

COUNTY OF CALHOUN  
ELECTION COMMISSION

IN RE: Petition to Recall Howard Rigg  
Village of Tekonsha Trustee

DETERMINATION OF ELECTION COMMISSION

A Petition was filed with the Calhoun County Clerk seeking the recall of Village of Tekonsha Trustee Howard Rigg. The Election Commission met in public session on Thursday, January 6, 2022 at 2:00 p.m. and took comments and arguments on the clarity and factual nature of the petition language.

The Commission is charged with determining whether each reason state in the petition is based upon conduct occurring during the official's 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 filed is as follows:

"Mr. Rigg has created a toxic environment within the village offices. He threatens & belittles other individuals. Uses threatening & intimidating tactics to persuade people into his view. He speaks to people in a demeaning manner & is very disrectful to anyone who does not agree with his point of view He continues to use bullying tactics in the office, meetings, & to other village employees. Any corporation or busines This is not tolerated & is grounds for a termination regardless of position"

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 to 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 Commission has considered only whether the assertions of the petition are stated clearly and factually. An allegation of fact may be true or false, and the test employed by the Election Commission is whether the allegation states facts so that the responding official may defend.

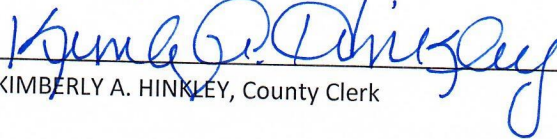
The Commission determines that reasons for recall are alleged:

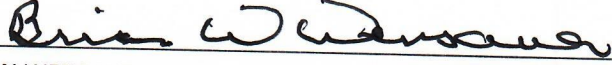
The Commission finds that one or more of the allegations set forth a statement or statements of opinion or conclusion rather than allegations of fact, and therefore rejects the petition. MCL 168.952(3)


(Continued)

The Election Commission determines by a vote of \_\_\_ Approved and X REJECTED that not every allegation in this petition is factual in nature, i.e. an assertion of fact as opposed to an opinion or conclusion. Therefore, because this petition does not meet statutory criteria, the petition is rejected.

Appeals to this determination may be made to the Circuit Court of Calhoun County no later than January 16, 2022.

Dated: 1-6-2022  Approved  
 Rejected   
KIMBERLY A. HINKLEY, County Clerk

Dated: 6 Dec 2022  Approved  
 Rejected   
BRIAN WENSAUER, County Treasurer

Dated: 1/11/22  Approved  
 Rejected   
DAVID GILBERT, County Prosecutor, in absence of Probate Judge