

## **DOES THE CHAIRPERSON OR VICE-CHAIR OF A PUBLIC BODY HAVE TO SIGN ITS DECISIONS OR ORDERS?**

No, neither person is required by law to sign a public body's decisions or orders.

Ordinarily, the minutes of a public body sufficiently memorialize its actions. However, there are times when the law requires that a body's decisions or orders be in writing.

Whether the public body is the selectboard, planning commission, board of civil authority, or conservation commission, its chairperson or vice-chair may, but does not have to, sign decisions or orders required by law to be in writing. "Any decision or order approved for issue by a board, commission, committee, agency or authority of any municipal corporation, including the legislative body of a municipal corporation, which is required by law to be in writing, may be signed by the chairman or vice-chairman on behalf of the issuing body." 24 V.S.A. § 1141. This authority differs from that of the selectboard authorizing one or more of its members to sign orders for the payment of claims against a town. 24 V.S.A. § 1623.

State law here is merely enabling, meaning that the chairperson or vice-chair may sign on behalf of the body if he or she so elects, regardless of having actually voted in favor of the decision or order. If the chairperson and vice-chair opt against signing the order or decision, then it must be signed by at least a majority of the total number of members who voted for passage.

Don't forget that a binding vote or action cannot be taken without the concurrence of a majority of the total number of members. (A less stringent requirement exists for the board of civil authority when it deals with non-election matters. In this case, a binding vote or action only requires the act of a majority of the board present at the meeting.)

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