

**MUSKEGON COUNTY APPORTIONMENT  
COMMISSION 2011  
MINUTES**

Hall of Justice  
990 Terrace, 4<sup>th</sup> Floor  
Muskegon, MI 49442  
Wednesday, May 11, 2011  
1:00 p.m.

Tony Moulatsiotis, Muskegon County Treasurer, Chairman  
Tony Tague, Muskegon County Prosecutor  
Nancy A. Waters, Muskegon County Clerk  
Steve Markel, Democratic Party Chair  
Christina Achterhoff, Republican Party Chair

Tony Moulatsiotis, Muskegon County Treasurer, Chairman, Presiding.

The meeting was called to order at 1:10 p.m. by Chairman Moulatsiotis.

**Roll Call:**

Present: Tony Moulatsiotis, Tony Tague, Nancy A. Waters, Steve Markel,  
Christina Achterhoff

Absent: None.

Also Present: County Commissioners Scott Plummer, Anthony Longmire, Ben Cross, Rillastine Wilkins, Scott Plummer, Lew Collins, Ken Mahoney and Bob Scolnik, Equalization GIS Thomas Van Bruggen, Chief Deputy County Clerk Marcia Wilkes, Secretary to the County Clerk Jeanne Pezet, Ben Gillette, Kay Punter, Jim Riley, Eric Rothoff, and other public citizens.

**APPROVE MINUTES:**

2011-30 **APPROVE THE MINUTES OF THE APPORTIONMENT COMMISSION MEETINGS OF MAY 4, AND MAY 9, 2011**

Moved by Achterhoff , seconded by Tague, to approve the minutes of the Apportionment Commission meetings of May 4, and May 9, 2011.

Voice vote.

**Motion Carried**

**COMMUNICATIONS:**

Though no communications came prior to approval of the agenda, James Waters distributed information to Apportionment Commissioners.

James Waters explained that he was in attendance at a citizen and wanted to remind Commissioners of the Voting Rights Act of 1965 and 14<sup>th</sup> amendment to the US constitution as it relates to Apportionment and minorities. Prior law would allow if it could be proved that there was no intent by the Commission but now need only to show results. Discussion ensued.

**OLD BUSINESS:**

The Commission began discussion on Plan 9-3.

Audience member Ben Gillette asked if there would be time for public comment prior to the vote. Chairman Moulatsiotis noted public input has been provided at all meetings and it would be allowed prior to the vote.

Discussion on Plan 9-3 looked at keeping Dalton Township whole and shifting population from White River Township.

Commissioner Tague noted the minority population is best represented in Plan 9-3.

Commissioner Markel noted 11-3 plan is a better representation for minority populations because it also includes a district with a high Hispanic population. Commissioner Tague noted the difference in percentage represents only 43 people.

2011-31 **REDRAW THE 9 DISTRICT PLAN WHICH KEEPS DALTON TOWNSHIP WHOLE AND SHIFTS THE POPULATION FROM WHITE RIVER TOWNSHIP**

Moved by Tague, seconded by Achterhoff, to redraw the 9 District Plan which keeps Dalton township whole and shifts the population from White River Township.

Voice vote, 3 yes, 2 no.

**Motion Carried**

Commissioner Markel asked for clarification, if Plan 9-3 was off the table, being replaced by this revision or if the revision is an additional plan for consideration. It was noted the 9-3 was still a consideration and the revised plan will be 9-4.

Mr. Van Bruggen was directed to work on a plan to show the impact of that change when the Commission takes a break at a later time.

2011-32 **WITHDRAW PLAN 11-1 FROM CONSIDERATION**

Moved by Waters, seconded by Markel to withdraw Plan 11-1 from consideration.

Voice vote, 4 yes, 1 no.

**Motion Carried**

Discussion ensued regarding Plan 11-3. Commissioner Waters stated she would be opposed to reducing representation, when she was a County Commissioner on an 11 District Board she welcomed the input from the other ten members. Chairman Moulatsiotis echoed Commissioner Water's comments although he further stated that he served on a 9 District Board and the same job can be accomplished as well with 9 County Commissioners.

Commissioner Achterhoff noted that, as the Republican Party Chair, it is unlikely that a Republican can be elected with this plan.

Commission recessed for 15 minutes.

Reconvened at 2:32 p.m.

Chairman Moulatsiotis noted the following plans are available for consideration: 9-3, 9-4, and 11-3.

Commissioner Merkel stated he would be opposed to Plan 9-4 based on the 12.42 divergence which exceeds the approved variance of 11.9 approved by and should be thrown out. Mr. Van Bruggen verified numbers which showed the population in the Dalton area had a higher population than first thought, which does not create an equal shift.

2011-33 **DISMISS PLAN 9-4 BASED ON DEVIATION**

Moved by Markel, seconded by Waters, to dismiss Plan 9-4 based on deviation.

Voice vote, 5 yes, 0 no.

**Motion Carried**

The Floor was open to public comment.

Ben Gillette would like to see more Commissioners rather than less. With 9 Districts there are 3 rural votes where with 11 there would be 4 rural votes.

Eric Rothoff stated his opposition to Plan 9-3 because of District 7 being such a large district which is likely to have opposing North vs. East views.

Ken Mahoney, Chairman of Muskegon County Board of Commissioners, agreed with Mr. Rothoff. The 9-3 plan would add another municipality to current 6 in his district which would make additional meetings to be in touch with his constituents, so he would recommend 11 Districts.

Will Faville noted the minority representation is better across the board with Plan 11-3.

Apportionment Commissioner Tague noted both plans have similar percentages.

County Commissioner Longmire stated Plan 11-3 provides the best representation for Muskegon County.

Apportionment Commissioner Waters noted Muskegon Height is required by law to stay intact.

Kay Punter noted the law stipulates population and deviation. She had been under the impression that the Commission would come up with the number of districts then draw line based on makeup of the community.

Chairman Moulatsiotis said that is what has been done in viewing several versions of different districts in consideration of their legally required criteria.

County Commissioner Wilkins noted she likes Plan 11-3 because going below 11 will not represent as fairly.

Jim Riley stated every citizen that he has spoken with prefers the 11 District plan, as has every County Commissioner that has attended the meetings. The only argument he has heard is pay and printing ballots.

Chairman Moulatsiotis stated that County Commission has been taking actions to cut costs. Chairman Moulatsiotis spoke only for himself, as an elected official over a department that has to make cuts, expects County Commissioners to cut costs, too.

County Commissioner Cross agreed with Mr. Riley and Chairman Mahoney in the travel distance on the 9 district plan and support of

County Commissioner Plummer stated his district is not affected too much by either plan so it is not in his personal interest either way, but Markel's Plan 11-3 appears to be the best.

County Commissioner Collins thanked the Apportionment Commissioner for their hard work. He also stated it would be nice to keep 11 districts but was not sure that 9 wouldn't accomplish the same.

Ben Gillette pointed out the diversity and bi-partisan make-up of the audience which supports an 11 district plan. He reminded Apportionment Commissioners that one of their original goals was to be bi-partisan. In response to Commissioner Tague's argument that more districts provide better representation although that is not the case at the State level, Mr. Gillette stated local government needs to be available locally.

2011-27 **PLAN 11-3**

Moved by Waters, seconded by Markel, to adopt Plan 11-3.

Discussion followed.

Commissioner Tague noted he would like to see a comparison of the two plans.

Commissioner Markel presenting what he felt were 12 strong arguments in support of his Plan 11-3.

Commissioner Achterhoff notes many people in her community, church, etc. asked if we really need 11 Commissioner. She further stated that it is irresponsible not to consider financial costs.

Commissioner Tague noted he has worked with County Boards of Commissioners with both 9 districts and 11 districts and did not see a distinction between the Boards. He noted it is important to insure interests remain in the same district. Commissioner Tague also commended both plans for the minority percentages.

Voice vote, 2 yes, 3 no.

**Motion Defeated**

2011-25 **PLAN 9-3**

Moved by Achterhoff, seconded by Tague, to adopt Plan 9-3.

Discussion followed.

Commissioner Waters noted this plan may be open for possible litigation.

Voice vote, 3 yes, 2 no.

**Motion Carried**

Chairman Moulatsiotis Plan 9-3 has been adopted and thanked Apportionment Commission and County Clerk staff for their time and effort. He also thanked the County Commissioners and citizens for their input.

Chairman Moulatsiotis gave a special thanks to Thomas Van Bruggen. Commissioner Waters presented Mr. Van Bruggen with a Resolution of Appreciation for the extensive amount of his time and guidance in this process. The Commission presented Mr. Van Bruggen with a card and gift certificate for a relaxing dinner at the Two Tony's in Spring Lake.

**ADJOURN**

2011-29 **MOVED TO ADJOURN**

Moved by Achterhoff, seconded by Markel, to adjourn.

Meeting adjourned at 3:43 p.m.

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Tony Moulatsiotis, Chairman

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Nancy A. Waters, County Clerk

NAW/TM/jmp

Please address comments to the County Clerk by calling (231) 724-6316 or by email at [clerk@co.muskegon.mi.us](mailto:clerk@co.muskegon.mi.us)

**<http://www.co.muskegon.mi.us/clerk/apportionment.htm>**