

CHAPTER 4

CONSERVATION DISTRICT ANNUAL MEETINGS

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Introduction

Conservation district annual meetings are a significant event for a conservation district. Under the provisions of Conservation District Law, K.S.A. 2-1907, each conservation district is required to have an annual meeting to provide full disclosure of district activities/accomplishments and financial affairs, as well as hold an election of supervisors whose terms have expired. This event also provides a district with an opportunity to promote the conservation ethic, make community contacts, obtain feedback/ suggestions from the community, present awards, and publicize the district programs and services. The meeting is open to the public in accordance with the Kansas Open Meetings Act (KOMA).

Annual Meeting Requirements

The following are the conservation district annual meeting requirements:

- Have an annual meeting for all qualified electors (U.S. citizen and 18 years of age or older) of the conservation district.
- Meeting shall be held in January or February.
- Notice of the time and place shall be given by the supervisors by publishing a notice.
- The notice is published in the official county newspaper once each week for two consecutive weeks prior to the week in which the meeting is to be held.
- Supervisors shall make a full and due report of district activities and financial affairs since the last annual meeting.
- Supervisors shall conduct an election by secret ballot of those qualified electors of the district present for the election of supervisors whose terms have expired.
- Annual meeting minutes are submitted to the Division of Conservation (DOC) within 10 days after the meeting.

Note: See Appendix 4-D: Annual Meeting Requirements Checklist for a list of items to be noted or completed.

Note: The conservation district staff enters the annual meeting information in the Cost-Share and Information Management System (CSIMS) annually by December 15. A report may be generated listing all the conservation district annual meetings.

Legal Notice

The time and place of the annual meeting must be given by publishing a notice in the official county newspaper, once each week for two consecutive weeks immediately prior to the week the meeting is scheduled. The official county newspaper is designated by the board of county commissioners, as per K.S.A. 64-101. The district may also publish the notice in other newspapers or use other means to publicize it.

The legal notice is provided in this chapter as Appendix 4-A: Notice of Annual Meeting (for the election of one supervisor) and Appendix 4-B: Notice of Annual Meeting (for the election of two supervisors). One copy of the appropriate notice is completed and signed by the district secretary or manager, signed by the district chairperson, and submitted to the official county newspaper for publication on the proper dates. A copy of the notice should be placed in the district files. The newspaper is required to send the district a clipping of the notice attached to an *Affidavit of Publication*. It is not necessary to send copies to DOC.

Supervisor Elections

The election of one or two conservation district supervisors occurs every year at the annual meeting of the conservation district, which is held in January or February. The board of supervisors has five elected positions which each serve three year, staggered terms. In this arrangement, one supervisor's term ends one year, two different supervisors' terms end the next year, and two different supervisors' terms end the following year.

Note: Supervisor information is entered and maintained by conservation district staff in the Cost-Share and Information Management System (CSIMS). A report may be generated in CSIMS listing the supervisor(s) whose term is expiring.

Supervisor Eligibility

Any person who is a qualified elector residing within the district is the statute qualification for a conservation district supervisor. A "qualified elector" is defined as a person who is a U.S. citizen and 18 years of age or older. "Residing" refers to the primary residence of the person. All supervisors represent the district countywide. There is no authority to arbitrarily require candidates to reside in or represent one particular section of the district. There are no term limits for those serving as supervisors.

Election Required Procedures

The following are the requirements of the supervisor election taking place during the annual meeting:

- Persons desiring to vote certify they are eligible to vote by signing a voter registration sheet.
 - This can be accomplished by posting the voter eligibility requirements at the registration table and having every person wishing to vote sign a petition-like document which states at the top: "I certify that I am a U.S. citizen, 18 years of age or older, and reside in _____ County."
 - Upon completing the voter certification, a ballot is issued to the eligible voter.
 - The conservation district must have a record of those who voted in case such document is required in the future to verify the names of those who voted in the election.
- Election of the supervisor (one or two) whose term has expired shall be conducted by the supervisors.
- Voting is conducted by secret ballot of the qualified electors (U.S. citizen and 18 years of age or older) of the district present. See Appendix 4-C and Appendix 4-D for example ballots.
 - A secret ballot vote must be used even if only one person is nominated.
 - Voting by acclamation is considered invalid.
 - Write-in candidates are permitted. If a voter desires to vote for a person whose name is not on the ballot or has not been nominated, the voter writes the name of such person in the blank space. Failure to make a cross or check mark in the square to the left of such name shall not invalidate ballot unless it is impossible to determine the voter's intention.
 - Voting by absentee ballot is not permitted.
 - Those who own land in the district, but do not live within the boundaries of the conservation district, are not eligible to vote.
- When the election is to fill two expired terms, the two persons receiving the highest number of votes in the election are declared the winners.
- In case of a tie vote, winner will be decided by lot (e.g., flip of a coin, drawing or a straw, name drawn from a hat). The law does not state how the lot is to be drawn.

Nominations and Voting

The nominations and elections of conservation district supervisors are very important and require serious thought. The best qualified candidates should be nominated. Normally it is the duty of the chairperson to be the presiding officer conducting the election, even if he or she is one of the nominees; however, this duty could be delegated to any of the supervisors. The official conducting the election must fully understand the nominating and voting procedures. Motions to dispense with the election rules are out of order. Before the election, the presiding officer should appoint two to three electors to be “election officials” to act as judges and tellers to count ballots and report election results to the presiding officer. See Chapter 2, *Conservation District Supervisors*, for more information on Nominating Committee and Recruiting New Board Members.

Consider creating an information form to be used to collect information on the candidates that have been identified before the meeting. The form should ask about things the conservation district supervisors want to know. Each interested candidate completes the form and the information is printed and distributed at the meeting. An alternative to having a form is to have each candidate prepare a brief introduction about themselves and why he/she wants to be a district supervisor. Provide an opportunity for other candidates nominated from the floor some time to verbally present this same information.

The ballots are prepared in advance of the meeting. Candidates’ names received from the nominating committee may be pre-printed on the ballots. An eligible person who was not nominated by the committee or in the situation when there is not a nominating committee, may have their name placed on the ballot. Candidates should be listed in alphabetical order by surnames on the ballot along with blank lines to accommodate write-in candidates. See Appendix 4-C and Appendix 4-D for example ballots.

It is best to have at least one candidate for each position to be filled prior to casting ballots. Nominations may be made in the following two ways:

1. Nominations by Committee. It is recommended to have a nominating committee. It saves time and should ensure careful selection. The duty of a nominating committee is to find the best candidate(s). Prior to the election, a member of the committee calls each potential nominee to see if he or she is willing to serve if elected. The nominating committee (of not less than three people) should be appointed at least three months in advance of the election, or could be structured to serve year-round and maintain an inventory of potential effective supervisors. Supervisors should not be members of the nominating committee and should be excluded from the committee meetings because their presence could hinder full and open discussions. The nominating committee should provide a report of their nominees at a conservation district board meeting prior to the annual meeting.
2. Nominations from the Floor. Voters must be given the opportunity to make nominations. As soon as the chairperson opens nominations from the floor, a voter may make a nomination by calling out a name while still seated. The person making the nomination should know beforehand that the nominee is eligible and willing to serve. A person can nominate himself or herself. A nomination does not need a second. A nominated person can rise and decline the nomination during the nominating process. If a nomination from the floor does not appear on the ballot, an overhead projector, chalkboard, whiteboard, or flip chart should be used to record the name, so voters know the names of all those nominated. Usually the chairperson closes nominations after a reasonable time has been given for making nominations, and may call for nominations three times before closing nominations. No vote is taken to accept nominations.

After nominations are completed, the group votes by ballot. Voters should be instructed to mark their ballots for as many persons as there are positions available, and then fold the ballot so the names of candidates and marks on the ballot are concealed. Ballots must be completed even if someone makes a motion to elect a nominee by acclamation. Ballots are collected and are counted by the election officials appointed earlier by the presiding officer. The election officials report the election results to the chairperson, who in turn reads the report and declares who is elected. The outgoing supervisor(s) continue serving through the meeting and until the successor has taken the Oath of Office

Post-Election Required Procedures

After the election, the following procedures must be followed:

- A newly elected supervisor must take an oath before officially performing the duties. See Chapter 2, *District Supervisors*, for additional information and a copy of the Conservation District Supervisors Oath of Office. The Oath of Office is also available in the Cost-Share and Information Management System (CSIMS), which can be accessed and printed by a district employee.
 - A re-elected supervisor who is serving consecutive terms is not required to take the oath again.
 - A supervisor shall hold office until a successor has been elected or appointed and has qualified (has taken and signed the Oath of Office).
- The original Oath of Office is mailed to the Division of Conservation (DOC), one copy is provided to the new supervisor, one copy is kept on file at the district office.
- The results of an election are entered in CSIMS by staff completing the *Supervisors Election Results Form* within five days after the election. The CSIMS *Result of Election Report* is printed and signed by the district manager or secretary. The original is placed in the district file. No need to send it to the DOC.
- Completed election ballots must be kept for a minimum of six months.

Annual Meeting Suggestions and Optional Activities

- In addition to the required legal notice, publicize the meeting/election with newspaper articles (special conservation edition). Also, possibly utilize newsletters, radio, and television.
- Seek sponsors for the annual meeting by contacting agricultural businesses, dirt contractors, bankers, etc. Sell advertising space for the printed program.
- Send “special” invitations to county commissioners, assisting agencies and organizations, and legislators.
- Printed programs, annual report/financial statement, and work plans (some districts combine all three) are well received.
- To present information and hold attention use PowerPoint slides.
- Provide an overview of services and programs (explain why and how the district’s programs are making an improvement in the community).
- Furnish a meal. Some districts charge a minimal fee or ask for a donation for the meal. Be sure to make it clear that there is no charge to attend the business meeting.
- Present conservation-related awards.
- Provide some diversity in the program so it will appeal to a large audience. Possibly have a guest speaker (local interests, conservation related, etc.).
- Have an educational program for children in a separate room concurrent with the business meeting.
- Give away promotional items and/or have door prizes.

- Have an auction or other fundraising activity.
- Have displays, exhibits, or booths. Possibly rent booths to (conservation-related) vendors.

The following is a suggested order of business for the business meeting:

1. Call to Order.
2. Welcome and Introductions. (exclude this item if occurred before the business meeting)
3. Purpose of Meeting.
4. Approval of Annual Meeting Minutes.
5. Treasurer's Report.
6. Annual Report.
7. Natural Resources Conservation Service (NRCS) Report.
8. Annual Work Plan.
9. Nominations and Election of Supervisor(s).
10. Featured Program. (awards, speaker, entertainment).
11. Election Results.
12. Closing Comments/Adjournment.

Note: See Appendix 4-F: Example Annual Meeting Agenda and Script with explanations regarding key sections.

Appendix 4-A: Notice of Annual Meeting (for the election of one supervisor)

NOTICE OF ANNUAL MEETING OF THE

_____ COUNTY CONSERVATION DISTRICT

To all qualified electors residing within the boundaries of the _____ County Conservation District, notice is hereby given that pursuant to K.S.A. 2-1907, as amended, on the ____ day of _____, 20____, at _____ a.m./p.m., an annual meeting of the _____ County Conservation District will be held at the _____

The meeting agenda shall include the following business items:

ONE:

The supervisors of the _____ County Conservation District shall make full and due report of their activities and financial affairs since the last annual meeting.

TWO:

The supervisors shall conduct an election by secret ballot of qualified electors there present, of one supervisor to serve for a term of three years from date of said meeting.

The term of _____ is expiring.

All in the county of _____ in the State of Kansas.

By _____
Chairperson

_____ County Conservation District

Attest

District Secretary/Manager

Appendix 4-B: Notice of Annual Meeting (for the election of two supervisors)

NOTICE OF ANNUAL MEETING OF THE

_____ COUNTY CONSERVATION DISTRICT

To all qualified electors residing within the boundaries of the _____ County Conservation District, notice is hereby given that pursuant to K.S.A. 2-1907, as amended, on the ____ day of _____, 20____, at _____ a.m./p.m., an annual meeting of the _____ County Conservation District will be held at the _____

The meeting agenda shall include the following business items:

ONE:

The supervisors of the _____ County Conservation District shall make full and due report of their activities and financial affairs since the last annual meeting.

TWO:

The supervisors shall conduct an election by secret ballot of qualified electors there present, of two supervisors to serve for a term of three years from date of said meeting.

The terms of _____ and _____ are expiring.

All in the county of _____ in the State of Kansas.

By _____
Chairperson

_____ County Conservation District

Attest

District Secretary/Manager

Appendix 4-C: Example Election Ballot for One Supervisor

OFFICIAL ELECTION BALLOT

HAPPY COUNTY CONSERVATION DISTRICT

January 23, 2016

For Election of One Conservation District Supervisor

To vote for a person, make a cross or check mark in the square at the left of the person's name. To vote for a person whose name is not printed on the ballot, write the person's name in the blank space and make a cross or check mark in the square to the left.

Vote For One

Justin Urban

Appendix 4-D: Example Election Ballot for Two Supervisors

OFFICIAL ELECTION BALLOT

HAPPY COUNTY CONSERVATION DISTRICT

January 23, 2016

For Election of Two Conservation District Supervisors

To vote for a person, make a cross or check mark in the square at the left of the person's name. To vote for a person whose name is not printed on the ballot, write the person's name in the blank space and make a cross or check mark in the square to the left.

Vote For Two

Fred B. Farmer

Penny Nichols

B. E. Wilde

Appendix 4-E: Annual Meeting Requirements Checklist

PRE-ANNUAL MEETING

- 1. Set annual meeting date for January or February.
- 2. Enter annual meeting information in CSIMS by December 15.
- 3. Complete the applicable Notice of Annual Meeting (for the election of one or two supervisors). (KS CD HDBK, Chapter 4, *Conservation District Annual Meetings*)
- 4- Submit to the official county newspaper the legal notice to be published once in each of the two weeks immediately prior to the week in which the meeting is scheduled.

ELECTION PREPARATION

- 5. Nominating Committee formed to recruit candidates. (recommended)
- 6. Prepare election ballots (for one or two supervisors). (Gather pens to take to meeting to mark ballots.)
- 7. Prepare voter registration sheets with recommended wording. (KS CD HDBK, Chapter 4, *Conservation District Annual Meetings*.)

ELECTION

- 8. A supervisor election for the position(s) with expired term is held at the annual meeting for a term of three years.
- 9. Supervisor candidates must be a U.S. citizen, 18 years of age or older, and reside (live) in the county.
- 10. Prior to voting, eligible voters (qualified electors) must sign the voter registration sheet and be provided an election ballot. An eligible voter is any U.S. citizen, 18 years of age or older, and who resides (lives) in the county. (Must be present to vote – no absentee ballots.)
- 11. Elections are conducted by a conservation district supervisor (normally the chairperson). (Before the election the presiding officer should appoint two to three electors to be “election officials” to act as judges and tellers to count ballots and report election results to the presiding officer.)
- 12. Nominations are reported from the Nominating Committee (if applicable) and taken from the floor (write-ins are also acceptable).
- 13. Voting must be conducted by secret ballot. (Even if a motion is made to cast a unanimous vote, each voter must still complete a ballot.)

ANNUAL REPORT

- 14- A (full and due) report of the district activities and financial affairs since the previous meeting is presented at the annual meeting. (Best to provide in printed format.)
- 15. A copy of the conservation district annual report (including the financial statement) is submitted to the DOC by March 1. (See Annual Report Guide, KS CD HDBK, Chapter 6, *District Operations*.)

POST-ANNUAL MEETING

- 16. Newly elected supervisor and Notary Public complete Oath of Office. (Oath of Office is located in the KS CD HDBK: Chapter 3, *Conservation District Supervisors*, or may be printed from CSIMS. (Possibly have it available at annual meeting to provide to newly elected supervisor.)
- 17. Completed (original) Oath of Office is mailed to the DOC. Provide a copy to newly elected supervisor and file a copy, which must be kept for five years after separation.
- 18. Create and/or edit applicable Supervisor Information Form(s) in CSIMS (including Position field).
- 19. Complete Supervisor Election Results Form in CSIMS within five days following election. Print, sign, and retain permanently the Result of Election Report.
- 20. Submit annual meeting minutes to DOC within 10 days following the annual meeting.
- 21. File voter registration list and must keep for a minimum of five years.
- 22. File ballots and must keep for a minimum of six months.

Appendix 4-F: Example Annual Meeting Agenda and Script

Below are an example agenda and a script that can be easily adapted to use during an annual meeting. After the script is prepared, the chairperson should review and reword to his/her satisfaction. Slight variations of the parliamentary procedure phrases may work just as well. The chairperson can prepare for the meeting by reading it aloud to become familiar with everything on the agenda and practicing aloud also provides confidence in presiding.

**Happy County Conservation District
Annual Meeting
246 North Church Drive, Happy Town, Kansas
January 25, 2016 - 7 p.m.
Business Meeting Agenda**

1. Call to order..... Ernest R. Wiseman, Chairperson
Chair: "The annual meeting of the Happy County Conservation District will come to order."

2. Welcome and IntroductionsErnest R. Wiseman, Chairperson
Chair: (introduce supervisors and spouses; conservation district staff; Natural Resources Conservation Service (NRCS) staff; Farm Service Agency (FSA) staff; other agency staff; county commissioner; legislators; etc.)

Note: Exclude this item if it occurred before the business meeting.

3. Purpose of MeetingErnest R. Wiseman, Chairperson
Chair: "Under the provisions of the Conservation District Law, each conservation district is required to hold an annual meeting to provide to the public full disclosure of district activities and financial affairs, as well as hold a public election of supervisors."

Chair: "The first item of business is the approval of last year's annual meeting minutes."

4. Approval of Annual Meeting Minutes - January 24, 2010.....Ernest R. Wiseman, Chairperson
Chair: "A copy of last year's annual meeting minutes is printed in your program on page 3. Are there any corrections to the minutes?" [pause] "If there are no corrections [or "no further corrections"], the annual meeting minutes of January 24, 2010, stand [or "are"] approved as presented [or "printed" or "corrected"]."

If a motion is made to approve the minutes: Chair: "It has been moved and seconded to approve the minutes. All those in favor say 'Aye,' those opposed say 'No.' The Ayes have it, the minutes of January 24, 2010, stand [or "are"] approved as presented [or "printed"]."

Note: Minutes of the previous year's annual meeting should be printed in the annual meeting program. You may refer the audience to the written minutes thus precluding the necessity of reading the minutes.

Chair: "The next item of business is the Treasurer's Report presented by Penny Nichols."

5. Treasurer's ReportPenny Nichols, Treasurer
Treasurer: "A copy of the 2010 Financial Report is printed in your program starting on page 4--"

Appendix 4-F: Example Annual Meeting Agenda and Script (continued)

(Not necessary to read the report verbatim; however, explain fund sources, summarize usage, and state beginning and ending balances of each fund.)

Chair: "Thank you. Are there any questions about the Financial Report? If not, the report will be filed [or "filed for audit"]."

Note: No motion for approval is necessary for an unaudited report. A motion may be made to adopt an audited Financial Report.

Chair: "The next item of business is the Annual Report presented by Fred Farmer."

- 6. 2010 Annual Report.....Fred B. Farmer, Vice- Chairperson**
Member: "A copy of the 2010 Annual Report is printed in your program starting on page 6." (Point out highlights and major accomplishments.)

Chair: "Thank you. Are there any questions about the Annual Report?"

Chair: "We shall now have the Annual Work Plan presented by Justin Urban."

- 7. 2011 Annual Work Plan.....Justin Urban, Member**
Member: "A copy of the 2011 Annual Work Plan is printed in your program starting on page 9." (Summarize the conservation district programs, services, mission, and major goals.)

Chair: "Thank you. Are there any questions about the Annual Work Plan?"

Chair: "Next is the NRCS Report presented by Sam Soil, the NRCS District Conservationist."

- 8. Natural Resources Conservation Service (NRCS) ReportSam Soil, District Conservationist**

Note: Before the election the chair appoints two to three electors to be "election officials" to act as judges and tellers to count ballots and report election results to the chair.

Chair: "The next item of business is the nomination and the election of two [or "one"] supervisors to serve a three-year term."

- 9. Nominations and Election of Supervisors..... Earnest R. Wiseman, Chairperson**
Chair: "Conservation District Law and generally accepted parliamentary procedure dictate election procedure. The Conservation District Law states that at the annual meeting, the supervisors shall conduct an election by secret ballot of all the qualified electors of the district there present for the election of supervisors whose terms have expired. To qualify to vote in this election you must be a U.S. citizen, 18 years of age or older, and a resident of Happy County. Everyone wishing to vote in this election should have received a ballot when signing the register attesting to the fact they meet the voter qualifications. Does anyone else who meets the voting criteria need a ballot? (must sign the register if not already done so) The statute qualification for a conservation district supervisor is the same as a voter - you must be a U.S. citizen, 18 years of age or older, and a resident of Happy County. First we will hear the report of the Nominating Committee. The Chair will then take nominations from the floor. After nominations, we will vote on the supervisors by ballot. Will the Chairman of the Nominating Committee give the report? Mr. Washington."

Appendix 4-F: Example Annual Meeting Agenda and Script (continued)

Note: When nominations are made from the floor, an overhead projector, chalkboard, whiteboard, or flip chart should be used to record the name, so voters know the names of all those nominated.

Nominating Committee Chairman: “Mr. [or Madam] Chairperson, the Nominating Committee submits the following report: The following persons have consented to permit the use of their names as candidates for conservation district supervisor: Fred B. Farmer and Penny Nichols.”

Chair: “Fred B. Farmer and Penny Nichols were nominated by the Nominating Committee. Are there any further nominations for supervisor?”

Elector: “I nominate B. E. Wilde.”

Chair: “B. E. Wilde is nominated. Are there any other nominations for supervisor? [pause] If there are no further nominations, [pause] nominations for supervisors are closed.”

Note: Presiding officer may ask three times, "are there any other nominations," before closing nominations to ensure that anyone wishing to make a nomination has ample opportunity to do so. A motion to close nominations before reasonable amount of time for nominations is “out of order.” A motion is not required to close nominations; the chair can use general consent to close the nomination as illustrated above. However, if a motion is made to close nominations, ask for a second, discussion, and then the vote.

Chair: “Each of the candidates that we were aware of prior to tonight prepared a brief account about themselves and why they want to be a district supervisor. This information is provided in the program on page nine. At this time I would like to give B. E. Wilde an opportunity to tell us a little bit about himself and why he would like to be a district supervisor. Mr. Wilde.”

Mr. Wilde: (time is given for his verbal statements)

Chair: Thank you Mr. Wilde. At this time, please record your vote on your ballot by inserting a cross (X) or a check mark in the square before the name of the two candidates [or “one candidate”] of your choice. If you are writing in a candidate, write the name in the blank provided on the ballot and put a cross (X) or a check mark in the square before the name. Are there any questions concerning how to mark your ballot? (give them a few minutes to mark their ballot) When you are done voting, fold your ballot one time, and pass them to the end of the tables to be picked up by the election officials. The ballots will be counted and the election results will be announced later.”

Note: Ballots must be completed even if a motion is made to elect a nominee by acclamation.

Chair: “The next item of business is the Banker’s Awards presentation. Richie Cash will be presenting the awards. Mr. Cash.”

10. Banker’s Awards.....**Richie Cash, County Key Banker** County Banker: (presents awards)

Chair: “Thank you Mr. Cash, and congratulations to all the deserving awardees.”

Chair: “The next item of business is the Election Results”

11. Election Results.....**Earnest R. Wiseman, Chairperson**

Chair: “I’ve received the election results from the election officials. Fred B. Farmer and Penny Nichols received the majority of votes, and have been elected as supervisors.”

12. Closing Comments/Adjournment..... Earnest R. Wiseman, Chairperson

Chair: (thank everyone for coming and make other appropriate closing statements)

Chair: “Is there any further business [pause]? If there is no further business, the meeting stands [or “is”] adjourned.