will be done by each delegate raising the district placard.
Indiana Association of Soil and Water Conservation Districts, Inc.

Annual Business Meeting
Marriott Hotel - Indianapolis
Tuesday, January 14, 2020

AGENDA

9:00 AM  Welcome and Introductions.................................Roger Wenning (President)

Seating of Delegates / Roll Call.................................Jeff Baker (Secretary)

Minutes of 2019 Annual Business Meeting...............Jeff Baker

Treasurer’s Report.................................................Marc Roberts (Treasurer)

Audit Committee Report.........................................Marc Roberts

Budget Committee Report.........................................Marc Roberts

Resolutions..........................................................Bobby Hettmansperger
                                        (Vice President)

Nominating Committee Report..............................Jamie Scott (Past President)

Election of Officers...............................................Jamie Scott

Executive Director’s Report.................................Joe Schmees

New Business

- Election Report.................................................Jamie Scott

Other Business

Oath of Office........................................................SSCB Member

Adjournment
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MINUTES

1. Welcome and Introductions ............................................................Jamie Scott
   President Jamie Scott called the 76th meeting of the Indiana Association of Soil and Water Conservation Districts, Inc. (IASWCD) to order at 9:08 a.m. on Tuesday, January 15, 2019 at the Indianapolis Marriott Downtown in Indianapolis, Indiana, welcoming the delegates, officers and guests. The officers seated at the head table on stage were introduced: Jamie Scott, President; Roger Wenning, Vice President; Jeff Baker, Treasurer; Kerry Ames, Secretary; and, Ed Frazier, Parliamentarian.

2. Seating of Delegates / Roll Call......................................................Kerry Ames
   Kerry stated 67 delegates were present and eligible to vote.
   Jamie referred to the printed “IASWCD Annual Business Meeting Rules” page at the beginning of the Delegate Notebook (that each district received a copy of at the conference, per attendance). A 2/3 vote was needed to adopt these rules for the meeting. A majority of districts voted to adopt the rules. 67 voted yes.

3. Minutes of 2018 Annual Business Meeting .....................................Jamie Scott
   The 2018 Annual Business Meeting minutes were approved.

4. Treasurer’s Report .................................................................Jeff Baker
   Treasurer Jeff Baker referred to the IASWCD Financial Statements provided in the 2019 Delegate Notebook on pages 31 and 32. He stated that the fiscal year ended on September 30, 2018 and that expenses were in line with prior year and budget. President Jamie Scott stated the Treasurer’s report would be filed.

5. Audit Committee Report ...............................................................Jeff Baker
   Jeff Baker reported that he and Troy Hattery had met on December 20, 2018 to review and audit the IASWCD financial statements for fiscal year October 1, 2017 through September 30, 2018 and found no misrepresentation of IASWCD financial records. Audit Committee Report was unanimously accepted.

6. Budget Committee Report..........................................................Jeff Baker
Treasurer Jeff Baker asked for any discussion on the 2019 budget (FY 10/1/18-9/30/19) as printed in the 2019 Delegate Notebook (page 32). He stated that expenses are somewhat reflective of prior year. He noted that a full report is available from the IASWCD Executive Director upon request. There was no discussion. Jamie Scott made a motion to approve the adoption of the proposed 2019 budget as printed.

The vote to adopt the proposed 2019 budget was unanimous.

A request was submitted and announced by President Jamie Scott to seat the Vanderburgh and Tippecanoe County delegates. After no objections from the floor, the delegates were seated.

7. Resolutions.................................................................................................Roger Wenning
   President Jamie Scott reminded the assembly that each person may speak twice to each motion and for a maximum of three minutes each time. Speaking a second time may happen after everyone has had a chance to speak the first time. Vice President Roger Wenning read the five resolutions.

1. Title: IASWCD Dues Increase Study Committee (Delegate Notebook, p. 25)
   o Submitted by Knox County SWCD
   o Speaker: Ray Chattin, Knox County spoke on behalf of the resolution stating the need to invest in a position that can be there as a workhorse for the legislative committee. He stated the need to do this in a long term, sustainable fashion that provides continuity. The job description that defined the role was included in the Delegate Notebook pages 26-27.
   o John Dooms, Delegate from St. Joseph County SWCD inquired as to how much more a year this would require of districts, stating $700-800? He spoke against this resolution stating some districts are already struggling financially.
   o Ray Chattin, Knox county wanted to address John’s (see above) concerns and stated that Indiana is way behind and needs to understand their obligation to natural resources.
   o Approximately 23 were for this resolution with the remaining opposed.
   o This resolution was not adopted.

2. Title: IASWCD Business Meeting Minutes Approval (Delegate Notebook p. 29)
o Submitted by: IASWCD Executive Committee
o No discussion occurred on this resolution.
o This is an amendment to the bylaws.
o Majority adopted with two opposed.
o This amendment passed.

A request was submitted and announced by President Jamie Scott to seat the Decatur County delegate. After no objections from the floor, the delegate was seated.

3. **Title: IASWCD Director Eligibility Requirement** (*Delegate Notebook p. 28*)
   o Submitted by: Knox County SWCD
   o Ray Chattin, Knox county SWCD speaking in favor of the resolution stated that they have a young man, employed by TNC and fully qualified, and had been an associate supervisor; but, cannot be on the IASWCD board due to not being a Supervisor.
   o No additional discussion occurred.
   o Adoption requires two thirds vote:
     - 31 opposed
     - Less than 2/3 voted for this resolution
   o This resolution was not adopted.

A request was submitted and announced by President Jamie Scott to seat the Carroll County delegate. After no objections from the floor, the delegate was seated.

4. **Title: IASWCD to Help SWCDs Receive More Uniform Support by Respective County in State** (*Delegate Notebook, p. 30*)
   o Submitted by: Newton County SWCD
   o Speaker: Hank Coussens, Delegate, Newton County, in support of this resolution, stated that there is a handbook put out by the Association of County Governments. He stated that according to this handbook, that employees with SWCDs are actually not counted as county employees. He states that this resolution would help staff to be counted as county employees.
   o No other discussion occurred.
   o Vote included: 22 for adopting resolution and 35 opposed.
   o Majority of votes were opposed.
   o This resolution was not adopted.

5. **Title: IASWCD Region Name Update** (*Delegate Notebook, p. 24*)
   o Submitted by: Newton County SWCD
Speaker: Hank Coussens, Delegate, Newton County SWCD spoke in favor of the resolution. He stated that this resolution was proposed by the Indiana District Employee Association. Further, he stated, that the current way the regions are named is confusing and that they want to clarify how to identify regions better.

No additional discussion occurred.

Vote included: 14 in favor and the majority opposed.

This resolution was not adopted.

Jamie Scott asked for additional resolutions from the floor. There were none.

8. Nominating Committee Report ................................................................. Jeff Meinders
A list of nominees was announced by Past President Jeff Meinders. He addressed the assembly stating that this would be his last time to speak to the delegates as his Past President service was ending. He encouraged supervisors to become more involved and step up into leadership positions. He stated that a good slate of officers was being presented, but he would like more people on the ballot via better participation.

Slate of Officers:
- For President: Roger Wenning, Decatur County
- For Vice President: Bobby Hettmansperger, Wabash County
- For Secretary: Jeff Baker, Warrick County
- For Treasurer: Marc Roberts, Montgomery County

Jamie Scott reiterated the nominees and asked for nominations from the floor. No additional nominations were presented.

Jamie Scott made a motion to accept the ballot and close the nominations.

Each candidate briefly addressed the delegates:
- Bobby Hettmansperger spoke about his willingness and the opportunity to serve as VP.
- Jeff Baker thanked everyone for the opportunity to serve on the board.
- Marc Roberts encouraged everyone to get involved.
- Roger Wenning thanked everyone for coming and stated he truly enjoys doing this work on the board. He looks forward to it. He thanked Jeff Meinders for his leadership. Roger also stated that he is going to ask help from everyone and expects help to keep this organization going forward as there is good work to do in the statehouse.
A request was submitted and announced by President Jamie Scott to seat the Owen County delegate. After no objections from the floor, the delegate was seated.

Troy Hattery and Tom Crowe were appointed as election tellers. Delegates were asked to fill out their ballots and the tellers picked them up.

9. Election of Officers .................................................................Jeff Meinders
   Ballots were collected and counted.

10. Executive Director’s Report.........................................................Joe Schmees
    Joe Schmees, Executive Director of IASWCD as of May 2018, spoke and touched briefly on his experience at IDEM and how he worked with the districts and other conservation partners. He spoke about his work on two additional boards and his love of the outdoors. He thanked Jennifer Boyle Warner for her organization and help with transitioning to this leadership position; and, he thanked Amy Work for her help with conference. Joe highlighted several of the IASWCD accomplishments from the 2018 annual report and stated he understands the association is representing districts on a state level i.e. the MOU cooperative working agreements for service centers. He also mentioned the request for more funding, specifically the $15.2 million, in the Statehouse budget this year.

11. New Business Election Report......................................................Jeff Meinders
    New Officers were announced:
     President, Roger Wenning
     Vice President, Bobby Hettmansperger
     Secretary, Jeff Baker
     Treasurer, Marc Roberts

    Jamie Scott reaffirmed new officers and their positions.

12. Other business.................................................................Jamie Scott
    Jamie Scott asked for any additional business from the assembly. There was none.

13. Oath of Office .................................................................Bob Eddleman, SSCB
    Bob Eddleman, Indiana State Soil Conservation Board, performed the oath of office with the newly elected officers. They were asked if they agreed to fulfill the duties of their respective offices as stated in the IASWCD bylaws to the best of
their ability. They agreed. Bob declared them duly installed as the 2019 Executive Officers of the Indiana Association of Soil and Water Conservation Districts.

14. Adjournment.................................................................Jamie Scott
Jamie Scott asked for further business needs from the floor.
There were none.

Meeting was adjourned at 10:04 a.m.
2020 Officer Candidates
2020 IASWCD Board of Directors – Officer Candidates

Candidate for President:

Roger Wenning – Decatur County SWCD Supervisor

Roger Wenning was elected to the Decatur County SWCD Board in 2006. He currently owns and operates 850 acres in Decatur and Franklin County as well as Wenning Excavating and Drainage Inc. Roger has received numerous awards for his conservation efforts including 2011 Indiana Supervisor of the Year, Decatur County and Indiana Conservation Farmer of the Year, River Friendly Farmer, and the American Soybean Association North-East Region Conservation Legacy Award. In 2018, the Wenning family received the Indiana Farm Family of the Year Award; and, Roger, along with his wife of 40 years, Mary Beth, jointly received the 2019 Indiana Master Farmer Award. Roger has worked with area landowners for years encouraging conservation practices that would benefit land, water, and wildlife now and for the future. Roger is very active in the community including over 40 years of membership in the Knights of Columbus, the local Youth Baseball Board, FFA and his church. Roger and Mary Beth have four children and 11 grandchildren. He has served on the Indiana Association of Soil and Water Conservation Districts (IASWCD) board as Secretary in 2015-2016, Vice President in 2017-2018; and, President for years 2018-2019.

Candidate for Vice President:

Bobby Hettmansperger – Wabash County SWCD Supervisor

Bobby lives in Paw Paw Township in the Silver Creek Watershed and farms 2,500 acres of corn, soybeans, wheat and seed corn in both Wabash and Miami Counties. Bobby is the owner of Advanced Ag Resources, a seed production and distribution company located in Wabash County. He has implemented no till planting, filter strips, field borders, grassed waterways, a variety of cover crops, WASCOBS, installation of a controlled drainage system, wetland creation, wildlife habitats/management, and nutrient and pest management. Bobby is on the Hopewell Cemetery Association Board. He is a graduate of Northfield High School and Michigan State University receiving an Associates Degree in Crop and Soil Science. Bobby has previously served on the IASWCD as a Region Director and was Board Treasurer in 2013. During 2018-2019, Bobby served as Vice President of the board. He has one son, Logan, a daughter, Abbey, and one granddaughter, Zoie.
**Candidate for Secretary:**

Jeff Baker – Warrick County SWCD Supervisor

Jeffrey Baker was born and raised in Warrick County, Indiana. He graduated from Purdue University with a B.S. in Agriculture and has a M.S. in Financial Analysis from the College of Financial Planning. He is currently a financial planner and operates four tax practices with his three sons. He also operates 600 acres of corn, soybean, hay and pasture as well as livestock where he uses cover crops, no-till and has installed various conservation structures. Jeff has been a Warrick County District Supervisor for six years, including two years as Chairman. He is active in his community school board, the Chandler United Methodist Church and the Masonic Lodge for over 40 years. Throughout the years, Jeff and his wife, Jane, have raised cattle, sheep, goats, but currently manage an 850 sow early wean hog operation. Jeff served as the IASWCD Board Treasurer for two years before serving as the Secretary, 2018-2019.

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**Candidate for Treasurer:**

Marc Roberts – Montgomery County SWCD

Marc Roberts currently serves as a Supervisor on the Montgomery County Soil and Water Conservation District Board. He grew up in Kosciusko County on a row crop and cattle operation that his dad and brother now operate. He received a Bachelor of Science degree from Purdue in Agronomic Business and Marketing and has completed the Indiana Ag Leadership Program (class of ’17). He operates an agronomic consulting business that specializes in project work, sells Channel seed and farms with his father-in-law. There, they have installed grassed waterways, livestock heavy use area pads, converted to no-till and cover crops and completed a forestry management plan. Marc is a Certified Crop Advisor (CCA) and attends Woodland Heights Christian Church. He has served on the IASWCD board as Treasurer, 2018-2019. He and his wife, Chelsea, have three daughters and one son.
IASWCD Resolution Process

Updated 2012

Resolutions may be submitted by any local soil and water district(s) (SWCD) or IASWCD committee. Resolutions will be reviewed to make sure they fit the required criteria below. These resolutions will be provided to all 92 local soil and water conservation districts. All resolutions will then be voted on at the Annual Business meeting.

All resolutions formally adopted will remain in effect for five years. Resolutions will sunset five years after adoption and thereafter no longer reflect IASWCD positions, unless otherwise reinstated by a new vote. Therefore, the resolution must again go through the process as stated above. The IASWCD will maintain a log of all resolution sunset dates and make this available to the SWCDs.

**Required Criteria for any IASWCD Resolution:**

- The resolution should have regional/state/or national significance.
- The resolution should address an issue that is timely and/or pressing concern to Indiana SWCDs
- The resolution should delineate desired outcomes/goals/timeline of action.
- The resolution should be in line with the goals, priorities and mission of the IASWCD.
- The resolution should be in line with the goals and priorities of IASWCD staff resources.

**Resolution Flow Chart**
INDIANA ASSOCIATION OF SOIL AND WATER CONSERVATION
DISTRICTS, INC.
RESOLUTION SUBMISSION FORM (PLEASE TYPE)

Title of Resolution: State and County Soil and Nutrient Loss Estimates

Submitted by: Knox Co. SWCD

Contact Person: Ray Chattin

Explanation of Problem(s) or Need(s): Soil loss is a critical resource concern in Indiana. Although several metrics are being developed and utilized to report soil and nutrient savings, nothing is being done to report what is being lost on an annual basis at the county or state level. Such information is critically relevant in providing the kind of context that will make existing data truly meaningful.

Proposed Solution: ICP partners work cooperatively to formulate combined soil loss estimates that occur as a result of agricultural, urban, and streambank erosion at the state and county levels.

Benefits Expected: Public awareness of the magnitude of the problem soil loss would be raised. This data could be used to extrapolate monetary consequences. Justification for CWI funding and local county funding for SWCDs would be validated.

Action Requested (Please specify the action you would like the association to take if this resolution passes): Be it resolved that the Indiana Association of Soil and Water Conservation Districts, Inc. request the ICP (NRCS, ISDA, IDEM and USGS) to work cooperatively to formulate annual soil and nutrient loss estimates at the state and county level.

Supervisor Signatures (Recommend a majority of Supervisors signed):

Date Signed: 8-27-19

Note: Please email this form to joseph-schmees@iaswcd.org
Due on Friday, September 6, 2019
INDIANA ASSOCIATION OF SOIL AND WATER CONSERVATION
DISTRICTS, INC.
RESOLUTION SUBMISSION FORM (PLEASE TYPE)

Long Explanation: Soil loss in Indiana continues to be a paramount natural resource priority that has been magnified by the unprecedented rainfall totals and numerous disastrous rainfall events that occurred in 2019. Significant emphasis has been placed on documenting soil and nutrient savings in recent years, particularly on the part of ISDA. Although this data is useful in demonstrating the efficacy of conservation programs and practices, the overall relevance of this data is limited when not considered within the context of total annual soil and nutrient loss. If streambank erosion estimates were to be included, the numbers would be multiplied to great effect.

The rationale for this resolution is that if the technology exists to estimate soil and nutrient savings, it also should permit the formulation of a reasonable estimate for soil and nutrient loss.

It is given that this resolution will place an additional burden of our partners, but given the fact that capital is already being expended toward the gathering of data documenting soil and nutrient savings, it does not seem unreasonable to attempt to provide the proper context for such information.

It is also understood that estimating streambank erosion is a "black box" in that technology and existing data are relatively limited, however, few soil scientists or others who have studied the problem would deny that streambank erosion is by far the leading cause of soil loss in Indiana.

Efforts to gain meaningful conservation funding in Indiana at the state and county level have historically met with minimal success. A large reason for that failure can be attributed to the fact that those making those funding decisions have no clue as to the quantity or value of soil and nutrients currently being lost on an annual basis.

Any soil or nutrient loss estimate should not be intended to be precise, but it can be informative, rational and above all credible given the technology now available and the history and integrity of the Indiana Conservation Partnership. There is also the pervasive and indisputable physical evidence for all to see.

Note: Please email this form to joseph-schmees@iaswcd.org
Due on Friday, September 6, 2019
Establishment of legislative task force to consider state's role in addressing invasive plants on private land.

Invasive plants represent a catastrophic threat to the biodiversity of Indiana's native plant communities. Private landowners are tremendously underserved by DNR and Purdue Extension when it comes to education, technical assistance and training. Apart from the Indiana Invasives Initiative there is very little help available. NRCS funding support for the III will end in 2022. SWCDs continue to be key strategic partners in the establishment of new CISMAs statewide. Long term sustainability of the III staff and support system will be crucial. Additionally, the Indiana Invasive Species Council has never received any state funding. It is imperative that the legislature determine what their role will be.
Proposed Solution *

Create a task force to assess the role of the legislature in the fight against invasive plants in Indiana, particularly on private lands.

Benefits Expected *

The Indiana Invasives Initiative will not have to rely on grants and private donations to maintain its staff and programs. SWCDs will be recognized as key partners. The Indiana Invasive Species Council will be provided with an executive director to facilitate its role.

Action Requested (Please specify the action you would like the IASWCD to take if this resolution passes). Be it resolved that the Indiana Association of Soil and Water Conservation Districts, Inc..... *

Be it resolved that the Indiana Association of Soil and Water Conservation Districts, Inc. will assume leadership in establishing the formation of a Legislative task force to determine the legislature’s role in addressing invasive plant species, particularly on private land.
Invasive plants are degrading Indiana’s forests, wetlands and natural areas as well as threatening the biodiversity of native plant communities. In 2017, SICIM entered into a 5-year contribution agreement with NRCS with $917,000 being provided. With financial support from the State Soil Conservation Board, the IASWCD, grants and individual donors, SICIM has been able to generate over $1.5 million to create the Indiana Invasives Initiative. The main goals of the III are to establish 60 sustainable CISMAs at the county level as well as providing education and technical assistance to private landowners and training for ICP staff.

SWCDs are recognized as key partners in this process due to the credibility and history with local landowners and the fact that their local staff and infrastructure can help support the creation and sustainability of local CISMAs. SICIM now employs 5 full time regional specialists and a part time state coordinator carry out the goals of the III. This is filling a tremendous void in addressing the resource needs of private landowners in both urban and rural communities.

With the exception of State Soil Board funding, the legislature has very little invested in the effort to address invasive plants. DNR Division of Forestry Staff have been cut. District foresters have major backlogs with traditional forestry programs and policy forbids them to assist landowners with 10 acres or less.

The role of the Indiana Invasive Species Council in assessing the status of existing invasive plants and monitoring the introduction and proliferation of new species is critically important. They have had to perform these duties without any staff, which is unacceptable.

Invasive plants are a problem that cannot heal itself and is rapidly getting worse. Without help from the state, the progress that has been made will be in jeopardy. Passage of this resolution will provide a teachable moment for legislators and will enhance the visibility and importance of local conservation delivery systems.

 Supervisor Signatures (By typing in names, signifies Supervisors approval of submission) *

Jim Farris, Gene Flaningam, Andy Like, Dena Held, Jason Misiniec

Date Signed 9/5/2019
IASWCD Resolution Submission Form - 2020

Resolutions must be submitted by Friday, September 6, 2019. The IASWCD business meeting will take place January 14, 2020. A SWCD Delegate must be present at the business meeting if submitting a resolution for consideration.

Email address *
lois.mann@in.nacdnet.net

Title of Resolution *
Conservation Plan Requirement to Receive USDA Subsidizes

Submitted by (SWCD name) *
Fulton County SWCD

Contact Person and email *
Lois Mann lois.mann@in.nacdnet.net
Explanation of Problem(s) or Need *

Each county in the United States is served by a Soil & Water Conservation District (SWCD) whose primary purpose is to promote the wise use of our soil & water resources: and

The USDA, through the Natural Resources Conservation Service (NRCS), has as part of its mission the conservation of our natural resources, including our soil and water; and The USDA subsidizes agricultural producers through such programs as PLC (Price Loss Coverage), ARC (Agriculture Risk Coverage), and Crop Insurance Premium Reductions (CIPR) with no current requirement for a conservation plan. Nitrogen and phosphorus have contributed to the dead zone in the Gulf of Mexico and harmful algal blooms in Lake Erie. Sediment Pollution in excess amounts has decreased water quality in the Chesapeake Bay. Conservation plans are needed to protect the future of farming and to preserve soil health and to address nutrient pollution. The proposed requirement would change federal contracts with producers to encourage the implementation of additional conservation practices.

Proposed Solution *

Short term solution: The Indiana Soil and Water Conservation Districts, the Indiana Association of Soil and Water Conservation Districts, and the State Soil Conservation Board shall establish a task force to evaluate the procedures necessary for Indiana to adopt proposed changes to USDA subsidized agricultural payments which would require proof of a current conservation plan to receive PLC, ARC and CIPR. Long term solution: Receipt of PLC, ARC and Crop Insurance Premium Reduction Subsidies shall be dependent upon proof that the acreage covered by those subsidies has in place a current conservation plan. This proposed solution could eventually change USDA programming regarding such payments.

Benefits Expected *

By following an approved conservation plan, the producer will make progress towards reducing soil and water degradation, thereby promoting soil health. Additional benefits of implementing a well written conservation plan include increase water quality and quantity, reduced sediments which can cloud water and harm underwater grasses, fish and other aquatic life, reduce nutrients which cause harmful algal blooms, protect topsoil from erosion, and increase habitat for wildlife. Numerous conservation practices, programs and plans are available through NRCS with technical assistance and funding opportunities.
Action Requested (Please specify the action you would like the IASWCD to take if this resolution passes). Be it resolved that the Indiana Association of Soil and Water Conservation Districts, Inc..... *

Be it resolved that the Indiana Association of Soil and Water Conservation Districts, Inc. advocate for a requirement in the State of Indiana that all agricultural producers requesting PLC, ARC and Crop Insurance Premium Reduction Subsidies meet with their local NRCS District Conservationist and Soil and Water Conservation District to establish a conservation plan. A task force shall be created to determine the feasibility of implementing a conservation plan requirement for the aforementioned subsidies, similar to the current requirements to participate in Highly Erodible Land Conservation (HELC) and Wetland Conservation (WC) programs.

Below please provide a detailed explanation of this resolution: *

Government is a big part of American agriculture, providing billions in financial assistance. Smart public policy can empower farmers to preserve our natural resources for future generations. Establishing conservation plans for agricultural land can increase a farmer’s bottom line by creating healthier soils, reducing erosion, and conserving critical natural resources.

A conservation plan requirement would utilize NRCS conservation programs already in place to establish a conservation plan for each farm/field to which subsidies are paid. Producers requesting PLC, ARC and crop insurance premium reduction subsidies would meet with their local NRCS District Conservationist and Soil and Water Conservation District to establish a conservation plan for the farm. Many conservation programs come with additional funding for implementation of practices/structures and no-cost technical assistance. Even in least productive years like the wet spring of 2019, producers can store carbon by establishing a pollinator habitat or planting cover crops. Covered soils will further benefit soil microbes while protecting the soil from erosion.

Requiring a conservation plan for PLC, ARC and Crop Insurance Premium Reduction subsidies will conserve soil and water resources. NRCS technical teams and programs already exist and are tried and true environmental services. We advocate their use through a Conservation Plan for all PLC, ARC and Crop Insurance Premium Reduction subsidies.

Supervisor Signatures (By typing in names, signifies Supervisors approval of submission) *

Matt Harsh - Chairman, Dustin Zellers - Vice-Chairman, Ross Burdge - Secretary/Treasurer, Mike Norman - Supervisor, and Austin White - Supervisor

Date Signed: 8/27/2019
October 1, 2018 through September 30, 2019

### Revenue

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>District Membership</td>
<td>$184,000.00</td>
</tr>
<tr>
<td>Grants/Agreements</td>
<td>$1,448,775.00</td>
</tr>
<tr>
<td>Interest</td>
<td>$2,301.00</td>
</tr>
<tr>
<td>Annual Conference</td>
<td>$136,977.00</td>
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<tr>
<td>Advance Income for next conference</td>
<td>$11,552.00</td>
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<tr>
<td>Other (Regional trainings, PWQ, etc.)</td>
<td>$21,950.00</td>
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<tr>
<td><strong>TOTAL REVENUE</strong></td>
<td><strong>$1,805,555.00</strong></td>
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### Liabilities - obligated dollars

<table>
<thead>
<tr>
<th>Description</th>
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</tr>
</thead>
<tbody>
<tr>
<td>River Friendly Farmer</td>
<td>$(147.00)</td>
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<tr>
<td>Payroll Liabilities</td>
<td>$1,280.00</td>
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<tr>
<td>CCSI District Support</td>
<td>$5,701.00</td>
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<tr>
<td>CIG grant</td>
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<tr>
<td><strong>TOTAL LIABILITIES</strong></td>
<td><strong>$7,336.00</strong></td>
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</table>

### Expenses

<table>
<thead>
<tr>
<th>Description</th>
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<tr>
<td>Adv. Expenses for next conference</td>
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<tr>
<td>IASWCD Office:</td>
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<tr>
<td>Rent</td>
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<tr>
<td>Supplies</td>
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<td>Equipment/Maintenance</td>
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<td>Postage</td>
<td>$715.00</td>
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<td>Travel</td>
<td>$3,165.00</td>
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<td>Registration Fees</td>
<td>$3,919.00</td>
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<tr>
<td>Salaries</td>
<td>$110,340.00</td>
</tr>
<tr>
<td>Phone/Internet</td>
<td>$4,527.00</td>
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<tr>
<td>Payroll Expenses</td>
<td>$9,992.00</td>
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<tr>
<td>Employee Benefits</td>
<td>$6,988.00</td>
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<tr>
<td>Misc. (regional trainings, PWQ, LI, etc.)</td>
<td>$10,115.00</td>
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<tr>
<td>Lobbying</td>
<td>$15,115.00</td>
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<tr>
<td>Accounting/Bookkeeping</td>
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<tr>
<td>Insurance &amp; Bonds</td>
<td>$32,870.00</td>
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<tr>
<td>NACD:</td>
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</tr>
<tr>
<td>Conferences</td>
<td>$7,517.00</td>
</tr>
<tr>
<td>Dues</td>
<td>$2,076.00</td>
</tr>
<tr>
<td>Grants/Agreements</td>
<td>$1,310,710.00</td>
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<tr>
<td>Match</td>
<td>$13,500.00</td>
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<tr>
<td>Dues/memberships/scholarships/Envirothon</td>
<td>$5,319.00</td>
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<tr>
<td>SICIM and IANA Support</td>
<td>$11,000.00</td>
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<tr>
<td>Board of Directors</td>
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<tr>
<td><strong>TOTAL EXPENSES</strong></td>
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### 2019 Net Income*

<table>
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<tr>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>$88,322.00</td>
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</table>

*Full QuickBooks report is available - please call Joe Schmees at 317-692-7519 or email him at joseph-schmees@iaswcd.org
## October 1, 2019 - September 30, 2020 Budget

### Accrual

#### Revenue

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>District Membership</td>
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<tr>
<td>Grants</td>
<td>$404,983.00</td>
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<tr>
<td>Interest</td>
<td>$1,000.00</td>
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<tr>
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<tr>
<td>Other (PWQ, region trainings, etc.)</td>
<td>$8,400.00</td>
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<tr>
<td><strong>TOTAL REVENUE</strong></td>
<td><strong>$762,383.00</strong></td>
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#### Expenses

<table>
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<tr>
<th>Description</th>
<th>Amount</th>
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</thead>
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<tr>
<td>Annual Conference</td>
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<tr>
<td>Advanced Expenses for Next Conference</td>
<td>$4,300.00</td>
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<tr>
<td>IASWCD Office:</td>
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<tr>
<td>Rent</td>
<td>$8,000.00</td>
</tr>
<tr>
<td>Supplies</td>
<td>$1,900.00</td>
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<tr>
<td>Equipment/Maintenance</td>
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<tr>
<td>Postage</td>
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<tr>
<td>Travel</td>
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<tr>
<td>Registration Fees</td>
<td>$7,000.00</td>
</tr>
<tr>
<td>Salaries</td>
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<td>Phone/Internet</td>
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<td>Employee Benefits</td>
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<td>Misc. (regional trainings, PWQ, LI, etc.)</td>
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<tr>
<td>Lobbying</td>
<td>$15,000.00</td>
</tr>
<tr>
<td>Accounting/Bookkeeping/Legal*</td>
<td>$20,300.00</td>
</tr>
<tr>
<td>Insurance &amp; Bonds</td>
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<tr>
<td>Public Relations</td>
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<tr>
<td>NACD:</td>
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<tr>
<td>Conferences</td>
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</tr>
<tr>
<td>Dues</td>
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</tr>
<tr>
<td>Grants/Agreements</td>
<td>$358,795.00</td>
</tr>
<tr>
<td>Match</td>
<td>$13,500.00</td>
</tr>
<tr>
<td>Dues/memberships/scholarships/Envirothon</td>
<td>$8,450.00</td>
</tr>
<tr>
<td>SICIM and IANA support</td>
<td>$11,000.00</td>
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<tr>
<td>Board of Directors</td>
<td>$4,250.00</td>
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<tr>
<td>Committees</td>
<td>$1,500.00</td>
</tr>
<tr>
<td><strong>TOTAL EXPENSES</strong></td>
<td><strong>$808,423.00</strong></td>
</tr>
</tbody>
</table>

*Audit Service costs included due to needing a required Single Federal Audit for FY2018 and FY2019*

### 2018 TOTAL BUDGETED NET Income

$ (46,040.00)
December 6, 2019

Officers, Directors and
Members IASWCD
225 S. East St. Suite 740
Indianapolis, IN 46202

We have examined the balance sheet of the Indiana Association of Soil and Water Conservation Districts as of September 30, 2019 and the related statements of income and expenses for the fiscal year of October 1, 2018, through September 30, 2019.

Management is responsible that these statements, taken as a whole, are reasonably accurate and represent the complete financial activities of the organization.

As a result of this examination, we found no misrepresentation of the records.

Respectfully Submitted,

Jeff Baker
IASWCD Secretary, IASWCD Finance Committee

[Signature]

Troy Hattery
IASWCD Finance Committee

[Signature]

THE IASWCD MISSION is to enable the conservation of natural resources of Indiana.
INDIANA ASSOCIATION OF SOIL AND WATER CONSERVATION DISTRICTS, INC.

BYLAWS

As amended on January 14, 2009

Section 1: Name

The name of this association shall be the INDIANA ASSOCIATION OF SOIL AND WATER CONSERVATION DISTRICTS, INC. The official abbreviation of its name shall be IASWCD.

Section 2: Activities

To carry out the activities of the association, it will conduct educational, scientific, charitable, and/or other work concerning the conservation maintenance, improvement, development, and use of land, soil, water, trees, vegetation, fish and wildlife, open space, and other renewable natural resources.

Section 3: Purposes

The purpose of this association shall be confined to: (1) the exchange of information relating to the administration and operation of soil and water conservation districts, (2) promoting cooperation between such districts, (3) cooperating with the State Soil Conservation Board, (4) promoting the interests and activities of other organizations and agencies in soil and water conservation, (5) developing, supporting, and carrying out programs and educational activities to control soil erosion and conserve soil and water resources.

Section 4: The Voting Members

Every soil and water conservation district in the State of Indiana shall be deemed to be a member of this association. Each district shall be entitled to one vote on every question put to a vote at any association meeting, providing that dues are not delinquent (an exception maybe granted subject to an Executive Committee decision or recommendation and Board approval). The vote of the district will be cast by the delegate or the alternate. One delegate and an alternate shall be selected by each district before the date of any association meeting and their names shall be sent to the secretary of the association ten days prior to the meeting. All such delegates and alternates shall be officially elected and/or appointed supervisors or associate supervisors (Jan.14, 2009 Business meeting minutes). The delegate and alternate shall be seated at any association meeting.

Section 5: Membership Dues

Each district will pay to the association as annual dues, an amount to be determined annually by the board of directors. The board of directors shall be guided in determining the amount of the annual dues through the development of a budget. The dues to the Association are to be paid annually no later than the end of the fiscal year. The IASWCD fiscal year is October 1 thru September 30.
Section 6: Affiliate Members

Affiliate members shall be those persons, firms, associations or corporations that contribute a said amount, to be determined by the IASWCD Board of Directors. Affiliate members are permitted to attend Association board meetings and will be eligible to receive IASWCD publications and information. Affiliate members will be non-voting members of the IASWCD.

Section 7: Region Organizations

The district supervisors in each Region will elect a director prior to the Association’s annual business meeting to represent the region on the IASWCD Board of Directors.

Each region shall elect an Alternate Director. The Region Director shall conduct regional meetings as needed. The Alternate Director will serve as an alternate to the IASWCD Board of Directors. The Region Director and Alternate Director may be an associate supervisor, provided that person shall have, at some time, served as either an elected or appointed supervisor (Jan 2002 Business Meeting minutes).

Each region may be governed by its own bylaws. Region bylaws shall pertain to those subjects affecting the region and shall be in harmony with the Indiana Association of Soil and Water Conservation Districts, Inc., and its bylaws. Region geographies will be reviewed by the Board and brought before the delegate body.

Section 8: Board of Directors; Terms of Office and Qualification

The IASWCD Board of Directors shall consist of President, Vice President, Secretary, Treasurer, eight Regional Directors, Past President, IDEA Representative, and the Auxiliary Representative, and Executive Director. The Executive Director, IDEA Representative, and the Auxiliary Representative will be considered ex officio members with no voting privileges.

The IASWCD Executive Committee shall consist of: President, Vice President, Secretary, Treasurer, and the executive director (non-voting). The Duties and authorities of the Executive Committee include the following: Acting for the full Board in between meetings in the case of an emergency; coordinating the full Board’s review of the executive director’s performance and compensation; serving as a sounding board/liaison for the executive director; and overseeing that the Board is functioning in accordance with the mission, goals, and priorities of the IASWCD. Any member of the executive committee can call a meeting of the executive committee.

A majority, seven voting members, of the board of directors shall constitute a quorum at any meeting of the IASWCD Board.

Section 9: Powers and Duties of the Board

The board of directors shall have the following powers and duties:

A. The board of directors shall determine the policies and procedures of the association, and shall formulate, and keep correct, a written plan of action or program for the association, all of which shall be consistent with the purposes stated in the articles of incorporation.
B. The board of directors shall make provision for the annual meeting of the members of the association and such meetings of the board of directors as it may deem advisable, and shall facilitate regional meetings, or other special meetings of association members.

C. The board of directors shall keep the members of the association currently informed of the association’s affairs and activities, and of the programs, accomplishments, and problems of the districts of the State of Indiana.

D. The board of directors shall recommend the annual budget to the association’s delegate body, fix the rate of compensation of employees, authorize the payment of necessary expenses, determine matters relating to any publications of the association, and arrange for an annual audit of the association’s financial affairs by a qualified, disinterested person or firm.

E. The board of directors may delegate functions and duties to the president or other officers of the association subject to such conditions as it deems proper.

F. The NACD Board member to represent IASWCD at the NACD Board of Directors meetings shall be selected by the board of directors each year and must be a current supervisor. An alternative representative must also be appointed by the board of directors and must be a current member of the IASWCD board of directors.

Section 10: The Officers; Terms of Office

The state officers of the IASWCD shall be: President, Vice President, Secretary, and Treasurer. These shall be elected offices. The officers must be appointed or elected SWCD supervisors, or Associate Supervisors who have supervisor experience and are actively engaged at the District level (Jan 2007 Business Meeting).

Terms of the IASWCD Officers shall be one year terms. The officers can only succeed themselves one time. One or more nominees shall be submitted by the Governance Committee for the office of Treasurer, Secretary, Vice President and President. The list of nominees shall be mailed to each District at least six weeks prior to the annual meeting. Nominations may also be made from the floor by any member of the delegate body provided the person so nominated has agreed to serve if elected. A ballot will be prepared for each office and the election shall be conducted one office at a time starting with the office of president.

The decision to hire an executive director shall be at the discretion of the IASWCD Board of Directors. The executive director need not be a member of the board of directors to perform the assigned functions. The executive director shall be accountable to the board of directors, as defined in the job description.

Section 11: Powers and Duties of Officers

A. The president shall have the following duties:
   - Preside at Board of Directors meetings, executive committee meetings, the IASWCD Annual Business Meeting, and special meetings as called
   - Serve as the chief executive of the IASWCD
   - Delegate presidential responsibilities to others as appropriate
   - Represent the IASWCD to affiliated organizations
   - Keep IASWCD officers, Board of Directors, members and affiliated organizations informed of IASWCD affairs
   - Appoint chairpersons of committees and assist chairpersons in soliciting committee members as needed or as defined by committee structure
   - Coordinate annual review of Executive Director.
   - Perform other duties as assigned by Board of Directors
B. The vice president shall have the following duties:
   • Serve as chairperson of resolutions committee
   • Serve in the absence of the president
   • Perform other duties as assigned by the president or board of directors

C. The secretary shall perform the following duties:
   • Conduct official roll call of delegates at IASWCD Annual Business Meeting
   • Responsible for all meeting minutes and correspondence of IASWCD
   • Perform other duties as assigned by the president or board of directors

D. The treasurer shall perform the following duties:
   • Responsible for all financial transactions/investments of the IASWCD, to be based upon policy of Board of Directors
   • Establish proper accounting procedures for the handling of IASWCD funds
   • Submit financial report at the IASWCD Annual Business Meeting, and all IASWCD board meetings
   • Furnish to the IASWCD a bond conditioned upon the faithful performance of the treasurer’s duties; in such form and amount as the board shall prescribe, and the premium for the bond shall be paid out of funds of the Association
   • Perform other duties as assigned by the president and board of directors

E. In the event of a vacant office, the board of directors may declare the office vacant and temporarily appoint a successor, until the next IASWCD Annual Business Meeting. The officers of the IASWCD shall assist all committees in the performance of their responsibilities.

Section 12: Meetings

A. The IASWCD shall conduct an annual meeting unless changed by the board of directors. Notice of such change shall be sent to each district prior to the meeting.

   The IASWCD annual meeting shall be held for the purposes of improving soil and water conservation programs in the districts and transacting of such other business as may come before the meeting. Special meetings may be called by the IASWCD board of directors at any time.

B. The board of directors shall meet during the IASWCD annual meeting, and shall hold such additional meetings as may be called from time to time by the president as needed. With the exception of emergencies, the president may call meetings as needed with ten days notice to the directors.

C. The presence of one-third of the voting delegates from the member districts shall constitute a quorum at any meeting of the members of IASWCD.

D. Two consecutive absences of a region representative (Director or Alternate) at IASWCD Board of Directors meetings could initiate Board action.
Section 13: Committees

The Board of Directors may form committees and other work groups (ad-hoc or advisory) as needed. Only the Board of Directors has the authority to create committees or work groups.

Section 14: Publications

At such time as the board of directors may make provision for the publication of a newsletter, magazine, or other publications by the association, the board of directors shall hire or appoint an editor, and provide for the employment of other necessary personnel, within the approved association budget.

Section 15: Resolutions

Resolutions for the purpose of establishing association position or policy concerning soil and water conservation may be presented for action at the annual meeting of the association. Soil and water conservation districts, regional associations, of SWCDs and IASWCD standing committees may submit resolutions. All resolutions must be received at the IASWCD state office by August 1. The vice president of the association shall convene a resolutions committee consisting of a representative of each of the association’s standing committees for the purpose of screening and editing submitted resolutions. The resolutions must be returned to the SWCDs by November 1. The report of the resolutions committee will be part of the business agenda at the IASWCD annual meeting. Additional resolutions may be considered at the business meeting upon a motion approved by a three-fourths majority of the delegates present and voting. Additional resolutions need to be presented at the briefing session by a supervisor to be considered by the delegate body.

Section 16: Rules of Order

Meetings of the board of directors and of the association shall be conducted in accordance with Robert’s Rules of Order unless inconsistent with any policy or special rule adopted by the association or the board of directors.

Section 17: Amendments

The by-laws may be amended, added to or repealed by a 2/3 vote of the quorum of eligible voting delegates present at the IASWCD annual meeting.
IC 14-32
ARTICLE 32. SOIL AND WATER CONSERVATION

IC 14-32-1
Chapter 1. Legislative Policy

IC 14-32-1-1
Conservation declarations
Sec. 1. The following are declared as a matter of legislative determination:

(1) That the land and water resources of Indiana are among the basic assets of Indiana and that the proper management of these resources is necessary to protect and promote the health, safety, and general welfare of the people of Indiana.

(2) That improper land use practices and failure to control and use rainfall and runoff water cause and contribute to deterioration and waste of these resources of Indiana.

(3) That the breaking of natural grass, plant, and forest cover has interfered with the natural factors of soil stabilization, causing loosening of soil and exhaustion of humus and developing a soil condition that favors excessive runoff and erosion, with the following results:

   (A) The topsoil is being blown and washed out of the fields and pastures.
   
   (B) There has been an accelerated washing of sloping fields.

   (C) These processes of erosion by wind and water speed up with removal of the topsoil, exposing the less absorptive, less protective, less productive, and more erosive subsoil.

(4) That valuable water resources are being lost causing damages in watersheds.

(5) That failure by a land occupier to properly manage the soil and water causes a washing and blowing of these resources onto other land and makes the conservation of these resources on the other land more difficult.

(6) That the consequences of soil erosion and failure to control and use rainfall and runoff water are the following:

   (A) The silting and sedimentation of stream channels, reservoirs, dams, ditches, and harbors.

   (B) The loss of fertile soil material.

   (C) The piling up of soil on lower slopes and the deposit over alluvial plains.

   (D) The reduction in productivity or outright ruin of bottom land by flooding and overwash of poor subsoil material, sand, and gravel swept out of the hills.

   (E) The deterioration of soil and the soil's fertility, deterioration of crops grown, and reduction in crop yields.

   (F) The loss of soil and water that causes destruction of food and cover for wildlife.
(G) A blowing and washing of soil into streams and lakes that silts over spawning beds and destroys water plants, diminishing the food supply of fish.

(H) A diminishing of the underground water reserve and loss of surplus rainfall runoff causing water shortages, intensifying periods of drought, and causing crop failures.

(I) An increase in the speed and volume of rainfall runoff, causing severe and increasing floods.

(J) Economic hardship for those attempting to farm land that is eroded or subject to frequent flooding.

(K) Damage to roads, highways, railways, farm buildings, and other property from floods and from dust storms.

(L) Losses in navigation, hydroelectric power, municipal water supply, recreational water development, irrigation developments, farming, and grazing.

(7) That to conserve soil and water resources, control and prevent soil erosion, protect water quality, reduce flood damage, and further the conservation development, use, and disposal of water, it is necessary that:

(A) land use practices contributing to soil and water wastage, water quality impairment, and soil erosion be discouraged and discontinued; and

(B) appropriate soil and water conserving land use practices and works of improvement for flood prevention or the conservation development, use, and disposal of water be adopted and carried out.

(8) That among the procedures necessary for widespread adoption are the following:

(A) Carrying on of engineering operations such as the construction of flood preventing reservoirs and channels, terraces, terrace outlets, check dams, dikes, ponds, ditches, and similar operations.

(B) The use of soil protecting agronomic practices, such as strip cropping, contour cropping, and conservation tillage.

(C) Land irrigation.

(D) Seeding and planting of sloping, abandoned, or eroded land to water-conserving and erosion-preventing plants, trees, and grasses.

(E) Forestation and reforestation.

(F) Rotation of crops.

(G) Soil stabilization with trees, grasses, legumes, and other thick-growing, soil-holding crops.

(H) Retardation of runoff by impounding the runoff water behind structures, by increasing the absorption of rainfall, and by retiring from cultivation all steep, highly erosive areas and areas already badly eroded.

(I) The use of water quality protection practices, including nutrient and pesticide management on all lands.
IC 14-32-1-2
Conservation policies
Sec. 2. In light of the determination set forth in section 1 of this chapter, it is the policy of the general assembly to provide for the proper management of soil and water resources, the control and prevention of soil erosion, the prevention of flood water and sediment damage, the prevention of water quality impairment, and the conservation, development, use, and disposal of water in the watersheds of Indiana to accomplish the following:
   (1) Conserve the natural resources, including wildlife.
   (2) Control floods.
   (3) Prevent impairment of dams and reservoirs.
   (4) Assist in maintaining the navigability of rivers and harbors.
   (5) Protect the water quality of lakes and streams.
   (6) Protect the tax base.
   (7) Protect public land.
   (8) Protect and promote the health, safety, and general welfare of the people of Indiana.
   (9) Protect a high quality water resource.
   (10) Protect and improve soil quality.
IC 14-32-2
Chapter 2. Soil Conservation Board

IC 14-32-2-1
Establishment
Sec. 1. The soil conservation board is established within the Indiana state department of agriculture established by IC 15-11-2-1 as the policy making body for soil and water conservation. 

IC 14-32-2-2
Members
Sec. 2. The board consists of the following seven (7) members:
(1) Four (4) members who must be land occupiers with farming interests, appointed by the governor.
(2) Three (3) members who must be land occupiers with nonfarming interests, appointed by the governor.

IC 14-32-2-3
Qualifications of members
Sec. 3. (a) A majority of the seven (7) appointed members of the board must have experience as district supervisors.
(b) In making appointments to the board, the governor may invite and consider the recommendations of the following:
(1) The Purdue University cooperative extension service.
(2) The Indiana state department of agriculture.
(3) The Indiana Association of Soil and Water Conservation Districts.
(c) All appointments to the board shall be made without regard to political affiliation.
(d) The members appointed to the board under section 2(1) and 2(2) of this chapter must be residents of at least four (4) different geographic regions of Indiana.

IC 14-32-2-4
Term for members
Sec. 4. The term of an appointed member of the board is four (4) years. An appointed member shall serve until a successor is appointed and has qualified. The terms shall be staggered so that at least three (3) members are appointed every two (2) years.

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**IC 14-32-2-5**

**Travel expenses and per diem salary**

Sec. 5. The appointed members of the board are entitled to the following:

(1) Reimbursement for travel, lodging, meals, and other expenses as provided in the state travel policies and procedures established by the Indiana department of administration and approved by the budget agency.

(2) The minimum salary per diem as provided in IC 4-10-11-2.1(b) for each day that the members are engaged in the official business of the board.

*As added by P.L.1-1995, SEC.25.*

**IC 14-32-2-6**

**Repealed**

*(Repealed by P.L.136-1997, SEC.43.)*

**IC 14-32-2-7**

**Appointment of advisory members**

Sec. 7. (a) The governor may appoint advisory members from other organizations that promote conservation, including local, state, and federal agencies upon the recommendation of the board.

(b) The governor shall appoint members to the advisory board that represent the following:

(1) The Indiana state department of agriculture.

(2) The department of natural resources.

(3) The department of environmental management.

(4) The Purdue University cooperative extension service.

(5) The Indiana Association of Soil and Water Conservation Districts.

(6) The Farm Service Agency of the United States Department of Agriculture.

(7) The Natural Resources Conservation Service of the United States Department of Agriculture.


**IC 14-32-2-8**

**Election of chairman of the board**

Sec. 8. (a) The members of the board shall elect a member as the chairman of the board.

(b) The director of the division of soil conservation established within the Indiana state department of agriculture by IC 15-11-4-1 is the secretary of the board.


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IC 14-32-2-9  
Quorum  
Sec. 9. A majority of the members of the board constitutes a quorum. The concurrence of a majority of the members is required for the board to take any action.  
As added by P.L.1-1995, SEC.25.

IC 14-32-2-10  
Delegation of powers and duties  
Sec. 10. The board may delegate the powers and duties that the board considers proper to:  
(1) the chairman of the board;  
(2) any of the members of the board; or  
(3) the division of soil conservation.  
As added by P.L.1-1995, SEC.25.

IC 14-32-2-11  
Attorney general providing legal services  
Sec. 11. (a) The board may call upon the attorney general for the legal services that the board requires.  
(b) For the purpose of carrying out any of the board's functions, the supervising officers of a state agency or of a state educational institution shall, upon request of the board, do the following:  
(1) Assign or detail to the board any personnel of the agency or educational institution, taking into account available appropriations and the needs of the entity to which the request is directed.  
(2) Make the special reports, surveys, or studies that the board requests.  

IC 14-32-2-12  
Duties of board  
Sec. 12. The board shall do the following:  
(1) Provide for the execution of surety bonds for all board employees and officers who are entrusted with money or property.  
(2) Provide for the keeping of a full and accurate record of all board proceedings and of all resolutions and rules the board issues or adopts. The accounts of receipts and disbursements are subject to examination by the state board of accounts.  
(3) Offer appropriate assistance to the supervisors of soil and water conservation districts to carry out district powers and programs.  
(4) Keep the supervisors of districts informed of the activities and experience of all other districts and facilitate cooperation and an interchange of advice and experience among districts.  
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(5) Coordinate the programs of the districts as far as this may be done by advice and consultation.

(6) Secure the cooperation and assistance of the United States and state agencies in the work of the districts. However, this subdivision does not authorize either of the following:

   (A) The transfer or control of authority over districts to a federal agency.

   (B) The transfer of title of land or control to the United States.

(7) Disseminate information throughout Indiana concerning the activities and programs of the districts and encourage the formation of districts in areas where organization is desirable.

(8) Coordinate the erosion and sediment part of 33 U.S.C. 1288 (Public Law 92-500, Section 208) and other erosion and sediment reduction programs that affect water quality, in cooperation with state and federal agencies and through districts as provided under IC 14-32-5-1.

(9) Develop a statewide regulatory program to be initiated after all reasonable voluntary approaches to erosion and sediment reduction have been exhausted.

(10) Conduct an inventory of conservation needs for planning purposes and to inform the general assembly.

(11) Hold meetings in locations throughout Indiana.

(12) Adopt rules under IC 4-22-2 to implement this article.


IC 14-32-2-13
Public hearings
Sec. 13. The board may perform the acts and hold the public hearings that are necessary for the execution of the board's functions under this article.
As added by P.L.1-1995, SEC.25.

IC 14-32-3
Repealed
(Repealed by P.L.136-1997, SEC.43.)
IC 14-32-4
Chapter 4. Supervisors

IC 14-32-4-1
Number and qualifications
Sec. 1. (a) The governing body of a district consists of five (5) supervisors as follows:
   (1) Two (2) who are appointed.
   (2) Three (3) who are elected.
(b) To hold the position of elected supervisor, an individual:
   (1) must be an occupier of a tract of land that is located within the district;
   (2) must maintain the individual's permanent residence within the district; and
   (3) must be qualified by training and experience to perform the duties that this article imposes on supervisors.
(c) To hold the position of appointed supervisor, an individual:
   (1) must be of voting age;
   (2) must maintain the individual's permanent residence within the district; and
   (3) must be qualified by training and experience to perform the duties that this article imposes on supervisors.


IC 14-32-4-2
Repealed
(Repealed by P.L.136-1997, SEC.43.)

IC 14-32-4-3
Repealed
(Repealed by P.L.136-1997, SEC.43.)

IC 14-32-4-4
Repealed
(Repealed by P.L.136-1997, SEC.43.)

IC 14-32-4-5
Repealed
(Repealed by P.L.136-1997, SEC.43.)

IC 14-32-4-6
Annual meeting; agenda
Sec. 6. (a) During the first quarter of each calendar year, each district shall hold an annual meeting of all land occupiers in the district. The meeting shall be held on a date designated by the supervisors. The supervisors shall give due notice of the time and place of the meeting.

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(b) At the meeting:
(1) the supervisors shall make a full and an accurate report of the activities and financial affairs of the district since the previous annual meeting; and
(2) an election shall be conducted by the land occupiers present to elect one (1) supervisor to a three (3) year term of office beginning on the date of the meeting.
(c) The supervisors shall provide a copy of the annual report presented at the meeting to the board and, upon request, to:
(1) other cooperating agencies;
(2) residents of the district; and
(3) any other individual or entity that requests a copy of the annual report.


IC 14-32-4-7
Election committee; composition and annual meeting
Sec. 7. (a) The election held at the annual meeting of land occupiers shall be conducted by an election committee appointed under this section.
(b) In October, the district chairman shall do the following:
(1) Appoint an election committee made up of a supervisor as chairman and two (2) interested citizens.
(2) Submit the names of the committee members to the board by November 1.


IC 14-32-4-8
Election committee duties
Sec. 8. The election committee appointed under section 7 of this chapter shall do the following:
(1) Select qualified individuals as prospective nominees to fill any vacancies that exist among the elected supervisors of the district.
(2) Contact and ascertain the willingness and ability of each individual to serve if elected.
(3) Submit the list of nominees with the qualifications for certification and printing of a sample ballot to the board by December 1.
(4) Place the names of the prospective nominees selected under subdivisions (1) and (2) in nomination at the meeting and provide an opportunity for additional nominations to be made from the floor.
(5) After nominations are closed:
(A) if only one (1) candidate is nominated, allow for the election of the sole candidate by the land occupiers by a
show of hands; and
(B) if more than one (1) candidate is nominated, distribute
a ballot to each land occupier present at the meeting.
(6) If a ballot is distributed, collect and count the ballots after
each land occupier present at the meeting has had an
opportunity to vote.
(7) Report the results of the election to the chairman.


IC 14-32-4-9
Election results
Sec. 9. (a) If a tie vote occurs in an election held at an annual
meeting under this chapter, voting shall continue until the tie is
broken.
(b) The individual receiving the highest number of votes is elected
a supervisor for the three (3) year term. If there is also a vacancy to
fill an unexpired term of an elected supervisor, the individual
receiving the second highest number of votes is elected to fill the
unexpired term.
(c) The chairman shall announce the individuals who have been
elected and report the election results to the board.
SEC.19.

IC 14-32-4-10
Appointed supervisor; term; filling position upon expiration of
term
Sec. 10. (a) The term of an appointed supervisor is three (3) years.
(b) Before the term of an appointed supervisor expires, the
supervisor's position shall be filled as follows:
(1) Not later than November 1, the district supervisors shall
recommend to the board in writing one (1) or more individuals
qualified to fill the position.
(2) At the first board meeting held after the board receives a
recommendation under subdivision (1), the board shall act upon
the recommendation.
(3) The board shall notify the supervisors of the appointment
made by the board.
SEC.20.

IC 14-32-4-10.5
Appointment of associate supervisors
Sec. 10.5. (a) The board may appoint associate supervisors to
assist in performing duties in each district.
(b) Associate supervisors are nonvoting members of the board and
may not hold officer positions on the board.
(c) Associate supervisors may be reimbursed for approved expenses but are not entitled to per diem.

\textit{As added by P.L.175-2006, SEC.12.}

\textbf{IC 14-32-4-11}

\textbf{Oath of office}

Sec. 11. Newly elected and appointed supervisors shall assume the duties of office upon signing an oath of office at the conclusion of the annual meeting of the district.


\textbf{IC 14-32-4-12}

\textbf{Successor to supervisor}

Sec. 12. A supervisor holds office until the supervisor's successor has been elected or appointed and qualified.

\textit{As added by P.L.1-1995, SEC.25.}

\textbf{IC 14-32-4-13}

\textbf{Elected supervisor; vacancy}

Sec. 13. (a) If a vacancy in the position of elected supervisor occurs during the district's operating year:

(1) the district supervisors shall, within thirty (30) days after the vacancy occurs, recommend to the board in writing one (1) or more individuals qualified to fill the position;

(2) at the first board meeting held after the board receives a recommendation under subdivision (1), the board shall act upon the recommendation and appoint an individual to temporarily fill the vacancy; and

(3) the board shall notify the supervisors of the appointment made by the board.

(b) The individual appointed to temporarily fill a vacancy under subsection (a) shall serve until the district's next annual meeting.

(c) At the annual meeting immediately following the appointment of an individual to temporarily fill a vacant elected supervisor's position, the position shall be filled through the regular election procedure set forth in sections 6 through 9 of this chapter.


\textbf{IC 14-32-4-13.5}

\textbf{Appointed supervisor; vacancy}

Sec. 13.5. (a) If a vacancy in the position of appointed supervisor occurs during a district's operating year:

(1) the district supervisors shall, within thirty (30) days after the vacancy occurs, recommend to the board in writing one (1) or more individuals qualified to fill the position;

(2) at the first board meeting held after the board receives a
recommendation under subdivision (1), the board shall act upon
the recommendation; and
(3) the board shall notify the supervisors of the appointment
made by the board.
(b) The individual appointed to fill a vacant appointed supervisor
position under subsection (a) shall serve the unexpired term of the
individual's predecessor.
(c) At the expiration of the term of a supervisor appointed under
this section, the position of appointed supervisor shall be filled
through the regular appointment procedure set forth in section 10 of
this chapter.
As added by P.L.136-1997, SEC.23.

IC 14-32-4-14
Chairman
Sec. 14. The supervisors shall designate a chairman and may
change the designation.
As added by P.L.1-1995, SEC.25.

IC 14-32-4-15
Removal of supervisor
Sec. 15. The board may, upon notice and a hearing, remove a
supervisor for neglect of duty or malfeasance in office, but for no
other reason.
As added by P.L.1-1995, SEC.25.

IC 14-32-4-16
Quorum
Sec. 16. A majority of the supervisors constitutes a quorum and
the concurrence of a majority of the supervisors is required for the
determination of any matter.
As added by P.L.1-1995, SEC.25.

IC 14-32-4-17
Travel expenses and per diem salary
Sec. 17. (a) A supervisor may be paid a salary per diem for any
part of a day that the supervisor is engaged in the official business of
the district in any amount not to exceed the salary per diem that may
be paid by the state under IC 4-10-11-2.1(b).
(b) A supervisor may also receive for travel, lodging, meals, and
other expenses any amount not to exceed the amount a county
employee of the county in which the supervisor resides is entitled to
receive under the policies and procedures established by the county.
(c) All amounts under this section shall be fixed by the
supervisors of each district and paid from money of the district.
As added by P.L.1-1995, SEC.25.

IC 14-32-4-18

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Personnel
Sec. 18. (a) The supervisors of a district:
   (1) may employ necessary personnel, subject to IC 36-2-5-3 and
       IC 36-2-5-7; and
   (2) shall:
       (A) determine the qualifications and duties of the personnel;
       and
       (B) provide supervision to personnel.
(b) In any district except a district containing a consolidated city, an employee of the district:
   (1) is considered to be an employee of the county in which the
       employee works, except as provided in subsection (c); and
   (2) is eligible for and shall be included in all fringe benefit
       programs provided for employees of the county.
(c) An employee of a district whose position is funded entirely
   from sources outside the county in which the employee works solely
   on the basis of the funding of the employee's position is not
   considered an employee of the county.

IC 14-32-4-19
Legal counsel
Sec. 19. (a) The supervisors and employees of a district are
subject to IC 34-13-3.
(b) The supervisors of a district may employ their own counsel
and legal staff.

IC 14-32-4-20
Delegation of powers and duties
Sec. 20. The supervisors may delegate the powers and duties that
the supervisors consider proper to any of the following:
   (1) The chairman.
   (2) Any number of supervisors.
   (3) Any number of agents or employees.
As added by P.L.1-1995, SEC.25.

IC 14-32-4-21
Information concerning supervisors' activities
Sec. 21. The supervisors of a district shall furnish to the board,
upon request, copies of rules, contracts, forms, and other information
concerning the activities of the supervisors that the board requires in
the performance of duties under this article.

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IC 14-32-4-22
Duties of supervisors
Sec. 22. The supervisors of a district shall do the following:
   (1) Provide for the execution of surety bonds for all district employees and officers who are entrusted with money or property.
   (2) Provide for the keeping of a full and accurate record of all district proceedings and of all district resolutions and orders issued or adopted.
   (3) Provide for an annual audit of the accounts of receipts and disbursements of the district.
   (4) Provide a copy of each annual financial statement of the district to the board not later than March 31.

IC 14-32-4-23
Municipality or county designating representative
Sec. 23. The supervisors may invite the legislative body of a municipality or county located near the territory comprised within the district to designate a representative to advise and consult with the supervisors on all questions of program and policy that affect the property, water supply, or other interests of the municipality or county.
As added by P.L.1-1995, SEC.25.

IC 14-32-4-24
Approval of claims
Sec. 24. (a) Claims against a district must be allowed and approved by the governing body of the district before payment by the district's fiscal officer. However, the governing body may, subject to review and approval at the governing body's next regular meeting, authorize the following:
   (1) Payroll.
   (2) Insurance premiums.
   (3) Utility payments.
   (4) Bulk mailing fees.
   (5) Maintenance agreements and service agreements.
   (6) Lease agreements and rental agreements.
   (7) Expenses that must be paid because of emergency circumstances.
   (8) Recurring or periodic expenses specifically authorized by a resolution adopted at a governing body meeting.
   (b) Each payment under this section must be certified by the district's fiscal officer. The certification must be on a form prescribed by the state board of accounts.
As added by P.L.52-2010, SEC.1.

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IC 14-32-5
Chapter 5. Powers and Duties of Districts

IC 14-32-5-1
General powers
Sec. 1. (a) A district constitutes a governmental subdivision of the state and a public body corporate and politic exercising public powers.

(b) A district may do the following:
   (1) Carry out soil erosion and water runoff preventive and control measures within the district, including engineering operations, methods of cultivation, the growing of vegetation, changes in use of land, and the measures listed in IC 14-32-1-1(7) and IC 14-32-1-1(8), on the following:
      (A) Land owned or controlled by the state with the consent and cooperation of the agency administering and having jurisdiction of the land.
      (B) Any other land within the district upon obtaining the consent of the occupier of the land or the necessary rights or interests in the land.
   (2) Construct, improve, operate, and maintain the structures that are necessary or convenient for the performance of any of the operations authorized in this article.
   (3) Cooperate or enter into agreements with, and within the limits of appropriations made available to the district by law to furnish financial or other aid to, a federal, state, or other agency or an occupier of land within the district in the carrying on of conservation operations within the district, subject to the conditions that the supervisors consider necessary to advance the purpose of this article.
   (4) Obtain options upon and acquire, by purchase, exchange, lease, gift, grant, bequest, devise, or otherwise, real or personal property or rights or interests in property.
   (5) Maintain, administer, and improve property acquired, receive income from the property, and expend the income in carrying out this article.
   (6) Sell, lease, or otherwise dispose of property or interests in property in furtherance of this article.
   (7) Make available to land occupiers within the district, on terms that the district prescribes:
      (A) agricultural and engineering machinery and equipment;
      (B) fertilizer;
      (C) seeds;
      (D) seedlings;
      (E) other material or equipment; and
      (F) services from the district;
      that will assist in conserving the soil and water resources of the land occupiers.

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(8) Develop or participate in the development of comprehensive plans for the proper management of soil and water resources within the district that specify the acts, procedures, performances, and avoidances necessary or desirable for the effectuation of the plans.

(9) Publish plans and information developed under subdivision (8) and bring the plans and information to the attention of land occupiers within the district.

(10) Take over, with the consent of the United States or the state, by purchase, lease, or otherwise, and administer any soil and water conservation, erosion control, water quality protection, or flood prevention project of the entity located within the district's boundaries.

(11) Manage, as agent of the United States or the state, any soil and water conservation, erosion control, water quality protection, flood prevention, or outdoor recreation project within the district's boundaries.

(12) Act as agent for the United States or the state in connection with the acquisition, construction, operation, or administration of any soil and water conservation, erosion control, water quality protection, flood prevention, or outdoor recreation project within the district's boundaries.

(13) Accept donations, gifts, and contributions in money, services, materials, or otherwise from the United States and use or expend the services, materials, or other contributions in carrying on the district's operations.

(14) Sue and be sued in the name of the district.

(15) Have perpetual succession unless terminated as provided in this article.

(16) Make and execute contracts and other instruments necessary or convenient to the exercise of the district's powers.

(17) Adopt rules and regulations consistent with this article to carry into effect the purposes and powers of this article.

(18) Require an occupier of land not owned or controlled by the state, as a condition to extending benefits under this article to or the performance of work upon the land, to do either or both of the following:

(A) Make contributions in money, services, materials, or otherwise to an operation conferring benefits.

(B) Enter into agreements or covenants concerning the use and treatment of the land that will tend to:

(i) prevent or control soil erosion;

(ii) achieve water conservation and water quality protection; and

(iii) reduce flooding;

on the land.

(19) Cooperate with the state in the following:

(A) Conducting surveys, investigations, and research relating
to the character of soil erosion and water losses and the preventive and control measures needed. 

(B) Publishing the results of the surveys, investigations, or research.

(C) Disseminating information concerning the preventive and control measures.

(D) The management of watersheds.

(20) Cooperate with the state in conducting, within the district, soil and water conservation, erosion control, water quality protection, and flood prevention demonstration projects:

(A) on land owned or controlled by the state with the agency administering and having jurisdiction of the land; and

(B) on any other land upon obtaining the consent of the occupier of the land or the necessary rights or interests in the land.

(21) Serve as the management agency for:

(A) the erosion and sediment part of 33 U.S.C. 1288 (P.L. 92-500, section 208); and

(B) other erosion and sediment reduction programs that affect water quality in each county.


IC 14-32-5-2

Inapplicable provisions

Sec. 2. A provision concerning the acquisition, operation, or disposition of property by other public bodies does not apply to a district unless the provision specifically states that the provision applies.

As added by P.L.1-1995, SEC.25.

IC 14-32-5-3

Bids, proposals, or quotations submitted by a trust

Sec. 3. If:

(1) a district disposes of real property or awards a contract for the procurement of property by acceptance of bids, proposals, or quotations; and

(2) a bid, proposal, or quotation is submitted by a trust (as defined in IC 30-4-1-1(a));

the bid, proposal, or quotation submitted by the trust must identify each beneficiary of the trust and each settlor empowered to revoke or modify the trust.


IC 14-32-5-3.5

Certificate of organization; rebuttable presumption of establishment of district

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Sec. 3.5. (a) In an action or proceeding that:
(1) relates to; or
(2) involves the validity or enforcement of;
a contract, proceeding, or action of a district, proof of the issuance
of a certificate of organization to the district by the secretary of state
creates a rebuttable presumption of the establishment of the district
under this article or IC 13-3-1 (before its repeal).
(b) A copy of a certificate of organization that was issued to a
district and certified by the secretary of state is:
(1) admissible in evidence in an action or proceeding referred
to in subsection (a); and
(2) proof of the filing and contents of the certificate.

IC 14-32-5-4
"Landfill"; inspection
Sec. 4. (a) As used in this section, "landfill" means a facility
where solid waste is to be disposed of through placement on or
beneath the surface of the ground. However, the term does not
include any of the following:
(1) A land application operation regulated under 327 IAC 6.
(2) A surface impoundment.
(3) An injection well.
(4) A facility for the disposal of solid waste other than sludge
from a municipal wastewater treatment plant that is:
(A) generated at the site of the facility; or
(B) generated by the owner or operator of the facility.
(5) An operation permitted under IC 14-34.
(b) As used in this section, "underground injection" means the
subsurface emplacement of fluids through:
(1) a bored, drilled, or driven shaft; or
(2) a dug hole, the depth of which is greater than the hole's
largest surface dimension.
(c) A district shall inspect every landfill located within the
boundaries of the district for compliance with rules adopted under
IC 13-18 or IC 13-19 concerning erosion and sediment control. Each
landfill shall be inspected under this section at least two (2) times
each calendar year as follows:
(1) One (1) time before July 1.
(2) One (1) time after June 30 and before December 31.
(d) Not later than ten (10) days after an inspection of a landfill
under this section, the individual who conducted the inspection on
behalf of the district shall prepare a written report on the results of
the inspection and send the report to the following:
(1) The executive of the county.
(2) The commissioner of the department of environmental
management.
(3) The director of the division of soil conservation established

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within the Indiana state department of agriculture by IC 15-11-4-1.


IC 14-32-5-5
Prohibited actions
Sec. 5. A district may not do any of the following:
(1) Exercise the right of eminent domain.
(2) Incur indebtedness beyond available money.
(3) Issue bonds.
(4) Take contributions by exactions or persuasions. However, the district may accept voluntary contributions from any source if the following conditions are met:
   (A) The donations are offered for the sole and exclusive purpose of promoting soil and water conservation within the district.
   (B) The district satisfactorily guarantees to the donors the faithful use of the donations for that purpose.
(5) Engage in:
   (A) the marketing of farm products; or
   (B) the buying and selling of farm supplies; other than those products or supplies used or needed directly or indirectly in soil and water conservation work.
(6) Engage in agricultural research or agricultural extension teaching except in cooperation with Purdue University.
(7) Levy taxes.
(8) Make or levy benefit assessments or any other kind of assessments.


IC 14-32-5-6
Cooperation among districts
Sec. 6. Districts organized under this article or IC 13-3-1 (before its repeal) may cooperate with each other in carrying on the work of the districts. However, this section does not permit the transfer of authority or powers from one (1) district to another.


IC 14-32-5-7
State agencies and governmental subdivisions cooperating with districts
Sec. 7. (a) An:
(1) agency of the state; or
(2) county or other governmental subdivision of the state;

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that has jurisdiction over or is charged with the administration of publicly owned land lying within the boundaries of a district shall cooperate to the fullest extent with the district to effect programs and operations undertaken by the district under this article.

(b) The district shall be given free access to enter and perform work upon the publicly owned land referred to in subsection (a).


IC 14-32-5-8
Appropriations

Sec. 8. The fiscal body of each county that contains a district in whole or in part may appropriate money for the use of the district serving the county from which the appropriation is to be made.

As added by P.L.1-1995, SEC.25.

IC 14-32-6
Repealed

(Repealed by P.L.136-1997, SEC.43.)
IC 14-32-6.5
Chapter 6.5. Changing the Boundaries of a District or Dissolving a District

IC 14-32-6.5-1
Petitions to change boundaries or dissolve districts
Sec. 1. (a) Land occupiers of a district may file a petition with the board requesting either of the following:
(1) That the boundaries of the district be changed to encompass territory described in the petition.
(2) That the district cease to operate and be dissolved.
(b) A petition filed under this section must be signed by at least twenty-five (25) land occupiers whose tracts of land are located within the boundaries of the district referred to in the petition.
As added by P.L.136-1997, SEC.35.

IC 14-32-6.5-2
Petition to change boundaries; conditions
Sec. 2. In the case of a petition filed under section 1(a)(1) of this chapter to change the boundaries of a district, the following conditions apply:
(1) The territory proposed for inclusion in the reconfigured district may consist of two (2) or more separate tracts, and the tracts need not be contiguous.
(2) The petition must include a generally accurate description of the territory proposed for inclusion in the reconfigured district, but the territory need not be defined by metes and bounds or by legal subdivisions.
As added by P.L.136-1997, SEC.35.

IC 14-32-6.5-3
Petition to change boundaries; requirements of territory proposed for inclusion
Sec. 3. (a) If:
(1) a petition is filed under section 1(a)(1) of this chapter to change the boundaries of a district; and
(2) the territory proposed for inclusion in the reconfigured district includes all or part of the territory of one (1) or more existing districts;
the petition must meet the requirement set forth in subsection (b), subsection (c), or subsection (d).
(b) If the territory proposed for inclusion includes only a portion of the existing district, a petition described in subsection (a) must be signed by at least twenty-five (25) land occupiers whose tracts of land are located within the territory, except as provided in subsection (d).
(c) If the territory proposed for inclusion includes all or part of two (2) or more existing districts, the petition must be signed by at

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least twenty-five (25) land occupiers whose tracts of land are located within the part of each existing district that is proposed for inclusion, except as provided in subsection (d).

(d) If there are fewer than fifty (50) land occupiers whose tracts of land are located in:

(1) a territory referred to in subsection (b); or
(2) a part of a district referred to in subsection (c);

the petition must be signed by a majority of the land occupiers whose tracts of land are located within the territory or part of a district.

(e) The signature requirements of this section are in addition to the signature requirement imposed by section 1(b) of this chapter.

As added by P.L.136-1997, SEC.35.

IC 14-32-6.5-4
Petition to change boundaries; joint resolution of districts required
Sec. 4. (a) If:

(1) a petition is filed under section 1(a)(1) of this chapter to change the boundaries of a district; and
(2) the territory proposed for inclusion in the reconfigured district includes all or part of the territory of one (1) or more other existing districts;

the petition must be accompanied by a copy of a joint resolution described in subsection (b).

(b) The resolution required by this section must be adopted by the supervisors and certified by the secretary of:

(1) the district into which the territory proposed for inclusion would be incorporated; and
(2) each district whose territory would be incorporated into the district referred to in subdivision (1).

(c) The resolution required by this section must set forth:

(1) the amount of the assets and obligations that would be transferred to the district referred to in subsection (b)(1) by each district referred to in subsection (b)(2) as part of the incorporation of territory; and
(2) the amount of the assets and obligations of the district referred to in subsection (b)(1) that would be retained by the district after the incorporation of territory.

As added by P.L.136-1997, SEC.35.

IC 14-32-6.5-5
Petitions to change boundaries or dissolve districts; invalidity
Sec. 5. If a petition filed under section 1 of this chapter does not meet the requirements set forth in sections 1 through 4 of this chapter, the board shall:

(1) declare the petition invalid;
(2) in writing, inform the person who filed the petition that the petition is invalid, specifying the reason or reasons for the invalidity of the petition; and

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(3) return the petition to the person who filed it for the incorporation of corrections to remedy the invalidity.

As added by P.L.136-1997, SEC.35.

IC 14-32-6.5-6
Petitions to change boundaries or dissolve districts; hearing
Sec. 6. (a) If a petition filed under section 1 of this chapter meets the requirements set forth in sections 1 through 4 of this chapter, the board shall do the following:

(1) Not more than sixty (60) days after the filing of the petition, give due notice that a hearing will be held concerning the petition.

(2) Pay all expenses arising from the issuance of the notice and the holding of the hearing.

(3) Conduct the hearing.

(b) The hearing held on the petition shall be open to the public. The following may testify at the hearing:

(1) A land occupier whose tract of land is located within the district or territory referred to in the petition.

(2) An individual of voting age who resides within the district or territory referred to in the petition.

(c) Testimony may be presented at the hearing concerning:

(1) the desirability and necessity, in the interest of the public welfare, of granting the petition;

(2) the validity of:

(A) the petition; and

(B) proceedings conducted on the petition under this chapter; and

(3) all questions relevant to the petition.

As added by P.L.136-1997, SEC.35.

IC 14-32-6.5-7
Petitions to change boundaries or dissolve districts; considerations
Sec. 7. (a) When considering a petition to change the boundaries of a district, the board shall consider and give due weight to the following:

(1) The information presented at the hearing held under section 6 of this chapter.

(2) The attitudes toward the change in district boundaries expressed by land occupiers whose tracts of land are located within the territory proposed for inclusion within the district.

(3) The desirability and necessity of including the territory within the district, including the benefits that the land occupiers whose tracts of land are located within the territory may receive from the inclusion.

(4) The relation of the territory to:

(A) watersheds;

(B) agricultural regions; and

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(C) other districts.

(5) The physical, geographical, and economic factors that are relevant, having regard to the legislative determination set forth in IC 14-32-1.

(b) When considering a petition to dissolve a district, the board shall consider and give due weight to the following:

1. The information presented at the hearing held under section 6 of this chapter.
2. The attitudes toward dissolution of the district expressed by land occupiers whose tracts of land are located within the district.
3. The approximate wealth and income of the residents of the district.
4. The probable expense of carrying on soil and water resource protection activities within the district.
5. Other economic and social factors that are relevant, having regard to the legislative determination set forth in IC 14-32-1.

As added by P.L.136-1997, SEC.35.

IC 14-32-6.5-8
Denial of petition
Sec. 8. Not more than sixty (60) days after a public hearing on a petition is held under section 6 of this chapter, the board shall determine whether the petition should be denied.

As added by P.L.136-1997, SEC.35.

IC 14-32-6.5-9
Denial of petition; record of determination; notice
Sec. 9. If, after the hearing and consideration of the factors set forth in section 7 of this chapter, the board determines that a petition should be denied, the board shall, when appropriate, do the following:

1. Record the determination.
2. Deny the petition.
3. Notify a representative of the petitioners in writing that the petition is denied.

As added by P.L.136-1997, SEC.35.

IC 14-32-6.5-10
Petitions to change boundaries or dissolve districts; procedures if not denied
Sec. 10. (a) If, after the hearing and consideration of the factors set forth in section 7(a) of this chapter, the board determines that a petition to change the boundaries of a district should not be denied, the board shall, when appropriate, do the following:

1. Record the determination.
2. Define, by metes and bounds or by legal subdivisons, the territory to be included in the proposed reconfigured district.

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(3) In consultation with the petitioners, establish a name for the proposed reconfigured district.

(4) Not more than sixty (60) days after recording the determination, give due notice that an election, by secret ballot, will be held on the local public question set forth in the petition.

(5) Prescribe appropriate procedures for the conduct of the election and the determination of the eligibility of voters.

(6) Supervise the conduct of the election.

(7) Publish the results of the election.

(8) Pay all expenses arising from the issuance of notices and the holding of the election.

(b) If, after the hearing and consideration of the factors set forth in section 7(b) of this chapter, the board determines that a petition to dissolve a district should not be denied, the board shall, when appropriate, do the following:

(1) Record the determination.

(2) Not more than sixty (60) days after recording the determination, give due notice that an election, by secret ballot, will be held on the local public question set forth in the petition.

(3) Prescribe appropriate procedures for the conduct of the election and the determination of the eligibility of voters.

(4) Supervise the conduct of the election.

(5) Publish the results of the election.

(6) Pay all expenses arising from the issuance of notices and the holding of the election.

As added by P.L.136-1997, SEC.35.

IC 14-32-6.5-11
Elections to change boundaries or dissolve districts; contents of ballots

Sec. 11. (a) The ballot provided for an election on whether to change the boundaries of a district must contain the following:

(1) A definition, by metes and bounds or by legal subdivisions, of the territory within the proposed reconfigured district.

(2) Two (2) propositions, one (1) of which reads "For creation of the (insert name) soil and water conservation district comprising the territory defined here" and the other of which reads "Against creation of the (insert name) soil and water conservation district comprising the territory defined here".

(3) A square in front of each proposition.

(4) Instruction to insert an X mark in the square before only one (1) of the propositions to indicate that the voter favors or opposes the inclusion of the described territory within the district.

(b) The ballot provided for an election on whether to dissolve a district must contain the following:

(1) Two (2) propositions, one (1) of which reads "For terminating the existence of the (insert name) soil and water conservation district comprising the territory defined here" and the other of which reads "Against terminating the existence of the (insert name) soil and water conservation district comprising the territory defined here".

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conservation district" and the other of which reads "Against terminating the existence of the (insert name) soil and water conservation district".

(2) A square in front of each proposition.
(3) Instruction to insert an X mark in the square before only one (1) of the propositions to indicate that the voter favors or opposes the dissolution of the district.

As added by P.L.136-1997, SEC.35.

IC 14-32-6.5-12
Elections to change boundaries or dissolve districts; voting

Sec. 12. (a) All land occupiers whose tracts of land are located within:
   (1) the boundaries of the district as they would be changed to encompass the territory proposed for inclusion; or
   (2) the district proposed for dissolution;
are eligible to vote in the election on the local public question held under section 10(a) or 10(b) of this chapter.
(b) A voting place used in the election must be arranged so that the voter can mark a ballot without disclosing to any person how the ballot was marked.
(c) An informality in the conduct of the election on the local public question or in a matter relating to the election does not invalidate the election or the result of the election if:
   (1) due notice of the election was given substantially as required by section 10 of this chapter and IC 14-8-2-80; and
   (2) the election was conducted fairly.

As added by P.L.136-1997, SEC.35.

IC 14-32-6.5-13
Elections to change boundaries or dissolve districts; simple majority required to deny

Sec. 13. If at least a simple majority of the votes cast on the local public question are against the request set forth in the petition, the board shall, when appropriate, do the following:
   (1) Certify the results of the election in the records of the board.
   (2) Declare the request set forth in the petition denied.

As added by P.L.136-1997, SEC.35.

IC 14-32-6.5-14
Elections to change boundaries or dissolve districts; simple majority required to implement request

Sec. 14. (a) In an election on the local public question of whether to change the boundaries of a district, the board shall proceed under subsection (c) if at least a simple majority:
   (1) of all the votes cast; and
   (2) of the votes cast in each:
       (A) district; or

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(B) portion of a district;
that would be included within the proposed reconfigured district;
are in favor of the inclusion of the described territory within the
district.
(b) In an election on the local public question of whether to
dissolve a district, the board shall proceed under subsection (c) if at
least a simple majority of the votes cast on the local public question
are in favor of the dissolution of the district.
(c) Under the circumstances set forth in subsection (a) or (b), the
board shall do the following:
(1) Certify the results of the election in the records of the board.
(2) Implement the request set forth in the petition under:
   (A) sections 15 through 21 of this chapter, if changing the
   boundaries of a district; or
   (B) sections 22 through 23 of this chapter, if dissolving a
district.

As added by P.L.136-1997, SEC.35.

IC 14-32-6.5-15
Appointed supervisors; terms
Sec. 15. (a) To incorporate the described territory within the
district, the board shall do the following not more than thirty (30)
days after certifying the election:
(1) Appoint two (2) individuals who meet the qualifications set
   forth in IC 14-32-4-1(c) as supervisors of the district.
(2) Establish the length of the terms of the appointed
   supervisors within the limits set forth in subsection (b).
(b) The term of one (1) supervisor appointed under subsection (a)
   may not be more than three (3) years. The term of the other
   supervisor appointed under subsection (a) may not be more than two
   (2) years.

As added by P.L.136-1997, SEC.35.

IC 14-32-6.5-16
Letter of application; presentation to secretary of state; contents
Sec. 16. (a) Not more than thirty (30) days after being appointed
under section 15(a) of this chapter, the two (2) appointed supervisors
shall present to the secretary of state the following:
(1) A notarized letter of application, signed by the two (2)
   appointed supervisors, for reorganization of the district as a
   governmental subdivision and a public body corporate and
   politic under this article.
(2) A copy of the original petition filed with the board.
(3) A copy of the certification by the board of the results of the
election held on the local public question.
(4) A copy of the records of appointment by the board of the
two (2) supervisors who signed the letter of application.

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(b) The letter of application presented under subsection (a) must include the following:

   (1) The name proposed for the district.
   (2) A definition, by metes and bounds or by legal subdivisions, of the reconfigured boundaries of the district.
   (3) A statement certifying that, upon notification by the secretary of state of the approval of the application, an existing district lying entirely within the boundaries of the newly reorganized district will terminate operation and cease to exist.

As added by P.L.136-1997, SEC.35.

IC 14-32-6.5-17
Certificate of organization

Sec. 17. (a) After receiving, examining, and approving a letter of application and the accompanying documents that are presented under section 16 of this chapter, the secretary of state shall do the following:

   (1) Issue to the appointed supervisors a certificate of organization indicating that the district is reestablished with boundaries incorporating the territory defined in the notarized letter of application presented under section 16 of this chapter.
   (2) Record the certificate of organization with the letter of application and accompanying documents in an appropriate record.
   (3) Issue to the supervisors of any existing district lying entirely within the boundaries of the newly reestablished district a certificate of dissolution of the existing district.
   (4) Record the certificate of dissolution in an appropriate record.

(b) On the date the secretary of state issues the certificates required by subsection (a):

   (1) all property and responsibilities of any existing district lying entirely within the boundaries of the newly reestablished district are assumed by the reestablished district; and
   (2) any existing district lying entirely within the boundaries of the newly reestablished district ceases to exist.

As added by P.L.136-1997, SEC.35.

IC 14-32-6.5-18
Elected supervisors; petitions for nomination

Sec. 18. (a) After the secretary of state issues a certificate of organization to the supervisors of a newly reestablished district under section 17 of this chapter, the board shall, when appropriate, circulate petitions for the nomination of candidates for the three (3) elected supervisor positions of the reestablished district. The petitions must be filed with the board not more than sixty (60) days after the secretary of state issues the certificate of organization. However, the board may extend the time within which the petitions

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may be filed.

(b) To be valid, a nominating petition must meet the following conditions:

1. The candidate named on the petition must meet the qualifications for elected supervisors set forth in IC 14-32-4-1(b).
2. The petition must be signed by at least twenty-five (25) land occupiers whose tracts of land are located within the district.
3. A land occupier may sign more than one (1) petition to nominate more than one (1) candidate.
4. Not more than thirty (30) days after receiving at least four (4) valid nominating petitions, the board shall do the following:
   1. Give due notice that an election, by secret ballot, will be held to elect the three (3) supervisors of the newly reestablished district.
   2. Prescribe appropriate procedures for the conduct of the election and the determination of the eligibility of voters.
   3. Supervise the conduct of the election.
   4. Publish the results of the election.
   5. Pay all expenses arising from the issuance of notices and the holding of the election.

As added by P.L.136-1997, SEC.35.

IC 14-32-6.5-19
Election of supervisors; contents of ballots

Sec. 19. (a) The ballot provided for the initial election of supervisors of a newly reestablished district must contain the following:

1. The names, in alphabetical order of the surnames, of all the nominees on behalf of whom valid nominating petitions have been filed.
2. A square in front of each name.
3. Instruction to insert an X mark in the square before any three (3) of the names to indicate the voter's preference.

(b) A land occupier whose tract of land is located within the newly reestablished district is eligible to vote in the election.

As added by P.L.136-1997, SEC.35.

IC 14-32-6.5-20
Elected supervisors; terms

Sec. 20. (a) The three (3) candidates who receive the largest number of votes cast in the initial election of supervisors of a newly reestablished district are elected.

(b) The terms of office of the elected supervisors are as follows:
1. The individual receiving the highest number of votes has a three (3) year term of office.
2. The individual receiving the second highest number of votes has a two (2) year term of office.

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(3) The individual receiving the third highest number of votes has a 1 year term of office.

(c) If a tie vote occurs among the three individuals elected as supervisors, the terms of office for those receiving the same number of votes shall be decided by lot.

As added by P.L.136-1997, SEC.35.

IC 14-32-6.5-21
Elected supervisors; oath of office; commencement of term

Sec. 21. (a) The five (5) initial supervisors of a newly reestablished district shall assume the duties of office upon taking and signing an oath of office. The oath shall be administered:

(1) to the two (2) appointed supervisors at the date of their appointment by the board; and

(2) to the three (3) elected supervisors within one (1) week after publication by the board of the results of the election.

(b) An appointed supervisor holding office when a district is reestablished under sections 15 through 21 of this chapter is discharged from office when the initial appointed supervisors of the reestablished district assume the duties of office under subsection (a). An elected supervisor holding office when a district is reestablished under sections 15 through 21 of this chapter is discharged from office when the initial elected supervisors of the reestablished district assume the duties of office under subsection (a).

(c) Although an initial supervisor assumes the duties of office at the time set forth in subsection (a), the term of office of the supervisor does not begin until the conclusion of the first annual meeting of the newly reestablished district for purposes of determining the expiration of the supervisor's term of office.

As added by P.L.136-1997, SEC.35.

IC 14-32-6.5-22
Dissolution; procedures; certificate

Sec. 22. (a) To proceed with the dissolution of a district under section 14(b) of this chapter in accordance with the results of an election, the supervisors of the district, upon notification of the results of the election, shall do the following:

(1) Begin immediately to terminate the affairs of the district.

(2) Dispose of all property belonging to the district at public auction and pay over the proceeds of the sale into the state treasury.

(3) File with the secretary of state a notarized letter of application for dissolution of the district that:

(A) recites that the property of the district has been disposed of and the proceeds of the sale paid over as required by this section; and

(B) sets forth a full accounting of the property and proceeds

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of the sale.

(4) Transmit with the letter of application a copy of the certification by the board of the results of the election on the local public question of whether to dissolve the district.

(b) Upon receipt, examination, and approval of the letter of application and accompanying required document, the secretary of state shall do the following:

(1) Issue to the supervisors a certificate of dissolution.

(2) Record the certificate with the letter of application and accompanying required document in an appropriate record.

As added by P.L.136-1997, SEC.35.

IC 14-32-6.5-23
Dissolution; contracts remain in force

Sec. 23. (a) Despite the issuance of a certificate of dissolution of a district under section 22 of this chapter, all contracts to which the district is a party remain in force and effect for the period provided in the contracts.

(b) The board:

(1) is substituted for the district as party to the contracts;

(2) is entitled to all benefits and subject to all liabilities under the contracts; and

(3) has the same right and obligation under the contracts as the district would have had to:

(A) perform;

(B) require performance;

(C) sue and be sued; and

(D) modify or terminate the contracts by mutual consent or otherwise.

As added by P.L.136-1997, SEC.35.

IC 14-32-6.5-24
Denial of petition for change in boundaries; delay before similar request considered

Sec. 24. If a valid petition requesting a change in the boundaries of a district or the dissolution of a district has been denied due to:

(1) the determination of the board after a public hearing; or

(2) the results of an election held on the local public question; the board may not consider a later petition containing the same request or a similar request until two (2) years after the denial of the original petition.

As added by P.L.136-1997, SEC.35.

IC 14-32-6.5-25
Procedures for organization of new district in same territory as dissolved district

Sec. 25. If a district is dissolved under this chapter, the board may prescribe the procedure under which a new district may be organized within the territory encompassed by the dissolved district.

As added by P.L.136-1997, SEC.35.
IC 14-32-7
Chapter 7. Duties of Department

IC 14-32-7-1
Policy of department
Sec. 1. (a) The general assembly recognizes the following:
   (1) That the land resource of Indiana, including the principal elements of geology, landscape, and soils, is one of the basic natural resources of Indiana.
   (2) That an ever increasing demand upon the fixed and limited land resource is resulting from a growing population, with the accompanying expansions in commercial, industrial, transportation, recreation, and cultural development and the continuing need for an adequate agricultural base for the production of food and fiber.
   (3) That conservation of the land resource is essential to protect and promote the public health, safety, and welfare.
   (4) That the task of conservation can only be accomplished through a factual knowledge and understanding of the land resource.
(b) Therefore, it is the policy of the general assembly that the state promote and participate in the conservation of the land resource of Indiana by doing the following:
   (1) Providing new or expanded means for the securing, development, and furnishing to land use decision makers of adequate factual knowledge concerning the geology, landscape, and soils of Indiana, including their potentials, limitations, and interrelationships, in the manner set forth in this chapter.
   (2) Strengthening the capabilities of local soil and water conservation districts.
   (3) Expanding the level of small watershed planning for soil and water conservation measures.


IC 14-32-7-2
"Geology"
Sec. 2. As used in this chapter, "geology" means the study of the following:
   (1) Earth materials, which are minerals, rocks, water, and soil.
   (2) The processes that have formed earth materials.

As added by P.L.1-1995, SEC.25.

IC 14-32-7-3
"Land conservation"
Sec. 3. As used in this chapter, "land conservation" means the wise use of land:
   (1) for the satisfaction of human needs; and
(2) based upon knowledge and understanding of the land's capabilities and limitations.

As added by P.L.1-1995, SEC.25.

IC 14-32-7-4
"Landscape"

Sec. 4. As used in this chapter, "landscape" means the aggregate of all factors and features that constitute the total visual and perceptive impact of a given area of the earth's surface upon the human senses.

As added by P.L.1-1995, SEC.25.

IC 14-32-7-5
"Soil"

Sec. 5. As used in this chapter, "soil" means the surface layer of the earth that serves as a natural medium for the growth of plant life.

As added by P.L.1-1995, SEC.25.

IC 14-32-7-6
Division of soil conservation; administration and coordination of duties and responsibilities of department of agriculture; annual report

Sec. 6. (a) The division of soil conservation:

(1) shall administer and coordinate the duties and responsibilities of the Indiana state department of agriculture under the land resource programs authorized by this chapter; and

(2) in carrying out its duties under subdivision (1), may work in cooperation with the following:

(A) Federal and state agencies.

(B) Local governmental agencies involved in land use planning and zoning.

(C) Any person, firm, institution, or agency, public or private, having an interest in land conservation.

(b) The Indiana state department of agriculture may employ the personnel and provide facilities and services that are necessary to carry out the Indiana state department of agriculture's duties and responsibilities under this chapter.

(c) The Indiana state department of agriculture shall prepare an annual report of the division of soil conservation's expenditures and accomplishments and that contains a proposed business plan.


IC 14-32-7-7
"Urban geology survey"

Sec. 7. (a) As used in this section, "urban geology survey" means
a systematic scientific identification, inventory, and mapping of the
earth materials of a given area that sets forth the capabilities,
potentials, and limitations of the earth materials for human needs.

(b) The Indiana state department of agriculture shall use the
money appropriated by the general assembly to initiate and carry out
a program of urban geology surveys, together with other geologic
investigations, for Indiana to develop and present the geologic data
and information necessary to a coordinated land conservation
program that will promote sound land use decisions.
SEC.38; P.L.1-2006, SEC.224; P.L.120-2008, SEC.17.

IC 14-32-7-8
"Landscape survey"

Sec. 8. (a) As used in this section, "landscape survey" means a
systematic scientific identification, inventory, and mapping of the
features of the earth's surface that serve to constitute the landscape
of a given area, including key factors such as the following:

(1) Land form.
(2) Vegetation.
(3) Wildlife.
(4) Physical characteristics.
(5) Visual perception.
(6) Historical and cultural sites.

(b) The Indiana state department of agriculture shall use the
money appropriated by the general assembly to initiate and carry out
a program of landscape surveys for Indiana to develop and present
the surficial landscape data and information necessary to promote
wise land use decisions.

IC 14-32-7-8.5
"Soil surveys and geographic information systems"

Sec. 8.5. (a) As used in this section, "soil survey" means a
systematic scientific identification, inventory, and mapping of the
soils of a given area that sets forth the capabilities, potential, and
limitations of the soils in the satisfaction of human needs.

(b) The Indiana state department of agriculture shall use the
money appropriated by the general assembly to implement and
supplement a program of modern soil surveys and geographic
information systems (GIS) for Indiana that will, within the shortest
practicable time, provide a modern soil survey and geographic
information system for each county as an essential tool in land
conservation.
As added by P.L.136-1997, SEC.40. Amended by P.L.1-2006,

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IC 14-32-7-9  
Support and assistance to local soil and water conservation districts  
Sec. 9. The Indiana state department of agriculture shall provide more support and assistance to the local soil and water conservation districts by:
   (1) granting to the districts the additional money that is appropriated by the general assembly; and
   (2) increased coordination and consultative services; to obtain increased participation by the districts in the development of improved local land use practices and decisions.

IC 14-32-7-10  
Appropriations; uses  
Sec. 10. The Indiana state department of agriculture shall use the money appropriated by the general assembly to expand the small watershed planning program as carried out in cooperation with the Natural Resources Conservation Service of the United States Department of Agriculture under 16 U.S.C. 1001 et seq., to reduce the accumulation of approved watershed planning requests and expedite the realization of the multiple benefits of this soil and water conservation program.

IC 14-32-7-11  
Coordination and scheduling of urban geology survey program and landscape survey program  
Sec. 11. The Indiana state department of agriculture shall coordinate and schedule the programs authorized by sections 7 through 8 of this chapter to provide, as nearly as practicable, for concurrent completion and furnishing of the results of each program for each selected area study unit.

IC 14-32-7-12  
Duties of soil conservation division  
Sec. 12. (a) As used in this section, "river" includes streams and the tributaries of rivers.
   (b) The division of soil conservation shall do the following:
      (1) Perform all administrative duties required by the rules of the board.
      (2) Provide professional assistance to districts in planning, coordinating, and training for the following:
         (A) Adult soil and water conservation education.

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(B) Natural resources conservation information programs for elementary and secondary schools.
(C) Supervisors and staff.
(3) Provide professional soil conservation technical assistance to districts.
(4) Provide nonagricultural soils interpretive and erosion control expertise on a regional basis.
(5) Assist the districts and other federal, state, and local entities in encouraging and monitoring compliance with those aspects of the programs that are related to erosion and sediment reduction.
(6) Administer a cost share program for installation of erosion control structural measures on severely eroding cropland and for conversion of highly erodible land from crop production to permanent vegetative cover.
(7) Provide professional assistance to districts in conservation needs assessments, program development, and program evaluation.


IC 14-32-7-13
Administration
Sec. 13. The Indiana state department of agriculture shall administer this article subject to the direction of the board.
IC 14-32-8
   Chapter 8. Clean Water Indiana Program

IC 14-32-8-1
"Fund" defined
   Sec. 1. As used in this chapter, "fund" means the clean water Indiana fund established by this chapter.

IC 14-32-8-2
"Political subdivision" defined
   Sec. 2. As used in this chapter, "political subdivision" means a county, township, city, or town.

IC 14-32-8-3
"Program" defined
   Sec. 3. As used in this chapter, "program" means the clean water Indiana program established by this chapter.

IC 14-32-8-4
Program established
   Sec. 4. The clean water Indiana program is established. The division of soil conservation established within the department of agriculture by IC 15-11-4-1 shall administer the program subject to the direction of the board.

IC 14-32-8-5
Purpose of program
   Sec. 5. The purpose of the program is to provide financial assistance to:
   (1) soil and water conservation districts;
   (2) land occupiers; and
   (3) conservation groups;
   to implement conservation practices to reduce nonpoint sources of water pollution through education, technical assistance, training, and cost sharing programs.

IC 14-32-8-6
Clean water Indiana fund
   Sec. 6. (a) The clean water Indiana fund is established to carry out the purposes of this chapter. The fund shall be administered by the division of soil conservation subject to the direction of the board.

Indiana Code 2016
(b) The fund consists of:
   (1) amounts deposited in the fund under IC 6-7-1-29.3;
   (2) amounts appropriated by the general assembly; and
   (3) donations, grants, and money received from any other source.

(c) The expenses of administering the fund shall be paid from money in the fund.

(d) Money in the fund at the end of a state fiscal year does not revert to the state general fund or any other fund but remains in the fund to be used for the purposes of the fund.


IC 14-32-8-7

Expenditures from fund

Sec. 7. Money in the fund may be spent in the following ways:

1. To increase district technical assistance in local conservation efforts.

2. To develop an environmental stewardship program to assist land occupiers in complying with environmental regulations voluntarily.

3. To qualify for federal matching funds.

4. To provide for the following cost sharing programs:
   (A) A program to encourage land occupiers to implement conservation practices to reduce nutrient, pesticide, and sediment runoff.
   (B) Programs that encourage land occupiers to implement nutrient management programs by sharing the cost of any of the following:
      (i) Fencing for intensive grazing systems.
      (ii) Purchasing nutrient management equipment.
      (iii) Voluntary environmental audits.
      (iv) Other similar expenditures related to nutrient management.

5. To provide matching grants to districts for the following:
   (A) Professional watershed coordinators to facilitate and administer local watershed protection projects.
   (B) District managers to administer district conservation policies and programs.

6. To increase state technical and capacity building assistance to districts and local conservation efforts by providing for the following:
   (A) Capacity building specialists to train district personnel in grant writing, grant administration, and leadership development.
   (B) Conservation education specialists to help implement district conservation education efforts.
   (C) Urban storm water specialists to provide technical assistance.
assistance to developers to contain soil erosion on construction sites.

(7) To make distributions as provided under section 8 of this chapter.

(8) Implementation of geographic information systems (GIS) or similar technology.


IC 14-32-8-8
Matching funds from division of soil conservation

Sec. 8. (a) In addition to funds provided to a district under section 7 of this chapter or from any other source, the division of soil conservation shall pay to the district one dollar ($1) for every one dollar ($1) the district receives:

(1) from a political subdivision; or

(2) if a district receives no funding from a political subdivision, from any other funding source.

The board shall consider funds received from a source referred to in subdivision (2) as qualifying for matching payments under this subsection.

(b) Except as provided in section 8.2 of this chapter, the state is not obligated to match more than ten thousand dollars ($10,000) under this section.

(c) In order to receive funding under this section each year, a district must certify to the division of soil conservation the amount of money the district received from all sources described in subsection (a)(1) or (a)(2) during the one (1) year period beginning January 1 of the previous year. The information prepared under this subsection must be part of the annual financial statement prepared and provided to the board under IC 14-32-4-22. The division of soil conservation shall make distributions under this section not later than July 15 of each year.

(d) Before making distributions under this section, the division of soil conservation shall determine the total amount of money that has been certified by all districts as having been provided by sources described in subsection (a)(1) or (a)(2). If the cumulative amount to be distributed to all districts exceeds the amount appropriated to the fund, the division of soil conservation shall reduce the distribution to each district proportionately.

(e) A district must spend money received under this section for the purposes of the district.


IC 14-32-8-8.2
Limit on matching funds from division if district territory is larger

Indiana Code 2016
than one county

Sec. 8.2. (a) This section applies to a district if, as the result of:
(1) the merger of two (2) or more districts; or
(2) the changing of the boundaries of one (1) or more districts
under IC 14-32-6.5;
the territory of the district is larger than the entire area of one (1)
county.

(b) The limit in section 8(b) of this chapter on the funds from
political subdivisions that the state may be obligated to match shall
be adjusted under this section in the case of a district described in
subsection (a).

(c) If the territory of a district includes the entire area of two (2)
or more counties, the limit on the funds from political subdivisions
that the state may be obligated to match is ten thousand dollars
($10,000) multiplied by a whole number equal to the number of
counties whose entire area is included in the territory of the district.

(d) If the territory of a district includes some of but less than the
entire area of a particular county, the limit on the funds from political
subdivisions that the state may be obligated to match is the sum of:
(1) ten thousand dollars ($10,000) multiplied by a percentage
equal to the percentage of the particular county's entire area that
is included in the territory of the district; plus
(2) either:
(A) ten thousand dollars ($10,000), if the territory of the
district also includes all the area of one (1) other county; or
(B) the figure calculated under subsection (c), if the territory
of the district also includes all the area of two (2) or more
counties.

As added by P.L.95-2016, SEC.5.

IC 14-32-8-8.3
Limit on matching funds from division if district territory is
smaller than one county

Sec. 8.3. (a) This section applies to a district if, as the result of:
(1) the merger of two (2) or more districts; or
(2) the changing of the boundaries of one (1) or more districts
under IC 14-32-6.5;
the territory of the district is smaller than the entire area of one (1)
county.

(b) The limit in section 8(b) of this chapter on the funds from
political subdivisions that the state may be obligated to match shall
be adjusted under this section in the case of a district described in
subsection (a).

(c) If the territory of a district contains less than the entire area of
one (1) county, the limit on the funds from political subdivisions that
the state may be obligated to match is the product of:
(1) ten thousand dollars ($10,000); multiplied by
(2) a percentage equal to the percentage of the county's entire

Indiana Code 2016
area that is included in the territory of the district.

As added by P.L.95-2016, SEC.6.

**IC 14-32-8-9**

**Report**

Sec. 9. The districts shall coordinate with the division of soil conservation to compile and provide a report to the executive director of the legislative services agency each year. The report must be in an electronic format under IC 5-14-6 and must describe:

(1) the expenditures of the clean water Indiana fund; and

(2) the number, type, status, and effectiveness of conservation efforts funded by the clean water Indiana program.

Organizational Structure
IASWCD Organizational Structure

Board of Directors
Includes: President, Vice President, Treasurer, Secretary, Past President, 8 Region Directors, and Executive Director (non-voting member)

Staff
Includes: Executive Director, Communications & Member Programs Manager, and CCSI Staff

Standing Committees
Includes: Executive, Legislative, Governance, and Finance

Ad Hoc/Advisory Committees
Includes: Natural Resources Policy
I. COST-SHARE PROGRAMS
II. DRAINAGE
III. EROSION
IV. FUNDING
V. IASWCD STRUCTURE AND FUNCTION
VI. INDIANA CONSERVATION PARTNERSHIP
VII. INDIANA STATE DEPARTMENT OF AGRICULTURE
VIII. INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
IX. INDIANA DEPARTMENT OF NATURAL RESOURCES
X. LAND USE
XI. LEGISLATION
XII. PLANNING AND ZONING
XIII. SWCDS
XIV. WATER QUALITY
XV. WEEDS
XVI. YOUTH EDUCATION
I. COST-SHARE PROGRAMS

II. DRAINAGE

III. EROSION

IV. FUNDING

Seeking additional annual funding avenues for SWCD's (2018)
That IASWCD would explore annual funding for the SWCD's by assisting to establish a container tax that can be implemented on all plastic containers manufactured to hold chemical, agricultural and food grade liquid products.

Updated Actions:
- This item was referred to and discussed at the SWCD Funding Task Force meetings held in 2018.
- The Task Force has considered this item along with other possible ideas. However, the main focus has been moved toward water use fees. A similar approach to a container tax did not make it out of committee during the 2019 legislative session.

Removal of Government Match Rule for $10,000 Base Local Match (2015)
That the IASWCD submit legislative language to change the match requirement from local Government to any outside funding source.

Updated Actions:
- COMPLETE
- Included in SB 238 https://iga.in.gov/legislative/2016/bills/senate/238

V. IASWCD STRUCTURE AND FUNCTION

VI. INDIANA CONSERVATION PARTNERSHIP

Feral Swine Eradication (2018)
That IASWCD should partner with USDA-APHIS Wildlife Services’ Feral Swine task force to keep abreast of the spread and control efforts that are in place. We should continue to provide education to districts about existing laws regarding harboring and hunting feral swine for sport and coordinate eradication efforts with neighboring districts be they local or across state lines.

Updated actions: Feral Swine Eradication has been added as part of the NACD policy book at the national level. NACD and Districts across the nation lobbied for inclusion in the 2018 USDA Farm Bill. In the 2018 Farm Bill, $75 million was designated to establish a “feral swine eradication and control pilot program” over the next five years to help landowners with trapping and to use modern technology to control feral hogs. While Indiana is not one of the pilot states, the program is being monitored for effectiveness and will provide an avenue for future efforts.
Benefits of Working with Indiana Colleges & Universities (2017)
That IASWCD work legislatively to remove the limiting language from Title 14, Article 32, Chapter 5, Number (6) from Indiana Code for Conservation Districts or work out a MOU between parties that addresses the issue/concern without opening Indiana Code.

Updated Actions:
- COMPLETE
- A MOU was drafted and signed by the Indiana Association of Soil and Water Conservation Districts, Purdue University Cooperative Extension, and the State Soil Conservation Board. This MOU clarifies that Purdue University's College of Agriculture does not interpret "cooperation" to require that SWCDs must include Purdue University personnel in order to engage in research or Extension teaching activities with other institutions or agencies.

VII. INDIANA STATE DEPARTMENT OF AGRICULTURE

VIII. INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

IX. INDIANA DEPARTMENT OF NATURAL RESOURCES

X. LAND USE

XI. LEGISLATION

Clean Water Indiana Funding Limitation Expansion (2018)
That IASWCD sponsor legislation to revise Indiana District Law to allow Clean Water Indiana funding to be allocated in accordance with the natural resource priorities of the Indiana State Soil Conservation Board.

Updated Actions:
- Bill was created during the 2019 legislative session to change CWI language. The bill did not get a committee hearing.

XII. PLANNING AND ZONING

XIII. SWCDs
Revision of State Board of Accounts Policy (2016)
The Indiana Association of Soil and Water Conservation Districts (IASWCD) prepare and advocate legislation for SWCD’s to be allowed to purchase food when events are being reimbursed by individuals or sponsors.

Updated Actions:
- COMPLETE
- Language has been updated by the State Board of Accounts to allow Districts to purchase food for events as long as those events fall within the mission of the District. All Districts were encouraged to adopt a policy statement to reflect allowance of food purchases.
SWCD and Township Cooperative Conservation Objectives (2015)
That the IASWCD help support the efforts to add more conservation funding responsibilities to township
government, and help develop and coordinate local conservation partnerships to make more township
tax funds available for cooperative watershed conservation projects within counties and within adjacent
counties.

*Updated Actions:*
- Bill submitted in 2015 legislature by Rep. Lucas; but, it never received a hearing.
- Continued discussion with the Association of Townships, and there are early
discussions of a possible MOU with the Association of Townships in 2020.

XIV. WATER QUALITY

XV. WEEDS

XVI. YOUTH EDUCATION
## IASWCD Past Presidents

<table>
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<tr>
<th>Year Range</th>
<th>President Name</th>
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<tr>
<td>1944 - 1946</td>
<td>McKinley Vance (Daviess)</td>
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<td>1947, 1948</td>
<td>Lloyd Arbuckle (Newton)</td>
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<td>1949, 1950</td>
<td>Ernest Miller (Knox)</td>
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<td>1951-1952</td>
<td>Lawrence McKinney (Fountain)</td>
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<td>Harry Eby (Elkhart)</td>
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<td>1961, 1962</td>
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<td>1963 - 1965</td>
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<td>Beryl Grimme (Howard)</td>
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