

From: Bob Cook <BCook@scag.gov>
To: Pisarik, HollyHollyPisarik@gov.sc.gov
Date: 3/14/2016 10:12:33 AM
Subject: RE: Pisarik, H. OS-10020 Corrected and FINAL Opinoin, 3-11-2016

Yes, I believe we have priors which say 4-9-90 applies.

Robert D. Cook
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From: Pisarik, Holly [mailto:HollyPisarik@gov.sc.gov]
Sent: Monday, March 14, 2016 10:10 AM
To: Bob Cook
Subject: Re: Pisarik, H. OS-10020 Corrected and FINAL Opinoin, 3-11-2016

See below. Do you agree this provision governs this situation? There is a more general provision applicable to county officers (4-11-20), but I think the section below governs here. Agree?

SECTION 4-9-90. Election of council members; reapportionment of single-member election districts; terms of office and vacancies; election at large of chairman; procedure for changing term of office; continuation in office after reapportionment.

Council members must be elected from defined single-member election districts unless otherwise determined under the provisions of subsection (a), (b), or (c) of Section 4-9-10 or under the provisions of any plan ordered by a court of competent jurisdiction prior to May 1, 1986. In the event the members of the governing body are required to be elected from defined single-member election districts, they must be elected by the qualified electors of the district in which they reside. All districts must be reapportioned as to population by the county council within a reasonable time prior to the next scheduled general election which follows the adoption by the State of each federal decennial census. The population variance between defined election districts shall not exceed ten percent.

Members of the governing body of the county shall be elected in the general election for terms of two years or four years as the General Assembly may determine for each county commencing on the second of January next following their election. Vacancies on the governing body shall be filled in the manner of original election for the unexpired terms in the next general election after the vacancy occurs or by special election if the vacancy occurs one hundred eighty days or more prior to the next general election.

Sent from my iPhone

On Mar 14, 2016, at 10:03 AM, Bob Cook <BCook@scag.gov> wrote:

That sounds right. But I haven't looked at. Does this fit into the special election criteria?

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From: Pisarik, Holly [<mailto:HollyPisarik@gov.sc.gov>]
Sent: Monday, March 14, 2016 10:02 AM
To: Bob Cook
Subject: Re: Pisarik, H. OS-10020 Corrected and FINAL Opinoin, 3-11-2016

Thanks. And, do you agree that his seat should be filled by a special election?

Sent from my iPhone

On Mar 14, 2016, at 8:50 AM, Bob Cook <BCook@scag.gov> wrote:

Holly, we left out the word "whether" in Conclusion No. 4. It changes nothing but I am correcting for the record. Bob

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From: Joanne Lee
Sent: Monday, March 14, 2016 8:48 AM
To: Bob Cook; Joanne Lee
Subject: Pisarik, H. OS-10020 Corrected and FINAL Opinoin, 3-11-2016
Importance: High

<2016_03_14_08_47_15.pdf>