



Date of Council Meeting: August 28, 2012

**TOWN OF LEESBURG
TOWN COUNCIL MEETING**

Subject: Council Appointments for Boards and Commissions

Staff Contact: Jeanette A. Irby, Town Attorney

Recommendation: No action is required

Issue: Whether a Town Code Amendment is necessary to allow for board and commission members to continue to serve in their capacity as the terms have been extended by the change in election date from May to November?

Fiscal Analysis: None

Background: Commencing election year 2012 Town Council members, including the Mayor will seek election in November instead of May in even numbered years. Members of boards and commissions are appointed by Council to correspond with the term of the council member who nominated that individual. Pursuant to the Town Code the terms of any board or commission member runs concurrently with the council member who nominated the member. Additionally, the member will serve until replaced by council. Accordingly, no revisions are needed to the Town Code for the terms of the appointed members of boards and commissions to continue nor is a revision needed to reflect the change in election date from May to November.

The Town Code in pertinent part states:

Sec. 2-194. - Appointment process.

With the exception of the board of architectural review, the following procedure shall apply to appointment of individuals to the town boards and commissions.

- (1) In the event of a vacancy, inclusive of the conclusion of regular terms, the clerk of town council shall advertise such vacancies. Submitted letters of interest and/or qualifications shall be forwarded to town council.
- (2) In the year of election newly elected or re-elected councilmembers, including the mayor, shall be encouraged to consider incumbent members of boards and commissions when determining their nominee.
- (3) In the year of election, each newly elected or re-elected councilmember, including the mayor, nominates one person to each board or commission to fill vacancies.
- (4) The town council shall vote to approve or disapprove the selection.

- (5) Board members and commission members shall serve at the pleasure of the town council, except for members of the planning commission who pursuant to state law may only be removed for malfeasance and/or nonfeasance.

The following apply to all boards and commissions including the board of architectural review:

- (6) Should a vacancy occur, the council member who nominated that individual submits a replacement nominee.
- (7) Should a vacancy exist for more than 60 days, either at the expiration of a term or prior to the end of a term, the town council may accept replacement nominations from any council member.

(Ord. No. 2008-0-17, § XXIV(art. VII(2.87)(b)), 6-24-2008; Ord. No. 2010-O-015, § II, 6-22-2010)