

Who sets the selectboard's pay if there are no town auditors?

The voters set the selectboard's pay. However, if the voters failed to fix the selectboard's pay and the town voted to eliminate the office of auditor, then the "selectboard shall be compensated at the rate at which they were compensated during the immediately preceding year." 24 V.S.A. § 933.

Generally, a town has two mechanisms for compensating its officials and employees. First, a town may vote at town meeting to compensate its officials and employees and also to fix the amount of that compensation. If the voters fail to do so, this duty defaults to the selectboard, wherein lies the conflict. If the selectboard had the authority to fix the compensation for all the town's officials and employees, it would be able to set its members' pay. Vermont law resolved this potential conflict by authorizing the auditors to fix the selectboard's pay at the time of the annual town audit. 24 V.S.A. § 933.

Unfortunately, for many towns it has become increasingly difficult to find people willing to either run for, or accept appointment to, town office. The result is that some towns are left without auditors and, consequently, without a mechanism for setting the selectboard's pay. If this has occurred, towns should seriously consider eliminating the office of auditor. This may be done by ballot at town meeting. In place of the auditors, the selectboard must contract and appoint a licensed public accountant to assume their duties. 17 V.S.A. § 2651b.

But what if the voters failed to fix the selectboard's pay and the town hasn't voted to eliminate the office of auditor? Technically, members of the selectboard can only be "compensated at the rate at which they were compensated during the immediately preceding year" if neither of these events take place. Therefore, if the voters or auditors have not set the selectboard's pay and the town has not voted to eliminate the office of auditor, the selectboard's pay should remain at its current level, at least until the town votes to change it at the next town meeting.

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