

>> So we have 9 members here now. And that is a quorum, so we can proceed. This is obviously an in-person meeting. However, it's still zooming over the internet. For all of you out in the zoom ether, welcome. Our live stream today includes closed captioning if you need that. And if anyone in public, watching who would prefer to watch via a different platform they are currently using please use the social media at [redistrictingMI](https://redistrictingMI.org). The microphones in front of you commissioners are for recording only, they do not amplify. And so I believe that we can safely do as I'm doing when you are speaking. I'm getting a no on what I was going to say, she really doesn't know what I was going to say, leave your mask on.

Also, identify yourself for the purpose of the record since we're not sitting here with our names in front of us that can be easily seen. We have ASL available if you would like, please email us, and we'll provide you with additional viewing options. Members of the public that would like to access translation services can email us for details on how to access language translation services available for the meeting. Translation services are available for Spanish and Arabic and please email us and we'll provide you with a unique call-in information. This meet is being recorded and available at [redistricting MI.org](https://redistrictingMI.org) for a later date, as are all the meetings put online. Documents discussed in today's meeting and printed for the commission are posted for the public to view at [redistricting MI.org](https://redistrictingMI.org). Members of the media who have questions, before, during or after the meeting should direct the questions to Tracy at the department of state. Members of the media should have her contact information. For purposes of the public watching and the public record, I will turn to the department of State staff to take note of the commissioners present. Sally?

>> Thank you, Chair. Commissioners please say present when I call your name. Anthony Eid.

>> Here.

>> Brittini is on her way.

>> Cynthia.

>> Douglas Clark.

>> Dustin W.

>> Erin Wagner, absent.

>> Janice

>> Present.

>> Wanida Curry.

>> Present.

>> Rothorn.

>> Richard Weiss.

>> All commissioners are present -- not all, but a quorum of commissioners are present.

CHAIR: The agenda for the meeting is in the blue folder. If you have not had an opportunity to review that. Has everybody had an opportunity to review it? Because I know there was some issue getting it off the computer. Are there anything to add to the agenda at this time? Seeing none, I would entertain a motion to adopt the agenda as presented.

>> So moved.

>> Seconded. Witjes and Orton all in favor, say aye.

>> The agenda is adopted as presented.

CHAIR: The minutes... are in your packet also from October 1st. Have you had enough time to look those over? Nod your head. Give me something, thumbs up. Anybody need to take a minute? Okay... I did not have any corrections, additions or deletions. Does anybody? Yes, Mr. Anthony Eid.

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>> I'm sorry Mr. Lett, can you repeat that.

CHAIR: Repeat it.

>> I did not catch it.

>> I was asking if there were corrections on the minutes, having not seen or heard, I would entertain a motion to 'prove the minutes as presented.

>> This is MC I move, we move the minutes as presented. And it's seconded. All those in favor say aye. Minutes are approved.

Public comment, Sally.

>> There are no members of the public here at the moment.

>> Just to reiterate what we have on public comment, if there were members here who wish to speak, we do make time for you to do that. You will have two minutes to address the commission at this in-person type of meeting. For you watching at home virtually and public comment as well. You can submit the comments to the commission by emailing [redistricting MI.GOV](mailto:redistrictingMI.GOV). And they will -- indicate you would like it included as public comment, and we note we do the commissioners do get those and we do look at them. And we encourage you to mail in.

Now we would recognize people at this time, there are none. So you do have to provide your name if you want to speak, so be aware of that if you do. Anything to add on that Sally?

>> Business report from staff, commissioner department of state report on administrative items. Sally or Mike?

>> Thank you Chairman. And hello commissioner Kellom, glad you found us. Thanks everybody. First I'm going to say a few more logistical note, since it's the first in person meeting being lived stream, there is a couple things for everyone to remember, one for the public watching the materials discussed today as a part of the meeting are available for you to view as well at [redistricting Michigan.org](http://redistrictingMichigan.org), and because of the size of this room and the fact the microphones don't amplify, you're going to have to use your best public speaking voice today. And, you know, certainly help each other remember this as well, we were experiencing that a bit in the previous meeting, so just want to encourage you to talk louder than you think you need to, so that everybody can hear. And I should have said at the beginning of me talking, that this is Sally Mars speaking, the sign language interpreters translating as we speak for the public watching it's helpful to know who is speaking and because we're in person that's an important thing, so try to remember when you talk to introduce yourself before you do so. It's similarly important to not talk over each other, it's important to raise your hand or your plaquered to indicate to the Vice-Chair and Chairman that you would like to speak, so the people watching are able to hear you and those translating are able to translate what you are saying. And then, just a reminder -- I don't think this is a problem right now. Don't put anything in front of the name placard, so they can be seen easily. And for those of you who have a laptop, if you are going to be typing at any point during the meeting, be sure to move it to the side of where the microphone is, because the microphone might pick up the keyboard sound and make it difficult for the people watching to hear it. These are difficult things to learn on the fly as we do this. So the public watching as we said before, appreciate your patience with all of us. And now I'll talk about key updates for all of you, and as well my colleague Mike Brady as well. The first note on the meeting agenda, there are not written breaks, not that we don't expect you to not take a break, but that allows all of you to decide when it makes most sense to take a break to go to the restroom or grab a snack. That way it doesn't reflect the flow of the meeting, if you are on a roll and want to move to the next thing you can do so. And another update,

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commissioner Glen Shaw submitted his written resignation to the secretary of state yesterday. Which means that the department of state will perform another random selection for that seat on the commission. We will do so in the coming days, but I wanted to let you all know that that is why he is not here. And I'm going to turn it over to Mike Brady to give an update on the status of virtual meetings.

>> Good afternoon, this is Mike Brady. Nice to see you all in person, we're in person today because as I think you all know the court struck down the law that the Governor was using for the authority for her executive orders, in particular the executive order that had amended the open meeting act for much of 2020 to allow open meetings to be virtual and not in person. There has been an update since then, but I would say, the timing did not work out for this meeting. And the update since then is that earlier this week, the legislature came back into session and adopted a law for the open meeting act for a certain period of time I'll get into to allow all public bodies to be able to conduct a meeting virtually. That was out of the house and senate earlier this week and referred to the Governor and the Governor signed it on Friday, and under the constitution it doesn't become a law until it's filed by the Governor, that was done yesterday after approximately 5:45 the open meeting acts requires 18 hours notice of the meeting and so given the timing of not just this meeting but the advisory committee meeting and the executive director review of resume that was scheduled for 9:30 this morning, it did not allow for the meeting to be virtual by a couple few hours. So that's why we're meeting in person today, now that the law has been changed public bodies including this public body will be allowed to have virtual meetings for the remainder of this year, that's until December 31st 2020. After that the law says certain members of a public body, you all commissioners, if you have either an active military member who is stationed overseas which I don't think is applicable here, the public body would have to make accommodation for you to participate virtually and that will go on -- that's a permanent addition to the law. After January 1st 2021, for the calendar year 2021. An accommodation can be made, so you all as commissioner, if you have a medical issue noted by your doctor, the actual medical issue does not and should not be included in the note. But it must say you can not participate in person, but you can then participate remotely. So more on that. That just happened a few days ago. And more on that as we approach January 1st, but again, as I said, for the next couple of months, no questions asked, every public body in Michigan is allowed to operate virtually.

>> Thank you, Mike. So now moving on to an update about the other position posting. As you know the executive director posts closed. But you still have two postings that are currently out there for the public to apply until the end of this month, so anyone watching who is interested should go to the redistricting Michigan.org website to see the Executive Director and council positioning posting you have approved. So far two applicants for general council and 14 for the Executive Director position. And point of information for all the commissioners. That's actually somewhat consistent with the trends we saw with the executive director applications. Substantial number came in at the last minute and we're distributing that through various methods, including social media, and several list serves, for the general council. The cost for that is \$450 a week. And so if you all would want to post it there, I would ask that you formally decide to do so. For emails, I believe everyone has gotten their email to work and they're able to login to their computer. -- on to their email on the current computer. Let me know if that's not true for you. However the state fire wall prevents you from downloading the attachment to a personal device. The web browser function doesn't allow for that. That leads to the next part of the update, that in working with the department of technology management and budget as Mike and I have for several

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weeks now on your behalf, their strong recommendation was that for security purposes in addition to phones for all of you that you purchase computers for your official state work. For both security reasons and if you have a state computer, you would be able to set up your email to be able to download and upload attachments via email, so that's their recommendation, if that's something you all want to do, you let us know you want to work with them to obtain those computers. And I think that brings me to our budget information and overview which I would like to turn to Mike to give you an overview of.

>> Thank you, again, Mike Brady. In the packet of materials there is -- front and back, rough outline of a budget for fiscal year 21. The fiscal year runs from October 1st 2020. To September 30 of 2021. Simple straightforward income. And then with expenses. There are some things that expenses that have been identified already, other expenses that the specific amount has not been identified yet, but the line itself, these include things we felt were likely to be expenses. So certainly there will be additions and subtractions from the list, to look at the income, I felt this was important to give you a sense of what you are operating with. So the small things can add up and then keep an eye on the appropriate use of tax paper dollars. So this year, from the legislature for the minimum required in the constitution 3, 539,000. So you see that listed as the source of income. So you see the expenses. Started with the commissioner compensation, I do understand from prior meetings there is a question if that compensation would be a different number. In the absence of a vote from this body to change the number, this represents the number in the constitution as the minimum, so that's why we put it in here. If the commission makes no vote on it, it will default to this number in the constitution, beyond that, employee salary and wages, can't emphasize enough, there has not been -- the commissions is in the process of reviewing resumes and the outreach director, and whatever titles these end up having. You know, those positions have not been closed yet, so people can still apply. The numbers that are included on the right, are numbers that were within -- the median of the range included on the job description publicly posted for applications. So to give a sense of what these things will likely be. Those numbers could go up and they could go down. Looking beyond that to employment taxes and benefits, we did not include numbers in there. Some folks have a percentage calculation for what that would mean, that would be for employees, if you decided to have them as employees and not contract them, there are other ways you could decide to structure that in negotiations. But want to include these as things you should be mindful of in a budgetary perspective. Further down, looking at technology, we set up the email, the email does come at the very same sort of security discussed of having a government email account is the on going back support of security and other professionals at the technology of management and budget, so there is a fee that goes with just the maintenance of that. So when you have issues, if you have issues, you can contact somebody, a live person on the other end, I don't believe it's a large amount, looking to nail down exactly what that amount is. But we'll -- this is a living document and certainly get you more information as we get that information. In turn looking at phones, the phones, 13 at a certain dollar amount, and Sally is that the annual cost with the monthly data.

>> That's the cost for horizon, AT and T is slightly more.

>> Okay, thank you. For computers, which I note again, not so much for you as you know, but especially for members of the public watching, that the commission has not asked us for computers but included on here for the recommendation. Without further pressure we have that amount. Recommendation from commissioner Rothhorn. So the maintenance of the computer is that additional package or is that in the email IT.

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>> I believe it's included in the email IT. Moving on. Meeting expenses. We don't have all the numbers perfectly yet. -- I don't know if you have a ballpark Sally.

>> Several thousand dollars between each of the meetings. Employing 3 different translators and also technology, and rental meeting space, and doing it virtually there isn't the rental space. So just wanted to put out there for insight in the other things as the commission moves forward with it's work, those are necessary expenses, this is the people's body so having those things are -- whether in person or online, the reason you exist, from the people who wrote this, so that people can see what is happening. Transcription as well, and live video recording. For this meeting -- the prior ones of course were mileage and parking and things along those lines, is something that will gather more information to estimate what those will be. Flipping to the other side, standard things with any office budget. Office supplies printing and postage, software and travel, and mileage is on here again, and again, this is just really an initial rough cut at your budget, so you have something to work from and keep in mind as you proceed and then a section on professional services thinking about basic accounting and auditing services if that's something that makes sense at some point, HR services and legal. As the commission discussed previously. The value of having a firm or outside specialist providing specialist on the national voting rights act and other laws along those lines as opposed to someone like an in-house general counsel. As you see it -- you know, don't want to belabor the point, if things cross your mind, with line items that should be added and things you feel should not be on here, again, this is just an initial rough cut to provide some insight to you all. So of the 3 million 500,000. The numbers included, the remaining -- 10 and a half months there is 2,530,000 remaining, so thought that might be some value to you all as we take additional conversation about the needs that are very real. And the goal here is, I would say, it says profit. This commission is a public body, it's not profit, you don't need to spend the money to spend the money, but these are real costs that exist to do your job correctly, or do it well. So forgive that term, and it's carry over from the template being used and want to offer that in the hope it would be helpful.

>> And commissioners, if can I just add a couple more things. One is that I have gotten insight on the cost of email, and the maintenance required for the security purposes. It's \$561 per commissioner per year. So that kind of gives you a sense, and see how that might add up, and yeah, just wanted to again emphasize from mike's point this is meant to hopefully be helpful and once you hire an Executive Director and other staff, they can help you all with budgeting and with figuring out how to maximize the taxpayer dollars and the funding you all have. But we thought it might just be a helpful overview for all of you. And that concludes the update but happy to answer any questions you all might have.

>> One last thing, Mike Brady. Just noting, as Sally noted the cost for email, that does include and this is large amount of it, the data storage, the storage of all the materials that come in your email, that is on going cost that will outlive this commission, you know the work of the commission, some point you have your maps and stop meeting, whatever that ends up being and the general public record retention we spoke about in the various prior meetings. Some of the cost of email is ensuring the public documents are available and secured and saved for the public access into the future. That's all, thank you very much. Steve Lett, thank you, I have a couple questions based on some of the budget items. We have mileage and parking as a category. And clearly everyone had parking today. Are there forms to fill out and submit to somebody in.

>> This is Sally marsh. My recommendation for you now is save those receipt s for when the council has the payroll system up and running, so for right now save it and then we can, if you were to motion in the next section when we talk about compensation to allow them to

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continue and start setting up the logistics then you would be able to get those reimbursed once that's set up.

>> Follow-up question on that, I'm assuming that the state has certain parameters for what they pay for mileage or what they pay for parking or what they pay for per diem for meals and rooms, which after December 31st we're probably going to be into those guidelines, something we can get on a computer, or you can send us at this time so we can at least get familiar with them?

>> Yes, the short answer is yes. The slightly longer answer is I will have to verify. Certainly we can provide you with the guidelines and regulations used at the department of state as a template. And the legislative council I'm not sure if they have different guidelines, I assume not, if they do we can provide those as well. That's exactly the detail the legislative council would like formal authority to start figuring out those details for you.

>> Mike.

>> And I think with that same formal authority, when -- appreciate the question, we can definitely get you and will get you the department of state guidelines for what those are. I expect it will be similar with some of the experience you all have with mileage reimbursement, and it tracks the IRS standard. You can google IRS mileage, and they update it as costs go up and down, and the department of state has some standards that say if you are traveling within your home city or a certain number of miles within the home city, but going here or there or beyond that you do. So happy to provide those for your starting point for your own conversations. I will say that there are -- I'm aware of some private entities and otherwise don't reimburse for mileage, if your employer does not offer mileage. You can then write that off on taxes. So if this commission would like to reimburse for mileage, that's something the commission would have to define if they do the full amount from the IRS and that would fit very well with the council that Sally was referring to that the legislative council is asking from this.

>> Anthony?

>> Yes, thank you Mr. Lett. The department of technology management and budget has a PDF on the website that I believe has rates for that. I'm not sure if that's the same thing that the State uses. But they were on there. And a link to that is included in the documentation I sent out a couple weeks ago.

>> Doug.

>> >> Okay, anything else on those? So to compensation.

Thank you Sally, Mike, thank you. For this discussion item I'll ask my Vice-Chair person Brittni to lead the discussion.

>> Anthony.

>> I just have a question for the department of state.

>> Anthony, I have a fan right behind me. I can't hear you.

>> This is Anthony Eid speaking. We had 2 resignations now from the commission. In the resignation letters were there any similarities between the two that we might want to look at or think about, or any similarities in reasoning that might prevent further resignations?

>> If I may. This is Mike Brady. Sally can speak more to the specifics of what is in them. I've seen them. But ultimately, it may not actually matter is what I'm getting to because the constitution requires a random selection and so in the same way that you were all randomly selected, and this same one spot had somebody who was randomly selected and unable to serve and somebody else, and they said they were unable to serve. The constitution knew people would resign, and allowed us to quickly fill the resignation we had. And I'm fully sure we'll be able to fill the next spot as well. The sorts of things that come up, are things that

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come up in life, as I recall from the resignation letters. It's not all necessarily bad things, you take a different job and things move on and don't have the time you thought you would have. And so that's -- the drafters of the constitution envisions was not somebody -- we all vet them out and -- do we really believe they will show up. It's a random selection. And so Sally can speak to the specifics. My thought to you, is I offer I don't think the specifics actually matter because life happens and the constitution knew that people would have to resign, and it created a way to quickly bring somebody else back in.

>> And this is Sally, and all I would add there is for the public watching and for commissioners as well. The first resignation we receive is posted at redistricting Michigan.org. And the other one will be posted there as well. But late breaking news as they say. So it hasn't been uploaded yet, but, you know, if anyone is interested in sort of speculating for their own personal interest on any similarities that is available to all of you.

>> Are there any other comments on that, this is Brittni Kellom by the way. I would like to open the floor to discuss compensation at this moment, and I believe we all received Anthony notes on compensation and were able to review them I assume. Cynthia nodding her head. Initial thoughts that someone would like to share. Anthony go right ahead.

>> This is Anthony Eid. And I'll start by saying, I made these documents a couple weeks ago to Act as a starting point for your discussions just based on what I heard in the first couple of meetings about questions regarding compensation. So it's really stacked as a starting point for your discussion here.

>> Doug. I have a question for Anthony: are these documents the same besides the salaries. The dollar amounts?

>> Thank you Mr. Clark. Yes, I believe so. I think the only difference in them is the percentage amounts and that is the percentage of the Governor's salary.

>> Okay.

>> Sally?

>> Thank you, this is Sally Marsh from the department of state, Commissioners I want to provide more background on the legislative counsel legislation I talked about. And their request for formal authorization. The department of State has spoken with staff at the legislative council about how to facilitate your compensation. And after going back and forth, because it's -- you all are a new entity and nothing quite like you in our state and state government, and so it's taken some time. But the solution or the sort of thought in terms of next steps is that currently the legislative council has some individuals they pay through P services a payroll and temporary employee company. And they would like to formally get your authorization to start conversation about the services and how they might structure your compensation. And again, with that would be things like reimbursement and things like that. There is a lot of paperwork, and finer details to figure out and so they would like to have your authority to start those conversations and begin working with them to get something in place.

>> Thank you Sally.

>> This is Steve Lett, we can get back to the amount, but as far as the mechanics using KELy services. Is there a motion to approve that? Somebody?

>> This is MC Rothorn, and I move that we have the legislative counsel have the authority to engage with KELy services to find out more information to see how to set up the policy. That's a long winded motion.

>> Good one.

>> Second, this is Brittni Kellom.

>> And so it's moved and seconded that we use KELy services and account for compensation, all in favor say aye.

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>> All opposed same sign. One no. And I guess we're up to 10 people so that would be 9, yay and one no. Approved. And back to composition.

>> As Anthony said, these are starting points, but good starting points, now that Sally has given background to what the options are mechanic wise. I think this is the appropriate time to see what it looks like in terms of numbers. Any thoughts. Don't be shy? We've got 3 options that were presented.

>> This is M.C, I really appreciate the way you did it Anthony. And as Doug clarified the 25 to 35%, it feels good. So what I'm suggesting. I don't know if I have a strong feeling one way or the other, and because you included this, commissioners are different points of life and incur different costs and I appreciated that part. I don't have a strong feeling if it's 25 or 35%, so I'm open to hearing different Commissioners responses.

>> This is Brittini Kellom, my initial thought was similar. That I'm leaning towards 35% because of the fact we don't know individual circumstances, I heard we all share different ways of life, school, whatever, and all that cost, just like it costs to get here and we're doing good work so far. And so that is my personal thought, I think it would be better to do something since it is the floor, maybe a little higher to cover individual circumstances that people might not want to say in a public forum. And I don't think it stretches us to do the work either given the income and budget.

>> Doug Clark, I'm more in favor of the 25%. And I think that's adequate compensation, you know from my point of view. But again, I'm not putting any of the special circumstances for individuals in place either. But, I tend to go with the minimum of the legislature granted us.

>> Juanita, I wanted to make a comment.

>> That doesn't amplify, that just records.

>> Talk loud.

>> Can you hear me? Juanita Curry.

>> I'm just wondering, I can't find the papers, did I get a copy of it. Thank you.

>> They were emailed but Anthony is sharing them with you.

>> Okay, I think I may have this. Is that the same thing?

>> This is MC. The only other information I remember getting from our colleagues from the California commission is they were also allocated 3 million roughly and ultimately cost them 10 million to do something. If I remember correctly, that's in my mind and thinking about how -- not that we're going to be like California, but just remembering that it may be expensive and it's worth hanging in for the long haul and trying to make sure we take care of ourselves. That's it.

>> Thank you MC.

>> Cynthia.

>> This is Cynthia, I'm not sure how to formulate my question in my head. But we're talking about.

>> Can I have you speak louder.

>> Okay, I'll try.

>> We're talking about this fiscal year, right? So is all the composition only happening this school year, these numbers we're talking about? Because our duties go beyond that. So I'm just wondering. Do we not have any budget next year, we just have this year's budget.

>> I'm going to have Mike Brady and then Anthony.

>> This is Mike Brady. That's a good question, all the constitution says should be 25% of the Governor's salary. So the salary is annual thing, she will have a salary this year and next year. And so anyway's, the arguments either way, I think, you know, as we noted, just

in terms of compensation, you had a budget last year, though you weren't seated. You had a budget last year, you have a budget this year, and you will have a budget next year, so you have an autonomy to set your budget. That's the best answer that can be offered there, is right now you are looking at, the immediate question, any document, you have money already yours for this year, if you don't live within the means there, then you have to go back and ask the legislature. The constitution says you can go back and ask the legislature. If they don't give it to you and you are allowed to sue. But Steve can speak to, and if anyone has been involved in lawsuit. The right to sue is different than automatic prevailing in the lawsuit. And I'm not saying it needs to come to that. But if it were, there would be the question how did you spend the money you spent, because as you are responsible for taxpayers dollars and so is the legislator itself. Hopefully that is helpful.

>> Anthony?

>> Yeah, so excuse me, this is Anthony Eid. For that exact reason why I worded it how I did. I have here in italics print whatever bi-weekly from the start of the commission, to the work of the commission is complete, so I worded it like that, so we don't have to worry about the physical years changing it over. And I believe wording it like that means we won't have to worry about it. But I'm not 100% sure.

>> Steve Lett, just as a point of information. Mike calculated the composition budget of \$517,725 based on 25%, and I calculated 30% \$624,286. Just a point of information.

>> Thank you.

>> Any more thoughts on compensation or discussion?

>> Are we sure? Anthony.

>> So using that number that Chairman Lett just stated. An increase of that amount would result in about -- if my math is correct, you take the increase about 200,000 dollars divided by the amount left over in the budget, which is around 2 million dollars, it ends up being about 10% of our budget that has not already been allocated out.

>> Which makes sense.

>> If there aren't any thoughts, do you think this is a good time -- there is a motion and a vote?

>> I haven't heard any motions yet. I would entertain a moment as to -- whatever the body wants to do.

>> I was going to say --

>> Mr. Clark, I would like to make a motion that we do the minimum of 25% of the Governors salary until the commission is dissolved. And in addition, I would like to add that reimbursement for fees for travel and so forth would be reimbursed according to the state of Michigan guidelines for reimbursements for those types of things.

>> Just to clarify the motion. You are at the 25% number which would be 1590 biweekly and in addition parking, mileage, per diem when we need to stay at hotels motels.

>> What I meant on the last time we abide by whatever the State guidelines are for the regular employees.

>> Right. And that would be in addition but the motion would be they are reimbursed for the expenses.

>> Juanita.

>> I just can't hear what they're saying down on that side.

>> Let me rephrase it Juanita, I fully understand, we can't hear well done here as well either. The motion is that the compensation be set at 25% number which is \$1,539 biweekly, and in addition there would be reimbursement for mileage and travel and parking and housing if necessary, when we get back to in-person meetings we certainly will -- I don't

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assume everyone has relatives in Market where we stay. I do, but that's the way it goes. That's at motion. Second.

>> Richard seconds, any further discussion?

>> Anthony?

>> Juanita.

>> I just want to say that I disagree with his, and I like the way Brittini's motion was concerning the compensation.

>> Thank you Juanita, Anthony.

>> Um... sorry, I'm a little confused now. Brittini, did you make a motion.

>> I didn't make a motion.

>> What you heard me say, is discussion why we should consider a higher rate of compensation at 35%, that I still kind of stand firm on. Just in lieu of the work that is required: and unknown personal circumstances. I'll always be in favor of people being able to have cushions and fair salaries. So those types of things. Anything can happen, so I want us to be -- whatever our individual circumstances are, able to accommodate and advocate for ourselves financially.

>> I take that as a speech against.

>> It is.

[Laughter]

>> Any further comments or concerns?

>> This is Doug, I have one comment relative to the personal circumstances. If I were to take a job with an employee, and another company, they will not increase my salary because of personal circumstances I may or may not incur, so my view on this is different than yours. In that, my thoughts go on the line of how I would be employed by any other employer. So I just want to make that comment.

>> This is Brittini Kellom, you also seek a salary that would allow you to maintain a living. Some might have full time jobs to cut hours, so that's also cutting your income. And so if that is the case for some of us, I think -- in lieu of thinking of all of us, I think it would be better to be safe than sorry. I know a lot of us are on the fence, but I'm empathetic to those who have to go to HR and have to take a leave or whatever that might be.

>> This is Cynthia Orton, can we do an unofficial vote to see how we feel.

>> No, the formal vote is really a formal vote, because there is motion on the floor. You can still make amendment, nobody called the question.

>> Lots of options.

>> Go ahead.

>> I'll just point out if you did want to do something like that, what you could do is vote against the current motion and propose a new motion to do what you just described, but that can only happen if the motion currently on the table passes or fails.

>> I don't know that we're -- I mean, somebody can amend the motion to be a different percentage, there is nothing preventing that. If there are no amendment then it's an up or down vote on the 25% plus reimbursements.

>> Doug, we haven't talked about the 30, the middle ground, does it make sense to go in the middle. Because what I'm also remembering what Anthony asked, if we have two commissioners that couldn't make it and resigned and the idea that we might want to support people, and if we have people from -- and they're randomly selected. If they do have to leave their jobs to perform these duties and it feels like this is the kind of work, I don't think we're being greedy. I do want to be responsible, very responsible, and so the middle ground feels really good. So I'm asking, would you be able to do the 30%?

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>> One way to find out.
>> I was going to say, I'm going to amend.
>> This is Doug, you are opening the question to me. I'd be open to it. With people's circumstances --
>> You can say mine. Because it's true.
>> Dustin.
>> This is Dustin, I'll be the person to do that.
>> Use your teacher's voice.
>> I'll be the person to do it then, and say, if we can make it a friendly amendment to make it 30%.
>> The motion to make it 30% with reimbursements instead of 25. Motion by Doug Witjes. Any further conversation regarding compensation.
>> Anthony.
>> Just one last thing. I would hate to speak for any other commissioner. But Ms. Lange was here, and she asked me to communicate she would have been in support of the higher of the amounts we have here. With that said, I also want to point out these numbers, I think arbitrarily. They would be the middle of 35% and 30% were picked without any rhyme or reason.
>> Are we ready to vote?
>> This will be a roll call vote. Sally?
>> All right, commissioners please say present when I call your name.
>> Sorry, not present.
[Laughter] >> I'm reading incorrectly. Anyway.
Commissioners I'm going to read your name in alphabet call order, please say aye if you are in favor of the amendment on the table. The amended motion.
>> Everyone is clear on what we're voting on.
>> Can I amend that?
>> She wants to amend it.
>> I amend it to 35%. Everybody -- I think -- and my reason is that everyone probably has different amounts of money they work with period. Some people may not need any money, and you sacrifice and do it, and do it so we look good as a state, that little bit of extra money will encourage you to do the best job you can do.
>> Is it seconded. That motion is made and seconded. That the compensation be set at 35%. Any further discussion. Just so we're clear on the procedure here. We have the main motion, 25%, and amended at 30, and second amended at 35. If the motion at 35 carries, we're all done. If it doesn't then we drop back to 30. If that one carries we're all done, and if that doesn't then we drop back to 25.
>> Thank you, Steve.
>> Roll call for 35%.
>> All right, Commissioners. When I call your name, please stay yay or nay on the amendment.
>> Anthony Eid.
>> Yay.
>> Brittnei Kellom.
>> Yay.
>> Cynthia Orton.
>> Nay.
>> Douglas Clark.

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>> Nay.
>> Dustin Witjes.
>> Yay.
>> Janice Vallette.
>> Yay.
>> Juanita Curry.
>> Yay.
>> Richard WIES.
>> Nay.
>> Steve Lett.
>> Yay.
>> One moment, I need to check.
>> Was that a yes or a no.
>> Sorry, could you repeat that Mr. Chair.
>> Me.
>> Yay.
>> Just yes or no. Yay and nay are so similar.
>> I believe... it needs to be at least [off mike]
>> I need to -- we need to verify whether there needs to be someone from each party who supports this vote.
>> Can you repeat that please.
>> She's asking if we need someone from each party and neutral to support the vote.
>> Yes, so apologies Commissioners, I need to verify if you need different party affiliations presented.
>> Would this be a good time to take a quick break.
>> Sure. Yeah it is. 1:13. Let's take 10 minutes.
>> I have a question -- so we just went on break, but I'll wait until we're back..
>> Are we ready?
>> Okay, we're back from the break, and had the opportunity to look at: The question was: Does the vote -- number one it requires a majority. We had 7-3. Does it require one Republican, one Democrat and one neutral. The answer is no, except with the two exceptions if the commission is going to terminate somebody and vote on the ultimate district plans. Other than that, it's the majority vote. So we have a pleated vote, the 35% + expenses passed 7 to 3. Is there any other step, staff, we need to take at this time.
>> No, there is not. Next, I believe here up to thank you notes. We discussed those at the last meeting, and Juanita was going to make our thank you note a lot better. Brittni.
>> So what did we think of the thank you notes. Any further edits with the assumption we were all able to review them, and thank you Juanita for doing that. MC, were you going to say something.
>> I was going to move to accept them as written. Unless there is discussion.
>> That was MC who moved it.
>> Any further discussion? All in favor of the thank you note letters as presented say aye.
>> Aye.
>> Opposed, same sign. Thank you Juanita.
>> Steve.
>> Yes?
>> Before we get off this subject, who is responsible for sending these out.

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>> Good question. I think probably the secretary state, she's our secretary. And Sally knows she's just dying to do that.

>> Sally would you like to say something?

[Laughter]

>> Thank you Mr. Chairman. This is Sally from the department of State, we can send them from the email address, redistricting Michigan.GOV on your behalf. That's my recommendation unless you want someone else to send them on your behalf. I can also send from different email addresses if you like.

>> Do we have the physical address in California and Arizona.

>> I would hope... [audio clipping] that we could mail a letter.

>> We could do that.

>> That's what I hope we can do. Juanita?

>> I'm in agreement with that, but also I thought -- excuse me -- I thought that if we could send a token of a box of candy or nuts to go with it, I think that would be appropriate. Is that a motion?

>> I move that be a motion.

>> Second?

>> Michael?

>> Just as clarification. If there were to be a second, the immediate issue there is -- I'm not aware -- the department of state would have to buy those things to send out, we need to add to the tab, but we need specific authorization to buy something you ask us to buy.

>> So what I hear you saying, it's more trouble than it might be worth.

>> I don't think I was saying all that. We don't have the ability to draw from the funds and don't keep that in stock.

>> I will send you back for another line item on the budget.

>> Cynthia, do you have something.

>> We're not allowed to accept gifts, so it seems may be inappropriate to give gifts.

>> And I want to echo what Cynthia said.

>> My only thought was something COVID friendly. Maybe people have different feelings of food and food delivery. I understand the sentiment of wanting an extra touch on the thank you. And I think you had something else to say.

>> I agree, but they have -- I think those little candies and whatever, can you order them from a place without anybody touching it. You don't have to do it, I'm just saying, and they're not expensive. They're probably 15 dollars, what is it?

>> I don't know the exact number. This is Sally speaking. But offhand it was 3-ish per panel, so it would be at least 12 people.

>> So maybe that's not a good idea.

>> We don't have a second.

>> We don't have a second, so the motion dies.

>> And I guess what I want to -- because it's election season and I feel like thank you notes, we have tried to step up and I think there is -- I want to offer if you think -- to help us understand as commissioners understand how to use your time well to say thank you to people, is it actually helpful if we, if I for example, I offered I would like to try to help, but if you hold all the information it might be more steps. So I just want to say, how can we expedite sending the thank you notes and give you less notes and send them out.

>> Commissioner Rothhorn, I really appreciate the sentiment, I would say the mailing of the thank you note is something we can absolutely do. And if you want us to send it via mail, which I agree. Not that it matters what I think. We can get the addresses and mail them.

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>> Thank you.

>> And I would just sort of clarify, I so appreciate the sentiment and what I would just add is that, you know, the types of things that take a lot of time are facilitating meetings and all the logistics. We don't want to give the impression we're not happy to be of assistance, but that's something we can do.

>> Should we send our digital signatures to get them on the letter, would that be useful?

>> You could do that. Or, as they're currently written, I believe it's signed from all of you. So we print with the highlights and addresses in final form, just with the signature that is currently there from all of you.

>> From the commission.

>> Yeah.

>> I'm okay with that.

>> That will work, unless somebody has an objection that will work.

Mailed, just the way it is. Okay. Got it.

Chair Lett: Code of conduct, we have a proposed code of conduct.

>> Commissioners and public, this is the document that starts with the lobbying state of Michigan definition, that suggested code of conduct is on the next page of that multipage document.

>> Has everybody had a chance to look this over, if not, we can take a couple minutes.

>> MC?

>> I really appreciate Rhonda putting this back and forth, how the changes go and I feel I understand it. The question I have is C, Mike Brady. Do you think the language could allow us to actually advocate on behalf of the commission to our legislature if we need more funds? I think that was something I remember last time could be a pitfall. So yeah, I think Rhonda did a nice job, I'm not sure if she worked with you in drafting the language and if you just support and help understand if it works. That's all I need.

>> I had a comment on that. This is Doug, I would see that as responsibility for the executive director to go to them.

>> Speak louder. Sorry to interrupt.

>> Speak louder.

>> I would see that as the responsibility of the executive director, we would go to them and say, ... needs another 5 million dollars, and you go to the legislature and make that happen for us.

>> That wouldn't conflict with your commission code of conduct. Thank you.

>> I don't think you have to -- that the executive director is going to be exempt from this code of conduct.

>> No.

>> And if the executive director is lobbying they're lobbying. And I don't know the answer to whether or not to what he's doing to get the budget through is lobbying or not. But we're not going to avoid lobbying because we tell the Executive Director to do it.

>> I agree with Chair analysis on the last point, I think that's exactly right. I think paragraph C is -- it's not super clear to me. I think it could be clarified a little more. It says: If you allow me to read this through. Commissioners shall not lobby per the definition of lobbying except as permitted in the Michigan constitution as it pertains to the ICRC. And no commissioner while performing their duties will publicly support ballot or bills prior to -- and I just wonder if there is a way in which those could be read in conflict with each other, I don't think that was the intent. I think based on the prior discussion and the edits made to try and reconcile the two, I wonder if the following edit might be able to offer a little bit after clarity to remove the

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ambiguity. So it could read, no commissioner while performing the duties will support ballot or bills other than those related to ICRC work. Prior to this date. And so the first one, the first sentence talks about acceptance as it pertains to the ICRC's work and the second one says nothing about that limitation. It just says about everything, and so just a little thing to clarify that. And something else. That's one the and the other: No commissioner while performing their duties, for the -- there is the argument to be made while performing your duty that you are only performing your duty on this as a commissioner when you are at one of these meetings and so you are actually a commissioner all the time, so I'm wondering that listening, while performing their duties. Removes your ability for you to say in this meeting what you feel about some other thing that has nothing to do with the commission, but then seems it blows open the whole thing you are trying to restrict, because later on with your family, you can go to the family, and social media and go on to things that has nothing to do with this. I'm not here to speak if you should take those steps, I'm pointing out there is a huge loophole built in through the language while performing duties that undercuts what the purpose of the rest of the sentence is supposed to be. Those are my two thoughts.

>> Thank you, Mike.

>> Any other discussion? Sally.

>> Commissioners. I just wanted to make sure that -- this is Sally M speaking. If there is something on the agenda that you discuss and brought to your attention and want to talk about it later or decide to not take action, that's also always an option and I want to make sure you all know that, because this is a new experience for all of us, and so, you know, you're not -- even in the course of the meeting if you get to an agenda item and it becomes -- and you have done this in the past, I just want to remind you of the options you always have, we're going to talk about it later or next time, just hearing a lot of people reviewing the language right now.

>> Go ahead MC and then Anthony.

>> One of the things -- because we're dealing with complexity we'll be dealing with things that aren't straightforward, it feels the code of conduct I think is designed to help us, understand what our the ethics and baseline and how to be with each other, there is part of me that wants to make sure that we're not getting to nitty-gritty. So C feels like -- the code of conduct is big. It's our values and the things -- it's our foundation if you will and the details are put on top of the foundation, and so I'm hesitant to go too deep. In photograph C seems tricky to me and it seems important, because Mike Brady talked about this very thing, we want to give ourselves a code of conduct that is also meaningful, because Rhonda is missing I'm tempted to wait to approve this. And we'll be meeting next month, we're going to be waiting for a while until after the election, so I want to acknowledge that this is -- I'm of mixed feelings.

>> Mike?

>> Point of clarification, I think.

So if someone -- if you did want to wait, you could just move to table it until the next meeting. Just to say, that's one way of mechanics thing. That the discussion would end today. With a move, second and vote, and show of hands just as all other motions.

>> Thank you.

>> Do you want to make that motion?

>> I would make that motion, I just want to make sure I'm not taking away Anthony's --

>> I return my time.

>> And I'll move to table this until we meet again.

>> Second.

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>> That was Anthony, did you second?

>> Yes.

>> Cynthia thirded it.

[Laughter] >> all in favor of tabling this consideration of the code of conduct, until the next meeting, say aye.

>> Aye.

>> Opposed same sign? It passes, it will be tabled until the next meeting. I would suggest anyway that I would ask Mike if he would give us that substitute language you were talking about. The updates. What you were thinking about anyway, and anybody else that has anything that they want changed on here, and bring that with you, or get it to Sally to get it before we get here.

>> Okay.

>> Applicant review committee. The applicant review committee met this morning. Right?

>> Thank you.

>> Yeah, thank you. Okay, you're up.

>> So, yes, we did meet this morning. Myself, Ms. Lange --

>> Speak up.

>> Myself, Ms. Lange and -- we receive 47 applications. Of those 40 of them were complete. Now there was some confusion on whether or not we could look at and review with the applications on our own before coming to this meeting. Due to that happening, we did not have enough time to adequately review all 40 applications as of yet. What we did do is discuss ways to limit bias in the decision making process and established an objective way to rank the applicants based on 3 different criteria in the applications so with that said, I don't think we are at the point where we're ready to make a recommendation on the applicants considering in our time allotted this morning, we only got through briefly looking at... 8 of them. As a group. So I think what we're going to have to do is have the subcommittee meet one more time after we have looked at the applications and ranked them and come together as a subcommittee again to discuss our findings. I understand that that throws a wrench in the agenda that we're going to be discussing in a little bit. However, I think we can make it work, if we combine the things on November 10th with November 19 and move the selection of the executive director to the November 10th meeting. Or sorry, selecting the finalist for the Executive Director meeting to the November 10th meeting. However, the decision is up to us as a whole commission, and not just the subcommittee. So we will -- curious to what all of you think.

>> I'm thinking.

>> I should probably point out, because of the fact we lost the October 13th, and October 16th meetings. Those -- that was the time we originally scheduled looking at the applications. Because of the changes that happened, you know, we just weren't able to get them until last night.

>> Steve Lett: Have you decided on some type of process to shorten up the list from 47 to something that is manageable.

>> Yes, we came up with an objective measure. All 3 of us will rank the applications based on, one the resume, 2 the person statement and 3 their questionnaire, questions we had asked them for. Once all 3 rank those 3 points we'll combine the individual point totals and make a list of the highest rated people, and then we discuss those rated people and share them with the rest of you. We think this method does a couple things, one, it's objective method and not subjective one of what we think after reading the application once or twice and 2, I personally think it limits bias. I myself am trying to remove the names of the

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application, because studies show that names can influence your decision making process. And 3, it makes it so we don't bias each other in the decision making process. So, that's the solution we came up with. We're just going to need a little more time to execute it.

>> Are you making a motion?

>> No, there is no motion to be made. It's up to us as a commission what we want to do with our future schedule. We have an updated meeting schedule we're going to talk about next. Any questions?

>> Just a comment, I think we need to make sure they have enough time to adequately go through these. Because of the election and scheduling of meetings we need to be sensitive to that, and get it scheduled appropriately. But in the same manner, we need to make sure we get this thing down relatively quickly. So... they need the time to do the job, and do it right.

>> I would, I guess my comment would be, I hope the committee would let us know that either they're having enough time or they're not.

>> Yeah.

>> Juanita.

>> I just wanted to ask a question. Per venture after we select the Executive Director and does things the way we as a whole would like for him to do. Is there something in writing that we can do to do anything about it? Do you understand what I'm saying?

>> I can't hear you.

>> Want me to repeat.

>> Through the Chair, I believe what Commissioner Curry said when the commission hires an Executive Director, if the commission is not happy with the Executive Director in something they do. Is there something they can do about that? And if I may offer an answer, you may, but that Executive Director will be an employee of this commission. And, you know, similar to so many other public bodies that have staff that are hired by them and work for them, you could formally write the person, up, and do other HR things for their record. Up to and including the ability to terminate that employee. The constitution anticipates such a thing, not that it will happen, but that it may happen and provides a process for removing an executive director or staff, and also as referenced earlier, very specific rules that have to be followed for what that vote would involve. And among other things it has to be majority vote, but also has to involve one vote from each of the political affiliations. And so each of the two major parties and one of the unaffiliated vote as well. I don't know if that answers your question. Okay. Thank you.

>> Does that answer your question Juanita?

>> Yes.

>> Okay. The committee will then continue with the work, bringing back a progress report at the next schedule meeting. I show on my agenda we're up to the general council review committee.

>> I just have a question about that. I can't do any work unless we're in a public meeting, do we need to add a meeting in here for them to.

>> For the Executive Director committee?

>> I'm going to make an assumption, and I may get stopped by the staff. The 3 of them should be able to do a zoom meeting. Sally.

>> So this is Sally Marsh. Yes, and all of your meetings after today for the remainder of this calendar year, so until December 31st 2020. Can be virtual. And so the updated proposed schedule that you see in front of you, the intention is for that to be virtual. And so, you know, what I might recommend is simply shifting the key agenda items. So for Tuesday November

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10th, the subcommittee would meet and the full commission would meet for a period of time to discuss the finalist that the subcommittee recommends and then decide to interview those finalists and the next meeting Thursday November 19th would be the interviewing and hopefully selection of that Executive Director. And then everything else would be pushed down one meeting so that then the -- because as of right now, the key agenda items in December besides the hiring of general counsel, December 10th and 17th could be things covered in the same meeting. And you always could elect to have an additional meeting to go make up for lost time, you know, in November, or December, especially once you have the Executive Director hired. But that would be, I think the -- logistical -- I guess a recommendation I would make to all of you in terms of the schedule. I would ask the committee, how do you think -- my assumption is you met before you came to a general meeting to have an opportunity to look at these and discuss them. And my suggestion was to do that virtually, with a zoom meeting. But it has to be -- I take it the mechanics and setting up a zoom meeting like we do here, are a little more complicated than getting a zoom ID and phone in number and doing it that way.

>> You are correct, Chairman.

>> What do you guys want to do?

>> I think what Ms. Marsh says, sorry, this is Anthony Eid speaking. I think what Ms. Marsh says could work really well. If we meet on the 10th in the morning, and the rest of the committee meets. Perhaps we can change 1PM time to 3PM to not lose much time. Once we meet one more time we should have recommendation on the applicants for you.

>> You are more than willing to do the morning thing and did the same thing today.

>> Yeah.

>> The question is going to be how long that full committee meets on that same day. The proposed schedule says 9AM to 1PM. If the subcommittee meets 9AM to 11AM then we have to figure out something for the full commission. Perhaps we could do 12 to 3 or something like that.

>> We can talk about that. We'll talk about that. So we'll do a morning meeting and figure out what we do next. Do we need to talk about the scheduling of this next meeting now?

>> It's on the agenda later for new business. I believe we are at the general council review committee and communication with the director review committee.

>> I know, but would it make sense to set the meeting times on what we're doing at this stage of the game.

>> That's up to you Mr. Chair, on whatever you and the commission would like to do.

>> We'll move on. General counsel review committee. It looks like there are 2 ways to go. Number one, a committee dealing with personnel and we continue to use them or we have another committee. Brittini will open the floor for discussion.

>> As usual, I'm opening up the floor for discussion. Just a quick reminder, please speak up so that the ASL folks are properly able to do their job, so speak much, much, much, louder, than what you think you would have to speak in a situation like this. So any thoughts on general counsel?

>> This is Doug Clark. I think Steve's point is we have one personnel committee to deal with this or separate individuals we hire. I recommend we do separate, it gets more of us involved. Which is one of the reasons I put the responsibility matrix together, so make sure somebody isn't overloaded with work. So I would tend to go that direction. I mean, we have seen the struggle Anthony groups having just to get the time together to do this. And if we put additional load on them, I think it's unfair to them, so I would tend to say we go to that direction of separate committees.

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>> Dustin?

>> I was under the assumption in the last meeting we were going to have separate committees for things like this.

>> He was under the assumption from last meeting that we already agreed upon doing separate committees for the general counsel. Is that right?

>> That's correct. Sorry, the mask muffles my voice, this is probably much better.

>> That is very different.

>> Just speak louder to make sure. Were you finished.

>> Yeah.

>> This is Doug Clark again, I agree with Dustin, I believe that's what we did, and one Republican and one Democrat and one... nonpartisan person on each committee. The committee completed consisting of 3 people. That's my impression on what we decided.

>> Any other?

>> Okay, Steve, I'm turning back to you.

>> Any volunteers?

>> Doug, are you volunteering.

>> I volunteer for the general counsel review committee.

>> And you are a Republican?

>> I am.

>> I can be a democrat.

>> Does that mean you are a Democrat?

>> [Laughter].

>> Trying it on for size.

>> Richard.

>> I'll volunteer for that. And I'm interested an independent.

>> Well, look at that. Any other volunteers?

>> Okay. We need to get an acting Chair for the committee until a Chair is complete. Somebody has to be responsible for the committee, to run the meeting.

>> I think he was just writing down the names first. Richard.

>> Just one question, since we're short a commissioner and we have a couple, that I think are not here. Do we need to wait until we have a full group, maybe somebody else would want to join?

>> Well, you know, that's a good point. The simple answer is no. We don't have to wait. We have a quorum, and that's all we need to conduct business. The forum is -- and the issue may come to a point that there is something that needs to be done... when not everybody is here. This probably isn't the most earth shaking thing we're going to do that everyone isn't here. But I think, um, my preference and I certainly can be overruled would be to carry on with the business we have at hand. Don't want to cut anybody out, but on the other hand, if at all possible, be here.

>> I would have to agree, this is Brittnei Kellom, in the spirit of being productive we just continue on.

>> I guess -- this is MC, I'll offer that if there is somebody else that wants to join, who is Democratic, I'm willing to make it easy to switch out.

>> Good point. Once you get on, you are on.

[Laughter] >> that's it.

[Laughter] so I think this is Doug's point we have different committees

>> Any other volunteers for general counsel or any other nominations? Self or other wise Cynthia.

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>> This is Cynthia Orton. I would like to nominate Steve for that.

>> Thinking of your leader's experience.

>> I... nominate.

>> Commissioner Michael.

[Laughter]

>> I'm the Chair, and that's enough.

>> Okay.

>> I knew it was coming and I looked at it, yeah, maybe there are some people in there I might know -- I can tell you there are some in this ED position I know. And I really don't want to think that it's best that I do that. While I appreciate your support, so Chairman, that's enough.

>> I think there are other ways Cynthia to get his expertise. Because we still -- I understand why you would say, it makes sense.

>> There may be a name presented that I may know something about that I'll say something when the time is right.

>> Okay.

>> Okay, hearing no other nominations, all in favor of Doug Clark, M.C. Rothhorn, Richardwise as the subcommittee for general counsel application review say aye.

>> Aye.

>> All opposed say, I'll do it. None.

>> Next is the communication director.

>> Steve, before we move on. Can we get an acting Chair for this committee?

>> Sure.

>> Who wants to be acting Chair?

>> Doug does.

[Laughter]

>> I will do it.

>> Speak and you shall receive.

>> I'll do it as acting Chair and designate a Chair in the first meeting, MC.

>> While we're at it, you did put yourself as the commissioner Chair. Is it the older one?

>> You have the older one.

>> Okay, great.

>> I have that too.

>> I'm going to update this, if you don't mind, Steve, I'll continue as an administrative task to update this to see how the workload is distributed.

>> Okay, communications director review. Question for staff. Do we have applications on this position now?

>> Yes.

>> How many?

>> 14.

>> How many are looking for a job.

>> Sorry, I was talking about the communications director position. For general counsel we currently have 2.

>> How many?

>> 2.

>> Jobs must be good out there right now.

>> Okay...

>> You're fine.

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>> Who wants to -- you got more work to do evidently, the general counsel, you will have to flip a coin. Communication director Juanita. You want to be on the communications? Okay.

>> Didn't quite call for volunteers, but that will do. First one on is the temporary Chair to.

>> Anyone else for communication.

>> Anyone else wants to volunteer for communications subcommittee review. Is Juanita Democrat, Republican, or.

>> What are you Juanita.

>> Democrat.

>> That's not the mike that amplifies your voice. This is the live microphone on mine.

>> We have an inner mike in here.

>> Okay, we need a Republican and a neither.

>> I'd do it, but I'm not either.

>> And evidently you are not a Republican either.

>> And we do have two Republicans absent and one of them is already on a committee.

>> Right.

>> So we're running out of people, Cynthia?

>> I will do it if I need to, but I don't know if Erin would like to do that.

>> That was how I was feeling, so yeah... you could swap that out later. That's not an issue. Sorry, this is MC, so what Cynthia is expressing what I thought might happen naturally. Do we need to have a new vote if... yeah, no other Democrat that would swap out. Oh, Brittini might do. So the question is... she can't swap out. If she -- she's the Democrat already.

>> I'm making it too complicated. I'm withdrawing my question. Sorry.

>> Mike, is tapping his placard.

>> Sorry.

>> Oh, you were thinking.

>> I was going to respond to his question, but -- I was going to respond to M.C.'s question.

>> I was going to respond to his question, but he withdrew it.

>> I'll do it.

>> Cynthia said she'll do it.

>> And I'll do it as a non...

>> Okay, Janice.

>> Thank you for volunteering, because I was going to call on you next.

>> I was too. In the sweetest voice I had. Janice.

[Laughter] >> I'm going to make a wild assumption that nobody else wants to because we're pulling teeth to get these 3. Two... Juanita volunteered.

Any other volunteers or nominations. You want to nominate somebody, go right ahead. Erin is not here, so that wouldn't be fair. She's the only one without a committee.

>> That's how people get on committees.

>> [Laughter]

>> I would like to nominate Juanita as the acting Chair.

>> Okay. You guys can figure that one out. Hearing no other nominations or volunteers all in favor of Juanita, Cynthia and Janice as communications director review committee say aye.

>> Aye.

>> And all of those opposed say I'll do it.

>> No? No volunteers. That committee is set.

>> Invoice authorization. We have invoices we need to approve?

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>> Yes, thank you Chair, this is Sally Marsh speaking. Soy wanted to provide additional background, and report back on our conversations with the legislative counsel and with the department of technology and budget. Working to get the phones and emails you requested. And so the DTMB is working with the legislative council to create what's called an accounting template for billing the services they're doing on your behalf to the legislative counsel, the legislative council is designated as the sort of -- the entity that is supposed to pay your bills. But the legislative council would like authorization from you all to expend those funds. For the things you want to do. Right now we're talking about email addresses and phones. So they're looking to you all to authorize monthly invoice payments and of course, once an executive director gets on board, they can help manage this and report this back to all of you, but for right now, that's the request, is that you authorize them to do this.

>> Thank you, this is Mike Brady, with our conversations with the legislative council and others, I think as noted before, as you all know, and some folks in the public are extremely aware, you just don't fit into any existing model within State government, nothing at all quite like you, so everyone we turned to wants to be helpful. And they're trying to see how to make it work. So we believe this is a step from the council to do the things you asked them to do. Not just email, but similar authorization with your own compensation and funds being drawn down from the legislative appropriation, just to note and additionally any motion made from the commission on this topic, it would be helpful if you authorized explicitly for the Chair to speak to this for the legislative council, you authorized us to act on your behalf, but the drawdown of funds, special protocols in place to protect taxpayer dollars and everything else. They actually authorized Sally and I to do all the things and set them up. I think people believe us, but they say, can we hear from the Chair, and I'll say, yeah, we can put you in contact, but trying to point this from questions of authority, to -- really break that down and give the various parts of state government the things they need so the dollars can flow from appropriation to the different vendors and whoever else needs the dollars. May be clear as mud, but trying to relay what we're working through to try and get this -- what is the saying, square peg to fit into the round hole and whatever else.

>> This is Steve Lett speaking, I think there is a couple things that we should be considering, one number, we need to approve getting an invoice I paid through the legislative council, right? That's one thing. Now, we're not getting -- we the commission right now are not getting invoices, you are. I'm assuming somebody is sending you invoices saying you owe us money.

>> This is Mike Brady: They're working on sending it.

>> So I think for right now, a method that would, I think satisfy what we as the commission would need to see, would be that there is something that comes to us and says, here are the invoices that we need approval for. Until we get an executive director who can approve those, then I think somebody, either myself or somebody on the commission should at least take a look at them and initial them before they get paid. So I guess I'm making that as a motion that we approve the invoices to be paid by the legislative council, and authorize someone be it me or Cynthia or Janice or whomever take a look at them and... in approval them and initial them and move on, and then they're going to have to come back to the full committee and say here is the ones we approved and what is going on. I'm not saying that who signs off doesn't have the commission look at them.

>> I think that makes a lot of sense, and alternate if you are not available would be a Vice-Chair, so between you and the Vice-Chair if you are authorized. With one signature needed.

>> So the motion is that the staff would submit give us a list of the invoices and either myself as a Chair, or upon my unavailability the Vice-Chair Brittini would approve them in a

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list of all of those would come to the next commission meeting. If there was a question, we could bring that invoice or invoices to the commission if we had a question about it.

>> I second.

>> Third.

[Laughter] >> any questions on my motion. It was a little rambling. Any discussion? Mike?

>> I think that it makes sense, one thing you may want to think about is that some of the things, especially right now being set up, there is not going to be an invoice, for example, your compensation. So they're not going to send a bill to you to pay yourselves. So, just thinking about something that is flexible enough, so that they can just send an email, perhaps to the Chair and the Vice-Chair and say, just to be clear, we're going to go with the 35% every other week and they say yes, and they approve and move forward and do that. Practically speaking, conversely, the setting up emails and incurring the cost to buy computers they may be able to send the invoice later on, but before they incur the costs you will be happy as Michigan taxpayers to know those are lined up and have two different things, those things you propose make all sorts of sense, and I advice your motion here is flexible enough to talk about the up front authorization for somebody to proceed even though the invoice itself comes after the fact, as it does in the private sector and everywhere else. Does that make sense?

>> I guess my thought jumping ahead about 5 steps was that things recurring such as composition, that's already done, that's pre approved. We did that today. So when that system is set up, it just goes.

>> But there might be something more formal that is sent, if I'm understanding you directly, via email we might have to have an asterisks that preapproval things, for whatever... that we can sign off on that. I think that's what he's saying.

>> So we discuss things, but an email will say, hey, is this still okay, and someone needs to respond. The things you are looking at, one, a purchase order, versus an invoice. And when the Executive Director gets on board we may want to say, you can approve X amount of dollars without bringing to us, with the purchase order or invoice, so if there is a question about should it be preapproved, send us an email and we'll take a look at it, Mike?

>> This is Mike Brady. So what Brittini is speaking to -- sorry, with articulating this -- you are right, the commission already acted today on the question of compensation, there is a different question, which is one of mechanics on how we actually communicate that to people who actually have access to your bank account. Which is of course the legislative appropriation. We do not have access, we have been authorized to have conversation on your behalf. The question of authority and how you actually get it done, and what we are struggling with is that last hurdle where we don't have signing authority, we're not asking for signing authority, but something where they say, we know the legislator knows the department of state has its role, and authorize you to work these things out on their behalf. Be you when it comes down to withdrawing tax dollars, we want to hear from the commissioner-perhaps the Executive Director some day -- but how do we set that up? And I want to say there is a question of authority, that the commission has clearly spoken to at this meeting and prior meetings on the steps we have taken. There is a different question on how to translate that into action that helps with the procedure steps in place, that come down. Many don't have time to watch all the hours, and at some point, basically it will suffice if I can tell them, and if you have the Chair and Vice-Chair say approved, that is the simple sort of authority I'm looking for, it's mechanics issue not an authority question.

>> Sally.

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>> Mike is exactly right, and this is Sally speaking and what might be helpful to think about is verification. It's like a verification email. So how it typically happens is, you know, and I'll use an analogous thing with the State how this works. The group has made a decision that we're going to go forward with, you know, buying a computer for X employee, and so that's a decision made, and everybody agrees to it, but somebody has to basically verify, from our purchaser, the person responsible forgetting that in writing, yes, that's exactly what I said, when they send them, what the bill is going to be. So the person who is responsible for purchasing it sends the verifier, the person who is supposed to verify the email that says, this is what I'm going to get, just verifying this is what you meant, and that verifier says yes" or no, if there is a reason to say no. So that may help to think of it, not so much in the terms of other words used but really just a verification step to move forward on your behalf.

Juanita.

>> I want to say I agree -- can you hear me. My voice is going. I agree, initially with M.C. and then with Mike that you two the vice and president -- that would be your job. That you all sign off, you two would sign off. In honor of us.

>> Sally, I'll use the word -- are there invoices that have been paid already?

>> Nothing that has been paid using your funds already. This would allow that to start to happen, this is Sally speaking. Sorry. So, the thing that prompted this is the creation of your emails. So your emails were created, those charges are starting to be incurred, but no one has been charged yet, right? So you all decided to create the emails and we on your behalf, at your direction, helped actually made them a real thing, but... the legislative council wants that verification once that bill comes to them that they can pay it with your funds. Does that help Mr. Chair.

>> So I need to modify the motion. That the Chair and the Vice-Chair will review and approve expenses prior to them being paid.

>> Written verification...

>> How far you want to figure that one out, emails or what. I assume it's email and whatever the mechanics of the legislative council need to be. We can work with that. So the motion is that the Vice-Chair and Chair will pre approved payment of our funds for invoices or verifications whatever is required prior to the expenditure. Those are to be submitted by the staff.

>> I move to --

>> I just moved to second it.

>> Juanita.

>> Any discussion. All in favor say aye.

>> Aye.

>> All opposed say, I'll pay all the invoices myself.

>> Hearing no one wanting to do that we'll move on.

>> At this juncture, we talked about computers and phones, I don't know if we decided we would buy computers and phones for everybody, I don't believe we have done that have we.

>> Sally speaking, you have not decided to buy computers. You have asked us to get phones, so you have decided to get phones. That was in an email.

>> An earlier meeting that you all had. So thank you Chairman, yes if you want to get computers you need to decide too.

>> Well... since we can't download or print anything... makes it a little hard.

>> And from a safety perspective. It's not that I want another computer. But I would like to keep this business separate.

>> So I will throw it open for discussion.

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>> Doug.

>> This is Doug, is our only issue downloading at this point.

>> I was not able to download and open certain attachments.

>> Zip files. Any attachment.

>> And I was unable -- once I got things from Sally on my other email, not my State email, I could open and look at them, but I couldn't print them.

>> Yeah.

>> So it's -- and my understanding talking earlier with staff is that... you're never going to be able to until you get a state computer.

>> I was able to print the PDF files.

>> I couldn't print the agenda or the talking points.

>> Here is the suggestion I have, rather than going to the expense of buying computers just to solve this problem. Can we have a shared drive to all access, and the files you distribute are put on the share drive as PDF files?

>> Dustin?

>> Save us a heck of a lot of money.

>> I like that idea, how far I also want to keep my personal computer and work computer away from all this. Because I don't want those machines subject to any kind of scrutiny at all, what so offer.

>> I'll say it again, louder. I don't want my business machine or personal computer to be subject to any kind of scrutiny, which is why I feel we do need state-provided laptops for your own personal security. That's myself.

>> This is Brittni, I would have to agree. Even in the process of being -- when I was connected my state email, I was thinking of using my phone, there was something that said - you have to give the state to have access to your phone, so on a personal level, and for all of us, we expressed different concerns and talked about litigation and some of that, it would just be better to have something functional and safe, and it has safety parameters that are likely much, much different than our personal computers. M.C.

>> I think the term and discoverability, and so I think we protect -- we have fewer issues with discoverability if we have designated laptops. And I think that's what Dustin was trying to say.

>> I agree 100% with that. This is Doug speaking. I was just looking at a way to cut 20,000 dollars. That's going to be more than that, because we need to get one for the Executive Director and so forth.

>> Anthony?

>> Thank you, Mr. Lett.

>> I was able to access all the documents relatively easily. That might be because the state seems to be using Microsoft, and I have a Microsoft computer. I know I personally don't need another computer. However it was mentioned earlier, that some body said highly recommended that we do get them. I was just wondering if we can get more information on the basis of that recommendation. Mike.

>> This is Mike Brady. In response to that question. It mostly had to do with security concerns. And I would say at the same time, also, certainly -- not inconsistent with the discovery concerns that Douglas raised in prior meetings, alluded to. And further supported by the document retention requirements that exist for all of you, and so, it is something that is easier, and not necessarily required, which is why you didn't have one -- well, various reasons you didn't have one starting out, we didn't have access to the budget, you had to make a decision for it, but with security, document retention, and that's why it is in fact best

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practice, and that's why that happens, that said, it's a strong recommendation from the department of technology and management budget, it's not a formal requirement as I heard it. While I'm speaking, I think someone who raised the question about a potential shared drive where information could be put. So I think, one thing that crossed my mind if the shared drive included documents you collectively added and upload that would be a violation of the open meetings acts, and can you add comments and that needs to happen in a public meeting when it's between members of the commission, so you send edits to sally it's different than to another commissioner. Juanita is using a loaner computer from the department of state. But the loaner computers are not -- you know, built for -- they're heavy and built to be passed along and whatever else. It's not the best thing, but it certainly works, I almost wonder if in the alternative, while I think there is reasons it may make sense with the strong recommendation that you will use a state computer, the commission, can do whatever it wants and could very well make this available to those individuals who have strong concern about their privacy and the security and having separate information, not using, you know, whatever else, and so that could be some way you attempted to split the difference.

>> Dustin?

>> I'm good.

>> Anthony.

>> Can I ask a follow-up question?

>> Yeah.

>> I lost my train of thought. Is it possible to give back these computers after we're done using them after our year and a half or whatever it is completed. And any second question is, do we know what type of computers they will be buying?

>> So this is Mike Brady, I'll do the second one first. They have computers -- I imagine -- but don't know this myself, they work out bulk rates with. So when we have occasion to buy a phone on the team and approve it, they say -- it's not the whole world of possibilities, and there are multiple options and it looks to be a very competitive price from what I have seen, and there is that, I can't speak to what all owes things are here, but that would be the natural step if they wish to move forward purchasing computers. And forgive me the first question.

>> Can they be returned.

>> I imagine they would be able to. I think one of the things that, in any other context in state government, would absolutely be returned, unless it is a highly specialized individual, I don't know if they reuse the secretary states computer and set that aside to secure the record. But for anybody else I come across, for the most part as a general rule, taxpayers' dollars there is a way to make an image of the computer itself to retain all the records and then wipe the computer clean and reissue it, there is a way to do that. The tricky thing here for you all, you don't fit anywhere. So in 10 years, the next folks who sit in these Chairs will not want your top of the line 2020 computer, because for obvious reasons, so I wonder if there is a way with after -- you finish your service, that could be a couple -- likely to be a couple years, just with lawsuits and whatever else, and once that is done, the computer is still of value, the image can be made and records secured and if there is value there, maybe the commission at that time, could vote to, you know, secure all the records and wipe it clean and donate it somewhere else, that's something you have control of these things. So...

>> Thank you.

>> Any other discussion?

>> I will entertain a motion.

>> I'll motion to authorize the purchases of computers. For this commission.

>> Second?

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>> I second that.

>> Any further discussion? All in favor say aye.

>> Opposed same sign?

We have an updated schedule and then talk about the ED candidates which we have already done. So updated schedule... we're going back to virtual reality, correct?

>> This is Sally Marsh speaking that's correct.

>> What do we have for a schedule? Sally?

>> Hi, this is Sally Marsh speaking, what we have for the schedule, and for the public watching it online with the other documents for the meeting. Includes Tuesday November 10th, Thursday November 19th. Thursday December 3rd, Friday December 4th, Thursday December 10th and Thursday December 17th. And then, shifts the webinars because of this sort of logistical hurdles all working through. And shift the webinars to start at the end of November, instead of what was originally proposed as today. Since this morning meeting, what I would sort of further propose to the commission is that the dates remain the same, but the purpose of the meeting shifts. So on Tuesday November 10th, in the first 2 hours of that meeting, it would be the advisory committee meeting to determine who their finalists are, and then in the remaining 2 hours of that meeting, the full commission would meet virtually and determine who you want to interview for the Executive Director position. And then the next meeting would be the committee, would be the interviewing, of the Executive Director finalists, and hopefully at that point you all feel you can select an Executive Director. After that, it would sort of continue on that way and shift the days just by one, so that at the end, Thursday, December 10th, and Thursday December 17th, right now, those meetings talk about approving the initial meeting schedule for January or February, and any outstanding business for 2021. Both of those agenda items would be on Thursday December 17th. So you essentially combine those two meetings into one, so it allows you to hire the main 3 hires before the end of the year. I would also just note, to the commission, because this date passed earlier this week. The actual deadline to convene for the first time, was actually only 2 days ago on October 15th. So I know it feels like there is some time between now and your next meeting, but think about how much further ahead you are now than you are constitutionally required to be, and I think, as we talked about, there is so much work for you all to do, and I know you are eager to do it, but this is -- you will still be making progress, and hopefully be in a good position, with this schedule.

>> That's interesting, but since -- nobody ever done this, we don't know if we're behind or ahead.

>> That's true.

>> Yeah, this is Doug Clark, I have a question Sally. We just created 2 new committees today, and there is no time for them to meet individual I.

>> Right now Thursday November 19th and that would be shifted to Friday November 20th.

>> Okay, but both committees aren't going to meet at the same time?

>> Correct. So 2 hours here and 2 hours there kind of thing.

>> Exactly.

>> I... just bear with me because I didn't catch all the dates as you went through. Go through the dates again for me, please.

>> Absolutely.

>> All right so November 10th, which is a Tuesday, November 19th which is a Thursday, Friday November 20th, Thursday December 3rd, Friday, December 4th. Thursday December 10th. And Thursday December 17th.

>> Thank you, just wanted to get them in my notes. Any conversation regarding the dates?

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>> I just wanted to appreciate what Sally suggested. The constitution says no later than November 1st -- sorry, I just wanted to -- I chose the wrong one, we are ahead, based on the language in the constitution, and appreciate you are all helping us move ahead. Thank you, thank you.

>> I do have one question, this is Cynthia Orton.

>> Cynthia please.

>> So being one of the advisory committees for choosing people, will we be sent the applications that come in and will we have time to go over them before this Friday November 20th? Okay.

>> Yes, and I should note, all commissioners will receive all applications and so, these advisory committees, hopefully are helpful to all of you in sorting through, but everyone gets to decide who is being interviewed and who you want to be finalists.

>> Any other thoughts or discussion?

>> I'll move to accept the agenda as amended. Is that appropriate? The schedule.

>> The schedule?

>> I'll second that.

>> The agenda -- yeah, the schedule.

>> Thought I was in a different meeting for a second.

[Laughter]

>> That was M.C. and then Doug seconded.

>> So moved and seconded. All in favor say aye.

>> Aye.

>> Opposed same sign.

...

>> Am I missing something or are we done.

>> This is Doug Clark, can we go back and visit one item for a point of clarification? We approved K-services involved with payroll is there a cost for that. They don't do this for free...

>> I'm sure there is.

>> The K-services folks.

>> So, yeah... as I understand it, and again, this is a great example of you all being a very unique thing that we just don't know what to do with yet, in terms of administratively, and I know that might sound like an excuse, I really don't mean it to be. And so, what you all authorized and what I expect the legislative council to do would be to start conversation with that firm they currently use. So I don't know what the costs would be in terms of any additional contract, but they currently utilize that firm for some of their people who have a little bit less of traditional, you know, employment set up.

And so your compensation they thought would be best served through that. And so through the authorization you gave today they can start the conversations and figure out and start to wave through all the paperwork you have to do. For example, I don't know if you know what an EIN is, but to get into the weeds for a second, when we were talking with the legislative council and other folks earlier in preparation for this meeting, the question was: What's the commission EYN, a federal number -- I'm seeing nods, employee identification number and my -- and, you know, asking what is the documentation for this commission and I sort of jokingly responded: The Michigan Constitution. I don't know if that's helpful Doug, but that's what the council will start to do, how it will happen and what it will cost.

>> Is this a commitment? You're going to come back to us and say this is what it's going to cost, okay. Then I'm good with that. Yeah, I just didn't want to get into a position where

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we're incurring extra cost and not knowing what that's going to be up front. Those costs would absolutely be shared with you, and, you know, and regardless, I think your HR will cost, right? Because of the work that someone is going to have to do in order to do your payroll and all the paperwork, that needs to happen. And so yes, you will see that before it starts to happen, but them getting started allows them to get information for all of you.

>> This is Mike Brady. As noted there will be a cost, and we don't know what that cost is, she did a great job and laying out what the back and forth is, and trying to make it work. As we look back, as we do to prepare the minute of this meeting, and then also make sure we have a clear -- look at video as we do each meeting to make sure we capture exactly what was said, in the different motions and resolutions. My understanding, and again -- we can speculate on this, we'll look back at the record, but I thought there was actually a vote -- the commission already authorized to proceed with the services. This is the example where there is authority to proceed. So before any dollars are incurred or contract executed on the commissions behalf, that specific information will go to the Chair and Vice-Chair. So when you asked the question to Sally will that come back to the commission to vote on. I'm not sure -- I actually think the combination of votes that already happened today will allow the conversation to proceed and get the invoice teed up. And that goes to the Chair and vice Chair. And they authorized them to approve that. And that and the -- will it all be reported. Absolutely. But I don't know if there is a live question that needs to come back, it will be 20 dollars versus 50 dollars, if it's not obvious, I'm making the numbers up, does that clarify that up.

>> Thank you, in the discussion we had earlier for Steve and I to sign off, and eliminate some of the back and forth of their being and Sally and Mike have to do if this is okay and all that.

>> I was just noticing that some are using last names and some first names, and I want you all to call me M.C., and I'm like, should we be using last names as we get increasingly sort of public, does it matter? And I want to offer, that may be important to consider. I don't know if we can each choose how we want to be called, but I'm offering it because it feels we're mixing things and I want to be consistent as possible, if we get more public input, I want to be less confusing. So I guess I'm not sure -- I know I want to be called M.C., but I'm okay if I need to be called Commissioner Rothhorn. I don't want to make too much of an issue if it isn't. That's the last thing I got.

>> Thank you. Don't overthink it, but thank you.

>> Yeah.

>> My personal preference is I use first names, and I think that's appropriate. I notice Anthony likes to use Commissioner whomever that's appropriate, if I go to Commissioner whatever, I'm upset. No.

[Laughter] use whatever you like.

And we can't get more public than we already are.

>> Amen brother.

>> We're already in the ether already.

>> Staff, anything to add before I move to adjourn? Anything from anybody?

>> Anthony.

>> Commissioner...

>> Well, I'm certainly going to call you whatever you want to be called by.

>> I just want to take a moment to thank the secretary State staff and individuals on the communications team streaming this and also the people doing language interpretation, for setting up the meeting in a relatively chaotic time going on in the state and an election going

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on in a couple weeks, and thank you very much, and I would also like to thank everyone on the commission for practicing safe distancing guidelines and wearing your masks, and hopefully all working together we can stop the spread of this virus, and get back to normal life as soon as possible. So thanks, everyone.

>> Thank you.

>> I likewise would like to thank the staff, they do a marvelous job and give our regards to our Secretary Benson. We wish she would come and take notes for us, we understand she has other things to do. I would entertain a motion to adjourn M.C..

>> I entertain it and say thank you for facilitating and getting us out of here early, so I will move to adjourn, Janice.

>> I second.

>> All in favor, say aye.

>> Aye.

>> All opposed to staying where you are.

>> Anyone wants to grab some food or anything.

>> I've been here since 9 a.m.

>> You're all invited to his place...

>> This is great, thank you for joining us.