

# OFFICIAL LIST OF PROPOSALS

11/06/2012 - STATE GENERAL

ALPENA COUNTY

## STATE PROPOSALS

### A REFERENDUM ON PUBLIC ACT 4 OF 2011 - THE EMERGENCY MANAGER LAW

Public Act 4 of 2011 would:

- Establish criteria to assess the financial condition of local government units, including school districts.
- Authorize Governor to appoint an emergency manager (EM) upon state finding of a financial emergency, and allow the EM to act in place of local government officials.
- Require EM to develop financial and operating plans, which may include modification or termination of contracts, reorganization of government, and determination of expenditures, services, and use of assets until the emergency is resolved.
- Alternatively, authorize state-appointed review team to enter into a local government approved consent decree.

Should this law be approved?

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### A PROPOSAL TO AMEND THE STATE CONSTITUTION REGARDING COLLECTIVE BARGAINING

This proposal would:

- Grant public and private employees the constitutional right to organize and bargain collectively through labor unions.
- Invalidate existing or future state or local laws that limit the ability to join unions and bargain collectively, and to negotiate and enforce collective bargaining agreements, including employees' financial support of their labor unions. Laws may be enacted to prohibit public employees from striking.
- Override state laws that regulate hours and conditions of employment to the extent that those laws conflict with collective bargaining agreements.
- Define "employer" as a person or entity employing one or more employees.

Should this proposal be approved?

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### A PROPOSAL TO AMEND THE STATE CONSTITUTION TO ESTABLISH A STANDARD FOR RENEWABLE ENERGY

This proposal would:

- Require electric utilities to provide at least 25% of their annual retail sales of electricity from renewable energy sources, which are wind, solar, biomass, and hydropower, by 2025.
- Limit to not more than 1% per year electric utility rate increases charged to consumers only to achieve compliance with the renewable energy standard.

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### INTERNATIONAL BRIDGES AND TUNNELS

This proposal would:

- Require the approval of a majority of voters at a statewide election and in each municipality where "new international bridges or tunnels for motor vehicles" are to be located before the State of Michigan may expend state funds or resources for acquiring land, designing, soliciting bids for, constructing, financing, or promoting new international bridges or tunnels.
- Create a definition of "new international bridges or tunnels for motor vehicles" that means, "any bridge or tunnel which is not open to the public and serving traffic as of January 1, 2012."

Should this proposal be approved?

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ALPENA COUNTY

**CITY OF ALPENA PROPOSALS****Statement of Reason:**

1. At the Alpena City Council meeting of April 16, 2012, Mr. Karschnick voted to terminate City Manager Thad Taylor without cause.
2. Mr. Karschnick violated the Open Meetings Act by deliberating with the City Council majority outside of a public meeting to reach a decision to terminate City Manager Thad Taylor prior to the April 16, 2012 meeting where the decision was announced.
3. The decision to terminate City Manager Thad Taylor was justified by Mr. Karschnick as part of a new direction for City Government, which has never been otherwise explained or defined to Alpena's voters;
4. The decision to terminate City Manager Thad Taylor is an added burden on a City budget which is already facing a deficit.

**Justification of Conduct:**

1. No cause means just that, Employee is the only one that can ask to go into close session, if Mr. Taylor had not ask for close session, then I would have listed my reasons. The without cause protects the employee if that person would seek new employment.
2. I did not violate the open meetings act.
3. I never said I was looking for a new direction or new vision.
4. We are setting on a two and one half Million Dollar fund balance.

**Shall David Karschnick, Sr. be recalled from the office of City of Alpena Councilperson?**

**Statement of Reason:**

1. At the Alpena City Council meeting of April 16, 2012, Mr. Nunneley voted to terminate City Manager Thad Taylor without cause.
2. Mr. Nunneley violated the Open Meetings Act by deliberating with the City Council majority outside of a public meeting to reach a decision to terminate City Manager Thad Taylor prior to the April 16, 2012 meeting where the decision was announced.
3. The decision to terminate City Manager Thad Taylor was justified by Mr. Nunneley as part of a new direction for City Government, which has never been otherwise explained or defined to Alpena's voters;
4. The decision to terminate City Manager Thad Taylor is an added burden on a City budget which is already facing a deficit.

**Justification of Conduct:**

"...somebody could absolutely lie on a recall petition. But if it's a specific lie...it's their right, and if it puts the public on notice and it puts the (elected) individual on notice and there's enough signatures and it otherwise complies with the law...it goes (on the ballot)." Thomas LaCross Alpena County Probate Judge July 17, 2012

The language without cause comes directly from the contract negotiated, signed, and agreed to by Mr. Taylor.

I've served Alpena government for 10+ years, I assure you I complied with the Open Meetings Act. Per City Policy, I notified Council/Manager, in person and in writing, three weeks before the meeting to request this agenda item-Mr. Taylor's response "I'm not surprised."

I've never been quiet about my direction for Alpena-Accountability and Fiscal Responsibility-fighting issues

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11/06/2012 - STATE GENERAL

ALPENA COUNTY

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- Allow annual extensions of the deadline to meet the 25% standard in order to prevent rate increases over the 1% limit.
- Require the legislature to enact additional laws to encourage the use of Michigan made equipment and employment of Michigan residents.

Should this proposal be approved?

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**A PROPOSAL TO AMEND THE STATE CONSTITUTION  
TO ESTABLISH THE MICHIGAN QUALITY HOME CARE COUNCIL  
AND PROVIDE COLLECTIVE BARGAINING  
FOR IN-HOME CARE WORKERS**

This proposal would:

- Allow in-home care workers to bargain collectively with the Michigan Quality Home Care Council (MQHCC). Continue the current exclusive representative of in-home care workers until modified in accordance with labor laws.
- Require MQHCC to provide training for in-home care workers, create a registry of workers who pass background checks, and provide financial services to patients to manage the cost of in-home care.
- Preserve patients' rights to hire in-home care workers who are not referred from the MQHCC registry who are bargaining unit members.
- Authorize the MQHCC to set minimum compensation standards and terms and conditions of employment.

Should this proposal be approved?

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**A PROPOSAL TO AMEND THE STATE CONSTITUTION  
TO LIMIT THE ENACTMENT OF NEW TAXES BY STATE GOVERNMENT**

This proposal would:

Require a 2/3 majority vote of the State House and the State Senate, or a statewide vote of the people at a November election, in order for the State of Michigan to impose new or additional taxes on taxpayers or expand the base of taxation or increasing the rate of taxation.

This section shall in no way be construed to limit or modify tax limitations otherwise created in this Constitution.

Should this proposal be approved?

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**A PROPOSAL TO AMEND THE STATE CONSTITUTION  
REGARDING CONSTRUCTION OF**

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**CITY OF ALPENA PROPOSALS**

like the Water Meters and Rates, Boat Hoist, Recycling tax, APLEX Funding, Starlight beach bathroom, administration pension policy and for inter-governmental consolidations-saving Millions in tax dollars.

The City budget simply cannot legally be in deficit.

I expect \$100k a year manager to provide vision, solutions, direction and accountability. I repeatedly conveyed my position.

Former Mayor Carol Shafto-April 18, 2012 "I expected this..."

**Shall Michael W. Nunneley be recalled from  
the office of City of Alpena Councilperson?**

**Statement of Reason:**

1. At the Alpena City Council meeting of April 16, 2012, Mr. Waligora voted to terminate City Manager Thad Taylor without cause.
2. Mr. Waligora violated the Open Meetings Act by deliberating with the City Council majority outside of a public meeting to reach a decision to terminate City Manager Thad Taylor prior to the April 16, 2012 meeting where the decision was announced.
3. The decision to terminate City Manager Thad Taylor was justified by Mr. Waligora as part of a new direction for City Government, which has never been otherwise explained or defined to Alpena's voters;
4. The decision to terminate City Manager Thad Taylor is an added burden on a City budget which is already facing a deficit.

**Justification of Conduct:** (If submitted by officer)

As part of an elected council that is directed by City Charter to fill the position of city manager, I voted to fill it with someone different than my predecessors chose.

I followed the laws and policies regarding the release of specific information related to Mr. Taylor's performance and pertaining to the decision that I made to vote for the termination of his employment contract. I will not justify my actions by releasing statements that could be misconstrued and perhaps damaging to his credibility.

New direction seemed an obvious statement given that the position of city manager would be filled with someone new. For me, that means new and fresh ideas for efficiency, internal and intergovernmental relationships, and a business friendly government.

I made an independent decision without violating the Open Meetings Act. I have protected the city from liability and the rights of an employee who requested closed session.

I supported council's decision to cut our salaries by fifty percent to significantly reduce the affect on the budget. I consider this as an investment in the city's future.

I have remained true to the platform of my original campaign and I have conducted myself professionally as Mayor of Alpena.

**Shall Matt Waligors be recalled from  
the office of City of ALpena Mayor?**