

NDWCA BOARD MEETING MINUTES

Ramada Inn, Bismarck, ND

June 25th, 2019

Yet to be Board Approved

Vice President Cody Schnabel called the meeting to order at 10:16 am. Members present were, Cody Schnabel, Bill Walker, Brent Nelson, Katie Clyde, Travis Jepson, Kent Luttschwager, Derrill Fick, Ron Manson, Leon Pederson, Jamen Windish, Chelsey Penuel, NDDA, Richard Weisz, NDDA, and Merlin Leithold, executive secretary.

Additional agenda items were: Merlin asked to have monarch butterfly added under New Business.

Minutes were reviewed. Suggested to add Commissioner and Deputy Commissioner before Doug and Tom's names each time in the minutes. Change Imbora to Invora. Brent moved to approve the minutes with necessary changes, Katie seconded the motion. **M/C**

Financial Report: Merlin gave the financial report, including the check register, memberships paid so far. Merlin did send out second notices to the counties and cities that have not paid their dues so far. Bayer has paid their dues not reflective on the sheets, as it just came in yesterday. Derrill moved to accept the financial reports as presented, Bill seconded the motion, **M/C**

Committee Reports:

Education: Derrill gave the education report. I want to thank everyone who attended the 2019 Sprayer Schools this year. They were held at the following locations: May 28th at the Carrington Research Center, May 29th in Minot at the North Central Research Center and May 30th in Dickinson at the Stark County Weed Control Shop. We had a total of 148 attendees. This is a great turn out but there is always room for more. We again incorporated training on Basic First Aid. Since we are working out in the middle of nowhere by ourselves or with one or two other workers, we should know what to do in case an injury occurs while we are working. At each school we heard from the ND Dept. of Agriculture Plant Industries division updates on noxious weeds from the noxious weed coordinator Richard Weisz. The Pesticide and Fertilizer Division had their Agriculture Program Inspectors give updates and hands on examples of how to use the proper personal protective equipment and what is needed during a use inspection such as reading the label. There was a Right-of-Way recertification training administered by the Pesticide Training Program of NDSU and a weed ID portion put on by the NDSU Research Centers. The final item at the school was the sprayer equipment calibration session provided by Bill Walker of Nutrien Solutions. We need to thank each presenter for their presentations and a special thank you to Karissa Floerchinger of Corteva Agriscience, Scott Ohnoutka of Bayer CropScience and Bill Walker of Nutrien Solutions for their support and sponsoring of the meals. Also, a thank you to the weed boards of Cavalier, Stark, Dunn and Ward Counties for sponsoring the breaks. We had a booth at the earth day festival in Bismarck on April 25th. Katie, Ron, Cody, Jamen, Leon and myself attended. This is very well attended by grade school students, so we can interact with the younger students and supply them with information about noxious and invasive weeds.

Kelby Sorenson was awarded a plaque and tee shirt for her winning poster that we had judged at our annual meeting in January. Kelby is in the 5th grade at South Prairie Elementary School in Minot, ND. All of the remaining students also received a tee shirt with the plaque printed on it. The students were given a presentation about how noxious and invasive weeds have an effect on the environment. Stan

could not make it, so I gave the presentation.

Questions: Katie asked if Andrew could update his videos. Seem like the same ones every year. Leon asked if Ag Pest, Core, and ornamental could be added to the sprayer schools. Derrill will check on all this.

Legislative: Leon stated that Derrill and Merlin worked to get HB 1149 passed into law. There was a bill that was defeated, that if passed, it would have prevented a lot of entities from inspecting or working on private property. Kent mentioned that it would have effected their enforcement staff and their surveys as well. They would have had to give a 24 hour notice. This would have included by plane as well. The bill was for landowner protection. Something to watch for next session.

No other Committee reports.

Agency Reports:

Government: Kent Luttschwager gave the report.

With Game & Fish, it has been business as usual. We're spraying wormwood, Leafy spurge, and Canada thistle. Looking for new weeds as well. We plan on participating in biocontrol activities. With the Fish and Wildlife in 2018, acres treated:

Biological – 1,451 acres (flea beetles, etc.)

Herbicide – 6,980 acres

Mechanical – 7,984 acres (clipping/mowing)

Grazing – 36,679 (grazing that targeted specific weed/invasive species concerns)

USFWS lands surveyed and mapped using GPS/GIS:

67,351 acres (total acres surveyed, not acres infested)

Budget Expenditures:

~ \$957K (herbicide, equipment, salaries, training, PPE, contract spraying, etc.)

Kent will check with APHIS as well for further updates.

A law was passed a couple of years back that you cannot fly a drone leaving from Game and Fish property. You can fly a drone across the property, cannot take off from our property. A lot of laws about drones regarding hunting, etc. Issue permits for using drones as well.

NDDA: Richard gave his NDDA report. He handed out a letter that was sent to grain elevators as a handout concerning weed seeds in screenings, with the Palmer amaranth concerns. **(Attached at end of minutes)**

A crop scout found some Palmer amaranth in Benson County. Some was high density. Joe Ilkey, from NDSU, went to the site with the extension agent and confirmed it. This is the first time it was found with the water mark on the plant. He also took a sample back to Fargo for testing. That same crop scout has possibly found some in three fields in Nelson County. Joe Ilkey, is going out today to check on the site.

LAP and TAG deadlines are coming up by the end of June. Getting in touch of counties encouraging those counties to get their allocations spent. Also the next biennium funding looks very similar to last biennium. Some forest grants available. Talk to Richard about your ideas, and he will try and get them to work for the grants.

Chelsey gave her report: Yellow toadflax weevils: put out new releases in Ward and Stutsman Counties. They are surviving in Ward County, which is a good sign, not enough numbers for collecting yet. Found some rust fungus in two sites, which are being monitored. Hoping for more locations. Flea beetles are just beginning to emerge now. Will participate in field days. Hope to have a good year. Let us know when you are having a field day as well.

Purple loosestrife biocontrol will probably not be available this year due to flooding in Nebraska. Houndstongue biocontrol have some promise in the possible future. They keep setting times when available, but never happen. So we'll have to wait and see.

Weed Free Forage: Same inspectors as last year. Have twine available.

Gravel Inspecting: The standards are finalized and are on the Department website. If you use your own form, make sure you put the guarantee that are on our forms on yours. Discussion on gravel inspecting.

Industry: Bill Walker gave the industry report. Tariffs is the main focus in industry right now. A lot of your tech material and some of your finished supplies are coming from offshore non trade countries. Even some of the large companies bring in the tech materials and finish the products here. The generic companies are being affected the most. The 10% tariffs put on in March affected generic supplies at that time. The June tariff increase has been delayed until July. The major manufacturers have not been concerned at this time. Corteva is in most part a US country. Bayer is mainly out of Germany, which has not been affected. Stay tuned. Shortages of products has not been affected so far. Trade talks affect us more than one thinks. Prices have been stable so far.

Corteva is talking about their new product. It is effective on carrot species, like parsnip. Does have some activity on Canada thistle. They plan on trying it on Leafy spurge. Milestone comes off patent in mid-2020. They are concerned about that. You could see a price change on Milestone next season, going down.

Bayer has dropped the request for Method on haying, and try a full grazing label on Method. Still in 2 ½ s. Nutrien has requested Bayer to do a run of quarts, but as of now, not happening. They need 7,500 orders to do it. Possibly could happen if they get the grazing label.

Higher price changes could happen this fall due to tariffs.

Jamen made it to the meeting at this time, and Cody turned the meeting over to Jamen.

Break

Mugs: Jamen asked the board if they wanted to purchase mugs for resale. Delmar McLean, who use to work with F&S Manufacturing, is on his own doing laser engraving. He had talked to Stan about this. They are \$20 each, either for a mug or cup, with our logo on it. We could get them personalized with our names on them for the same cost. This is a case buy of 24. Katie moved to buy a case of each, Derrill seconded the motion. **M/C**

OLD BUSINESS:

Logo Registering: Jamen talked to Mike at Up & Running. He did not think it was an issue. Not sure on the cost. After some discussion, it was decided to leave it for now.

Palmer Amaranth (protocol & trip): The final protocol is out on the website, was sent on list serve, and on the department site. For the trip, we have 5 possible 6 spots for the trip to Nebraska, August 11 – 15. Leave Jamestown on Sunday, August 11.

Executive Secretary Duties: Merlin, as requested at the March meeting, updated the duties of the executive secretary. Merlin asked that the board review them at their convenience, and let Merlin know if they see changes, and then will discuss at the September meeting.

Card payment by phone, computer, and website: Since the discussion at the March meeting, Merlin checked into what could be used to receive payments by debit or credit card. Whether we use Square or PayPal, it will cost us around 3 % per transaction. We would have to pass this on to the payer. Some entities would pay by card, but cannot pay the extra fees. After good discussion, it was decided to bring this up at the area meetings, to get feedback on a possible need.

Other Old Business: None

NEW BUSINESS:

Questions about website: Some people seem to have issues finding the county/city weed board list. Jamen will check it out. People say that on the events page, it only brings the date, not the address. After the board did some looking, found that it works and not works. Could be that some of the addresses were not put in.

Youth Savings Fund: The question has always been, what to do with it. Merlin did some digging. At one time it was set up as an FFA scholarship, where the fund payed half and the association payed half. That dried up after several years.

Merlin talked with Kevin Sedivic a couple of weeks' back, on his feelings on doing something with the youth at the range camp. He stated that there are some who do sponsor a youth to attend the camp, and they are always looking for more sponsors. Currently we pay \$500 to help put on the camp. We do not sponsor anyone. The cost to attend the camp is \$140 per camper. Myron Dieterle would like to see something to have it used. Merlin asked the board's feelings if the association sponsored two youth, with the association paying half, and the youth fund paying half. A lot of good discussion. Concerns on replenishing the fund, long term. Ideas were to start with two, and grow it from there. The terms of the scholarships could be worked out with Kevin and the board this winter. Want to make sure it goes to youth that need the help. Bill moved that Merlin explore this further with Myron and Kevin and report back to the board, Travis seconded the motion. **M/C**

Proposed by law changes: Leon brought forward to the board sweeping by law changes for the association. Leon wants the board to look at them, and report back to Leon feedback. Leon feels everything needs to be in writing, as older members retire, and new members come on not knowing the workings of the association. A lot of good discussion. One suggestion by several, could a policy manual work for many of these changes instead of putting it in the by-laws. Numerous proposed changes were challenged by members to Leon. Leon wants feedback by September. Bill moved to table the proposed bylaw changes to the September meeting. Katie seconded Bills motion. **M/C**

(The proposed changes are at the end of the minutes.)

Monarch Butterfly: Merlin mentioned that he received an e mail from Game and Fish that the Monarch butterfly decision whether it needs to be put on the endangered species list, the date has been pushed back to December 20. Discussion on what counties still have milkweed on their county weed list. It was

decided to have Jamen send an official letter to the counties with milkweed on their list, and ask them to remove it from their list.

Other New Business: None

Being no further business, Derrill moved to adjourn the meeting, Katie seconded the motion.

M/C

The meeting was adjourned at 1:21 pm.

Respectfully Submitted:

Merlin Leithold

Executive secretary

2020 NDWCA Convention Planning Committee Meeting

2020 Conference Chairman, Travis called the meeting to order at 1:36 pm.

Members present: Travis Jepson, Katie Clyde, Bill Walker, Cody Schnabel, Derrill Fick, Jamen Windish, Richard Weisz and Chelsey Penuel from NDDA, and Merlin Leithold, executive secretary.

Merlin has been in some contact with Bill Sorenson, who is a magician/comedian. Hopefully can get him finalized soon. His price is reasonable.

Theme?

Speaker suggestions:

Vendor presentations

Andrew Thostenson - updates

Joe Ilkey

Kevin Sedivic

Panel: Sensitive issues to chemical: Bees, cbd oil/hemp, organic, vineyards

Weed officers/board members – role play on issues (landowner complaints, etc.)

Check with Tom Peters concerning a possible grad student

John Nowatski on using drones to spray

Adan Akyuz – NDSU Climatologist

Cheyenne National Grasslands

Goats on the go –Iowa

Corteva – updates on new products either Karissa or Mike Mechring, Bill will check with him

Bayer – Bill will check with them

Monarch Butterfly – US Fish and Wildlife or ND Game and Fish

Talk to Rick Schmidt about displaying his spray board (find room for him in break room if he wants)

Went over the menus, and came up with most of the menu items.

Merlin said that his wife, Lorele will be putting on the women's program. Lights in wine bottles.

We will meet again after the September board meeting.

Travis adjourned the meeting at 2.27pm.

Respectfully Submitted:

Merlin Leithold, Executive Secretary

TO: North Dakota Grain Elevators, Seed Cleaners & Feed Dealers
FROM: Doug Goehring, North Dakota Agriculture Commissioner
RE: Screenings as Livestock Feed

Utilizing screenings can be an inexpensive, yet effective supplement for feeding livestock. However, screenings also come with some risk. Screenings may include seeds of weeds that are invasive or difficult to control.

When a farmer or rancher takes possession of screenings, they are responsible to control any noxious weed infestations originating from those screenings. North Dakota law requires farmers and ranchers do all things necessary and proper to control the spread of noxious weeds in North Dakota.

We request that you provide buyers this statement on screenings to monitor places where feed and grain screenings are fed to cattle, and to scout fields for weed infestations, especially where manure was applied, or where cattle that were fed grain screenings may have foraged. Please make copies of the enclosed notice to give to farmers and ranchers who may have purchased screenings for feed.

Noxious weeds have many ways of spreading across the state, infesting new and unwanted areas. To aid in the control of noxious weeds, farmers and ranchers should remember to work with local weed officers and extension agents to identify and report noxious weeds. Early detection is key to a rapid response.

If you have any questions, please contact Richard Weisz, North Dakota Department of Agriculture Noxious Weed Specialist, at (701) 328-2250.

Sincerely,



Doug Goehring

North Dakota Agriculture Commissioner

BY-LAWS
NORTH DAKOTA WEED CONTROL ASSOCIATION
ARTICLE 1 DEFINITIONS

SECTION 1: DEFINITIONS.

NAME: ~~The name of the association~~ (a) Shall be the “North Dakota Weed Control Association” hereinafter referred to as the “~~association~~” **“NDWCA”**.

GENDER REFERENCES: ~~The terms “he”, “him” or “chairman” shall also be understood to mean “she”, “her” or chairwoman”.~~ (a) Shall be “he”, “him”, “she”, or “her” to be understood to mean **“Member”, “Chair”, “Director”, “NDWCA Secretary”, “President” or “Vice President”**.

CALENDAR YEAR: ~~Period of time,~~ (a) **Shall begin the first day of the Annual Member’s Meeting to December 31st of that calendar year** ~~Beginning January 1, and ending December 31.~~

BOARD OF DIRECTORS: (a) ~~Shall be unless otherwise stated,~~ the **“NDWCA Board of Directors”** hereinafter ~~refers~~ **referred to as** the association’s **NDWCA Board of Directors**. (b) ~~Shall which~~ consist of the elected **Full, Industry and Advisory** Members ~~and executive secretary~~ described in article V, sections 1-4 ~~to 8~~.

EXECUTIVE OFFICERS: ~~The “Executive Officers”~~ (a) Shall consist of the President, 1st Vice President, and 2nd Vice President **elected by a floor nomination and a majority written ballot vote of the Full Members present at roll call of the Annual Member’s Meeting** ~~of the association~~.

AREA: ~~The “Areas” of the association~~ (a) ~~Shall include~~ **consist of** the following **counties county** and ~~all cities~~ **city weed board, county and city weed control officer,** group, organization, company, agency, ~~and or individual within their geographical boundaries~~ involved with **noxious** weed management **for North Dakota**.

(NORTHEAST) - AREA I: Counties: Benson, Cavalier, Eddy, Foster, Grand Forks, Nelson, Pembina, Ramsey, Towner, Walsh, and Wells.

(SOUTHEAST) - AREA II: Counties: Barnes, Cass, Dickey, Griggs, LaMoure, Ransom, Richland, Sargent, Steele, Stutsman, and Trail.

(NORTHWEST) - AREA III: Counties: Bottineau, Burke, Divide, McHenry, Mountrail, Pierce, Renville, Rolette, Ward and Williams.

(SOUTH CENTRAL) - AREA IV: Counties: Burleigh, Emmons, Grant, Kidder, Logan, McLean, McIntosh, Morton, Oliver, Sheridan and Sioux.

(SOUTHWEST) - AREA V: Counties: Adams, Billings, Bowman, Dunn, Golden Valley, Hettinger, McKenzie, Mercer, Slope and Stark.

ARTICLE II MISSION

The mission of the association is to provide the vision and leadership necessary to increase a commitment to effective weed management. Our mission is to provide leadership and promote ideals that encourage proper noxious weed management for North Dakota

ARTICLE III RESOLUTIONS OBJECTIVES

SECTION 1: To provide leadership for noxious weed management in for North Dakota.

SECTION 2: To encourage and sponsor education and awareness programs in on noxious weed management for North Dakota.

SECTION 3: To provide ~~the liaison among~~ assistance and education to any county and city weed board, county and city weed control officer, group, organization, agency, company, and or individual concerned with noxious weed management programs for North Dakota.

SECTION 4: To assist the North Dakota Department of Agriculture in the development of effective and efficient noxious weed management programs for North Dakota.

SECTION 5: To develop and promote appropriate legislation pertaining to noxious weed management for North Dakota.

SECTION 6: To encourage and support research on in noxious weed management problems and their solutions for North Dakota.

ARTICLE IV MEMBERSHIP

SECTION 1: MEMBERSHIP: ~~All~~ (a) Shall be any county and city weed boards, county and city weed control officer, groups, organizations, companies company, agencies agency, and or individuals interested in involved in noxious weed management for North Dakota and who have paid Full Member, or Associate Membership, Industry Member or Advisory Member dues. (b) May wave an Advisory Member's dues by a majority vote of the NDWCA Board.

SECTION 2: FULL MEMBERS: (a) Shall be any county and city weed board, county and city weed control officer, group, organization, company, agency, or individual involved in noxious weed management for North Dakota and have paid Full Member dues. ~~limited to paid members present at annual, area or special meetings including electronically held meetings following guidelines of Roberts Rules of Order.~~ (b) Each city and county weed board, group, organization, agency, and company Shall have one vote by a designated voting delegate present at the roll call of any Annual, Area or special meeting to include but not limited to an electronically held meeting. (c) Full members ~~Are~~ May be eligible to serve as an Area elected Directors and elected officer. (d) Full members May serve on any Committee, but must meet Article VI Section 7 requirements of the by-laws, to serve on the Executive Committee. (e) May have the floor at any meeting of the association NDWCA to include but not limited to an electronically held meeting. ~~(e) Full members in one calendar year are eligible to vote in the January business meeting and January board meetings the following calendar year.~~ (f) Shall bring all agenda items, by-law amendments, resolutions or concerns to the attention of their Area Director prior to any Annual, Area, Board or special meeting to include but not limited to an electronically held meeting.

ASSOCIATE MEMBERS: (a) ~~Associate members~~ Shall be any county and city weed board, county and city weed control officer, group, organization, company, agency, or individual involved in noxious weed management for North Dakota and have paid Associate Member dues. ~~cities, groups, organizations, companies, agencies, individuals and counties or jurisdiction who wishes to join the association and pays associate membership dues.~~ (b) Associate members ~~Cannot~~ Shall not vote at any Annual, Board or special meeting to include but not limited to an electronically held meeting. (c) Shall have one vote by a designated voting delegate present at the roll call of their designated Area meeting to include but not limited to an electronically held meeting. ~~and~~ (d) ~~are~~ Shall not be eligible to serve on the NDWCA Board of directors as an elected Director. (e) ~~Associate members~~ May serve

on any Committees, but must meet Article VI Section 7 requirements of the by-laws, to serve on the Executive Committee, ~~and~~ (f) May have the floor at any meeting of the ~~association~~ NDWCA to include but not limited to an electronically held meeting. (g) Shall bring all agenda items, by-law amendments, resolutions or concerns to the attention of their Area Director prior to any Annual, Area, Board or special meeting to include but not limited to an electronically held meeting.

INDUSTRY MEMBER (a) Shall be a Full Member from any industry that is actively providing goods or services to any county or city weed board in North Dakota. (b) Shall have one vote by a designated voting delegate present at roll call of any Annual, Area or special meeting to include but not limited to an electronically held meeting. (c) May serve on the NDWCA Board as the Industry Director. (d) May serve on any Committee, but must meet Article VI Section 7 requirements of the by-laws, to serve on the Executive Committee. (e) May have the floor at any meeting of the NDWCA to include but not limited to an electronically held meeting. (f) Shall bring all agenda items, by-law amendments, resolutions or concerns to the attention of the Industry Director prior to any NDWCA Annual, Area, Board or special meeting to include but not limited to an electronically held meeting.

ADVISORY MEMBER A (a) Shall be any representative ~~member~~ of the ~~ND~~ North Dakota Department of Agriculture, ~~and a member of NDSU~~ any representative from an agriculturally based higher education school in North Dakota and any representative from a Federal or State organization working for North Dakota. (b) May serve on the NDWCA Board as an Advisory Director. (c) Shall not have voting rights at any Annual, Area or special meeting to include but not limited to electronically held meeting. ~~as advisory members of the association.~~ (d) May serve on any Committee, but must meet Article VI Section 7 requirements of the by-laws, to serve on the Executive Committee. (e) May have the floor at any meeting of the NDWCA to include but not limited to an electronically held meeting. (f) Shall bring all agenda items, by-law amendments, resolutions or concerns to the attention of their Advisory Director prior to any Annual, Area, Board or special meeting to include but not limited to an electronically held meeting.

SECTION 3: ANNUAL MEMBER'S DUES: (a) Shall ~~be~~ have the monetary amount of the ~~of~~ annual member's dues set by a majority vote of the NDWCA Board ~~of directors~~. (b) Shall pay annual member's dues, each calendar year, prior to the Annual Member's Meeting.

SECTION 4: SUSPENSION OF MEMBERSHIP: (a) ~~Membership~~ Shall be suspended from the ~~association~~ NDWCA for non-payment of Annual Member's dues prior to the beginning of the Annual Member's Meeting (b) Shall lose all rights and privileges afforded to them by the NDWCA for that calendar year if current Annual Member's dues are not paid in full. (c) Shall be reinstated into the NDWCA upon full payment of current Annual Member's dues. ~~(b) All members suspended for non-payment of dues will be reinstated upon payment of current annual dues.~~ (d) May be suspended for conduct unbecoming the by-laws, ethics or principles of the NDWCA by a majority vote of the NDWCA Board. (e) May be reinstated into the NDWCA by a majority vote of the NDWCA Board.

ARTICLE V ORGANIZATION

SECTION 1: NDWCA BOARD OF DIRECTORS: (a) ~~The association~~ Shall be governed by a Board of Directors. (b) ~~Shall be~~ five Area Directors, one Industry Director, ~~one government director,~~ and three Executive Officers ~~which shall~~ constitute the voting ~~members~~ Directors of the NDWCA Board with such answers and authorities as ~~may shall~~ be given ~~it to them~~ by the by-laws ~~or and~~ the Full Members ~~Board of directors~~. (c) Shall be three Advisory Directors which constitute the nonvoting Directors of the NDWCA Board with such answers and authorities as shall be given to them by the by-laws and the Full Members. (d) ~~The board of directors can~~ Shall not be comprised of a Full Member from the same ~~jurisdiction~~ Area unless the seated Director is an Executive Officer. (e)

~~area directors and executive officers must~~ Shall be a Full Member ~~or an official of a county weed board, or city weed board or a county or city weed control officer to become an elected Director.~~ (f) May serve 6 consecutive years as an elected Director and shall then be ineligible for a minimum of two years before being able to serve as an elected Director on the NDWCA Board. (f) Any breach in the by-laws may result in immediate termination of any seated Director which may result in legal action against them and revocation of their membership. (e) ~~members of the Board of directors shall be eligible to serve three two-year terms if elected and must be off two years to be eligible for election to the board of directors or serve as an area alternate. again, except for~~ (f) If the term of an area director is not completed, the area director alternate will serve out the term. (g) If the term of an executive officer is not completed, a replacement is named according in to article V; section 5. (h) The industry and government board members who may serve unlimited number of two year terms in article V section 4. Implementation of this provision shall be accomplished by drawing lots at the first board meeting after adoption of this provision. (i) If the industry or government director cannot complete a term, the un-expired term may be filled by an appropriate association member nominated and elected by a majority vote of the Board of directors at a regular or special board meeting.

SECTION 2: ADVISORY DIRECTORS: (a) Shall be an Advisory Member. (b) Shall be one representative of the North Dakota Department of Agriculture, one representative from an agriculturally based higher education school in North Dakota and one representative from a Federal or State organization working for North Dakota. (c) Shall be elected at the Annual Member's Meeting by a floor nomination and by a majority written ballot vote by the Full Members present at roll call. (d) Shall serve an elected two-year term as an Advisory Director on the NDWCA Board and may serve an unlimited number of elected two-year terms (e) Shall not have voting rights as an Advisory Director. (f) Shall serve in an advisory capacity to the NDWCA Board. (g) Shall bring all agenda items, by-law amendments, resolutions or concerns to the attention of the Executive Committee prior to any Annual, Board or special meeting to include but not limited to an electronically held meeting.

SECTION 3: INDUSTRY AND GOVERNMENT BOARD MEMBERS: ~~One or more full members representing government and one or more full members representing industry shall be nominated from the floor for placement on the annual meeting ballot. The membership present will elect an industry director and a government director for a two year term. Eligibility for government director shall be anyone not included under Article IV section two.~~ **INDUSTRY DIRECTOR** (a) Shall be an Industry Member. (b) Shall be elected at the Annual Member's Meeting by a floor nomination and by a majority written ballot vote by the Full Members present at roll call. (c) Shall serve an elected two-year term as Industry Director on the NDWCA Board and may serve an unlimited number of elected two-year terms. (d) Shall begin the elected term of Industry Director immediately following the Annual Member's Meeting. (e) If the elected term of Industry Director cannot be completed the remainder of the vacated term shall be filled by an Industry Member nominated and elected by a majority vote of the NDWCA Board, at any regular or special board meeting, and shall serve the remainder of the vacated term until the next election cycle. (f) Shall bring all agenda items, by-law amendments, resolutions or concerns to the attention of the Executive Committee prior to any Annual, Board or special meeting to include but not limited to an electronically held meeting.

SECTION 4: AREA DIRECTORS: (a) ~~Directors will be~~ Shall be a Full Member. ~~elected at the fall area meetings to include: one city or county weed board member or weed control officer or weed board official and~~ (b) Shall be an Area Director a first 1st Area Alternate Director and second 2nd Area Alternate Director from each of the five Areas. (c) Shall not be elected from the same county or city. (d) Shall be elected at the Fall Area Meeting by a floor nomination and a majority written ballot vote by the Area Members present at roll call. (e) Area Director shall serve an elected two-year term and may serve three consecutive elected two-year terms. (f) Area 1st and 2nd Alternate Directors shall

serve an elected two-year term. (g) If the elected term of an Area Director cannot be completed, the 1st Area Alternate Director shall serve out the remainder of the vacated term and the 2nd Area Alternate Director will become 1st Area Alternate Director. The 2nd Area Alternate Director seat will remain vacant until the next Fall Area Meeting where a 1st and 2nd Area Alternate Directors shall be voted on to serve out the remainder of the vacated term and serve the following elected term. ~~Directors shall take office immediately following the annual meeting.~~ (h) Shall begin the elected term of Area Director and Area Director Alternates immediately following the Annual Member's Meeting. (i) Shall bring all agenda items, by-law amendments, resolutions or concerns to the attention of the Executive Committee prior to any Annual, Board or special meeting to include but not limited to an electronically held meeting.

SECTION 5: EXECUTIVE OFFICERS: ~~(a) The executive officers of this association~~ ~~(a) Shall Be a Full Member.~~ (b) Shall be the President, first 1st Vice President, and second 2nd Vice President who shall perform the duties pertaining to these offices as set forth in the bylaws. (c) The Executive Officers shall not be comprised of more than one officer from any one elected from the same Area. (d) The 2nd Vice President shall be elected each year at ~~during~~ the Annual Member's Meeting of the association by a floor nomination and a majority written ballot vote of the Full Members present at roll call. ~~The 2nd vice president and shall move into the office of~~ become 1st Vice President the second year in office and shall become President the third year in office. (e) All officers shall take office begin the term as an Executive Officer immediately following the Annual Member's Meeting. (f) ~~In the event the~~ If the elected term of President cannot be completed fill his term, the 1st Vice President shall fill the unexpired serve out the remainder of the vacated term and serve the regular elected term the following year. (g) ~~In the case a~~ If the elected term of 1st Vice President cannot be completed fill the term, the 2nd Vice President shall fill the unexpired serve out the remainder of the vacated term and serve the regular elected term the following year. (h) If the elected term of 2nd Vice President vacates the office cannot be completed, the board vacated term shall appoint be filled by a Full Member nominated and elected a 2nd Vice President by a majority vote of the NDWCA Board, at any regular or special board meeting, to and shall serve the remainder of the vacated term until the next election cycle. (i) Shall approve all agenda items for any Annual, Board or special meeting to include but not limited to an electronically held meeting.

SECTION 6: PRESIDENT: ~~The president~~ (a) Shall be the Chief Executive Officer of the association and. (b) Shall preside at meetings of the association including board of directors, executive committee and other association over all meetings of the NDWCA with the exception to exclude of all the Area meetings and Committee meetings with the exception of the Executive Committee to include but not limited to electronically held meetings. (c) Shall appoint the Chair of all standing and special committees to achieve the resolutions set forth in Article III Sections 1- 6 of the by-laws. (d) ~~The president~~ Shall perform such other duties as are required of the office as enacted to them by the by-laws and the Full Members. (e) Shall bring all agenda items, by-law amendments, resolutions or concerns to the attention of the Executive Committee prior to any Annual, Board or special meeting to include but not limited to an electronically held meeting.

SECTION 7: 1st VICE PRESIDENT: ~~The 1st Vice President~~ (a) Shall perform the duties of the President in the absence of or the inability to complete the elected term of the President. ~~The 1st vice-president~~ (b) Shall be appointed Chair for the NDWCA Annual Member's Meeting. (c) Shall perform such other duties as assigned by the President as enacted to them by the by-laws and the Full Members. (c) Shall bring all agenda items, by-law amendments, resolutions or concerns to the attention of the Executive Committee prior to any Annual, Board or special meeting to include but not limited to an electronically held meeting.

SECTION 8: 2nd VICE PRESIDENT: ~~The 2nd vice president shall be elected at the annual meeting each year from a written ballot. The 2nd vice president~~ (a) Shall perform the duties of the 1st Vice President in their absence of or the inability to complete the elected term. (b) Shall organize and

~~plan to be appointed Co-Chair for the Annual Member's Meeting of the association. This officer (c) Shall also assist the executive secretary and perform other duties as assigned by the President as enacted to them by the by-laws and the Full Members. (c) Shall bring all agenda items, by-law amendments, resolutions or concerns to the attention of the Executive Committee prior to any Annual, Board or special meeting to include but not limited to an electronically held meeting.~~

SECTION 9 IMMEDIATE PAST PRESIDENT: ~~The immediate past President of the association (a) May serve on the board of directors in an advisory capacity to the NDWCA Board. He will not be able to vote on the board, but can lend his knowledge to the board, and (b) May be assigned duties by the President to them by the by-laws and the Full Members. (c) Shall bring all agenda items, by-law amendments, resolutions or concerns to the attention of the Executive Committee prior to any Annual, Board or special meeting to include but not limited to an electronically held meeting.~~

SECTION 10: EXECUTIVE NDWCA SECRETARY: ~~(a) The executive secretary Shall be vetted, hired employed or dismissed terminated for employment by the executive officers upon approval of a majority vote of the NDWCA Board of directors. The executive secretary (b) Shall participate attend in all meetings, unless replaced by a Committee Chair, of the NDWCA Membership, Executive Committee, Board of directors and area meetings to include but not limited to electronically held meetings, shall keep complete records of the minutes shall be kept and shall be distribute all records of the minutes in a timely manner of such meetings. (c) Shall ensure all agenda items of all meetings are approved by the meeting's Chair one week prior to that meetings start date, additional items may be added to the agenda as per Robert's Rule of Order provided they are for the good of the NDWCA, and shall make available the approved meeting agenda to that NDWCA Board or Committee immediately upon approval. He shall perform such other duties as defined in the job description statement. (b) The executive secretary (d) Shall receive and care for all the NDWCA funds of the association, by keeping an accurate account of the funds received and disbursed, and shall be required to give bond in such amount as determined by the NDWCA Board of directors. The executive secretary (e) Shall prepare reports regarding the funds and assets of the NDWCA association as required by the board of directors or the President and shall make available all records necessary for an association yearly or Full Member requested audit. (f) Shall write and sign checks for goods or services provided to the NDWCA upon receiving authorization from the Executive Officers however, checks written to the NDWCA Secretary shall be signed by the secondary designated checking account signee. The executive secretary (g) Shall not vote as be a voting member of the NDWCA Board or a at any committee NDWCA meeting of which the secretary is keeping records with the exception of their designated Area meeting or any floor votes during the Annual Member's Meeting. (h) Any breach in Article V Section 10 of the by-laws shall result in immediate termination of the acting NDWCA Secretary which may result in legal action against them and revocation of their membership.~~

SECTION 11: LOBBYIST: ~~The lobbyist (a) Shall serve on the board of directors as a non-voting advisory member if not already on the board of directors as an elected member of the board. in an advisory capacity to the NDWCA Board for matters concerning legislation for North Dakota. (b) Shall speak to North Dakota Legislatures on behalf of the NDWCA Board, when instructed, for the good of the NDWCA. (c) Shall be awarded travel and per diem expenses, equivalent to that of North Dakota state rates, which shall be compensated by the NDWCA Board during normal legislative business. (c) May be actively serving on the NDWCA Board as a Director. (d) Shall bring all agenda items, by-law amendments, resolutions or concerns to the attention of the Executive Committee prior to any Annual, Board or special meeting to include but not limited to an electronically held meeting.~~

SECTION 12: BOARD AND MEMBER MEETINGS: ~~(a) Shall be all Board Meetings, Annual Member's Meeting or Fall Area Meeting which shall have all dates, times and locations set annually during the last day of the Annual Board Meeting with the exception of any special meetings~~

to include but not limited to an electronically held meeting. (b) The Annual Board Meeting of the board shall be held during the first day preceding and the first day following the Association Annual meeting Member's Meeting each calendar year. (c) The Annual Member's Meeting shall be held during the recess of the Annual Board Meeting each calendar year. (d) The Fall Area Meeting shall be held in October each calendar year. (e) May have any special meeting of the NDWCA Board may be called by the President or 1st Vice President upon ten days' notice mailed to of each Director. (f) May have any special Area meeting called by the Area Director upon ten days' notice of each Area member. (g) Shall allow any Full, Associate, Industry or Advisory Member All shall have the privilege of the floor at any NDWCA meeting of the association.

ARTICLE VI COMMITTEES

SECTION 1: APPOINTMENTS: ~~The president shall appoint the chairman and the members of such standing committees as directed by the bylaws and shall appoint the chairman and members of the special committee established to achieve the objectives of the association.~~ (a) Shall be the right of any Full, Associate, Industry or Advisory Member the ability to sit on a committee. (b) Shall be a Full Member appointed by the President to be the Chair of a committee. (c) Shall have the Chair of the committee appoint all sitting members with the exception of the standing committees set forth in Article VI Sections 2,4,5,6 and 7 of the by-laws.

SECTION 2: LEGISLATIVE COMMITTEE: ~~The legislative committee will~~ (a) Shall be the Executive Committee and any Full, Associate, Industry or Advisory Member willing to achieve the objectives set forth in Article III Sections 1- 6 of the by-laws. ~~consist of association members who are interested in helping to~~ (b) Shall developing and promoting promote legislation pertaining to noxious weed management at the for North Dakota. legislature. ~~The legislative committee shall include the executive committee.~~

SECTION 3: EDUCATION COMMITTEE: ~~The education committee will~~ (a) Shall be any Full, Associate, Industry or Advisory Member willing to achieve the resolutions set forth in Article III Sections 1- 6 of the by-laws by developing and promoting education for noxious weed management in North Dakota. (b) Shall develop, plan, and conduct education programs for the NDWCA. ~~association and to~~ (c) May allow any Full, Associate, Industry or Advisory Member the ability to attend training modules to achieve the objectives set forth in Article III Sections 1- 6 of the by-laws. (d) Shall review all proposed members interested in attending an educational training module and refer the vetted members to the NDWCA Board for approval by a majority vote. (e) Shall have the NDWCA Board approve payment of all training modules and travel reimbursements occurred as a result of training modules by a majority vote. ~~select delegates to attend major training short courses when available, subject to the approval of the board.~~

SECTION 4: AUDIT COMMITTEE: ~~The audit committee will~~ (a) Shall be of the following three members, one Full Member appointed Chair, assigned by the president, a one Area Director Board Member appointed from the sponsoring area, Annual Member's Meeting host Area and another one Advisory Member appointed by the Chair, the first day of the Annual Board Meeting. (b) Shall audit all monetary transactions completed the fiscal year prior to the Annual Member's Meeting by written report. (c) Shall report any discrepancies, inconsistencies or noncompliance of the audit directly to the Executive Committee and then shall be carried to the NDWCA Board for review and disciplinary action, if warranted. (d) Shall give an oral report of all audit findings to the members present at the Annual Member's Meeting. ~~to be picked by voting members at their fall area meeting.~~

SECTION 5: AWARDS COMMITTEE: ~~The awards committee shall consist of five members, one from each Area and will decide on awards to be given by the association. The Area representatives shall be either the first or second alternate.~~ (a) Shall be the 5 Area Directors with the Annual Member's host area as acting Chair. (b) Shall be responsible for assigning the recipient of the annual

Weed Warrior and Lifetime Achievement Awards. (c) Shall ensure all potential recipients of the Weed Warrior Award are a Full, Associate, Industry or Advisory Member. (d) Shall ensure that all potential recipients of the Lifetime Achievement Award are a Full, Associate, Industry or Advisory Member that has served in some capacity on the NDWCA Board and ensure the recipient is an emeritus Director or will be an emeritus Director within the calendar year of receiving the Lifetime Achievement Award. (e) Shall ensure all Weed Warrior or Lifetime Achievement Award forums, provided on the NDWCA website or by hand out during the Fall Area Meeting, have been submitted in writing to the NDWCA Secretary prior to the Annual Board Meeting. (f) Shall ensure all Weed Warrior or Lifetime Achievement Award candidates have been submitted by their peers. (g) May add additional NDWCA awards by an Awards Committee and NDWCA Board review then shall be presented at the Annual Member's Meeting for final approval by majority vote of the Full Members present during roll call.

SECTION 6: ANNUAL MEMBER'S MEETING COMMITTEE: ~~The~~ (a) Shall be the 1st Vice President as acting Chair, 2nd Vice President as acting Co-Chair ~~will act as the chairman of this committee; others on the committee will include the executive secretary, the sponsoring Area Director, one member of the Education Committee, a representative of the Advisory Director from the NDDA and any member appointed by the Chair. The annual meeting committee will~~ (b) Shall be responsible for the planning of the Annual Member's Meeting ~~of the association.~~ (c) Shall utilize the NDWCA Secretary to organize and set up the planning accomplished by Annual Member's Meeting Committee.

SECTION 7: EXECUTIVE COMMITTEE: ~~The executive committee consists of~~ (a) Shall be the President, 1st Vice President, and 2nd Vice President. (b) May act on behalf of the NDWCA Board only when enacted by a majority vote of the NDWCA Board (c) Shall be responsible for ensuring the sustainability of the NDWCA in accordance with the resolutions set forth in Article III Sections 1- 6. (c) Shall have all meetings of the Executive Committee called by the President upon ten days' notice of each committee member. ~~The president shall call executive committee meetings as necessary. Minutes shall be recorded by the executive secretary and distributed to the board of directors. Association members may receive a copy upon request.~~

SECTION 8: EXPENDING COMMITTEE FUNDS: (a) ~~Committees~~ May expend funds to all committees to achieve the objectives set forth in Article III Sections 1- 6 of the by-laws by a majority vote of the NDWCA Board. (b) May authorize the expenditure of all standing committee funds annually to achieve the objectives set forth in Article III Sections 1- 6 of the by-laws upon annual authorization by the Board by a majority vote of the NDWCA Board of directors. ~~(b) The executive committee can approve committee requests for authority to expend additional funds that were not a part of the association's budget, if the executive committee feels it is in the best interest of the association.~~ (c) May authorize the expenditure of all non-standing committee funds to achieve the objectives set forth in Article III Sections 1- 6 of the by-laws by a majority vote of the NDWCA Board.

ARTICLE VII FINANCES-RECORDS-CONTRACTS

SECTION 1: FINANCIAL CONTROL: (a) ~~All funds from membership dues and other income~~ Shall ~~be~~ have all NDWCA monetary profits placed ~~with~~ in the care of the executive NDWCA Secretary ~~and~~ (b) Shall be under the control of the NDWCA Board of directors unless specified otherwise ~~stated~~ in the by-laws. ~~All funds of the association~~ (c) Shall be deposited all NDWCA monetary profits promptly to the credit of the association in such banks or other depository as the NDWCA Board of directors may select. (b) ~~The property and business of the association~~ Shall have all NDWCA property and business ~~be under the management~~ managed and control governed of by the NDWCA Board ~~as enacted to them by the by-laws and the Full Members~~ of directors.

SECTION 2: FISCAL YEAR: ~~The association~~ (a) Shall be operate on a calendar year. ~~begin on~~ Beginning January 1 and ending December 31.

SECTION 3: AUDITS: ~~The financial records of the association shall be audited annually by the audit committee.~~ (a) Shall audit all NDWCA monetary transactions completed the fiscal year prior to the Annual Board Meeting by written report. (b) Shall have the Audit Committee complete the annual audit of the NDWCA. (c) Shall have an external audit completed before a new NDWCA Secretary is hired. (d) May have an external audit requested by any Full Member, at roll call during the Annual Member's Meeting and the audit request must pass a majority vote from the floor to be accepted for review and completion of said external audit.

SECTION 4: LOANS: ~~No loans shall be made by the association to its members, officers, or directors.~~ (a) Shall not make a monetary or any other type of loan to a Full, Associate, Industry or Advisory Member.

SECTION 5: COMPENSATION OF OFFICERS AND DIRECTORS: ~~The executive officers and directors of the association~~ (a) Shall be reimbursed a NDWCA Board Director for the actual expenses incurred in during the performance of their duties. ~~Further, the board of directors~~ (b) May authorize the payment of fees to officers, Directors, and individuals or agents who perform specific authorized professional services for the NDWCA association. (c) Shall have all expense, defined in Article VII Subsection 5 of the by-laws, incurred by the NDWCA be approved by a majority vote of the NDWCA Board.

SECTION 6: CONTRACTS: ~~The~~ (a) May allow the NDWCA Board of directors may the authority to permit any Director officer or officers, or Agent or agents of the association, in addition to the officers authorized by the bylaws, to enter into and execute any contract any contract or to execute or deliver any instrument in the number of and on behalf of the NDWCA association, and with such authorization may be general or confined to specific instances as authorized by the Full Members.

ARTICLE VIII STATUS AND DISSOLUTION

SECTION 1: STATUS: ~~The association is~~ (a) Shall be a non-profit organization without capital stock, dedicated to the furtherance of noxious weed management and education for North Dakota. ~~and~~ (b) Shall not be for monetary profit or gain to any of its members. (c) Shall not offer capital stock to any member, nonaffiliated entity or individual.

ARTICLE IX BY-LAW AMMENDMENTS CHANGES

SECTION 1: BY-LAW AMMENDMENTS CHANGES: ~~Any proposed by law changes must be brought to board of directors prior to the fall meeting. Proposed by law changes approved by the board will be brought forward to the annual meeting for action by NDWCA members.~~ (a) Shall bring proposed by-law amendments to the attention of the carrying member's acting Director prior to the September NDWCA Board Meeting. (b) Shall have Director carry the proposed by-law amendment to the NDWCA Board for review of compliance to the by-laws and the North Dakota Century Code. (c) Shall have the NDWCA Board carry the proposed by-law amendment to By-Law Committee for formal writing in the scope of which it was proposed. (d) Shall have the By-Law Committee carry the proposed by-law amendment to Fall Area Meeting for review. (e) Shall have the By-Law Committee Chair carry the proposed by-law amendment to the floor of the Annual Member's Meeting for presentation (f) Shall have the Full Members present at roll call of the Annual Member's Meeting may have the ability to amend and approve the proposed by-law amendment by a majority

show of hands vote. (g) Shall not change the original scope or meaning of any proposed by-law amendments brought to the attention of the NDWCA.

SECTION 2: EFFECTIVE DATE: (a) ~~Amendments to the bylaws shall be declared in effect upon receiving a majority of votes cast by the members present and voting at the annual meeting.~~ Shall enact all by-laws upon receiving a majority vote from the Full Members present at roll call during the Annual Member's Meeting. (b) ~~For the purpose of this set of bylaws the effective date will follow the association's~~ Shall make the effective date of all enacted by-laws the first day following the Annual Member's Meeting ~~in 2009.~~

ARTICLE X RESOLUTIONS

SECTION 1: RESOLUTION AMMENDMENTS: (a) Shall bring proposed resolutions to the attention of the carrying member's acting Director prior to the September Board Meeting. (b) Shall have Director carry the proposed resolution to the NDWCA Board for review of compliance to the by-laws and the North Dakota Century Code. (c) Shall have the NDWCA Board carry the proposed resolution to By-Law Committee for formal writing in the scope of which it was proposed. (d) Shall have the By-Law Committee carry the proposed resolution to Fall Area Meeting for review. (e) Shall have the By-Law Committee Chair carry the proposed resolution to the floor of the Annual Member's Meeting for presentation (f) Shall have the Full Members present at roll call of the Annual Member's Meeting may have the ability to amend and approve the proposed resolution by a majority show of hands vote. (g) Shall not change the original scope of any proposed resolution brought to the attention of the NDWCA.

SECTION 2: EFFECTIVE DATE: (a) Shall enact all resolutions upon receiving a majority vote from the Full Members present at roll call during the Annual Member's Meeting. (b) Shall make the effective date of all enacted resolutions the first day following the Annual Member's Meeting.

ARTICLE XI MEETING RULES

SECTION 1: (a) Shall abide by Roberts Rules of Order, in Plain English, ~~shall be followed~~ at all meetings of the NDWCA ~~to include but not limited to electronically held meetings.~~

SECTION 2: Meeting of the Association may take place by electronic means.

_____ President, North Dakota Weed Control Association NDWCA President	_____ Date
_____ NDWCA 1 st Vice President	_____ Date
_____ NDWCA 2 nd Vice President	_____ Date
_____ Executive Secretary, North Dakota Weed Control Association	_____ Date

Date adopted — January 6, 2016

