

CALHOUN COUNTY ELECTION COMMISSION
April 11, 2023

RE: Petition to RECALL Robert Lyng
Marshall Township Trustee

DETERMINATION OF ELECTION COMMISSION

A petition was filed with the Calhoun County Clerk seeking the recall of Marshall Township Trustee Robert Lyng. The Election Commission met in a public session on Wednesday, April 11, 2023, at 3:30pm and took comments and arguments on the clarity and factual nature of the petition language.

The Commission is charged with determining whether each reason stated in the petition is based upon conduct occurring during the officials' current term of office, and whether each reason "is factual and of sufficient clarity to enable the officer whose recall is sought and the electors to identify the course of conduct that is the basis for the recall."

❖ The language is as follows:

ROBERT LYNG WAS ON THE BOARD OF DIRECTORS OF THE MARSHALL AREA ECONOMIC DEVELOPMENT ALLIANCE WHILE ALSO SERVING AS A MARSHALL TOWNSHIP PLANNING COMMISSIONER AND TRUSTEE. ON JANUARY 26 AND FEBRUARY 20, 2023 HE VOTED YES, APPROVING THE PUBLIC ACT 425 LAND TRANSFERS TO THE CITY OF MARSHALL AS TRUSTEE OF MARSHALL TOWNSHIP.

❖ The Election Commission is charged as follows:

"...shall meet and shall determine whether each reason for the recall stated in the petition is factual and of sufficient clarity too enable the officer whose recall is sought and the electors to identify the course of conduct that is the basis for the recall. If any reason for the recall is not factual or of sufficient clarity, the entire recall petition shall be rejected." MCL 168.952

The Election Commission determines:

by a vote of (# of votes for...) 3 **APPROVED**, **VERSUS** (# of votes against...) 0 **REJECTED**
that the reasons for recall stated in the petition:

ARE **or ARE NOT** _____ factual in nature and of sufficient clarity to enable the officer whose recall is sought and the electors to identify the course of conduct that is the basis for the recall.

Therefore, the Commission **ACCEPTS** **REJECTS** _____ **the petition.**

Appeals to this determination may be made to the Circuit Court of Calhoun County no later than Friday, April 21, 2023.

Dated: 4/11/23 YES: **Approved** NO: **Rejected** _____
Kimberly A. Hinkley - County Clerk

Dated: 4/11/23 YES: **Approved** NO: **Rejected** _____
Brian Wensauer - County Treasurer

Dated: 4/11/23 YES: **Approved** NO: **Rejected** _____
Michael Jaconette - Probate Judge