

STATE OF GEORGIA

FULTON COUNTY

August 3, 2009

**RESOLUTION OF THE CITY OF ROSWELL, GEORGIA FOR CALL AND CONDUCT
OF SPECIAL ELECTION FOR COUNCILMEMBER POST #3 IN CONJUNCTION
WITH THE 2009 GENERAL ELECTION**

WHEREAS, the City of Roswell is a Georgia municipal corporation; and

WHEREAS, the Mayor and Council are the governing authority of the City of Roswell;
and

WHEREAS, David Tolleson, the councilmember holding Post 3, has resigned his
council position; and

WHEREAS, State law and the Roswell Charter require a special election to fill the
remaining term upon a resignation by a councilmember if such resignation occurs more than
twelve (12) months prior to the expiration of the term of such councilmember; and

WHEREAS, remaining term for the Post 3 councilmember position expires on
December 31, 2011; and

WHEREAS, the City is holding a general election to fill the positions of Mayor and
Council Posts four (4), five (5) and six (6) on the Tuesday after the first Monday in November of
2009; and

WHEREAS, O.C.G.A. § 21-2-540 provides that a special election may also be held on
such date; and

WHEREAS, O.C.G.A. § 21-2-45 provides that a municipality may authorize and
contract with a county to conduct elections; and

WHEREAS, the City of Roswell has entered into such a contract with Fulton County,
Georgia to conduct the November 3, 2009 election; and

WHEREAS, O.C.G.A. § 21-2-540(a) provides that a special election held at the time of a
general election "shall be conducted by the poll officers by the use of the same equipment and
facilities, so far as practicable, as are used for such general election:"

NOW, THEREFORE, BE IT RESOLVED, and it is hereby resolved, that the Mayor
and Council do hereby call for a special election as provided by law to fill the Post 3 council
position on November 3, 2009 in conjunction with the scheduled general election and that all
procedures including qualifying to run for such post shall be as required for the general election;
and

BE IT FURTHER RESOLVED that the City shall follow all notice requirements and
other legal requirements to provide that Fulton County conduct a special election in conjunction
with the November 3, 2009 general election.

The above Resolution was read and approved by the Mayor and Council of the City of Roswell on the 3rd day of August 2009.

Attest:

Sue Creel
Sue Creel, City Clerk
(Seal)

Jerry Orleans
Councilmember Jerry Orleans

Councilmember Kent Igleheart

Rebecca Wynn
Councilmember Rebecca Wynn

J. Wood
Jere Wood, Mayor

Richard Dippolito
Councilmember Richard Dippolito

Lori Henry
Councilmember Lori Henry

