

Recall ~ MARSHALL PUBLIC SCHOOL BOARD

Richard Lindsey

(Refer to Michigan Election Law, 168.951 ~ 976)

Petition filed 01/27/2022 to recall

MPS School Board Members Richard Lindsey (Nonpartisan position);
Serving a 6 year term: Richard Lindsey, 15509 17 ½ Mile Rd, Marshall 49068 269-317-5905
lindseyjagboy1@yahoo.com – elected 11/3/2020

Sponsor:

Albion City registered voter David Atchison,
108 W Erie St, Albion 49224 Phone: 301-653-8354; Email: albionsdaveatchison@gmail.com

Recall Wording:

Language was submitted to the County Clerk's Marshall Office on Thursday, January 27, 2022. The office holders were notified by phone Tuesday, 02/01/2022, 2022 & an email was sent with details of the hearing and the language Tuesday, February 1, 2022.

Marshall Public Schools **recall petition** language:

- Richard Lyndsey's activities as an attorney raised questions of conflict with his school system duties & responsibilities. Some Voters believe he violated the MPS policy # 1130 CONFLICT-OF-INTEREST. He simultaneously served as school Board President & as attorney representing Albion College. He presided over board meetings & activities with a \$45.5-million-dollar school bond proposal which included provisions for construction of a new elementary school in Albion, while concurrently participating in activities associated with his client's unsolicited proposal to MPS for establishing a new elementary school adjacent to their campus. Questions were raised by the public, social media bloggers, and in local newspapers about the appearance of impropriety & apparent conflict between his legal representation of Albion College & his duties as president of the school board. The legal firm of Hewson & Van Hellmont sent a legal opinion to the school board concluding a conflict-of-interest under MCL 380.1203(1) exists. Fifty community members in the Marshall School District signed a petition requesting he recuse himself from the voting on the board decision which affect the location of a new school in Albion. Mr. Lyndsey continued to represent Albion College.

Number of signatures required: The petitions shall be signed by registered and qualified electors equal to not less than 25% of the number of votes cast for all candidates for the office of governor at the last preceding general election in the district the office holder is sought to be recalled. This is a calculated number based on the number of registered voters that cast votes in the cities & townships within the Marshall Public School district divided the number of votes in that precinct for Governor. Please see the calculations below:

DISTRICT	REG VOTERS	POLL BOOK SD	VOTE ACTUAL	GOV PB %	SD GOV VOTE
ALBION 1	985	461		451 100%	451
2	841	317		315 100%	315
3	1096	540		528 100%	528
4	699	311		306 100%	306
5	1084	567		554 100%	554
6	496	278		276 101%	276
MARSHALL 1	2813	1514		1487 100%	1487
2	2811	1611		1584 100%	1584
ALBION TWP	627	352	489	495 71%	348
CONVIS	337	228	676	688 33%	224
ECKFORD	750	470	619	624 75%	466
FREDONIA	1196	689	748	763 90%	675
LEE	50	33	463	465 7%	33
MARENGO	730	393	933	944 42%	388
MARSHALL TWP	2234	1511	1634	1659 91%	1488
NEWTON	3	3	1316	1330 0%	3
SHERIDAN	1256	550	596	601 92%	545
CONCORD	102	51	1175	1195 4%	50
PARMA	276	107	1003	1022 10%	105
TOTAL SD GOV VOTES					9828
25% OF Gov Votes					25%
TOTAL PETITION SIGNATURES REQUIRED					2457

The Clarity/Factual Review Hearing is scheduled for Monday February 14, 2022 (18th day after filing), 10:00am, at the Calhoun County Building, 315 W. Green Street, Marshall, MI 49068, Boardroom 3-C08 (the Board of Commissioner’s Chambers on the third floor).

- The sponsor David Atchison and the officeholder Richard Lindsey will have an opportunity to speak to the Election Commission to express their concerns as to the petition language being clear and factual.
- The County Election Commission will discuss and vote to approve or disapprove the recall petition as clear and factual in nature; to determine if the petition meets statutory criteria.

2nd Richard Lindsey Recall Petition Language withdrawn: Monday, January 31, 2022, at 12:25pm via email recall sponsor David Atchison rescinded his request to recall Marshall Public School Board Member Richard Lindsey due to an error in the text of the language. A 3rd petition with language was submitted January 31, 2022. Press Releases and public notices were updated to reflect the change in language. The officer was notified Tuesday, February 1, 2022 via phone at 8:45am of the submission and subsequent rescinding of the language.

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