

**267.510 Board for separate district -- Election -- Term -- Vacancies.**

- (1) As soon as practicable after the judgment establishing a separate drainage district becomes final, the county judge/executive shall, with the advice and assistance of the engineer, enter an order dividing the district into three (3) precincts, as near equal in area of lands reported as benefited as is practicable, and calling a meeting of the landowners affected, to be had at some public place in the county in which the proceeding is pending, at a day and hour fixed in the order. The date for the meeting shall be not less than twenty (20) days from the entry of the order calling it. The county clerk shall give notice of the meeting by publication pursuant to KRS Chapter 424, and by posting not less than five (5) posters in different public places in the district at least fifteen (15) days before the date set. The landowners, when assembled, shall organize by the election of a chairman and secretary of the meeting, who shall conduct the election. At this election each acre of land, as near as may be arrived at by estimate or from the evidence heard before the county judge/executive on the cross-petition, shall represent one (1) share, and each owner shall be entitled to one (1) vote for each share estimated to be owned by him in the district. The name of at least one (1) person shall be put in nomination for the office of district commissioner from each of the three (3) precincts. The one (1) person from each of the three (3) precincts receiving the highest number of votes shall be declared elected as district commissioner. The district commissioner shall immediately by lot determine the terms of their office, which shall be, respectively, one (1), two (2) and three (3) years, and shall serve until their successors are elected and qualified.
- (2) Each year after the election of the first district board, at such time and place in the district as the district board designates, and after notice, as above provided, the landowners in the district shall meet and elect one (1) district commissioner, who shall be an owner of land in the same precinct as that in which the district commissioner whose term is about to expire owns land, and who shall hold office for three (3) years and until his successor is elected and qualified. In case of a vacancy in any office of district commissioner, the remaining district commissioners may fill the vacancy, with some person having the precinct qualification, until the next annual election, when a successor shall be elected for the unexpired term. A district commissioner whose term is expiring shall be eligible for reelection.

**Effective:** June 17, 1978

**History:** Amended 1978 Ky. Acts ch. 384, sec. 412, effective June 17, 1978. -- Amended 1966 Ky. Acts ch. 239, sec. 188. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 2380-20.