Letter from the President

Spring Outlook

It seems we just began and our Board is already looking at wrapping up another great year. We have an excellent conference planned this June at Shanty Creek. “Be the Star of Your Community” is our theme. As always, we will have quality educational opportunities and a little fun – all centered around this theme.

We are also working on bringing you a better and more robust web site. It will have a new look, of course. But eventually you’ll be able to do a lot more at the improved site. You’ll be able to look at the points you’re accumulating for your CMC or MMC. You’ll be able to update your contact and member information. You’ll be able to register and pay for conferences online! We hope to be up and running with the early phases of the new site later this summer.

Your MAMC Board works very hard to plan the conference, educational opportunities, Clerk of the Year, maintain the web site, follow legislative activity and a whole lot more. They are truly dedicated and I couldn’t have made it through this year without them.

I’d like to thank all of you for the opportunity to serve as President of this great organization. It has been a great experience.

Joel Hondorp, Byron Township Clerk will become your next President at the conclusion of the June conference. I know he will do a great job.

I hope to see you at the conference!
House Committee to Act on School Election Dates

The House Elections and Redistricting Committee took testimony last month on legislation to move all school elections to the even-year November date. House Bill 4005, introduced by Rep. Kurt Heise (R-Northville Township), would move all school board elections to the even-year November election date effective January 2012. MAMC President Evan Hope spoke to the Committee about the need for additional flexibility and suggested consideration of a few grandfathering provisions for those schools already appearing on the odd-year November election date. Officials from the Department of State spoke in support of the bill and several officials representing various school organizations spoke in opposition to the bill. I expect the Committee to hold another hearing on the bill in the coming weeks.

Bill Introductions of Interest

House Bill 4353: Introduced by Rep. Rick Hammel (D-Flushing) amends the Michigan Election Code by prohibiting election activities within 500 feet of a polling location. Currently, these prohibited activities are not permitted within 100 feet.

House Bill 4357: Introduced by Rep. Eileen Kowall (R-White Lake) amends the Michigan Election Code by striking a provision requiring a special election to occur when a person is appointed to fill a vacancy on a County Board of Commissioners. A similar bill has been introduced in the Senate.

House Bill 4461: Introduced by Rep. Jim Townsend (D-Royal Oak) creates a new Act requiring candidate for state and certain local offices to file financial disclosures. Candidates for local office where the compensation is greater the 1.5 times the statewide gross median income would be required to file. A similar bill has been introduced in the Senate.

House Bill 4535: Introduced by Rep. Paul Scott (R-Grand Blanc), the bill would set the last Tuesday in January 2012 as the Presidential Primary.

Senate Bill 101: Introduced by Sen. Steve Bieda (D-Warren) amends the Michigan Election Code to permit the pre-registration of 16 year olds.

Secretary Johnson Delivers State of the Office Address

In what was billed as “the first,” Secretary of State Ruth Johnson delivered a 2011 State of the Secretary of State’s Office message outlining her first 100 days and her goals moving forward. Secretary Johnson spoke about a number of objectives, including: improved customer service; transparency and accountability; and, reforms to safeguard elections.

In terms of elections reforms, Secretary Johnson outlined several areas that she intends to focus on safeguarding, including:

• Cleaning up the voter rolls by identifying deceased voters who still appear in the Qualified Voter File (QVF) and removing them. She also spoke about the number of residents who move out of Michigan yet remain on the voter rolls for two federal election cycles.

• Preventing the manipulation of the election system by working with legislative leaders to “close photo ID loopholes, put teeth in our election laws, get obsolete laws off the books and prevent abuse of the election system.” This includes preventing efforts to manipulate elections through fraud similar to the “fake tea party” last year and holding all political candidates and committees accountable for campaign finance violations.

• Ensuring ballot and election security by requiring the use of receiving boards on election night so that ballot containers can be double-checked to confirm that they are properly sealed. Johnson said as many as two-thirds of the ballots cast in elections subject to recount could not be recounted because of improperly sealed ballot containers.
The Secretary also stated that she fully supports consolidation of school election dates and supports No Reason Absentee Ballots for individuals who personally appear at their local clerk’s office and comply with photo ID requirements. The address can be viewed at www.michigan.gov/sos.

Clerks Charged With Violations of Elections Law

Two Allegan County Clerks were criminally charged by Attorney General Bill Schuette for alleged violations of Michigan Election Law. The charges are a result of an investigation of the Department of State and the AG’s newly formed Public Integrity Unit. Charged were Saugatuck Township Clerk Jane Wright and the Deputy Township Clerk Lori Babinski. The Attorney General alleges that the two clerks willfully failed to certify that containers holding voted ballots from a Saugatuck Township election were properly sealed, despite acknowledging they were extensively trained in proper procedures required by Michigan Election Law. The investigation was the result of the Allegan County Board of Canvassers determining that a recount of the May 4, 2010 election on a tax proposal could not be conducted due to the improper handling of voted ballots.

On May 4, 2010, voters in Saugatuck Township passed a two-year, 0.5-mill tax hike by a two-vote margin, 491 to 489, that would fund the township’s defense against lawsuits filed by Saugatuck Dunes owner Aubrey McClendon in U.S. District Court over his development plans for the land. After receiving a proposal for a recount of the vote, the Allegan County Board of Canvassers determined that a recount could not be conducted because the number on the seal used to store ballots in Wright and Babinski’s custody did not match the number recorded in official election records.

State election law requires public officials entrusted with the care of voted ballots to preserve their integrity. Once cast, ballots must be stored in approved containers sealed by a tamper-evident seal with a unique serial number, and the numbered seal must be recorded to verify the election result and preserve the ballots. An investigation by the Secretary of State’s Board of Elections revealed Wright and Babinski willfully applied a seal of record that was not properly documented, in violation of MCL 168.806a.

Schuette has charged Wright and Babinski with a misdemeanor for failing to perform a duty imposed under Michigan Election Law, which is punishable by up to 90 days in prison, a $500 fine, or both. Arrangements are being made for the defendants to turn themselves in to authorities and they are expected to be arraigned in 57th District Court in Allegan County in April. A criminal charge is merely an accusation and the defendants are presumed innocent unless proven guilty.

Sunday Sales Clean-Up Clears Legislature

Legislation to allow local communities to opt-out of Sunday morning sales passed the House last week and will be presented to the Governor later this month. Senate Bill 100, introduced by Sen. Rick Jones (R-Grand Ledge), establishes that municipalities may opt-out of the Sunday morning alcohol sales between the hours of 7 a.m. and noon by a resolution of the Council. Communities could also opt-out of all-day Sunday sales (7 a.m. to 2 a.m.) by adopting a resolution. As introduced, the bill also honors any opt-out resolutions adopted prior to the effective date of this amendatory Act (either 7 a.m. to Noon or 7 a.m. to 2 a.m.) to remain in effect. This legislation fixes a technical glitch in the original Public Act that did not clearly permit municipalities to opt out of the early morning sales as was portrayed to lawmakers when they were voting on the measure last year.

House Moves Local Government Cooperation Bills

A divided House moved several bills that amend various Acts to allow local units of government to more easily cooperate and consolidate services when collective bargaining contracts are already in place. The bills moved along party lines with all Republicans in support and no Democrats voting in support.

House Bill 4309, introduced by Rep. Eileen Kowall (R-White Lake) amends P.A. 57 of 1988, which allows municipalities to incorporate authorities for emergency services. The bill eliminates references to protection of existing collective bargaining contracts and existing seniority rights. House Bill 4310, introduced by Rep. Cindy Denby (R-Fowlerville), amends the Metropolitan
Transportation Authorities Act by striking provisions that protect existing collective bargaining contracts when an authority is formed or an existing authority acquires another transportation system that has collective bargaining contracts in place. House Bill 4311, introduced by Rep. Paul Opsommer (R-DeWitt), amends Public Act 8 of the 1967 Extra Session to strike references to existing collective bargaining contracts when an intergovernmental transfer of functions occurs between two or more municipalities. House Bill 4312, introduced by Rep. Thomas Hooker (R-Wyoming), amends the Urban Cooperation Act by eliminating references to existing collective bargaining contracts and fringe benefits when an interlocal agreement is reached between two or more local units of government.

Governor Pops Local Government Reforms

Delivering the message from the Grand Rapids City Commission chambers, Governor Snyder gave details on how he proposes to release a pool of $200 million in revenue sharing funds to communities who meet certain benchmarks. Many of the recommendations target employee compensation and collective bargaining. The document, titled “Community Development and Local Government Reforms,” outlines a number of measures. The pool of money is proposed to be disbursed in thirds. The first third would be disbursed to communities who adopt a local “dashboard” and prepare a citizen’s guide to their finances. The second third would be disbursed to communities that develop plans to consolidate services or demonstrate that they have already done so. The final third would be based on reforms to employee compensation including reforms to retirement benefits, pension spiking and health care co-pays.

Proposed reforms to compensation benefits include placing all new hires in a defined contribution plan or a hybrid retirement plan that caps the employer contributions to 10 percent of each employee’s base salary; establish a 1.5 multiplier for pensions or a 2.0 multiplier for those not eligible for social security benefits; implementing controls to avoid pension spiking; and, establishing an 80/20 employer to employee health care premium split for all new employees. Additionally, the Governor proposed changes to P.A. 312 to include a community’s ability to pay, internal compensation and a process that lasts no longer than 90 days.

Finally, other reforms proposed include: prohibit minimum staffing requirements; end unfunded mandates from being passed down from the State; and, implement local pension board transparency requirements. Many of the Governor’s recommendations have already been introduced. In fact, the House and Senate have held a number of hearings on several of the recommendations already and several items have seen action by one Chamber or the other. We expect the Legislature to continue broad discussions and hearings into the spring and additional bills to address many of the remaining recommendations will likely be introduced.

Governor Signs Bills Expanding Powers of EFM

Last month, Governor Snyder signed legislation allowing the state to step in and take over a local government or school district earlier in the emergency manager process. The new Public Acts (P.A. 4 through 9 of 2011) permit the state to step in and conduct a preliminary review to determine the financial condition of the local unit of government. If an emergency financial manager is warranted after the review, the state could appoint one with the power to void union and other contracts, dissolve or merge municipalities and order millage elections.

A review could be triggered if one of 17 conditions is met, including: a request by the local unit’s governing board; a bond rating of BBB or less; failure to make payroll for 7 days; an outstanding debt of more than $10,000 to a creditor; defaulting on a loan or bond; if 5 percent of the local unit’s voters call for one; or, passage of a resolution by either the State House or State Senate. If a review occurs, the report must conclude that a local unit of government meets several criteria necessitating the appointment of a financial manager, including: in default of bond obligations; failure to remit taxes to another taxing jurisdiction; failure to make payroll; or, meet pension or retirement obligations.

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e-mail: zaagman.w@gcsionline.com
Membership

There are currently 812 members of the Michigan Association of Municipal Clerks. The Board of Directors thanks you for your participation, as we work toward our mission. The Board continues to work very hard to provide professional educational programs, listserv networking, membership mentoring, a dynamic summer educational conference at low cost, legislative lobbying on important issues, and positive partnerships with the State Bureau of Elections.

Recently, as part of our five year plan, the Board of Directors, received proposals to improve our web services and update our web site. Thank you to all the clerks who sent me contacts for vendors. We sent out 25 proposals and had ten excellent firms submit proposals for consideration. A committee of the Board, including, Evan Hope, Jeremy Howard, Betty Kennedy and Terry Bennett, will interview the top three evaluated vendors. We will bring more information to members as we get closer to making a recommendation to the Board of Directors. Our goal is to find a firm that can enhance our website and make it more service-friendly to our members. The site will continue with a Listserv feature. We are looking at a way to accept payment for programs online.

Yours in Service - Terry G. Bennett

2011 Clerk of the Year

Clerk of the Year Selection Process

Clerk of the Year nominees are required to complete a questionnaire and provide a current resume. Three nominating committees, made up of the last three Clerks of the Year in the respective governmental unit (City, Township or Village,) evaluate nominees and select up to five in each category for placement on the ballot. All nominees must be current members of MAMC.

Evaluation Criteria include: years of experience as a municipal clerk; demonstrated greater than average performance; and involvement in county, state, local and national associations. Nominees’ interest in improving their professional and personal skills, advancement of the clerk’s profession, and a record of contributing to the improvement of their community and the respect of community leaders are also considered. Biographical information for selected Candidates is prepared and placed on the MAMC website for review, consideration and voting by our Members.

Voted ballots are mailed to the Committee Chair and procedures consistent with Michigan absentee ballot processing are employed to tally the votes. The Candidates with the highest number of votes in each of the three categories (City, Township and Village) are named Clerk of the Year at the MAMC’s annual Conference in June.

The Ballot for “Clerks of the Year” will be available on the MAMC website, www.michiganclerks.org, beginning May 2nd. Candidate photographs and biographies will be posted. Voting is QUICK and EASY:

1. Read biography/view photograph at www.michiganclerks.org
2. Download and print ballot
3. Mail completed ballot before May 20th deadline to: Sue Hillebrand, COTY Chair
   Charter Township of Northville
   44405 Six Mile Road
   Northville, MI 48168
In-depth planning is underway for the 2011 MAMC Annual Education Conference scheduled for Tuesday, June 21st through Friday, June 24th at the Shanty Creek Resort in Bellaire, Michigan. As is our goal every year, the Conference Committee hopes to provide a wide range of educational opportunities in an environment that promotes socialization, networking and an enjoyable learning experience.

Pre-conference offerings on Tuesday, June 21 include: Masters Class or Clerking 101. Each of these additional full-day classes is offered for an extra fee. Class fees include instruction, materials, breaks and lunch!

Other conference activities will include: 6th Annual 5K Fun Run / Walk; MAMC Board of Directors election; vendor booth decorating competition; MAMC Golf Outing; Silent Auction; Hospitality Suite; Vendor Displays; Door Prizes; and of course networking. Watch for more information on the MAMC website as details become available.

If you have any questions or comments regarding the Conference, please contact us: Chris Swope - Chair, cswope@lansingmi.gov 517-483-4131 or Lisa Hathaway - Co-Chair, lhathaway@gpwmi.us 313-343-2447. We look forward to seeing you at Shanty Creek, where you can expect to increase your “Star Power.”

MAMC 5K/WALK/RUN

Get out those walking and running shoes and join us for the 6th Annual MAMC Walk/Run at the June Conference held at Shanty Creek Resort in Bellaire, Michigan on Wednesday, June 22nd, 2011 at 7 a.m. This is a 3.1 mile walk/run. Your registration includes a t-shirt, refreshments and a lot of EXERCISE. Awards and prizes will be given out.

Remember: mark the Walk/Run box and your t-shirt size on the MAMC Conference Brochure. Send the registration form along with the fee.

HURRY, DON’T WAIT, REGISTER EARLY!

Hope to see you there!

Betty L. Kennedy, MMC
Village Clerk
Village of North Branch
810.688.2620
We have changed the date for our Free Education Day. Because so many of us have May elections, we’ve moved Free Education Day from April 25 to May 23, 2011. Our schedule includes sessions on FOIA and the legislative process, a presentation from our new Secretary of State, Ruth Johnson, who will also take your questions, and training from the Bureau of Elections on redistricting, the electronic poll book, receiving boards and more.

Please join us on Monday, May 23, 2011 at the Lansing Center.

The reservation form is available at www.michiganclerks.org. Send it in today to reserve your spot.

Annual Conference. Education at the Annual Conference will be expanded this year to include more hours, which means more points may be earned toward your CMC or MMC. Scholarships are available. Please fill out the application on our website and submit it as soon as possible. May 16 is the deadline.

What: MAMC Free Education Day
Where: The Lansing Center
       333 E Michigan Ave
       Lansing MI 48933
When: May 23, 2011
Time: 8:00 am – 4:30 pm

FORE One and FORE All...

Spring has finally arrived! Time to think golf. Start practicing your swing and golfer stance. Grab your MAMC conference brochure to see details for the June 22nd Wednesday morning golf scramble. Join us at the beautiful Summit Golf Course. This is a great way to de-stress and share mentorship with fellow clerks. Our golf scramble is designed for EVERY level of golfer. You don’t have to be good, you don’t have to be somewhat good...you don’t even have to have ever golfed before!!

This is a 4-person team scramble that includes different techniques of connecting with that little round ball! Shot-gun start at 7:00 a.m. - Nine holes of golf, cart, brown bag breakfast and prizes, all for $30.00 per person. We guarantee fun, sun and lots of laughs.

Send in your golf registration fee with your conference registration!
Financial Report

March 2011 Bank Statement

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Event Calendar

2011

May 8-12
International Institute of Municipal Clerks
Annual Conference
Gaylord Opryland Hotel
Nashville, Tennessee

May 23
MAMC Annual Free Education Day
The Lansing Center
Lansing

June 21
Clerking 101
or
Masters Class
Shanty Creek Resort
Bellaire

June 22-24
MAMC Annual Conference
Shanty Creek Resort
Bellaire

2012

May 20-24
International Institute of Municipal Clerks
Annual Conference
Portland, Oregon

June 19-22
MAMC Annual Conference
Great Wolf Lodge
Traverse City

MAMC Conference Sites

2011 Shanty Creek, Bellaire
2012 Great Wolf Lodge, Traverse City
2013 Bavarian Inn, Frankenmuth