

KENT COUNTY APPORTIONMENT COMMISSION

Wednesday, September 29, 2021

Room 310 - County Administration Building

The meeting of the Kent County Apportionment Commission was held on Wednesday, September 29, at 10:00 a.m. in Room 310, County Administration Building.

Members Present: Chris Becker, Kent County Prosecutor
Lisa Posthumus Lyons, Kent County Clerk
Peter MacGregor, Kent County Treasurer
Bill Saxton, Chair, Kent County Democratic Party
Rob VerHeulen, Chair, Kent County Republican Party

Also Present: Linda Howell, Kent County Corporate Counsel
Robert Macomber, Chief Deputy County Clerk

Handouts: 1) Meeting agenda; 2) Minutes of September 8, 2021 Organizational Meeting; 3) VerHeulen Apportionment Proposal; 4) Saxton Apportionment Proposal

The meeting was called to order by Chairman Becker at 10:00 a.m.

Chair Becker: Asked for any questions, comments, or corrections regarding the minutes of the September 8, 2021 meeting.

Ms. Lyons: Explained that it is her normal practice to submit Open Meetings Act compliant minutes that state simply the actions taken at a meeting, and that these minutes are a more comprehensive account of the proceedings due to the nature of the commission only meeting once every ten years, therefore it is helpful to have a more complete record.

Motion by Mr. VerHeulen, supported by Mr. MacGregor to adopt the minutes as provided.

Motion carried unanimously.

Chair Becker: Called for submission of proposals for consideration.

Mr. Macomber: Explained one submission came in prior to the meeting electronically, from Mr. VerHeulen.

Mr. Saxton: Explained he also brought a submission to the meeting for consideration.

Chair Becker: Asked Mr. VerHeulen to review his submission followed then by Mr. Saxton.

Mr. VerHeulen: After distributing his proposal explained that his is a 21-member map, and that he deliberated as to whether to present a 19-member map in order to keep the number of

commissioner lower, but decided to increase the number to 21 so that commissioners maintain a lower number of constituents to represent. He further explained that his proposal included two minority-majority districts (number 20, a Hispanic majority district; number 17, an African-American majority district) and that his submission is fair, reasonable, and in full-compliance with the statutory requirements. He welcomed comments from the public and commission members.

Chair Becker: Asked if there were questions of comments for Mr. VerHeulen.

Mr. Saxton: Asked where Mr. VerHeulen got the voting age population data included with his submission.

Mr. VerHeulen: Explained that he used the *Dave's Redistricting* program to generate his plan.

Chair Becker: Asked if there were any further questions for Mr. VerHeulen. There were none and he called on Mr. Saxton to present his proposal.

Mr. Saxton: Distributed his proposal

Mr. VerHeulen: Asked whether the plan had been submitted electronically as well.

Mr. Saxton: Explained that he used the state tool for developing, therefore it is available online for members with access, and asked which members had access.

Mr. Macomber: Clarified that only Mr. Saxton had signed up to access the state's tool.

Mr. Saxton: Expressed concerns that all members of the commission would be using the same data, but his report was generated by the state's tool. He continued by explaining that his plan also has 21 districts given the growth within the county; that the people of Michigan have spoken in opposition to gerrymandering, they want fair maps and his proposal does not take partisanship into consideration, and that the statutes are followed, nor are there issues with Voting Rights Act violations. He noted that there is no voting age population data in the state's tool, so he has included a spreadsheet that shows that data. His proposal includes an African American district (#17), and a Hispanic district (#15).

Chair Becker: Asked whether both plans used the same demographic data, and it was confirmed that they did, from *Dave's Redistricting*.

Ms. Lyons: Thanked both Mr. VerHeulen and Mr. Saxton from bringing forward both proposals and stressed that the most important task for this body is to adopt maps for representation that are fair and legal and she appreciates the opportunity to review the maps to ensure those standards are met.

Chair Becker: Asked the commission how it wished to proceed.

Ms. Lyons: Suggested that the commission take the time to review the proposal, and allow the public to review, and Mr. Saxton and VerHeulen can be prepared to address those questions at the next meeting.

Mr. Saxton: Asked how the commission would distribute the maps for public viewing.

Ms. Lyons: The plans will be available on the county's website, social media, and that they are also available for public inspection in the Clerk's office.

Mr. VerHeulen: Asked for clarification as to whether the public deadline to submit proposals was intended to be at the close of business today, or at this meeting.

Chair Becker: Stated he intended for submissions to be made at the meeting today.

Mr. VerHeulen: Concurred and stated that if there is public that comes forward with comment on either plan, that can always be considered for amendment at a future date.

Mr. Becker: Agreed with Mr. VerHeulen, with the caveat that we are now considering two 21-member plans, therefore comments and discussion would need to be limited to a 21-member map.

Ms. Lyons: Noted that if one of the submitters were agreeable to an amendment to a different number, then that would be amenable for discussion. She further stated that we need to ensure an open process welcoming of the public, however it was also clear that this would be the meeting where we discuss maps from those who were serious are about participating.

Mr. VerHeulen: Summarized the commission's position that the public participation at this point would be to comment on either one of the two submissions and that those comments would be considered for revisions at a future meeting.

Mr. Saxton: Stated that a "revision" is in the eye of the beholder. He also asked Mr. VerHeulen whether his submitted list of precincts is sufficient to recreate his maps within a mapping tool.

Mr. VerHeulen: Confirmed that his submission is sufficient.

Chair Becker: Asked how members should communicate any questions regarding proposals, to avoid any violation of the Open Meetings Act.

Mr. MacGregor: Suggested bringing questions to the next scheduled meeting.

Ms. Lyons: Pointed out that there is nothing that precludes commission members from asking a question either verbally or via email to another member, but those would be subject to FOIA and reminded members that they cannot deliberate as a body outside of a meeting.

Ms. Howell: Suggested that members with technical questions route those questions through her and she can provide them to the submitting member so that they are aware of, and able to address the question, at the next meeting.

Chair Becker: Agreed with Ms. Howell's suggestion to best pose and have questions answered.

Chair Becker called for any public comment and no member of the public wished to speak.

Adjournment

The next meeting of the Apportionment Commission will be Monday, October 4, 2021, at 6 p.m.

Motion by Ms. Lyons, supported by Mr. Saxton to adjourn the meeting at 10:25 a.m.

Motion carried unanimously.


Lisa Posthumus Lyons, Secretary
Kent County Apportionment Commission