

KY Operations of Watershed Conservancy Districts



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KRS 262.700

Watershed conservancy districts - Formation - Purposes

Sub-districts of a soil conservation district may be formed in a watershed area, as provided in KRS 262.700 – 262.795, to be known as watershed conservancy districts, for the purpose of developing and executing plans and programs relating to any phase of conservation of water, water usage, flood prevention and control of erosion, floodwater and sediment damages.

As a sub-district of a soil conservation district, a watershed conservancy district shall constitute a governmental subdivision of the state and a public body corporate and politic exercising public power.

Board of Director Qualifications

- ✓ Must be a landowner within the watershed
- ✓ Must be a resident of the county where the watershed is located
- ✓ Must submit a petition to the board of supervisors of the county where he/she is a landowner **and** legal resident signed by 25 or more landowners in the watershed and from the county he/she will be representing

KRS 262.740

Filling a Vacant Seat on the Board of Directors

- A vacancy on the board of directors of a watershed conservancy district shall be filled by the board of supervisors.



KRS 262.742

Powers of the Board of Directors

- Levy an annul tax on the real property within the district...for administration, construction, operation and maintenance of works of improvement within the district
- Acquire....the fee simple title or any lesser interest in land including easements and flowage rights as are necessary for the exercise of any authorized functions of the district.....
- Construct, improve, operate and maintain such structures as may be necessary for the performance of any authorized function
- Borrow such money as is necessary for the purpose of acquiring lands or right-of-way and establishing, constructing, reconstructing, repairing, enlarging and maintaining such structures and improvements as are required by the district in the performance of its functions, and issue, negotiate and sell its bonds as provided in KRS 262.750.

Duties of the Board of Directors

- Set the tax rate
- Prepare an Annual Budget by April 1st
- Prepare and furnish to the PVA a list of landowners in the watershed showing real property subject to assessment
- Submit an Annual Financial Report by Sept. 1st
- Publish a legal notice by September 1st
- Provide for an audit at least every 4 years

Administrative Responsibilities

- Reconcile all bank statements monthly
- Use Quicken or QuickBooks if possible
- Keep all CD's in a lock box
- Keep the checkbook in a secure/locked location
- Require a minimum of 2 people to access lock box
- Make sure all who have access to financial instruments are properly bonded

Board of Directors Compensation

Members of the board of directors shall receive **no** salaries, but such members may be reimbursed for actual and necessary expenditures incurred in the performance of their duties, or may be paid a per diem for attending meetings, as approved by the board of supervisors.

KRS 262.755

Discontinuance of a Watershed Conservancy District

- 10 years after the organization of a watershed conservancy district, landowners may file a petition requesting its discontinuance.
- A notice is given. The board of supervisors will conduct a hearing to determine if the reasons for discontinuation are valid and all obligations are met.
- If all obligations are met, within 60 days the supervisors will hold a referendum.

KRS 262.791

Transfer of Funds and Assets of a Discontinued Watershed Conservancy District

- Any funds or assets will be transferred to the soil and water conservation district to be used for soil and water conservation practices in the area where the taxes were collected.
- The conservation district can collect taxes in the same way as the conservancy district.
- Funds collect would be used for maintenance of works of improvement.

KRS 262.793

Some General Information

- Kentucky has 120 Counties
- Kentucky has 121 Conservation Districts (Logan County has 2 Conservation Districts-North Logan CD and South Logan CD)
- Kentucky has 38 Watershed Conservancy Districts
- The 38 Watershed Conservancy Districts are administered by only 26 of the counties (Some of the watershed conservancy districts encompass multiple counties, but only one county is the administrating county.
- The administrating county can has 5 seats on the Board of Directors. Each of the other counties involved have 3 seats.



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