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Macomb County Clerk Karen Spranger listed a home on Hudson Avenue in Warren as her residence when she filed to run for office last year, but there has been ongoing speculation about whether or not she actually lived there at that time. (File photo by Deb Jacques)

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MOUNT CLEMENS — Where did Macomb County Clerk Karen Spranger live when she filed to run for office in April 2016?

That question is at the center of a civil complaint filed on behalf of the county Aug. 1.

The latest legal action involving Spranger, one focused on her residency as stated on her affidavit of identity during last year's election campaign, first seeks the court's permission to file a counter-complaint to a lawsuit she filed in June.

Spranger's original complaint sought the court's judgment as it pertained to her duties and authority as the county's elected clerk.

If approved, the counter-complaint — announced by Macomb County Executive Mark Hackel and attorney John Schapka, Macomb County corporation counsel — would ask the court to determine if Spranger was legitimately elected in November if she did not in fact live on Hudson Avenue in Warren, as was stated on the affidavit.

The question, officials said, has been swirling for months.

"Did she really live at the location she indicated? The time has finally come when that question needs to be asked and answered by the only, I guess if you will, unit of government that's created to do such a thing, and that's the courts," Hackel said.

"If the court does rule that she did live there at that time, then we move on, the issue is settled, we don't have to ask this question anymore. And if she is determined to have not lived there, then I guess there's another issue that comes about, and that is she is no longer entitled to hold that office, and we move forward and make a determination as to what happens next," Hackel said.

Schapka said the lawsuit asks the court for permission to file action that would question whether Spranger legitimately holds the office of clerk.

"It's a very narrow cause of action," Schapka said. "It does not address elected officials' competencies, their leadership skills, their managerial abilities. It doesn't question their experience, and it certainly doesn't question their popularity with employees or the public. It's a very simple, single issue, and that is, does the official legitimately occupy office?"

"In this case, the factual issue is, where did Karen Spranger reside on April 6, 2016? That is the date she filed for office," Schapka said.

He added that "if it is determined that that affidavit is false, that remedy in law, as spelled out by prevailing law, is removal from office."

Spranger's attorney, Frank Cusumano Jr., has called questions about his client's residency "meritless" and said the latest lawsuit filed by the county is instead about the "elite class" in the establishment fighting her attempts to change the status quo.

"They're not citing any case law where someone is removed from office months after taking office. The cases they're citing are ones where people have been removed from the ballot," Cusumano said. "I think they're using residency to frustrate and overturn the considered judgment of the voters."

The legal questions posed in the lawsuit filed on behalf of the county are separate from a criminal probe confirmed in July by Macomb County Sheriff Anthony Wickersham. The sheriff said an investigation by that office was launched after a resident of Warren came forward alleging possible perjury tied to the affidavit and Spranger's residency.

Spranger listed the home on Hudson Avenue in Warren as her residence when she filed to run for office, but there has been ongoing speculation about whether or not she actually lives there.

As of July 26, a city of Warren do-not-occupy notice remained posted on the front door, and occupancy at the home was apparently in question even before Spranger began her campaign for clerk last April.

A review of Warren city records shows that water service was turned off at the home in Spranger's name on April 1, 2014. Records going back to 2003 show persistent questions about whether the home was occupied based on low water consumption.

In 2015, the Michigan Court of Appeals upheld the city of Warren's denial of a Principal Residence Exemption for Spranger during the 2012 tax year at the Hudson address. According to court documents, the city found "that she did not occupy the property," and the Michigan Tax Tribunal concurred. In the appellate ruling, the court found that the tribunal's decision to deny the exemption was "based on competent, material and substantial record evidence" and that the denial was "within its authority."

A Michigan Tax Tribunal referee previously ruled with respect to the case that "water usage is considered a reliable and reasonable indicator for determining occupancy of a residence."

Spranger, a Republican, narrowly defeated Democrat Fred Miller to win election as the county's clerk last November. The seat had been held by Democrat Carmella Sabaugh for 24 years.

The county's lawsuit is scheduled to be discussed at a hearing in Macomb County Circuit Court before Judge Kathryn Viviano at 8:30 a.m. Aug. 14.

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About the author

Staff Writer Brian Louwers covers the cities of Warren and Center Line. He has worked for C & G Newspapers since 1998 and is a graduate of the University of Michigan-Dearborn. In his free time, he participates in the Michigan State University Extension Master Gardener Volunteer Program and conducts interviews with military veterans for the Veterans History Project at the Library of Congress.

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