

COUNTY COUNCIL OF
DORCHESTER COUNTY, MARYLAND

RESOLUTION NO. 2006- 5

Date of Introduction: July 11, 2006

FILED

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A RESOLUTION OF THE COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND, PURSUANT TO ARTICLE XI-A, SECTION 5 OF THE CONSTITUTION OF MARYLAND AND PURSUANT TO SECTION 601 OF THE CHARTER OF DORCHESTER COUNTY, MARYLAND ADOPTING A PROPOSAL TO AMEND SECTION 210 (B) AND SECTION 210 (C) OF THE CHARTER OF DORCHESTER COUNTY, MARYLAND PROVIDING THAT IF A VACANCY OCCURS IN THE OFFICE OF COUNTY COUNCIL BEFORE 180 DAYS PRIOR TO THE EXPIRATION OF THE TERM OF A COUNCILMEMBER, THE REMAINING COUNCILMEMBERS, SHALL, WITHIN 30 DAYS OF THE DATE OF THE VACANCY, BY RESOLUTION, ORDER A SPECIAL ELECTION TO FILL THE UNEXPIRED TERM OF SUCH COUNCILMEMBER, AND PROVIDING THAT THE SPECIAL ELECTION TO FILL THE VACANCY SHALL BE HELD WITHIN 120 DAYS FROM THE DATE OF THE VACANCY; AND PROVIDING THAT ALL CANDIDATES FOR ELECTION TO FILL THE VACANCY SHALL MEET THE SAME QUALIFICATIONS AND RESIDENCE REQUIREMENTS AND WHEN SUCCEEDING A PARTY MEMBER, SHALL BE OF THE SAME POLITICAL PARTY AS THE COUNCILMEMBER WHO VACATED OFFICE AND SHALL BE ELECTED BY THE VOTERS FROM THE SAME COUNCILMANIC DISTRICT AS THE COUNCILMEMBER WHOSE OFFICE IS VACATED AND PROVIDING THAT IF A VACANCY OCCURS IN THE OFFICE OF THE COUNTY COUNCIL WITHIN 180 DAYS OF THE EXPIRATION OF THE TERM OF A COUNCILMEMBER, THE VACANCY SHALL BE FILLED BY APPOINTMENT BY THE DORCHESTER COUNTY CENTRAL COMMITTEE OF THE POLITICAL PARTY AFFILIATED WITH THE PERSON WHO VACATED THE OFFICE, WHEN SUCCEEDING A PARTY MEMBER, AND IF NOT SUCCEEDING A PARTY MEMBER, THEN THE VACANCY SHALL BE FILLED BY A COMMITTEE OF FIVE (5) PERSONS APPOINTED BY THE COUNTY COUNCIL, AND PROVIDING THAT THE PROPOSED CHARTER AMENDMENT BE SUBMITTED TO THE VOTERS OF DORCHESTER COUNTY, MARYLAND AT THE NEXT GENERAL ELECTION SCHEDULED FOR NOVEMBER 7, 2006 AND PROVIDING THAT THE PROPOSED CHARTER AMENDMENT AND LOCAL QUESTION BE CERTIFIED TO THE DORCHESTER COUNTY BOARD OF ELECTIONS ON OR BEFORE AUGUST 21, 2006.

SECTION ONE:

BE IT RESOLVED BY THE COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND, ("County Council") acting under Article XI-A, Section 5 of the Constitution of Maryland (the "Constitution") and acting under Section 601 of the Charter of Dorchester County (the "Charter"), that the County Council proposes to amend Section 210 (b) and Section 210 (c) of the Charter to read as follows:

210. VACANCIES

(B) If a vacancy occurs in the office of the County Council before 180 days prior to the expiration of the term of a councilmember, the remaining council members, shall, within thirty (30) days of the date of vacancy, by Resolution, order a special election to fill the unexpired term of such councilmember. The special election to fill the vacancy shall be held within 120 days from the date of the vacancy.

All candidates for election to fill the vacancy shall meet the same qualification and residence requirements and when succeeding a party member, shall be of the party as the councilmember who vacated office and shall be elected by the voters from the same councilmanic district as the councilmember whose office is vacated. Any person so elected shall serve for the unexpired term of his predecessor in office.

(C) If a vacancy occurs in the office of the County Council within 180 days of the expiration of a term of a councilmember, the vacancy be filled by appointment by the Dorchester County Central Committee of the political party affiliated with the person who vacated the office, when succeeding a party member, and if not succeeding a party member, then the vacancy shall be filled by a committee of five (5) persons appointed by the County Council.

SECTION TWO:

BE IT FURTHER RESOLVED that the proposed amendment to the Charter and Local Question be submitted to the Voters of Dorchester County, Maryland at the next general election scheduled for November 7, 2006.

SECTION THREE:

BE IT FURTHER RESOLVED that pursuant to Section 7-103 of the Election Law Article of the Annotated Code of Maryland, the County Attorney shall certify the Local Question and the proposed Charter Amendment to the Dorchester County Board of Elections on or before August 21, 2006.

SECTION FOUR:

BE IT FURTHER RESOLVED pursuant to Article XI-A, Section 5 of the Constitution, that the entire text of this Resolution shall be published once a week for five successive weeks prior to the general election scheduled for November 7, 2006 in at least one newspaper published in Dorchester County, Maryland after the passage of this Resolution.

PASSED, APPROVED and ADOPTED this 8th day of August, 2006.

COUNTY COUNCIL OF DORCHESTER COUNTY,
MARYLAND

BY: _____ (SEAL)
GLENN L. BRAMBLE
President
Councilmember

ATTESTED BY:

Jane Baynard BY: *David B. Yockey* _____ (SEAL)
JANE BAYNARD DAVID B. YOCKEY
County Manager Vice-President
Councilmember

BY: *Effie M. Elzey* _____ (SEAL)
EFFIE M. ELZEY
Councilmember

BY: *William V. Nichols* _____ (SEAL)
WILLIAM V. NICHOLS
Councilmember

BY: *Ricky Travers* _____ (SEAL)
RICKY TRAVERS
Councilmember

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