

CHAPTER VIII: ANNUAL MEETING REQUIREMENTS

Section I: Rules for Conducting District Director Elections

Conservation District Director elections are to be carried out in the following manner:

Annual Meeting Requirements

1. The District is required to hold an Annual Meeting for election purposes although the District may hold an Annual meeting in the absence of an election if the District so chooses. The Annual Meeting shall be held at a date determined by the board of directors of the District.
2. A Notice (*See Appendix E*) of the Annual Meeting must be published in the official newspaper of record for the area in which the District is located at least 45 days prior to the date of the Annual Meeting. This notice shall include the date, time, and location of the Annual Meeting, an agenda of items to be considered at the meeting, and a list of all candidates for directors of the Conservation District.
3. The Michigan Department of Agriculture shall certify director elections.
4. A director shall hold office until a successor has been elected and qualified. Vacancies shall be filled by appointment by the board until the next Annual Meeting. A Conservation District board shall consist of five (5) directors, elected or appointed. The directors shall designate a chairperson annually.
5. Annual meetings may be held in the form of an Open House, a dinner with guest speakers, or a non-dinner meeting as long as the meeting is in compliance with the Open Meetings Act and MDA stipulations.

Section II: Length of Terms

The standard term length for a new director is four (4) years. However, in the event that a director has left his/her term early, there may be occasion to elect directors to an unfinished term(s). These terms may range from one (1) year to three (3) years.

Section III: Candidates

At least 60 days prior to the District's Annual Meeting, candidates who are residents of the District must file a Nomination Petition to run for Conservation District director (*See Appendix E*). If the 60th day falls on a weekend, the board will decide which day is the last day petitions may be submitted. To avoid any confusion, the District should clearly state the date and time each petition is due as they are handed out. The due date information should be written on the petition.

Candidates for District director must declare which of the open terms they are seeking. The length of term for which each candidate declares is to be clearly stated on the cover of the petition circulated by that candidate. The petition must be signed by at least five (5) residents of the District. A resident is an individual of legal age who lives in the District and can verify this by one (1) piece of identification.

Section IV: Voting Qualifications

At the Annual Meeting, District residents of legal age may vote as long as they show proof of residency in the county by one (1) piece of identification. Voters will fill out a voter registration card (*See Appendix E*), which will be exchanged for a ballot. Due to the absentee ballot provisions, nominations from the floor will not be allowed. Write-in voting is not allowed.

Section V: Election Ballots

Candidates shall be listed on the ballot according to the length of term each is seeking (*See Appendix E*). Those wishing to be considered for four (4) year terms will be listed together. Those seeking vacant three (3) year terms will be listed together.

The same procedure holds for candidates seeking two (2) and one (1) year terms. There shall be written instructions on the ballot to inform the voters as to how many votes for each term they may cast. These written instructions must accompany each absentee ballot as well. Voting by *acclamation* is not allowed.

Voting by *acclamation* in its most common sense is a form of election that does not use a ballot. This style of election **is not permitted**. The most frequent type of acclamation is a voice vote, in which the voting group is asked who favors and who opposes the proposed candidate. In the event of a lack of opposition, the candidate is considered elected.

Election by acclamation is considered invalid because the very nature of the practice welcomes a hasty conclusion that has the potential to invite conflict as a result of voting irregularities. Acclamation voting also carries the risk of neglecting the absentee vote and creating an atmosphere conducive to voter intimidation.

Absentee Ballots

Individuals who wish to vote with an absentee ballot may do so by requesting a ballot in person at the District office during regular business hours or by writing to, calling or emailing the District office. Requests for absentee ballots shall be made on an individual basis only. Requests for multiple ballots are not allowed. The District will provide each absentee voter with the following:

- One ballot.
- One voter registration form.
- One pre-addressed envelope to return the ballot and registration.

All voters requesting an absentee ballot must fill out a voter registration form, which states they are a resident of the District, and are of legal age. The completed and signed registration form and the completed absentee ballot must be sealed and returned to the District office in the pre-addressed envelope provided. These envelopes will be kept in a secured, locked box until the Annual Meeting. The Polling Officials will open the envelopes at the Annual Meeting. The Polling Officials will certify the registrations and include the ballots along with those cast at the Annual Meeting.

Procedure for Conducting an Election by Absentee Ballot

1. Notice of Annual Meeting and Election will be posted in the community paper of record at least 45 days prior to the Annual Meeting.
2. Ballots will be prepared 45 days prior to the election. At that time, voters will be eligible to vote by absentee ballot.
3. Absentee voters may request a voter registration form and ballot by visiting the District office during regular business hours or by making their request by mail, phone or email.
4. The District will provide each absentee voter with the following:
 - a. One ballot
 - b. One voter registration form
 - c. One pre-addressed envelope to return the ballot and registration
5. Each absentee voter must sign a registration card, which states that they are a resident of the District, and are of legal age. The completed registration form and the completed absentee ballot must be sealed and returned to the District office in the pre-addressed envelope provided prior to the District's Annual Meeting.
6. These envelopes shall be kept in a secured, locked box until the Annual Meeting.
7. The envelopes will be opened, registrations will be certified and the ballots counted along with the ballots cast at the Annual Meeting.
8. All registration cards will be sorted alphabetically and checked to prevent any person(s) from voting both by absentee ballot and at the Annual Meeting.
9. A record shall be retained of those individuals who have voted by absentee ballot. Those individuals checking registration cards for the election at the Annual Meeting should review this record.
10. Certification of Election Results should be completed and signed by polling officials.
11. Election results will be announced at the Annual Meeting.

Section VI: Procedure for Conducting an Election

(To Be Used by Person Conducting Election at the Annual Meeting)

1. Registration cards should be distributed prior to beginning of election.
2. The chairperson for the election should explain "Who May Vote" by reading:
 - a. *In accordance with the laws of the State of Michigan, the following are eligible to vote in a conservation District election:*
 - i. *All residents of the District who are of legal age and have demonstrated residency by one (1) piece of identification, and who have not previously voted in this election, may vote.*
3. Registration cards must be checked for voting eligibility requirements. If qualified to vote, then one registration card is exchanged for one ballot. **NOTE: This MUST be done on a one-to-one basis between the polling official and the prospective voter. All registration cards CANNOT be collected at once and then have ballots distributed en masse.**
4. Ballots must clearly show the length of term for which each candidate is seeking. Those candidates vying for four (4) year terms should be listed together. Those seeking other length terms, which have been uncompleted due to appointments by the board, should be listed according to the number of years left in those terms. There shall be written instructions on the ballot to inform the voter as to how many votes for each term they may cast.

These written instructions must accompany each absentee ballot as well.

5. Procedure for Absentee Ballots. The Polling Officials will:
 - a. Open the sealed envelopes received from absentee voters. Make sure each envelope contains a registration card and a completed ballot.
 - b. Check the information on the registration card to verify that the person is eligible to vote in the election.
 - c. Verify that the ballot has been completed properly.
 - d. Once the registration is verified, include correctly completed absentee ballots along with those ballots collected at the Annual Meeting.
6. All ballots should be counted by polling officials in sight of the group assembled.
7. Two original copies of the Certification of Election Results (*See Appendix E*) should be completed and signed by polling officials.
8. Election results should be announced at the Annual Meeting.

Section VII: Counting Votes: Certificate of Results

1. Upon completion of the voting, the polling officers open the ballot boxes and count the votes; and in no case should the ballot boxes be out of the custody of at least two polling officials until all the ballots have been counted. The counting of ballots must in all cases be public. A polling officer reads aloud the names of the candidates voted for, by taking the ballots out one at a time. The other polling officers keep the number of votes by tallies as they are read aloud. The counting of votes is continued without adjournment until all have been counted. NOTE: Qualified absentee ballots shall be included in the counting of ballots.
2. No ballot will be rejected because of ineligibility if, in the opinion of the majority of the polling board, the intention of the voter can be ascertained. The candidate or candidates receiving the most votes shall be declared elected. In the event of a tie vote, the election results are decided by lot. This shall be done in public under the direction of a majority of the polling officials. An example of deciding an election by lot would be to have a disinterested person draw the winner's name from a hat, flipping a coin, or cutting a deck of a cards by the candidates with person in possession of the high card declared the winner. Whenever such action is necessary, the method for deciding the tie vote and the name of the winning candidate is recorded on the Certificate of Election Results.
3. As soon as all votes are counted, two original copies of the Certificate of Election Results (see example on page 71) are prepared stating the number of votes each candidate received. That number shall be recorded in both numerical (i.e. 10) and alpha (i.e. ten) formats. All polling officers shall sign each certificate.

Section VIII: Deposition of Voting Records

1. It is the duty of the District chairperson, as soon as practical after the election returns have been completed, to send to the Environmental Stewardship Division, Michigan Department of Agriculture, one of the original certificates of election results.
2. It is the duty of the District chairperson, as soon as practical after the election returns have been completed, to seal the election ballots and the registration cards and to retain them in the District files for at least six months, after which they may be destroyed, except that during this six months' period, it is his/her duty to surrender the ballots and the registration cards unopened to the Michigan Department of Agriculture, Environmental Stewardship Division, upon its request.
3. The duplicate original certificate of election results is permanently retained by the District directors in the District files.

Section IX: Canvass

1. The Certificate of Election Results is permanently filed in the office of the Environmental Stewardship Division, Michigan Department of Agriculture, together with the other papers pertaining to the District. If, during a six month period following the directors' election, any person being of the opinion that the vote of election has not been correctly counted, or has been conducted in such a manner as to render the election invalid, he/she may appear on the day appointed to canvass the returns and demand a recount of the vote, or present evidence of such improper conduct.
2. A statement of the election results is entered in the permanent records of the Michigan Department of Agriculture, Environmental Stewardship Division office.
3. No Certificate of Election Results returned from any election is set aside or rejected for want of form if the results are clearly stated.
4. A director assumes official duties after being duly elected or appointed; as soon as he/she shall take and subscribe to the Constitutional Oath of Office and the original completed and notarized Oath of Office Form (*See Appendix E*) is filed with the Environmental Stewardship Division, Michigan Department of Agriculture.

Forward All Documents To:

Michigan Department of Agriculture
Environmental Stewardship Division
P.O. Box 30017
Lansing, Michigan 48909

Section X: Forms for Use in Director Elections And Retention Schedule

For examples of these forms, please refer to *Appendix E*.

1. Nominating Petition

- These must be retained for at least six months. After that time, they may be destroyed. Notice of Annual Meeting and Election of Directors.
- These must be retained for at least six months. After that time, they may be destroyed.

2. Certificate of Circulator

3. Voter Registration and Qualification Card

- These must be retained for at least six months. After that time, they may be destroyed.

4. Election Ballots

- These must be retained for at least six months. After that time, they may be destroyed.

5. Oath of Office forms

- Copy must be retained **permanently** in District records.

6. Certificate of Directors Election Results

- Copy must be retained **permanently** in District records.

Section XI: Helpful Hints in Conducting Director Elections

As you prepare for your Conservation District election please consider the following:

1. Make your absentee ballots a different color and print "Absentee Ballot" on the top of the ballot form. It will be important to distinguish between absentee ballots and ballots cast at the Annual Meeting, in case there are any questions regarding the election. It will be important to match the number of registration forms to the number of absentee ballots, as well as ballots cast at the Annual Meeting.
2. Ballots must clearly show the length of term for which each candidate is seeking. There shall be written instructions on the regular ballots as well as absentee ballots to inform the voter as to how many votes for each term they may cast.
3. Develop a registration list for those who vote by absentee ballot. Polling officials can use it during the Annual Meeting election to assure residents have not voted previously in the District election. Note: At the Annual Meeting, polling officials should arrange all voter registrations in alphabetical order.
4. Keep the registration forms and registration list secure, either in a locked file cabinet or drawer. Also, put the sealed envelopes containing completed absentee ballots and registration forms in a secured, locked box. This is important in order to maintain the integrity of the election process. It will help to guard against inadvertent or intentional tampering with the ballots.
5. Remember to notify residents that a District election is about to be held and encourage residents who are interested in running for District director and that nominating petitions (signed by at least five (5) District residents) must be in the District office at least 60 calendar days prior to the Annual Meeting. To avoid any confusion, the District board will determine which day is the 60th day in the event that day falls on a weekend.
6. Each petition should clearly state the date and time it is due back in the District office. A petition process has replaced the nominating committee and residents need to know how they can run for District director.
7. Candidates for District director must declare which of the open terms they are seeking. The length of term for which each candidate declares is to be clearly stated on the cover of the petition circulated by that candidate.
8. Forty-five days prior to the Annual Meeting post legal notice of the Annual Meeting in newspaper of record for your community. Have absentee ballots and voter registrations ready. Residents may request absentee ballots up to 45 days prior to the Annual Meeting, by writing to or calling the District office.

9. Make sure all staff in the District office are aware of the election procedure. They may need to assist a resident who comes into or calls the office to request an absentee ballot.
10. Remember it is the District board members' responsibility to continually recruit candidates for director elections.

Annual Meeting Check List

For an example checklist, please refer to *Appendix E*.