



Wyoming  
DEPARTMENT OF *Agriculture*

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## MEMO

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**Date:** October 12, 2018

**To:** Wyoming County Commissioners  
Wyoming County Commissioners Association  
Wyoming County Clerks Association

**From:** Slade Franklin, Weed and Pest Coordinator  
Wyoming Department of Agriculture  
307-777-6585  
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**Subject:** Wyoming Weed and Pest Control Act (Title 11, Chapter 5):  
Appointments to District Board of Directors

January 2019 is the typical month and year for appointments to the County Weed and Pest Control District Board of Directors (W.S. 11-5-104).

By statute, certain procedures must be followed:

1. Appointment shall be made by the County Commissioners at their first regular meeting in January of 2019, from among nominations submitted by petition (**Sample Enclosed**) at least five (5) days before the date of that meeting. A MINIMUM of 10 landowners must sign the petition. (W.S. 11-5-104(a))
2. Weed and Pest Board of Directors shall each serve for a term of four (4) years or until a qualified successor is appointed. *The current terms do not end on December 31, but runs until the qualified successor is appointed by the county commissioners (W.S. 11-5-104(b)).*
3. Some districts may also require appointments to fill unexpired terms. Even if an unexpired term appointment is considered at the commissioner's first meeting in January, the appointment can only be made for the length of the unexpired term and are not for a full 4-year appointment. (W.S.11-5-104(f))

4. Board appointments should be staggered. In other words:

If your local County Weed and Pest Control District has a seven (7) member District Board, by the end of the first meeting in January, you should have four (4) directors with term expirations of 2019 and three (3) directors with term expirations of 2021 **OR** four (4) directors with term expirations of 2019 and three (3) directors with term expirations of 2021

**OR**

If your local County Weed and Pest Control District has a five (5) member District Board, by the end of the first meeting in January, you should have three (3) directors with term expirations of 2019 and two (2) directors with term expirations of 2021 **OR** three (3) directors with term expirations of 2021 and two (2) directors with term expirations of 2019.

***PLEASE BE AWARE...**there may be pre-existing discrepancies in some counties. Please contact the local Weed and Pest Control District Supervisor to determine upcoming appointment needs.*

5. In districts encompassing cities with a population of 5,000 or more, one board member shall be appointed from within the limits of a city or town. Check with the Weed and Pest Control District supervisor to see if a city representative term is up for re-appointment. (W.S. 11-5-104(d))
6. A district board member shall assume office at the first regular meeting of the district board following appointment. (W.S. 11-5-104(d))
7. Qualifications: A district board member must be a qualified elector (registered voter and bona fide resident) of the board member area he/she is to represent. (W.S. 11-5-104(c))
8. The notice of the meeting should be advertised in the official newspaper of the county at least two (2) times before the date of the meeting, with the last publication being at least 10 days prior to the date of the meeting appointments are made. The notice shall solicit nominations for director by petition (**Sample Enclosed**).

**Weed and Pest Control Districts should be able to furnish County Commissioners the information about directors whose term expires and the district areas they represent.**

Enclosures (2)

cc Doug Miyamoto, Director  
Hank Uhden, Technical Services  
Wyoming Weed and Pest Control Districts

**COUNTY WEED & PEST CONTROL DISTRICT**

**Nomination Petition**

*We, the undersigned, landowners of \_\_\_\_\_ County, do hereby petition for the nomination of:*

\_\_\_\_\_  
Name Mailing Address

*for Director of \_\_\_\_\_ County Weed and Pest Control District for a four year term in Area \_\_\_\_\_.*

**Signature**

**Address**

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_
- 3. \_\_\_\_\_
- 4. \_\_\_\_\_
- 5. \_\_\_\_\_
- 6. \_\_\_\_\_
- 7. \_\_\_\_\_
- 8. \_\_\_\_\_
- 9. \_\_\_\_\_
- 10. \_\_\_\_\_

*I, \_\_\_\_\_ of the County of \_\_\_\_\_, and State of Wyoming being duly sworn do depose and say that I did circulate this Nomination Petition for the \_\_\_\_\_ County Weed and Pest Control District and did witness the above signatures.*

(Sign here) \_\_\_\_\_  
Subscribed and sworn to before me this \_\_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
(Auditor or Notary Public)

My Commission expires \_\_\_\_\_, 19\_\_.

**Note:**

- 1. Petition must be submitted at least five days before the date of the meeting to Office of County Commissioners.
  - 2. Signatories of this petition may be any landowner of the County.
  - 3. Director can be any qualified elector who is a bona fide resident in the board member area up for re-appointment.
- W.S. 11-5-102(a)(xx) Landowner means any owner or lessee of state, municipal or private land, and includes an owner of any easement, right-of-way or estate in the land. Federal landowners means the federal agency having jurisdiction over any lands affected by this act.