



Karen A. Spranger

Macomb County
Clerk/Register of Deeds

Deputy Clerk

Jacqueline Ryan
Chief Deputy Register of Deeds

MACOMB COUNTY ELECTION COMMISSION SPECIAL MEETING August 17, 2017

*Probate Court Building
21850 Dunham Rd.
Mt. Clemens, MI 48043
1:30 p.m.*

AGENDA

- I. Call to Order
- II. Adoption of Agenda
- III. Public Participation
- IV. Approval of Minutes from June 6, 2017 Election Commission Meeting
- V. Judge Clarity and Factuality of Wording on Four Recall Petitions (#1-4) filed on August 4, 2017 for:
 - Joseph Nichols, City of Fraser Mayor
- VI. Unfinished Business
- VII. New Business
- VIII. Public Participation
- IX. Adjournment

Clerk's Office

120 North Main Street, 1st Floor
Mount Clemens, MI 48043
586-469-5120; Fax: 877-443-9505
macombgov.org/clerksoffice
clerksoffice@macombgov.org

Macomb County Jury Services

40 North Main Street, 5th Floor
Mount Clemens, MI 48043
586-469-5158; Fax: 866-731-8701
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NOTICE

MACOMB COUNTY ELECTION COMMISSION SPECIAL MEETING

Macomb County Clerk's Office
Election Department
(586) 469-5209

The Macomb County Election Commission will hold a SPECIAL MEETING on Thursday, August 17, 2017, at 1:30 p.m. in the Probate Court Building, 21850 Dunham Rd., Mount Clemens, to judge language factuality and clarity on recall petitions filed against Joseph Nichols, City of Fraser Mayor.

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**MACOMB COUNTY ELECTION COMMISSION
SPECIAL MEETING
June 6, 2017**

The Macomb County Election Commission met on Tuesday, June 6, 2017, in Court Room #1 of the Macomb County Probate Court Building, 21850 Dunham, Mount Clemens with the following members present:

Judge Kathryn George – Senior Probate Judge, Chairperson
Larry Rocca – County Treasurer
Karen Spranger – County Clerk

Also Present: Roger Cardamone – Election Department
Michael Grix – Election Department
Frank Krycia – Corporation Counsel
Joe Biondo – Treasurer's Office

CALL TO ORDER

Judge George called the meeting to order at 11:00 a.m.

MOTION TO ADOPT AGENDA

A motion to adopt the agenda was made by Larry Rocca with the amendment that "Old Business" be changed to "Unfinished Business." Karen Spranger seconded the motion. Judge George agreed, with the amendment that the time limit for a speaker during public participation be removed. All members agreed on the amendments. The motion carried. The agenda was adopted, as amended.

APPROVAL OF MINUTES OF MARCH 27, 2017

Karen Spranger made a motion to approve the minutes as presented. Larry Rocca seconded the motion. The motion carried.

PUBLIC PARTICIPATION

Joe Hunt spoke.

A discussion ensued among the Election Commission and Corporation Counsel regarding the dissemination of the meeting's transcript. Judge George asked Frank Krycia to research the matter.

APPROVAL OF BALLOTS

Larry Rocca made a motion to approve the ballots for Center Line. Judge George seconded the motion. The motion carried.

Larry Rocca made a motion to approve the ballots for New Baltimore. Judge George seconded the motion. The motion carried.

Larry Rocca made a motion to approve the ballots for St. Clair Shores. Judge George seconded the motion. The motion carried.

UNFINISHED BUSINESS

None

NEW BUSINESS

None

ADJOURNMENT

At 11:23 a.m. Judge George made a motion to adjourn the meeting, seconded by Larry Rocca. The motion carried and the meeting was adjourned.

INSTRUCTIONS ON REVERSE SIDE

RECALL PETITION

City
 Township
 Village of
(CHECK ONE)

We, the undersigned registered and qualified voters of the FRASER in the County of Macomb, and State of Michigan, petition for the

calling of an election to recall Joseph M. Nichols from the office of (Title of Office) for the following reason(s):
(District, if Any)

The reason the recall election is being sought is to recall Joseph M. Nichols. In a F.O.I.A. filed with Fraser city clerk on January 17, 2017 on towing, Joseph M. Nichols did not provide emails from his private Gmail account involving city business.

WARNING - A PERSON WHO KNOWINGLY SIGNS A RECALL PETITION MORE THAN ONCE OR SIGNS A NAME OTHER THAN HIS OR HER OWN IS VIOLATING THE PROVISIONS OF THE MICHIGAN ELECTION LAW.

	SIGNATURE	PRINTED NAME	STREET ADDRESS OR RURAL ROUTE	ZIP CODE	DATE OF SIGNING		
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17 AUG - 4 PM 2:10

CERTIFICATE OF CIRCULATOR

The undersigned circulator of the above petition asserts that he or she is 18 years of age or older and a United States citizen; that each signature on the petition was signed in his or her presence and was not obtained through fraud, deceit or misrepresentation; that he or she has neither caused nor permitted a person to sign the petition more than once and has no knowledge of a person signing the petition more than once; and that, to his or her best knowledge and belief, each signature is the genuine signature of the person purporting to sign the petition, the person signing the petition was at the time of signing a registered elector of the City or Township listed in the heading of the petition, and the elector was qualified to sign the petition.

If the circulator is not a resident of Michigan, the circulator shall make a cross [X] or check mark [✓] in the box provided, otherwise each signature on this petition sheet is invalid and the signatures will not be counted by a filing official. By making a cross or check mark in the box provided, the undersigned circulator asserts that he or she is not a resident of Michigan and agrees to accept the jurisdiction of this state for the purpose of any legal proceeding or hearing that concerns a petition sheet executed by the circulator and agrees that legal process served on the Secretary of State or a designated agent of the Secretary of State has the same effect as if personally served on the circulator.

CIRCULATOR — DO NOT SIGN OR DATE CERTIFICATE UNTIL AFTER CIRCULATING PETITION.

(Signature of Circulator) _____ (Date)

(Printed Name of Circulator) _____

(Complete Residence Address [Street and Number or Rural Route]) - [Do not enter a post office box]

(City or Township, State, Zip Code)

WARNING - A CIRCULATOR KNOWINGLY MAKING A FALSE STATEMENT IN THE ABOVE CERTIFICATE, A PERSON NOT A CIRCULATOR WHO SIGNS AS A CIRCULATOR, OR A PERSON WHO SIGNS A NAME OTHER THAN HIS OR HER OWN AS CIRCULATOR IS GUILTY OF A MISDEMEANOR.

INSTRUCTIONS ON REVERSE SIDE

RECALL PETITION

City
 Township
 Village of
(CHECK ONE)

We, the undersigned registered and qualified voters of the FRASER in the County of Macomb and State of Michigan, petition for the

calling of an election to recall Joseph M. Nichols from the office of Mayor for the following reason(s):
(District, if Any)

The reason the recall petition is being sought is to recall Joseph M. Nichols. During the Fraser City Council Meeting on May 30, 2017 Fraser Mayor Joseph M. Nichols made a false accusation, accusing Fraser Councilman Michael Lesica, Michael Carnoffie, Kathy Blake and Patrice Schornak of violating the OPEN MEETINGS Act.

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17 AUG -4 PM 2:10 FILED

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If the circulator is not a resident of Michigan, the circulator shall make a cross [X] or check mark [V] in the box provided, otherwise each signature on this petition sheet is invalid and the signatures will not be counted by a filing official. By making a cross or check mark in the box provided, the undersigned circulator asserts that he or she is not a resident of Michigan and agrees to accept the jurisdiction of this state for the purpose of any legal proceeding or hearing that concerns a petition sheet executed by the circulator and agrees that legal process served on the Secretary of State or a designated agent of the Secretary of State has the same effect as if personally served on the circulator.

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RECALL PETITION

INSTRUCTIONS ON REVERSE SIDE

City
 Township
 Village of

We, the undersigned registered and qualified voters of the FRASER in the County of MACOMB and State of Michigan, petition for the calling of an election to recall JOSEPH M. NICHOLS from the office of MAYOR (District, if Any) for the following reason(s):

The reason this recall election is being sought is to recall Joseph M. Nichols. ON JUNE 7, 2017 AND JUNE 20, 2017 JOSEPH M. NICHOLS recorded Robo calls that were sent out that did not identify who paid for them nor did we file an update on this political activity with the Macomb County Clerks office.

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