

COUNTY OF CALHOUN
ELECTION COMMISSION

IN RE: Petition to Recall Matt Davis
MPS School Board Member

DETERMINATION OF ELECTION COMMISSION

A Petition was filed with the Calhoun County Clerk seeking the recall of Marshall Public School Board Member Matt Davis. The Election Commission met in public session on Monday, January 24, 2022 at 8:15am 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 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. Davis** violated the Michigan Code of Educational Ethics by failing to confront and take reasonable steps to resolve ethical conflicts involving Board President Lindsey while Lindsey simultaneously served as Albion College attorney and presided over School Board deliberations involving his client. Davis failed to communicate with parents in a respectful manner during the 27 September 2021 School Board meeting by telling the public voting no due to no trust in the board is the height of shooting themselves in the foot. Davis disregarded the voters' 2 November 2021 rejection of a school bond, and despite public opposition to an alliance between Marshall Public Schools and Albion College, voted on 13 December 2021 to proceed in establishing a partnership between MPS and Albion College to construct a new school. Mr. Davis violated the Open Meetings Act and School District policy on 11 October 2021 by participating in a closed session meeting of the Board without the purpose of the meeting being disclosed to the public. He subsequently created a false official record by approving inaccurate official minutes of the meeting which hid the OMA violation.

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 Election Commission determines by a vote of X APPROVED and ___ Rejected that the reasons for recall stated in the petition are 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.

Appeals to this determination may be made to the Circuit Court of Calhoun County no later than February 3, 2022.

Dated: 1.24.2022

<input type="checkbox"/> Approved
<input checked="" type="checkbox"/> Rejected

Kimberly A. Hinkley
KIMBERLY A. HINKLEY, County Clerk

Dated: 24 Jan 22

<input checked="" type="checkbox"/> Approved
<input type="checkbox"/> Rejected

Brian Wensauer
BRIAN WENSAUER, County Treasurer

Dated: 1/24/22

<input checked="" type="checkbox"/> Approved
<input type="checkbox"/> Rejected

David Gilbert
DAVID GILBERT, Prosecutor