

## **§ 4-6. Duties of Town Supervisors**

By law, supervisors “have charge of all town affairs not committed to other officers by law.” Minn. Stat. § 366.01, subd. 1. Town supervisors are charged with the duty to make decisions on behalf of the town and have the responsibility to see that the town fulfills its duties to the state and to town residents. Common duties include awarding contracts, authorizing town- ship expenditures, adopting ordinances and resolutions.

Rather than being a task-oriented position, the office of town supervisor involves setting policy by making choices from a wide range of options. The challenges for supervisors include identifying what the available options are based on the town’s legal authority, following the correct process, taking the required steps to implement the selected option, and implementing the decision. Along the way, there are various legal policy questions, financial limitations, and political pressures that can make this a very difficult process.

Supervisors are responsible for choosing a chair. The statutes do not set out a selection process for the chair’s position and a town has a good deal of flexibility to use the process that makes sense to its board. The person appointed as the town board chair performs certain duties in addition to the usual responsibilities of a supervisor. Those include serving as the presiding officer for town board meetings and signing checks and other documents on behalf of the board. When designating a chair, boards should also appoint a vice-chair to serve in the chair’s absence.

The chair retains all the powers of a supervisor to make, second, and vote on motions. A board may not adopt rules to limit the powers the law grants to this or any other elected position (i.e., it cannot adopt a rule prohibiting the chair from making a motion). However, it is equally important to note that while the statutes assign the chair certain tasks to perform on behalf of the board, the chair is not automatically granted some superior or independent authority over the other supervisors.

As a practical matter, the chair often takes on more tasks than other supervisors, but the assignment of additional tasks must not be mistaken for the power to control a matter. For instance, the chair working with the clerk to pull together an agenda for a meeting does not give the chair the authority to refuse to place items on the agenda the other supervisors would like to discuss. Except for the statutorily designated tasks, and to the extent the board expressly assigns additional duties or powers, the chair is a supervisor with only the powers of a supervisor