

**Millersville Board of Commissioners
Special Meeting Agenda**

**Monday, August 7, 2023
Immediately following a 5:00 P.M. Work Session
at Millersville City Hall**

1. Call to Order.
2. Vote on Candidates for open Commission seat
 - a) Larry Petty
 - b) Jessie Powell
 - c) Tim Lassiter
 - d) Debbie Chadwick
 - e) Dustin Darnell
3. If nobody is approved then consideration of Resolution 23-R-17 A Resolution to Call a Special Election for open Commission Seat.
4. Adjournment.

CITY OF MILLERSVILLE

RESOLUTION 23-R-17

A RESOLUTION TO SET A SPECIAL ELECTION TO FILL THE EMPTY SEAT VACATED BY KEITH BELL.

WHEREAS, The City of Millersville on June 29, 2023 accepted the resignation of Keith Bell as Commissioner; and

WHEREAS, The City Commission was unable to select a replacement for the open seat; and

WHEREAS, Under 6-20-110 (b) the commission is asking that the Election Commission in Sumner and Robertson Counties call a special election to fill the open seat as soon as possible but within 120 days of the notification.

NOW THEREFORE, BE IT RESOLVED by the Millersville Board of Commissioners, by 2/3 vote, that this Resolution is an official request for the election to be called in Sumner and Robertson Counties in the State of Tennessee.

RESOLVED, this 7th day of August, 2023.

BOARD OF COMMISSIONERS

By: _____
Tommy Long, Mayor

Attest:

By: _____
Holly L. Murphy, City Recorder

City Manager

From: Hodge, Elisha Diane <elisha.hodge@tennessee.edu>
Sent: Friday, June 30, 2023 9:22 AM
To: Jack Freedle
Cc: City Manager
Subject: RE: Millersville question

Jack,

Good morning. I am assuming that you are referring to the language in Tennessee Code Annotated § 6-20-110(b). The General Assembly amended that language this past legislative session and effective April 17, 2023, it reads:

(b) If, within ninety (90) days of the occurrence of a vacancy, the vacancy has not been filled by the remaining members of the board in accordance with subsection (a), then the mayor, or, if a vacancy exists in the position of mayor, then the city manager, or, if a vacancy exists in the positions of mayor and city manager, then the city recorder, shall notify the county election commission within five (5) business days following the passage of such ninety-day period. Notwithstanding the foregoing, the remaining members of the board may, by two-thirds (2/3) vote, notify the county election commission of the board's intent to fill the vacancy by special election at any time prior to the passage of the ninety-day period. The county election commission shall call a special election for the purpose of filling the vacancy; provided, however, that such special election shall be held in conjunction with the next general election or city election, if such election is scheduled to occur more than seventy-five (75) days but less than one hundred twenty (120) days from the date the county election commission is notified of the unfilled vacancy.

Based upon the recently adopted language, the board can notify the election commission of its intent to hold a special election any time before the passage of the 90 days, upon a 2/3 vote.

Please let me know if you have other questions.

Have a great day!

Elisha

From: Jack Freedle <jack@gallatinlawyers.com>
Sent: Thursday, June 29, 2023 5:17 PM
To: Hodge, Elisha Diane <elisha.hodge@tennessee.edu>
Cc: Steve Collie <CityManager@cityofmillersville.com>
Subject: Millersville question

Elisha,

One of our 5 Commissioners has resigned effective tonight. Charter sec. 6-20-110 states that after 90 days, if the vacancy hasn't been filled by the remaining Commissioners, we have to ask for a special election. Question: if it appears that our remaining 4 members are so divided that they will never agree on someone to fill the vacancy, do we have to wait until 90 days has passed, or can we initiate the special election provision earlier?

Thanks, Jack

J. B. (Jack) Freedle
Highers & Freedle
113 E. Main Street, Gallatin, TN 37066
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(615) 325-2508 Portland

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