



Summer 2015

Michigan Association of County Clerks

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Marney Kast
Hillsdale County Clerk

A Message From Your President

Summer Greetings!

It's hard to believe how fast time flies! Just to give you a word of encouragement – we're not getting older; we're getting better! Better at adapting to all of the whirlwind changes whether we agree with them or not. That's why they put a "1" on top of the door to the County Clerk's office according to my predecessor, Tom Mohr. County Clerks

always seem to be on top of what is going on in their counties.

I'm happy to report that the Notary Fund paid a little over \$28,000 of the \$55,000 grant for our education and training expenses. As you may recall, our grant was reduced to \$55,000 of the \$75,000 that we would normally receive. As soon as the bills are in from the summer conference, we will submit the expenses and hopefully there will be enough funds to cover the majority of the cost.

Our April conference was a huge success with a high record attendance. The H Hotel accommodations and staff were wonderful. We had presentations from Robin Houston from the Office of the Great Seal regarding Notaries, updates from Glenn Copeland on the new marriage ruling and demonstrations from various vendors on the new voting machines. It was also bittersweet as we honored three of our retiring clerks – Carolyn Flore from Missaukee, Laurie Breuker from Newaygo and Pattie Bender from St. Joseph County. We will miss them and the knowledge they brought to our association. Jim Riffle from Mason County will also be missed, but I understand that he is into digging drains now. With that said, we welcome their replacements – Andrew Robinson - Newaygo, Lindsay Oswald - St. Joseph and Cheryl Kelly – Mason. Carolyn will be retiring the first of August, so we will look forward to meeting her replacement.

Our hearts and prayers certainly went out to Nancy Waters from Muskegon County in the loss of her son and John Gleason from Genesee County in the loss of his father this year. I received an update on Cheryl Browe's husband, Raymond. He is doing much better and plans on attending the Conference in August. She said that he is moving slow but he is moving and is now in outpatient rehab. Cheryl said that all of his injuries were internal; neck injury, brain injury (concussion), 18 broken ribs, bruised lungs and a bruised kidney. So we probably won't see him out on the dance floor – at least not

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at this conference. Both are thankful for all of the prayers that went up because that is what pulled him through.

The August conference will be here before you know it at Boyne Highlands. There is a great line up of information coming your way. Don't get left behind! This will not be your normal conference because I am not normal. Most of you know that already. Tuesday night will be Hawaiian style. So brush up on your talent skills. Can't wait to see how Bonnie Friedrich from Alpena will dress! Remember her office attire outfit?? Please dress casual but colorful. Diane Zuker will be planning a special swearing in ceremony for our 2016 Officers. I appreciate her willingness in putting this together.

At every summer conference, we elected the MACC Officers for the upcoming year. Kris Millard from Montcalm County has put her name in for the nominee of 3rd Vice President and Jill Nowak from Manistee County has put her name in for the Secretary's position. If anyone is interested in one of these two positions, please let your District Chair know and pass the information on to me. Dawn Olney, Benzie County Clerk, has decided to finish out the year and retire as Secretary of MACC. She has done an outstanding job for the association. Thanks Dawn! She will continue to

remain the Benzie County Clerk.

Please remember to bring something for our 130 goodie bags. Cindy Luczak, Bay County Clerk has volunteered to pick up the items on her way up to Boyne if you can't make it up there when the time comes to pack the bags. Her contact information is luczak@baycounty.net. Her phone number is 989-895-4283. Also remember your filled baby bottles (loose change) if you picked one up or a baby item from the list for Alpha Omega Care Pregnancy Center. For newer clerks, the president chooses a charity and clerk's bring in items for that charity. This is not only a care pregnancy center, but will be assisting families on parenting and life skills. I am excited for our organization to partner with Alpha Omega.

Enjoy your summer. Looking forward to seeing all of you in August!

Be safe (especially all of my 'motorcycle mama' friends) and may God bless!

Marney

Marney Kast, Hillsdale County Clerk
MACC President 2015



Bill Zaagman
GCSI
MACC Legislative
Liaison

Legislative Update

Legislature Completes Work for the Session

Rep. Lyons Unveils Secure No-Reason AV Legislation

In late June, Chair of the House Elections Committee, Representative Lisa Lyons (R-Alto), introduced legislation to expand absentee voting to more voters. House Bill 4724, referred to the House Elections Committee, would permit registered voters

to receive absentee ballots even if the voter doesn't meet one of the of the six permitted reasons. Under her proposal, a voter may apply in-person at his or her clerk's office and be issued an absentee ballot upon completing the application and showing picture ID. At the first hearing on the bill, Secretary of State Ruth Johnson spoke in strong support of the measure explaining that the provisions would provide additional access for voters to vote absentee while eliminating

potential fraud. Additional hearings are expected this fall.

Bill Would Allow Judges to Remove Elected Officials

Senator Rick Jones (R-Eaton County) introduced legislation to permit a governing body to call for the removal of an elected official which would trigger a circuit court hearing. By a two-thirds vote, the governing body of a city, village, township or county could petition the circuit court for the removal of an elected office for one or more of the following:

- 1) The officer committed misfeasance, malfeasance or nonfeasance in office pertaining to the custody of or accounting for public money; or,
- 2) The officer failed to obtain or maintain a statutorily required bond prescribed by law.

Should a governing body attain the two-thirds vote necessary, the circuit court judge would be required to hold a hearing not sooner than 30 days or more than 60 days after the officer subject to the hearing receives notice of the governing board's action. After a hearing, the judge shall issue either dismiss the complaint or issue an order upholding the complaint by declaring the office vacant. Senate Bill 431 was introduced on July 1 and referred to the Senate Elections and Government Reform Committee chaired by Senator Dave Robertson (R-Grand Blanc).

Elimination of Straight-Party Voting Proposed

A bill to eliminate straight-party voting from the ballot has been proposed by Senator Marty Knollenberg (R-Troy). Senate Bill 13 would amend various sections of the Michigan Election Law by striking provisions requiring straight-party voting options. Although the bill has not received a hearing in the Senate Committee on Elections and Government Reform, there was much chatter in Lansing that a hearing was being pushed. There have been two previous attempts to eliminate straight-party voting. In both instances, the laws were challenged when opponents gathered signatures calling for a statewide referendum on the laws. In both instances, the laws were overwhelmingly overturned by the voters.

Governor Signs Bills Eliminating February Elections

Michigan will have one fewer election date beginning in 2017 as a result of legislation signed by Governor Snyder back in June. Public Acts 98 through 101 of 2015 amend the Michigan Election Law by eliminating the annual February election date. The bills overwhelmingly passed both the House and the Senate on their way to the Governor's desk. Although the bills take effect in September 2015, clerks won't see the impact until 2017. The February 2016 date was already moved to March

8, 2016 to accommodate the Presidential preference primary. Existing provisions allowing for a school district to call for a special election were retained. Section 641(4) (MCL 168.641) prescribes the process by which a school district can call for a special election through initiative petition.

House Fails in Moving Public Notice Modernization Bill

Proponents of legislation modernizing the State's legal notice requirements will have to wait until fall after a vote to pass the bill fell short in the House in late June. House Bill 4183, sponsored by Rep. Amanda Price (R-Holland), creates the "Local Government Public Notice Act" by phasing in new legal notice protocols over a ten year period. The effort is aimed at giving local governments more ways to make legal notices available to the public using modern technology. As many as 250 separate state statutes require cities, townships, school districts, counties and authorities to publish notices informing the public of a variety of activities, including: meetings, meeting minutes, proposed ordinance revisions, assessments, proposed property re-zonings, upcoming elections, voting equipment accuracy testing and much, much more.

House Bill 4183 creates a new Act and phases out requirements to print legal notices in newspapers and reorganizes legal notices into three tiers (A,B and C) with each tier requiring notices varying levels of notice made available on a publicly accessible website for a varying number of days. Notices would be required to be permanently archived to the website for future review. If enacted, the bill would still allow for public notices to be published in a print newspaper if the residents collect signatures to place the question before the electors. If the electorate upholds print newspaper postings, the bill spells out how that is to occur. In those cases, the public notice might need to be published once in a newspaper and simultaneously be published to the local government's website, instead of twice in the print newspaper. The bill also prescribes alternatives to print newspaper and allows for alternatives to print newspaper, including other media like community public television and radio stations, electronic dissemination, and use of local government web sites.

Since being reported from committee, the bill has been stuck on the House floor. Clerks are encouraged to contact their State Representative to urge support! Contact information can be found at www.house.mi.gov.

Welcome New County Clerks

Welcome to two of our new County Clerks – Cheryl Kelly from Mason County and Lindsay Oswald from St. Joseph County

Cheryl Kelly was appointed Mason County Clerk on April 1, 2015 to replace Jim Riffle, who changed offices and became the Mason County Drain Commissioner.

Cheryl's experience was in the medical field, where she worked for 22 years. She joined the Mason County Treasurer's Office in 2012 before applying to become County Clerk.

She and her husband Wayne Kelly (married for 24 years) own a centennial fruit farm, which is combined with a horse boarding facility. Cheryl enjoys her family and raising/breeding Paint Horses.

Cheryl and Wayne have two daughters who are both in college. One is at Ferris State University studying pre-pharmacy, and the other is at Grand Valley studying pre-med.

Lindsay Oswald became St. Joseph County Clerk & Register of Deeds on July 1, 2015, succeeding Pattie Bender, who retired after 24 years as County Clerk.

Lindsay grew up in Saginaw Township and received her Bachelor's Degree from Saginaw Valley State University, and has a Master's Degree from Trine University. In 2003, she moved to St. Joseph County. She served as Deputy Clerk and later City Clerk for the City of Three Rivers and has earned her Certified Municipal Clerk designation through the International Institute of Municipal Clerks.

She has two boys, ages 6 and 8, and they are going into the 2nd and 4th grades. Her favorite things are reading with the boys, running, biking and making trips to Lake Michigan.

Welcome to Cheryl and Lindsay! Be sure to meet them at Boyne Highlands!

Stay tuned for information in our next issue about our two additional new clerks, Jessica Nielsen from Missaukee County and Andrew Robinson from Newaygo County.

UPCOMING MACC DATES

MACC Fall Quarterly

Radisson, Lansing
November 20 & 21, 2015

District 4 Meetings - Southwest Lower

September 18, 2015 - Montcalm County
December 4, 2015 - Calhoun County



Surveys...Surveys!

Tim Snow

Kalamazoo County Clerk

If you are at the Summer Conference, you will receive a copy of the spring Survey done by the Standardization and Review Committee which dealt with the fee County Clerks charge in their offices. Here's a short preview of what we found. 70 Counties responded to the survey, so we have some very good data to help you determine what costs should be in your offices. The survey also shows some differences among the counties as far as services provided.

Here are a couple of examples:

The most common fee for a vital record is \$10, with 31 counties charging that amount. The next most common is \$15, and 22 counties have that fee. The average fee among the 69 counties that responded to this question is \$12.79.

The most common fee for a certified court record (complete record) is \$10. 24 out of 32 counties responding to the question charge that amount. The average fee is \$7.19.

All the data will be presented at the conference during the business meeting, and will be placed on the website after the conference.

Immediately after the conference another survey will be sent out regarding salaries and duties. A similar survey to this was done in 2013, but it was felt that with so many new clerks, updated information will be helpful. Look for this survey in early September (after Labor Day).

UCOA Fall Conference

Mark your calendars on October 4-5-6 for the UCOA Fall Conference at Bay Pointe Inn on Gun Lake in Barry County. The program is being finalized and more information will be coming out soon. Bay Pointe is a beautiful facility and again we will have the entire resort (41 rooms). Watch your e-mail in another week or two for the official announcement.

MACC

Anniversaries

Diane Zuker - Clinton County
Bonnie Friedrichs - Alpena County
Marcee Purcell - Mecosta County

20 years
15 years
10 years

May 17
July 1
June 13

Congratulations to all!!



MACC Fall Quarterly

The Radisson, Lansing

November 20 & 21, 2015