

CITY OF STAUNTON

Douglas L. Gynn
City Attorney
Direct Dial 540.332.3992
GynnDL@ci.staunton.va.us



VIRGINIA

116 West Beverley Street
Post Office Box 58
Staunton, VA 24401
Facsimile 540.332.3996

January 3, 2017

HAND DELIVERED

Thomas E. Roberts, Clerk
Circuit Court of the City of Staunton
P. O. Box 58
Staunton, VA 24402-0058

Re: Staunton School Board's Petition for Writ of Special Election

Dear Mr. Roberts:

On behalf of the City of Staunton School Board, I ask that you file the enclosed petition, with exhibits. I'll be glad to discuss the petition with Judge Ricketts whenever he would prefer. While I have already drafted a writ to grant the School Board's request, I thought it might be helpful if I met with him.

I enclose an extra copy of the petition. I ask that you use it to provide us with a stamp-filed copy for our records.

Thank you.

Cordially,

Douglas L. Gynn

Enclosures

Filed in the Clerk's Office of the
Circuit Court of the City of Staunton
Date: 1/3/17
Time: 1:40pm
Teste: S. Falls Dep.
Clerk

VIRGINIA: IN THE CIRCUIT COURT OF THE CITY OF STAUNTON

IN RE:

PETITION FOR A WRIT OF ELECTION	)	
ORDERING A SPECIAL ELECTION TO	)	
FILL THE VACANCY ON THE SCHOOL	)	No. _____
BOARD OF THE CITY OF	)	
STAUNTON, VIRGINIA.	)	

STAUNTON SCHOOL BOARD'S
PETITION FOR WRIT OF SPECIAL ELECTION

The School Board of the City of Staunton, Virginia, (the "School Board") petitions the Court to grant a Writ of Special Election regarding the recent vacancy on the School Board. In support of its Petition, the School Board, as verified through annexed affidavit of its Chairman, asserts and represents as follows:

1. The School Board is an independent body corporate with authority and responsibility under Article VIII, Section 7 of the Virginia Constitution and Va. Code § 22.1-72, *et seq.*, for the governance of the public schools in the City of Staunton Public Schools Division.

2. The School Board is comprised of six members elected in accordance with the Code of Virginia and currently uncodified Ordinance adopted May 25, 1995, by the Staunton City Council. A copy of the ordinance is annexed and incorporated by reference as **Exhibit A**.

3. A vacancy in office on the School Board has occurred as a result of the death of Joel Grogan on December 16, 2016, as referenced by the obituary annexed and incorporated by reference as **Exhibit B**.

4. The term of the now-vacant office of Mr. Grogan's seat is a four-year term that expires June 30, 2020.

5. Under Virginia law, once a vacancy arises, a majority of the remaining members of the School Board has forty-five (45) days to appoint an interim member to serve temporarily. *See* Va. Code § 22.1-57.3; Va. Code § 24.2-228. The interim member appointed by the School Board is to hold office only until the vacancy is filled by special election and the person elected has qualified following the next general election in the City of Staunton on May 8, 2018. *See generally*, Va. Code § 24.2-228(A).

6. The School Board intends to make an interim appointment pursuant to Va. Code § 24.2-228, pending any other direction of the Court and an order of the Court concerning a special election pursuant to Va. Code § 24.2-226.

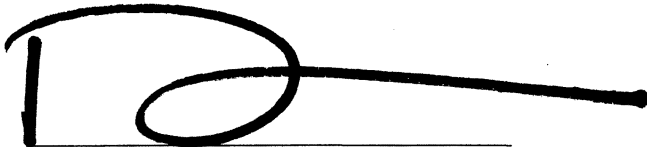
7. At its January 2, 2017 meeting, the School Board authorized its Chairman to effect the filing of this Petition.

8. The facts asserted in this Petition are verified by the Chairman of the School Board of the City of Staunton, Ronald Ramsey, by affidavit. Such affidavit is annexed and incorporated by reference as **Exhibit C**.

WHEREFORE, the School Board respectfully requests that the Court grant the Petition for Writ of Special Election and order the Electoral Board of the City of Staunton, Virginia (the "Electoral Board"), to conduct a Special Election to fill the remaining portion of the term of the recently vacated School Board seat, such election to be held on the date of the City of Staunton's next general election on May 8, 2018, in the manner and at the places as would be executed for the general election to be conducted on that date; to order the Electoral Board and General Registrar to observe the directives set forth in Va. Code § 24.2-681, *et seq.*, when conducting this Special Election; to order the Electoral Board to cause notice of this Special Election to be published once in a newspaper of general circulation in this jurisdiction at least ten

(10) days before the Special Election; and otherwise to do all other things as prescribed by law to conduct such an election of a person to serve the portion of the remaining term of the office now vacant.

SCHOOL BOARD OF THE
CITY OF STAUNTON, Petitioner
by Counsel

A large, bold, handwritten signature in black ink, appearing to be 'D. Guynn', written over a horizontal line.

Douglas L. Guynn (VSB # 19748)
City Attorney and School Board Counsel
116 W. Beverley Street
Staunton, VA 22801
(540) 332-3992 (telephone)
(540) 851.4029 (facsimile)
GuynnDL@ci.staunton.va.us

**AN ORDINANCE PROVIDING FOR THE
ELECTION OF MEMBERS OF THE SCHOOL BOARD
OF THE CITY OF STAUNTON, VIRGINIA,
PURSUANT TO A REFERENDUM APPROVING THE SAME
HELD ON NOVEMBER 8, 1994**

WHEREAS, ON November 8, 1994, a referendum was held in the City of Staunton, Virginia, pursuant to Section 22.1-42, Code of Virginia, 1950, as amended, in which a majority of those voting answered in the affirmative to the following question: "Shall the method of selecting the school board be changed from appointment by the governing body to direct election by the voters?", and

WHEREAS, Section 22.1-57.3 of the Code of Virginia, 1950, as amended, authorizes the City Council of the City of Staunton, Virginia, to provide for direct election by the voters of the members of the school board of the City of Staunton, Virginia, in a manner here and below set forth,

NOW, THEREFORE, BE IT ORDAINED BY THE Council of the City of Staunton, Virginia, that the following be adopted as a new section of the City Code to provide for the direct election of school board members by the voters:

1. The initial elected school board shall be composed of the same number of members as the appointed board it replaces, to-wit, six (6) members, to be elected from the qualified voters at large, all such members to be residents of the City of Staunton.

2. The term of office of a school board member shall be for four (4) years except that all elections to fill vacancies shall be for the unexpired term of the vacant office.

3. At the municipal election to be held in May, 1996, and every four (4) years thereafter, three (3) City school board members shall be elected from the City at large, who shall serve for a term of four (4) years. At the municipal election to be held in May, 1998, and every four (4) years thereafter, three (3) City school board members shall be elected from the City at large, who shall serve for a term of four (4) years. Municipal elections shall be held and conducted at the time and in the manner provided for by the laws of the Commonwealth of Virginia made and provided therefor. The persons elected as school board members shall take office on July 1 of the year in which they are elected.

4. A vacancy in the office of a school board member shall be filled pursuant to Sections 24.2-226 and 24.2-227 of the Code of Virginia, 1950, as amended.

5. Any person qualified to vote in the City of Staunton and a bona fide resident of the City shall be eligible to be a member of the school board.

6. Compensation for school board members shall be as prescribed by law.

7. In accordance with section 22.1-57.3(C) of the Code of Virginia, 1950 as amended, the present members of the school board shall continue in office until the elections provided for in paragraph 3 hereof have been conducted and their successors have been elected and installed in office on the following schedule:

a. The board positions presently held by Pamela Huggins and Michael D. Norris, or their appointed replacements, shall remain in office until June 30, 1996.

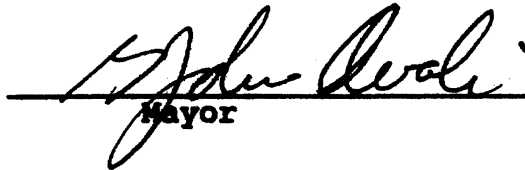
b. One of the board positions presently held by William L. Vaughn and Robert R. Robinson, which expire June 30, 1996, shall expire on June 30, 1996, determined by a drawing held by the City Electoral Board at least ten (10) days prior to the last day for a person to qualify as a school board member candidate. The term of the position held by the person not so drawn shall continue until June 30, 1998.

c. The board positions presently held by James W. Smiley, Jr., and Walter J. Obenschain, which expire on June 30, 1997, shall be extended to June 30, 1998.

INTRODUCED ON FIRST READING: April 27, 1995

ADOPTED: May 25, 1995

EFFECTIVE DATE: May 25, 1995


Mayor

ATTEST:


Acting Clerk

Obituaries

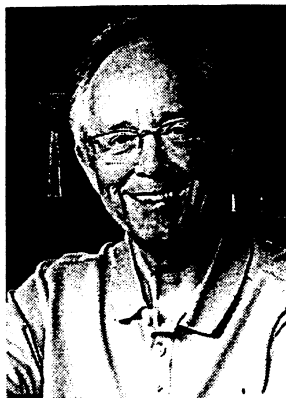
Obituaries are placed by family and friends in memory of their loved ones. For rates and deadlines, contact our Customer Service Department at 540-885-7281 or email obits@newsleader.com

mick

Donna (mick) Lawson and husband Randall of 12; two brothers, Edwin, Gerald "Jack" and wife Anna (Mittageville), WV and "Bill" Bailes (Hurricane WV); two sons, Arlene (Bailes) and husband of Evans WV and (Bailes) Willis (husband Burl of Petersburg, WV); two children, Bobbi Jo and husband David (Randi) Lee Griffin (husband Nappy); five grandchildren, Griffin, Sadie Waylon Griffin, Cole and Walter; and a number of sons and nephews also live.

"Open House Visitation" will be held from 10 a.m. to 6:00 p.m. on Friday, December 20, at the residence. Memorial service will be held at a later date. Suggested those wishing to make memorial contributions to St. Jude Children's Research Hospital, 501 St. Jude Place, Memphis, Tennessee 38102, or the Shenandoah Valley Animal Care Center, 1001 Mt. Vernon Road, Lyncroft, Virginia 22952.

Man Funeral Home Crematory, 2301 River Drive, Staunton charge of her arrangements. Condolences may be expressed to the family at www.coffmanalhome.net.



Joel Craig Grogan, 71, of Staunton passed away Friday, December 16, 2016 at his home surrounded by his wife and children. Due to the rare nature of his autoimmune lung disease and its rapid progression, his end stage was mercifully brief, but unexpected.

Born October 13, 1945 in Abingdon, Virginia, one of five children, he was the son of the late Harold Lewis and Helen (Moore) Grogan. From his birth, he was known by one and all as Jody.

Following graduation from Staunton's Robert E. Lee High School, Jody attended the University of Virginia, graduated from Campbell College with an English degree and began his teaching career in Atlanta, Georgia in 1969. Jody raised his family and pursued his career in education in both Georgia and Virginia. He joined the cooperative that published The Great Speckled Bird, Atlanta's long-running underground newspaper. Jody and his wife Linda, both inveterate educators, led highly acclaimed workshops on the art of parenting. For

Joel Craig Grogan

Age: 71 • Staunton

over 20 years he taught English and Debate at a number of public schools in both Georgia and Virginia. In addition to his years of dedicated teaching, he held leadership and staff positions in the Atlanta Federation of Teachers, the Virginia Education Association, and the Organization of DeKalb Educators. He finished his career as a highly regarded lobbyist at the Georgia State Capitol for the Georgia Education Association, the state affiliate of the National Education Association. He was a stalwart supporter of the principles of union solidarity and dignity in the workplace. As a trained mediator, Jody's special skills were a great asset in counseling individuals, successfully settling grievances, and crafting resolutions to policy debates.

Following his retirement and return to Staunton in 2007, Jody's passion for public education led to his election and dedicated service as a board member for the Staunton City Schools since 2011. His active interest in history, politics, and public policy also led him to work as a docent interpreter at the Woodrow Wilson Presidential Library and Museum for the past several years. Jody was a member of the National Education Association of Retired Teachers and the Staunton Democratic Committee. Political to his core, Jody's most recent activities included supporting the Democratic ticket in

November, and working with 1VA2021, an effort to curb political gerrymandering in the Commonwealth. He shared the concerns of many about the new administration and the potential setbacks to public education and other vitally important investments in our nation's future.

Jody and his family first joined the Unitarian Universalist Congregation of Atlanta in 1984, where he worked in youth programs. He became an active member of the Unitarian Universalist Fellowship, Waynesboro, serving in many roles, singing in the choir, and highly involved with the Social Action Committee.

Jody's wide network of friends included the special lifelong bonds he held with his band of high school brothers, including the Belugas and their annual New Year's immersion in the icy waters of the Middle River.

Always fully engaged with family, church, and community, Jody enjoyed politics, theater, film, reading, singing, and live music, as well as special time with his wife, his children and grandchildren, and his four siblings. Thanksgiving family reunions on the Outer Banks have been a cherished Grogan tradition for decades and Jody enjoyed his last gathering with dozens of family members in November. He will be forever remembered as a loving husband, father, grandfather and brother.

Survivors include his high school sweetheart

and loving wife of 48 years, Linda (Parrott) Grogan; two children, Jason Grogan of Atlanta, GA and Lia (Grogan) Craft and husband, Robert of Waynesboro; grandchildren, Cameron Grogan, Blake Grogan, Kieran Grogan, Lily Hines and Jackson Hines; siblings, Hal Grogan and wife, Crawford of Falls Church, VA, the Hon. Nan Grogan Orrock of Atlanta, GA, Molly Waldrop and husband, Rev. Russ Waldrop of Waynesboro, and Dan Grogan and wife, Barbara of Charlottesville; as well as a number of nieces, nephews and friends.

A memorial service will be held at 11:00 am on Thursday, Dec. 22 at the Unitarian Universalist Fellowship, 565 Pine Avenue, Waynesboro, Virginia, with the Rev. Paul Oakley officiating. The family will receive friends following the service at the church.

In lieu of flowers, memorial contributions may be made in Jody's memory to the Augusta Health Foundation, c/o Hospice of the Shenandoah, P.O. Box 1000, Fishersville, VA 22939 or the Unitarian Universalist Fellowship, 565 Pine Ave., Waynesboro, VA 22980.

Relatives and friends may share condolences and memories with the family online by visiting www.reynoldshamrickfuneralhomes.com.



son Shinaberry

Age: 21 • Rockingham

Lee University's "Shinaberry" from

mately prevented her from participating for

Services

Following are death notices

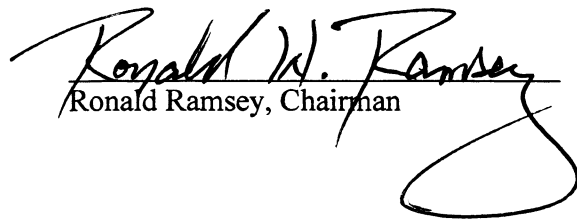
Events Calendar

MONDAY, DEC. 19

Basic Shotokan techniques: 5:30-6:30 p.m. with instructor Ivan Pesic. Ages 7 and older. Cost: \$45 per month for one class. \$60 per

AFFIDAVIT

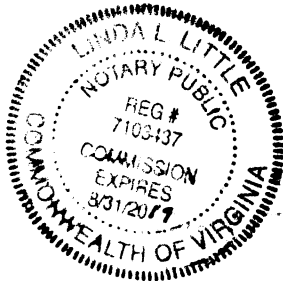
I, Ronald Ramsey, after having been duly sworn, state that I serve as Chairman of the City of Staunton School Board, and the facts alleged in the Staunton School Board's Petition for Writ of Special Election are true to the best of my knowledge and belief.


Ronald Ramsey, Chairman

STATE OF VIRGINIA

CITY OF STAUNTON

Subscribed and sworn to before me this 3rd day of January 2017, by Ronald Ramsey.




Notary Public – ID # 7103437

My commission expires: 8-31-19