



**CONSERVATION DISTRICTS**  
OF WASHINGTON STATE  
*your window to healthy lands*

# Election and Appointment Guide

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**In Washington, conservation districts hold a unique position in the conservation of our natural resources. They serve as the local contact for landowners, farmers, and ranchers as they seek to conserve our natural resources.**

Conservation districts are governed by a board of supervisors, three of whom are elected and two of whom are appointed by the Conservation Commission. Conservation districts function best when they are filled with elected and appointed board members who care about and are involved in the conservation of natural resources.

When created in 1939, conservation districts in Washington State were given the ability to conduct their own elections by the Washington State Legislature, and that process continues to this day. The Conservation Commission is required to set conservation district election policies and procedures to promote fair and open elections.

This publication explains the election law relating to the election and appointment for the office of conservation district supervisor. Please note, this publication is not a substitute for the statutes and regulations governing this process but rather should be read in conjunction with them.

If you have questions or need additional information, please contact the Commission's Election Officer.

We will be happy to assist you.

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Alternate document formats are available upon request.

Guide may be subject to change. Washington State Codes are currently under review.



## General Requirements

### Purpose

These procedures exist to assist conservation districts and conservation district supervisors in the election, appointment, and replacement of supervisors in the State of Washington, and to assure fair treatment of all parties involved in such proceedings, and to provide guidance for compliance with the Washington Administrative Code (WAC), Chapter 135-110. Not all requirements for election compliance are addressed in this Guide. CDs are directed to the WAC Chapter 135-110, forms, and other materials available on the [Commission's web page](#)<sup>1</sup> to ensure full compliance with election policy and procedures.

### Authority

The Washington State Conservation Commission (Commission) is authorized in Revised Code of Washington<sup>2</sup> (RCW) to establish conservation district election procedures: "The commission shall establish procedures for elections, canvass the returns and announce the official results thereof." The Commission has adopted WAC 135-110, effective November 19, 2010.

The Commission is tasked<sup>3</sup> to appoint two supervisors who are qualified by training and experience to serve as conservation district supervisors. Conservation district supervisors are required<sup>4</sup> to conduct conservation district elections annually. Such elections must comply with these procedures.

If any provision in these procedures or its application to any person or circumstance is held invalid, the remainder of these procedures or the application of the provision to other persons or circumstances is not affected. In circumstances where these rules and/or procedures are silent or in conflict, the Commission will look to general election law<sup>5</sup> rules and procedures for guidance.

### Failure to comply with these procedures

Failure to meet the requirements of these procedures may affect a conservation district's status on the [Conservation Accountability and Performance Program](#). If the Commission chooses not to certify an election, the conservation district must seek judicial review of the election in Superior Court.

For appointment applications found to be significantly noncompliant, the conservation district or applicant must correct all deficiencies on the application. The applicant and conservation district must comply with these procedures before the Commission will act on an application for appointment to the position of conservation district supervisor.

### General requirements

Each year, either during the last quarter of the calendar year preceding an election or immediately in January or February of the year in which the election will be held, each conservation district Board of Supervisors must adopt a resolution setting an election date within the first quarter of the year in which the election will be held.<sup>6</sup> The date the Board of Supervisors chooses to hold the election will determine when the resolution must be adopted.<sup>7</sup> Each conservation district Board of Supervisors must also appoint one election supervisor to organize, coordinate, and perform functions required of the conservation district in the election and appointment of conservation district supervisors.<sup>8</sup> This information, plus a list of conservation district supervisor positions expiring in the year of the election, published and must be posted conspicuously in the conservation district office.

Due notice in print media, as defined in WAC 135-110-110, must be provided for every full-term conservation district election and every full-term conservation district appointment process.<sup>9</sup> Notices for both processes may be combined if the conservation district so chooses. Conservation districts are strongly encouraged to exceed the minimum due notice requirements to reach the maximum number of potential candidates and voters.

For poll site elections, the conservation district Board of Supervisors must specify the location(s) for polling and the hours in which polling will occur.<sup>10</sup> Every poll site must be open for at least four consecutive hours at a time convenient for voters.<sup>11</sup> Every poll site must have at least two polling officers present during the hours the polls are open.<sup>12</sup> Polling places selected must have sufficient parking to accommodate the

<sup>1</sup> <https://scc.wa.gov/cd/elections-administrators>

<sup>2</sup> RCW 89.08.190

<sup>3</sup> RCW 89.08.160

<sup>4</sup> RCW 89.08.190

<sup>5</sup> RCW Chapter 29A

<sup>6</sup> WAC 135-110-210

<sup>7</sup> WAC 135-110-220

<sup>8</sup> WAC 135-110-230

<sup>9</sup> WAC 135-110-110 and WAC 135-110-220

<sup>10</sup> WAC 135-110-210 (2) (b)

<sup>11</sup> WAC 135-110-240 (2)

<sup>12</sup> Ibid. and WAC 135-110-620

## General Requirements

expected number of voters and must be accessible to voters.<sup>13</sup> If the election will be held only by mail, the date set by the conservation district is the end date for receiving ballots from voters, and the location will be where ballots are counted. Included in the notice is the deadline (the day, time, and where the ballots need to be mailed to) for ballots to be returned by mail.

Every candidate in a conservation district election must be a qualified district elector.<sup>14</sup> A qualified district elector is a registered voter residing within the boundary of the conservation district where the candidate wishes to serve. In addition, some positions may be required to own land or operate a farm to be eligible.<sup>15</sup>

The filing deadline for candidates is four weeks before Election Day, unless, by formal action, the conservation district supervisors choose a filing deadline greater than four weeks before Election Day.<sup>16</sup>

All ballots or computer voting records must be retained by the conservation district for twelve months after the election has been certified, at which time they may be destroyed, unless the election has not been certified by the Commission or the election has been challenged.<sup>17</sup> Conservation Districts must retain the original version of all election forms until ballots may be discarded.<sup>18</sup>

Elections are final when certified and the official results are announced by the Commission in May of each year or later as deemed necessary by the Commission.<sup>19</sup> A supervisor-elect takes office and can begin official duties as a board supervisor when the election is final, which is after the May Commission meeting.<sup>20</sup>

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<sup>13</sup> WAC 135-110-250 and WAC 135-110-580

<sup>14</sup> WAC 135-110-300

<sup>15</sup> WAC 135-110-310

<sup>16</sup> WAC 135-110-330

<sup>17</sup> WAC 135-110-140

<sup>18</sup> WAC 135-110-130

<sup>19</sup> WAC 135-110-770

<sup>20</sup> Ibid. and RCW 89.08.190. Read together, the RCW and WAC are linked. The phrase “following the election” in the

RCW is linked to the initial phrase “the commission shall establish procedures for elections...” which is linked to the meaning of “final” for election purposes in [WAC 135-110-770\(1\)](#). Elections are final when they are certified by the Commission and the official results are announced by the Commission in May of each year or later as deemed necessary. Therefore, a supervisor-elect takes office and can begin official duties as board supervisor when the election is final, which is after the May Commission meeting.

## Election Duties

### Information standards

#### Notice of the Adopted Election Resolution (NAER)

The information in the NAER must be published twice, at least six days between each publishing, no later than seven days after the hearing at which the NAER is adopted. The purpose of the NAER is to inform the public, voters and potential candidates of the date, time, place and manner of the election. Certain information must be provided by the CD in the NAER.<sup>21</sup> The information in the adopted election resolution must be provided to the Commission no later than the candidate filing deadline.<sup>22</sup>

#### Candidate required information

Specific information must be submitted by each candidate to the conservation district.<sup>23</sup>

#### Eligibility determination

The election supervisor must verify the eligibility of each person who submits candidate required information.<sup>24</sup>

#### Poll list

Conservation districts use poll lists<sup>25</sup> and voters must provide certain information so that the polling officer can determine voter eligibility.<sup>26</sup> For each voter, a polling officer must determine whether the voter is eligible to vote, and if eligibility is contested, each such determination must be initiated by the polling officer.<sup>27</sup>

#### Ballot results report

Polling officers and the election supervisor must record ballot results for each polling location.<sup>28</sup> Conservation districts and polling officers must record certain information in the ballot results report.<sup>29</sup>

### Required information

Conservation districts must provide the information described in the previous section to the Commission. Conservation districts must use electronic or paper forms provided by the Commission.

<sup>21</sup> A complete list is in WAC 135-110-210 (2)

<sup>22</sup> WAC 135-110-210 (3). This is accomplished by filing out form [EF1 - CD Election Information](#), available on the Commission's elections web page at <https://scc.wa.gov/cd/elections-administrators>

<sup>23</sup> WAC 135-110-320. The form provided for this purpose is [Form PF-A](#).

<sup>24</sup> Ibid. See Checklist 1: Verification and Eligibility for the Office of Elected Supervisor

### Due dates

Conservation Districts must submit [EF1](#) no later than the candidate filing deadline.

Information sufficient for the Commission to certify and announce a conservation district election is due to the Commission no later than fourteen days following the conservation district's last published election date.<sup>30</sup> This is done by submitting [EF2](#). The conservation district retains all original documents. Other due dates are set out in Table 1.

TABLE 1: Information, Forms and Deadlines

Name of Election Form	Due to CD from candidate	Reported Electronically to Commission from CD
<a href="#">EF1 - CD Election Information</a>	N/A	No later than the candidate filing deadline
<a href="#">PF-A - Candidate Required Information</a> (one form per candidate)	At candidate filing deadline	N/A (information included in <a href="#">EF2</a> below)
<a href="#">EF2 - Election Report</a>	N/A	No later than 14 days after Election Day
<a href="#">PF-C - Poll list</a> (all pages)	N/A	N/A (poll lists are to be kept by the CD and made available upon request of the Commission)
<a href="#">PF-D - Ballots</a> : As many ballots as needed, to be printed by the CD	N/A	N/A (ballots to be kept by the CD and made available upon request of the Commission)
<a href="#">Election Feedback Form</a>	N/A	N/A

<sup>25</sup> WAC 135-110-550. The form provided for this purpose is [PF-C](#).

<sup>26</sup> A complete list is in WAC 135-110-550

<sup>27</sup> WAC 135-110-460 and WAC 135-110-610

<sup>28</sup> WAC 135-110-750. Please use Checklist 2: Ballot Results

<sup>29</sup> Ibid.

<sup>30</sup> [If more time is needed, the election supervisor should contact the Commission.](#)

## Election Duties

### Conservation district duties

Conservation districts are strongly encouraged to exceed the minimum due notice requirements so that interested parties may be informed of the opportunity to serve as a conservation district supervisor.

Each conservation district must appoint an election supervisor. For each candidate, the election supervisor must verify that specific eligibility requirements have been met.<sup>31</sup> Such determinations must be made separately for each candidate. A county auditor or the Commission may assist a conservation district in determining the eligibility of a candidate, upon request of the conservation district.

If a candidate is found by the conservation district to be ineligible, the conservation district must inform the candidate of the reasons. To assist voters in the selection of a candidate during voting, a conservation district may publish candidate optional information provided by candidates. Conservation districts should adopt a policy to set the parameters for publishing such candidate optional information.<sup>32</sup>

A conservation district must create a ballot and provide a ballot to each person who wishes to vote in the conservation district election.<sup>33</sup>

The conservation district must obtain a current list of registered voters from the County Auditor or Secretary of State for all territory within the conservation district boundary.

The conservation district must be able to show or describe the legal boundary of the conservation district to any voter or to any representative of the Commission, upon demand.

Campaigning versus recruiting candidates. Campaigning is not the same as recruiting candidates. Conservation district staff and supervisors may recruit candidates to serve on the conservation district board in either elected or appointed positions. Candidates for elected positions can come from any segment of society, provided they are qualified district electors and otherwise eligible to serve on the conservation district board. Candidates for appointed positions can come from any segment of society, provided they are registered voters in

Washington State and otherwise eligible to serve on the conservation district board. ***While conservation district supervisors and staff may recruit candidates to serve on the conservation district board, they must not take an official position on an active candidate for an elected position***<sup>34</sup>. An active candidate is someone who has submitted PF-A to the conservation district in the current election.<sup>35</sup>

Ballots must be offered to potential voters within the conservation district boundary. To receive a ballot, the voter must request a ballot prior to the current election.<sup>36</sup>

### After the candidate filing deadline

The District should verify the eligibility of each candidate to appear on the ballot and serve as a conservation district supervisor.<sup>37</sup>

### During a poll-site election

Conservation district supervisors or staff may assist polling officers, but may not directly issue ballots or count ballots, unless such person is also the election supervisor appointed by the conservation district board of supervisors. Each poll site must have a ballot box, signage, and be accessible to voters. The conservation district must provide polling officers at each poll site.

Polling officers must be independent third parties who are not supervisors, employees, interns or municipal officers of the conservation district holding the election.<sup>38</sup> While there is no prohibition against a relative or spouse serving as a polling officer, it is recommended that polling officers not be immediate family members or live in the same household of such supervisors, employees, interns or municipal officers. Individuals hired temporarily to serve as polling officers are not considered employees for the purposes of the prohibition in WAC 135-110-440.

Before the polls open, the conservation district must review with polling officers the procedures for verifying voters, issuing ballots, issuing contested ballots, and tallying and recording election results.

<sup>31</sup> This is done using Checklist 1: Verification and Eligibility for the Office of Elected Supervisor

<sup>32</sup> A sample template is in Appendix C – Sample Candidate Information Template

<sup>33</sup> See form [PF-D](#)

<sup>34</sup> WAC 135-110-150

<sup>35</sup> A sample candidate recruitment policy can be found in Appendix F

<sup>36</sup> Unless a district is utilizing WAC 135-110-515 (4)

<sup>37</sup> Checklist 1: Verification and Eligibility for the Office of Elected Supervisor

<sup>38</sup> WAC 135-110-440

## Election Duties

### During a mail-in election

There must be two polling officers present at all times when processing ballots during a mail-in election, including during tallying and counting ballots and recording election results. The election supervisor, if acting as a polling officer, may serve as one of the polling officers while ballots are being processed. The conservation district must provide at least two polling officers during ballot processing. All provisions in this Guide relating to polling officers, the election supervisor, and the processing, handling, and tallying of ballots shall apply during a mail-in election.

Before ballots are processed, the conservation district must review with polling officers the procedures for verifying voters and tallying and recording election results.

### CDs must assure privacy in voting

The ballot choice made by a voter must not be seen by any other person during the act of voting or the placing of the ballot in the ballot box. Paper ballots must be placed into ballot boxes. Electronic ballots must assure at least the same level of security and privacy as provided by paper balloting.

### After the polls close

The election supervisor, must receive from polling officers the following:

- All poll list pages;
- All ballots;
- A completed [Checklist 2: Ballot Results](#) for each polling site, and for each type of election held (poll-site or mail-in); and
- All working papers and notes made by polling officers.

When polling officers have transferred all properly completed forms and documents, and all ballots, to the election supervisor, the polling officers may be excused from their official duty.

### Election supervisor duties

Before an election, the election supervisor should

- Confirm that the information in the election resolution has been provided to the Commission by the candidate filing deadline by submitting the EF1.
- Confirm due notice requirements have been satisfied.
- Confirm two polling officers will be present at each

poll site. One polling officer and the election supervisor may substitute for the two polling officer requirement at one poll site.

- Prepare polling officers to perform the tasks required of them by reviewing these procedures, the poll list form, the ballot results form, and contested balloting, and confirm all required resources are available at each polling place.
- Provide ballots and information (instructions, deadlines, etc.) to voters<sup>39</sup> upon request.

Immediately after the candidate filing deadline, the election supervisor should

- Verify the eligibility of each candidate to appear on the ballot and serve as a conservation district supervisor.<sup>40</sup>

The election supervisor may assist polling officers, but may not count ballots, unless the election supervisor is serving as a polling officer.

One or more conservation district supervisors, conservation district employees, Commission representatives, or members of the public may observe the handling of ballots and the counting of votes, but may not interfere or disrupt the proceedings in any way.

During a mail-in election and / or for requested ballots

- The election supervisor receives and safeguards mail-in or ballots returned by voters.
- The election supervisor performs all the tasks as for a poll-site election, and determines if ballots are cast by qualified district electors.
- The election supervisor does not count ballots unless the election supervisor is serving as a polling officer. Mail-in and ballots returned by mail or by hand are to be delivered to the election supervisor.
- The election supervisor determines if ballots votes are submitted by qualified district electors.
- As ballots are received from voters, the election supervisor may verify each ballot as eligible or disqualified based on the information provided on or in the outer envelope of the mail-in or returned ballot. Alternatively, the election supervisor may wait until all ballots are received, at which time the eligibility of each voter must be verified before outer envelopes are opened.
- When a voter cannot be verified as eligible to vote in

<sup>39</sup> See Appendix A – Sample Ballot Request Instructions

<sup>40</sup> Checklist 1: Verification and Eligibility for the Office of Elected Supervisor



## Election Duties

this election from information provided on the outer envelope, the outer envelope should be opened. If, after opening the outer envelope, a voter still cannot be verified as eligible to vote in this election, the ballot must be counted as a disqualified ballot.

- The election supervisor may enlist the help of polling officers in verifying mail-in and returned ballots as eligible or disqualified.
- Polling officers must open and count each ballot that has been verified as having been cast by a qualified district elector.
- The inner envelope for each mail-in or returned ballot found to be cast by a person who is not a qualified district elector must not be opened. However, if it cannot otherwise be determined from an examination of the outer envelope or its contents whether the voter is a qualified district elector, the polling officers may open the inner envelope. If, after opening the inner envelope, a voter still cannot be verified as eligible to vote in the election, the ballot must be counted as a disqualified ballot.

### Polling officer duties

Before an election, the polling officer should review the poll list form,<sup>41</sup> and confirm these resources are available at each poll site:

- Sufficient ballots for the expected number of voters;
- A reasonable supply of provisional ballots (double-envelope system);
- A ballot box;
- Voting booth or other means of assuring votes can be cast privately;
- A list of registered voters (voter list);
- A map or description of the conservation district legal boundary;
- A copy of these procedures; and
- Poll list forms.

During a poll-site election, polling officers must monitor the voting place for compliance with these procedures, and also serve as guardians of all issued and unissued ballots. Polling officers verify voters and issue ballots. A polling officer must verify a voter is a qualified district elector before issuing a ballot to the voter and record that determination on the poll list.<sup>42</sup> At least one polling officer must be present and in control of any

ballot boxes at all times while the polls are open.

At a poll-site election, a provisional ballot must be issued if the voter's eligibility to vote cannot be determined during polling. A voter whose eligibility cannot be determined may only vote on a provisional ballot. Provisional balloting should be explained to the voter by the polling officer.<sup>43</sup> Polling officers use the poll list to track the identity and number of voters, to identify determinations made by polling officers as to voter eligibility, and to identify voters issued provisional ballots.

After the polls close, polling officers open the ballot box or boxes and count the votes cast for each candidate. If the election had more than one polling place, polling officers may transport uncounted ballots in the ballot boxes to a central location for counting. Ballots must remain in the custody of polling officers until counted. Polling officers count all votes cast. Ballots returned by mail or hand should be tallied separately from poll-site ballots.

All votes must be tallied, including eligible votes and disqualified votes. A vote on a provisional ballot where the voter is found to be ineligible to vote is to be counted as a disqualified vote. Written marks made on a ballot for a candidate shall be governed by Washington State state-wide standards.<sup>44</sup> When verifying a voter who cast a provisional ballot, compare the name and address provided by the voter with the voter list obtained from the County Auditor or Secretary of State. The ballot count results are recorded.<sup>45</sup> Poll officer's surrender all poll list documents, all ballots, and all working notes and papers to the election supervisor.

During a mail-in election, polling officers receive each ballot from the election supervisor. Each ballot should be sealed inside an envelope. Only one ballot may be in an envelope. If more than one ballot is found inside a single envelope, all such ballots must be disqualified. A ballot in an unsealed inner envelope may be disqualified. Polling officers count votes and verify the ballot count in writing. All ballots must be tallied: eligible, and disqualified. There are no contested ballots in a mail-in election. Written marks made on a ballot for a candidate shall be governed by Washington State state-wide standards.<sup>46</sup> Ballot counts are recorded.<sup>47</sup>

If the conservation district holds a poll-site election and a mail-in election, polling officers must count and record ballots separately for each type of election and for each poll location.

<sup>41</sup> Checklist 2: Ballot Results

<sup>42</sup> Please see "Voter Duties" on page 9 for details

<sup>43</sup> An example dialogue can be found in Appendix G

<sup>44</sup> WAC 434-261-086

<sup>45</sup> on Checklist 2: Ballot Results

<sup>46</sup> WAC 434-261-086

<sup>47</sup> on Checklist 2: Ballot Results

## Election Duties

This means a separate [Checklist 2: Ballot Results](#) must be completed for each type of election, and poll site location.

### Candidate duties

Before an election, any person wishing to be a candidate must file candidate required information ([PF-A](#)) with the conservation district by the candidate filing deadline. It is the responsibility of a candidate to inform voters of the candidate's desire and qualifications to be elected to the office of conservation district supervisor. A conservation district may provide equal opportunity and equivalent space to candidates for this purpose but are not required to do so. Such information must not be provided within 300 feet of polls on Election Day. Every candidate must be eligible to be elected to, and hold the office of, conservation district supervisor on the day of the filing of candidate required information with the conservation district.

During a poll-site election, candidates may not seek to influence voters to vote for or against a specific candidate within 300 feet of ballot boxes. Candidates may observe an election while the polls are open but may not interfere with voters or polling officers. After the polls close, candidates may not disrupt or interfere with polling officers. Candidates may observe vote counting.

### Voter duties

During a poll-site election, no voter may seek to influence any other voters within 300 feet of the ballot boxes. A voter may observe an election but may not interfere with voters or polling officers. A voter must sign in on a poll list and provide sufficient information for a polling officer to determine the individual's eligibility to vote. Before receiving a ballot, the identity of a voter must be verified by a polling officer. Acceptable forms of voter identification include:

- Valid Washington State driver's license or Valid Washington State identification card; or
- Any other identification allowed for registering to vote by the Auditor of the County where the conservation district is located.

A voter who cannot be confirmed at the polling place as eligible to vote may vote, but only on a provisional ballot issued by a polling officer. After the polls close, voters and other citizens

may not disrupt or interfere with polling officers.

### Non-standard election outcomes

A write-in candidate may be elected if no person files.<sup>48</sup> The write-in candidate, deemed the unofficial winner, must submit required candidate required information to the conservation district within 28 days of the election, and within that 28 days, the election supervisor must verify the eligibility of the unofficial winner to be elected and to serve.<sup>49</sup>

No eligible candidate elected.<sup>50</sup> When no eligible candidate is elected, the position is deemed vacant and the conservation district may appoint an eligible successor following the official announcement by the conservation commission.

### Replacement of elected supervisors

The conservation district must consult with the Commission before filling a vacancy in an elected supervisor position. Any appointee to a vacant [elected](#) supervisor position must be eligible to serve under [WAC 135-110-910](#). Therefore, depending on the current make-up of the board of supervisors, an appointee to a vacant elected supervisor position may be required to be a landowner or farm operator at the time of appointment. Districts must make this determination before filling the elected position.<sup>51</sup> Districts should adopt a policy for mid-term replacement of elected supervisors.<sup>52</sup>

<sup>48</sup> WAC 135-110-360

<sup>49</sup> Checklist 1: Verification and Eligibility for the Office of Elected Supervisor

<sup>50</sup> WAC 135-110-740

<sup>51</sup> By using form AF2 - Mid-Term Elected Position Appointment Verifications of Qualifications

<sup>52</sup> A sample policy is provided in Appendix E: Filling Mid-Term Elected Positions

# Appointment

## Information required

Only an application form provided by the Commission on its web site may be used to apply for the position of appointed supervisor.<sup>53</sup> The application must be filled out in its entirety in order for the applicant to be considered for appointment. Letters of recommendation, resumes, and other items do not need to be included with the application. Late applications and associated documents cannot be considered. The Commission will not consider applications submitted by someone other than the applicant.

## Timelines and deadlines

Conservation districts must provide proof to the Commission that it has complied with the requirement to notify the community of the opportunity to apply for an appointed conservation district supervisor position. Proof must be documented.<sup>54</sup>

For appointment to a full term of office, applications and supporting materials must be received by the Commission no later than **March 31**. If an incumbent holding the office of appointed conservation district supervisor wishes to be reappointed, the incumbent must reapply for appointment. This clearly identifies to the Commission the wishes of the incumbent, and allows the Commission to verify the eligibility of the incumbent to continue his or her service.

For appointment to a partial or mid-term term of office, in consultation with the Commission, the conservation district will establish a deadline for applications and publicize that date for at least four weeks.

## Qualifications

An applicant for the position of appointed supervisor of a conservation district must be a registered voter in Washington State.

Applicants may be required to be landowners or operators of a farm, depending on the current composition of the conservation district board of supervisors. The Commission may examine the makeup of the conservation district board, including the applicants' location and the balance of landowners and farm operations on the board in its decision.

The Commission will vet each applicant with the Department

of Ecology and Department of Agriculture. Applicants with prior or pending enforcement action against them may be ineligible to serve.

Applicants are encouraged to attend conservation district board meetings before making application for an appointed position on a board.

## Conservation Commission duties

The Commission must notify each conservation district of upcoming vacancies in the position of appointed conservation district supervisor by October 1 of the year prior to the terms expiration. The Commission must notify each appointed supervisor whose term is expiring by January 15 of the year in which the term expires.

The Commission must provide a list of prospective applicants to the conservation district prior to the Conservation Commission making an appointment.

The Commission may supplement at its cost any conservation district notice or advertising for applicants for appointed supervisor.

In the event no applications are submitted from qualified applicants for a conservation district, the Commission may seek qualified applicants from the community served by the conservation district. The Commission may contact each district which received no applications and offer an option to re-advertise the open appointed position for a four week period. If the district declines this option, the Commission will seek qualified applicants itself. Applications received as a result of the second round of advertising will be processed as soon as possible by the Commission.

## Full-term appointments

Full-term appointments will be made annually at the regular Commission meeting to be held the third Thursday in May of each year. The term of office will be three years. The term of office for a full-term appointment will expire on the third Thursday of May three years following the appointment. Prior to the May meeting of the Commission Board, the Commission will evaluate all applications received by March 31 in the year the position is open for appointment.

The Commission will evaluate the skills and qualifications of all

<sup>53</sup> [AF1 – Conservation District Appointed Supervisor Application](#)

<sup>54</sup> on [EF2](#)

## Appointment

applicants for the position of appointed supervisor. A Commission representative will contact the conservation district board chair, vice-chair, and district manager from the affected conservation district prior to the Commission making the appointment.

The Commission will notify all applicants, including those not appointed, of the appointments made at its May meeting. The Commission must notify each conservation district of the appointments made following the May meeting.

### Mid-term appointments

The term of office will be until the end of the original full-term. To assure continuity of district operations and effectiveness in administering the authorized conservation program of the conservation district, the Commission may act on an application for mid-term appointment at any time, as determined solely by the Commission.

The Commission will evaluate the skills and qualifications of all applicants for the position of appointed supervisor. A Commission representative will contact a conservation district supervisor from the affected conservation district prior to the Commission making the appointment. The Commission will notify all applicants, including those not appointed, of the mid-term appointments made. The Commission will notify each conservation district of the mid-term appointments made.

### Conservation district appointment duties

Conservation districts must provide due notice to citizens of the opportunity to apply for appointment to a full term of office as a conservation district supervisor. Notices should be published at least four weeks before the application deadline. Copies of published notices shall be retained at the district for at least one year, and may be inspected at any time during that year by the Commission. Notices for elections and appointments may be combined.

Appointment notices to the public must include at least the following information:

- There is an upcoming vacant or unexpired appointed supervisor position.
- An applicant must be a registered voter in the state of Washington.
- Applicants may be required to be landowners or operators of a farm, depending on the current composition of the conservation district board of

supervisors.

- A conservation district supervisor sets policy and direction for the conservation district.
- A conservation district supervisor is a public official who serves without compensation.
- Application forms may be obtained from the Commission website.
- The deadline (March 31<sup>st</sup> for full terms, and as determined with the Commission for mid-terms) to submit applications.

Deadlines for applications vary. For full-term appointments, the deadline for applications and associated materials to be received by the Commission is **March 31**. For partial or mid-term appointments, the conservation district must consult with the Commission to determine an appropriate due date, and then publish that date.

### CD procedures for a full-term appointment

- The application period is January 1 through March 31 in the year the appointment is to occur.
- The conservation district must notify the newly appointed supervisor of the date and time of the next meeting of its board of supervisors.

### CD procedures for mid-term appointments

- The conservation district must consult with the Commission in determining an appropriate application period and deadline for applications.
- The application period must be at least four weeks (28 calendar days) in duration.
- The conservation district must select a reasonable deadline for applications to be received by the Commission, preferably at least four weeks before the regular Commission meeting at which the conservation district wishes the appointment to be made.
- A conservation district may extend the deadline for applications upon consultation with, and agreement by, the Commission. Due notice of the extended deadline must be provided by the conservation district.
- The conservation district must notify a newly appointed supervisor of the date and time of the next meeting of its board of supervisors.

## Appendices and Checklists

### Appendix A: Sample Ballot Request Instructions

[INSERT DISTRICT NAME] Conservation District  
[INSERT ADDRESS, PHONE, EMAIL]

#### PLEASE READ THESE IMPORTANT VOTING INSTRUCTIONS

Dear registered voter:

Thank you for participating in our election by requesting a ballot by mail for the [INSERT DISTRICT NAME] Conservation District Board of Supervisor Election, which will be held on [INSERT DATE].

#### TYPES OF CANDIDATES:

Per WAC 134-110-350, there are two types of candidates:

- (1) A declared candidate is a qualified district elector who has submitted candidate required information form to the conservation district by the filing deadline. The name of this type of candidate will appear on the ballot.
- (2) A write-in candidate is a person who has not submitted candidate required information to the conservation district by the filing deadline.

#### CANDIDATES IN THIS ELECTION:

[INSERT DESCRIPTION OF CANDIDATES IN THIS ELECTION].

#### BALLOT SYSTEM:

Our ballot system is a two-envelope system to ensure the confidentiality of your vote. Complete the ballot and the attest statement and voter information form. Place only your completed ballot inside the smaller secrecy envelope being sure there are no identifying markings on the outside of the envelope then seal the envelope. If there is more than one ballot in the secrecy envelope or the secrecy envelope is not sealed, the ballot may be disqualified.

Place the sealed secrecy envelope and the attest statement and voter information form into the larger envelope, which has our address preprinted in the addressee area of the envelope. The information on the attest statement and information form will be used to verify whether or not you are a registered Washington state voter living in [INSERT COUNTY NAME] County. If we cannot find your name on the voter rolls because you have used a nickname or you have moved and not updated your registration with the County, your ballot will be contested. Seal the outer envelope and write your name and return address in the upper left corner of the envelope.

Your mail-in ballot must be received by the Conservation District by mail or in person no later than [INSERT TIME] on [INSERT DATE] (WAC 135-110-110). Ballots post marked earlier, but received in the mail after [INSERT TIME] on [INSERT DATE] cannot be counted.

Conservation district election procedures are set by the Washington State Conservation Commission and are governed under WAC Chapter 135-110. If you have any further questions about the election procedures, please call the conservation district.

Sincerely,  
[INSERT NAME]  
Election Supervisor

[Page 1 of 3]

**[INSERT DISTRICT NAME] Conservation District**

1. Complete the ballot.
2. Place your completed ballot into the smaller secrecy envelope with no identifying marks.
3. Seal the secrecy envelope with only your ballot in it.
4. Complete the attest statement and voter information form.
5. Place the sealed secrecy envelope and the attest statement and voter information form into the larger white envelope with the [INSERT DISTRICT NAME] Conservation District address in the addressee area of the envelope.
6. Write your name and address in the upper left hand corner of the larger white envelope.
7. Bring or mail the larger white envelope to the [INSERT DISTRICT NAME] Conservation District office at [INSERT ADDRESS]. It must be received no later than [INSERT TIME] on [INSERT DATE].

[INSERT DISTRICT NAME] Conservation District

**Attest Statement and Voter Eligibility Information**

I swear under penalty of perjury under the laws of the State of Washington that I reasonably believe that I am a registered voter of Washington state and that I reside within the [INSERT DISTRICT NAME] Conservation District boundaries.

\_\_\_\_\_  
Signature

**Voter Eligibility Information:**

**Print your name clearly** as it appears on your County voter registration:

\_\_\_\_\_  
First Name                      Middle Initial                      Last Name

Print your address as it appears on your County voter registration:

Physical home address:

\_\_\_\_\_  
House number                      Street                      Unit #

\_\_\_\_\_  
City

Mailing address (if different from physical home address):

\_\_\_\_\_  
PO Box Number or House Number                      Street                      Unit #

\_\_\_\_\_  
City

\_\_\_\_\_  
Phone Number

We will only call you if we are having difficulty verifying that you are a registered Washington state voter living in \_\_\_\_\_ County.

**We may not be able to count your vote if**

- You are not a registered Washington state voter living in [INSERT COUNTY NAME] County.  
(This will be verified by checking the [INSERT COUNTY NAME] County Auditor's voter rolls.)
- We cannot read your name and address on this form.
- Anything except the ballot is inside the secrecy envelope.
- The secrecy envelope is not sealed.
- The name or address on this form is different from the one on the [INSERT COUNTY NAME] County Auditor's voter rolls.

**[INSERT DISTRICT NAME] Conservation District**

[INSERT ADDRESS, PHONE, EMAIL]

**Board of Supervisor Election Ballot Request**

I, \_\_\_\_\_, a registered voter of [INSERT COUNTY NAME]  
(printed first name, middle initial, last name as it appears on your voter registration card)

County, WA living at \_\_\_\_\_  
                                    number        street                                    City

request ☐ in person, ☐ in writing, ☐ by telephone, or ☐ electronically, by ☐ the voter, ☐ a family member, or ☐ a registered domestic partner, that a ballot for the Conservation District Board of Supervisors election be mailed to me at the following address:

Mailing address (If the same as above, please write same.):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Signature [check here if the request was ☐ by telephone or ☐ electronically]

Day Time Phone Number: \_\_\_\_\_

Email (optional) \_\_\_\_\_

Ballot requests made in person, by phone or by email must be received by the [INSERT DISTRICT NAME] Conservation District no later than [INSERT TIME] on [INSERT DATE] to be completed.

Completed ballots may be mailed or dropped off, but must be received by [INSERT TIME], [INSERT DATE] at [INSERT LOCATION OR ADDRESS].

If you have any questions, call our office at [INSERT TELEPHONE NUMBER].



Appendix B: Due Notice Compliance Notice Examples

Please refer to WAC 135-110-110, WAC 135-110-210, and WAC 135-110-220 for specific requirements about minimum content in notices published for elections and appointments.

We recommend providing notices to the potential candidates long before the election, announcing vacancies and seeking candidates.

Sample announcement of a vacancy:

~~The Teton Conservation District is pleased to announce an opportunity to contribute to conservation and your community by serving on the Board of Supervisors. Supervisors are public officials who direct the activities of the conservation district. Although they serve without compensation, they are eligible to be reimbursed for appropriate expenses. For more information, please contact the Teton Conservation District or visit the Washington State Conservation Commission website at <http://www.scc.wa.gov/>.~~

Sample notice of the adopted election resolution that meets minimum requirements for a poll-site election:

~~A poll-site ~~insert type: mail, poll-site, electronic~~ election for a board seat on the Teton Conservation District will be held on [month] [day], [year] at [address] location. Polls will open at [time] and close at [time]. Registered voters who reside within the Conservation District boundary are eligible to vote. The last day and time that an eligible voter can request a ballot from the District is [DATE AND TIME (month/day/year/time)]. Ballots can be requested from [NAME OF DISTRICT / STAFF PERSON, LOCATION, PHONE NUMBER, ETC.]. If a voter is returning a ballot by mail, the voter must account for the time it will take for the ballot to be returned to the district by mail. Ballots returned by mail must be post-marked no later than Election Day, [DATE (month/day/year)]. Ballots returned by other means must be returned to [PHYSICAL ADDRESS OF ELECTION] no later than [TIME] on Election Day, [DATE (month/day/year)]. Candidates must registered voters residing in the conservation district. [IF APPLICABLE, INCLUDE THIS SENTENCE, OTHERWISE DELETE IT: Candidates are required to be landowners or operators of a farm, based on the current composition of the District board of supervisors.] The filing deadline for candidates to file their candidate required information is [DATE AND TIME (month/day/year/time)]. Interested candidates must file their candidate required information at the following location [ADDRESS], no later than [TIME]. Candidate required information will be accepted at that location by [CHOOSE ALL THAT APPLY] in-person delivery, by mail (postmarked no later than [DATE], or by email to [INSERT EMAIL ADDRESS], and may be required to own land or operate a farm. The candidate filing deadline is [date] at [time]. Elections procedures are available at the district office. Ballots are available upon request for eligible voters, but must be requested on or before [time] on [month] [day], [year]. Please contact the District office at [phone] or at the District office at [address] for a ballot or if you have any questions.~~

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Sample notice of the adopted election resolution that meets minimum requirements for a mail-in only election:

~~A mail-in only election for a board seat on the Teton Conservation District will be held on [month] [day], [year] at [address] location. Registered voters who reside within the Conservation District boundary are eligible to vote. The last day and time that an eligible voter can request a ballot from the District is [DATE AND TIME (month/day/year/time)]. Ballots can be requested from [NAME OF DISTRICT / STAFF PERSON, LOCATION, PHONE NUMBER, ETC.]. The voter must account for the time it will take for the ballot to be returned to the district by mail. Ballots returned by mail must be post-marked no later than Election Day, [DATE (month/day/year)]. Ballots returned by other means must be returned to [PHYSICAL ADDRESS OF ELECTION] no later than [TIME] on Election Day, [DATE (month/day/year)]. Candidates must registered voters residing in the~~

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conservation district. **[IF APPLICABLE, INCLUDE THIS SENTENCE, OTHERWISE DELETE IT: Candidates are required to be landowners or operators of a farm, based on the current composition of the District board of supervisors.]** The filing deadline for candidates to file their candidate required information is **[DATE AND TIME (month/day/year/time)]**. Interested candidates must file their candidate required information at the following location **[ADDRESS]**, no later than **[TIME]**. Candidate required information will be accepted at that location by **[CHOOSE ALL THAT APPLY]** in-person delivery, by mail (postmarked no later than **[DATE]**), or by email to **[INSERT EMAIL ADDRESS]**. Elections procedures are available at the district office. Please contact the District office at **[phone]** or at the District office at **[address]** if you have any questions.

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Sample **appointment announcement** that meets minimum requirements for a **full-term** appointment:

A board seat on the Teton Conservation District is available for appointment by the Washington State Conservation Commission. Conservation district board supervisors are public officials who serve without compensation and set policy and direction for the conservation district. An applicant must be a registered voter in Washington State, and may be required to own land or operate a farm. Applicants for appointed positions do not have to live within the district to apply. For more information, please contact the Teton Conservation District or read the Guide to Appointment for Conservation District Applicants ([https://assets.website-files.com/5ec2d4f7da309c68cdc0655a/5f36cfa9fb8e3e5d59ceaae9\\_CD-appointment-guide.pdf](https://assets.website-files.com/5ec2d4f7da309c68cdc0655a/5f36cfa9fb8e3e5d59ceaae9_CD-appointment-guide.pdf)) which can be found on the Conservation Commission website (<https://scc.wa.gov/elections-and-appointments>). To apply, use this direct link (<http://www.formstack.com/forms/?1918463-JfwJs6JKCL>) or please visit the Conservation Commission website (<https://scc.wa.gov/elections-and-appointments>). Applications and supporting materials must be received by the Commission no later than March 31, [year].

Sample **appointment announcement** that meets minimum requirements for a **mid-term** appointment:

A board seat on the Teton Conservation District is available for appointment by the Washington State Conservation Commission. Conservation district board supervisors are public officials who serve without compensation and set policy and direction for the conservation district. An applicant must be a registered voter in Washington State, and may be required to own land or operate a farm. Applicants for appointed positions do not have to live within the district to apply. For more information, please contact the Teton Conservation District or read the Guide to Appointment for Conservation District Applicants ([https://assets.website-files.com/5ec2d4f7da309c68cdc0655a/5f36cfa9fb8e3e5d59ceaae9\\_CD-appointment-guide.pdf](https://assets.website-files.com/5ec2d4f7da309c68cdc0655a/5f36cfa9fb8e3e5d59ceaae9_CD-appointment-guide.pdf)) which can be found on the Conservation Commission website (<https://scc.wa.gov/elections-and-appointments>). To apply, use this direct link (<http://www.formstack.com/forms/?1918463-JfwJs6JKCL>) or please visit the Conservation Commission website (<https://scc.wa.gov/elections-and-appointments>). Applications and supporting materials must be received by the Commission no later than [INSERT DATE].

## Appendix C: Sample Candidate Optional Information Template

### Background

A district may publish candidate optional information (a candidate statement).<sup>55</sup> If a district chooses to publish information about candidates, it must provide equal opportunity for publication and equivalent space to each candidate.

Districts who wish to allow candidates to publish candidate statements should consider a number of questions, including:

- How will the statement be published (web site only, posted at the district's office, other forums)?
- How long will the statement be?
- What information is required in the statement (if any)?
- What information is prohibited in the statement (if any)?
- What happens if there are inaccurate, erroneous, or offensive statements or language in the statement?
- When must the statement be provided by the candidate to the district?
- Will the statement be provided with ballot requests and/or mailed to prospective voters?
- If a candidate wishes to rescind a submitted statement, will the district allow that?
- Who decides if the statement meets the parameters set by the district (i.e. it was submitted on time, it meets the length requirements, etc.)?
- Will the statement be edited by the District in any way?
- What procedure would the district use to approve the publication of a candidates' statement?

Ultimately, it is the responsibility of the candidate to inform voters of the candidate's desire and qualifications to be elected to the office of conservation district supervisor. Candidates are free to run campaigns as they see fit and can provide voters with any information they choose, so long as they are lawful and otherwise comply with the Revised Code of Washington, Washington Administrative Code, and Commission elections policies and procedures.

It is up to the District to modify the template below so that it meets the District's current policy:

#### Sample Candidate Optional Information Template:

Thank you for your interest in running for the office of elected supervisor of the [DISTRICT] Conservation District!

Prior to Election Day, we encourage you to take the opportunity to tell voters about who you are and how you are connected to the District and county. Please keep in mind though, that such information must not be provided within 300 feet of polls on Election Day.

There's another chance to tell voters about yourself – that is when you provide candidate option information (a candidate statement). The candidate optional information is similar to your biography – it allows you to inform voters of your desire and qualification to be elected to the office of conservation district supervisor.

If all candidates participate by the filing deadline, and all candidate optional information complies with the District's policy, the District will publish the candidate optional information as soon as practicable on the Districts' web page. In the event that one candidate provided optional information does not comply with this policy, no candidate optional information will be published by the District.

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<sup>55</sup> WAC 145-110-430

Your statement should be no more than 200 words. Statements must be typed. You may submit a photograph of yourself with your statement. Photos must be digital (JPEG or TIFF format), current (within 5 years), head and shoulders only portrait, light colored on plain background. Photos with scenery, flags, or other background settings will not be accepted. Color photos are preferred, black and white is acceptable. Judicial robes, law enforcement or military type uniforms are prohibited. No photo may reveal clothing or insignia suggesting that you hold a public office. Submitted photos become the property of the District.

The statement must be limited to information only about you. The District retains the right to eliminate information for space availability or content appropriateness, at the sole discretion of the District. Once submitted, the District has sole discretion to publish that information as it sees fit, provided that each candidate's statement is treated equally. Inaccurate, erroneous, or offensive statements or language in the candidate statement, as determined by the District's delegated Election Supervisor, will result in the non-publication of the candidate statement.

Things to think about when you write your candidate statement:

- Describe your current occupation/employer (suggested).
- Describe your position interest (suggested).
- Describe your education (suggested).
- Information about your family (optional).
- Include a photo of yourself (suggested).

Candidate statements must be returned in the proper format, as outlined above, no later than the candidate filing deadline of [DATE], to the District at [ADDRESS]. As determined by the District, the failure to properly submit the statement will result in the non-publication of the statement. Any issue a candidate has surrounding a candidate's submitted statement must be made in writing [electronic or paper] to the District's Election Supervisor. As the delegated agent of the District, the District's Election Supervisor will resolve the issue as soon as practicable and inform the candidate of the decision in writing [electronic or paper].

## Appendix D: Sample Election Resolution<sup>s</sup>

[DISTRICT NAME] Conservation District  
Resolution # [NUMBER]  
[DATE]

WHEREAS, the Board of Supervisors of the [DISTRICT NAME] Conservation District (“District”) operates under the laws of the State of Washington applicable to conservation districts.

WHEREAS the District is governed by a five-member board, as set out in RCW Chapter 89.08 and WAC Section 135-110.

It is RESOLVED that a **POLL SITE [INPUT TYPE OF ELECTION]** election for an open position on the District board of Supervisors will be held on [DATE] from [START TIME] until [END TIME] at the [PHYSICAL ADDRESS OF ELECTION].

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The elected position whose term is expiring in May [YEAR] is currently held by [ELECTED SUPERVISOR NAME].  
The appointed position whose term is expiring in May [YEAR] is currently held by [APPOINTED SUPERVISOR NAME].

Interested candidates must be registered voters who reside within the boundaries of the District. **[IF APPLICABLE, INCLUDE THIS SENTENCE, OTHERWISE DELETE IT: Candidates ~~are may be~~ required to be landowners or operators of a farm, ~~depending based~~ on the current composition of the District board of supervisors.]** The filing deadline for candidates to file their candidate required information is [DATE AND TIME (month/day/year)]. Interested candidates must file their candidate required information at the following location [ADDRESS], **no later than [TIME].** **Candidate required information will be accepted at that location by [CHOOSE ALL THAT APPLY] in-person delivery, by mail (postmarked no later than [DATE]), or by email to [INSERT EMAIL ADDRESS].**

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Eligible voters are registered voters who reside within the boundaries of the District. The last day and time that voters can request ballots from the District is [DATE AND TIME (month/day/year/time)]. Ballots can be requested from [NAME OF DISTRICT / STAFF PERSON, LOCATION, PHONE NUMBER, ETC.]. If a voter is returning a ballot by mail, the voter must account for the time it will take for the ballot to be returned to the district by mail. **Ballots returned by mail must be post-marked no later than Election Day, [DATE (month/day/year)].** **Ballots returned by other means must be returned to [PHYSICAL ADDRESS OF ELECTION] no later than [TIME] on Election Day, [DATE (month/day/year)].**

The election supervisor will be [NAME].

A conservation district supervisor is a public official who serves without compensation and who sets policy and direction for the conservation district. The published election procedures can be viewed at the District office and are available from the Washington State Conservation Commission **at <http://scc.wa.gov/>.**

Adopted at a regular board meeting of the District Board of Supervisors on [DATE].

\_\_\_\_\_  
Chair Signature

\_\_\_\_\_  
Board member

\_\_\_\_\_  
Board member

\_\_\_\_\_  
Board member

\_\_\_\_\_  
Board member

[DISTRICT NAME] Conservation District  
Resolution # [NUMBER]  
[DATE]

WHEREAS, the Board of Supervisors of the [DISTRICT NAME] Conservation District ("District") operates under the laws of the State of Washington applicable to conservation districts.

WHEREAS the District is governed by a five-member board, as set out in RCW Chapter 89.08 and WAC Section 135-110.

It is RESOLVED that a **MAIL-IN** election for an open position on the District board of Supervisors will be held on [DATE (month/day/year)].

The elected position whose term is expiring in May [YEAR] is currently held by [ELECTED SUPERVISOR NAME]. The appointed position whose term is expiring in May [YEAR] is currently held by [APPOINTED SUPERVISOR NAME].

Interested candidates must be registered voters who reside within the boundaries of the District. **[IF APPLICABLE, INCLUDE THIS SENTENCE, OTHERWISE DELETE IT: Candidates are required to be landowners or operators of a farm, based on the current composition of the District board of supervisors.]** The filing deadline for candidates to file their candidate required information is [DATE AND TIME (month/day/year/time)]. Interested candidates must file their candidate required information at the following location [ADDRESS], no later than [TIME]. Candidate required information will be accepted at that location by **[CHOOSE ALL THAT APPLY]** in-person delivery, by mail (postmarked no later than [DATE]), or by email to [INSERT EMAIL ADDRESS].

Eligible voters are registered voters who reside within the boundaries of the District. The last day and time that voters can request ballots from the District is [DATE AND TIME (month/day/year/time)]. Ballots can be requested from **[NAME OF DISTRICT / STAFF PERSON, LOCATION, PHONE NUMBER, ETC.]**. If a voter is returning a ballot by mail, the voter must account for the time it will take for the ballot to be returned to the district by mail. Ballots returned by mail must be post-marked no later than Election Day, [DATE (month/day/year)]. Ballots returned by other means must be returned to **[PHYSICAL ADDRESS OF ELECTION]** no later than [TIME] on Election Day, [DATE (month/day/year)].

The election supervisor will be [NAME].

A conservation district supervisor is a public official who serves without compensation and who sets policy and direction for the conservation district. The published election procedures can be viewed at the District office and are available from the Washington State Conservation Commission at <http://scc.wa.gov/>.

Adopted at a regular board meeting of the District Board of Supervisors on [DATE].

\_\_\_\_\_  
Chair Signature Board member

\_\_\_\_\_  
Board member Board member

\_\_\_\_\_  
Board member

## Appendix E: Filling Mid-Term Elected Positions

**Purpose:** To establish a policy outlining the process and procedures for filling mid-term elected position vacancies on the Conservation District Board of Supervisors (Board).

**Policy:** A vacancy in the office of elected conservation district supervisor is filled by the conservation district board of supervisors after consultation with the Conservation Commission, for the remainder of the unexpired term, subject to the verification of supervisor qualifications by the conservation district and notification to the Commission. Due notice to the affected community shall be required.

- (1) The application process shall require, at a minimum, that the board of supervisors pass a resolution:
  - (a) Acknowledging that the office is vacant;
  - (b) The dates of the four-week period for applicants to apply; and
  - (c) Describing the minimum requirements of applicants.
- (2) The resolution shall then be advertised to the public at least one week prior to the commencing of the four-week period, and in the same manner as the due notice of an election resolution.<sup>56</sup>

**Procedure:** Determining Candidate Skills, Qualifications and Requirements

The Board shall determine the skills and qualifications needed to fill the vacated position in such a way that meet current organizational needs and fills statutory requirements for board make-up, prior to advertising the opening. However, the following skills, qualifications, and expectations will be consistently required of any candidate seeking a board position:

- a) Willingness and ability to work and communicate effectively with a team;
- b) Willingness to fully participate in board discussions and decisions in open, public meetings;
- c) Willingness and ability to be respectful of Staff and other Supervisors;
- d) Functional knowledge of Conservation Districts;
- e) Willingness and ability to meet all Supervisor requirements set forth in appropriate Board of Supervisors policies;
- f) Willingness and ability to participate in various leadership roles, if needed, such as special committees or board officer position;
- g) Willingness and ability to represent the District to other public entities and policymakers upon request of the board;
- h) Willingness and ability to complete a Washington State Conservation Commission (Commission) orientation within 90 days of assuming office;
- i) Willingness and ability to complete the Open Public Meetings Act and Public Records Management training within 90 days of assuming office;
- j) Having a basic working knowledge of email and internet; and,
- k) Willing and able to serve the best interest of the citizens of the District and County, with the ability to put aside personal issues and grievances.

Any appointee to a vacant elected supervisor position must be eligible to serve.<sup>57</sup> Depending on the current make-up of the board, an appointee may be required to be a landowner or farm operator at the time of the appointment. The District will make such determination before appointing a person to fill the vacant elected supervisor position by using Commission's form.<sup>58</sup> At least two of the three elected conservation district supervisors on the board must be landowners or operators of a farm.

### *Candidate Recruitment*

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<sup>56</sup> [WAC 135-110-970; RCW 42.12.070.](#)

<sup>57</sup> [WAC 135-110-910](#)

<sup>58</sup> [AF2- Mid-Term Elected Position Appointment Verification of Qualifications](#)

When an elected seat is vacated, the remaining board members, with input from staff, will determine skills and qualifications necessary to meet organization needs and fill statutory requirements. Once qualifications are determined by the Board, a candidate recruitment process will commence.

The Board will enact a proactive candidate recruitment plan, as follows:

- The Board will discuss viable candidates that stand out in our community as potential assets to the Board and our organization.
- The Board will decide if there are any candidates they would like to reach out to, and the Board will create an outreach plan for conducting these efforts.

District staff will enact a passive candidate recruitment plan, as follows:

- Prepare and issue an advertisement in the legal section of the local newspaper, physically post a notice at the District Office, electronically post via social media, and electronically post on the District's website. The announcement on the website will include the requirements necessary to hold office, time to be served in vacant position, election information, basic duties, and instructions for submitting applications.

Board and staff can augment this advertising plan to include additional marketing outlets, as needed.

The District Manager will prepare an application form that requests the appropriate information for the Board of Supervisors' consideration of the candidates. Instructions for applying will be available on the District's website. Candidates must provide an application packet that includes:

- A completed application form
- A resume (no longer than two pages)
- A list of at least three community references (prefer organizations that have collaborative partnerships with the District).

Application packets must be submitted electronically to the District Office, to the attention of the District Manager by a deadline designated by the Board. Candidates submitting the required Application Packets materials by the deadline will be circulated to the Board and the District's assigned Commission Regional Manager. The decision as to which candidates will be interviewed will be determined by the Board, based on information contained in the application packet.

#### *Candidate Interviews*

The Vice Chair (or other board designee) will conduct the reference checks and input from Staff will be collected, disseminated, and reviewed by the Board, prior to candidate interviews. The Board will determine interview questions, with Staff input, and ensure that each applicant is asked the approved set of questions, prior to interviews.

Interviews with candidates must be held in an open public meeting. The Board will interview candidates at the next regularly scheduled board meeting following the application deadline, unless that period is less than two weeks. In such a case, a Special Board meeting may be requested by the Chair. The District Manager will notify applicants of the location, date and time of the candidate interviews.

The candidates' order of appearance will be determined by the date and time their application was received. The Board shall ask the pre-determined set of questions, which must be responded to by the candidate. Each applicant will be asked to answer the same set of questions. Follow up questions, based on responses, are permitted. An informal question and answer period of up to 10 minutes may be allowed upon agreement of a majority of the Board, in which the Board and Staff asks and receives answers to miscellaneous questions.

#### *Appointing a Candidate*

The Board will base their candidate selection decisions upon information contained in the application packet, the references, interviews, and other material gathered through public avenues, as necessary, to choose a representative of the District. Upon completion of the interviews, the Board may deliberate on the candidate(s). The meeting Chair shall poll the Board to



determine if they are prepared to vote. The selection of a candidate to fill the vacancy is made by a majority vote of the remaining Board Members. Voting will take place in the open meeting and outcomes recorded in the minutes. The Board may postpone an appointment decision until another date, if a majority vote is not received. In addition, the Board may decide by majority vote that none of the candidates meet the desired and/or required qualifications needed to balance the Board makeup and maximize benefit to district functions. In this case, the Board will designate a new application deadline in the future. Active and passive recruitment would occur again during the interim.

It is noted the Board may convene into Executive Session to discuss the qualifications of the candidates.<sup>59</sup> However, all interviews, nominations, and votes taken by the Board must be held in open public session. The Board may not determine who to select or reach a consensus on a preferred candidate in Executive Session.

Once appointed, the new Board Member will assume their board responsibilities immediately. The term of the candidate selected to fill the vacancy will be in effect until the current term expires. The incumbent may choose to run for election at that time.

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<sup>59</sup> [RCW 42.30.110\(1\)\(h\)](#)

## Appendix F: Candidate Recruitment Policy

Conservation districts are free to set policies related to the recruitment of candidates for conservation district elected and appointed positions, provided those policies are not in violation of the Commission's election and appointment policies and procedures. Below is an example of a policy that could be used related to the recruitment of candidates.

Conservation district staff and supervisors may recruit candidates to serve on the conservation district board in either an elected or appointed positions. Campaigning is not the same as recruiting candidates.

Conservation district staff may distribute informational materials related to their upcoming election, during the normal course of their work duties, provided they do not violate election policy and WAC 135-110-150.

Conservation district supervisors should seek opportunities to recruit candidates to serve on the conservation district board in either an elected or appointed positions, provided that they do not violate election policy and WAC 135-110-150.

## Appendix G: Sample Narrative for Providing Provisional Ballots to Voters

At a poll-site election, a provisional ballot must be issued if the voter's eligibility to vote cannot be determined during polling. A voter whose eligibility cannot be determined may only vote on a provisional ballot.

Provisional balloting should be explained to the voter. Example dialog a polling officer could use is below:

*At this time, I cannot verify you are a qualified district elector eligible to vote in this election. For your vote to be counted, you must be a registered voter living inside the boundary of the conservation district.*

*Every vote is important, so if you wish to vote, I will issue you a provisional ballot so that you can vote. Election officials will determine your eligibility to vote after the polls are closed and count all ballots.*

*The provisional ballot is a package consisting of a ballot and two envelopes. After you mark the ballot, place it inside one envelope and seal that envelope. Do not make any identifying marks on that envelope. Place the sealed envelope inside the second envelope.*

*On the outside of the second envelope, print your name and address as used by the County Auditor for your voter registration record, then place the completed provisional ballot package in the ballot box.*

Checklist 1: Verification and Eligibility for the Office of Elected Supervisor

Start here ▼				
Proceed to next center cell below ▼	◀ Yes	Is the candidate a qualified district elector (registered voter living inside the conservation district).	No ▶	STOP: The candidate is not qualified to be elected.
Proceed to next center cell below ▼	◀ Yes	If this candidate is elected, will at least two of the three elected conservation district Supervisors be landowners or farm operators?	No ▶	STOP: The candidate is not qualified to be elected.
Proceed to next cell below ▼	◀ Yes	Did the candidate submit the required candidate information by the filing deadline?	No ▶	Proceed to next cell below ▼
The candidate is eligible to serve and the candidate's name must be pre-printed on the official ballot.				The candidate is eligible to serve, however this candidate will be a write-in candidate and his or her name will NOT be pre-printed on the official ballot.
Done!				

Checklist 2: Ballot Results<sup>60</sup>

**Polling officer instructions:** Following the closure of the polls, polling officers must tally valid votes cast. Please record a separate Checklist 2 for each polling location. Retain each Checklist 2 at the district.

Candidate name	Type of Candidate (choose one)		Votes counted by type of ballot cast		
	Declared	Write-In	Eligible + Disqualified = Total		
			Eligible	Disqualified	Total
	<input type="checkbox"/>	<input type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>			

Please record any discrepancies or disqualifications in detail in the box below.

We, the undersigned polling officers (and election supervisor, if the election supervisor also served as a polling officer), do attest by our signatures:

- No ballots were in the ballot box when the polls opened.
- The ballots and ballot box did not leave our control before ballots were counted.
- We counted all ballots cast by voters at this polling location.
- The ballot results above are a true accounting of the unofficial results of this election.

Date	Polling officer name	Polling officer signature

Date	Election Supervisor name	Election Supervisor signature

<sup>60</sup> Report total ballot counts for each candidate on [EF2](#).

## Election Supervisor Master Checklist for Elections

### Before The Election

- ☐ Review CD election policy and procedures. In those election policy areas that are left to the CDs to determine, craft and adopt needed policies and procedures. [Appendix A - Sample Ballot Request Instructions](#), [Appendix B: Due Notice Compliance Notice Examples](#), [Appendix C: Sample Candidate Optional Information Template](#), [Appendix D: Sample Election Resolution](#)
- ☐ Use the Election Calculator to determine potential election cycle deadlines based on a CDs proposed election date.
- ☐ Set the parameters of your election at a Board meeting. [EF1](#), [Appendix D: Sample Election Resolution](#); if an appointed position's term on the CD Board will expire this current election cycle, decide if the Notice of the Adopted Election Resolution will also include an advertisement that there will be a vacant appointed position available and the deadline to apply is March 31. [AF-1](#), [Appendix B – Due Notice Compliance Notice Examples](#); **within seven days of the board meeting at which the election resolution was adopted, publish the Notice of the Adopted Election Resolution.** [EF1](#), [Appendix B – Due Notice Compliance Notice Examples](#)
- ☐ If an appointed position's term on the CD Board will expire this current election cycle, encourage applicants to apply before the March 31 deadline.
- ☐ Encourage your CD supervisors to seek out potential election candidates before the candidate filing deadline.
- ☐ Provide [PF-A](#) to potential candidates.
- ☐ Verify, for each candidate, that eligibility requirements have been met. [Checklist 1: Verification and Eligibility for the Office of Elected Supervisor](#)
- ☐ Inform candidates found to be ineligible of the reasons for the ineligibility.
- ☐ Encourage candidates to inform voters of the candidate's desire and qualifications to be elected to the office of CD supervisor. [Appendix C: Sample Candidate Optional Information Template](#)
- ☐ Decide if the CD will publish candidate statements. [Appendix C: Sample Candidate Optional Information Template](#)
- ☐ Create the official election ballot. [PF-D](#), [Appendix B – Due Notice Compliance Notice Examples](#)
- ☐ Decide if the CD will provide ballots to a pre-determined list of voters. If it will, then do so.
- ☐ Provide ballots to voters who request them. [Appendix A - Sample Ballot Request Instructions](#)
- ☐ Obtain the list of current registered voters from the County Auditor or Secretary of State.
- ☐ If holding a mail-in (or remote) election, use the double-envelope voting system.
- ☐ Process mail-in and/or ballots returned by mail or by hand.
- ☐ Ensure the poll site location is available and otherwise functional as a poll site location. [EF1](#)
- ☐ Confirm that the following resources will be available at each poll site:
  - ☐ Sufficient ballots for the expected number of voters;
  - ☐ A reasonable supply of provisional ballots (double-envelope system);
  - ☐ A ballot box;

- ☐ Voting booth or other means of assuring votes can be cast privately;
- ☐ A list of registered voters (voter list);
- ☐ A map or description of the CD legal boundary;
- ☐ A copy of the election Guide; and
- ☐ Poll list forms ([PF-D](#))
- ☐ [Checklist 2 - Ballot Results.](#)

☐ Decide whether or not to declare an emergency when adverse conditions may negatively affect the health or safety of voters or the timely return of ballots.

☐ Before the polls open, review with the polling officers the procedures for verifying voters, issuing ballots, issuing contested ballots, and tallying and recording election results.

☐ **Submit [EF1](#) by the candidate filing deadline.**

### On Election Day

☐ Decide whether or not to declare an emergency when adverse conditions may negatively affect the health or safety of voters or the timely return of ballots.

☐ Assure that voters have privacy when voting.

☐ Have a copy of the election Guide on hand and available for public inspection.

☐ Each polling place must be open for at least four consecutive hours at a time convenient for voters.

☐ Polling places must have sufficient parking to accommodate the expected number of voters.

☐ Polling places must be accessible to those with disabilities and not create undue hardship for them.

☐ Ensure that candidate optional information is not be provided to voters within 300 feet of the poll site.

☐ Each poll site must have a ballot box, signage, and be accessible to voters.

☐ Each poll site must have at least one ballot box.

☐ Each poll site must be conspicuously identified to voters as the place to vote.

☐ Not post the names of candidates at the polls.

☐ Ensure there are at least two polling officers at each poll site (the election supervisor may substitute for one polling officer at one poll site).

☐ Control behavior that disrupts or interferes with the poll site election.

☐ Monitor the poll site for compliance with election procedures.

☐ Ensure that the polling officers verify a voter is a qualified CD elector before issuing a ballot to the voter and record that determination on the poll list. If a determination cannot be made, a provisional ballot must be issued.

☐ Ensure that at least one polling officer is present and in control of the ballot boxes at all times while the polls are open.

- ☐ Provide provisional ballots to individuals wishing to vote who cannot be verified as eligible to vote prior to the issuance of a ballot.
- ☐ Be able to show or describe the CD's legal boundary.
- ☐ Ensure polling officers use the poll list to track the identity and number of voters, to identify determinations made by polling officers as to voter eligibility, and to identify voters issued provisional ballots.
- ☐ Ensure that paper ballots are placed into ballot boxes.
- ☐ Ensure polling officers close the polls at the published time, unless the polls are extended by a CD supervisor or the election supervisor.

#### **After The Election**

- ☐ Verify any write-in candidate is eligible to be elected. This is done using [Checklist 1 - CD Verification of Candidate and Eligibility for the Office of Elected Supervisor](#).
- ☐ Direct polling officers to open the ballot box or boxes and count the votes cast for each candidate.
- ☐ Count all votes.
- ☐ Record all ballot count results on [Checklist 2: Ballot Results](#) for each polling site.
- ☐ Receive the following from the polling officers:
  - ☐ All poll list pages ([PF-C](#))
  - ☐ All ballots
  - ☐ All completed [Checklist 2: Ballot Results](#) reports
  - ☐ All working papers and notes made by polling officers
- ☐ Receive from the polling officers an announcement of the unofficial results of the election, subject to certification by the Commission.
- ☐ Excuse polling officers.
- ☐ Transmit election data to the Commission as soon as possible, but no later than fourteen days after the election. [EF2 – Election Report](#).
- ☐ Retain all original data.
- ☐ For those CDs with elections in January or early February, if an appointed position's term on the CD Board will expire this current election cycle, and the CD has not already advertised the vacancy with the Notice of the Adopted Election Resolution, advertise the vacant appointed position at least one month before March 31. [AF-1, Appendix B: Due Notice Compliance Notice Examples](#).