

RESOLUTION NO. 2012-06

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF FOUNTAIN HILLS, ARIZONA, DECLARING AND ADOPTING THE RESULTS OF THE PRIMARY/SPECIAL RECALL ELECTION HELD ON MARCH 13, 2012.

WHEREAS, the Town of Fountain Hills (the "Town") did hold a primary and special recall election by mail ballot on March 13, 2012, for the purpose of the nomination/election of the Mayor and three Councilmembers (the "Primary") and to determine if Councilmember Leger was to be recalled and, if so, who would succeed him (the "Special Recall Election"); and

WHEREAS, the Primary and Special Recall Election returns have been presented to and have been canvassed by the Mayor and Council of the Town of Fountain Hills.

THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF FOUNTAIN HILLS as follows:

SECTION 1. The total number of registered voters was 16,043; the number ballots cast at the Primary/Special Recall Election was 6,249, and the number of ballots rejected was 86, the rate of return was 38.95%.

SECTION 2. The votes cast for the candidates for Mayor were as follows:

NAME	TOTAL
Kavanagh, Linda	3,821
Write-ins	586

SECTION 3. The votes cast for the candidates for Councilmember were as follows:

NAME	TOTAL
Brown, Dennis	2,388
Contino, Dennis	2,398
DePorter, Nick	1,999
Hansen, Cassie	3,479
Nickum, Mary J.	1,513
Ordowski, Nancy	1,925
Yates, Cecil	2,413
Write-ins	34

SECTION 4. It is hereby found, determined and declared of record, that the following candidates for Mayor and Councilmember did receive a majority of all votes cast by the electors of the Town at the Primary Election and are hereby issued certificates of election:

MAYOR: Kavanagh, Linda
COUNCILMEMBER: Hansen, Cassie

SECTION 5. It is hereby found, determined and declared of record, that the following candidates for Councilmember did not receive a majority of all votes cast by the electors of the Town at the Primary Election and are hereby issued letters declaring nomination. The Town Clerk is hereby directed to forward the following candidate names to Maricopa County Elections Department for inclusion on the Town of Fountain Hills' May 15, 2012, General Election ballot:

COUNCILMEMBER: Brown, Dennis
COUNCILMEMBER: Contino, Dennis
COUNCILMEMBER: DePorter, Nick
COUNCILMEMBER: Yates, Cecil

SECTION 6. The number of ballots cast for each Recall Candidate for Councilmember were as follows:

NAME	TOTAL
Leger, Henry	3,850
Rutkowski, Richard	1,835
Write-ins	8

SECTION 7. It is hereby found, determined and declared of record, that the following Recall Candidate for Councilmember did receive the greatest number of votes of the electors of the Town at the Special Recall Election and is declared elected for the remainder of the unexpired term of Councilmember Leger on his qualification for office and completion of the canvass:

COUNCILMEMBER: Leger, Henry

SECTION 8. This Resolution shall be in full force and effect immediately upon its adoption.

SECTION 9. The Mayor, the Town Manager, the Town Clerk and the Town Attorney are hereby authorized and directed to take all steps necessary to carry out the purpose and intent of this Resolution.

[SIGNATURES ON FOLLOWING PAGE]

PASSED AND ADOPTED BY the Mayor and Council of the Town of Fountain Hills,
March 20, 2012.

FOR THE TOWN OF FOUNTAIN HILLS:

ATTESTED TO:



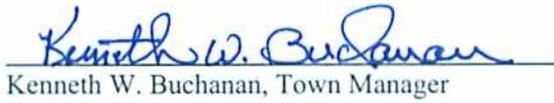
Jay T. Schlum, Mayor



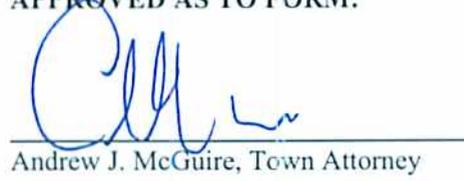
Bevelyn J. Bender, Town Clerk

REVIEWED BY:

APPROVED AS TO FORM:



Kenneth W. Buchanan, Town Manager



Andrew J. McGuire, Town Attorney