

November 3, 2021

To: Washtenaw County Election Commission

Chair - Darlene O'Brien, Judge of the Probate Court

Secretary - Lawrence Kestenbaum, County Clerk/Register

Member - Catherine McClary, County Treasurer

Dear Election Commissioners,

I understand that on October 25, 2021 Scio resident Patricia Stein filed a petition to recall me from the office of Trustee in Scio Township and that a hearing will be held via Zoom on November 5 at 3:00 EST. Please note I have a firm commitment that day at 2:00 to chair a meeting at U of M which usually runs about 90 minutes. I will join the hearing at the conclusion of that meeting.

I further understand that the purpose of the hearing is to determine if any reason in the petition language lacks sufficient clarity or is non-factual in which case the entire petition language is deemed invalid.

I do not believe that threshold has been met as I will describe below. Please consider this letter my challenge to the petition language filed which reads as follows:

*At the Scio Township Board of Trustee's special meeting held at 4:00 p.m. on August 17, 2021, Trustee Vogel voted to double the Supervisor's salary.*

The petition language is not fully accurate. There was an item on the August 17, 2021 Board of Trustees agenda "to adopt the resolution establishing salary of the supervisor as presented". All seven board members of the Board of Trustees voted on this resolution and it passed 5-2. My vote was among the five approving votes. The excerpt from August 17, 2021 draft Board minutes is attached.

The petition lacks sufficient clarity as to what concern is being raised about this vote. Is the concern about the outcome of the vote? Is the concern about the process of the vote? Is there a legal issue being raised? The petition lacks sufficient clarity. This and any other vote of the Board is the means by which seven elected officials attend to the issues before the board. It is not sufficiently clear what the petitioner is raising as a concern worthy of recall.

The petition language also lacks factuality by what is omitted from the language. In fact, the increase in the Supervisor's salary was included in the FY21-22 budget which was approved unanimously at the March 23, 2021 Board of Trustee meeting. The excerpt from March 23 approved Board minutes is attached on the follow page and the budget line item is attached as a PDF. The August 17 vote was consistent with the early unanimous vote on March 23.

The language of this petition lacks sufficient clarity about the concern being raised. The factualness of the petition is compromised by what is omitted.

Respectfully

Jane Vogel  
Scio Township Trustee

**March 23, 2021 Regular Meeting Scio Township Board of Trustees page 4 of approved minutes:**

**J.3 Adoption of FYE22 Budget for Township of Scio**

Karen Lancaster, Hathaway, and Flintoft described the proposed budget and series of model motions in the packet.

Motion by Palmer, support by Courteau, to adopt the proposed budget Resolution on General Appropriations Act Approving FY21-22 Budget in reference to the FYE22 Supervisor's Proposed Budget

Hathaway requested any proposed amendments to the proposed budget resolution.

Motion by Jerome, support by Courteau, to add:

WHEREAS, the proposed FYE22 budget as presented does not include desired funding for the one-time carry over of Township vision, hearing, and dental benefit from FYE21,

NOW, THEREFORE, BE IT RESOLVED, that the proposed FYE budget be amended to increase the General Fund (101), General Government Activity (101) by \$4,559; the General Fund (101), Assessing Activity (257) by \$4,581; the General Fund (101), Planning Activity (701) by \$1,036; the Fire Fund (206) by \$12,284; the Sewer Fund (590) by \$2,964; and the Water Fund by \$2,964.

**YES: Hathaway, Flintoft, Palmer, Courteau, Jerome, Knol, Vogel.**

**NO: None.**

**ABSENT: None.**

**MOTION PASSED 7-0**

**August 17, 2021 Special Meeting Scio Township Board of Trustees page 5 of draft minutes**

Motion by Vogel, support by Palmer, to adopt the resolution establishing salary of the supervisor, as presented.

Vogel said there is significant unfairness because Supervisor salary has been budgeted, and asked that Board investigate what's legally possible to retroactively pay the Supervisor.

Knol asked Township Attorney if a Compensation Commission has been established that it isn't within purview of Township Board to raise the salary, that that should be done by Commission, asked Township Attorney who replied that that upon a quick review does not appear to be correct.

**YES: Hathaway, Palmer, Courteau, Jerome, Vogel.**

**NO: Flintoft, Knol.**

**ABSENT: None.**

**MOTION PASSED 5-2**

Scio Township Budget for FYE22 (April 1, 2021 - March 31, 2022)		
As Adopted on 3/23/21		
		2021-22
ACCOUNT	DESCRIPTION	ORIGINAL BUDGET
Dept 171 - SUPERVISOR		
<No Project>		
702.000	OFFICERS SALARIES	72,000
715.000	F.I.C.A.	5,508
719.000	HEALTH INSURANCE	
719.100	POST EMPLOYMENT HEALTH INSURANCE	7,022
720.000	LIFE INSURANCE	375
722.000	PENSION	5,760
723.000	EMPLOYEE REIMBURSED HEALTH	
724.000	LONG TERM DISABILITY	400
724.100	SHORT TERM DISABILITY	200
NET OF REVENUES/APPROPRIATIONS - <NO PROJECT>		(91,265)
NET OF REVENUES/APPROPRIATIONS - 171 - SUPERVISOR		(91,265)