

MEMO

To: Whitewater Township Board
From: Cheryl A. Goss, Whitewater Township Clerk
Date: 09/08/2023
Re: **Resolution #23-11 Adopting Early Voting Site and Agreement for Election Services**

I would request that Resolution #23-11 be added to the township board's 9/12 regular meeting agenda. Finalization of all documents in concert with other townships prevented an earlier request for the 9/12 agenda.

Resolution #23-11 concerns how early voting will be conducted for Whitewater Township voters.

With the passage last November of Proposal 2022-2, all voters now have the opportunity to "early vote" for state and federal elections. Resolution #23-11 and the attached Agreement for Election Services explain the process of "early voting." Basically, beginning two Saturdays before any federal or state election (not required for local elections), and continuing for nine consecutive days through the Sunday before a federal or state election, for a minimum of 8 hours per day on each of those days, voters must have the opportunity to "early vote." This means they will be able to go to a designated location on any one of those nine days (not necessarily their local township hall), fill out an application to vote, be handed either a regular paper ballot or a ballot for the touch screen device, vote the ballot, and then feed their ballot into a tabulator (just like they do on Election Days).

The Michigan Legislature recognized that not all jurisdictions have the facilities or staff to conduct nine days of 8-hour per day early voting, so they provided a couple other options. If a municipality is not able to conduct early voting as a single jurisdiction (and Whitewater Township does not have that capability), they can enter into an agreement with neighboring townships to have their voters go to the neighboring township to cast their early ballot, OR all townships in a county can enter into an agreement with the county to have one early voting center where all voters would go to cast their early ballot.

The county clerk's office did a survey recently to find out how many jurisdictions might want to send their voters to a single early voting center for the entire county. There was not enough interest to pursue that concept further.

For Whitewater Township, we have been in discussion with East Bay Township to have their facility be designated as the early voting center for Whitewater Township. Acme Township, Peninsula Township, and Union Township have similar facility and staff issues, and they also plan to send their voters to East Bay Township. With the exception of a couple of the largest jurisdictions, other townships in the county are also planning to enter into agreements for early voting centers in other parts of Grand Traverse County.

Voters who do not wish to travel to another jurisdiction to early vote will still have the option to vote by absent voter ballot OR vote in person at their regular precinct location on Election Day.

Each township entering into the Agreement for Election Services will need to supply some voting equipment and election inspector staffing at the Early Voting Site in East Bay Township. The Agreement for Election Services explains this in more detail.

Factors entering into the Whitewater Township Clerk's office decision to send our voters to an Early Voting Site include:

- The only room in the township hall suitable for early voting is the 22' x 42' meeting room. The main entrance to the building walks directly into the meeting room/precinct. The meeting room/precinct cannot be secured for nine days of early voting.
- Conflict with other uses of the meeting room. The township board and other bodies which meet at the township hall will have meeting dates conflicting with either early voting itself or the setup and teardown of the precinct for early voting.
- The township should be able to provide at least two (2) election inspectors for early voting at an adjoining municipality but does not have a sufficient number of election inspectors to staff the 8-hour minimum daily requirement for nine (9) consecutive days in order to conduct early voting as a single jurisdiction.
- Lack of a required secure server. While there is Internet service at the township hall for daily township office use, the township hall does not have a secure server.
- Lack of other suitable buildings in the township for early voting. There are two other public buildings in the township, i.e., the Emergency Services Building and Mill Creek Elementary School. Neither are suitable locations for early voting spread over nine days, eight hours each day.

An appropriate motion would be: **Motion to adopt Resolution #23-11.**

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**WHITEWATER TOWNSHIP
COUNTY OF GRAND TRAVERSE**

RESOLUTION #23-11

**RESOLUTION ADOPTING EARLY VOTING SITE AND
AGREEMENT FOR ELECTION SERVICES**

Board member _____, offered the following resolution and moved for its adoption, seconded by board member _____:

RECITALS

WHEREAS, the voters in Michigan on November 8, 2022, approved the passage of Proposal 22-2, which, in part, entitles voters the right, once registered, to vote in each state and federal election in person at an Early Voting Site prior to election day, open for nine consecutive days for at least eight hours each day; and

WHEREAS, the Early Voting Site for all Whitewater Township registered voters will be located at the Charter Township of East Bay, as it meets polling place requirements; and

WHEREAS, the Early Voting Site for state and federal elections will be open for nine consecutive days beginning the second Saturday before Election Day through the Sunday before Election Day during the hours of 8:00 a.m. to 4:00 p.m.; and

WHEREAS, the township clerk is allowed to set additional hours for Early Voting, add additional days of Early Voting, and allow Early Voting for an election that is not a state or federal election, by this resolution; and

WHEREAS, all Early Voting dates and times will be posted sufficiently prior to every applicable election to notify voters; and

WHEREAS, the township wishes to operate a joint Early Voting Site with surrounding townships in Grand Traverse County.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Early Voting Site is established at the Charter Township of East Bay.
2. The township adopts the Agreement for Election Services attached to this resolution providing for a joint Early Voting Site in coordination with the Charter Township of East Bay, Acme Township, Peninsula Township, and Union Township.
3. The clerk is authorized to execute the agreement and take all other actions necessary and proper to finalize and commence the purposes of the agreement.
4. All resolutions and parts of resolutions in conflict are repealed to the extent of the conflict.

YEAS: _____

NAYS: _____

ABSENT: _____

Resolution declared ADOPTED this ____ day of _____, 2023.

Whitewater Township

BY: _____
Ron Popp, Supervisor

I, Cheryl A. Goss, the duly elected clerk of Whitewater Township, do hereby certify the foregoing is a true and complete copy of a resolution adopted by the township board at a duly scheduled meeting held September 12, 2023.

Signed: _____
Cheryl A. Goss, Clerk

AGREEMENT FOR ELECTION SERVICES
BETWEEN Charter Township of East Bay, AND Acme Township, AND Peninsula Township, AND
Whitewater Township, AND Union Township in Grand Traverse County

This Municipal Joint Early Voting Site Agreement (the "Agreement") is made between Charter Township of East Bay, 1965 N Three Mile Road, Traverse City, MI 49696, and Acme Township, 6042 Acme Road, Williamsburg, MI 49690, and Peninsula Township, 13235 Center Road, Traverse City, MI 49686, and Whitewater Township, 5777 Vinton Road PO Box 159, Williamsburg, MI 49690 AND Union Township, 5020 Fife Lake Rod, Fife Lake, MI 49633/P.O. Box 30 Fife Lake, MI 49633. In this Agreement, each municipality will be represented by their respective clerk in their official capacity. The municipalities may be referred to individually as a "party" and jointly as "parties".

PURPOSE OF THE AGREEMENT. The municipalities enter into this Agreement pursuant to Article II, Section 4(m) of the Michigan Constitution of 1963 and the Michigan Election Law, 1954 Public Act 116, MCL 168.720a *et seq.*, for the purpose of operating a joint early voting site.

Name of municipality	Number of precincts in municipality	Number of registered electors in municipality
Charter Township of East Bay	5	10,357
Acme Township	2	3,964
Peninsula Township	2	5,600
Whitewater Township	1	2,450
Union Township	1	426

1. **DEFINITIONS.** The following words and expressions used throughout this Agreement, whether used in the singular or plural, shall be defined, read, and interpreted as follows:
 - 1.1 **Agreement** means the terms and conditions of this Agreement and any other mutually agreed to written and executed modification, amendment, exhibit, and attachment to this Agreement.
 - 1.2 **Coordinator** means the individual designated by the clerks of the municipalities and identified as the individual responsible for providing oversight to ensure sufficient resources are available and timely dispatched to each early voting site and monitoring the administrative requirements of early voting for the participating municipalities.
 - 1.3 **Early Voting Plan** means the document and any addenda to the document outlining the manner in which early voting will be provided in a county or municipality, as described in MCL 168.720a *et seq.* The requirements of an early voting plan are described in MCL 168.720h(3).
 - 1.4 **Election Services** encompasses the following individual Election Services provided by either municipality's Elections Division, if applicable:
 - Early Voting Site providing oversight of the EV Polling location throughout the nine days of early voting including but not limited to secure ballot storage, trained EV Day Inspectors and security personnel as necessary, on-site lunch each day to be shared by all jurisdictions in the Agreement, and payment of

Election inspectors working the nine days Early Voting at the site and shared by all jurisdictions as agreed upon.

- 1.5 **Legislative Body of the Municipality** means the city or township council elected or appointed and serving in the municipality.
- 1.6 **Municipality** means any participating municipality, which are entities created by state or local authority or which are primarily funded by or through state or local authority, including, but not limited to, their council, Board, departments, divisions, elected and appointed officials, directors, board members, council members, commissioners, authorities, committees, employees, agents, subcontractors, attorneys, volunteers, and/or any such persons' successors.
- 1.7 **QVF** means the Qualified Voter File as described in MCL 168.509m.
- 1.8 **QVF Controller** means the individual appointed by the county clerk and identified as the Qualified Voter File (QVF) administrator of early voting information within the QVF.
- 1.9 **Site Supervisor** means the participating municipal clerk or a member of the county clerk's staff who shall act as supervisor for each day of early voting. By mutual agreement, the municipal clerks may appoint a different participating municipal clerk; with the permission of the county clerk, member of the county clerk's staff; or member of either municipal staff, to act as a supervisor for different days of early voting.

2. PARTIES TO AN AGREEMENT.

- 2.1 An Agreement may be entered into between two or more municipalities wholly or partially located within the same county.
- 2.2 This agreement is entered into between the Charter Township of East Bay and the townships of Peninsula Township, Acme Township, Whitewater Township and Union Township, each located in Grand Traverse County as required in MCL 168.720d(1)(b).

3. SCOPE OF THE AGREEMENT.

- 3.1 The parties must decide among themselves and include in the Agreement the elections to which the Agreement applies. Early voting must be provided for all statewide and federal elections, but parties may extend early voting to non-statewide elections at their discretion.

4. COORDINATOR.

- 4.1 Susanne Courtade, Clerk Charter Township of East Bay will serve as coordinator of the joint early voting site and will be responsible for organizing and monitoring the administrative requirements, including staffing, of early voting for the participating municipalities.
 - 4.1.1 In the event that that coordinator is unable to personally supervise and staff each early voting site on each day of early voting, the coordinator may designate early voting site supervisors to assist with the staffing and supervision of early voting.
- 4.2 If the coordinator becomes unavailable for any reason, the role will be filled in one of the following ways, as determined by the parties upon execution of this Agreement:

- 4.2.1 The clerks of the participating municipalities must determine the new coordinator among themselves and would submit a revised early voting plan to that effect to the Department.
- 4.2.2 Cheryl Goss, Clerk of Whitewater Township as backup coordinator, would assume the responsibilities of coordinator. If the backup coordinator is unavailable for any reason, the clerks of the participating municipalities would determine the new coordinator among themselves and would submit a revised early voting plan to that effect to the Department.

5. QVF CONTROLLER.

- 5.1 Holly Couturier, Deputy Clerk Charter Township of East Bay, will serve as the Qualified Voter File (QVF) administrator of early voting information within the QVF. The controller's duties will involve setting up the necessary voting regions, user access, and application access needed for the sites designated in the Agreement. The QVF controller must meet the security requirements of a QVF user. The QVF controller can be the same as the coordinator as long as the appropriate QVF training is completed.

6. APPROVAL OF EARLY VOTING SITES.

- 6.1 Pursuant to MCL 168.662, the Legislative Body in each municipality will designate as options at least one place and no more than two places that meet the requirements for an early voting site.
- 6.2 The clerks of the participating municipalities will select the joint early voting site or sites from those options.
- 6.3 The Parties designate Charter Township of East Bay as the initial early voting site. The Legislative Bodies may change, add, or remove the early voting site and any other voting sites by Resolution pursuant to the sections above.

7. APPOINTMENT OF ELECTION INSPECTORS.

- 7.1 The board of election commissioners for the Charter Township of East Bay is responsible for the appointment of election inspectors for early voting. The board of election commissioners for any party to this agreement may also appoint inspectors for early voting.
- 7.2 At least 21 days before each statewide and federal election, the designated board will appoint for each early voting site at least 3 election inspectors and as many more as the board determines is required for the efficient, speedy, and proper conduct of the election.
- 7.3 The designated board will further designate one appointed election inspector from each early voting site as chairperson.
- 7.4 The selection of election inspectors will be governed by MCL 168.674.

8. APPROVAL OF EARLY VOTING HOURS.

- 8.1 Prior to the submission of an Agreement or early voting plan, the clerks of the participating municipalities will do all of the following:

- 8.1.1 For the nine early voting days guaranteed by the Constitution and guaranteed by the Constitution and for Statewide and federal elections, the initial early voting hours will be from 8:00 A.M to 4:00 P.M.
 - 8.1.2 The Election Commissions of the Parties may modify the hours that early voting will be provided at the approved joint early voting site or sites by joint resolution.
 - 8.1.3 Any change in the early voting hours shall be posted at the early voting site or sites at least 21 days before each statewide and federal election and shall be filed with this Agreement in each municipality.
 - 8.2 For any dates or hours beyond the dates and hours guaranteed by the Constitution, the Election Commissions of the Parties may decide the days and hours that early voting will be provided at the joint early voting site or sites by joint resolution and include those days and hours with this Agreement.
- 9. NOTICE OF EARLY VOTING HOURS.**
- 9.1 Not less than 45 days before Election Day, the clerk of each participating municipality will give public notice of the dates and hours for early voting at the joint early voting site or sites by posting of the notice on each municipality’s website and any other publication or posting the clerk considers advisable.
- 10. BUDGET AND COST SHARING.**
- 10.1 Within 90 days of the submission of an Agreement or Early Voting Plan, the clerks of the participating municipalities will produce a proposal for the early voting budget and cost sharing and charge back procedures which shall be approved by the Boards of each municipality.
 - 10.2 The budget and cost sharing proposal will make each municipality responsible for the fraction of costs corresponding to the fraction of registered voters in the Qualified Voter File for each municipality’s jurisdiction as near as practicable.
- 11. STAFFING AND SUPERVISION**
- 11.1 The coordinator is responsible for ensuring adequate staffing and supervision at early voting sites including selection of the site supervisor who oversees a specific early voting site(s).
 - 11.2 The site supervisor shall operate in the same manner and have the same authority as a municipal clerk operates in an election day polling place.
 - 11.3 The site supervisors for early voting sites must be listed in the attached Exhibit B.
- 12. TABULATORS AND EARLY VOTING POLL BOOK LAPTOPS AT EARLY VOTING SITE(S).**
- 12.1 Within 90 days of the submission of an Agreement or Early Voting Plan, the clerks of the participating municipalities will do all of the following:
 - 12.1.1 Determine the number of tabulators and early voting poll book laptops or other voting equipment that are necessary at each early voting site.
 - 12.1.2 Determine which municipality will provide the tabulators and early voting poll book laptops or other voting equipment.

- 12.1.3 Designate which board of election commissioners is responsible for conducting testing of the electronic voting equipment.
 - 12.2 The coordinator will be responsible for taking necessary steps to set up the early voting poll book and early voting poll book laptops. If the coordinator is not a clerk, the clerks of the participating municipalities must decide among themselves which clerk is responsible for taking the necessary steps to set up the early voting poll book and early voting poll book laptops.
 - 12.3 Tabulators and early voting poll book laptops used at each joint early voting site must be configured in one of the ways set forth in MCL 168.720j(5).
- 13. **CLOSING PROCEDURES DURING EARLY VOTING AND ON ELECTION DAY**
 - 13.1 During Early Voting, the coordinator must ensure compliance with the closing procedures described in MCL 168.720j(8) and 720j(9) and any instructions issued by the Secretary of State
 - 13.2 During Early Voting, the coordinator must ensure that specified election materials are secured in compliance with MCL 168.720j(10) and any instructions issued by the Secretary of State.
 - 13.3 At the conclusion of Election Day, the coordinator must ensure compliance with the closing procedures described in MCL 168.720j(11) and any instructions issued by the Secretary of State.
- 14. **CANVASS OF EARLY VOTE RETURNS AND REPORTING OF EARLY VOTING RESULTS**
 - 14.1 The board of election commissioners responsible for appointing election inspectors for early voting is responsible for appointing the receiving board or group of election inspectors to canvass the early vote returns on Election Day and report early voting results to the county clerk.
 - 14.2 At the conclusion of Election Day, the coordinator must ensure compliance with the canvass and reporting requirements described in MCL 168.720j(11) through (14) and MCL 168.801 through MCL 168.810.
- 15. **EXECUTION OF MUNICIPAL JOINT EARLY VOTE SITE AGREEMENT.**
 - 15.1 A municipal Joint Early Voting Site Agreement must be finalized and signed by all participating municipalities:
 - 15.1.1 No later than 125 days before the first regularly scheduled statewide or federal election in each even numbered year.
 - 15.1.2 No later than 90 days before a special statewide or federal election.
- 16. **EARLY VOTING PLAN.**
 - 16.1 No later than 120 days before the first statewide or federal election in each even numbered year, the coordinator will be responsible for ensuring an early voting plan, attached as Exhibit A, is filed with the county clerk of the county in which the municipalities are located.
- 17. **NOTICE TO SOS OF CHANGES TO LOCATIONS, DAYS, AND HOURS OF EARLY VOTING.**

17.1 No later than 45 days before the first early voting day allowed by statute, the coordinator will be responsible for providing the Secretary of State any changes made to a previously submitted Early Voting Plan that affect the locations, dates, and hours of operation for each joint early voting site operated by the participating municipalities. This ensures that the correct information is posted on the Michigan Voter Information Center (MVIC) portion of the Department of State’s website.

18. DURATION OF MUNICIPAL JOINT EARLY VOTE SITE AGREEMENT.

18.1 This Agreement and any amendments will be effective when executed by all Parties, as evidenced by the signature of each participating municipal clerk.

18.2 The Parties agree the Agreement is effective until terminated as provided below.

19. CANCELLATION, MODIFICATION, AND TERMINATION OF MUNICIPAL JOINT EARLY VOTE SITE AGREEMENT.

19.1 If the parties terminate Agreement for any reason, the clerk of each participating municipality must submit a revised early voting plan to the Department outlining the manner in which early voting will be provided.

19.2 If a party withdraws from the Agreement for any reason, the clerk of the municipality withdrawing from the Agreement must submit a revised early voting plan to the Department outlining the manner in which early voting will be provided. A party to a municipal Agreement may withdraw from the Agreement by providing at least 30 days’ written notice to the other Parties to the Agreement.

19.3 A party may not withdraw from the Agreement during the period beginning 150 days before the first statewide November election in an even numbered year and ending on the completion of the county canvass for the statewide general November election in that even numbered year.

19.4 If the Agreement covers any elections in addition to statewide and federal elections, a Party may not withdraw from the Agreement during the period beginning 150 days before the election covered under the Agreement and ending on the completion of the county canvass for that election.

<u>Susanne M. Courtade</u>	_____	_____
Charter Township of East Bay	Signature of Clerk	Date
<u>Lisa Swanson</u>	_____	_____
Acme Township	Signature of Clerk	Date
<u>Rebecca Chown</u>	_____	_____
Peninsula Township	Signature of Clerk	Date
<u>Cheryl Goss</u>	_____	_____
Whitewater Township	Signature of Clerk	Date
<u>Sheryl Tillitson</u>	_____	_____
Union Township	Signature of Clerk	Date

EXHIBIT A: Early Voting Plan

No later than 120 days before the first statewide or federal election in each even numbered year, the coordinator is responsible for ensuring an Early Voting Plan, covering the parties to the Municipal Agreement, is filed with the county clerk of the county in which the municipalities are located.

Not less than 45 days before the first early voting day allowed by statute, the coordinator will be responsible for providing the Secretary of State any changes made to a previously submitted Early Voting Plan that affect the locations, dates, and hours of operation for each joint early voting site operated by the participating municipalities. This ensures that the correct information is posted on the Michigan Voter Information Center (MVIC) portion of the Department of State's website.

Plan Coverage: Municipal Agreement

Coordinator of Municipal Agreement:

Name of Coordinator	Position	Email Address	Phone Number
Susanne M. Courtade	Township Clerk	scourtade@eastbaytwp.org	231.947.8647

Municipality 1:

Name of municipality	Clerk of municipality	Number of precincts in municipality	Number of registered electors in municipality
Charter Township of East Bay	Susanne M. Courtade	5	10,357

Municipality 2:

Name of municipality	Clerk of municipality	Number of precincts in municipality	Number of registered electors in municipality
Acme Township	Lisa Swanson	2	3,964

Municipality 3:

Name of municipality	Clerk of municipality	Number of precincts in municipality	Number of registered electors in municipality
Peninsula Township	Rebecca Chown	2	5,600

Municipality 4:

Name of municipality	Clerk of municipality	Number of precincts in municipality	Number of registered electors in municipality
Whitewater Township	Cheryl Goss	1	2,450

Municipality 5:

Name of municipality	Clerk of municipality	Number of precincts in municipality	Number of registered electors in municipality
Union Township	Sheryl Tillitson	1	426

Early Voting Location Information:

	Early voting site #1	Early voting site #2	Early voting site #3
Location of site	1965 N Three Mile Road, Traverse City, MI 49696		
Municipalities served at site	Charter Township of East Bay, Acme Township, Peninsula Township, Whitewater Township, Union Township		
Number of Election Workers at site	5-7 each day		
Is this an EV site for all 9 days of Constitutionally-required early voting? (Y/N)	Y		
Hours for 9 days of Constitutionally-required early voting	8-4		
How many (if any) additional days of early voting will be provided at this site?	ZERO		
Hours for any additional days of early voting	N/A		

Is this site ADA compliant?	Y		
In selecting this site, did you take into account expected turnout, population density, public transportation, accessibility, travel time, travel patterns, and any other relevant considerations?	Y		

Early Voting Equipment Information:

	Early voting site #1	Early voting site #2	Early voting site #3
Number of tabulators at site	Thinking 4-but unknown		
Municipality responsible for providing tabulators	Would need to be new tabulators		
Number of early voting poll book laptops	Thinking 4 but unknown		
Municipality responsible for providing early voting poll book laptops	Would need to be new Early Voting Poll Book Laptops		
Clerk responsible for taking the necessary steps to set up the early voting poll book laptops	Charter Township of East Bay		
Board of election commissioners responsible for testing equipment	Charter Township of East Bay		

EXHIBIT B: SITE SUPERVISORS

Early Voting Site Supervisors:

	Supervisor at Early voting site #1	Supervisor at Early voting site #2	Supervisor at Early voting site #3
Early Voting Day 1	Charter Township of East Bay		
Early Voting Day 2	Charter Township of East Bay		

Early Voting Day 3	Charter Township of East Bay		
Early Voting Day 4	Charter Township of East Bay		
Early Voting Day 5	Charter Township of East Bay		
Early Voting Day 6	Charter Township of East Bay		
Early Voting Day 7	Charter Township of East Bay		
Early Voting Day 8	Charter Township of East Bay		
Early Voting Day 9	Charter Township of East Bay		

Describe the communication strategy for informing electors of their opportunity for early voting:

A group thread has been set by email and cell phones to the clerks involved in this partnership. A response will be sent through this thread for continuity. The clerks will work together to create clear and uniform communications to inform electors of their opportunity for Early Voting.