



10-Minute Supervisor Trainings

Kentucky Soil and Water Conservation Commission

DECEMBER 2018

FILLING SUPERVISOR VACANCIES

Although we talk often about the process to elect new supervisors onto our boards every two years, there is another way for new supervisors to join us. Since the appointment of new supervisors by the Soil and Water Conservation Commission is something that happens more rarely, the Commission wanted to be sure that all districts across the state know the process.

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, he or she might not be interested in serving any more, or there might be a death leaving a vacancy. A supervisor might become ineligible by moving out of the district or by being elected to another position. A vacancy can also be created when not enough people run for the office during an election year.

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?

If the vacancy is from a supervisor leaving the board, 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 can be found on the Division of Conservation's website.



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 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.

After the district board meeting, the district should send the original resignation letter and ALL original petitions received (not just the one the district is recommending) to the Soil and Water Conservation Commission 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, a letter and Oath of Office card is sent to them. The candidate is considered a supervisor, which the same rights and responsibilities as the rest of the board, once he or she has taken the Oath of Office. The supervisor is appointed to fulfill the resigned supervisor's unexpired term, so he or she will be on the same 4 year term rotation as the rest of the board.

DISCUSSION

1. What qualities make a good supervisor?
2. What leadership activities have helped your board of supervisors in the past?
3. When considering a new supervisor, how will your board evaluate the applicants?