

**BAY COUNTY ELECTION COMMISSION
BANGOR TWP. APPOINTMENT OF TRUSTEE
OCTOBER 20, 1994**

THE BAY COUNTY ELECTION COMMISSION MET ON THURSDAY, OCTOBER 20, 1994 IN THE COMMISSIONERS' GROUND FLOOR CONFERENCE ROOM OF THE BAY COUNTY BUILDING. THIS WAS AN ORGANIZATIONAL SESSION CALLED FOR THE PURPOSE OF ESTABLISHING GUIDELINES TO FOLLOW IN THE APPOINTMENT OF A TEMPORARY BANGOR TOWNSHIP TRUSTEE UPON RECALL OF THE TOWNSHIP MEMBERS FROM OFFICE. A RECALL ELECTION WAS HELD MONDAY, OCTOBER 17, 1994 AND TOWNSHIP RESIDENTS HOLDING THE OFFICE OF SUPERVISOR TREASURER AND TWO (2) TRUSTEES WERE RECALLED FROM THEIR RESPECTIVE OFFICES. THE MEETING WAS CALLED TO ORDER BY CHAIRMAN PAUL DONER AT 8:00 A.M. THE FOLLOWING MEMBERS WERE PRESENT.

ROLL CALL: PAUL N. DONER, PROBATE JUDGE
 BARBARA ALBERTSON, CLERK
 JEANETTE NEITZEL, TREASURER

OTHERS: CYNTHIA A. LUCZAK, SECRETARY
 JIM HAMMOND, BANGOR ATTORNEY
 NEWS MEDIA

CHAIRMAN DONER ANNOUNCED THE MEETING WAS CALLED PURSUANT TO ADEQUATE NOTICE POSTED BY THE CLERK.

UPON APPOINTMENT OF ONE (1) BANGOR TOWNSHIP TRUSTEE, BANGOR OFFICERS WILL THEN NUMBER A QUORUM AND BE ELIGIBLE TO APPOINT THE TEMPORARY TOWNSHIP BOARD. WITH FOUR (4) MEMBERS RECALLED, ONLY THREE MEMBERS REMAINED IN OFFICE THEREFORE A QUORUM WAS EVIDENT. CHAIRMAN DONER CITED MCL SECTION 168.370 WHICH SET THE REQUIREMENTS THE BAY COUNTY ELECTION COMMISSION MUST MEET, THAT BEING THE APPOINTMENT OF ONE (1) MEMBER TO FILL A TEMPORARY VACANCY.

UNDER THE OPEN MEETINGS ACT, THE CHAIRMAN OFFERED TO ACCEPT PUBLIC COMMENT FROM THE FLOOR.

BANGOR TOWNSHIP ATTORNEY, JIM HAMMOND, QUESTIONED THE STATE STATUTE AS TO THE DURATION OF THE APPOINTMENT MADE BY THE BAY COUNTY ELECTION COMMISSION. IT WAS THE OPINION OF JUDGE DONER AND BOARD MEMBERS, A PERSON APPOINTED BY THE ELECTION COMMISSION WILL JOIN THE TOWNSHIP BOARD TO FORM A QUORUM AND THESE FOUR PEOPLE WILL APPOINT/REPLACE (IN THE INTERIM) FOUR (4) OTHER TEMPORARY TRUSTEES. THE PERSON THE ELECTION COMMISSION APPOINTS MAY QUALIFY TO FILL THE VACANCY, BUT BE INELIGIBLE TO VOTE FOR HIS/HER SELF AT THE TIME OF THE VOTE. A QUORUM OF FOUR (4)

SHALL VOTE TO APPOINT FOUR (4) MEMBERS. BARBARA ALBERTSON CONFIRMED THIS INFORMATION AS SHE HAD CONFERRED WITH STATE ELECTION OFFICIALS IN THIS REGARD.

FOLLOWING THE APPOINTMENT OF THE TEMPORARY BOARD MEMBERS BY THE ORIGINAL QUORUM, AN ELECTION WAS TO BE SCHEDULED IN NO LESS THAN 45 DAYS AND NO MORE THAN 60 DAYS FROM THE DATE WHEN THE ELECTION SCHEDULING COMMITTEE MET. THE MEETING OF THE ELECTION SCHEDULING COMMITTEE, COMPRISED OF THE CITY CLERK, SCHOOL BOARD MEMBER AND COUNTY CLERK, WAS TO BE HELD ON FRIDAY, OCTOBER 21, 1994.

CLERK ALBERTSON FURTHER NOTED, CANDIDATES FOR AN ELECTION WERE TO BE NOMINATED BY POLITICAL PARTY. ONE (1) CANDIDATE FOR EACH OFFICE WAS TO BE SUBMITTED PER POLITICAL PARTY. THE CHAIRPERSONS HAD BEEN NOTIFIED AND THEIR EXECUTIVE COMMITTEES WERE TO MEET. A PERIOD OF 15 DAYS WAS ALLOTTED TO DETERMINE THE PARTY REPRESENTATIVES, FOLLOWING THE MEETING OF THE ELECTION SCHEDULING COMMITTEE.

CHAIRMAN DONER ASKED IF EITHER OF THE OTHER TWO GUESTS WISHED TO ADDRESS THE COMMISSION. THEY RESPONDED THEY HAD NO COMMENT.

BOARD MEMBERS REFERRED TO OTHER SITUATIONS WHICH THE ELECTION COMMISSION HAD TO APPOINT TEMPORARY MEMBERS IN THE TOWNSHIP OF PINCONNING AND IN THE CASE OF THE SHERIFF RESIGNATION.

DISCUSSED WAS HOW THE NAMES OF APPOINTEES WERE TO BE SUMMONED. BOARD MEMBERS DECIDED TO ADVERTISE IN THE "LAST WORD" SECTION OF THE BAY CITY TIMES. NOTICES SEEKING NOMINEES WERE TO BE PUBLISHED IN THE FRIDAY (10/21/94 AND SUNDAY (10/23/94) EDITIONS OF THE NEWSPAPER. APPLICANTS WERE TO SUBMIT THEIR NAMES AND A STATEMENT OF UP TO 20 WORDS AS TO WHY THEY WISHED TO BE APPOINTED AS A TEMPORARY TRUSTEE, TO THE COUNTY CLERK, BY 5:00 P.M. ON MONDAY, OCTOBER 25, 1994. CLERK ALBERTSON WAS TO PUBLISH THE NOTICE.

THE NAMES OF THE APPLICANTS WERE TO BE REVIEWED AT ANOTHER SESSION OF THE ELECTION COMMISSION AS SET FOR TUESDAY, OCTOBER 25, 1994 AT 8:00 A.M.

ALSO, JEANETTE NEITZEL MOVED TO AUTHORIZE CLERK ALBERTSON TO RELEASE THE NECESSARY FUNDS FROM THE ELECTION COMMISSION BUDGET IN ORDER TO COVER THE EXPENSES FOR ELECTION OF CANDIDATES TO FILL THE VACANCY, INCLUDING PUBLICATION OF A NOTICE, PRINTING OF BALLOTS AND THE SETTING OF VOTING MACHINES, ALONG WITH ANY OTHER RELATED EXPENSES. IN ADDITION,

THE CLERK REQUESTED AUTHORIZATION FOR PAYMENT OF ALL ELECTION EXPENSES FOR THE YEAR 1994. THE MOTION WAS SUPPORTED BY JUDGE DONER AND CARRIED BY A UNANIMIOUS VOTE, 3 YEAS, 0 NAYS.

THE ELECTION COMMISSION MEETING WAS ADJOURNED AT 8:25 A.M. THE NEXT SESSION WOULD BE HELD TUESDAY, OCTOBER 25, 1994 BEGINNING AT 8:00 A.M.

RESPECTFULLY SUBMITTED

BARBARA ALBERTSON
BAY COUNTY CLERK