Please respond to these questions in complete sentences. Please forward all emails and the answers to these questions by sending to SoilandWaterResponses@gmail.com . Please put the name of your county in the subject line.

Public Records Request regarding the Performance Review

Please send me the final draft of your District’s Performance Review and Your District’s Response.

Public Records Request regarding Regulatory Compliance

Please consider the time period October 1, 2020 through April 1, 2024.

1. Who, in your district, complies with state mandated regulations? Please identify if each person is a Supervisor or paid staff.
2. Please forward all emails that contain a survey from the Association of Florida Conservation Districts (AFCD).
3. Please forward all emails that show that you asked AFCD for help with regulatory compliance (the financial report, updating the Commission of Ethics dashboard information, filing the ethics disclosure or any others) and the response received.
4. Have you called AFCD to ask a question about regulatory compliance? If yes, please describe approximately when, what the question or issue was, and the response received.
5. Who created the website that your district uses?
6. If you know, when was your website created?
7. If you know, approximately how much did your website cost?
8. Please describe any difficulties you have had using your website.
9. Please forward any emails that you have sent to AFCD regarding your website including the response received.
10. Have you called AFCD to discuss any issue regarding the website? If yes, please describe approximately when, what the question or issue was, and the response received.
11. How was your public record email created?
12. How do you store the emails that you send and receive as public records?
13. What will happen to your public record emails when you are no longer in office?
14. Please forward all emails from AFCD that provide instructions or guidance about public records including emails.
15. Please recall and describe the training you have received from AFCD concerning regulatory compliance.
16. Please describe the amount and type of support you have received from AFCD regarding regulatory compliance.
17. Please send your thoughts on this subject and any additional information you think will be informative.

Public Records Request regarding Training, Expectations, and Standards

Please consider the time period October 1, 2020 through April 1, 2024.

1. Please forward all emails regarding Strategic Plans that you have received from the Association of Florida Conservation Districts (AFCD) or any other source. Including, but not limited to any expectation or requirement to have a Strategic Plan, how to create or develop a Strategic Plan, or how to evaluate or update a Strategic Plan.
2. Please forward all emails regarding measuring performance, standards that your district’s performance can be measured against, and asking for, analyzing, and tracking performance measures or stakeholder feedback.
3. Please describe the approximate date, location, instructor, and content of all the training you have been provided by AFCD on each of the topics listed:
4. Strategic Plans
5. Performance Measures
6. Florida’s standards for Conservation Districts
7. Stakeholder feedback
8. How to track or analyze either performance measures or stakeholder feedback over time.
9. Please describe the approximate date, location, instructor, and content of all the training you have been provided by AFCD on each of the topics listed.
10. Conducting surveys, studies, and research relating to soil and water resources
11. Conducting agricultural best management practices demonstration projects
12. Conducting projects for the conservation, protection, and restoration of soil and water resources
13. Conducting training and education programs
14. Please describe any person or group in Florida or anywhere else in the United States that has been helpful to you in the performance of your responsibilities as described in Florida Statutes Chapter 582.
15. Please send your thoughts on these subjects and any additional information you think will be informative.

Dear County Supervisor:

My response to the Performance Review for Seminole County was delayed. The review was sent to my personal email. When I finally found it, I was told to respond in writing, even though the pages were not numbered correctly. One of my board members found the contracts that FDACS and NRCS have with AFCD.

This is what I submitted to M&J in my response. I am sending it to you for your consideration. I will follow this email with a public records request regarding some of the issues that were raised in our District’s Performance Review.

**Statewide Issues Encountered by Many Districts:**

***Regulatory Compliance:***

To be compliant, a SWCD must have:

a) knowledge of the regulation and timeline

b) the knowledge of how to accomplish the task and

c) the technology that makes accomplishing the task possible.

The FDACS Contract with the Association of Florida Conservation Districts - Contract Total: $534,000

|  |  |
| --- | --- |
| ***From FDACS Contract*** | ***Seminole SWCD’s Response*** |
| Deliverable #3: Respond to requests from districts for SWCD-related information. The Project Manager shall respond to all incoming requests to include the number of initial e-mail requests and telephone calls responded to, and the topic of concern. | This requirement provides the knowledge of how to accomplish the task. (Description of our experience with AFCD)  |
| Deliverable #4: Provide assistance to the SWCDs, special districts, to develop, host and maintain an official website that complies with Americans with Disabilities Act (ADA) accessibility requirements, minimum content, and include links to those sites on the official website of the Association of Florida Conservation Districts. The RECIPIENT may contract with a website development company to assist with the technical aspects of developing and maintaining an official website pursuant to Chapter 189.069, F.S. **at no cost to the SWCDs.** The website must comply with and include at a minimum the following information: (the minimum requirements are listed) | This requirement provides the technology that makes accomplishing the task possible. The FDACS contract requires that SWCD’s be able to upload documents and schedule meetings on the website calendar. (Description of our experience with AFCD) |
| Deliverable #5: Assist SWCDs with meeting and reporting requirements. The RECIPIENT shall monitor meeting, recordkeeping, annual auditing and financial reporting requirements of the UNIFORM SPECIAL DISTRICT ACCOUNTABILITY ACT, Chapter 189, F.S.  | This requirement speaks directly to the knowledge of the regulation and the timelineHistorically this was accomplished by publishing a Supervisor’s Handbook containing a calendar of regulatory requirements and the specifics of each requirement. The handbook was last published in 2018 even though FDACS is paying AFCD to update it each year.  |  |

The Natural Resource Conservation Service had four contracts with AFCD.

1. To organize Local Working Groups in each county. Other duties related to Local Working Groups. $75,000
2. Plan and organize the Gulf Coast Ecosystem Restoration Council’s funding priorities $100,000
3. Addendum paying $99,998.53
4. To facilitate partnership objectives $333,966.21

 AFCD received $1,142,964 in one year. (the total amount of the FDACS contract and the NRCS contracts) This raises many questions.

**I posit the following:**

1. **That regulatory compliance issues may exist because AFCD is not fulfilling their contract with FDACS.**
2. **The manner in which the Performance Review was designed lessons its effectiveness.**

Unfortunately, neither OPPAGA nor M&J understood the requirements of the contract when designing this review. At this stage, I am making the public records requests to try to parse whether the problem lies with the districts, with AFCD, or with a both, together. Additionally:

1. The Performance Review does not consider regulatory compliance with the Commission of Ethics or any other agency.
2. The Performance Review does not consider the issue of emails being public records. The electronics required to have a district email system and the storage of such a large volume (either by paper or electronically) is expensive.
3. SWCD’s are being evaluated by the wrong criteria. I learned about Strategic Plans when I was and Army officer. AFCD has never given any SWCD the expectation that they needed to create a Strategic Plan, nor did AFCD give any district training in developing a strategic plan. This is analogous to being on the prevailing side of a vote and making a motion to reopen an issue. The Seminole SWCD has a strategic plan which makes us look good, but having that expectation is not fair to anyone else.
4. SWCD’s are being evaluated by the wrong criteria. Performance measures and feedback from stakeholders. As a teacher, I am familiar with these terms, but there has never been any training on what these are, let alone how to develop them.
5. We are not being evaluated on anything mentioned in Chapter 582 of the Florida Statutes.

There is a cycle – teach, practice, test. We have all experienced it. This Performance Review starts with the test. Another term is “Gottcha”.

My intention is to respond to the entire Performance Review raising the issues listed above.