

Council Meeting Minutes

October 23, 2015

The Tazewell Town Council met in a special called meeting at 6:30 a.m. in the Town Hall Council Chambers.

Present:

Mayor A. D. Buchanan Jr

Councilmember Chris Brown

Councilmember David Fox

Councilmember Jack Murray

Councilmember Jerry McReynolds

Absent:

Vice-Mayor Terry Mullins

Councilmember Glenn Catron

Staff present were: Town Attorney, Brad Pyott; Town Manager, Todd Day; Town Clerk, Leeanne Billings

CALL TO ORDER

Mayor Buchanan called the meeting to order and turned it over to Town Attorney Brad Pyott.

END OF TERM-RESIGNMENT CHANGES

Attorney Brad Pyott stated that as we know Chris Blankenship resigned on April 16, 2015. There were various people that wanted to fill the vacant seat. The Town Charter states that we are allowed to appoint someone to the vacant council seat and that they will be appointed by the remaining members of the Town Council. On May 12, 2015 the Town Council appointed Jerry McReynolds. On June 9, 2015 Jerry McReynolds was sworn in as a Town of Tazewell Councilmember.

It has come to Attorney Pyott's attention that in 2010 the state law was changed. The state law says we must appoint someone within 45 days, which we did. However, it also modified another aspect that says we are to petition the court for a special election. Circuit Court should have been notified within 15 days of the vacancy. However, we followed the procedures outlined in our Charter. There is a possibility now that we may have to hold a special election. Attorney Pyott stated that we did meet the regulation to have someone appointed by 45 days. Mr. Jerry

McReynold's appointment is valid and all voting has been fine. If we must have a special election there are certain guidelines we will have to follow as far as a time line, such as we must give enough time for petitions to be filed 60 days before the election, it must be held on a Tuesday, etc.

Attorney Pyott and council discussed possible dates if we had to have a special election and also discussed the costs to do so. Also, it was stated that if we have a special election that term is only good for the date of the election to the end of the year 2016 as it will be an election year anyway. Further discussion was to get opinions of how the Town should handle this situation. Everyone seems to agree that we should petition the Circuit Court and allow them to make the decision if we need to hold a special election or let the term continue as is. Manager Day recommended they think about what they want to do and they could vote on it at the November meeting. Attorney Pyott apologized for the oversight of the law that had changed and said he thought based on our Charter we had followed procedure.

ADJOURNMENT

Mayor Buchanan adjourned the meeting 6:57a.m.