

BAY COUNTY ELECTION COMMISSION

THE BAY COUNTY ELECTION COMMISSION MET ON THURSDAY, JANUARY 24, 1991 IN THE COMMISSIONER'S GROUND FLOOR CONFERENCE ROOM OF THE BAY COUNTY BUILDING. THE MEETING WAS CALLED TO ORDER BY THE CHAIRMAN OF THE BOARD, JUDGE PAUL N. DONER, AT 8:05 A.M. FOR THE PURPOSE OF APPOINTING A TEMPORARY BOARD MEMBER DUE TO THE ABSENCE (VOLUNTARY LEAVE OF ABSENCE) OF COMMISSION MEMBER EDWARD LEWANDOWSKI. THE FOLLOWING MEMBERS WERE PRESENT.

JUDGE PAUL DONER , CHAIRMAN
BARBARA ALBERTSON, COUNTY CLERK
CYNTHIA A. LUCZAK, SECRETARY

JUDGE PAUL DONER INDICATED MR. LEWANSOWSKI'S LEAVE OF ABSENCE FROM THE TREASURER'S POSITION CONSTITUTED A LEAVE OF ABSENCE FROM ALL OF HIS RESPONSIBILITIES, INCLUDING THE ELECTION COMMISSION. IN ACCORDANCE WITH STATE STATUTE MCLA 168.23, IT WAS THE DUTY OF THE OTHER ELECTION COMMISSION MEMBERS TO APPOINT A MEMBER IN THE ABSENCE OF THE TREASURER.

JUDGE DONER ASKED IF ANYONE WOULD LIKE TO ADDRESS THE COMMISSION WITH THEIR CONCERNS PURSUANT TO THE OPEN MEETINGS ACT. AS THERE WERE NO MEMBERS OF THE PUBLIC IN ATTENDANCE WHO WISHED TO COMMENT, THE SESSION CONTINUED.

CLERK ALBERTSON CITED THE STATUTE WHICH STATED THE COMMISSION COULD APPOINT A TEMPORARY MEMBER, THIS MEMBER WAS TO BE ANY OTHER "COUNTY OFFICER". IT WAS THE CONCURRENCE OF BOTH CLERK ALBERTSON AND CHAIRMAN DONER THAT THE INDIVIDUAL APPOINTED WOULD SERVE ON THIS COMMISSION UNTIL MR. LEWANDOWSKI RESUMED HIS TREASURER POSITION OR IT WAS DETERMINED HE WAS NO LONGER THE BAY COUNTY TREASURER OFFICIALLY.

CHAIRMAN DONER STATED THE STATUTE UNDER WHICH THIS TEMPORARY APPOINTMENT WAS BEING MADE, DID NOT CLARIFY THE TERM "COUNTY OFFICER". UNDER THE STATUTE FOR RECALL, A COUNTY OFFICER WAS SAID TO BE ANY OFFICER ELECTED AT THE SAME TIME THE PRESIDENT WAS ELECTED, COUNTY WIDE ELECTED OFFICIALS.

JANUARY 24, 1991

UNDER THE STATUTE DEFINING "COUNTY OFFICER", THE DEPUTY TREASURER, MS. MARY JACOBS WOULD NOT BE ABLE TO ACT ON MR. LEWANDOWSKI'S BEHALF. SHE WAS NOT AN ELECTED OFFICIAL WHO WOULD BE ALLOWED TO ACT IN THIS CAPACITY.

CLERK ALBERTSON RECOMMENDED THE PROSECUTING ATTORNEY, GEORGE MULLISON, BE APPOINTED TO SERVE IN THE ABSENCE OF MR. LEWANDOWSKI AS HE HAD BEEN FAMILIAR WITH THE FUNCTIONS OF THE PANEL TO APPOINT COUNTY OFFICERS AND BEEN INVOLVED IN THE PAST. THE PROSECUTING ATTORNEY WAS OUT OF TOWN UNTIL MONDAY, JANUARY 28, 1991, SO HIS IMMEDIATE ACCEPTANCE OR REJECTION OF THE APPOINTMENT WAS NOT MADE AVAILABLE. AS THIS WAS AGREED UPON BY CHAIRMAN DONER, CLERK ALBERTSON PUT THE APPOINTMENT IN MOTION FORM...

MOTION 1: CLERK ALBERTSON MOVED THAT PROSECUTING ATTORNEY, GEORGE MULLISON BE APPOINTED TO THE ELECTION COMMISSION IN THE ABSENCE OF TREASURER EDWARD LEWANDOWSKI. THIS TEMPORARY APPOINTMENT SHALL BE UNTIL THE TREASURER RESUMES HIS POSITION OR IS OTHERWISE DETERMINED TO NO LONGER BE THE BAY COUNTY TREASURER. FURTHER, SHOULD THE PROSECUTOR BE UNABLE TO ACCEPT THE APPOINTMENT FOR THE SCHEDULED INTERVIEWING AND APPOINTMENT OF THE PINCONNING TOWNSHIP CLERK AND TREASURER SCHEDULED FOR JANUARY 30, 1991, THAT CLERK ALBERTSON BE AUTHORIZED TO APPOINT ANOTHER ELECTED OFFICIAL TO ACT IN THIS CAPACITY. JUDGE DONER SUPPORTED THE MOTION AND ALSO STATED APPOINTMENT OF ANY OTHER ELECTED OFFICIAL WOULD BE FOR THE PINCONNING TOWNSHIP MEETING ONLY. MR. MULLISON WOULD THEREAFTER BE THE DESIGNEE APPOINTED TO SERVE ON THE ELECTION COMMISSION. MOTION CARRIED BY ROLL CALL VOTE - 2 YEAS, 0 NAYS.

BEING NO OTHER BUSINESS TO COME BEFOR THE ELECTION COMMISSION, THE MEETING WAS ADJOURNED AT 8:10 A.M.

RESPECTFULLY SUBMITTED

BARBARA ALBERTSON
BAY COUNTY CLERK