

April 4, 2022

MINUTES: CALHOUN COUNTY ELECTION COMMITTEE – RECALL EFFORT FILED AGAINST MARCOLA LAWLER

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

CALL TO ORDER: 11:00am. Judge Jaconette called the hearing to order, welcomed all in attendance, explained reason for today's hearing, and notified audience that meeting was being recorded, and minutes taken.

ROLL CALL: PRESENT – Calhoun County Clerk Kimberly Hinkley, County Treasurer Brian Wensauer, Calhoun County Probate Judge Michael Jaconette.

APPROVAL OF AGENDA: Judge Jaconette asked for a motion to approve the agenda. A motion to approve the agenda was made by Treasurer Wensauer, 2nd by Clerk Hinkley. Motion passed.

ROLE OF THE COUNTY ELECTION COMMISSION: Judge Jaconette read MCL 168.952 Michigan law regarding the purpose of the hearing and how the commission determines whether the language is of sufficient clarity and factual nature.

CONSIDERATION OF RECALL LANGUAGE: The sponsor and presenter of the recall language is A. Thomas Arndts.

READING OF THE RECALL PETITION LANGUAGE:

During a recent council meeting of March 2022, Ms. Lawler said she was proposing a resolution for re-districting process for her "own P.R."

COMMENTS OF SPONSOR AND OFFICE HOLDER:

JUDGE JACONETTE: addressed the Recall Sponsor Representative, A. Thomas Arndts, Mr. Arndts, are the allegations stated in the recall petitions based upon each officer's conduct during his current term in office? A. Thomas Arndts: "Yes".

JUDGE JACONETTE: Mr. Arndts, do you or a representative wish to comment on the recall petition language? A. Thomas Arndts: "Yes".

SPONSOR COMMENTS: 5 minutes: Not representing views of town, and not representing constituents.

JUDGE JACONETTE: Does Marcola Lawler, or a representative, wish to comment on the recall petition language filed? Marcola Lawler: "Yes".

OFFICERS COMMENTS: 5 minutes: Perspective of constituents claim language not clear. Not sure what he means. For that reason language should be rejected.

MOTION: Clerk Hinkley made a motion "Your Honor: I move the Commission vote on the petition language submitted for the recall of Albion City Council Member Marcola Lawler – to determine if each reason is factual and of sufficient clarity to enable office holder Marcola Lawler and the electors of Albion City District #4 to identify the course of conduct that is the basis for the recall". 2nd by Treasurer Wensauer.

DISCUSSION BY COMMISSION MEMBERS:

TREASURER WENSAUER: Short and to the point language

CLERK HINKLEY: Also question the definition of "P.R."

JUDGE JACONETTE: I would write this differently, it could be more clear. Not an editorial, not a commentary, does give Ms. Lawler sufficient opportunity to respond.

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. Arndts and Ms. Lawler.

PUBLIC / CITIZEN COMMENT: No comments.

ELECTIONS COMMISSIONERS' COMMENTS: None.

ANNOUNCEMENTS: None

ADJOURNMENT: Treasurer Wensauer moved to adjourn the meeting, 2nd by Clerk Hinkley. Meeting adjourned at 11:18am

Respectfully Submitted by Jill L. Stout