

## FREQUENTLY ASKED QUESTIONS

### What is an SWCD Supervisor's term of office?

In most cases, supervisors are elected to 4 year terms, commencing on the first Monday in January. For special elections conducted after an appointment to fill a vacancy, the person elected serves the remainder of that position's term (2 years).

### Can a person serve as an SWCD Supervisor and hold another elected position at the same time?

It depends. With the exception of the SWCDs in Anoka and Washington counties, the office of SWCD supervisor is compatible with:

- the offices of mayor, clerk, clerk-treasurer, or council member in a statutory or home rule charter city of not more than 2,500 population contained in whole or in part in the SWCD; and
- the office of town clerk or town supervisor in a town of not more than 2,500 population contained in whole or in part in the SWCD.

A person can be on the election ballot for SWCD and the compatible office at the same time.

A person holding both offices needs to refrain from voting or taking any other formal action on any matter coming before the SWCD board or the city council or town board that has a substantial effect on both the SWCD and the city or town. (*Minnesota Statutes 103C.315 and 204B.06*)

### What can I tell someone concerned about taking time away from work to fulfill the duties of an elected Supervisor?

"A person elected to a public office must be permitted time off from regular employment to attend meetings required by reason of the public office. The time off may be without pay, with pay, or made up with other hours, as agreed between the employee and employer. When an employee takes time off without pay, the employer shall make an effort to allow the employee to make up the time with other hours when the employee is available. No retaliatory action may be taken by the employer for absences to attend meetings necessitated by reason of the employee's public office." (*Minnesota Statutes 211B.10*)

### Do Supervisors receive compensation?

Supervisors receive compensation for services up to \$125 per day rate, depending on what rate is approved by the local SWCD. In addition, Supervisors may be reimbursed for expenses, including traveling expenses, necessarily incurred in the discharge of duties. A supervisor may be reimbursed for the use of his/her own automobile in the performance of official duties at a rate set by the SWCD, not to exceed the maximum tax-deductible mileage rate permitted under the federal Internal Revenue Code. (*Minnesota Statutes 103C.315*)

### Are write-in candidates tabulated?

Not automatically. A candidate for SWCD Supervisor who did not file for office and therefore won't be listed on the ballot, and who wants write-in votes for the candidate to be counted, must file a written request on a form provided by the county auditor. The request must be filed with the county auditor after the close of the filing period and no later than the seventh day before general election. An SWCD board may adopt a resolution further governing the counting of write-in votes. The resolution may require that write-in votes for an individual candidate only be individually recorded if the total number of write-in votes for that office is equal to or greater than the fewest number of non-write-in votes for a ballot candidate. (*Minn. Stat. 204B.09*)

### How is a Supervisor selected if the supervisor district is within areas governed by an Indian tribe?

In a district where a supervisor district is entirely within lands of an American Indian tribe or band to which county election laws do not apply, a supervisor to represent the district shall be elected or appointed as provided by the governing body of the tribe or band. (*Minnesota Statutes 103C.305*)

### What happens after an individual is elected?

After election results are certified, the county auditor may provide a "Certificate of Election" to the successful Supervisor-elect. The Supervisor-elect may keep the certificate or send it to the county recorder's office to be kept on file. Newly elected supervisors should take an "Oath of Office" at the first SWCD board meeting on or after the first Monday in January. The Secretary of State's office has a sample "oath of office form at [this link](#). Some counties hold ceremonies for all newly elected officials in January following an election, and SWCD Supervisors may wish to participate.

### Can an SWCD post candidate info on its web site?

Yes. However, in doing so, districts should ensure that all candidates have equal opportunity to have information posted, that no candidate appears to be advocated over another, and that no information be posted that is not relevant to the position (age, marital status, etc.). An alternative would be to work with a local newspaper to solicit candidate profiles and include them in an issue of the paper. In addition to the candidate's name and a candidate profile, a candidate profile could include answers to the following (or any other issues the SWCD and newspaper find helpful):

- strengths candidate would bring to SWCD; past experience with conservation issues; motivation for being an SWCD Supervisor; conservation approaches which the candidate supports.