

BAY COUNTY ELECTION COMMISSION

OCTOBER 25, 1994
(APPMT. OF TEMP. BANGOR OFFICIAL/SCHUMANN)

THE BAY COUNTY ELECTION COMMISSION MET ON TUESDAY, OCTOBER 25, 1994 AT 8:00 A.M. IN THE COMMISSIONERS GROUND FLOOR CONFERENCE ROOM OF THE BAY COUNTY BUILDING. THE PURPOSE OF THE MEETING WAS TO DECIDE A METHOD OF SELECTION OF A TEMPORARY BANGOR TOWNSHIP OFFICER AND/OR DESIGNATE SAID INDIVIDUAL FOR A TEMPORARY POSITION. THE FOLLOWING MEMBERS AND GUESTS WERE IN ATTENDANCE.

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

OTHERS CYNTHIA A. LUCZAK, SECRETARY
PRESENT: CLARENCE BENNETT, FORMER TRUSTEE
JOSEPH CARLAND, FORMER SUPERVISOR
DICK MARTIN, BANGOR TWP. CLERK
LYDIA HODGES, BAY CITY TIMES

AS THE MEETING WAS HELD IN COMPLIANCE WITH THE OPEN MEETINGS ACT, CHAIRMAN DONER OFFERED TO ACCEPT THE INPUT OF GUESTS IN ATTENDANCE.

FORMER BANGOR TOWNSHIP TRUSTEE, CLARENCE BENNETT, ASKED IF THE ELECTION COMMISSION MEMBERS WERE TO SELECT AN APPOINTEE OR SELECT A MEMBER IN RANDOM SUCH AS A DRAW OUT OF A HAT. CHAIRMAN DONER RESPONDED THE METHOD TO SELECTION WAS TO BE DETERMINED AT THIS SESSION.

JEANETTE NEITZEL SOUGHT CLARIFICATION AS TO THE SPECIFIC TERMS UNDER WHICH THIS TEMPORARY PERSON WAS TO BE APPOINTED.

CLERK ALBERTSON EXPLAINED THAT THE APPOINTMENT MADE AT THIS SESSION WAS ONLY TEMPORARY. THIS BANGOR TWP. OFFICIAL WAS TO BE NOMINATED FOR THE PURPOSE OF CONSTITUTING A QUORUM OF TOWNSHIP BOARD MEMBERS SO AS TO APPOINT FULL TIME MEMBERS AT LARGE TO THE BOARD. ONCE A QUORUM WAS FORMULATED, THE QUORUM WAS TO INTERVIEW AND APPOINT THE THREE (3) FULL TIME APPOINTEES TO SERVE ON THE TOWNSHIP BOARD UNTIL AN ELECTION COULD BE HELD ON DECEMBER 13, 1994. THE TEMPORARY CANDIDATE APPOINTED BY THE BAY COUNTY ELECTION COMMISSION MAY SUBMIT HIS/HER NAME FOR A FULL TIME SERVING MEMBER, BUT MUST ABSTAIN FROM A VOTE FOR HIS/HER SELF AT THE TIME OF VOTING.

FOR THE RECORD, CLERK ALBERTSON INCLUDED STATE STATUTE MCL 168.370 (2) WHICH GOVERNED THE ELECTION COMMISSION IN FILLING A VACANCY IN A TOWNSHIP OFFICE UPON RECALL. IT READ "IF ONE OR MORE VACANCIES OCCUR IN AN ELECTIVE TOWNSHIP OFFICE THAT CAUSE THE NUMBER OF MEMBERS SERVING ON THE TOWNSHIP BOARD TO BE LESS THAN THE MINIMUM NUMBER OF BOARD MEMBERS THAT IS REQUIRED TO CONSTITUTE A QUORUM FOR THE TRANSACTION OF BUSINESS BY THE BOARD, THE BOARD OF COUNTY ELECTION COMMISSIONERS SHALL MAKE TEMPORARY APPOINTMENT OF THE NUMBER OF MEMBERS REQUIRED TO CONSTITUTE A QUORUM FOR THE TRANSACTION OF BUSINESS BY THE TOWNSHIP BOARD. AN OFFICIAL APPOINTED UNDER THIS SUBSECTION SHALL HOLD THE OFFICE ONLY UNTIL THE OFFICIAL'S SUCCESSOR IS ELECTED OR APPOINTED AND QUALIFIED. AN OFFICIAL WHO IS TEMPORARILY APPOINTED UNDER THIS SUBSECTION SHALL NOT VOTE ON THE APPOINTMENT OF HIMSELF OR HERSELF TO AN ELECTIVE/APPOINTIVE TOWNSHIP OFFICE."

CHAIRMAN DONER RECOMMENDED EACH ELECTION COMMISSION MEMBER REVIEW THE LETTERS OF REQUEST RECEIVED, AND SELECT THREE (3) OR FOUR (4) PERSONS THEY WISHED BE CONSIDERED FOR THE POSITION UNDER THEIR OWN PERSONAL CRITERIA. FOLLOWING THE SELECTION, MEMBERS WOULD COMPARE THE NAMES OF CANDIDATES CHOSEN TO SEE WHO WOULD RECEIVE THE HIGHEST NUMBER OF VOTES. CHAIRMAN DONER REJECTED THE REQUESTS FOR APPOINTMENT THAT EXCEEDED THE 20 WORD LIMIT AS SPECIFIED. FURTHER, IT WAS THE DESIRE OF THE BOARD NOT TO INTERVIEW EACH OF THE 32 PERSONS WHO HAD SUBMITTED LETTERS OF REQUEST FOR APPOINTMENT.

ANOTHER REQUIREMENT WAS THAT THE NOMINEES BE QUALIFIED REGISTERED ELECTORS OF BANGOR TOWNSHIP IN ORDER TO HOLD THE OFFICE. CLERK ALBERTSON VERIFIED ALL OF THE CANDIDATES WERE REGISTERED.

MS. ALBERTSON NOTED SHE HAD ASSIGNED EACH CANDIDATE A NUMBER FROM 1 TO 32 FOR EASE OF CONSIDERATION DURING THE DISCUSSION.

ALSO, THAT NAMING OF A MEMBER TO THE BANGOR TOWNSHIP BOARD WAS IMPERATIVE AT THIS TIME.

BOARD MEMBERS TOOK A FEW MOMENTS TO REVIEW THE APPLICATIONS BEFORE MAKING THEIR SELECTIONS OF 3-4 NOMINEES EACH. MS. NEITZEL INDICATED SHE HAD SELECTED TWO PERSONS, CANDIDATES NUMBERED 4 AND 16. MS. ALBERTSON TOLD SHE HAD SELECTED THREE CANDIDATES, NUMBERS 4, 21 AND 25. JUDGE DONER ANNOUNCED HE HAD CHOSEN CANDIDATES 1, 5 AND 28. SINCE CANDIDATE NUMBER 4 HAD BEEN SELECTED BY TWO OF THE THREE ELECTION COMMISSION MEMBERS, JUDGE DONER STATED THAT WAS THE PERSON TO BE CONSIDERED FOR THE POSITION. CANDIDATE NUMBER FOUR WAS HENRY SCHUMANN. JUDGE DONER INDICATED HE CON-

CURRED WITH THE APPOINTMENT OF MR. SCHUMANN TO THE TEMPORARY BANGOR TOWNSHIP POSITION.

JEANETTE NEITZEL MOVED TO APPOINT HENRY SCHUMANN TO THE TEMPORARY BANGOR TOWNSHIP POSITION AND CLERK BARB ALBERTSON SUPPORTED THE MOTION. JUDGE DONER AGREED WITH THE APPOINTMENT. IT WAS SAID MR. SCHUMANN HAD FOUR (4) YEARS PREVIOUS EXPERIENCE ON THE TOWNSHIP BOARD AND WITH THAT THE MOTION WAS CARRIED BY ROLL CALL VOTE OF 3 YEAS, 0 NAYS.

CLERK ALBERTSON WAS INSTRUCTED TO NOTIFY MR. SCHUMANN.

IN ADDITION, CLERK ALBERTSON TOOK A MOMENT TO THANK ALL OF THE BANGOR TOWNSHIP RESIDENTS WHO HAD SUBMITTED LETTERS OF REQUEST FOR THE POSITION. THE RESPONSE OF TOWNSHIP CITIZENS HAD BEEN OVERWHELMING IN HER OPINION. ANYONE STILL WISHING TO BE APPOINTED TO THE BANGOR TOWNSHIP BOARD OR PLACED ON THE BALLOT WERE TO CONTACT THEIR RESPECTIVE PARTY CHAIRPERSONS FOR NOMINATION. PARTY CHAIRPERSONS WERE TO PROVIDE THE NAMES OF PERSONS TO FILL EACH OF THE VACATED TOWNSHIP OFFICES INCLUDING SUPERVISOR, TREASURER AND TRUSTEES. BANGOR TOWNSHIP WILL VOTE FOR THE PERSONS TO HOLD SAID OFFICES AT A SPECIAL ELECTION SCHEDULED FOR DECEMBER 13, 1994.

JOSEPH CARLAND WONDERED HOW MUCH AUTHORITY THE TEMPORARY PERSON WAS GRANTED PRIOR TO THE DECEMBER 13TH ELECTION, WHETHER OR NOT THEY COULD EXECUTE CONTRACTS AND OTHER LEGAL ISSUES.

CHAIRMAN DONER RECOMMENDED MR. CARLAND SEEK THE ADVICE OF BANGOR TOWNSHIP LEGAL COUNSEL, JIM HAMMOND. IT WAS HIS UNDERSTANDING THAT MR. SCHUMANN WAS CAPABLE OF CONDUCTING ANY AND ALL TOWNSHIP BUSINESS AS SOON AS HE WAS OFFICIALLY SWORN INTO OFFICE BY THE TOWNSHIP CLERK.

JEANETTE NEITZEL MOVED TO ADJOURN THE ELECTION COMMISSION MEETING AND IT WAS SUPPORTED BY CLERK ALBERTSON. THE MEETING WAS CONCLUDED AT 8:35 A.M. BY VOTE OF 3 YEAS, 0 NAYS.

RESPECTFULLY SUBMITTED

BARBARA ALBERTSON
BAY COUNTY CLERK