



JENNIFER M. GRANHOLM  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF ENERGY, LABOR & ECONOMIC GROWTH  
LANSING

STANLEY "SKIP" PRUSS  
DIRECTOR

To: State and Huron County Boundary Commissioners

From: Christine Holmes  
State Boundary Commission

Date: July 1, 2009

Subject: **LEGAL SUFFICIENCY REVIEW OF REFERENDUM PETITION**  
**Docket# 08-I-1: Proposed Incorporation of the Village of Sebewaing  
as a Home Rule City**

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A referendum petition was filed with the State Boundary Commission on June 17, 2009, requesting a referendum election on the proposed incorporation of the Village of Sebewaing. The petition was submitted within the 45-day period of the date that DELEG Director Pruss signed an order to allow the incorporation process to continue.

Commission staff offers the following findings:

1. The Boundary Commission Act (1968 PA 191) requires that a referendum petition shall contain the signatures of at least 5% of the registered electors residing within the area to be incorporated as approved by the Commission (MCL 123.1010). According to information provided by the Village clerk, the total number of registered electors residing within the area proposed for incorporation (the Village of Sebewaing) is 1,390. Therefore, the minimum valid signature requirement is 70.
2. The number of signatures submitted in the referendum petition is 144. Of those, 140 were certified as valid by both the Village clerk and the Township Clerk as being qualified electors residing within the Village of Sebewaing.
3. The required number of valid signatures has been met and is exceeded by 70.

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Legal Sufficiency Memo

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July 1, 2009

If the Commission declares this referendum petition to be legally sufficient, attached is the *DRAFT* new Order along with the proposed ballot language for your consideration and approval.

If Commission determines the date for the referendum election to be November 3, 2009, the deadline in which to submit ballot language to the county clerk is Tuesday, August 11.

The Boundary Commission Act requires that the effective date of the Order shall be a date later than the referendum election (eg 10 days) should the ballot proposal be approved by a majority of the voters in the area proposed for incorporation. Therefore, the date of the referendum election should be determined at today's Commission meeting so that the election date and the subsequent effective date of the Final Order can be specified therein.

Attachments

STATE OF MICHIGAN

DEPARTMENT OF ENERGY, LABOR & ECONOMIC GROWTH

STATE BOUNDARY COMMISSION

In the Matter of:

The proposed incorporation of  
the Village of Sebewaing as a Home Rule City,  
Huron County.

Boundary Commission  
Docket #08-I-3

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FINAL ORDER

WHEREAS the Director of the Department of Energy, Labor & Economic Growth signed an Order on May 5, 2009 to approve a petition that proposes the incorporation of the Village of Sebewaing as a Home Rule City.

WHEREAS more than 5% of the registered electors residing in the area approved for the proposed incorporation have signed and filed a valid petition with the State Boundary Commission within the statutory 45-day period, asking for a referendum election on the proposed incorporation, as authorized in 1968 PA 191. The referendum petition was determined to be *legally sufficient* at a regular meeting of the Boundary Commission on July 16, 2009.

IT IS ORDERED THAT the registered electors residing in the territory proposed to be incorporated shall be permitted to vote on the referendum question at an election to be held on *November 3, 2009*.

IT IS ORDERED THAT if a majority of the electorate residing in the territory proposed for incorporation, voting collectively on the referendum question, approve continuation of the incorporation proceedings, this Order shall become final on the date specified herein. Charter commission elections and proceedings pursuant to 1909 PA 279 shall follow. If a majority of the electorate residing in the territory proposed for incorporation, voting collectively, vote no on the referendum question, no further incorporation proceedings shall take place.

IT IS ORDERED THAT the new effective date for the Summary of Proceedings, Findings of Fact and Conclusions of Law, and Final Order that was signed by the Director on May 5, 2009, shall be *November 13, 2009*. A copy of this Order and the canvass of votes from the respective election shall be appended thereto.

**IT IS ORDERED THAT** the attached ballot language (Attachment A) be placed before the voters. The clerks of the Township of Sebewaing and the County of Huron shall coordinate, conduct, and direct the election in compliance with the election laws of this state. The Board of Canvassers of the County of Huron shall certify and submit the election results to the State Boundary Commission as soon as practicable after the election.

**IT IS FURTHER ORDERED** that the Department shall transmit a copy of this Order to the clerks of the Village of Sebewaing, the Township of Sebewaing, and the County of Huron, and to the Secretary of State.

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Stanley "Skip" Pruss, Director  
Michigan Energy, Department of Labor & Economic Growth

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Date

## ATTACHMENT A

### REFERENDUM ON INCORPORATION PROCESS

Shall the proceedings continue that propose to incorporate the Village of Sebewaing as a Home Rule City?

NOTE: A "Yes" vote permits incorporation proceedings to continue.

A "No" vote terminates incorporation proceedings.

Yes [ ]

No [ ]