

(2) "Elected member" does not include a:

- (i) County Commissioner serving as an ex officio member of the County Board; or
- (ii) Nonvoting student member selected under subsection ~~(F)~~ (G) of this section.

(b) The Allegany County Board consists of:

- (1) Five elected members;
- (2) The Chairman of the Board of County Commissioners, or any County Commissioner so designated by the Chairman, who is an ex officio nonvoting member; and
- (3) One nonvoting student member, who is to advise the other members of the County Board on the viewpoint of students who attend Allegany County public schools.

(c) An individual nominated for membership as an elected member on the County Board shall be a qualified voter and a resident of Allegany County for at least 3 years.

(d) The elected members of the Allegany County Board shall be elected:

- (1) At a general election as required by this subsection or as provided under subsection ~~(e)~~ (F) of this section; and
- (2) From Allegany County at large.

(E) (1) SUBJECT TO ARTICLE 33, § 5-1204 OF THE CODE, IF, AFTER THE PRIMARY ELECTION BUT BEFORE THE GENERAL ELECTION, A NOMINEE DIES, DECLINES THE NOMINATION, OR BECOMES DISQUALIFIED, AND THE NUMBER OF REMAINING NOMINEES IS FEWER THAN THE NUMBER OF OFFICES TO BE FILLED, THE CANDIDATE WHO RECEIVED THE NEXT HIGHEST NUMBER OF VOTES AFTER THE NOMINEES ELECTED AT THE PRIMARY ELECTION SHALL FILL THE VACANCY.

(2) IF THERE IS NO CANDIDATE TO FILL THE VACANCY, A NEW NOMINEE SHALL BE APPOINTED TO FILL THE VACANCY IN THE SAME MANNER AS PROVIDED IN SUBSECTION (F)(3) OF THIS SECTION.

~~[(e)]~~ (F) (1) Each elected member serves for a term of 4 years beginning on January 2 after the member's election and until a successor is elected and qualifies. If January 2 is a legal holiday, the term begins on the first day after January 2 that is not a legal holiday.

(2) The terms of elected members are staggered as required by the terms of the members serving on the County Board on July 1, 1978.

(3) Except as provided in paragraph (4) of this subsection, the Governor shall appoint a new member to fill any vacancy of an elected member's position on the Board for the remainder of that term and until a successor is elected and qualifies.