



**County of Prince Edward
Board of Supervisors
Agenda Summary**

Meeting Date: September 11, 2012
Item No.: 8
Department: County Administrator
Staff Contact: W.W. Bartlett
Issue: Treasurer Resignation

Summary:

The Treasurer for Prince Edward County has submitted the attached retirement letter with an effective date of retirement of December 31, 2012. The following information is meant to inform the Board of the process to be followed to fill a vacancy in a Constitutional Office and is in no way meant to suggest or imply any course of action.

Per Section 24.2-228.1 of the *Code of Virginia*, upon notification of an officer's resignation as of a stated date, the governing body of the County may immediately petition the circuit court to issue a writ of election and the court may immediately issue the writ to call the election.

Per Section 24.2-682 of the *Code of Virginia*, at least 81 days must pass between the issuance of the writ of election and the date of the special election. All special elections must be held on a Tuesday. Assuming a writ of election is issued no later than September 19, 2012 a special election could be held on December 11, 2012, which is the second Tuesday in December.

Having the election prior to December 31, 2012 would allow the winner of the election to fill the office on January 1, 2013. If the election is not held until after December 31, 2012 the Court will have to appoint an interim Treasurer in accordance with Section 24.2-227 of the *Code of Virginia*. Such an appointment is determined by a majority of the judges in the Circuit, if a majority of the judges cannot reach agreement, the senior judge shall make the appointment.

Per the Registrar, election equipment must remain sealed for at least 10 days after the state board of elections certifies the Election to be held on November 6, 2012. This will occur on November 26th, meaning the equipment would not be available until December 6, 2012. The 10 day period is the time frame that allows for a recount or a contested election to be declared. If a recount/contested election is declared the equipment will most likely not be available for an Election on December 11th. In that event, if the Board still desires an election on December 11th, the County could hold the election using paper ballots. The registrar will be in attendance at the board meeting to answer any questions the Board may have.

Attachments: Letter from the Prince Edward County Treasurer dated August 28, 2012

Recommendation: The Board may wish to deliberate on the best course of action and make a recommendation to the Court. The Court has indicated it will consider a recommendation from the Board of Supervisor prior to making a decision on a course of action.

Motion _____
Second _____

Campbell _____
Gantt _____
Simpson _____

Cooper-Jones _____
Jones _____
Wilck _____

Fore _____
McKay _____

Prince Edward County

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BARBARA R. LEE
DEPUTY TREASURER III

CAROL A. OVERSTREET
DEPUTY TREASURER II

Mr. William G. Fore
Chairman, Prince Edward County
Board of Supervisors

August 28, 2012

Dear Mr. Fore,

After much careful thought and consideration, I have determined that it would be in my best interest to retire at the end of this year due to health reasons.

Therefore, I am giving my resignation as of December 31, 2012 as the Treasurer of Prince Edward County.

I have enjoyed my 31 years working in Treasurer's office with 21 years as Treasurer. I shall miss working with you and the citizens of Prince Edward County.

Sincerely,

Mable H. Shanaberger
Treasurer

