CITY COUNCIL ACTION REPORT

DATE: August 20, 2013

TO: Brian Kischnick, City Manager

FROM: M. Aileen Bittner, City Clerk

SUBJECT: Termination of Oakland County Board of Canvassers Interlocal Agreement

Background

On July 23, 2012, City Council authorized a renewal of the 2007 Oakland County Board of Canvassers Interlocal Agreement. With this agreement, the City of Troy requested that the Oakland County Board of Canvassers perform the canvassing function for all Troy elections at a cost of $25 per precinct. On June 11, 2013, Public Act 51 of 2013 took effect which eliminated all local Boards of Canvassers. The City of Troy already eliminated our Board of Canvassers in 2007, so PA 51 didn't affect us in that respect. PA 51 did, however, make the agreement with Oakland County moot since now the counties are required by law to perform the canvassing function for all local municipalities.

Financial Considerations

Canvassing costs have been revised according to MCL168.24a(5) which essentially states that the total cost of the canvass will be divided among the entities participating in the election. For even-year elections, and Federal or State called special elections, there will be no canvassing costs passed on to the City of Troy. For odd-year elections, and Troy special elections, the costs will vary but will still be approximately $25 per precinct. Overall, Troy will see a savings in canvassing costs annually since we no longer will be charged for canvassing of Federal and State elections (even if local races appear on those ballots).

Funds for this service are available in the Elections budget.

Legal Considerations

The City of Troy is required by PA 51 of 2013 to have Oakland County Board of Canvassers canvass all elections

Options

City Management requests that the Oakland County Board of Canvassers Interlocal Agreement be terminated.

Resolution #2013-08-
Moved by
Seconded by

RESOLVED, That Troy City Council hereby **TERMINATES** the Oakland County Board of Canvassers Interlocal Agreement due to Public Act 51 of 2013.

Yes:
No:

OAKLAND COUNTY CLERK/REGISTER OF DEEDS

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ELECTIONS DIVISION

LISA BROWN
COUNTY CLERK/REGISTER OF DEEDS

JOSEPH J. ROZELL, CERA
DIRECTOR OF ELECTIONS

August 2, 2013

Aileen Bittner, Clerk
City of Troy
500 W. Big Beaver Rd.
Troy, MI 48084-5285

Dear Clerk Bittner,

On June 11th, 2013, Public Act 51 of 2013 took effect and eliminated all local Boards of Canvassers. The Act also repealed the section of law, MCL 168.30a(2) that permitted the contracting of canvassing duties with the county in communities with more than five (5) precincts.

Therefore, in light of the recent changes to state election law, the contract that presently exists between the county and your municipality is terminated effective June 11th, 2013 as it is no longer permitted and moot under the law.

Effective with the August 6, 2013 election, canvassing for all elections will be handled by the Board of County Canvassers pursuant to state law. The cost of the county canvass will be billed in accordance with MCL 168.24a(5). I've provided a brief summary below of how this will occur.

August Primary/November General (Even Year), Presidential Primary & Special Elections called by Governor/Legislature

There will be no canvassing costs to municipalities with local candidates or proposals that appear on the ballot for one of the election dates listed above.

All other election dates

The total cost of the canvass will be calculated and divided by the total number of precincts (physical and AV) in that particular election. A per precinct cost will be determined. The per precinct cost will then be billed to each municipality or school district participating based on their number of precincts. In cases of split precincts, the per precinct cost of that precinct will be shared equally by the entities appearing on that precincts' ballot.

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Although the revised pricing structure under the law deviates from the previous contracted amount of $25 per precinct, those with candidates or proposals appearing on the even year August or November ballot will immediately notice a savings. I anticipate the charge for those with candidates or proposals appearing on other election dates will ultimately incur a charge slightly above or below the previous $25 per precinct charged.

Please don't hesitate to contact me should you have any questions.

Sincerely,
COUNTY OF OAKLAND

Joseph J. Rozell
Director of Elections