

**176A.8 Powers and duties of county agricultural extension council.**

The extension councils of each extension district of the state shall have, exercise, and perform the following powers and duties:

1. To elect from their own number annually a chairperson, vice chairperson, secretary and a treasurer who shall serve and be the officers of the extension council for a term of one year, and perform the functions and duties as herein in [this chapter](#) provided.

2. To serve as an agency of the state and to manage and transact all of the business and affairs of its district and have control of all of the property acquired by it and necessary for the conduct of the business of the district for the purposes of [this chapter](#).

3. *a.* To, at least ninety days prior to the date fixed for the election of council members, appoint a nominating committee consisting of four persons who are not council members and designate the chairperson. The membership of the nominating committee shall be gender balanced. The nominating committee shall consider the geographic distribution of potential nominees in nominating one or more resident registered voters of the extension district as candidates for election to each office to be filled at the election. To qualify for the election ballot, each nominee shall file a nominating petition signed by at least twenty-five eligible electors of the district with the county commissioner of elections at least sixty-nine days before the date of election.

*b.* To provide for the nomination by petition of candidates for election to membership on the extension council. A nominating petition shall be signed by at least twenty-five eligible electors of the extension district and shall be filed with the county commissioner of elections at least sixty-nine days before the date of the election.

4. To enter into a memorandum of understanding with the extension service setting forth the cooperative relationship between the extension service and the extension district.

5. To employ all necessary extension professional personnel from qualified nominees furnished to it and recommended by the director of extension and not to terminate the employment of any such without first conferring with the director of extension, and to employ such other personnel as it shall determine necessary for the conduct of the business of the extension district, and to fix the compensation for all such personnel in cooperation with the extension service and in accordance with the memorandum of understanding entered into with such extension service.

6. To prepare annually before March 15 a budget for the fiscal year beginning July 1 and ending the following June 30, in accordance with the provisions of [chapter 24](#) and certify the budget to the board of supervisors of the county of their extension district as required by law.

7. To be responsible for the preparation and adoption of the educational program on extension work in agriculture, home economics, and 4-H club work, and periodically review the program, and for the carrying out of the program in cooperation with the extension service in accordance with the memorandum of understanding with the extension service.

8. To make and adopt such rules not inconsistent with the law as it may deem necessary for its own government and the transaction of the business of the extension district.

9. To fill all vacancies in its membership to serve for the unexpired term of the member creating the vacancy by appointing a resident registered voter of the extension district. However, if an unexpired term in which the vacancy occurs has more than seventy days to run after the date of the next general election and the vacancy occurs seventy-four or more days before the election, the vacancy shall be filled at the next general election.

10. To, as soon as possible following the meeting at which the officers are elected, file in the office of the board of supervisors and of the county treasurer a certificate signed by the chairperson and secretary of the extension council certifying the names, addresses, and terms of office of each member, and the names and addresses of the officers of the extension council with the signatures of the officers affixed to the certificate. The certificate shall be conclusive as to the organization of the extension district, its extension council, and as to its members and officers.

11. To deposit all funds received from the "county agricultural extension education fund" in a bank or banks approved by the extension council in the name of the extension district. These receipts shall constitute a fund known as the "county agricultural extension education

fund” which shall be disbursed by the treasurer of the extension council on vouchers signed by its chairperson and secretary and approved by the extension council and recorded in its minutes.

12. To expend the “county agricultural extension education fund” for salaries and travel, expense of personnel, rental, office supplies, equipment, communications, office facilities and services, and in payment of such other items as shall be necessary to carry out the extension district program; provided, however, it shall be unlawful for the county agricultural extension council to lease any office space which is occupied or used by any other farm organization or farm cooperative, and provided further, that it shall be lawful for the county agricultural extension council to lease space in a building owned or occupied by a farm organization or farm cooperative.

13. To carry over unexpended county agricultural extension education funds into the next year so that funds will be available to carry on the program until such time as moneys received from taxes are collected by the county treasurer. However, the unencumbered funds in the county agricultural extension education fund in excess of one-half the amount expended from the fund in the previous year shall be paid over to the county treasurer. The treasurer of the extension council with the approval of the council may invest agricultural extension education funds retained by the council and not needed for current expenses in the manner authorized for treasurers of political subdivisions under [section 12C.1](#).

14. To file with the county auditor and to publish in two newspapers of general circulation in the district before September 1 full and detailed reports under oath of all receipts, from whatever source derived, and expenditures of such county agricultural extension education fund showing from whom received, to whom paid and for what purpose for the last fiscal year.

[S13, §1683-j, -m; C24, 27, 31, 35, 39, §2930, 2933, 2938; C46, 50, 54, §176.8, 176.11, 176.16; C58, 62, 66, 71, 73, 75, 77, 79, 81, §176A.8]

[83 Acts, ch 123, §77, 209](#); [87 Acts, ch 43, §5](#); [90 Acts, ch 1149, §4 – 6](#); [91 Acts, ch 129, §22](#); [94 Acts, ch 1169, §64](#); [99 Acts, ch 133, §2, 3](#); [2001 Acts, ch 56, §10](#); [2009 Acts, ch 41, §70](#); [2019 Acts, ch 64, §1 – 3](#); [2020 Acts, ch 1063, §69](#)

Referred to in [§176A.9, 331.427](#)

2019 amendment to subsection 9 applies to all vacancies occurring on or after May 2, 2019; 2019 Acts, ch 64, §2, 3