

Form 5
DUE NOTICE COMPLIANCE FOR THE



_____ CONSERVATION DISTRICT

WAC 135-110-220

Requirements – Requirements for due notice compliance are described in the published election and appointment procedures. Please carefully review the definitions of “due notice” and “print media” in those procedures. Also, see WAC 135-110-110, WAC 135-110-220, and WAC 135-110-370. In July 2014, the Commission clarified notice procedures to allow for the adopted election resolution, and all subsequent election notices, to be published on a Districts’ web site. Districts who choose this option are required to publish the *Intent to Adopt an Election Resolution* as usual (twice, at least a week apart, in a newspaper) accompanied by a clear statement in that notice that future election information will be posted **ONLY** on the districts’ web site. Once that is accomplished, districts may then publish any further election notices or materials on their web site.

Election notices – For election notices, copies of published notices are not required to be submitted to the Conservation Commission. Instead, the Election Supervisor attests to the conservation district meeting due notice requirements. The conservation district must keep copies on file as for ballots, and provide access to them upon request.

Appointment notices – For appointment notices, copies of published notices are required to be submitted to the Conservation Commission. If elected and appointed positions were included in a single notice, a copy must be provided to the Conservation Commission.

Examples – Example text for notices is provided at the end of this form.

1 – Intent to Adopt an Election Resolution published

Date of publication (or date range)	How/where published (describe type and name, for example: newspaper, Daily Sun)

2 – Election / Appointment Resolution published

Date of publication (or date range)	How/where published (describe type and name, for example: newspaper, Daily Sun)	Election Notice?	Appointment Notice?
		<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
		<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
		<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
		<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
		<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
		<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
		<input type="checkbox"/> Yes	<input type="checkbox"/> Yes

3 – Notice of the Automatic Re-Election of the Incumbent published (use only if complying with WAC 135-110-370)		
Date of publication (or date range)	How/where published (describe type and name, for example: newspaper, Daily Sun)	
4 – Proof of the Notice of the Automatic Re-Election of the Incumbent Posted on Poll-Site Door on Election Day (use only if complying with WAC 135-110-370)		
Date of Election Date (or date range)	How is proof being provided to the Commission (all are acceptable, only one required: photograph, email, letter, other)	
Election Supervisor Signature	Election Supervisor Name	Date

Examples

Please refer to Section 2.D.2.e and Section 3.D.2 for specific requirements about minimum content in notices published for elections and appointments.

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

Sample announcement of a vacancy:

The Ledgerwood 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 Ledgerwood Conservation District or visit the Washington State Conservation Commission website at <http://www.scc.wa.gov/>

Sample notice of intent to adopt an election resolution that meets the traditional minimum requirements:

The Ledgerwood Conservation District Board of Supervisors will hold a meeting at [time] on [month] [day], [year] at [address] location to adopt a resolution setting the date, time, and location of an election to fill a Conservation District Supervisor's expiring term.

Sample notice of intent to adopt an election resolution that meets the NEW web site requirements:

*The Ledgerwood Conservation District Board of Supervisors will hold a meeting at [time] on [month] [day], [year] at [address] location to adopt a resolution setting the date, time, and location of an election to fill a Conservation District Supervisor's expiring term. **Please note: future election information will be posted ONLY on the Ledgerwood Conservation District web site (INSERT WEB SITE URL).***

Sample adopted election resolution notice that meets minimum requirements:

A [insert type: mail, poll-site, electronic] election for a board seat on the Ledgerwood 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. Candidates must registered voters residing in the conservation district, 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. Absentee 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 absentee ballots or if you have any questions.

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

A board seat on the Ledgerwood 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, or to obtain an application form, please contact the Ledgerwood Conservation District or visit the Conservation Commission website at <http://www.scc.wa.gov>. Applications and supporting materials must be received by the Commission no later than March 31, [year].

Sample Board-Authorized Automatic Re-Election of the Incumbent notice. Note: use this notice only if your Board of Supervisors, at a regular or special meeting, passed a resolution cancelling the election due to the automatic re-election of the incumbent, in compliance with WAC 135-110-370:

The Ledgerwood Conservation District Board of Supervisors resolved on [day], [year] to proceed with informing the voting public that the incumbent has been re-elected to the currently open seat by reason of being the only person filing for the position by the filing deadline. Therefore, no poll site, absentee balloting or mail balloting will be performed pursuant to WAC 135-110-370. For further information, please contact the District at [phone].

Sample Automatic Re-Election of the Incumbent notice. Note: use this notice if your Election Supervisor has chosen to cancel the election due to the automatic re-election of the incumbent without a formal resolution from your Board of Supervisors, in compliance with WAC 135-110-370:

The Ledgerwood Conservation District Board of Supervisors hereby informs the voting public that the incumbent has been re-elected to the currently open seat by reason of being the only person filing for the position by the filing deadline. Therefore, no poll site, absentee balloting or mail balloting will be performed pursuant to WAC 135-110-370. For further information, please contact the District at [phone].

Below are two different examples of signs to post on election day, in order for a district to comply with [WAC 135-110-370](#):

Example #1 (use this sign if your Board of Supervisors, at a regular or special meeting, issued a resolution regarding the automatic re-election of the incumbent):

"Pursuant to WAC 135-110-370, no poll site, absentee balloting or mail balloting will be performed. The XYZ Conservation District Board of Supervisors resolved on [day], [year] to proceed with informing the voting public that the incumbent has been re-elected to the currently open seat by reason of being the only person filing for the position by the filing deadline. For further information, please contact the District at [phone]."

Example #2 (use this sign if your Election Supervisor has chosen to proceed without a formal resolution from your Board of Supervisors regarding the automatic re-election of the incumbent):

"Pursuant to WAC 135-110-370, no poll site, absentee balloting or mail balloting will be performed. The XYZ Conservation District Board of Supervisors hereby informs the voting public that the incumbent has been re-elected to the currently open seat by reason of being the only person filing for the position by the filing deadline. For further information, please contact the District at [phone]."