

March 21, 2022

MINUTES: CALHOUN COUNTY ELECTION COMMITTEE – RECALL EFFORT FILED AGAINST LINDA LANOUE

LOCAITON: Calhoun County Building Boardroom 3-C08, 315 W Green St, Marshall MI 49068

CALL TO ORDER: 9:30am. Judge Jaconette called the meeting back into order after a recess. Agenda items #1 - #5 were cojoined with the previous hearing considering the recall language filed against Nora Jackson.

CONSIDERATION OF RECALL LANGUAGE: The sponsor and presenter of the recall language is Trajan Dubiel.

Council member LaNoue voted in the affirmative for the Albion College President's vision for the City of Albion while employed by Albion College.

COMMENTS OF SPONSOR AND OFFICE HOLDER:

Sponsor: Mr. Dubiel was not present, nor a representative.

Officeholder: Ms. LaNoue was not present, nor a representative.

MOTION: Treasurer Wensauer made a motion "I'll make a motion to open a discussion", 2nd by Hinkley.

DISCUSSION BY COMMISSION MEMBERS:

TREASURER WENSAUER: The actual statements sound like they're correct. There aren't any details in it other than just making a statement I have to look at it from the basis... the statements sound like presented correctly.

CLERK HINKLEY: I have to agree with Treasurer Wensauer it's probably the most clear and factual statement that we've had in these recall hearings this year. It's straight forward, and not a lot of movement one way or the other to have any doubts of its clarity and factualness.

JUDGE JACONETTE: When I look at this, I would make some changes because it would be helpful for me as a voter, as an officeholder, as someone interested in this to know when this happened. Was there a specific date this vote occurred? It's not a requirement, I would have included that, because I think it would make it more clear, but it does clearly point to an affirmative vote, certainly she would be on notice when a vote is being discussed here. I think there is enough here that it allows the officeholder to be able to respond. It is not couched in any sort of opinion. So, I do think it is both clear and factual. Any additional discussion?

ROLL CALL VOTE: Clerk Hinkley: Approve, Treasurer Wensauer: Approve, Judge Jaconette: Approve. By a vote of 3 – 0, the petition language is accepted.

NOTICE OF DETERMINATION: THE COMMISSION MEMBERS TO SIGN A Notice of Determination for the recall language submitted.

REVIEW OF 10 DAY APPEAL PROCESS was read by Judge Jaconette to Mr. Dubiel and Ms. LaNoue.

PUBLIC / CITIZEN COMMENT: No comments.

ELECTION COMMISSIONERS' COMMENTS: Judge Jaconette: I have always found the recall process, and the clarity process incredibly frustrating. I wish the legislature would come up with a way. A better way of doing this. It's not a clear process to me if I were an officeholder or sponsor. The steps you go thru, particularly with the determination as to clarity and factual nature of the petition is not clear, the case law is revealing statutes that could be more clear in my view. I have to imagine for the officeholder, and the sponsor, this particular process, the clarity hearing, has to be a frustrating experience because we're not touching on whether the petition is truthful. We aren't getting into whether actions that were taken were justified. We're simply allowing language to go thru or not. The idea is there enough there for the officeholder to respond and have a decent understanding of what he or she wants to say regarding the petition. That was the case here today. Which is why I voted to approve the petitions. It is a frustrating process and I wanted to take this opportunity to get this out.

ANNOUNCEMENTS: No comments.

ADJOURNMENT: 9:42am

Respectfully Submitted by Jill L. Stout