

A RESOLUTION CALLING A SPECIAL ELECTION TO FILL A VACANCY ON THE CARRBORO BOARD OF ALDERMEN  
Draft Resolution No. 63/2012-13

WHEREAS, Dan Coleman resigned from the Board of Aldermen effective January 5, 2013, and;

WHEREAS, Dan Coleman's term expires in December of 2015, and;

WHEREAS, the Charter of the Town of Carrboro requires that whenever a seat on the Board of Aldermen (other than that of the Mayor) becomes vacant at a time when one year or more of the term of office of that seat remains unexpired, that such seat shall be filled by a special election, and;

WHEREAS, the special election shall be called by the Board of Aldermen by the adoption of a resolution pursuant to G.S. 163-287 at the next regular meeting of the Board after the vacancy occurs.

NOW, THEREFORE, BE IT RESOLVED BY THE CARRBORO BOARD OF ALDERMAN THAT:

1. A special election is hereby called for: (Insert Date) \_\_\_\_\_
2. The Filing Fee shall be:
3. The filing period shall be:
4. An additional early voting location will be located at (INSERT LOCATION) and early voting shall be held beginning on (INSERT DATE) AND ENDING ON (INSERT DATE) BETWEEN THE HOURS OF (INSERT TIME)
5. The Town Clerk is hereby authorized to work with the Orange County Board of Elections to ensure the success of the special election.
6. If there is a Board Meeting scheduled for the Tuesday of the Election, it is hereby cancelled.
7. This resolution shall be effective immediately upon adoption.

**ATTACHMENT B**

**AMENDMENT TO FY 2012-13 ANNUAL BUDGET ORDINANCE**

WHEREAS, the Town Board of the Town of Carrboro on June 19, 2012 adopted an annual budget ordinance number 33/2011-12 for the fiscal year beginning July 1, 2012 and ending June 30, 2013; and

WHEREAS, it is appropriate to amend the budget accounts in the funds listed to provide for increased expenses for the reasons stated,

NOW THEREFORE, BE IT RESOLVED, that in accordance with authority contain in G.S. 159-15, the following revenue and expense accounts are amended as shown and that the total amount for the funds are herewith appropriated for the purposes shown:

ACCOUNT CODE		ACCOUNT NAME	CURRENT BUDGET	INCREASE (DECREASE)	REVISED BUDGET
ORG	OBJECT				
660	580000	Contingency	\$ 15,000.00	\$ (8,000.00)	\$ 7,000.00
410	504700	Elections	\$ 10,000.00	\$ 8,000.00	\$ 18,000.00

**REASON:** To provide additional funding for a special election to fill vacant seat on Board of Aldermen.

A BILL TO BE ENTITLED

AN ACT TO AMEND THE CHARTER OF THE TOWN OF CARRBORO TO PROVIDE THAT VACANCIES IN THE OFFICE OF ALDERMAN MAY BE FILLED EITHER THROUGH A SPECIAL ELECTION PROCESS AS AUTHORIZED IN THE EXISTING TOWN CHARTER OR BY APPOINTMENT IN ACCORDANCE WITH GENERAL LAW

The General Assembly of North Carolina enacts:

SECTION 1. Section 2-2 of the Charter of the Town of Carrboro, being Chapter 476 of the 1987 Session Laws, as amended by Chapter 270 of the 2007 Session Laws, reads as rewritten:

Section 2-2. Election of Mayor and Aldermen.

(a) The mayor and the aldermen shall be elected by the voters of the entire town. The mayor shall be elected for a term of two years and the aldermen shall be elected for staggered terms of four years.

(b) The municipal elections in the Town of Carrboro shall be nonpartisan and decided by a simple plurality. No primary elections shall be held. The municipal elections shall be conducted pursuant to the applicable provisions of Chapter 163 of the North Carolina General Statutes, particularly Articles 23 and 24 thereof.

(c) In the municipal elections to be held in 1987, and every two years thereafter, the mayor shall be elected for a term of two years. In the 1987 election (and the municipal elections held every four years thereafter), three aldermen shall be elected to fill the seats of the aldermen whose terms expire in 1987 and every four years thereafter). In the municipal elections to be held in 1989 (and every four years thereafter, three aldermen shall be elected to fill the seats of the aldermen whose terms expire in 1989 (and every four years thereafter).

(d) In the general municipal election the candidate receiving the highest number of votes for mayor shall be elected. The three candidates in such election receiving the highest number of votes for the office of alderman shall be elected for full four-year terms.

(e) Vacancies that occur in the office of mayor shall be filled by appointment of the board of aldermen in accordance with the provisions of G.S. 160A-63.

(f) Vacancies that occur on the board of aldermen (other than vacancies in the office of mayor) may be filled by appointment of the board of aldermen in accordance with the provisions of G.S. 160A-63. Alternatively, whenever a seat on the board of aldermen (other than that of the mayor) becomes vacant at a time when one year or more of the term of office of that seat remains unexpired, the board of aldermen may adopt a resolution pursuant to G.S. 163-287 calling for a special election to fill such vacancy. Such an election shall not be scheduled during

the time period beginning on the first Monday in July and ending on the last Monday in August in any calendar year.

(g) If the board of aldermen adopts a resolution calling for a special election to fill one or more vacant seats as provided in subsection (f) of this section, and the resolution sets as the date of such election the same date as a regular municipal election, then the resolution shall provide that the same filing period, filing fee, and absentee voting period that are applicable to the three seats on the board whose terms are expiring shall also apply to the special election for the vacant seat or seats.

(h) Whenever a vacancy on the board of aldermen is to be filled at a general municipal election (for the remaining two years of the unexpired term of the vacant seat), then (i) candidates for the office of alderman shall file and appear on the ballot simply as candidates for election to the board (i.e. they shall not be allowed to file or appear on the ballot as a candidate for a particular seat or for a four year term or for the unexpired term of a vacant seat); and (ii) the three candidates receiving the highest number of votes for office of alderman shall be elected to full four-year terms, and the person receiving the fourth highest number of votes for aldermen (and, if necessary, the fifth and the sixth highest number of votes) shall be elected for the remaining two years of the unexpired term of the vacant seat or seats.