

# 10 Minute Supervisor Trainings



September 2023

## Filling Supervisor Vacancies

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Although we talk often about the process to elect new supervisors onto conservation district boards every two years, there is another way for new supervisors to join the conservation family. This training will explain the steps to fill a vacancy on your conservation district board.

### **Why would a district need a new supervisor appointed?**

If a currently serving supervisor resigns or becomes ineligible for office, it would leave a vacancy on the board. A supervisor might resign because of time or health issues or a lack in interest in continuing to serve. A vacancy could happen due to death. A supervisor might become ineligible by moving out of the district, being elected to another position, or being convicted of a felony.

It's important for the board to try to fill this vacancy as soon as possible. Not only because having an odd number of supervisors on the board is better for voting purposes, but also because it's easier to ensure a quorum with more members. Please note that the quorum requirement of 4 members does not change if there's a vacancy.

### **How does a district start the appointment process?**

The district must have the supervisor's resignation in writing. If the supervisor is not able to write a letter in the case of severe illness or death, a letter from someone with power of attorney or the next of kin is acceptable. Once a district has this letter, it may begin trying to find someone to fill the open position. The position may be advertised by word of mouth, paid advertising in the newspaper, social media, etc. Just like an elected position, any potential supervisor must have a petition with at least 25 qualified signatures. The petition, along with a checklist can be found on the Conservation Forms page of the Division of Conservation's website. <https://eec.ky.gov/Natural-Resources/Conservation/Pages/Conservation-Forms.aspx>



The district will set a deadline for the submission of petitions (generally by the next board meeting). The board reviews all the petitions that have been submitted and votes for which candidate they would like to recommend to the Soil and Water Conservation Commission. If the supervisors choose, they can have the potential candidates come to the meeting to speak with them and answer questions. The vote for recommendation can be done by voice or by paper ballot – that is up to the district board to decide.

There are several things that a district board should consider when they review the petitions that they have received. Some of these are included on the checklist mentioned at the bottom of the previous page. A district might have local issues they want to consider as well.

After the district board meeting, the district should send the resignation letter and ALL petitions received (not just the one the district is recommending to the Soil and Water Conservation Commission ([conservation@ky.gov](mailto:conservation@ky.gov)) along with a cover letter apprising the commission of the district's recommendation.

### **How does the Soil and Water Conservation Commission appoint a new supervisor?**

The commission has the legal ability to fill unexpired terms according to KRS 262.240(2). Regulations do not define how the commission should choose to fill the unexpired term; therefore, this process is defined by commission policy.

At their next meeting, the commission will review the letter from the district and the petitions for the open position. While the commission may vote to approve the district's recommendation, they are not required to do so. If the commission feels that another candidate who has petitioned would be better for the district board, they can choose to appoint that candidate.

Once the commission has appointed a new supervisor, an Oath of Office card is sent to the conservation district. The candidate is considered a supervisor, with the same rights and responsibilities as the rest of the board, once they sign and return the Oath of Office. The supervisor is appointed to fulfill the resigned supervisor's unexpired term, so they will be on the same 4-year rotation as the rest of the board.