

## **HOW ARE NEW MEMBERS ADDED TO THE SELECTBOARD?**

The voters must first approve a duly warned article at an annual or special town meeting to add any additional positions to the board. 17 V.S.A. § 2650(b). If the article is approved, the newly created vacancies must be filled either by appointment by the sitting selectboard or by election. 24 V.S.A. § 963.

Each town starts with at least three selectboard members, each of whom serves a three-year staggered term. 17 V.S.A. §§ 2646(4), 2649. A town may elect not more than two additional selectboard members if the voters so choose. 17 V.S.A. §§ 2649, 2650(b). Towns rarely add just one member, however, as doing so dramatically increases the likelihood of deadlocked (2-2) decisions.

If two additional members are added, they must serve for the same term of office, either one or two years. The warning for the addition of the two members must specify if their terms are to be for two years. If the warning is silent, then both members will only serve for one-year terms. If the terms for the new positions are to be for two years, then after their initial election, one member's term would be for one year and the other's would be for two years so that their terms are staggered. In other words, if two additional members are elected for a two-year term, then only one will actually serve out the entirety of the initial two-year term. The other member's term will expire after one year. Thereafter, however, each will be elected to a full two-year term. The reason for staggering these two positions is to ensure that these offices will not become vacant at the same time. 17 V.S.A. § 2650. When a new member is elected, the warning should clearly indicate the length of the term so there will be no confusion as to which member has the one-year term and which has the two-year term.

How a town fills these positions is a function of the method it utilizes to dispose of public questions and the election of officers at annual and special town meetings. If a town votes from the floor, the article to fill the office can follow the article creating the additional positions. If a town votes either its public questions and/or elects its officers by Australian ballot, it will not be able to fill the newly created offices until the next annual or special town meeting. Until that time, the selectboard will have to appoint to fill these vacancies.

Once these two new positions are created, they will remain in effect until such time as the town votes to eliminate them at an annual or special meeting. 17 V.S.A. § 2650(c).

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