

Supervisor Vacancies and Removal

Vacancies

Supervisor vacancies shall be filled by appointment by the Wyoming Board of Agriculture upon the recommendation of district supervisors. The appointee will serve until the *next election*, at which time the vacancy shall be filled by the electors, for the unexpired term. The appointee can run for the vacant seat at that time also.

Supervisor resignations should be submitted in writing.

Process for filling board vacancies:

1. The district board meets and recommends an appointee to fill the vacancy. The appointee should meet all necessary residency requirements (rural, urban, at-large).
2. The board chairman sends a letter to the WDA Director recommending the appointment. The letter should be in sent to the attention of Lucy, she will make sure that it is brought before the Board of Ag.
3. While the letter does not have to be extremely detailed, it should include a few reasons for the recommendation of the appointee. Also, include a copy of the previous board members resignation letter, if available.
4. The Board of Agriculture will hear the recommendation at their next regularly scheduled board meeting. For specific dates, contact Lucy.
5. Once the Board of Ag has approved the appointment, the new member is eligible to participate on the district board. Lucy will send notification of the appointment to the appointee, district clerk, WACD and the county clerk.
6. If you have any questions, please contact Lucy at WDA or Teresa at WACD.

Removal

Any supervisor may be removed by the Board of Agriculture upon notice and hearing for neglect of duty or malfeasance in office.

Neglect of duty is a neglect to perform some act which it is his/her duty to perform as an elected supervisor. It is also wrongful conduct that affects, interrupts or interferes with the performance of official duty (*State v. Kennedy, 108 P. 837, 841 (Kansas 1910)*).

Malfeasance in office is an intentional act or omission relating to the duties of a public office, which amounts to a crime, or which involves a substantial breach of the trust imposed upon the official by the nature of his office, and which conduct is of such a character as to offend against the commonly accepted standards of honesty and morality (*State v. Geurts, 359 P2d 12,14 (Utah 1961)*).

WACD and WDA have an Attorney General opinion more thoroughly outlining what may constitute neglect of duty or malfeasance in office. To obtain a copy of this opinion, please contact WACD or WDA (*Opinion dated November 3, 2003*).