



Todd Schmitz
Deputy Clerk

Carmella Sabaugh

Macomb County
Clerk/Register of Deeds

Betty A. Oleksik
Deputy Register of Deeds

RESOLUTION NO. 08-020

I, Carmella Sabaugh, Clerk of the Macomb County Board of Commissioners do hereby certify that Resolution 08-020 that reads:

To protect the fundamental right of voting, continue the policy of making the Macomb County absent ballot application process uniform, advance the public interest of increasing Macomb County's clout, and provide senior citizens an equal opportunity to apply for an absent ballot regardless of where in the county they live, by directing the County Clerk to mail an application for "Absent Voter's Ballot Form" to Macomb County registered voters age 60 and over for the 2008 elections, except, AV application forms would not be sent to senior citizen registered voters who are already on the permanent AV list or whose local clerk automatically does mail AV application forms to all voters age 60 and over at a total cost not to exceed \$60,000. Funds for this resolution will be allocated out of the elections account.

was approved by the Macomb County Board of Commissioners on Thursday, January 24, 2008.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Seal of the Court at Mount Clemens, Michigan, this 25th day of January, 2008.

CARMELLA SABAUGH, CLERK

Clerk's Office
40 N. Main St.
Mount Clemens, MI 48043
586-469-5120
Fax: 586-783-8184

<http://www.macombcountymi.gov/clerksoffice>
clerksoffice@macombcountymi.gov

Fax-on-Demand
Michigan: 1-888-99-CLERK
Out-of-State: 310-575-5035

Register of Deeds
10 N. Main St.
Mount Clemens, MI 48043
586-469-5175
Fax: 586-469-5130

<http://www.macombcountymi.gov/registerdeeds>
registerdeeds@macombcountymi.gov

**RESOLUTION
CHARTER TOWNSHIP OF CLINTON
BOARD OF TRUSTEES**

**AUTHORIZATION FOR MASS MAILING OF ABSENT VOTER BALLOT
APPLICATIONS TO ALL CLINTON TOWNSHIP REGISTERED VOTERS AGE 60
AND OLDER**

The Charter Township of Clinton Board of Trustees at their Regular Board Meeting held on February 25, 2008 at the Clinton Township Board Chambers, 40700 Romeo Plank Road, in said Township at 6:30 PM, adopted the following Resolution:

WHEREAS, The Clinton Township Clerk's Office has for over twenty years adopted and executed a policy of mailing absent voter ballot applications to all registered voters age 60 and older, as well as, registered voters who have requested placement on a permanent list; and

WHEREAS, Recent court actions relating to the mailing of unsolicited absent voter ballot applications have created confusion and uncertainty; and

WHEREAS, Due to our past practice of mass mailing of absent voter applications to residents age 60 and older, Clinton Township Seniors have become accustomed to receiving an application prior to each election; and

WHEREAS, Voter confusion was evident at the January 15, 2008 Presidential Primary regarding those age 60 and older who expected, but did not receive absent voter applications, verified by direct contact with voters and by the lower number of absent voters who participated compared to past elections; and

WHEREAS, The Clinton Township Board of Trustees adopts this resolution relying on the court ruling of Circuit Judge David Viviano in *Fleming vs Sabaugh*; legal opinion of Macomb County Corporation Counsel Jill Smith, dated January 22, 2008; and letter dated February 13, 2008 from Carmella Sabaugh to Township Clerk Dennis Tomlinson requesting a resolution;

NOW THEREFORE, BE IT RESOLVED, that the Charter Township of Clinton Board of Trustees hereby authorizes and directs the Township Clerk to mail applications for absent voter ballots to all registered voters, age 60 and older, in addition to the permanent absent voter list for all future special and regular elections utilizing the dual application whenever possible.

**RESOLUTION
CHARTER TOWNSHIP OF HARRISON
BOARD OF TRUSTEES
AUTHORIZING THE HARRISON TOWNSHIP CLERK TO MAIL APPLICATIONS
FOR ABSENT VOTER BALLOT FORM TO ALL HARRISON TOWNSHIP
REGISTERED VOTERS AGE 60 AND OLDER**

The Charter Township of Harrison Board of Trustees at their Regular Board Meeting held on February 25, 2008 at the Rosso Memorial Hall located at 38255 L'Anse Creuse Road, in said Township at 7:30 p.m., adopted the following Resolution.

WHEREAS, The Harrison Township Clerk's office has traditionally sent absent voter ballot applications to all registered voters age 60 and older, as well as those on a permanent absent voter list; and

WHEREAS, Recent court actions relating to the mailing of unsolicited absent voter ballot applications have created confusion and uncertainty; and

WHEREAS, Voter confusion was evident, at the January 15, 2008 Presidential Primary regarding those age 60 and older who expected but did not receive absent voter ballot applications, both through direct contact with voters and the by the lower number of absent voters who participated compared to past elections; and

WHEREAS, The Board of Trustees believes that it is in the best interest of all registered voters in Harrison Township to have the opportunity to request an absentee ballot as allowed by law; to understand their rights as voters; and if conditions change, to be made aware of those changes and how voters are affected; and

NOW THEREFORE, BE IT RESOLVED, that the Charter Township of Harrison Board of Trustees direct the Township Clerk to mail Applications for Absent Voter Ballot to all registered voters in the township, age 60 and older, including a check-off request for voters who wish to be placed on the permanent absent voter list for the May 2008 Consolidated Election (Special County/School); and

ALSO, BE IT RESOLVED, that an additional correspondence be sent to all Harrison Township electors 59 years and younger explaining their voting rights, changes in election procedure and to be given the opportunity to be placed on a permanent list to receive Absent Voter Ballot Applications for all upcoming elections.

Motion by Mr. York, and seconded by Mr. Garvin, to adopt the Resolution authorizing the Harrison Township Clerk to mail applications for absent voter ballot forms to all Harrison Township registered voters age 60 and older one last time to sign up for the permanent Absent Voter Application list as presented, and to send to registered voters 59 and younger postcards informing those voters of the permanent AV list, and to recognize that the

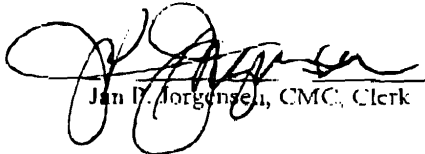
funding for the mass mailing of the 60 and older AV applications is budgeted for, and that the postcards to registered voters 59 and younger be expended from the elections department budget line items Operating Supplies and Programming Services.

**Roll Call: Ayes: York, Garvin, Rice, Jorgensen, Forlini
 Nays: Eineman, Ulinski
 Excused: None
 RESOLUTION ADOPTED.**

State of Michigan }
County of Macomb } ss

I, Jan P. Jorgensen, the duly qualified and elected Clerk of the Charter Township of Harrison, Macomb County, Michigan, do hereby certify that the foregoing is a true and complete copy of the resolution adopted by the Charter Township of Harrison Board of Trustees at a regular board meeting held on the 25th day of February, 2008, the original of which is on file in my office.

IN WITNESS WHEREOF, I have hereunto affixed my official signature this 27th day of February, 2008.


Jan P. Jorgensen, CMC, Clerk

**LAKE TOWNSHIP
GROSSE POINTE SHORES, MICHIGAN**

RESOLUTION TO:

PROTECT THE FUNDAMENTAL RIGHT OF VOTING,

MAKE THE ABSENT BALLOT APPLICATION PROCESS UNIFORM,

ADVANCE THE PUBLIC INTEREST OF INCREASING LAKE TOWNSHIP CLOUT,

**AND PROVIDE SENIOR CITIZENS AN EQUAL OPPORTUNITY TO APPLY FOR
AN ABSENT BALLOT REGARDLESS OF WHERE THEY LIVE.**

**BY DIRECTING THE LAKE TOWNSHIP CLERK TO MAIL AN "APPLICATION
FOR ABSENT VOTER'S BALLOT FORM" TO ALL LAKE TOWNSHIP
REGISTERED VOTERS AGE 60 AND OVER FOR THE 2008 AUGUST AND
NOVEMBER ELECTIONS.**

MEETING OF JANUARY 21, 2008

RESOLUTION ADOPTED AS FOLLOWS:

AYES: FOX, NUTTING, PETERS, SUWINSKI AND VEIT

NAYS: NONE

ABSENT: NONE

I hereby certify that the attached is an original resolution as adopted at the Lake Township meeting held on January 21, 2008.



Angela Kenyon, Notary Public/Lake Twp. Secretary

February 5, 2008



63975 Gratiot • Lenox, Michigan 48050 • (586) 727-2085 • Fax: (586) 727-3188

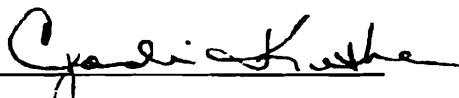
2008-1

RESOLUTION OF LENOX TOWNSHIP BOARD
LENOX TOWNSHIP, MACOMB COUNTY, MICHIGAN

BE IT RESOLVED, that Lenox Township shall

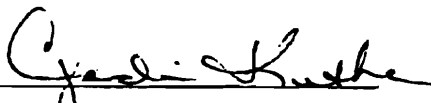
- Protect the Fundamental right of voting
- Make the Absent Ballot Application process uniform
- Advance the public interest of increasing Lenox Township Clout
- Provide senior citizens an equal opportunity to apply for an absentee ballot regardless of where they live
- Direct the Lenox Township Clerk to mail an "Application for Absent Voter's Ballot Form" to all Lenox Township registered voters age 60 and over for all elections scheduled from this day forward.

FILED
 09 FEB 27 AM 8:24
 JODI KETHE
 TOWNSHIP CLERK
 MACOMB COUNTY, MICHIGAN


 Jodi Kethe
 Lenox Township Clerk


 John Gardner
 Lenox Township Supervisor

I hereby certify that the foregoing is a true copy of a Township Board Resolution of Lenox Township, Macomb County, Michigan, made on the 4th day of February, 2008


 Jodi Kethe
 Lenox Township Clerk

JOHN P. GARDNER <i>Supervisor</i>	JODI KETHE <i>Clerk</i>	KARON OTTENBACHER <i>Treasurer</i>	MACK WEAVER <i>Trustee</i>	KAREN TURCHI <i>Trustee</i>
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CITY OF NEW BALTIMORE

36535 GREEN STREET • NEW BALTIMORE, MI 48047 • (586) 725-2151 • FAX (586) 725-6927

CITY OF NEW BALTIMORE
MACOMB COUNTY, MICHIGAN

Resolution No.686

A Resolution to Make Absent Ballot Application Process
Uniform in the City of New Baltimore

Motion by Council person Duffy and supported by Council person Burkhardt to adopt the resolution supporting the City of New Baltimore City Clerk in mailing Absentee Voter Ballot Applications to all City of New Baltimore registered voters age 60 and older for all future elections:

WHEREAS, The City of New Baltimore has maintained a Permanent Absentee Voters List in excess of ten years and has mailed Absentee Voter Ballot Applications prior to every election to the voters on the list; and

WHEREAS, It is in the best interest of the City of New Baltimore to encourage its voters to participate in the election process; and

WHEREAS, The City Clerk, with the support of City Council, will mail Absentee Voter Ballot Applications to all City of New Baltimore registered voters age 60 and older and all voters included on the City's permanent Absentee Voters List for all future elections upon written confirmation from the voter;

NOW THEREFORE BE IT RESOLVED, that the City Clerk has the support of the City Council to mail Absentee Voter Ballot Applications to all City of the New Baltimore registered voters age 60 and older and all voters included on written confirmation from the voter.

Yeas: Duffy, Burkhardt, Butler, Christie, Hayman, Morisette

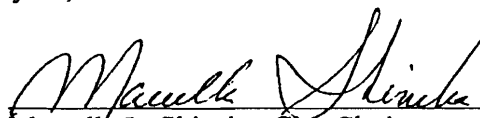
Nays: None

Abstain: None

Absent: None

I certify that the above Resolution was adopted by the New Baltimore City Council on February 11, 2008.

BY:


Marcella L. Shinska, City Clerk

February 11, 2008

RESOLUTION 2008-3

AUTHORIZATION TO MAIL ABSENT VOTER BALLOT APPLICATIONS TO ALL CITY RESIDENTS 60 YEARS OF AGE AND OLDER

WHEREAS, mailing Absent Voter Ballot Applications to all City residents 60 years of age and older protects the fundamental right of voting, and

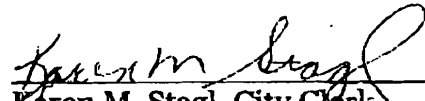
WHEREAS, mailing the applications to residents 60 years of age and older will make the absent ballot application process uniform, and

WHEREAS, mailing the applications to residents 60 years of age and older will advance the public interest of increasing City of Richmond clout, and

WHEREAS, mailing the applications to residents 60 years of age and older will provide senior citizens an equal opportunity to apply for an absent voter ballot regardless of where they live,

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Richmond does hereby direct the Richmond City Clerk to mail an "Application for Absent Voter's Ballot Form" to all City of Richmond registered voters age 60 and over for all elections administered by the Richmond City Clerk.

ADOPTED BY THE RICHMOND CITY COUNCIL AT THE REGULAR MEETING HELD ON THE 4th DAY OF FEBRUARY, 2008.



Karen M. Stagl, City Clerk
CITY OF RICHMOND

CITY OF ROSEVILLE
MACOMB COUNTY, MICHIGAN

RESOLUTION TO MAKE ABSENT BALLOT APPLICATION PROCESS UNIFORM.

Minutes of the Regular Meeting of the City Council of the City of Roseville, County of Macomb, Michigan, held in said City on Tuesday, January 22, 2008 at 7:00 p.m., local time.

Present: Mayor Harold Haugh, Councilpersons John Chirkun, Jan Haggerty, Colleen McCartney, Bill Shoemaker, Robert Taylor.

Absent: Salvatore Aiuto

COUNCILMAN JOHN CHIRKUN moved, COUNCILWOMAN JAN HAGGERTY seconded to adopt the resolution supporting the Roseville City Clerk in mailing Absentee Ballot applications to all City of Roseville Registered Voters age 60 and older for all future elections:

WHEREAS, The City of Roseville has maintained a Permanent Absentee Voters List in excess of ten years and has mailed Absentee Voter Ballot Applications prior to every election to the voters on the list; and

WHEREAS, It is in the best interest of the City of Roseville to encourage its voters to participate in the election process; and

WHEREAS, The City Clerk, with support of City Council, will mail Absentee Voter Ballot Applications to all City of Roseville Registered Voters age 60 and older and all voters included on the City's Permanent Absentee Voters List for all future elections upon written or verbal confirmation from the voter;

NOW, THEREFORE BE IT RESOLVED, The City Clerk has the support of the City Council to mail Absentee Voter Ballot Applications to all City of Roseville Registered Voters age 60 and older and all voters included on the City's Permanent Absentee Voters List for all future elections upon written or verbal confirmation from the voter.

MOTION CARRIED UNANIMOUSLY

STATE OF MICHIGAN)
SS)
COUNTY OF MACOMB)

I, RICHARD M. STEENLAND, the duly qualified and acting City Clerk of the City of Roseville, Macomb County, Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Roseville, Macomb County, Michigan, on Tuesday, January 22, 2008, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act being Act 267 of the Michigan Public Acts of 1976, as amended, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.



RICHARD M. STEENLAND
City Clerk

VILLAGE OF ROMEO

121 WEST ST. CLAIR STREET, ROMEO, MICHIGAN 48065

PHONE 586-752-3565

PROTECT THE FUNDAMENTAL RIGHT OF VOTING THE VILLAGE OF ROMEO

Resolved By: Trustee Greg Jacobson, supported by Trustee Feldhus

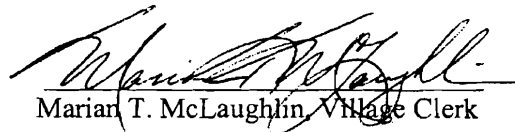
THAT TO: Protect the Fundamental Right of Voting, and to,
Make the Absent Ballot Application Process Uniform, and to,
Advance the Public Interest of Increasing Village of Romeo Clout,
And Provide Senior Citizens an Equal Opportunity to Apply for an
Absent Ballot Regardless of Where They Live,
By Directing the Township Clerk on Behalf of the Village Clerk to Mail an
"Application for Absent Voter's Ballot Form" to all Village of Romeo Registered
Voters Age 60 and Over for 2008 August and November Elections.

Yeas: Jacobson, Feldhus, Edwards, Cregar, Rossell and President Reiz

Nays: None

I, Marian T. McLaughlin, the duly qualified and acting Clerk of the Village of Romeo Macomb County, Michigan, certify that the foregoing is a true and complete copy of a resolution adopted by the Village of Romeo Board of Trustees, at the regular meeting held of January 14, 2008, the original of which is on file in my office and available to the public.

Dated: January 14, 2008


Marian T. McLaughlin, Village Clerk

CITY OF FARMINGTON HILLS

CITY CLERK'S OFFICE

31555 W. 11 Mile Road, Farmington Hills, MI 48336-1165

(248) 871-2410

R-176-07

RESOLUTION

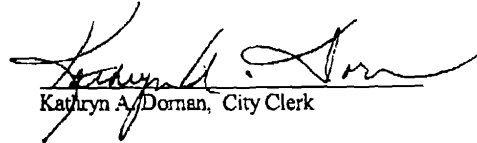
IT IS RESOLVED, that the City Council hereby authorizes the City Clerk to automatically mail absentee ballot applications to those Farmington Hills residents age 60 and over.

Motion by: MASSEY
Support by: OLIVERIO

Roll Call Vote:
Yeas: BATES, BRICKNER, BRUCE, MASSEY AND OLIVERIO
Nays: NONE
Absent: NONE
Abstentions: NONE

MOTION CARRIED 6-0

I, Kathryn A. Dorman, the duly authorized City Clerk of the City of Farmington Hills, Oakland County, Michigan, do hereby certify that the foregoing is a true copy of a resolution adopted by the City Council of the City of Farmington Hills on November 19, 2007.


Kathryn A. Dorman, City Clerk

DATE: November 20, 2007

BIRMINGHAM CITY COMMISSION
RESOLUTION 11-624-07

WHEREAS, The City of Birmingham Clerk's Office has routinely mailed absent voter applications to voters over sixty years of age for the last two years; and

WHEREAS, prior to 2005, the clerk's office has routinely mailed absent voter applications to voters who had requested to receive those for all elections; and

WHEREAS, these voters have an expectation to receive these applications prior to every election and the elimination of this service would be a disservice to our voters; and

WHEREAS, the elimination of this service would be a financial burden as well as a labor issue when the clerk's office staff required to send individual applications upon individual requests; and

WHEREAS, the Birmingham City Clerk is an appointed clerk and, as such, has no personal gain from the mass mailing of absentee ballot applications.

NOW THEREFORE BE IT RESOLVED, that the city clerk's office is authorized under the Home Rule Cities Act, MCL 117, to continue its current practice of sending absentee ballot applications to voters over sixty years of age, and voters who have requested to be on a permanent list.

I, Nancy M. Weiss, Clerk of the City of Birmingham, do hereby certify that the above is a true and correct copy of a resolution adopted by the Birmingham City Commission at their regular meeting of November 19, 2007.

Nancy M. Weiss
City Clerk

F- Automatic Distribution of Absentee Voter Ballot Applications

Resolution #2007-11-

Moved by

Seconded by

WHEREAS, The City of Troy has maintained a Permanent Absentee Voters List in excess of ten-years and has mailed *Absentee Voter Ballot Applications* prior to every election to the voters on the list as well as mailed applications to voters age 60 and over, one of the statutory reasons to be eligible to receive an Absentee Ballot, for the past 7 elections;

WHEREAS, The City of Troy believes that this is a service provided to its residents and eliminating the mailings would be a disservice to voters accustomed to receiving *Absentee Voter Ballot Applications*;

WHEREAS, The Michigan Court of Appeals issued a decision on October 25, 2007, as result of an appeal by the City of Detroit to the Wayne County Circuit Court's ruling in 2005 that then Detroit City Clerk Jackie Currie had exceeded her authority to mail *Absentee Voter Ballot Applications* to Detroit voters on her Permanent Absentee Ballot Voter List, which were generally voters 60-years or older;

WHEREAS, Detroit City Clerk Jackie Currie was an elected City Clerk and was a candidate for re-election listed on the ballot when the case was filed against her;

WHEREAS, The Troy City Clerk is an appointed official and has no personal gain in the distribution of unsolicited *Absentee Voter Ballot Applications* to Troy Registered Voters;

WHEREAS, The Michigan Court decision contains language that municipal clerks are not authorized by Michigan Election Law to mail unsolicited *Absentee Voter Ballot Applications* to voters, based on the Election Law provision cited in Section 168.759(5) which states that "The clerk of the city, township, or village shall have *Absentee Voter Ballot Applications* forms available in the office of the clerk at all times and shall furnish an *Absentee Voter Ballot Application* form to anyone upon a verbal or written request";

WHEREAS, Under Michigan Election Law, there are 478 times that the Legislature has used the words "shall not", but no similar limitation of unsolicited mailing of *Absentee Voter Ballot Applications* is expressed in Section 168.759(5);

WHEREAS, The Home Rule City Act, MCL 117.1 et seq., gives a broad range of authority to Home Rule Cities;

WHEREAS, The Troy City Charter, Section 2.1, General Powers, states, in part, "City and its officers shall have and be vested with any and all powers which Home Rule Cities";

WHEREAS, The Troy City Council believes that providing services to the residents of the City of Troy is a right and responsibility of local government;

WHEREAS, The City of Troy will be penalized financially by a per piece distribution of applications and ballots at the verbal or written request by qualified voters as the City will not be eligible to utilize their special Election Logo Bulk Mailing rate;

WHEREAS, The current City of Troy staffing levels will not be sufficient to handle the anticipated dramatic increase of in-person contacts for Absentee Voter Ballots;

WHEREAS, Every election administered by the City of Troy will have a dramatic increase in staffing and postage expenses;

WHEREAS, The November 2008 General Election will have an added expenditure for postage in an estimated amount of \$17,000.00 and an undetermined expenditure for an increase in part-time staffing needs;

WHEREAS, It is in the best interest for the City of Troy to encourage its voters to participate in the Election process;

WHEREAS, Troy voters are accustomed to receiving automatic mailings of *Absentee Voter Ballot Applications*, and the elimination of this practice may lead to disenfranchising voters who have previously relied upon the automatic mailing to exercise their right to vote;

WHEREAS, Discontinuing the automatic mailing of *Absentee Voter Ballot Applications* to Troy voters, who have received applications for several elections and in excess of ten-years, is a disservice to those voters; and

WHEREAS, The right to vote is one of the very fundamental provisions of the United States Constitution and it is the belief of the Troy City Council that every effort should be made to assure that right is not disturbed;

NOW, THEREFORE, BE IT RESOLVED, That Troy City Council, under the Authority given to Home Rule Cities through MCL 117.1 et seq., hereby **DIRECTS** the Troy City Clerk to continue to automatically mail *Absentee Voter Ballot Applications* to voters of the City of Troy in the manner that has been established as a practice and precedent of the Troy City Clerk's Office.

Yes:

No: