COUNTY DEPARTMENT AGENDA REQUEST

Department:	Board of Commissioners	Presenter(s):	Carol Chandler
Meeting Date:	Thursday, March 10, 2011	Type of Request:	Consent

Wording for the Agenda:

Approval of staff's request that the Board of Commissioners certify the appointment of Lisa Viviano to the Board of Elections by the Fayette County Democratic Party to fill an unexpired four-year term which commenced on February 1, 2008 and will expire on January 31, 2012, as required by state law.

Background/History/Details:

The Fayette County Board of Elections consists of three person, appointed to four-year terms, as follows:

One member appointed by the Fayette County Democratic Party
One member appointed by the Fayette County Republican Party
One member appointed by the Governing Authority (Board of Commissioners)

State law requires that when any member is appointed to the Board of Elections by any of the bodies as indicated above, the Board of Commissioners must "certify" that the appointment was duly made in accordance with law. The County Clerk must then file a "Certificate of Appointment" with the Clerk of Superior Court's Office. That office, in turn, must notify the Secretary of State of the appointment and the Secretary of State's Office will then issue documents that will allow the new appointee to be sworn into the office of their new position.

Recently, the Democratic Party and the Board of Commissioners made appointments to the Board of Elections. This request is simply for the purpose of meeting the requirements of the law by filing a "Certificate of Appointment". In essence, this process tells the Secretary of State's Office that the appointments at the local level were made following the statute's requirements.

What action are you seeking from the Board of Commissioners?

Motion to approve staff's request that the Board of Commissioners certify the appointment of Lisa Viviano to the Board of Elections by the Fayette County Democratic Party to fill an unexpired four-year term which commenced on February 1, 2008 and will expire on January 31, 2012, as required by state law.

If this item requires funding, please describe:

No funding required.

Has this issue come before the Commissioners in the past?	Yes	If so, when?	Wednesday, October 4, 2006
Do you need audio-visual for the presentation?	No	Back-up Material Submitted?	Yes

STAFF USE ONLY

Approved by Finance	Not Applicable	Reviewed by Legal	
Approved by Purchasing	Not Applicable	Approved by County Clerk	Yes
Administrator's Approval	Yes		

Staff Notes:

This request does not include any requirement or need that there be any further discussion concerning the appointments or sitting members of the Board of Elections. The request simply fulfills the County's obligation to see that the terms of the state statute regarding Fayette County's Board of Elections are fulfilled whenever new members are appointed and need to be sworn into office. This process was last fulfilled when Mr. David Studdard was appointed to the Board of Elections by the Fayette County Republican Party in 2006.

rized by this Act shall be a ointed to the board as follows: one member shall be appointed by the political party which receive the highest number of votes within the county for its candidate for Governor in the general election preceding the appointment of the member; one member shall be appointed by the political party which received the second-highest number of votes within the county for its candidate for Governor in the eneral election p'rece ing the appointment of the member; and one member shall be selected by the county governing authority. Each of the above appointments from the political parties shall be made as follows: the member shall be nominated by the chairperson and ratified by the county executive committee of each of the above-designated political parties at least 30 days before the beginning of the term of office or within 30 days after the creation of a vacancy in the office. As each member serves his or her term, successors shall be appointed for terms of four years and until their successors are duly appointed and qualified. Appointments shall be made by the respective bodies which appointed the members of the board of elections originally. Terms of office shall begin on the first day of February following the expiration of the immediately preceding term of office. The board shall select one of its members to serve as chairperson at the pleasure of the board.

Section 3. No person who holds elective public office shall be eligible to serve as a member during the term of such elective office, and the position of any member shall be deemed vacant upon such member's qualifying as a candidate for elective public office.

Section 4. Certification of the appointment of each member shall be made by the governing authority of the county filing an affidavit with the clerk of the superior court, no later than 15 days preceding the date at which such member is to take office, stating the name and residential address of the person appointed and certifying that such member has been duly appointed as provided in this Act. The clerk of the superior court shall record each of such certifications on the minutes of the court and shall certify the name of each such appointed member to the Secretary of State and provide for the issuance of appropriate commissions to the members, within the same time and in the same manner as provided by law for registrars.

State of Georgia;
County of Fayette

CERTIFICATION OF APPOINTMENT TO THE
FAYETIE COUNTY BOARD OF ELECTIONS

I, Carol Chandler, duly appointed Clerk of the Board of Commissioners of Fayette County, Georgia, and acting on behalf of said Board of Commissioners, do hereby certify that the following individual has been duly appointed to serve on the Fayette County Board of Elections by the Board of Commissioners of Fayette County, as provided by the laws of Georgia and the local Act establishing said Fayette County Board of Elections:

Addison Lester
235 Forrest Avenue
Fayetteville, Georgia 30214

Mr. Lester is an elector and resident of said Fayette County and has been appointed to fill an unexpired four-year term which commenced on February 1, 2010, and will expire on January 31, 2014.

So certified this 10th day of March, 2011, by

_____
Carol Chandler, County Clerk
Board of Commissioners
Fayette County, Georgia

State of Georgia;
County of Fayette

CERTIFICATION OF APPOINTMENT TO THE
FAYETTE COUNTY BOARD OF ELECTIONS

I, Carol Chandler, duly appointed Clerk of the Board of Commissioners of Fayette County, Georgia, and acting on behalf of said Board of Commissioners, do hereby certify that the following individual has been duly appointed to serve on the Fayette County Board of Elections by the Fayette County Democratic Party, as provided by the laws of Georgia and the local Act establishing said Fayette County Board of Elections:

Lisa Viviano
124 Sweetwater Oaks
Peachtree City, Georgia 30269

Ms. Viviano is an elector and resident of said Fayette County and has been appointed to fill an unexpired four-year term which commenced on February 1, 2008. and will expire on January 31, 2012.

So certified this 10th day of March, 2011, by

_____
Carol Chandler, County Clerk
Board of Commissioners
Fayette County, Georgia

FAYETTE COUNTY
DEMOCRATIC COMMITTEE
P.O. Box 1223 • Fayetteville, GA30214

Fayette County Board of Elections
Mr. Tom Sawyer
140 Stonewall Ave W.
Suite 208
Fayetteville, GA 30214

February 22,2011

Re: Board of Elections

Dear Mr. Sawyer,

As Chair of the Fayette County Democratic Committee and the authority vested in me, I am appointing Ms Lisa Viviano as the Democratic representative to the Fayette County Board of Elections. Ms.Viviano will serve out the unfinished term of her predecessor ending in 2012.

Ms. Viviano's contact information is as follows:

USA VIVIANO npwanabe@yahoo.com 630881 3349

124 SWEETWATER OAKS, PEACHTREE CITY, GA 30269

If there are any additional questions, please do not hesitate to call me. We look forward to Ms. Viviano being a great addition to the Board of Elections

Respectfully Submitted,

Arnold L. Martin, III

Chair, Fayette County Democratic Committee