

Appointment of Directors for Un-expired Terms

Director Appointments:

When a vacancy occurs on the Board of Directors of a soil and water conservation district, the remaining board members should seek the best-qualified individual available to fulfill the un-expired term. Section 201.076 of the Agriculture Code states, "(a) If a vacancy occurs in the office of director, the remaining directors by majority vote shall appoint a director for the un-expired term. The appointee must be approved by the State Board before taking office."

In order to qualify as a District Director, an individual must be at least 18 years of age, own land in the subdivision they will represent, reside in a county all or part of which is in the soil and water conservation district and be actively engaged in the business of farming or animal husbandry. These qualifications are contained in Section 201.003 (a) and Section 201.072 of the Agriculture Code.

When a vacancy occurs, the district is requested to notify the State Board. Representatives of the State Board will be available to discuss the appointment with the district and provide any needed assistance. The State Board will furnish the district with Form TSSWCB #49, Approval Request and Form TSSWCB #50, Appointee Personal Data Sheet.

Once the district selects the best-qualified individual available to appoint to fill an un-expired term, the district should fill out Form TSSWCB #49, Approval Request completely and have it signed by a majority of the District Board. The individual being appointed should fill out Form TSSWCB #50 completely and it must be signed by a majority of the District Board. The original of both forms must be sent to the State Board for its use in acting on the appointment. If the vacancy occurred due to a resignation, the district must also send the original resignation letter in with the completed forms.

When the State Board approves an appointment, the individual being appointed will be notified and a copy of that notification will be sent to the Chairman and/or Secretary of the District Board. The Appointee will also be mailed a Statement of Elected/Appointed Officer and an Oath of Office. The term of office of the appointee begins when they provide the State Board with an original signed and notarized Statement of Elected/Appointed Officer and the notarized Oath of Office. The Statement of Elected/Appointed Officer must be signed prior to taking the Oath of Office. The original Statement of Elected/Appointed Officer should be mailed to the State Board along with the original signed and notarized Oath of Office.

The district should retain copies of all forms and paperwork in their files.