

**Charter Township of Gun Plain**

**Special Meeting**

**October 13, 2012**

A special meeting was called to order at 10:00 am by supervisor Vandenberg. The following board members were present Meert, Moerman, Vandenberg, Pearson, Kopka and Morrison. Absent Corbin.

Vandenberg explained that the township was notified that Mr. Morrison changed his address and voter registration to the City of Otsego. This change means he vacated his Gun Plain Township Residence which means he vacated his Treasurer position.

Vandenberg stated that the law is clear see Resolution 2012-4 – Resolution to Declare a Vacancy

Vandenberg motioned to accept resolution 2012-4 written and presented by township attorney. Moerman seconded. See the following resolution.

**RESOLUTION TO DECLARE A VACANCY**

**Resolution No. 2012-4**

WHEREAS, under the Michigan Election Law, MCL 168.342, every person that holds a Township office must be a registered and qualified elector of the Township; and

WHEREAS, Richard Morrison is the elected treasurer for Gun Plain Charter Township; and

WHEREAS, pursuant to MCL 168.368 of the Michigan Election Law, a township office becomes vacant upon a person ceasing to be a resident of the Township where his office is located; and

WHEREAS, under the same statute, a Township can remove said person from office for cause; and

WHEREAS, the Township received notification that said Richard Morrison, as of October 2, 2012, is a resident of 314 Court Street, City of Otsego, Michigan 49078; and

WHEREAS, said residence is not within the jurisdiction of Gun Plain Charter Township; and

WHEREAS, by statute, the Township office is vacant at the time a person is no longer a resident of the township,

NOW THEREFORE BE IT RESOLVED that the Township Board of Gun Plain Charter Township, after discussion and examination of Richard Morrison's residency and having found that Mr. Morrison no longer resides within Gun Plain Charter Township, the Township Board hereby recognizes that the Township office of treasurer is hereby vacant.

NOW THEREFORE BE IT FURTHER RESOLVED that pursuant to statute, when a Township officer's office has been declared vacant, that the deputy treasurer, who is appointed to act in the absence of the treasurer does not apply to a vacancy and as such, the deputy treasurer's position is also vacated and the Township Board hereby finds that the deputy treasurer's position is vacated.

Upon roll call vote, the following voted "Aye": Meert yes, Kopka yes, Vandenberg yes, Moerman yes, and Pearson yes. Absent Corbin

The following voted "Nay": None

Vandenberg motioned to appoint Jenann Pearson to fill the treasurer position until November 20, 2012. Kopka seconded. See the following resolution.

### **RESOLUTION TO FILL VACANCY**

#### **Resolution No. 2012-5**

WHEREAS, the Township treasurer's position has been found vacant due to the loss of residency within the Township by Richard Morrison; and

WHEREAS, the Township Board has recognized said vacancy by Resolution No. 2012-4 whereby under the Michigan Election Law, MCL 168.370, when a vacancy occurs in an elective township office, the vacancy shall be filled by appointment by the Township Board and said person shall hold the office for the remainder of the unexpired term; and

NOWTHEREFORE BE IT RESOLVED that the position of Township treasurer held by Richard Morrison has been found to be vacant and the Township Board of Gun Plain Charter Township hereby appoints Jenann Pearson to fill the unexpired term of the treasurer position to be effective upon taking and subscribing the oath of office and also obtaining a bond to present to the Township as statute requires.

Upon roll call vote, the following voted "Aye": Meert yes, Kopka yes, Vandenberg yes, Moerman yes, and Pearson yes. Absent Corbin

The following voted "Nay": None

Vandenberg motioned to pay the appointed Treasurer the same salary as the outgoing treasurer was receiving. Kopka seconded. Meert yes, Moerman yes, Kopka yes, Pearson yes and Vandenberg yes.

Adjournment

Vandenberg motioned to adjourn at 10:20 am. Kopka seconded. Motion carried.