

Roles and Responsibilities of the Selectboard

Introduction

As a selectboard member, **you are responsible for the "general supervision of the affairs of the town"** and must ensure that all duties required of towns are performed when those duties are not committed by law to another town officer. [24 V.S.A. § 872](#).

At first glance, this authority might seem vague. However, the term "general supervision of the affairs of the town" has been interpreted broadly by the Vermont Supreme Court to touch upon almost every aspect of local government. This includes, among other things,

- setting compensation of town officers (elected and appointed) and town employees if voters have not;
- setting bonds of certain officers;
- appointing certain officers and, if allowed and necessary, removing them;
- setting and maintaining the municipal budget;
- overseeing town employees
- creating ordinances and policies for the welfare and safety of the community;
- deciding certain legal matters as a quasi-court (e.g., vicious dog hearings or property assessment appeal hearings); and
- consulting with the town attorney, as needed

To help you understand and navigate the myriad expectations and often complex responsibilities of your position, we have compiled information and resources into this Selectboard Manual for quick reference and to share with other members of your board.

Governance

As a member of the municipality's selectboard, you must understand some basic principles of Vermont municipal law to best serve your municipality. **This includes the sources, scope, and limits to your authority both as a local government and as a selectboard.**

Three Roles of the Selectboard

While state and federal government establishes and maintains three separate and distinct branch of government – **judicial, legislative, and executive** – a **Vermont selectboard serves all three of these roles** and sometimes all at the same meeting.

The main tools the selectboard uses to effectuate these powers are policies, ordinances, regulations, and bylaws.

Executive Powers of the Selectboard

A selectboard's executive powers are those related to the administration and management of the town. The primary tool for carrying out your executive functions is a policy. A policy is a statement regarding a course of action, guiding principle, procedure, or strategy designed to influence and determine decisions while conducting general municipal affairs. A policy is adopted by resolution (i.e., by majority vote of a legislative body at a duly warned meeting), making them easy to adopt and amend. Policies are executive in nature and oriented inwards to guide internal decision-making processes. Generally, policies apply to employees, town facilities or property, or the selectboard itself.

Legislative Power of the Selectboard

The selectboard's legislative power is the ability to make, amend, and repeal local laws, which will generally come in the form of an ordinance or bylaw. The State of Vermont delegates some of its regulatory power to municipalities by expressly granting them the authority to adopt ordinances or bylaws to regulate certain subjects. A selectboard may not enact an ordinance unless the Legislature has expressly granted it the authority to adopt local legislation on that subject, but a Vermont selectboard's regulatory authority is quite broad. According to the Vermont Supreme Court, an ordinance is "an expression of the municipal will, affecting the conduct of the inhabitants generally, or of a number of them under some general designation." An ordinance must be adopted in a very specific way so, these are not as easily adopted or amended as a policy.

Judicial Powers of the Selectboard

The selectboard has **judicial powers**, when it acts in a "quasi-judicial" capacity. During these proceedings, called hearings, selectboards will sit in judgment of the legal rights of parties by weighing the evidence and applying it to the relevant laws. Selectboards act in this capacity when conducting hearings on classifying roads, vicious dogs, tax assessment appeals, and requests for tax abatement, among others.