

CANVASS OF VOTES CAST

AT THE ELECTION

HELD ON

April 8, 2003

**AND CANVASSED BY THE BOARD OF CANVASSERS
OF THE COUNTY OF GLADWIN, GLADWIN MICHIGAN**

**GLADWIN COUNTY ELECTION
CLEMENT TOWNSHIP RECALL ELECTION**

Do Hereby Determine:

That the following Propositions or questions were passed or defeated as indicated below:

**COUNTY OF GLADWIN
UNIFORMED LAW ENFORCEMENT PROPOSAL**

Shall the constitutional limitation on general ad valorem taxes which may be assessed in any one year upon all property within The County of Gladwin, Michigan, be increased by up to a maximum of an additional two (2.0) mills (\$2.00 per \$1000.00 of taxable value) for a period of five (5) years from 2003 through 2007 inclusive for the sole purpose of providing county-wide uniformed law enforcement operations and equipment, excluding: Jail Operations and 911 Central Dispatch? (If approved and levied in full, this millage will raise an estimated \$1,230,000.00 in the first calendar year of the levy for uniformed law enforcement operations and equipment for the County of Gladwin, including the Cities of Gladwin and Beaverton).

Having received sufficient votes was passed.

not received

not passed

STATEMENT OF VOTES

The whole number of votes given for the County Uniformed Law Enforcement Proposal was

four thousand five hundred five 4505

And they were given as follows:

YES votes sixteen hundred forty three 1643

NO votes two thousand - eight hundred two 2862
eighty two

The whole number of votes given for the Clement Township, Recall D - Supervisor Bobbie Duke was

Two hundred thirty 230

And they were given as follows:

YES votes One hundred seventy six 176

NO votes fifty four 54

The whole number of votes given for the Clement Township, Recall E - Trustee William L. Evans was

Two hundred twenty eight 228

And they were given as follows:

YES votes One hundred seventy nine 179

NO votes forty nine 49

STATEMENT OF VOTES cont.

The whole number of votes given for the Clement Township, Recall F – Treasurer Deborah Fisch was

Two hundred twenty nine . 229

And they were given as follows:

YES votes One hundred thirty five . 135
prop

NO votes Ninety four . 94

The whole number of votes given for the Clement Township, Recall P – Trustee Sharon Prosser was

Two hundred twenty nine . 229

And they were given as follows:

YES votes One hundred fifty eight . 158
eight

NO votes Seventy one . 71

OFFICIAL BALLOT

D

RECALL ELECTION

CLEMENT TOWNSHIP
GLADWIN COUNTY, GLADWIN, MICHIGAN 48624
APRIL 8, 2003

INSTRUCTIONS: To vote in favor of the Recall, place a cross (x) or check mark (✓) in the square to the right of the word "YES"; to vote against the Recall, place a cross (x) or check mark (✓) in the square to the right of the word "NO". Before returning the ballot, fold the ballot so that the face of the ballot is not exposed and so that the numbered corner is visible.

REASON FOR RECALL

Violated Open Meetings Act by: A. Engaging in closed sessions during Special Meetings on 1/19/01, 8/9/01 and 8/17/01 to discuss litigation without presence of attorney or posting. B. Attending an unposted meeting at Clement Twp. Fire Hall on 8/30/02 to discuss use of Fire Dept. Equipment for Muscular Dystrophy Assoc. collection. Failed to place weed control Special Assessment when certifying Twp. tax rolls for 2001. Failed to enforce Clemet Twp. Zoning Ordinances as follows: A. On 5/8/99 a request from Twp. resident for a Special Land Use Permit was submitted to Clement Twp. Board. Clement Twp. Board denied request. Twp. Board continues to allow resident to operate non-conforming commercial business. B. A Zoning change from Residential to Commercial was granted to second Twp. resident on 5/7/99 by a 3-person vote. Of a 5-person Zoning Board two members were present. The third vote was cast by Supervisor Doke, who was not a member of the Zoning Board. After rezoning, subject property was purchased by the step-son of Supervisor Doke. No notification of intended rezoning was given to surrounding property owners.

JUSTIFICATION OF CONDUCT

- A. We as Township Officials are allowed to go in closed session for litigation.
- B. There have been no un-posted meetings.
- C. Weed Control assessment is the responsibility of the Assessor.
- D. I was not connected to Township government when the special land use permit was issued. The business is legal, he has one acre.
- E. At the time of the vote, I was a member of the Zoning Board. I was not appointed Supervisor until Four days later.

QUESTION

Shall Bobbie Doke be recalled from the office of Clement Township Supervisor?

YES

NO

OFFICIAL BALLOT

E

RECALL ELECTION

CLEMENT TOWNSHIP
GLADWIN COUNTY, GLADWIN, MICHIGAN 48624
APRIL 8, 2003

INSTRUCTIONS: To vote in favor of the Recall, place a cross (x) or check mark () in the square to the right of the word "YES"; to vote against the Recall, place a cross (x) or check mark () in the square to the right of the word "NO". Before returning the ballot, fold the ballot so that the face of the ballot is not exposed and so that the numbered corner is visible.

REASON FOR RECALL

Violated Open Meetings Act by: A. Engaging in closed sessions during Special Meetings on 1/19/01, 8/9/01 and 8/17/01 to discuss litigation without presence of attorney or posting. Failed to enforce Clement Twp. Zoning Ordinances as follows: A. on 5/8/99 a request from Twp. resident or a Special Land Use Permit was submitted to Clement Twp. Board. Clement Twp. Board denied request. Twp. Board continues to allow resident to operate non-conforming commercial business. B. A zoning change from Residential to Commercial was granted to a second Twp. resident on 5/7/99 by a 3-person vote. Of a 5-person Zoning Board two members were present. The third vote was cast by Supervisor Doke. After rezoning, subject property was purchased by the step-son of Supervisor Doke. No notification of intended rezoning was given to surrounding property owners.

JUSTIFICATION OF CONDUCT

In Closed Sessions during Special Meetings on 1/19/01 and 8/17/01, the Clement Township Board discussed desirability of litigation based on information received from the Township Attorney by the Board. Both meetings were properly posted in advance as required by law. No members of the public attended these meetings, and minutes of the Closed Sessions were destroyed one year and one day following the Sessions as required by law.

There was no Special Meeting and no Closed Session on 8/7/01 as stated in the reasons for demanding the recall.

As to the remaining reasons for demanding the recall, all were dated as happening in 1999. William L. Evans was elected a Trustee of Clement Township in November 2000 and was not a Trustee in 1999.

QUESTION

Shall William L. Evans be recalled from the office of Clement Township Trustee?

YES

NO

OFFICIAL BALLOT

F

RECALL ELECTION

CLEMENT TOWNSHIP
GLADWIN COUNTY, GLADWIN, MICHIGAN 48624
APRIL 8, 2003

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REASON FOR RECALL

Violated Open Meetings Act by: A. Engaging in closed sessions during Special Meetings on 1/19/01, 8/9/01 and 8/17/01 to discuss litigation without presence of attorney or posting. B. Attended an unposted meeting at Clement Twp. Fire Hall on 8/30/02 to discuss use of Fire Dept. equipment for Muscular Dystrophy Assoc. collection. Failed to enforce Clement Twp. Zoning Ordinances as follows: A. On 5/8/99 a request from Twp. resident for a Special Land Use Permit was submitted to Clement Twp. Board. Clement Twp. Board denied request. Twp. Board continues to allow resident to operate non-conforming commercial business. B. A zoning change from Residential to Commercial was granted to a second Twp. resident on 5/7/99 by a 3-person vote. Of a 5-person Zoning Board, two members were present. The third vote was cast by Supervisor Doke. No notification of intended rezoning was given to surrounding property owners. On 1/9/02 Fisch was directed by Clement Twp. board to open Savings account to deposit funds from matured Certificate of Deposit. Fisch ignored requests from Twp. residents at the 2/02, 3/02, 4/02, 5/02, 6/02 and 7/02 Board meetings to place funds in a high return account.

JUSTIFICATION OF CONDUCT

- A. I was not present for the 8/9/01 meeting. Every meeting attended was properly posted. The law allows for discussion of pending litigation without presence of an Attorney.
- B. I did not attend any meeting at the Fire Hall on 8/30/02 or on any other date.
- C. On dates mentioned for failing to enforce zoning, I was not on the township board. I was not appointed as Treasurer until September 8, 1999.
- D. A savings account for Clement Township has always existed; no "special" one was opened for deposit of mature CD funds. The savings account paid a higher rate of return than I could get on any CD investment. The funds remained in the savings account until a better rate was offered and the board directed that they be reinvested into another CD.

QUESTION

Shall Deborah Fisch be recalled from the office of Clement Township Treasurer?

YES

NO

OFFICIAL BALLOT

P

RECALL ELECTION

CLEMENT TOWNSHIP
GLADWIN COUNTY, GLADWIN, MICHIGAN 48624
APRIL 8, 2003

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REASON FOR RECALL

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JUSTIFICATION OF CONDUCT

I deny the reasons presented for my recall. You elected me by a large majority to serve your best interest. I've done just that. I've never been engaged in any closed sessions of any kind. The day the Fire Dept. ran for Muscular Dystrophy, I wasn't against it. Diane Spaulding (one of the circulators against me) and I fed all the workers and children that day, which also shows this is untrue. I supported the Fire Dept. all the way. No one is operating a non-conforming commercial business- they were approved. A zoning change only takes a 3-man vote, notification of intent would be sent out by the clerk. I was helping a business out, I stopped because I had cancer. I voted by the Law. Every person must follow it. All 5 board members turned it down. It only takes 3 votes of a 5-man board. There is no conflict of interest.

QUESTION Shall Sharon Prosser be recalled from the office of Clement Township Trustee?

YES

NO

IN WITNESS WHEREOF, We have hereunto set our hands and affixed the Seal of the County of Gladwin this 9th day of April, 2003.

Seal

Nancy Offerbecker
Chairperson
William Crandall
Patricia McGinnis
Betty Gavin

ATTEST:

Paula E. Flach
CLERK – Board of Canvassers