

# CLINTON COUNTY APPORTIONMENT COMMISSION

## Organizational Meeting Minutes August 19, 2021

DATE 08/19/2021  
CALL TO ORDER

The Clinton County Apportionment Commission met in Organizational session on Thursday, August 19, 2021 at 9:00 a.m. with Clerk Zuker calling the meeting to order pursuant to MCL 46.403(1).

PLEDGE OF ALLEGIANCE  
AND ROLL CALL

The pledge of allegiance was given to the flag of the United States of America. Roll was called and a quorum reported.

Clerk Zuker introduced the members present:  
Tina Ward, County Treasurer  
Jenell Leonard, Republican Party Chairperson  
Diane Zuker, County Clerk

Absent were members:  
Tony Spagnuolo, Prosecuting Attorney  
Eric Schlenkerman, Democratic Party Chairperson

OTHERS PRESENT

Deb Sutherland, Assistant County Clerk; Krista Martin, Election Clerk; Garrett Koger, Assistant Prosecutor; Barbara K. Hamm, Resident; Eunice Link, Resident; Diana Bosworth, Eaton County Clerk.

APPROVAL OF AGENDA

The agenda was presented for review.

**ACTION:** Member Leonard moved, supported by Member Ward to approve the agenda as printed. Motion carried.

PUBLIC COMMENTS

Clerk Zuker called for public comments.

- Eunice Link, county resident requested the meetings be held in the evenings to provide better public access.

ELECTION OF CHAIRPERSON

Clerk Zuker opened the nominations for Chairperson.

Member Ward nominated Tony Spagnuolo as Chairperson. Member Leonard supported the nomination. Clerk Zuker called for further nominations. None were offered.

**ACTION:** Member Ward moved, seconded by Member Leonard to close the nominations and cast a unanimous ballot for the appointment of Tony Spagnuolo as Chairperson. Motion carried.

TEMPORARY CHAIR

In the absence of Chairperson Spagnuolo, Clerk Zuker served as temporary Chair and proceeded with introducing the items on the agenda.

OPEN MEETINGS ACT REQUIREMENTS (PA 267 of 1976)

Temporary Chair Zuker noted that the meetings of the Apportionment Commission are subject to the requirements set forth under the Open Meeting Act. Further, that 3 members of the Commission constitutes a quorum, therefore, any discussion among 3 or more members without the benefit of posting a notice of meeting would be in violation of the open meeting act.

The Clerk will be responsible for posting notices for meetings.

RULES, PROCEDURES AND GUIDELINES  
(MCL 46.403 & MCL 46.404)

Temporary Chair Zuker introduced discussion regarding general Rules, Procedures and Guidelines in which the Commission will conduct their meetings.

Temporary Chair Zuker distributed a draft of the Rules of Procedure/Guidelines for Apportionment pursuant to MCL 46.403 & MCL 46.404.

1. The meetings will be conducted under Masons Rules of Order.
2. In accordance with the law, three members of the Commission represent a quorum at any meeting. A majority vote of the Commission is required to take action. [MCL 46.403(1)]
3. All meetings of the Apportionment Commission shall be held in compliance with the Open Meetings Act (PA 267 of 1976). Public notice of time, date, and place of meeting shall be given as required by such act. [MCL 46.403(2)]
4. Any writing prepared, owned, used, in the possession of, or retained by the Commission in the performance of an official function shall be available to the public in compliance with PA 442 of 1976 (FOIA) [MCL 46.403(3)]
5. In apportioning of the county into commission districts, the Commission shall be governed by the guidelines of MCL 46.404 and pertinent federal and state court rulings.
6. Any plan submitted to the Commission shall include at least 5 copies of the proposed district map and a general description of the proposed districts.
7. All census information sent by the State or the US Census Department for the purpose of apportionment shall be kept in the office of the County Clerk and available to all members of the Commission and the public.

**ACTION:** Member Ward moved, seconded by Member Leonard to approve the Rules of Procedure/Guidelines with the addition rule #8 as follows:

- COVID-19 - In the event the county declares a State of Emergency, the apportionment commission would offer remote meeting participation.

Motion carried.

2021 CENSUS DATA & MAPS

Temporary Chair Zuker reported that 2021 Census Data and Maps are scheduled to be "officially released" on September 30, 2021.

Temporary Chair Zuker stated that according to MCL 46.407 a plan cannot be submitted by the Commission sooner than 30 days nor later than 60 days after receiving the census data.

Member Ward shared information regarding adoption of prior plans, as well as how to determine the variance.

Member Ward introduced brief discussion regarding the number of districts and placing this topic on our next agenda.

FUTURE MEETINGS

Temporary Chair Zuker introduced discussion regarding the scheduling of future meetings. Discussion followed. It was noted that Member Schlenkerman had reached out to the Commission Members requesting that the meetings be held in the evenings at 7 p.m. or later to accommodate his work schedule. Member Leonard expressed a desire to hold the meetings in the evenings as well to encourage public participation. Member Zuker expressed concerns regarding evening meeting with her current workload. It was ultimately agreed that the future meetings of the Commission will be held in the County Courthouse at 7:00 p.m.

DRAFT

NEXT MEETING

Members discussed the scheduling of the next meeting and agreed to schedule the next meeting on October 5, 2021 @ 7:00 p.m. at the Courthouse. Motion carried.

STATUTORY GUIDELINES FOR APPORTIONING THE COUNTY

Temporary Chair Zuker reviewed with the members MCL 46.404, which provides that in apportioning the county into commissioner districts, the county apportionment commission shall be governed by the following guidelines as stated below in order of importance:

(a) All districts shall be single-member districts and as nearly of equal population as is practicable. The latest official published figures of the United States official census shall be used in this determination, except that in cases requiring division of official census units to meet the population standard, an actual population count may be used to make such division. Other governmental census figures of total population may be used if taken subsequent to the last decennial United States census and the United States census figures are not adequate for the purposes of this act. The secretary of state shall furnish the latest official published figures to the county apportionment commissions forthwith upon this act taking effect, and within 15 days after publication of subsequent United States official census figures. A contract may be entered into with the United States census bureau to make any special census if the latest United States decennial census figures are not adequate.

(b) All districts shall be contiguous.

(c) All districts shall be as compact and of as nearly square shape as is practicable, depending on the geography of the county area involved.

(d) No township or part thereof shall be combined with any city or part thereof for a single district, unless such combination is needed to meet the population standard.

(e) Townships, villages and cities shall be divided only if necessary to meet the population standard.

(f) Precincts shall be divided only if necessary to meet the population standard.

(g) Residents of state institutions who cannot by law register in the county as electors shall be excluded from any consideration of representation.

(h) Districts shall not be drawn to effect partisan political advantage.

DISTRICT VARIANCE

Commission members discussed the variance of districts. Temporary Chair Zuker reported that according to 413 Mich. 224, the Supreme Court concluded that a districting plan meets constitutional population standards if the total departure of the largest and smallest districts from the average size does not exceed 11.9 percent.

OTHER BUSINESS

Temporary Chair Zuker called for any other business to be conducted.

- Temporary Chair Zuker mentioned the software tools for drawing plans:
  - BOE – CCD Tool (Available for anyone to use; Clerk will be Administrator and can give rights to others)
  - Web - Dave's Redistricting (Available for anyone to simply register as a user and access on web)
  - County – DistrictSolv (County purchased 3 licenses for the Clerk, Treasurer & Prosecutor)

ADJOURNMENT

**ACTION:** With no further business to come before the Commission, Member Leonard moved, seconded by Member Ward to adjourn. Motion carried.

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Diane Zuker, County Clerk

NOTE: These minutes are subject to approval at the next meeting of the Commission.