

AGENDA STAFF REPORT

MEETING NAME: REGULAR BOARD MEETING(S)

MEETING DATE(S): AUGUST 11 & 15, 2022

FROM: LEGAL COUNSEL

FOR: ACTION DIRECTION INFORMATION



PROCESS TO FILL BOARD VACANCY

STAFF RECOMMENDATION

Direct staff to notify the county elections official of a board vacancy and to post notice of the vacancy inviting applicants to apply to fill the vacancy, with interviews to be conducted and appointment to be made to fill the board vacancy on or after the September board meeting.

SUMMARY

Director Duncan resigned from the MSWD board of directors effective August 16, 2022. The district must notify the county elections officials of the vacancy no later than 15 days after the effective date of the vacancy. The remaining members of the district board may fill the vacancy either by appointment or by calling a special election. If the board fills the vacancy by appointment, it has 60 days from the date the vacancy became effective (i.e. 60 days from August 16, 2022) to fill the vacancy. Before appointing someone to fill the vacancy, district staff must post a notice of the vacancy in three or more conspicuous places within the district at least 15 days before the district board makes the appointment. Once an appointment has been made to fill the vacancy, the district must notify county elections officials of the appointment no later than 15 days after the appointment. The person appointed to fill the vacancy serves for the balance of director Duncan's term of office.

ATTACHMENTS

Email dated July 15, 2022, from Director Duncan to President Martin, Arden Wallum and John Pinkney.