

**RESOLUTION**

No. 2011 / 11 / 01

**Out of order**

To the HONORABLE MELVILLE BAILEY, Chairman, and Members of the Hawkins County Board of Commission in Regular Session, met this 28 day of November ,2011.

**RESOLUTION IN REF:            APPROVAL TO RESCIND RESOLUTION 2011/09/04**

WHEREAS, on September 26, 2011 Hawkins County Commission passed resolution number 2011-09-04, titled "To Adopt a Reapportionment /Redistricting Plan for Hawkins County"; and

WHEREAS, due to possible sunshine law violation, the Redistricting committee has meet on November 4, 2011 and approved a reapportionment/redistricting plan to present to the Board of Commissioners at the Regular on November 28, 2011, therefore resolution said must to be rescinded.

THEREFORE, BE IT RESOLVED THAT Resolution 2011-09-04 be rescinded.

Introduced By Esq. Virgil Mallet, Chrmn Redistricting Comm

Secoded By Esq.\_

Date Submitted 11/21/11

A. Carroll Jenkins  
County Clerk

By: \_\_\_\_\_

Chairman Melville Bailey

ACTION:    AYE    NAY    PASSED

Roll Call    \_\_\_\_\_

Voice Vote    \_\_\_\_\_

Absent    \_\_\_\_\_

COMMITTEE ACTION

\_\_\_\_\_

\_\_\_\_\_

**RESOLUTION**

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WHEREAS, due to possible sunshine law violation, the Redistricting committee has meet on November 4, 2011 and approved a reapportionment/redistricting plan to present to the Board of Commissioners at the Regular on November 28, 2011, therefore resolution said must to be rescinded.

THEREFORE, BE IT RESOLVED THAT Resolution 2011-09-04 be rescinded.

Introduced By Esq. Virgil Mallet, Chrmn Redistricting Comm

Secoded By Esq.\_

Date Submitted 11/21/11

A. Carroll Jenkins  
County Clerk

By: \_\_\_\_\_

Chairman Melville Bailey

ACTION:    AYE    NAY    PASSED

Roll Call    \_\_\_\_\_

Voice Vote    \_\_\_\_\_

Absent    \_\_\_\_\_

COMMITTEE ACTION

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\_\_\_\_\_

**RESOLUTION**

No. 2011 / 11 / 02  
**Out Of Order**

To the HONORABLE MELVILLE BAILEY, Chairman, and Members of the Hawkins County Board of Commission in Regular Session, met this 28th day of November, 2011.

**RESOLUTION IN REF: TO ADOPT A REAPPORTIONMENT/REDISTRICTING PLAN FOR HAWKINS COUNTY**

**WHEREAS**, *Tennessee Code Annotated*, Section 5-1-111, requires that, at least every ten (10) years, county legislative bodies shall change the boundaries of districts or redistrict a county entirely if necessary to apportion the county legislative body so that the members represent substantially equal populations; and

**WHEREAS**, Hawkins County has prepared a plan consistent with the provisions of *Tennessee Code Annotated*, Section 5-1-111, which provides for a county legislative body composed of 21 members and which creates 7 districts as depicted on the official redistricting map for Hawkins County prepared pursuant to *Tennessee Code Annotated*, Section 5-1-110.

**NOW, THEREFORE, BE IT RESOLVED** by the Hawkins County Legislative Body meeting in Regular session at Rogersville, Tennessee, on this 28th day of November, 2011, that:

**SECTION 1.** There is hereby adopted a reapportionment plan for Hawkins County which provides for the following:

Seven Districts each having:

1. Three (3) commissioners in each district for a total (21) Twenty-one county legislative body members
2. Seven (7) School Board members (1 per district)
3. Seven (7) Constables (1 per district)

The districts for members of the county legislative body, school board and constables are depicted on the official redistricting map for Hawkins County prepared pursuant to *Tennessee Code Annotated*, Section 5-1-110. A copy of the redistricting map and plan is attached as Exhibit A to this resolution and is incorporated herein by reference.

**SECTION 2.** All members of the county legislative body shall be elected at large within the district wherein the candidate seeks election. The (3) three candidates receiving the greatest number of votes in each district shall be elected. All school board members and constables shall be elected at large wherein the candidate seeks election. The candidate receiving the greatest number of votes in each district shall be elected.

**SECTION 3.** This plan shall take effect upon passage, the public welfare requiring it, provided that vacancies shall be filed in accordance with *Tennessee Code Annotated*, Section 5-1-104.

Introduced By Esq. Virgil Mallett, Chrmn , Redistricting Comm

ACTION: AYE NAY PASSED

Seconded By Esq. \_\_\_\_\_

Roll Call \_\_\_\_\_

Date Submitted 11/21/11

Voice Vote \_\_\_\_\_

B. Carroll Jenkins  
County Clerk

Absent \_\_\_\_\_

COMMITTEE ACTION

By: \_\_\_\_\_

Chairman Melville Bailey

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\_\_\_\_\_

Hawkins County, Tennessee  
2011 Re-Districting Plan  
for  
Commissioner, School Board & Constable Districts

The 2011 Redistricting Plan for Commissioners, School Board members and Constables for Hawkins County, Tennessee is as follows:

1. Seven (7) Districts
2. Three (3) Commissioners per district  
TOTAL Twenty One (21) Commissioners
3. Seven (7) School Board Members – (1) per district
4. Seven (7) Constables – (1) per district

The only change from the previous 2001 Re-Districting Plan to the 2011 Plan is as follows:

1. Moving 112 people from District 2 into District 3

The map showing the change area is attached, along with the Populations Chart for each district.

**RESOLUTION**

No. 2011 / 11 / 03  
**Out of Order**

To the HONORABLE MELVILLE BAILEY, Chairman, and Members of the Hawkins County Board of Commission in Regular Session, met this 28th day of November, 2011.

**RESOLUTION IN REF:                    APPROVAL TO USE THE REAPPORTIONMENT/REDISTRICTING PLAN  
ADOPTED ON NOVEMBER 28, 2012 BY THE HAWKINS COUNTY BOARD  
OF COMMISSINERS IN THE ELECTIONS HELD IN 2012**

WHEREAS, on November 28, 2012 the Hawkins County Board of Commissioner approved a Reapportionment/ Redistricting Plan that required a change in the dividing line between two Commission/School board/Constable Districts in Hawkins County. These districts where the Second and Third Districts; and

WHEREAS, there is a vacancy for the school board member of the Third District that is required to be on the ballot for the General Election in 2012. This vacancy occurred when Mrs. Kathy Cradic was appointed as Circuit Clerk of Hawkins County vacated when Holly Jaynes resigned to take the appointment of Clerk and Master in October of 2011. The commission appointed someone to fill the vacancy until the next General Election held in Hawkins County which will occur in 2012; and

WHEREAS, according to TCA 5-1-104(c) a resolution must be passed to use the latest reapportionment/redistricting plan adopted by the county when a vacancy occurs in any district. The code is as follows:

"(c) Notwithstanding any provision of law or any provision of any charter of a metropolitan government to the contrary, whenever an election is held to fill a vacancy in a county office that is elected from districts, including, but not limited to, county school board members, county legislative body members, county highway commissions, and constables, the county legislative body may provide by resolution duly certified to the county election commission that persons qualifying as candidates shall be elected from the most recently adopted reapportionment plan in the county. If the county legislative body requires the election to be held using districts as adopted in the most recently adopted reapportionment plan in the county, the county legislative body shall specify to the county election commission which district shall be used to fill the vacancy by election. In the absence of a resolution requiring the latest reapportionment plan be used and specifying which district shall be used for the election, the election shall be held using the district as constituted for the election of the vacated incumbent."

THEREFORE, BE IT RESOLVED THAT the Hawkins County Board of Commissioner instruct the Hawkins County Election Commission to use the Reapportionment/Redistricting Plan adopted via Out of Order Resolution 2011/11/01 on November 28, 2011, for filling any vacancies in the 2012 election. This plan identifies the Commissioner/School Board/ Constable lines and number of seats for all seven districts in Hawkins County.

Introduced By Esq.    Virgil Mallet  
Seconded By Esq:    Charlie Freeman  
Date Submitted 11/21/11  
A. Conall Jenkins  
County Clerk

By: \_\_\_\_\_  
  
Chairman Melville Bailey

ACTION:    AYE    NAY    PASSED  
Roll Call    \_\_\_\_\_  
Voice Vote    \_\_\_\_\_  
Absent        \_\_\_\_\_  
COMMITTEE ACTION

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