

**ORDER OF THE GOVERNING AUTHORITY OF THE CITY OF BRANDON,
MISSISSIPPI, FIXING ELECTION TO FILL THE UNEXPIRED TERM OF THE
OFFICE OF ALDERMAN – WARD 6 OF THE CITY OF BRANDON, MISSISSIPPI**

WHEREAS, the Honorable Tahya Dobbs, the duly elected Alderman for Ward 6 of the City of Brandon, Mississippi, resigned from this office effective the 16th day of August 2022, immediately after adjournment of the Regular Board Meeting held on said date; and,

WHEREAS, the resignation of Alderman Dobbs creates a vacancy on the Board of Aldermen of the City of Brandon, Mississippi; and

WHEREAS, Miss. Code Ann. (1972, as amended) Section 23-15-857 requires that an election be held to fill any such unexpired term which shall exceed six months. In this instance the term of the unexpired office exceeds six months; and

WHEREAS, in accordance with said statute, the governing authority of the City of Brandon, Mississippi is required to enter an order to declare the vacancy and to fix a date upon which the election shall be held to fill the unexpired term at the next regular board meeting of the governing authority after the vacancy occurs, or at a special meeting to be held not later than ten (10) days after the vacancy occurs, Saturdays, Sundays and legal holidays excluded, whichever occurs first; and

WHEREAS, in accordance with said statute, this order is made and entered upon the minutes of the special board meeting on August 29, 2022, which is within ten (10) days after the vacancy occurred, Saturdays, Sundays and legal holidays excluded; and

NOW, THEREFORE, BE IT ORDERED BY THIS BOARD that an election shall be held on the 11th day of October 2022, to fill the said unexpired term. The candidate receiving a majority of the votes cast in the election shall be elected. If no candidate receives a majority vote at the election, the two (2) candidates receiving the highest number of votes shall have their names placed on the ballot for the election to be held three (3) weeks thereafter. The candidate receiving a majority of the votes cast in the election shall be elected. However, if no candidate receives a majority and there is a tie in the election of those receiving the next highest vote, those receiving the next highest vote and the candidate receiving the highest vote shall have their names placed on the ballot for the election to be held three (3) weeks thereafter, and whoever receives the most votes cast in the election shall be elected. Should the election held three (3) weeks thereafter result in a tie vote, the prevailing candidate shall be decided by a toss of a coin or by lot fairly and publicly drawn under the supervision of the election commission.

BE IT FURTHER ORDERED that each candidate shall qualify by petition filed with the municipal clerk by 5:00 p.m. at least twenty (20) days before the date of the election and such petition shall be signed by not less than fifty (50) qualified electors of Ward 6 of the City of Brandon, Mississippi. No qualifying fee shall be required of any candidate herein.

BE IT FURTHER ORDERED that if nineteen (19) days before the date of the election only one (1) person shall have qualified as a candidate, the governing authority or the remainder of the governing authority, shall dispense with the election and appoint that one (1) candidate in lieu of the election.

BE IT FURTHER ORDERED that in the event no person shall have qualified by 5:00 p.m., at least twenty (20) days before the date of the election, the governing authority or the remainder thereof, shall dispense with the election and fill the vacancy by appointment.

BE IT FURTHER ORDERED that notice of the election shall be given by the City Clerk by notice published in compliance with the notice provisions of Miss. Code Ann. Section 23-15-857 (1972, as amended) once each week for at least three consecutive weeks preceding the date of the election, with the notice to be published in *The Rankin County News*, a newspaper having a general circulation within the City of Brandon, Mississippi, on September 7, 2022, September 14, 2022 and September 21, 2022 and in addition thereto, such notice shall be posted at three (3) public places in the City of Brandon, Mississippi, not less than twenty-one (21) days before the date of the election. One (1) of the notices shall be posted at the Brandon City Hall.

BE IT FURTHER ORDERED that the election shall be held in accordance with MCA Section 23-15-857 (1972, as amended).

SO ORDERED this the 29th day of August 2022.



BUTCH LEE, MAYOR

ATTEST:


ANGELA BEAN, MUNICIPAL CLERK