

BAY COUNTY APPOINTMENT COMMITTEE
BAY COUNTY TREASURER VACANCY
JANUARY 25, 2019

IN ACCORDANCE WITH MCL 168.209(2) THE JUDGE OF THE PROBATE COURT, THE COUNTY CLERK AND PROSECUTING ATTORNEY SHALL CONVENE AND APPOINT A SUITABLE PERSON TO FILL A VACANCY WHEN A COUNTYWIDE ELECTED OFFICIAL WAS VACATED PRIOR TO THE EXPIRATION OF THE TERM. THE COUNTY TREASURER, RICHARD BRZESINSKI, HAD ANNOUNCED HIS RETIREMENT EFFECTIVE FEBRUARY 1, 2019, THEREFORE, REQUIRING THE HOLDING OF THESE PROCEEDINGS PURSUANT TO THE OPEN MEETING ACT.

MEMBERS PRESENT BY VIRTUE OF THEIR OFFICE INCLUDE: JAN MINER, PROBATE JUDGE; CYNTHIA A. LUCZAK, COUNTY CLERK AND NANCY BORUSHKO, PROSECUTING ATTORNEY. THE MEETING WAS CALLED TO ORDER AT 12:00 PM AT THE BAY COUNTY BUILDING, 4TH FLOOR COMMISSION CHAMBERS, 515 CENTER AVENUE, BAY CITY MICHIGAN WITH THE FOLLOWING IN ATTENDANCE.

PRESENT: JAN MINER, PROBATE JUDGE
CYNTHIA A. LUCZAK, COUNTY CLERK
NANCY BORUSHKO, PROSECUTING ATTORNEY
BRANDON KRAUSE, REGISTER OF DEEDS
SHAWNA WALRAVEN, ASSISTANT CORPORATION COUNSEL
BRETT WALRAVEN, BAY COUNTY CITIZEN
TIFFANY JERRY, DIRECTOR PERSONNEL AND EMPLOYEE RELATIONS
REBECCA MARSTERS, PAYROLL AND BENEFITS SUPERVISOR
HOLLY KUKLA, DEPUTY TREASURER
MICHELE ZOOK, SECRETARY PERSONNEL & EMPLOYEE RELATIONS
NICK PEARCY, INFORMATION SYSTEMS
AMBER DAVIS-JOHNSON, CORPORATION COUNSEL

AS TWO (2) MEMBERS CONSTITUTED A QUORUM, IT WAS EMPHASIZED THAT DISCUSSION BETWEEN ANY TWO MEMBERS OF THE COMMITTEE WAS PROHIBITED UNLESS AT AN OPEN PUBLIC MEETING. THIS, AND ALL FUTURE MEETINGS WOULD BE PUBLICALLY ANNOUNCED PURSUANT TO THE PROVISIONS OF THE OPEN MEETINGS ACT.

CITIZENS INPUT

BRANDON KRAUSE, BAY COUNTY REGISTER OF DEEDS, STATED THAT AS AN ELECTED OFFICIAL HE WAS ASKING THE COMMITTEE TO APPOINT SOMEONE WILLING TO WORK INTERDEPARTMENTALLY. THE TREASURER AND THE REGISTER OF DEEDS WORK IN TANDEM WITH FORFEITURES, REDEMPTIONS, TAX CERTIFICATIONS AND DAILY DEPOSITS. THE REGISTER OF DEEDS WAS REQUESTING THAT THE COMMITTEE LOOK FOR SOMEONE WILLING TO WORK WITH THE TECHNOLOGICAL ADVANCEMENTS NEEDED BETWEEN THE TWO OFFICES AS THE REGISTER OF DEEDS SOFTWARE WAS INTEGRATED WITH THE TREASURERS OFFICE.

ALSO AS THIS WAS AN ELECTED POSITION THE PERSON WHO WAS APPOINTED SHOULD BE AWARE OF THE COSTS ASSOCIATED WITH RUNNING AN ELECTION IN TWO YEARS AND WITH THE EXTENSIVE TRAINING ASSOCIATED WITH THIS POSITION THEY SHOULD BE COMMITTED TO STAYING WITH THE COUNTY. HE FELT THAT THEY SHOULD ALSO BE A MEMBER OF A POLITICAL PARTY IN BAY COUNTY.

APPROVAL OF MINUTES

MOTION MADE BY PROBATE JUDGE, JAN MINER TO ACCEPT THE MINUTES OF THE JANUARY 14, 2019 MINUTES AND SECONDED BY PROSECUTING ATTORNEY, NANCY BORUSHKO WITHOUT CORRECTIONS. MINUTES WERE SIGNED AND APPROVED AS PRESENTED.

REVIEW OF APPLICATIONS

THE DEADLINE OF JANUARY 24, 2019 AT 12:00 PM (NOON) HAD PASSED. JUDGE JAN MINER STATED THE COMMITTEE THANKED TIFFANY JERRY FOR ALL OF THE WORK DONE BY THE PERSONAL DEPARTMENT. THERE WERE 29 APPLICATIONS THAT WERE RECEIVED BY THE BAY COUNTY PERSONAL OFFICE. A DETERMINATION NEEDED TO BE MADE AS TO WHOM WOULD BE INTERVIEWED. DISCUSSION OF REQUIREMENTS OF ELIMINATION OF NONRESIDENTS, NON-REGISTERED TO VOTE OR GENERAL ELIMINATION WAS GIVEN.

COUNTY CLERK LUCZAK READ A LIST OF APPLICANTS WHO DID NOT MEET TWO CRITERIA, FOR MAINTAINING A BAY COUNTY RESIDENCY AND BEING A REGISTERED VOTER. THOSE APPLICANTS WHO DO NOT RESIDE IN BAY COUNTY AND SUBMITTED APPLICATIONS WERE: EMILY FRANCIS, HEATHER VANRIPER, LISA BISHOP, TRASHONE HOWARD, AND ASHLEY CALLEN. CLERK LUCZAK STATED THAT THERE WAS AN APPLICATION RECEIVED BY HRATCH BASMADJIAN, WHO MAY HAVE NOT RESIDED IN BAY COUNTY FOR THE LAST SEVERAL YEARS BUT WAS A REGISTERED VOTER OF BAY COUNTY. SHOULD THIS APPLICANT BE UP FOR CONSIDERATION, IT WOULD REQUIRE THE OPINION OF LEGAL COUNSEL TO DETERMINE IF BASMADJIAN MET THE CRITERIA FOR THE POSITION.

JUDGE MINER STATED THAT SHE AGREED THAT LISA BISHOP, EMILY FRANCIS, HEATHER VANRIPER, AND TRASHONE HOWARD, DO NOT LIVE IN BAY COUNTY. SHE CONTINUED THAT WITH ASHLEY CALLEN, SHE HAD A QUESTION AS PARTS OF MIDLAND ARE IN BAY COUNTY AND SHE QUESTIONED IF SHE COULD BE IN THAT AREA OF MIDLAND THAT FALLS INTO BAY COUNTY. CLERK LUCZAK STATED THAT MS. CALLEN LIVED IN THE DOWNTOWN AREA OF MIDLAND AND THAT WAS NOT IN BAY COUNTY. JUDGE MINER STATED THAT, THEN SHE DID AGREE WITH THE NON-RESIDENCE DISQUALIFICATION. PROSECUTOR BORUSHKO ALSO AGREED WITH THE FINDINGS.

JUDGE MINER THEN ASKED CLERK LUCZAK IF SHE WAS CONFIRMING ON THE RECORD THAT JUSTIN WACKERLE, KRISTIN WADE AND JAYCI DORLAND WERE ALL NOT, IN FACT, REGISTERED VOTERS IN BAY COUNTY. CLERK LUCZAK STATED THAT SHE BASED THIS CRITERIA ON THE BAY COUNTY QUALIFIED VOTER FILE WHICH LISTS ALL BAY COUNTY REGISTERED VOTERS AND WAS UPDATED ON A DAILY BASIS. THESE APPLICANTS WERE DISQUALIFIED ON THIS CRITERIA, JUDGE MINER AND PROSECUTOR BORUSHKO CONCURRED.

INTERVIEWEES

JUDGE MINER STATED THAT THE COMMITTEE WOULD STATE WHICH APPLICANTS EACH MEMBER WOULD LIKE TO INTERVIEW.

CLERK LUCZAK CONVEYED THANKS TO ALL OF THE APPLICANTS FOR APPLYING FOR THE POSITION OF BAY COUNTY TREASURER. SHE CONTINUED THAT IT WAS IMPORTANT THE CORRECT PERSON BE BONDABLE AND HAVE A TRUSTWORTHY REPUTATION AS THIS POSITION HANDLES APPROXIMATELY \$130,000,000 PER YEAR. HER CHOICES INCLUDED: WANDA DZIWURA, DENNIS DINAUER, MICHAEL GRZEZORCZYK AND SHAWNA WALRAVEN. CLERK LUCZAK STATED THAT SHE LOOKED FOR A STRONG FINANCIAL BACKGROUND. WHETHER IT BE BANKING, GOVERNMENT, OR THE PRIVATE SECTOR.

JUDGE MINER EXPRESSED HER APPRECIATION TO THE APPLICANTS. JUDGE CONTINUED THAT SHE WANTED TO STATE ON THE RECORD THAT HER CHOICES WERE REGARDLESS OF THE CRITERIA SET BY THE COMMITTEE, SHE FELT THAT IT WOULD BE ACCEPTABLE IF THE PERSON WOULD HAVE NEEDED TO MOVE INTO THE COUNTY, IF THAT PERSON WAS THE TOP CANDIDATE. JUDGE STATED THAT THIS WAS AN IMPORTANT POSITION, AND A POLITICAL POSITION, IT WAS A COMMITMENT NOT ONLY TO THE JOB BUT A WIDER CALLING TO THE COMMUNITY. THE CANDIDATES JUDGE MINER CHOSE WERE: WANDA DZIWURA, DENNIS DINAUER, MICHAEL GRZEZORCZYK, SHAWNA WALRAVEN AND ANDREW NIEDZINSKI.

PROSECUTOR BORUSHKO STATED THAT IT WAS EXCITING TO SEE A LARGE NUMBER OF PEOPLE WANTING TO INVOLVE THEMSELVES IN PUBLIC SERVICE, AS THE COMMITTEE UNDERSTOOD HOW DIFFICULT AND CHALLENGING, YET REWARDING, THIS WORK COULD BE. SHE STATED HER CHOICES WERE: SHAWNA WALRAVEN, ANDREW NIEDZINSKI, WANDA DZIWURA, MICHAEL GRZEZORCZYK AND DENNIS DINAUER.

JUDGE MINER PROCLAIMED THAT THE CANDIDATES SELECTED FOR INTERVIEWS WERE: WANDA DZIWURA, WITH THREE VOTES; DENNIS DINAUER, WITH THREE VOTES; MICHAEL GRZEZORCZYK WITH THREE VOTES; SHAWNA WALRAVEN, WITH THREE VOTES AND ANDREW NIEDZINSKI, WITH TWO VOTES. JUDGE CONTINUED THE COMMISSION DID NOT INDICATE HOW MANY PEOPLE WOULD BE INTERVIEWED AND DID NOT SET A CAP ON THE NUMBER OF PEOPLE WHO WOULD BE INTERVIEWED.

DATES AND TIMES FOR INTERVIEWS

JUDGE JAN MINER ASKED TIFFANY JERRY IF SHE WOULD BE WILLING TO CONTACT THE APPLICANTS AND SET UP THE DATES AND TIMES FOR EACH INTERVIEW. TIFFANY JERRY STATED THAT SHE WOULD BE. JUDGE MINER ASKED THE COMMITTEE IF THEY FELT THAT ONE HOUR PER CANDIDATE WAS ACCEPTABLE, THEY AGREED. JUDGE THEN DISCUSSED WHICH DATES WOULD BE ACCEPTABLE. SHE STATED ON THE RECORD THAT TUESDAY JANUARY 29TH WAS A VERY BAD DAY FOR HER. THEN ASKED THAT THE HEARING BE PAUSED FOR HER TO CONTACT HER OFFICE TO GET HER SCHEDULE. THE MEETING WAS PAUSED FOR A SHORT RECESS.

MEETING BACK ON THE RECORD. JUDGE MINER STATED THAT TUESDAY WAS A BUSY PROBATE COURT DAY AND DUE TO NOTICE FOR EACH HEARING REQUIRED NOTICE BETWEEN 14 AND 28 DAYS PER CASE. THESE HEARINGS WERE SCHEDULED BEFORE THIS POSITION WAS POSTED. THEREFORE, ONLY ONE INTERVIEW COULD BE SCHEDULED THIS DAY.

THE DISCUSSION CONTINUED WHEN THE INTERVIEWS TOOK PLACE AND WERE COMPLETED, IF THERE WOULD BE TIME TO REFLECT TO MAKE A DECISION ON WHO WOULD BE OFFERED THE POSITION OF TREASURER. PROSECUTOR BORUSHKO STATED THAT SHE WOULD PREFER TO HAVE A DAY BETWEEN THE INTERVIEW PROCESS AND AN OFFER BEING MADE. SHE ASKED IF THERE WOULD BE A NARROWING DOWN PROCESS, IF THEY MAY WANT TO RE-INTERVIEWED ONE OR TWO PEOPLE? SHE ALSO STATED THAT ONE CANDIDATE WOULD NEED TO HAVE TWO VOTES OUT OF THE THREE FOR AN OFFER. JUDGE MINER STATED THAT WAS CORRECT AND THERE BEING FIVE PEOPLE, EACH MEMBER OF THE COMMITTEE, HYPOTHETICALLY THEY COULD EACH VOTE FOR ONE PERSON A PIECE, EACH CANDIDATE MAY NEED TO BE RE-INTERVIEWED. CLERK LUCZAK STATED THAT THEY DO HAVE A DEADLINE AND THAT AN OFFER NEEDED TO BE MADE BY FEBRUARY 1, 2019. JUDGE MINER STATED THAT THE DEPUTY MAY NEED TO BE SWORN IN DURING THE INTERIM IF IT TAKES THE COMMITTEE A FEW EXTRA DAYS OR EVEN WEEKS, TO MAKE A TRANSITION, SO THE COUNTY WAS COVERED BUT AT THE SAME TIME, THEY WILL NOT RUSH OR BE FORCED INTO A DECISION JUST BECAUSE OF TIME CONSTRAINTS. SHE CONTINUED IF THEY NEED EXTRA TIME FOR VOTING WE HAVE A VEHICLE TO DO THIS.

INTERIM DEPUTY TREASURER

JUDGE MINER QUESTIONED CORPORATE COUNSEL AMBER DAVIS-JOHNSON STATED THAT THE DEPUTY TREASURER WAS COVERED UNDER THE COUNTIES BLANKET BOND AND HAS BEEN SWORN IN AND AFTER A REVIEW OF THE STATUTE, IF THERE WAS A VACANCY THE DEPUTY IN FACT QUALIFIED AND IT WAS APPROPRIATE FOR HER TO CONTINUE ON IN THE POSITION OF TREASURER UNTIL THE VACANCY WAS FILLED. THE DEPUTY DOES NOT NEED A NEW BOND, OR BE SWORN IN. THERE WAS

NO NEED FOR AN INTERIM APPOINTMENT. JUDGE MINER STATED THAT SHE WANTED TO KEEP TO THE TIME LINES, BUT SHE WANTED TO MAKE SURE IF THEY NEEDED THE EXTRA TIME, THEY WOULD HAVE IT. JUDGE MINER THEN ASKED IF THE COMMITTEE WANTED TO SET UP SECOND INTERVIEWS? CLERK LUCZAK STATED THAT SHE FELT THAT THE COMMISSION NEED TO BE PREPARED TO VOTE AND SHE FELT THEY COULD COME TO A CONSENSUS.

THURSDAY, JANUARY 31, 2019 AT NOON WAS SCHEDULED FOR THE VOTE AND POSSIBLE OFFER TO THE NEW BAY COUNTY TREASURER.

CONSENSUS OF INTERVIEW QUESTIONS

JUDGE MINER STATED THAT ONE OF THE THINGS DISCUSSED AT THE ORGANIZATIONAL MEETING WAS THAT ALL QUESTIONS WILL BE DISCUSSED IN A NUMBER FORMAT. THERE ARE SOME POTENTIAL CANDIDATES HERE TODAY AND THIS IS AN OPEN MEETING, BUT WE DO HAVE SEVERAL CANDIDATES THAT WILL BE INTERVIEWED NOT PRESENT TODAY. WE DO NOT WANT TO HAVE ANY UNFAVORABLE ADVANTAGE, IN REGARD TO THE QUESTIONING. SHE CONTINUED THAT EACH CANDIDATE WILL BE ASKED THE SAME LIST OF QUESTIONS.

THE COMMITTEED DISCUSSED THE LIST OF QUESTIONS THAT WERE SUBMITTED BY COUNTY CLERK LUCZAK, JUDGE JAN MINER AND PROSECUTOR BORUSHKO. THERE WAS ALSO A LISTS SUBMITTED BY CASS COUNTY TO THE RECORD.

THE COMMITTEE AGREED UPON TWENTY QUESTIONS TO BE ASKED OF EACH CANDIDATE. JUDGE JAN MINER ASKED THE CLERK IF SHE WOULD COMPILE THE LIST. CLERK LUCZAK AGREED.

BACKGROUND CHECKS

DISCUSSION OF BACKGROUND CHECKS, WHEN THEY WILL BE PREFORMED AND HOW MANY, OR ALL OF THE CANDIDATES WILL HAVE A BACKGROUND CHECK DONE. CORPORATE COUNSEL DAVIS-JOHNSON STATED THAT THERE WAS GENERALLY A BACKGROUND CHECK DONE AFTER THE INTERVIEW PROCESS AND THE OFFER WAS CONTINGENT UPON THE PASSING OF A BACKGROUND CHECK. THE REASON BEING THAT IN ORDER TO RUN A BACKGROUND CHECK WE NEED A BIRTH DATE AND A BIRTH DATE CANNOT BE REQUESTED PRIOR TO AN OFFER BEING MADE.

DATE FOR NEXT OPEN SESSION

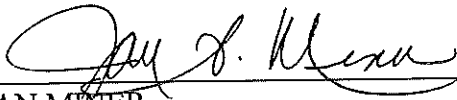
THE NEXT OPEN SESSION WILL BE JANUARY 28, 2019 AND 12:00 PM (NOON). DISCUSS ON IF THE INTERVIEWS WILL BE IN AN OPEN MEETING FORUM. CORPORATION COUNSEL DAVIS-JOHNSON STATED THAT PER THE OPEN MEETINGS ACT, THE

INTERVIEWS MUST BE HELD IN AN OPEN SESSION. SHE STATED THAT IN THE LAST ROUND OF INTERVIEWS FOR THE REGISTER-OF-DEEDS POSITION, THERE WAS A SUGGESTION STATING THAT WHILE THE COMMITTEE CANNOT KEEP THE CANDIDATES FROM COMING TO THE OPEN MEETING, BUT THAT IT WOULD BE AN UNFAIR ADVANTAGE, SO IT WAS ASKED THAT THE CANDIDATES WILLINGLY NOT APPEAR. IT MAY BE TAKEN INTO CONSIDERATION BY THE PANEL.


NOTICE TO BE POSTED THAT INTERVIEWS WILL TAKE PLACE ON JANUARY 28TH, 29TH AND 30, 2019 AT 12:00 PM (NOON). ON JANUARY 31, 2019 AT 12:00 PM (NOON) THE COMMITTEE WILL BEGIN DELIBERATION ON APPOINTMENT FOR THE BAY COUNTY TREASURER.

PRIOR TO APPROVAL OF THESE MINUTES, BAY COUNTY EXPERIENCED AN UNFORSEEN INCLEMENT WEATHER CLOSURE ON JANUARY 28TH, 30TH AND 31ST WHICH FORCED THE ABOVE EVENTS TO BE RESCHEDULED FOR FEBRUARY 6, 2019 AT 1:00 PM FOR AN INTERVIEW, FEBRUARY 7, 2019 STARTING THREE INTERVIEWS AT 12:00 PM NOON, AND FEBRUARY 8, 2019 STARTING AT 9:00 AM FOR SELECTION OF A BAY COUNTY TREASURER.

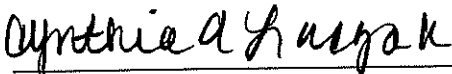
MEETING WAS ADJOURN AT 12:56 PM.



JAN MINER
PROBATE COURT JUDGE



NANCY BORUSHKO
PROSECUTING ATTORNEY



CYNTHIA A. LUCZAK
BAY COUNTY CLERK