



MICHIGAN ASSOCIATION of COUNTY CLERKS

Greetings from your President

Carol Vernon
President
Gratiot County

Marcee Purcell
First Vice President
Mecosta County

Marney Kast
Second Vice President
Hillsdale County

Sandra Moore
Third Vice President
Crawford County

Dawn Olney
Secretary
Benzie County

Becky Griffin
Treasurer
Oceana County

Directors

Nancy Kolich
District I
Delta County

Karen Bluhm
District II
Osceola County

Cindy Luczak
District III
Bay County

Mary Hollinrake
District IV
Kent County

Linda Kozfkay
District V
Sanilac County

Thanks so much for all who were able to attend the Quarterly Conference in Clare. It was great to see so many of you. For those of you unable to attend, you were missed and we hope to see you in August.

Because we want to keep everyone informed and share all the information we are able, those presentations will be up-loaded to our MACC website for your review. We know and understand the barriers that can keep a clerk from attending a conference, and appreciate your desire to continue to grow through MACC.

We had some great information presented on Friday by Connie DeFord on parliamentary procedures followed by an outstanding presentation on the CCW process by Donna Payne from MSP Firearms Unit and Sarah VanDenburg, Sr. Deputy Clerk in Barry County. Sue Kaltenbach and Sandy Moore led a round table discussion as they described their jury board processes. On Saturday Sally Williams from the Bureau of Elections presented their new website portal that looks very user friendly. It has training information, videos, manuals and more. Sally also provided us with a copy of the post election audit checklist and invited more counties to consider being a part of the pilot program.

Our association meeting was full of reports, reviews, questions, answers and concerns. Tim Snow presented the results from the surveys, and we thanked him for all his hard work on the project.

During the legal committee presentation, concerns were heard from clerks who are being assigned duties by their Boards of Commissioners; such as, taking minutes

for various committees that include committee of the whole, committees with or without a quorum, programming or setting up election machines and/or other random duties. As I was driving home and thinking about those conversations, I kept thinking that I'd heard



*Carol Vernon
MACC President*

it before somehow, but in a different light perhaps. Finally it came to me -- "unfunded mandates!" The legal committee would like to hear from you on these matters. Please contact Carolyn Flore with those issues.

Our MACC-PAC silent auction was great! Thanks to all who contributed or purchased. Sandy Moore did a good job and will have even more planned for us in Kalamazoo. We raised \$900+ last I knew. It gets us off to a good start towards our goal. There will be lots of legislative activity this year, so we need to puff up the PAC! Bring those goods and treats from your counties and other items you'd like to see up for bid.

We are hoping for 100% for the 2013 MACC membership. Please encourage your neighboring counties to join. We have so much to offer.

We are working very hard on putting together a great annual conference at the Radisson in Kalamazoo August 25 - 28. I am looking forward to seeing everyone there.

Inside this issue...

Letter from the President.....	1
Legislative Update.....	2 - 3
Website Update.....	3
Spring Quarterly Meeting in Review.....	4 - 5
The Survey Says.....	6
MACC - Pac Update.....	6
Summer Conference Preview.....	7 - 8
MACC PAC Contributions.....	9

Legislative Update



Bill Zaagman
Governmental Consultant Services, Inc.
MACC Lobbyist
zaagman.w@gcsionline.com



Spring brings new Election Laws

As the signs of spring begin popping across the state, so too, do a number of new election law changes signed late last year. These changes were not given immediate effect by the Legislature; therefore, they became effective on March 28, 2013. Public Act 523 of 2012 addresses the following issues:

- **Absentee Voters to Show ID**

Voters applying for an absentee ballot at the clerk's office will be required to show photo ID. However, if a voter applies in-person without ID and does not present ID upon returning the ballot or returns the ballot by mail, the ballot shall be processed as a challenged ballot under MCL 168.727. The photo ID requirement does not apply to a voter who applies for an absentee ballot by mail.

- **Citizens to Show ID when Registering to Vote In-person**

Under MCL 168.497C, a person registering to vote at a branch office or a clerk's office will be required to show acceptable photo identification or sign an affidavit of identity.

- **Voter Applications**

Applications to vote will be modified to add a statement where the voter affirms his or her United States citizenship by signing the application. The voter will not be required to check a box affirming citizenship. Similar affirmative statements are incorporated into the absentee voter applications along with a new statement on citizenship added to the "warning" statements.

- **Some MOVE Ballots to be Accepted Longer**

Clerks who miss the 45-day MOVE deadline will be ordered to accept those ballots after the Election Day deadline. Under new provisions to MCL 168.759A, the Secretary of State is required to order local clerks to accept MOVE ballots for a total number of days equal to the number of days the 45-day deadline was missed. For example, if a local clerk sends MOVE ballots 40 days prior to the election, the Secretary

of State is required to order the local clerk to accept MOVE ballots for an additional five days beyond the deadline.

- **September Village Elections Eliminated**

Villages are no longer permitted to hold September elections. Those currently with a September date, must hold their elections at the even-November election date moving forward. Under the existing provisions of MCL 168.644g, the terms of sitting officers are automatically extended until November 2014. Terms are not permitted to be shortened, only extended.

- **Education Offices Reordered on Ballot**

Two education offices are re-ordered on the non-partisan portion of the ballot. Community college trustees and ISD board members now appear immediately following judges of the district court and before city officers.

- **Cities Can Opt to Even-November Elections**

Cities may move their governing body elections to the even-year election date. The governing body of any city desiring to move to the even-November date must hold a hearing and adopt a resolution in compliance with MCL 168.642. Under MCL 168.321, a city is permitted to move its election by adopting a resolution in compliance with MCL 168.642 regardless of any charter provision to the contrary.

- **Clerks Required to Track Voters without ID**

Local clerks are required to report to the county clerk, within 7 days following an election, the number of affidavits of identity signed by voters under MCL 168.523(2). County clerks have an additional 7 days to compile a county-wide report and transmit it to the Secretary of State.

Legislative Update continued...

- **Ballot Coaching Notice**

The Secretary of State is required to develop a poster explaining ballot coaching and indicating that it is an illegal activity. The poster is required to be prominently displayed for a period of 45 days before each election at each residential care facility in the state.

All of the changes can be viewed at www.michiganlegislature.org. Click on "Public Act (Signed Bills)" which appears on the left column. Enter "523" in the appropriate box and be sure "2012" appears in the box below. Click on either the PDF or text icons appearing next to "Public Act."

House Committee Moves Ballot Deadline Bills

Several bills moving the deadline to call for certain local ballot questions were reported from the House Elections & Ethics Committee. As introduced, House Bills 4393- 4397 would have moved several of the deadlines to call for a local ballot question from 70 days to the fifteenth Tuesday before the election—a 35 day increase. However, the Michigan Townships Association and other groups representing local governments objected to 15 weeks. Representatives from the MTA argued that the increase to 15 weeks would have effectively prohibited them from holding consecutive millage elections if the first one failed. In the spirit of compromise, MACC agreed to amendments which moved the deadline to the twelfth Tuesday before the election. With the amendments, the bills were unanimously reported from committee. The House is expected to move the bills in the coming weeks. Similar bills were introduced last session moving the deadline to twelve weeks passed the House and were not taken up in the Senate.

House Passes Bills to Eliminate Local Canvassing Boards

The House unanimously passed legislation to eliminate township and city boards of election canvassers and transfer any remaining responsibility and functions to the board of county canvassers. House Bills 4168-4171, supported by MACC, were introductions from previous sessions. The bills were referred to the Senate Local Government and Elections Committee where they are expected to be taken up in the near future.

House Passes County Commissioner Vacancy Bill

Legislation to cancel a special election for a county commission vacancy that occurs in the odd-year passed the House 75-35 last month. House Bill 4307, introduced

by Rep. Lisa Lyons (R-Alto), amends the Michigan Election Code to allow for a county commission vacancy occurring in the odd-year to be filled by appointment rather than by special election. The bill, a reintroduction from last session, was supported by MACC. The bill was referred to the Senate Local Government and Elections Committee where it is expected to be taken up in the near future.

CPL Changes Reintroduced

Legislation to eliminate the county gun board and shift CPL approval to the Michigan State Police has been reintroduced in the Senate. Senate Bill 112, introduced by Senator Mike Green (R-Mayville), is identical to legislation that Governor Snyder vetoed last session. In addition to eliminating the gun board, the legislation makes a number of changes to the application process. MACC worked closely with the bill sponsor last session to address a number of concerns and preserve and enhance the role of the clerk in the process. Had the legislation stopped there, it would have been signed last session. However, in addition to the CPL reforms, the bill sponsor included provisions which would have allowed individuals with enhanced weapons training to carry concealed weapons in pistol-free zones. It was those provisions which ultimately caused the Governor to veto the bill. The bill was referred to the Senate Judiciary Committee.

Website Update

The website has been up and running for a few months now. We hope that you find it to be helpful. If you have an item you would like displayed on the website, please feel free to send it to Diane Zuker or Jeff Hammer. We, along with the website committee will evaluate whether it is appropriate to be displayed on the website either on the public or the private side. We want to expand on what we have, but at the same time do not want to clutter up the site with unnecessary information.

Recently we placed all the email contacts on the private side of the website in a list to allow you to send group emails to members of our association without having to funnel them through Tara. This works very well if you use Microsoft Outlook. However if you use another email program, you may have difficulty sending group emails, unless each email address is delineated by a semi colon. Feel free to contact Diane Zuker if you are struggling with group emails and she will try to assist you in coming up with a solution.

Spring Quarterly Meeting in Review

by Tim Snow

Kalamazoo County Clerk & Register of Deeds

What's two inches of snow in April when County Clerks are huddled together at the Doherty Hotel in Clare? Fifty-six of us were there for all or part of the conference. Several very interesting sessions were held. Here's a quick review of what happened on April 12-13.

MINUTES & PARLIAMENTARY PROCEDURE

Connie Deford, Professional Registered Parliamentarian and retired Clerk of Bay City gave an interesting workshop regarding the many aspects of minutes and parliamentary procedure as it relates to public bodies. Some of the points made were:

- Minutes are an official record of the proceedings of a deliberative assembly and are the legal public record of a meeting.
- Minutes are NOT a verbatim transcript, nor do they include the opinion of the recorder.
- A consent agenda can be used for to dispense with routine items on an agenda. It is up to the body to determine which items may appear on the consent agenda.
- The body of the minutes includes all main motions or motions to being a main question again before the assembly, except those that were withdrawn. Do not include what did not occur.
- Proposed minutes are only a draft and do not become "the" minutes until approved. Minutes are approved at the next regular meeting. Under Michigan Law, the body can correct minutes again at the second meeting following, but then they are permanent.

Closed session minutes can be approved while in the closed session. Some clerks take minutes on a form which is then circulated prior to returning to open session.

Many more points were made and questions answered. Connie's presentation will be placed on the MACC website soon.

CONCEALED WEAPONS UPDATE

Sarah VanDenburg, Sr. Deputy Clerk, Barry County Clerk's Office and Donna Payne, Departmental Analyst from the Michigan State Police gave an update and review of procedures for accepting CCW applications in the Clerk's Office.

The normal procedures that should be used when accepting a CCW application were reviewed. Barry County uses several additional forms that other counties may find helpful.

- Application for Exempt CPL License
- Criminal History Response Request
- Application for Temporary CPL License

Donna mentioned an excellent point regarding PPO's:

- Once you receive notification that a licensee has a PPO issued against them, schedule a special meeting as soon as possible.
- The must **revoke** the CPL immediately. The Sheriff's Department will enter the revocation into LEIN.
- If at the objection hearing, the PPO is dismissed, the Sheriff's Department will remove the revocation. The CPL holder may obtain a replacement CPL permit at no charge.
- If the PPO stands, the license remains revoked and the CPL holder would need to re-apply when the PPO is expired.

A few other items were also brought up by Donna Payne:

- Clerks may want to follow up with CPL applicants who have not had fingerprints done. They may be wondering why they have not been approved. The law does not address a time frame for getting fingerprints done after the application is made
- Clerks may send FOIA requests for CPL Board minutes to State Police.

Spring Quarterly Meeting in Review continued...

- To suspend a CPL holder, the members of the CPL Board may telephone each other to approve a suspension prior to a meeting.
- Please send all restoration of rights forms (approved or denied) to State Police. Remind applicants for restoration of rights that even if approved, they will be limited to use black powder (muskets) or pellet guns.
- There should not be pending applications longer than 6 months.

The presentation and Barry County forms will be placed on the website soon.

JURY BOARD ROUNDTABLE

Following dinner, everyone gathered together again for a roundtable discussion about Jury Boards. Sue Kaltenbach (Saginaw) and Sandy Moore (Crawford) talked about what they do and other clerks added their thoughts. There is a wide differential between small and large counties when it comes to the percentage of the eligible population that is called for jury duty annually.

There was a brief discussion regarding the actual need for a jury board. Several clerks indicated that as their Jury Board members do very little of the process, do we really need to have them? This subject may be discussed further.

BUREAU OF ELECTIONS – ONLINE TRAINING PORTAL & UPDATES

On Saturday morning, Sally Williams from the Bureau of Elections presented information on the soon-to-be-released On Line Training Portal through the BOE. This is an exciting new concept in the world of Michigan elections. All clerks (county and local) will be able to see and use the portal very soon. Here are some of the things it will have available:

- Training videos (current, with more to come)
- Downloadable Outlook Calendar with all important election related dates
- Ability to create groups among your local clerks
- Information sharing among clerks
- Election subject blogs

- Ability to search for thousands of election-related items
- Links to other election-related websites

Look for an e-mail soon (if it has not come by now) inviting you to participate in the portal. Regional training on the portal will be held throughout the State in the next month.

Sally also updated the Association about some other things the Bureau has been working on:

- Client QVF computers (not the main computer provided by the State) can be updated to use Windows 7. This includes laptops used for QVF-Lite.
- Each module of QVF will be modernized over the next 2 years. A small group of active users will be assembled to test the new QVF.
- Test Deck Manual will be updated.

The recent precinct audits were also discussed. For the most part, there were no huge issues, but the results will be used for updating training materials. The Bureau is looking for more counties to participate in the audit process. Contact Sally Williams if you are interested in joining the group. The audit manual and forms have been updated already following the first audit.

Keep watching your e-mails for more information from the Bureau of Elections.

ASSOCIATION MEETING

Also on Saturday morning, an Association Meeting was held. Dates of upcoming meetings were announced:

- Summer Conference – August 25 – 28 at the Radisson Plaza Hotel in Kalamazoo
- Fall Quarterly Meeting – November 1 – 2 at the H Hotel in Midland
- Spring 2014 Quarterly Meeting (tentative) – April 11 – 12 at the Perry Hotel in Petoskey
- Summer 2014 Conference – August 17 – 20 at the Park Place Hotel in Traverse City
- Fall 2014 Quarterly Meeting (tentative) – November 7 -8 at Holiday Inn – Big Rapids

The Survey Says...

by Tim Snow

Kalamazoo County Clerk & Register of Deeds

The Standardization & Review Committee presented the preliminary report on the three surveys sent to all members of MACC in March. A few more responses are expected, and when the survey report is completed, it will be available on the MACC website. The information gathered in the survey should be helpful in a variety of ways to many.

Here's a taste of some of the things we found out:

- As of the conference, 71 County Clerks had responded to the surveys. This was the largest response we have had to any survey.
- "Official" Working Hours
 - We know that whatever the official hours are, we all work more hours than that.
 - 38 of the 71 responding counties have a 40 hour week
 - The average work week is 38.13 hours
- Salary
 - The average salary for a County Clerk in Michigan is \$59,203.16.
 - The lowest salaries are generally in the smaller counties. The Upper Peninsula (District 1) has the lowest average salary (\$47,799.35).
 - Additional Duties
 - 33.8% of the Clerks have additional duties that they are paid for. This additional pay is not included in the salary average.

- Retirement Benefits
 - 61 of the 71 responding counties have a Defined Benefit Plan for their retirement
 - 48 of the 70 responding counties will not receive any health benefits after retirement, however, 35 can purchase health insurance through the County
- Only 2 areas of responsibility are universal among County Clerks: Vital Records and Concealed Weapons Permits.
- More counties than expected are responsible for accounting, insurance, etc.
 - General Accounting – 37 of 66 responding
 - Countywide Budget – 19 of 63 responding
 - Human Resources – 35 of 67 responding
 - Insurance Administration – 31 of 66 responding
 - FMLA Administration – 25 of 65 responding
- 21 Counties have full time elections staff, but 33 have no elections staff
- Over half of the counties do election set up and programming in house (themselves or staff)

A few more responses have been received and will be included in the final report. Thanks to everyone for participating in the survey.

MACC - PAC Update

Third Vice President Sandy Moore and her committee had a silent auction at the Spring Quarterly Meeting and raised over \$950.00. At the meeting, Education Director Tara Paksi gave an overview of MACC-PAC, noting that the costs for attending fundraisers are increasing all the time, so in order for County Clerks to have a presence at these important events, more money needs to be raised this year. A goal of \$5,000 has been set for 2013. Another silent auction will be held at the Summer Conference in Kalamazoo. Sandy would like everyone to bring 1 or 2 items from your county to the conference. It would be great to see a wonderful display of Michigan products.

General contributions towards MACC-PAC are greatly appreciated. Any amount is welcome and we would like to see 100% participation this year. Personal checks can be made out to MACC-PAC and mailed to:

Tara Paksi
Governmental Consultant Services Inc.
120 N. Washington Square, Suite 110A
Lansing, MI 48933

Summer Conference Preview

by Tim Snow

Kalamazoo County Clerk & Register of Deeds

Yes, Summer Conference is more than 4 months away, but it's not too early to start thinking and planning your trip to Kalamazoo.

Maybe you've not been to Kalamazoo recently and are wondering what else there is to do there other than the conference. Maybe you are wondering if you should bring your family.

Kalamazoo is a very family-friendly area and here are a few places of interest you can check out on line between now and when the reservations need to be in.

FAMILY ACTIVITIES

Air Zoo 5 miles south – next to the Airport www.airzoo.org



Kalamazoo Nature Center 5.5 miles north of hotel www.naturecenter.org



Binder Park Zoo 26.5 miles east off I-94 (Calhoun County) www.binderparkzoo.org



Gilmore Car Museum M-43 (Barry County) www.gilmorecarmuseum.org

15 miles northeast on www.gilmorecarmuseum.org



Kalamazoo Institute of the Arts 5 blocks from hotel www.kiarts.org



Kalamazoo Valley Museum 1 block north of hotel www.kalamazoomuseum.org



ADULTS MAY ENJOY....

Bell's Eccentric Café 6 blocks from hotel www.bellsbeer.com



Inspired Brewing®

St. Julian Winery 20 miles West of Kalamazoo off I-94 (exit 60) (Van Vuren County)

Summer Conference Preview continued...

www.stjulian.com



Warner Vineyards 20 miles West of Kalamazoo off I-94 (exit 60) (Van Buren County)



Tempo Vino Winery 6 blocks from hotel www.tempovinowinery.com



Lawton Ridge Winery 8 miles West on Stadium Drive

Peterson & Sons Winery 15 miles southeast near Scotts

CASINOS

Gun Lake Casino 27.5 miles North off US 131 (Allegan County)

www.gunlakecasino.com



Firekeepers Casino 29 miles East of I-94 (Calhoun County)

www.firekeeperscasino.com



Welcome to Kalamazoo – August 25 – 28



Here's the Pure Michigan Ad about Kalamazoo

http://www.youtube.com/watch?feature=player_embedded&v=rbKVANI03bA

More information is available at www.discoverkalamazoo.com.

Looking forward to seeing you in Kalamazoo!

MACC Calendar of Events

August 25 - 28
Summer Conference
Radisson
Kalamazoo

November 1 & 2
Fall Quarterly Meeting
The H
Midland

The Following Counties Have Contributed to the MACC PAC This Year

