

SPECIAL NOTES ABOUT ELECTION OF DIRECTORS

GENERAL ELECTIONS

Please note that if your election of directors will be at a general election, polling places must be open at least one hour before normal working hours and must remain open at least one hour past normal working hours.

ELECTION COUNTING RECORD

It is **VERY** important that you complete and return the Election Counting Record. If you do not have ballots and vote by voice or acclamation, then you must count the number of eligible voters who signed the Voter Registration Form and use those numbers.

You may make additional copies of the Voter Registration Forms as needed but, **YOU MUST USE THE FORMS THAT HAVE BEEN PROVIDED!!!**

ELECTION INSTRUCTIONS

The following forms will be needed for Elections of Directors. If you have any questions, please don't hesitate to telephone your IDOA Region Representative of the Bureau of Land and Water Resources.

1. Petition For Holding Soil and Water Conservation District Election—either in General Polling or at Annual Meeting
2. Notice of Election of Directors—either at a General Election polling place or at Annual Meeting
3. Notice of Acceptance of Nominations
4. Nominating Petition
5. Certification of Eligibility to Seek the Office of Director
6. Register of Voters
7. Election Counting Record
8. Acceptance of Office as Director
9. Organization of the Board

During the month of March, the new board of directors must hold an organization meeting to elect its chair person, vice-chair person, secretary and treasurer for the year. The results of the organization meeting must be sent to the Bureau of Land and Water Resources **by April 1st** of the same year.

Instructions that provide information to help districts deal with unexpected circumstances such as ballot vote and absentee balloting (absentee ballot **must** be used) and instructions to maintain records of acceptance of office, term of office, register of voters, payment of publication of election notice, etc. can be found in the District Operational Handbook, Volume I, Elections Section. A copy of these instructions have been attached below.

For further information or clarification, call your IDOA Regional Representative or the Bureau of Land and Water Resources in Springfield, Illinois, at (217) 782-6297.

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EXHIBIT 1A - NOTICE OF ELECTION OF DIRECTORS AT A GENERAL ELECTION.....

EXHIBIT 2 - NOMINATING PETITION.....

EXHIBIT 3 - NOTICE OF AVAILABILITY OF PETITIONS.....

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EXHIBIT 4 - ABSENTEE BALLOT CERTIFICATION

EXHIBIT 5 - PETITION FOR HOLDING SOIL AND WATER CONSERVATION
DISTRICT ELECTION AT ANNUAL MEETING

EXHIBIT 6 - PETITION FOR HOLDING A GENERAL ELECTION

EXHIBIT 7 - REGISTER OF VOTERS

EXHIBIT 8 - SAMPLE WRITTEN BALLOT

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ELECTIONS

ELECTION OF DIRECTORS OF SOIL AND WATER CONSERVATION DISTRICTS

Section 20 of the Illinois Soil and Water Conservation Districts Act assigns authority to the Illinois Department of Agriculture to determine how elections in Soil and Water Conservation Districts (SWCDs) will be conducted, as well as who is eligible to vote and who can hold office. The Department will, as nearly as may be practical, follow established procedures for the election of local officials.

The following outline contains the requirements and procedures contained in the Act and developed by the Illinois Department of Agriculture for the conduct of SWCD elections. Topics that include references to specific sections of the SWCD Act refer to the requirements of the section. Topics that reference IDOA were developed by the Department as specific procedures or forms to be used in conducting SWCD elections.

GOVERNING BODY OF THE DISTRICT (Section 19 SWCD Act)

The governing body of a soil and water conservation district shall consist of 5 directors.

Three of the five directors will be elected during the months of January and February in even numbered years.

The remaining two will be elected during the same time period in odd numbered years.

ELIGIBILITY TO HOLD OFFICE (Section 19.01 SWCD Act)

To be eligible to hold the office of director of a soil and water conservation district, a person must be of legal voting age and must occupy or own land within the boundaries of the district.

FILLING VACANCIES BY APPOINTMENT (Section 19 SWCD Act)

If a director becomes unable to serve, the board will declare the office vacant and may appoint a replacement. The replacement must meet the eligibility requirements. The appointed person shall serve until the next election of directors. At the next election, a person shall be elected to complete the term of the vacated position or to begin a new two-year term as an elected director.

In all cases where a director becomes unable to serve for reasons other than death, the board shall obtain a letter of resignation from the director. The letter of resignation shall be retained on file for a period of two years (IDOA).

FILLING VACANCIES BY ELECTION (IDOA)

If a vacancy occurs within 120 days, but more than 30 days, before a scheduled election for Directors, the board need not appoint a replacement. The board will declare the office vacant and a replacement will be elected at the next scheduled election to fulfill the remainder of the term. If the vacancy occurs within 30 days of the scheduled election and there is not sufficient time to find a candidate for the election, the board may fill the vacancy by appointment. When filling vacancies by election, ballots will indicate the length of term remaining that the person is being elected to fill. When ballots are not used, the person conducting the election shall clearly state each candidate's name and the length of term to be served by the candidate if elected.

NOTICE OF ELECTION

First Election Notice

The district must publish the first election notice at least thirty days prior to the election, (Exhibit 1). (IDOA)

1. The notice must be published in at least one newspaper of general circulation in the district. If no local newspaper exists, publishing must be done in a newspaper outside the area but serving the district.
2. In addition, the district may post notice of the district election in at least 3 prominent locations around the district (courthouse, post office, bank, etc.). Such posting must be done at least 2 weeks prior to the election.
3. If no newspaper serves the district, posting becomes mandatory 30 days prior to the date of the election.

In all cases where the district must publish and/or post a notice, the above publishing/posting requirements shall prevail (Section 31 SWCD Act).

Second Election Notice

The district must publish the second election notice in the same manner as the first notice at least fifteen days prior to the election, (Exhibit 1). (IDOA)

ELIGIBILITY TO VOTE (Section 19.01 of SWCD Act)

To be eligible to vote in a district election, other than for the adoption or approval of land use regulations, persons must be of legal voting age and must own or occupy land within the district's boundaries.

GENERAL ELECTION

Petition for Holding a General Election

On or about September 20, the Bureau of Land and Water Resources, as agent for the Department, has an election kit that includes a petition form that must be signed by all 5 directors. Upon receipt of a properly signed petition, the Bureau will mail an authorization notice to the petitioning district.

1. Each district director must sign the form in ink. Do not type their names in.
2. To be valid, the petition must be returned to the Bureau not less than 20 and not more than 60 days prior to the date of the district's election.
3. Upon receipt of the properly signed, valid petition, the Bureau will authorize the district to hold an election at its Annual Meeting.

A general election for the purpose of electing SWCD directors must include the following:

1. Not be held during an Annual Meeting
2. All eligible voters are provided an opportunity to attend a polling place. Polling place location(s) and hours must be clearly stated in the Notice of Election. Polling places must remain open for at least 10 hours; and
3. All eligible voters attending a polling place are provided a legal ballot (Exhibit 8) that has two or more candidates for SWCD Directors.

DIRECTORS ELECTED AT A SWCD GENERAL ELECTION (Section 20 of SWCD Act)

Nomination of Candidates for Director

Persons who wish to run for election to the Office of Director of a Soil and Water Conservation District may be nominated in one of two ways. The SWCD must choose which nomination method it will use. Both methods cannot be used in the same election. An exception would be that if no nominating petitions were returned by the final return deadline, then the Board would have to use a nominating committee to develop a list of candidates.

Nomination by Petition

The District must publish and should post a notice at least 90 days prior to the election. The notice is for informing interested persons that petitions for nomination to the office of Director of the district are available at the district office (Exhibit 3) (IDOA). Petitions must be provided to any interested person who can prove they are eligible to hold the office of a director. To be valid, a petition must be signed by at least 25 persons who are occupiers or owners of land lying within the district's boundaries. The properly completed petition must be returned to the district office no sooner than 60 days or later than 20 days prior to the election.

Nomination by Committee (IDOA)

The District must publish and should post a notice at least 90 days prior to the election. The notice is for informing interested persons that the nominating committee is accepting names to be placed on the ballot as candidates for election to the office of Director of the SWCD (Exhibit 3a). Interested persons must appear at the district office not more than 60 days nor less than 20 days prior to the election for proving their eligibility to hold office as a director.

Nominating Committee

Select a nominating committee at least three months (90 days) prior to the election.

1. The nominating committee will consist of a minimum of 3 people. The committee may contain more than three people but there should always be an odd number of committee members.
2. Currently serving board members may not serve on the nominating committee.
3. The nominating committee should be knowledgeable of the district and its programs and responsibilities.
4. The nominating committee should be able to explain to potential board members exactly what will be expected of them. Equal consideration must be given to all eligible, interested candidates.

Ballots

All interested persons who successfully meet the requirements of either of the above methods are to be placed on a ballot in alphabetical order by their surnames. Ballots must contain a square before each name with instructions to the voter to insert an X in the square before the candidate of choice, and the number of candidates that the voter can select (Exhibit 8).

There must be at least two boxes with space for write-in candidates. The ballot cannot indicate "new director" or "incumbent" for any candidates.

VOTING IN SWCD GENERAL ELECTIONS (Section 20 SWCD Act)

1. "Only owners or occupiers of land, or both, lying within the district are eligible to vote in director elections."
2. Each voter shall be entitled to cast one ballot.
3. Ballots may be cast in person, or by absentee ballot.
4. Each voter must sign a voter registration form.
5. Each voter must be of legal voting age.

ABSENTEE VOTING IN GENERAL ELECTION OR FOR ANNUAL MEETING ELECTION (IDOA)

Absentee voting may be allowed by the district. If absentee voting is allowed, no nominations can be made at the Annual Meeting. If a district chooses to provide for absentee voting, these requirements must be met.

1. The nominating committee must develop a slate of eligible candidates for the offices that are up for election.
 2. The nominating committee may generate a slate of eligible candidates through one of two methods. Only **one** of the two methods can be used in any

director election.

A. Candidates may be nominated by the nominating committee.

B. Candidates may file a nominating petition (Exhibit 2) signed by a minimum of 25 landowners or occupiers within the district.

Note: If method B is chosen for use as a method of obtaining candidates, the district must print an announcement in the paper that petitions can be obtained at the SWCD office. This announcement (Exhibit 3) must be printed not less than 90 days prior to the election.

3. Ballots must be prepared at least 15 days prior to the election and must be available for absentee balloting at least 14 days prior to the election.
4. When the first notice of election is published, wording must be included to inform readers that absentee balloting will be allowed. The district must also explain how the absentee ballots can be cast and when the ballots will be available for the public.
5. Absentee voting may be conducted in person at the district office.
 6. Balloting should commence on the first work day after the second Notice of Election appeared in the paper and should conclude not more than two (2) work days prior to the election.
7. Absentee ballots must be cast at the district office prior to the election. Upon being completed, all absentee ballots should be placed in a sealed ballot box. Absentee ballots are then to be counted at the same time as the ballots taken at the time of the election.
8. The District will keep a complete and accurate list of the names of all persons who request an absentee ballot. The person appointed by the district to conduct absentee balloting will indicate next to each person's name the date the ballot was marked by the absentee voter. After the election, this list shall then be filed with voter registration materials and retained for the duration of the term of the elected directors (2 years).
9. Each absentee ballot is to be accompanied by a signed, separate statement indicating the nature of the voter's absence (Exhibit 4).
10. Ballots are to be constructed so that the voter's anonymity is preserved.
11. Candidate's names are to be listed on the ballot in alphabetical order according to surname.
12. If absentee balloting is allowed, no nominations can occur at an election during an Annual Meeting.

ESTABLISHING POLLING PLACES FOR A DISTRICT GENERAL ELECTION (IDOA)

The District must establish one or more polling places where all persons wishing to vote in the election have access to cast their ballots. All polling places, as a minimum, must open at least one hour before the normal work day begins and may not close until at least one hour after the normal work day ends or **ten hours**, whichever is longer.

The location and the hours of operation for each polling place shall be clearly stated in the Notice of Election. The District will also divide the townships containing eligible voters so that as equal a number of voters as may be possible will be assigned a polling place. The Notice of Election will contain instructions where eligible voters in each township in the district may go to vote. Once opened, a polling place cannot be relocated nor closed until the stated time except under emergency conditions. Such emergency conditions are to be determined by the SWCD Board.

Each polling place shall have 2 judges present during the hours established for its operation. Two or more persons should be designated and retained as judge for each polling place to assure that a judge will be present during the entire period of operation of the polling place.

Judges must be eligible voters who are not candidates or relatives of candidates who are running for election.

ANNOUNCING THE RESULTS OF A DISTRICT GENERAL ELECTION (IDOA)

The proper number of candidates receiving the highest number of votes are to be declared as elected. The District will, within 5 business days of the election, publish the results of the election in the same newspaper(s) that contained to Notice of Election. The successful candidates will be notified by mail and may be notified by phone and will be provided information concerning the district's regular meeting dates and a statement that their term of office becomes effective on the first Monday of March.

ELECTION OF DIRECTORS AT AN ANNUAL MEETING (Section 20.01 SWCD Act)

Under the provisions of Section 20.01 of the Illinois Soil and Water Conservation Districts Act, the Department may authorize districts to hold elections at Annual Meetings of landowners and occupiers of land within the district. Such authorization may be granted only upon petition to the Department by the requesting district, and only for meetings held during the months of January and February. The Department requires that such meetings be publicized, open to the public and in facilities that are accessible to all eligible persons wishing to vote in the election.

HOLDING AN ELECTION AT AN ANNUAL MEETING (IDOA)

Petition to Hold an Election at An Annual Meeting Form

On or about September 20, the Bureau of Land and Water Resources, as agent for the Department, has an election kit that includes a petition form that must be signed by all 5 directors. Upon receipt of a properly signed petition, the Bureau will mail an authorization notice to the petitioning district.

1. Each district director must sign the form in ink. Do not type their names in.
2. To be valid, the petition must be returned to the Bureau not less than 20 and not more than 60 days prior to the date of the district's election.
3. Upon receipt of the properly signed, valid petition, the Bureau will authorize

the district to hold an election at its Annual Meeting.

The purpose of the petition is to seek authorization to conduct the district election (Exhibit 5) at the Annual Meeting.

Nomination Of Candidates For Director

Persons who wish to run for election to the Office of Director of a Soil and Water Conservation District may be nominated in one of two ways. The SWCD must choose which nomination method it will use. Both methods **cannot** be used in the same election. An exception would be that if no nominating petitions were returned by the final return deadline, then the Board would have to use a nominating committee to develop a list of candidates. The same procedures used to nominate directors as candidates for a General Election will apply to the nomination of directors as candidates for elections at Annual Meetings. (Refer to Page 3 - **Directors Elected at a SWCD General Election**).

NOMINATIONS AT THE ANNUAL MEETING (IDOA)

Except where nominating petitions are used as the means to select candidates, the Board may choose to either allow or not allow the nomination from the floor of eligible persons to serve as candidates for the office of director at the Annual Meeting.

No Nominations Allowed

If the Board chooses to not allow nominations from the floor at the Annual Meeting, then the District must publish and should post a notice at least 90 days prior to the election. The notice is for the purpose of informing interested persons that: (1) Petitions are available or; (2) That the nominating committee is accepting names to be placed on the ballot as candidates for election to the office of Director of the SWCD. Interested persons must appear at the district office not more than 60 days nor less than 20 days prior to the election for the purpose of proving their eligibility to hold office as a director. All interested persons who prove their eligibility may: (1) Obtain a petition or; (2) Have their names placed on the ballot by the nominating committee.

In all cases where the petition method of selecting candidates is used, no floor nominations can occur.

Nominations Allowed

If the Board chooses to allow nominations at the Annual Meeting then the eligible voters will be so informed during the report of the nominating committee.

REGISTRATION OF VOTERS AT AN ANNUAL MEETING (Section 20 SWCD Act)

As people arrive for the Annual Meeting, register all eligible voters. The Bureau will provide a Voter Registration form for this purpose (Exhibit 7). The district may reproduce the form to suit its needs.

1. Eligible voters are landowners or occupiers of land in the district and are of

legal voting age (18).

2. Voters are registered in case someone contests the eligibility of those voting.

VOTING IN AN ELECTION AT AN ANNUAL MEETING (IDOA)

Voting may be accomplished through voice vote or by ballot. Both methods are explained below.

Voting By Voice Vote

If the District chooses this method of electing its directors, then the following procedures will be used.

1. The nominating committee will make its report concerning the names of the persons it has selected as qualified candidates for the office of director.
2. If the district has chosen to allow nominations from the floor, the person giving the report of the nominating committee will ask for nominations. The question "Are there any nominations from the floor?" shall be asked three (3) times.
3. If there are no nominations, the person in charge of the election shall ask for a voice vote or a motion may be made that the Secretary accept the nominated candidates as duly elected.
4. If there are nominations from the floor or if there are more candidates nominated than there are positions to elect, a written ballot must be used.
5. If the district chooses to allow **absentee balloting**, voting at the Annual Meeting must be conducted by written ballot. At least two blanks should be included for write in candidates, but no nominations from the floor can be accepted.

Voting By Ballot

If the district chooses this method of electing its directors, then the following procedure will be used.

1. Each voter will be given a ballot with the nominated candidates' names arranged in alphabetical order by surname. Each ballot will contain at least two blank lines for the purpose of allowing write-in candidates.
2. If the ballots are given to the voters as they register, the election process will be speeded up.
3. If the district has chosen to allow nominations, then the person giving the report of the nominating committee will ask for nominations from the floor. The question, "Are there any nominations from the floor?" shall be asked three (3) times.
4. If there are nominations from the floor, then the person conducting the election will instruct the voters to write the nominated candidates names in the blanks provided on the ballot. The voters will be instructed to add the names in alphabetical order according to surname, as the surname of each nominee is

spelled by the person conducting the election. A blackboard or easel pad should be available to write the names of nominees from the floor. After sufficient time has been given the voters to write the names on the ballot, the voters will be instructed to mark their ballot for the appropriate number of candidates.

5. If there are more candidates than there are positions to elect, the voters will be instructed to vote only for the appropriate number of candidates.

6. If there are no nominations from the floor, the person in charge of the election will instruct the voters to mark their ballot.

7. Ballots will be collected immediately after being marked and will then be counted. An Election Counting Record (Exhibit 9) must be completed and maintained on file for the duration of the term of the elected directors (2 years).

8. Under no circumstances should any wording which would indicate "incumbent" or "new director" appear anywhere on the ballot.

TAKING OFFICE (Section 19 SWCD Act)

Five directors shall be elected before March 1 in the year 1948, three of which shall serve until the first Monday of March 1950, and the remaining two shall serve until the first Monday of March 1949. Successive elections shall be held before March 1 of each year and each director so elected shall serve during the two-year period commencing with the first Monday in March of the year in which he was elected.

ACCEPTANCE OF OFFICE (IDOA)

Upon taking office, each newly elected/re-elected director shall be provided an Acceptance of Office as Director form (Exhibit 10) containing two blanks for signature, address and date. Each newly elected/re-elected director shall sign in both places on the form. One half of the form shall be placed in the district's files to be retained during the term of the elected director (2 years). A copy of one of the signed forms is to be sent to the Bureau of Land and Water Resources in Springfield. The other half of the form shall be given to the director to be retained in the director's personal files.

ORGANIZATION OF THE BOARD (Section 21 SWCD Act)

As soon after March 1 as may be possible (usually at the regularly scheduled March board meeting), the directors will elect officers from among their members. The Bureau of Land and Water Resources will provide a form (Exhibit 11) for the purpose of officially notifying the Bureau of the completion of this responsibility. The form also contains space to list the names of Director's spouses and District employees. The information provided on the form is used to develop a directory for use by many agencies and organizations that deal with Soil and Water Conservation Districts.