



Anthony G. Forlini

Macomb County Clerk
Register of Deeds

Kathy Smith
Chief Deputy Clerk

Jennifer Walker
Deputy Register of Deeds

MACOMB COUNTY ELECTION COMMISSION

MEETING NOTICE

Date/Time: Friday, July 29, 2022, 11:00 a.m.

Location: Macomb County Election Department Conference Room
32 Market Street, Mount Clemens, 48043

AGENDA

- I. Call to Order
- II. Adoption of Agenda
- III. Public Participation (*limited to five minutes*)
- IV. Approval of minutes from June 3, 2022 Election Commission Meeting
- V. Judge Clarity and Factuality of Recall Petitions Filed Against Daniel Detkowski and Cindy Olsen, Washington Twp. Trustees (*proponent of recall/legal representative and named official/legal representative may present argument on each item before vote is taken*)
 - 1) Daniel Detkowski Petition
 - 2) Cindy Olsen Petition
- VI. Unfinished Business
- VII. New Business
- VIII. Public Participation (*limited to five minutes*)
- IX. Adjournment

Macomb County Election Department

32 Market Street • Mount Clemens, MI 48043-5640
586-469-5209 • macombgov.org/elections • elections@macombgov.org

**MACOMB COUNTY ELECTION COMMISSION
SPECIAL MEETING
June 3, 2022**

UNOFFICIAL MINUTES

The Macomb County Election Commission met on Friday, June 3, 2022, in the courtroom of Judge Harrison on the 5th Floor, 40 North Main, Mount Clemens with the following members present:

Judge Sandra A. Harrison – Senior Probate Judge
Larry Rocca – County Treasurer
Anthony G. Forlini – County Clerk and Register of Deeds

Also Present: Michael Grix – Election Department
Goce Nedanovski – Election Department
Frank Krycia – Corporation Counsel’s Office

CALL TO ORDER

Judge Harrison called the meeting to order at 10:30 a.m. Roll call was taken by Judge Harrison. All members of the commission were present.

ADOPTION OF AGENDA

A motion to adopt the agenda was made by Larry Rocca. Anthony Forlini seconded the motion. The motion passed unanimously.

PUBLIC PARTICIPATION

None

APPROVAL OF MINUTES FROM MARCH 10, 2022 ELECTION COMMISSION MEETING

Anthony Forlini made a motion to approve the minutes as presented. Larry Rocca seconded the motion and noted a correction that needs to be made: Amend the minutes to change the word “minutes” to “ballots” in the ‘Approve Ballots for the May 3, 2022 Special General Election’ section. The motion to approve the minutes, as amended, passed unanimously.

APPROVE BALLOTS FOR THE AUGUST 2, 2022 PRIMARY ELECTION

Larry Rocca made a motion to approve the ballots as presented. Anthony Forlini seconded the motion. The motion passed unanimously.

UNFINISHED BUSINESS

None

NEW BUSINESS

None

PUBLIC PARTICIPATION

None

ADJOURNMENT

At 10:33 a.m., Anthony Forlini made a motion to adjourn the meeting, seconded by Larry Rocca. The motion passed unanimously and the meeting was adjourned.

Anthony G. Forlini
Macomb County Clerk and Register of Deeds

INSTRUCTIONS ON REVERSE SIDE

RECALL PETITION

FILED 2022 JUL 15 PM2:04
MACOMB COUNTY CLERK

City
 Township
 Village of
CHECK ONE

} Washington

Macomb

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

calling of an election to recall Cindy Olsen from the office of Township Trustee, n/a for the following reason(s):
(Name of Officer) (Title of Office) (District, if Any)

On June 2, 2021, Cindy Olsen voted to increase her base salary as a Washington Township Trustee

← FOR CLERK'S USE ONLY

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		
					MONTH	DAY	YEAR
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2.							
3.							
4.							
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12.							

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.

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.

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)

(County of Registration, if Registered to Vote, of a Circulator who is not a Resident of Michigan)



INSTRUCTIONS ON REVERSE SIDE

RECALL PETITION

FILED 2022 JUL 15 PM2:09
MACOMB COUNTY CLERK

City
 Township
 Village of
CHECK ONE

} Washington

Macomb

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

calling of an election to recall Daniel D. Detkowski from the office of Township Trustee, n/a for the following reason(s):
(Name of Officer) (Title of Office) (District, if Any)

On June 2, 2021, Daniel D. Detkowski voted to increase his base salary as a Washington Township Trustee

← FOR CLERK'S USE ONLY

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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)

(County of Registration, if Registered to Vote, of a Circulator who is not a Resident of Michigan)



FILED 2022 JUL 15 PM 2:03
MACOMB COUNTY CLERK

Macomb County Election Department

RECEIPT FOR RECALL LANGUAGE SEEKING CLARITY REVIEW

Person(s) Being Recalled

Office Held

DAVID D. DETKOWSKI

TRUSTEE

CINDY OLSER

TRUSTEE

SUBMITTED BY:

JEFFREY BACHOCHIN

ADDRESS:

#17079 MIDDLECOFF DRIVE

CITY & ZIP:

WASHINGTON TWP., 48094

PHONE:

(586) 703-6973

E-MAIL ADDRESS:

bachochinjeffrey@gmail.com

SIGNATURE:

Gosia Nedzwiedzki - Assistant
ELECTION CLERK

Macomb County Election Department

32 Market Street
Mount Clemens, MI 48043-5640
586-469-5209; Fax: 586-469-6927
macombgov.org/elections
elections@macombgov.org

Jeffrey Bachochin
7079 Middlecoff Dr.
Washington, MI 48094

Macomb County Election Department
32 Market Street,
Mount Clemens, MI 48043

RE: Washington Township Recall Petitions

To whom it may concern:

Attached please find proposed recall petition language for Washington Township Trustees. Please advise when a hearing will be scheduled for the Election Commission to consider approval. In addition, I have provided supporting data for the factual statements in the petition language.

Sincerely,



Jeffrey Bachochin

Dated: 15 Jul 2022.



Minutes

June 2, 2021

7:00 PM

Held at WBRW TV

8100 Wicker St.

Washington Twp. MI 48094

Charter Township of Washington
Township Hall
57900 Van Dyke
Washington, MI 48094

1. Call to Order

Supervisor Previti called the meeting to order at 7:00 pm.

2. Pledge of Allegiance

Supervisor Previti introduced Phil Randazzo, Macomb County Veteran of the year 2020, to lead the Pledge of Allegiance.

3. Attendance

The following members were present: Babinski, Detkowski, Kopp, Olsen, Nicley, Previti

The following members were absent: None

4. Agenda Approval

Motion initiated by Babinski, **seconded** by Previti to approve the agenda with the addition of item 9.8 titled Municipal & Community Credit Transfer for Smart & Star Transportation under New Business.

Yes: Babinski, Detkowski, Kopp, Olsen, Nicley, Previti

No: None

Abstain: None

Motion Carried

5. Consent Agenda

5.1. Approve Accounts Payable of 5/19/2021 - 5/28/2021

5.2. Approve Minutes, Board of Trustee Meeting of 5/19/2021

5.3. Accept Treasurer's Report April 2021

5.4. Approve Parks and Recreation Accounts Payable of 5/21/2021 and 05/28/2021

Treasurer Nicley thanked Trustee Olsen for noticing an error in the Treasurer's

Report for April 2021 in the Comerica Securities account in March vs April balances. Amount noted before voting on agenda item. Trustee Olsen commented that she had not heard back from Parks & Recreation on items she sought information on account payables.

Motion initiated by Olsen, **seconded** by Kopp to approve and accept consent agenda items with change noted.

Yes: Babinski, Detkowski, Kopp, Olsen, Nicley, Previti

No: None

Abstain: None

Motion Carried

6. Legal Counsel

None

7. Comments from the audience on Agenda items. Please send comments to : comments@washingtontwpmi.org

Supervisor Previti informed everyone that comments from the audience will be read at the time of the agenda item.

8. Old Business

None

9. New Business

9.1. Discussion and Selection of the vacant Trustee seat on the Board of Trustees

Supervisor Previti gave a summary of the process for filling the vacant Trustee position. Attorney Bob Seibert commented that the election would not be until next year 2022.

Motion initiated by Nicley **seconded** by Previti to have the people vote at the next election to fill the vacant Trustee position. Trustee Detkowski commented on the motion.

Yes: Nicley, Previti

No: Babinski, Kopp, Olsen, Detkowski

Abstain: None

Motion Failed

Supervisor Previti provided 3 minutes for each of the candidates that applied for the vacant Trustee position to speak, if they wished. Candidates Jacobson, Brown, Pohlod, Maisano and Petkov spoke. Candidate Bachochin declined speaking. Supervisor Previti commented that candidate Bongiorno was unavailable due to work. Candidates Chaplin and Hunter were not in attendance.

Motion initiated by Previti, **seconded** by Nicley to nominate Abigail Roy Jacobson as

Yes: Babinski, Nicley, Previti

No: Detkowski, Kopp, Olsen

Abstain: None

Motion Failed

Motion initiated by Olsen, **seconded** by Kopp to nominate Michael Pohlod as the candidate for vacant Trustee position.

Yes: Babinski, Detkowski, Kopp, Olsen

No: Nicley, Previti

Abstain: None

Motion carried

9.2. Clearview Homes, LLS's offer to purchase Charter Township of Washington's property (Parcel ID Nos. 04-35-105-107 and 04-35-105-018)

Supervisor Previti provided a summary of the purchase offer and brief history. Trustee Detkowski questioned why the offer was so low. Attorney Bob Seibert provided reason as to why Purchasing party was not here and background on the property. Treasurer Nicley spoke on keeping the property and having Parks and Recreation use it as a Park.

Motion initiated by Detkowski, **seconded** by Kopp to not accept offer from Clearview Homes, to purchase property owned by Washington Township.

Yes: Babinski, Detkowski, Kopp, Olsen, Nicley, Previti

No: None

Abstain: None

Motion Carried

Trustee Kopp commented that he would like to see the property to go back out to bid to see what the value is.

Motion initiated by Kopp, **seconded** by Detkowski to have both properties be put back out to bid.

Yes: Babinski, Detkowski, Kopp, Olsen

No: Previti, Nicley

Abstain: None

Motion Carried

9.3. Medical Marijuana Ordinance

Supervisor Previti talked about the reason for the ordinance and some of the issues the Township has been facing. Economic Planning Director Patrick Meagher provided more information on the ordinance for Caregivers only. Clerk Babinski posed the question on the effect on current caregivers. Attorney Bob Seibert informed the Board that the current caregivers registered with the Township would be legal non-

report on Marijuana and disagreed with the ordinance. Trustee Olsen asked how many registered caregivers the Township has. Dana Berschback replied about 5 and file is in the Clerk's office. Further discussion from the board members on whether or not inspection occur in resident and industrial operations. Chief Tyrell informed everyone that they can not do inspection on residential and that the Fire Department would be able to do inspection on industrial operations. Trustee Olsen complimented the Planning Commission on all their hard work in drafting this ordinance.

Motion initiated by Olsen, **seconded** by Kopp to adopt the amendment to the Medical Marijuana Ordinance as presented.

Yes: Babinski, Detkowski, Kopp, Olsen, Nicley, Previti

No: None

Abstain: None

Motion Carried

9.4. Zoning Ordinance Text Amendments for Residential Entranceway

Supervisor Previti explained that this ordinance is an update to the current ordinance. Patrick Meagher gave a review of ordinance. Trustee Kopp raised question about boulevards. Chief Tyrell spoke on boulevards. Rachel Hunter read comments emailed in by Joani Zwada.

Motion initiated by Previti, **seconded** by Olsen to adopt the Zoning Ordinance Text Amendments for Residential Entranceways.

Yes: Babinski, Detkowski, Kopp, Olsen, Nicley, Previti

No: None

Abstain: None

Motion Carried

9.5. United Framing Conditional Re-zoning.

Supervisor Previti introduced Mr. Lawrence (Larry) Scott. Mr. Scott spoke on behalf of the petitioner TRS. Trustee Kopp questioned if the property can revert back to original zoning if the property sells. Attorney Bob Seibert answered the question by stating "No". Discussion on future use of the property.

Motion initiated by Previti, **seconded** by Babinski to approve the United Framing Conditional Re-zoning.

Yes: Babinski, Detkowski, Kopp, Olsen, Nicely, Previti

No: None

Abstain: None

Motion Carried

9.6. Use of the Record Newspaper for Publications/Advertising/Notices

Clerk Babinski gave explanation on the purpose and reasoning behind using the

Motion initiated by Babinski, **seconded** by Detkowski to have the Township be able to use the Record Newspaper as an additional Publication/Advertising/Notices source.

Yes: Babinski, Detkowski, Kopp, Olsen, Nicley, Previti

No: None

Abstain: None

Motion Carried

9.7. Board of Trustee Compensation Analysis

Trustees Kopp, Olsen and Detkowski provided summary and background on Trustees compensation. Comments from Treasurer Nicley and Supervisor Previti made regarding the increase in compensation to the Trustees. Rachel Hunter read comments email in from Brandon Foreman and Jan Conflitti opposing the raises. Residents Phyllis Zimmerman spoke in favor of Trustees compensation and the work required. Clerk Babinski spoke in favor of Trustees increased compensation and that it is not only for Trustees currently serving but future Trustees. He mentioned he has been approached by individuals that did not want to run because of the current compensation and time required was too low. Supervisor Previti commented that the lower pay is due to trustees having higher benefit with 15% to 401k and life insurance. Treasurer Nicley asked why the pay raises were not brought up during budget sessions.

Motion initiated by Kopp, **seconded** by Detkowski to approve the base salary for Trustees to \$9,000 plus a \$100 per meeting for Board of Trustee meetings attended and to continue with 15% contribution to 401k and life insurance.

Yes: Babinski, Kopp, Olsen, Detkowski

No: Previti, Nicley

Abstain: None

Motion Carried

9.8. Municipal and Community Credit Transfer for Smart and Star Transportation.

Clerk Babinski explained this is an annual contract agreement to allow for the Municipal and Community Credit transfers for Smart and Star Transportation,

Motion initiated by Babinski, **seconded** by Detkowski to approve the Municipal and Community Credit transfers for Smart and Star Transportation.

Yes: Babinski, Detkowski, Kopp, Olsen, Nicley, Previti

No: None

Abstain: None

Motion Carried

10. Elected Officials' Update

Supervisor Previti talked about a new invasive species "Red Swamp Crayfish". He also mentioned Phragmites in the Township. Supervisor Previti also mentioned appointment

attorney Greg Meahn to be present and the retirement of Christine Krawczyk- Deputy Clerk on Friday June 4, 2021. Trustee Kopp mentioned Fire Department Open House on Friday June 25th at Fire Station #3 at 28 Mile Rd. and Mound Rd. Supervisor Previti added additional information about the event. Trustee Detkowski congratulated Romeo High School Seniors on Graduating and their Prom on June 6th. Clerk Babinski spoke about elections, absentee ballot applications and areas applications came be dropped off. Trustee Detkowski and Supervisor Previti mentions upcoming ZBA meeting on Monday.

11. Correspondence

None

12. Comments from Audience - Please Email Non-Agenda Comments to: comments@washingtontwpmi.org

The following residents spoke in person: Tom Matthews spoke about wanting to meet with the Supervisor and Liberty Woods subdivision. He would also like to see meet the officials again at the Township. John Chaplin requested reopening vote for Trustee as he was late arriving. Phyllis Zimmerman expressed disappointment in not selecting the next highest vote person from the 2020 election as the Trustee to fill the vacancy. She was also disappointed in not having audience participation on first three agenda items. Supervisor Previti stated he thought he did and apologized.

13. Community Announcements

Supervisor Previti announced Washington Twp. Night at Jimmy John's stadium in Utica on June 25th. Tickets being sold in pods of four. The Washington Historical Society and the Octagon House will be open June 6th from 10 am until 4 pm. Treasurer Nicley congratulated Rachel Mac on her success on the Voice.

14. Executive Session

Motion initiated by Previti, **seconded** by Babinski to go into Executive Session at 8:50 pm. Olsen raised question as who can attend. Attorney Bob Seibert answered.

Yes: Babinski, Detkowski, Kopp, Olsen, Nicley, Previti

No: None

Abstain: None

Motion Carried

14.1. Discussion connected with the negotiation of collective bargaining agreement pursuant to Section 8 (c) of the Open Meetings Act

Motion made by Supervisor Previti , seconded by Babinski to come out of Executive Session at 10:23 pm.

Yes: Babinski, Detkowski, Kopp, Olsen, Nicley, Previti

No: None

Motion Carried

15. Adjourn

Motion initiated by Kopp **seconded** by Detkowski to adjourn the meeting at 10:25 pm.

Yes: Babinski, Detkowski, Kopp, Olsen, Nicley, Previti

No: None

Abstain: None

Motion Carried

A handwritten signature in cursive script, appearing to read "Steve Piff", is written above a solid horizontal line.

Supervisor

A handwritten signature in cursive script, appearing to read "Henry Babinski", is written above a solid horizontal line.

Clerk