



CALHOUN COUNTY CLERK AND REGISTER OF DEEDS

Kimberly A. Hinkley
Clerk & Register of Deeds
37th Circuit Court Clerk

Julie Peet
Chief Deputy Clerk & Register

"The history of your life is kept in our records!"

Calhoun County Election Commission Clarity / Factual Recall Review Hearing January 18, 2023, at 12:30pm

Calhoun County Building, Boardroom 3-C08
315 W. Green Street, Marshall, MI

MINUTES

1. Call to Order, confirm notification of meeting: [Called to order at 12:34pm](#)
2. Pledge of Allegiance
3. Roll Call: [Calhoun County Clerk Hinkley, Calhoun County Treasurer Wensauer, & Calhoun County Probate Judge Jaconette](#) were present
4. Approval of Agenda: [A motion was made by Treasurer Wensauer, & 2nd by Clerk Hinkley to accept the agenda](#)
5. Role of the County Election Commission, MCL 168.952: [Judge Jaconette read the Michigan Election Law dictating the purpose & authority of the Calhoun County Election Commission in the "Recall Process".](#)
6. Consideration of recall language filed against Emmett Charter Township Trustee Jim Mead
 - Reading of the recall petition language – Jim Mead
Jim Mead is counterproductive & continues to undermine the boards intent, hindering township business with his disruptive behavior & his tendency to break board confidentiality.
 - Comments presented by sponsor and trustee or a representative for the aforementioned: *(limited to 5 minutes each)*
 - Sponsor: Gavin Powell or representative: [Gavin Powell, Sponsor, presented during his 5 minute comments several incidents & behaviors to support the petition language](#)
 - Trustee: Jim Mead or representative: [Jim Mead, Officer, responded that he has a fiduciary responsibility to citizens of the township, and feels recall language highly subjective, not based on fact.](#)
 - Motions, discussion by Election Commission: *A motion was made by Treasurer Wensauer "Your Honor, I move the commission vote on the petition language submitted for the recall of the Emmett Charter Township Trustee Jim Mead – to determine if each reason is factual and of sufficient clarity to enable office holder Jim Mead and the electors of Emmett Charter Township to identify the course of conduct that is the basis for the recall". The motion was 2nd by Clerk Hinkley.*

MARSHALL OFFICE

315 W. Green Street, Marshall, MI 49068
Telephone [269.781.0707](tel:269.781.0707)
Fax [269.781.0721](tel:269.781.0721)
Clerk and Register of Deeds/ Election Services
Visit our web page: www.calhouncountymi.gov

BATTLE CREEK OFFICE

161 E. Michigan Ave., Battle Creek, MI 49014
Clerk's Office: [269.969.6908](tel:269.969.6908)
Circuit Court Clerk's Office: [269.969.6518](tel:269.969.6518)
Clerk-ROD@calhouncountymi.gov

Discussion: Judge Jaconette commented about the nature & purpose of the Clarity Hearing, & that the Commission is limited to deciding on whether to approve or reject the petition language based upon whether the language is “factual” as opposed to “opinion”. Judge Jaconette also pointed out that Mr. Powell brought up dates & incidents that were not reflected in the language. Treasurer Wensauer indicated he agreed with Judge Jaconette regarding the language, & Clerk Hinkley stated that the language is “broad” & the voters may not be clear about what the issues are that they would be recalling the Trustee.

- **Vote of Election Commission Members:**
 - **Recall Petition – Jim Mead A ROLL CALL Vote was taken:** Clerk Hinkley: Reject, Treasurer Wensauer: Reject, Judge Jaconette: Reject
- **Notices of Determination signed by Election Commissioners:** By a vote of -0- approve vs 3 reject, the petition language was rejected.
- **Review 10-day appeal process:** Judge Jaconette advised both Mr. Powell & Mr. Mead of the 10 day appeal process & the ability to resubmit language.

7. Consideration of recall language filed against Emmett Charter Township Supervisor Deb Belles

- **Reading of the recall petition language – Deb Belles**

Charter Township of Emmett Supervisor Deb Belles is unfit for office and should be recalled from the elected office of Township Supervisor for the following reasons.

 1. Supervisor Belles hired a convicted felon as code enforcement officer of the Township.
 2. Supervisor Belles violated Article 2, Section 2.01 of the Zoning Ordinances of Emmett Township when she hired a Zoning Administrator without Township Board approval.
 3. Ms. Belles uses bullying, intimidation, and verbal abuse as a management style.
 4. Ms. Belles was given 25 Chick-fil-A “Local Hero Gift Cards” (valued at \$11,154), that were intended for Public Safety Officers and gave the cards to “whoever she seen fit.” Only 8 of the 25 cards were given to the intended public safety officers, Ms. Belles refuses to account for the other 17 cards.
- **Comments presented by sponsor and trustee or a representative for the aforementioned: (limited to 5 minutes each)**
 - **Sponsor: Jim Mead or representative:** Jim Mead, Sponsor, presented support for the various claims stated in the petition language
 - **Supervisor: Deb Belles or representative:** Deb Belles, Officer, responded with justification for hiring practices & an explanation regarding HR policy within the township.
- **Motions, discussion by Election Commission:** *A motion was made by Clerk Hinkley “Your Honor, I move the commission vote on the petition language submitted for the recall of the Emmett Charter Township Trustee Jim Mead – to determine if each reason is factual and of sufficient clarity to enable office holder Jim Mead and the electors of Emmett Charter Township to identify the course of conduct that is the basis for the recall”. The motion was 2nd by Treasurer Wensauer*

Discussion: Treasurer Wensauer commented that items #1, #2, #4 of recall petition language fit the statute, but #3 is opinion. Clerk Hinkley agree & stated petition language has to be taken as whole, & Judge Jaconette stated he will vote to reject because as stated in the statute if any reason for the recall is not factual or of sufficient clarity, the entire recall petition is to be rejected.

- Vote of Election Commission Members:
 - Recall Petition – Deb Belles: A Roll-Call Vote was taken: Clerk Hinkley: Reject, Treasurer Wensauer: Reject, Judge Jaconette: Reject
 - Notices of Determination signed by Election Commissioners: By a vote of -0- approve vs 3 reject, the petition language was rejected.
 - Review 10-day appeal process: Judge Jaconette advised both Mr. Mead & Ms. Belles of the 10 day appeal process & the ability to resubmit language.
8. Public / Citizen Comments (limited to 3 minutes): Comments were taken during the “Public Comment” session from the following: James Juhnke, Joshua Mosley, Gavin Powell, Lisa Osborn, Doug Palmiter, Kathy Jahr, JC Belk, and Tom Gunning.
 9. Election Commissioners’ Comments: Clerk Hinkley assured the attendees that these hearings are not a waste of time & are part of due process, it’s a responsibility of the Commission. Judge Jaconette agreed that the hearings are not a waste of time, it’s a necessary part of the process, & the commission follows the rules to ensure the language meets the statute requirements.
 10. Announcements: None
 11. Adjournment: 1:34pm

Commented [KH1]: I added 'and' and a period in the public comments section. and changed the font size in the last line to 12 from 11 to match the rest. Otherwise, they look great to me!