

## **BAY COUNTY APPORTIONMENT COMMISSION**

**APRIL 26, 2011**

THE BAY COUNTY APPORTIONMENT COMMISSION MET ON TUESDAY, APRIL 26, 2011, IN THE FOURTH FLOOR COMMISSION CHAMBERS OF THE BAY COUNTY BUILDING. THE MEETING WAS CALLED TO ORDER BY CHAIRPERSON CYNTHIA A. LUCZAK AT 9:00 A.M. WITH THE FOLLOWING MEMBERS AND GUESTS PRESENT.

ROLL CALL: COUNTY CLERK, CYNTHIA A. LUCZAK, CHAIRPERSON  
TREASURER, RICHARD BRZEZINSKI  
PROSECUTING ATTORNEY, KURT ASBURY  
DEMOCRATIC PARTY CHAIRMAN, TONY PAWELSKI  
REPUBLICAN PARTY CHAIRMAN AARON BAYLIS, SECRETARY

ALSO PRESENT: SHEILA SHAW, SECRETARY TO THE COUNTY CLERK  
DANA MUSCOTT, BAY CITY CLERK  
JANET SANTOS, BANGOR TOWNSHIP CLERK  
CINDY KOWALSKI, MONITOR TOWNSHIP CLERK  
JUDY BUKOWSKI, PORTSMOUTH TOWNSHIP CLERK  
AMY CHARNEY, WILLIAMS TOWNSHIP CLERK  
NICHOLAS MADAJ, BAY CITY RESIDENT  
BOYD & MARY BOETTGER, BAY CITY RESIDENTS  
SHANNON MURPHY, BAY CITY TIMES

### **MINUTES**

**MOTION 5.** TREASURER BRZEZINSKI MOVED TO APPROVE THE APPORTIONMENT COMMISSION MEETING MINUTES OF APRIL 6, 2011. IT WAS SUPPORTED BY MR. BAYLIS AND PASSED BY A VOICE VOTE OF: 5 YEAS, 0 NAYS.

### **CITIZENS INPUT**

JUDY BUKOWSKI, PORTSMOUTH TOWNSHIP CLERK, COMMENTED SHE AND THE OTHER CLERK'S WERE IN ATTENDANCE TODAY TO PROTECT THE LINES OF THEIR PRECINCTS. DANA MUSCOTT, BAY CITY CLERK, NOTED THAT THE CITY OF BAY CITY IS IN THE PROCESS OF REDUCING THEIR PRECINCTS FROM 27 TO 9 AND SAID THE POSTAGE FOR ELECTION MAILING IS A HUGH EXPENSE.

### **RECEIVE DATA FIGURES**

CHAIRPERSON LUCZAK SAID THERE WERE TWELVE (12) DISCREPANCIES IN THE DATA FIGURES FROM THE GIS DEPARTMENT THAT WERE MINOR IN TOTAL EFFECT, BUT REQUIRED FOLLOW-UP. THE DISCREPANCIES WERE BLOCK LINES AND BOUNDARY LINES AND THE ISSUES WERE RESOLVED.

**MOTION 6.** MR. BAYLIS MOVED TO RECEIVE THE FINAL DATA FIGURES AS PRESENTED. IT WAS SUPPORTED BY PROSECUTOR ASBURY AND PASSED BY A UNANIMOUS VOICE VOTE: 5 YEAS, 0 NAYS.

PROSECUTOR ASBURY RESEARCHED THE ISSUE OF STATUE MCLA 46.404 (g), RESIDENTS OF STATE INSTITUTIONS WHO CANNOT BY LAW REGISTER IN THE COUNTY AS ELECTORS SHALL BE EXCLUDED FROM ANY CONSIDERATION OF REPRESENTATION. HE SAID BASED ON PREVIOUS APPORTIONMENT DISCUSSIONS IN 2001, IT WAS CONCLUDED THAT JAIL INMATES ARE NOT MEMBERS OF A STATE INSTITUTION AND THEREFORE, WILL NOT BE CONSIDERED.

CHAIRPERSON LUCZAK NOTED THAT AS OF APRIL 1, 2011, THE TOTAL NUMBER OF INMATES IN THE BAY COUNTY JAIL WAS 186.

**MOTION 7.** PROSECUTOR ASBURY MOVED TO NOT CONSIDER JAIL INMATE FIGURES, AS THEY ARE NOT DEEMED TO BE IN A STATE INSTITUTION. IT WAS SUPPORTED BY MR. PAWELSKI AND PASSED BY A VOICE VOTE OF: 5 YEAS, 0 NAYS.

#### **REVIEW OF PLAN CHECKLIST**

CHAIRPERSON LUCZAK SUGGESTED PREPARING A CHECK LIST TO REVIEW PLANS FOR COMPLETENESS, FOLLOWING THE PLANS REGARDING SIZE, SQUARENESS, AND NUMBERS. THE CHECK LIST WILL BE USED AS A REASSURANCE DEVICE.

**MOTION 8.** MR. BAYLIS MOVED TO HAVE CHAIRPERSON LUCZAK PREPARE A PLAN CHECK LIST FOR THOROUGHNESS, FOLLOWING STATUE 46.40 A - H. IT WAS SUPPORTED BY CHAIRPERSON LUCZAK AND PASSED BY A VOICE VOTE OF: 5 YEAS, 0 NAYS.

#### **ACCEPTANCE OF PLANS**

TREASURER BRZEZINSKI SAID THE MINUTES STATED, ALL PLANS SHALL BE SUBMITTED TO THE OFFICE OF THE COUNTY CLERK WITHIN 30 DAYS, WHICH WILL BE FRIDAY, MAY 6, 2011. THEREFORE, HE SUGGESTED EXTENDING THE DEADLINE AN ADDITIONAL SEVEN (7) CALENDAR DAYS UNTIL FRIDAY, MAY 13, 2011.

**MOTION 9.** MR. BAYLIS MOVED TO EXTEND THE 30 DAY PLAN SUBMISSION DEADLINE AN ADDITIONAL SEVEN (7) CALENDAR DAYS TO FRIDAY, MAY 13, 2011. IT WAS SUPPORTED BY TREASURER BRZEZINSKI AND PASSED BY A UNANIMOUS VOTE: 5 YEAS, 0 NAYS.

CHAIRPERSON LUCZAK MENTIONED THE APPORTIONMENT COMMISSION MEETING MINUTES, MAPS, AGENDA AND STATE OPINION ARE ALL ON THE CLERK'S WEB SITE.

CHAIRPERSON LUCZAK ADDRESSED BAY CITY CLERK, DANA MUSCOTT'S INQUIRY REGARDING ELECTION REIMBURSEMENT. SHE FELT THEY WERE REIMBURSED LAST TIME, HOWEVER, WILL RESEARCH THE ISSUE.

**SCHEDULE NEXT MEETING**

IT WAS AGREED THE NEXT APPORTIONMENT COMMISSION MEETING WOULD BE SCHEDULED FOR MONDAY, MAY 16, 2011 AT 9:00 A.M.

**RECESS/ADJOURNMENT**

PROSECUTOR ASBURY MOVED TO ADJOURN THE MEETING. IT WAS SUPPORTED BY MR. BAYLIS AND PASSED BY VOICE VOTE: 5 YEAS, 0 NAYS. THE MEETING CONCLUDED AT 9:20 A.M.

CYNTHIA A. LUCZAK, BAY COUNTY CLERK  
CHAIRMAN

RICHARD BRZEZINSKI, BAY COUNTY TREASURER  
MEMBER

KURT ASBURY, BAY COUNTY PROSECUTING ATTORNEY  
MEMBER

TONY PAWELSKI, DEMOCRATIC PARTY CHAIRMAN  
MEMBER

AARON BAYLIS, REPUBLICAN PARTY CHAIRMAN  
SECRETARY