

Part 3
Conservation District Board of Supervisors

17D-3-301 Board of supervisors -- Number -- Term -- Chair and officers -- Quorum -- Compensation.

- (1) Each conservation district shall be governed by a board of supervisors.
- (2)
 - (a) The board of supervisors of a conservation district consists of five members elected as provided in this part, at least three of whom shall be private agricultural land operators.
 - (b) If the board of supervisors divides the conservation district into watershed voting areas under Section 17D-3-308, at least one member of the board of supervisors shall reside within each watershed voting area.
- (3)
 - (a) The term of office of each member of a board of supervisors is four years.
 - (b) Notwithstanding Subsection (3)(a), if multiple conservation districts are consolidated or a single conservation district divided or dissolved under Part 2, Creation, Consolidation, Division, and Dissolution of Conservation Districts:
 - (i) the term of each member of the board of supervisors of the consolidated conservation districts or the divided or dissolved conservation district terminates immediately upon consolidation, division, or dissolution; and
 - (ii)
 - (A) the commission shall hold an election, as provided in this part, for all board of supervisors members of the consolidated conservation district or divided conservation districts, as the case may be; and
 - (B) the term of the two candidates receiving the highest number of votes at an election under Subsection (3)(b)(ii)(A) shall be four years, and the term of the three candidates receiving the next highest number of votes shall be two years.
- (4) The board of supervisors shall elect a chair from among their number, and may elect other officers from among their number that the board considers necessary.
- (5) A majority of the board of supervisors constitutes a quorum for the transaction of board business, and action by a majority of a quorum present at a meeting of the board constitutes action of the board.
- (6) For performing official duties, each member of the board of supervisors of a conservation district shall receive:
 - (a) compensation for travel and time, as fixed by the commission; and
 - (b) actual and necessary expenses.

Enacted by Chapter 360, 2008 General Session

17D-3-302 Board of supervisors members to be elected -- Candidates nominated by nominating committee or petition -- Candidate qualifications.

- (1) As provided in this part, each member of a board of supervisors of a conservation district shall be elected at large within the conservation district from candidates nominated by:
 - (a) a nominating committee consisting of:
 - (i) the chair of the commission or council of the county in which the conservation district is located;

- (ii) the chair of the USDA Farm Service Agency Committee of the county in which the conservation district is located;
 - (iii)
 - (A) the chair of the board of supervisors of the conservation district; or
 - (B) the chair's designee, if the chair wishes to be a candidate for reelection;
 - (iv) the agricultural extension service designated representative of the county in which the conservation district is located; or
- (b) petition under Section 17D-3-304.
- (2) Each candidate for election to the board of supervisors of a conservation district shall be:
- (a) at least 18 years of age; and
 - (b) a resident within the conservation district.

Enacted by Chapter 360, 2008 General Session

17D-3-303 Nominating committee nomination of candidates for election to the board of supervisors.

The nominating committee under Subsection 17D-3-302(1)(a) shall:

- (1) nominate for each conservation district election a slate of candidates for election to the board of supervisors of the conservation district equal in number to at least one more than the number of board of supervisors members to be elected; and
- (2) submit the names of candidates to the commission no later than the date set by the commission as the close of nominations.

Enacted by Chapter 360, 2008 General Session

17D-3-304 Petition to nominate candidates for election to the board of supervisors.

- (1) A person may be nominated to be a candidate for election as a member of a board of supervisors of a conservation district by a petition filed with the commission no later than the date set by the commission as the close of nominations.
- (2) Each petition under Subsection (1) shall:
 - (a) state:
 - (i) the candidate's name;
 - (ii) that the candidate is at least 18 years of age; and
 - (iii) that the candidate is a resident of the conservation district for which the election is to be held;
 - (b) contain the signatures of at least six persons who reside and are registered voters within the conservation district; and
 - (c) list the name, address, and voting precinct number of each person who signs the petition.

Enacted by Chapter 360, 2008 General Session

17D-3-305 Setting the date of an election of the board of supervisors -- Notice of the election.

- (1) The commission shall:
 - (a) set the date of the election of members of the board of supervisors of a conservation district; and
 - (b) publish notice of the election:

- (i) in a newspaper or other media outlet method with general circulation within the conservation district; and
 - (ii) as required in Section 45-1-101.
- (2) The date set for an election under Subsection (1)(a) may not be later than six weeks after the date set by the commission for the close of nominations.
- (3) The notice required under Subsection (1)(b) shall:
- (a) state:
 - (i) the date of the election;
 - (ii) the names of all candidates; and
 - (iii) that a ballot request form for the election may be obtained from the commission office or from any other place that the commission designates; and
 - (b) specify the address of the commission office or other place where a ballot request form may be obtained.

Amended by Chapter 388, 2009 General Session

17D-3-306 Eligibility to vote in an election for board of supervisors members.

A person is eligible to vote in an election of members of the board of supervisors of a conservation district if the person:

- (1)
 - (a) is a registered voter; and
 - (b) resides within the conservation district; or
- (2)
 - (a) owns or operates private agricultural land in the conservation district; and
 - (b)
 - (i) requests a ballot; or
 - (ii) has voted in one of the last two elections of the conservation district's board of supervisors members.

Enacted by Chapter 360, 2008 General Session

17D-3-307 Supervisor's election mailing list.

- (1) The commission and department shall establish and maintain for each conservation district a supervisor's election mailing list that contains the name and mailing address of each person eligible to vote in an election of board of supervisors members.
- (2) Before each election of board of supervisors members and if requested by the nominating committee under Subsection 17D-3-302(1), the commission shall deliver a copy of the supervisor's election mailing list to the nominating committee for the committee's review and approval.

Enacted by Chapter 360, 2008 General Session

17D-3-308 Watershed voting areas.

The board of supervisors of a conservation district may divide the conservation district into no more than three watershed voting areas.

Enacted by Chapter 360, 2008 General Session

17D-3-309 Election of board of supervisors members -- Ballots -- Commission duties regarding elections -- Election expenses.

- (1) The commission and department shall conduct by mail each election of members of the board of supervisors of a conservation district.
- (2)
 - (a) No later than five days before the date set for the election of board of supervisors members, the commission shall mail a ballot to each person listed on the supervisor's election mailing list under Section 17D-3-307.
 - (b) Each ballot shall:
 - (i) contain:
 - (A) the names of all nominees for board of supervisors members, listed in the order specified under Section 20A-6-305;
 - (B) a place for the voter to indicate the person or persons for whom the voter is voting; and
 - (C) instructions to the voter on how to mark the ballot to indicate the voter's vote; and
 - (ii) specify the date after which the ballot will not be accepted for purposes of the election.
- (3) The candidates equal in number to the number of board of supervisors positions available and receiving the highest number of votes are elected as members of the board of supervisors and take office on the date set by the commission for their terms to begin.
- (4) The commission shall:
 - (a) determine all questions of voter eligibility;
 - (b) certify the count and tally of ballots and votes cast; and
 - (c) declare and certify each board of supervisors member elected.
- (5) The department shall pay all expenses incident to an election of board of supervisors members.

Amended by Chapter 292, 2011 General Session

17D-3-310 Vacancies in the board of supervisors.

If a vacancy occurs in the office of board of supervisors member, the remaining members of the board of supervisors shall appoint a person to fill the vacancy, to serve the remainder of the unexpired term of the member creating the vacancy.

Enacted by Chapter 360, 2008 General Session

17D-3-311 Training for board members.

- (1) A member of a board of supervisors shall, within one year after taking office, complete the training described in Subsection (2).
- (2) The state auditor shall, with the assistance of the commission and an association that represents conservation districts, develop a training curriculum for a member of the board of supervisors and conduct the training.

Enacted by Chapter 103, 2012 General Session