

**Afternoon Session**  
**09/18/2020**

SECRETARY OF STATE

JOCELYN BENSON

INDEPENDENT CITIZEN'S REDISTRICTING COMMISSION VIRTUAL

MEETING

AFTERNOON SESSION

FRIDAY, SEPTEMBER 18, 2020

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IN RE: The Recorded Remote Meeting,  
Transcribed by April A. Kurtz, CSR-7347.

1 Remote meeting  
2 Held on September 18, 2020  
3 Afternoon Session

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5 COMMISSIONER LETT: Okay. We are back from  
6 our lunch break. And we are a few minutes late, and  
7 that's because of me and my Internet connection. But,  
8 we -- we are back on. And since we -- just to let  
9 everybody know, this is being live-streamed on Facebook  
10 and YouTube. For anyone in the public watching who  
11 would prefer to watch via a different platform than they  
12 are currently using, please visit our social media at  
13 redistricting Michigan to find the link for either  
14 viewing on YouTube or Facebook viewing.

15 Our live stream today includes closed  
16 captioning. You might already see that we have ALS  
17 interpretation available for this meeting. If you are a  
18 member of the public watching, who would like easier  
19 viewing options for the ALS interpreter on your screen,  
20 please email us at [Redistricting@Michigan.gov](mailto:Redistricting@Michigan.gov) and we  
21 will provide you with additional viewing options.

22 Similarly, members of the public who are  
23 limited English-speaking and would like to access  
24 translation services during the webinar can email us at  
25 [Redistricting@Michigan.gov](mailto:Redistricting@Michigan.gov) for details on how to access

1 language translation services for this meeting.

2 Translation services are available for both --  
3 both Spanish and Arabic. Please email us and we will  
4 provide you with a unique link and call-in information.

5 For purposes of a public launching and public  
6 record, I will turn to the Department of State staff to  
7 take note of the commissioners present.

8 Sally?

9 MS. MARSH: Hello, everyone. Commissioners,  
10 please unmute yourself and say present when I call your  
11 name.

12 Anthony Eid?

13 COMMISSIONER EID: Present.

14 MS. MARSH: Brittni Kellom?

15 COMMISSIONER KELLOM: Present.

16 MS. MARSH: Cynthia Orton?

17 COMMISSIONER ORTON: Present.

18 MS. MARSH: Douglas Clark?

19 COMMISSIONER CLARK: Present.

20 MS. MARSH: Dustin Witjes?

21 COMMISSIONER WITJES: Present.

22 MS. MARSH: Erin Wagner?

23 COMMISSIONER WAGNER: Present.

24 MS. MARSH: Ed Decker?

25 COMMISSIONER DECKER: Present.

1 MS. MARSH: Janice Vallette?

2 COMMISSIONER VALLETTE: Present.

3 MS. MARSH: Juanita Curry?

4 COMMISSIONER CURRY: Present.

5 MS. MARSH: MC Rothhorn?

6 COMMISSIONER ROTHORN: Present.

7 MS. MARSH: Rhonda Lange?

8 COMMISSIONER LANGE: Present.

9 MS. MARSH: Richard Weiss?

10 COMMISSIONER WEISS: Present.

11 MS. MARSH: Steve Lett?

12 COMMISSIONER LETT: Present.

13 MS. MARSH: All commissioners are present.

14 COMMISSIONER LETT: You can see the afternoon  
15 session agenda on the slide. We have several initial  
16 discussions to have and decisions to make.

17 So we are at commission decision point  
18 structure.

19 Sally, are -- are you going to assist us here  
20 or are we on our own?

21 MS. MARSH: Mike and I are happy to assist you  
22 all in this conversation or you can do it yourself, just  
23 let us know. We're also happy to answer questions from  
24 the previous conversation this morning, if that will be  
25 helpful. Up to you, acting chair.

1 COMMISSIONER LETT: Well, I guess I would open  
2 it up for discussion. I'm sure that several of the  
3 commission members have some ideas on what the structure  
4 might look like. And you gave us some page numbers to  
5 look at before we went to lunch. If you could remind us  
6 of those now, I would appreciate it.

7 MS. MARSH: Absolutely.

8 COMMISSIONER KELLOM: Oh, sorry.

9 MS. MARSH: Go for it, Brittni. You were  
10 going where I was going.

11 So the -- a couple of pages that might be  
12 helpful for you all in this conversation, which, really,  
13 you know, the question before you is, how do you want to  
14 structure yourselves moving forward?

15 In your orientation materials, on pages 39  
16 through 40, there is some summary notes of the  
17 California Redistricting Commission Report, and then the  
18 Commissioner's Guide to Redistricting in Michigan, which  
19 is also included in those orientation materials, on  
20 pages 19 to 20, has some -- has some options there as  
21 well.

22 COMMISSIONER ROTHORN: I might have a  
23 question that may impact this. I'm wondering if I can  
24 -- this might be part of the discussion. Is that okay,  
25 Steve? Should I just ask the question from --

1 COMMISSIONER LETT: Yes.

2 COMMISSIONER ROTHORN: So the question I  
3 suppose is Committee Structure. If we deed -- and I'm  
4 thinking about what -- I think California called it  
5 divide and conquer. And they said they had two  
6 commissioners go out at a time. This -- the question is  
7 sort of like relating to the Open Meetings Act, and if  
8 we -- I guess I'm -- so, the question in my mind is that  
9 we might want to consider commission -- excuse me,  
10 committees, like a media or communications, or, you  
11 know, legal structure. I think some of those are the  
12 committees that California had. Or even a community --  
13 yeah, there's some things that -- that don't make sense.  
14 If we're gonna -- yeah, but, I guess I'm asking, do we  
15 need to have -- if we're gonna have committees, do we  
16 need to have chairs of committees, for example, if  
17 that's going to be a formal structure? Yeah. And then  
18 are we -- are we -- are we complying with the Open  
19 Meetings Act if we have fewer than seven -- if we have a  
20 committee with two -- three committee -- or three  
21 commissioners, do we need to comply with Open Meetings  
22 Act, or is it just good practice to do that, period?

23 COMMISSIONER LETT: Well, I guess I'll give my  
24 kind of opinion.

25 Number one, if you have fewer than seven

1 commissioners at -- at a meeting, you cannot make a  
2 decision as it pertains to our final drawing, et cetera,  
3 the mapping. You have to have a quorum to make those  
4 kinds of decisions.

5           The committees, I think, would be good to  
6 have. I don't think we want -- at least I don't think  
7 it would be beneficial to have a committee of the whole,  
8 13 people, trying to do everything. That's gonna be too  
9 much work for all of us to do, and still get done.  
10 We're gonna have a hard enough time getting done by the  
11 45 days before November 1st as it is.

12           So I think we -- the discussion, at least I  
13 would think, the discussion would be what types of  
14 committees do we see that we want to have, and, you  
15 know, we don't need to reinvent the wheel, necessarily,  
16 but we certainly can pick and choose the ones that  
17 others have used and have advised us of.

18           I think that, you know, establish the  
19 committee, ask those that are interested in whatever  
20 particular committee are there, and then, that committee  
21 would normally pick -- choose its own chair or whoever  
22 is going to lead it. But I'm certainly open to  
23 anything -- anything else.

24           The other thing we have to consider, since I'm  
25 acting temporary, whatever you wanna call me, the --

1 California, as I understood them, used a rotating  
2 committee, or a rotating chair, in which the chair and  
3 vice chair -- the chair did one meeting, like I'm doing,  
4 and then the next meeting would be done by the vice  
5 chair.

6 My thoughts, such as they are, is, number one,  
7 I think that's a good idea. We get more -- more people  
8 involved in the Chairmanship, and you -- you don't have  
9 to listen to me all of the time, which I'm sure would be  
10 beneficial for everybody.

11 And the other thing that it really does, at  
12 some point, you know, people are gonna be leading these  
13 community discussions somehow, either like we're doing  
14 right now, or, you know, hopefully in -- in person. That  
15 would be my preference, but we may never get to that  
16 point.

17 I have found in settings in which they rotated  
18 the chairs, that some people are very good at chairing  
19 public meetings, some people just don't have the taste  
20 for it, don't want to do it. They're a little reticent  
21 about it, and you can -- I think we will find that we  
22 will have some indication of the people signing up who  
23 want to talk, present to us, that some of the people --  
24 the other people that are in the community and know, we  
25 may be able to reach out to, will tell us, you know,



1 this is going to be a contentious meeting or this isn't  
2 going to be, so we may want to say, well, we may want  
3 Anthony to chair that meeting because he's good with  
4 chairing contentious public meetings.

5 So those are kind of my thoughts.

6 And I see Mike raising his hand. Mike?

7 MIKE: Thank you. I appreciate all of the --  
8 the conversation. I just want to respond to part of  
9 MC's question regarding Open Meetings Act.

10 So Steve is absolutely correct that, you know,  
11 this a commission of 13, so seven is quorum. As Steve  
12 noted, this commission cannot make any decisions without  
13 having quorum.

14 To be clear, this committee -- or, I'm sorry,  
15 this commission cannot make decisions without quorum, it  
16 can't deliberate without quorum. It can't discuss  
17 without quorum because of some of this is actually  
18 overlapping with the Open Meetings Act, but there's also  
19 that language from the Constitution that says you cannot  
20 discuss the redistricting in the work of the commission,  
21 except in either a publicly noticed meeting of the  
22 commission and it's only a meeting if it has quorum, and  
23 that's just for discussion, or in writing, that's  
24 exception A. Or, exception B would be some other  
25 publicly noticed public meeting.

1           So kind of the finer point there, you know,  
2    what Steve was saying, which is correct about decisions,  
3    but it goes beyond that to deliberation or even  
4    discussion.

5           On top of that, I raise a different question,  
6    MC, about committees. So if this commission creates  
7    committees, which, again, as an aside, makes a lot of  
8    sense, that's why most of the bodies do something like  
9    that, most organizations in general. Once the -- this  
10   public body creates a committee or multiple committee,  
11   each of them becomes its own public body, however large  
12   you make it. So if you make a committee -- maybe --  
13   maybe the legal committee -- I'm just making this up, of  
14   course. Let's say you had a committee that was legal  
15   and had three people on it. If three people are on that  
16   committee, quorum is two. Maybe you have a different  
17   committee that's communications. And I'm just making  
18   this up. If the communications committee was -- was  
19   seven, then quorum would be four. I mean, you can do  
20   whatever the math it. You can make it four, five,  
21   whatever it is, and adjust from there.

22           So any one of those committees would in turn  
23    have to comply with the Open Meetings Act, which, again,  
24    is not a super scary thing, but just know that you are  
25    actually creating additional public bodies that are

1 subject to the Open Meetings Act. And, in turn, the  
2 stats of this commission, once you have staff and, you  
3 know, and also, you know, Sally and Sarah and I, and  
4 staff of the Department of State, you know, we remain  
5 working, of course, for the secretary as the non-voting  
6 secretary of the commission. So, you know, whatever  
7 else you do to hire other people, we are gonna be there  
8 to act at your direction.

9 And if you tell us you have three committees  
10 or four committees, or whatever number of committees,  
11 we'll make sure that we're doing everything we can to  
12 fully comply with the requirements and need to those  
13 committees and the Open Meetings Act.

14 I hope that's helpful.

15 COMMISSIONER LETT: That brings a -- go ahead,  
16 Doug.

17 COMMISSIONER CLARK: I want -- I wanted to  
18 make a comment based on -- on what you said about the  
19 chair.

20 So I have a different view of that. And I  
21 don't -- I don't personally like the way California did  
22 it, where they rotated it, because I think what you  
23 lose, is you lose continuity, and then you  
24 potentially -- you potentially lose productivity,  
25 because everybody's starting out new all of the time,

1 and it's a learning curve for them.

2 So I think we're better off as an organization  
3 to have a permanent chair and a permanent vice, and then  
4 if we have to replace them at some point in time, we  
5 replace them, you know, maybe halfway through or  
6 whatever. If we decide to do that, we can do that.

7 But I see that as a better alternative,  
8 personally, than rotating it every -- every meeting.

9 I just thought I'd make that comment.

10 COMMISSIONER LETT: Thanks. Certainly, that  
11 appears to be the two most popular methods to do it.

12 Mike, I have a question, wherever you went.  
13 There you are.

14 COMMISSIONER ROTHORN: Steve, Brittni was  
15 trying to get in. She's been raising her hand for a  
16 while.

17 COMMISSIONER LETT: Okay.

18 COMMISSIONER KELLOM: I was trying to not be  
19 obnoxious. (Inaudible) camera.

20 COMMISSIONER LETT: Unmute yourself and say,  
21 hey.

22 COMMISSIONER KELLOM: Well, that's not good  
23 procedure, but --

24 COMMISSIONER LETT: It's effective.

25 COMMISSIONER KELLOM: And the hand raising

1 feature is not activated, because I know how to do that,  
2 so I was just gonna do that, but I couldn't find it.

3           So I have some -- I had some thoughts. It  
4 might have been too long now, but I had some thoughts  
5 about what MC said, and I think Mike semi-covered it in  
6 terms of I think we need to kind of determine like what  
7 roles we wanna fulfill, at least from my experience, and  
8 then -- and that way, we can determine a committee, if  
9 we need a committee, that -- that sort of thing. Like,  
10 what do we think, given the information we have been  
11 presented with thus far, what would be necessary,  
12 depending on our comfortability, knowledge, and, you  
13 know, the things we've been exposed to, what's the need  
14 there, and then thinking about our style of working  
15 together.

16           I did kind of enjoy what was presented by  
17 California, just in terms of their collaborative  
18 approach, and how they took it seriously, that the  
19 decisions were to be made by the commission, not  
20 necessarily like we're Lording over anyone, but taking  
21 -- really taking seriously the autonomy that we have in  
22 hiring folks and relying on our ability and trusting in  
23 ourselves to make the decision.

24           I personally think that if we give that onus  
25 to the folks out of doubt that we're gonna do something

1 wrong or be sued, then we're not really doing the  
2 justice that we were chosen to do, if that makes sense.

3 The other thing that I was thinking about -- I  
4 don't know. I'm kind of on the fence about whether it  
5 needs to be -- oh, that's what I was gonna say. I'm  
6 sorry.

7 I think the job of the chair and the vice  
8 chair is not necessarily leadership of the commission,  
9 but it's really to facilitate the flow of the meeting.  
10 So, in that way, I don't think it's going to interfere  
11 with a new style, because we're all following Robert's  
12 Rules. Like, it's not like the -- the chair and the  
13 vice chair are the decision-makers, as far as I'm aware.  
14 It's they're helping guide the process literally in  
15 terms of the structure of the meeting. It's not that  
16 they're getting -- they have any more insight or  
17 whatever. I feel like we all need to be empowered by  
18 that -- by that consideration.

19 COMMISSIONER CLARK: And I thought continuity  
20 was the more important thing to -- to keep the same  
21 person doing it. It just runs smoother, in my opinion.

22 COMMISSIONER WITJES: I would have to agree  
23 with you, Doug.

24 COMMISSIONER ORTON: I wonder if there could  
25 be kind of a compromise between the two, where we could

1 agree to have -- you know, agree on who the chair and  
2 vice chair would be through the first section -- the  
3 first timeline, because we will do a -- more discovery  
4 at the beginning, and then, you know, there's different  
5 phases, it seems like, according to our plan. So then  
6 we could agree that when the first phase is over, then  
7 we would revisit and possibly choose new people, or  
8 stay, if we were happy with that.

9 COMMISSIONER KELLOM: Cynthia, I think that  
10 works, and we also -- maybe folks don't even wanna be  
11 vice -- we might not have enough people to rotate. So I  
12 think that's another important thing.

13 COMMISSIONER CLARK: Yeah, right. But, no,  
14 I -- I agree with what Cynthia said. It's -- you know,  
15 break it up into sections or relative to the timeline,  
16 and then revisit it after so many months. And we may  
17 end up keeping the same people, we may not. You know, I  
18 mean, if things running smooth, that's great.

19 COMMISSIONER LETT: Any other thoughts from  
20 anybody?

21 COMMISSIONER EID: I think that both of those  
22 options, as far as chairing, you know, they each present  
23 a set of pros and cons, and I think we will have to, you  
24 know. make a decision on it. But I also think that we  
25 should think about how we wanna kind of, a -- sort of

1 broader structure in order to make sure, you know, we're  
2 all doing what we are supposed to do, and holding each  
3 other accountable.

4 So I don't know if we wanna do that by  
5 enacting like maybe a set of bylaws, or something like  
6 that. If we make committees or project groups, or  
7 something of the sort, we would then have to decide what  
8 that committee has, you know, authority to do versus  
9 what they have to bring to the 13 of us, for us to  
10 decide as a whole. Then we'd have to decide on how  
11 reporting would look, and stuff like that.

12 So I think all of these points are points that  
13 we should consider.

14 COMMISSIONER LETT: Any other thoughts from  
15 anybody?

16 COMMISSIONER CURRY: Well, I agree with  
17 Cynthia. I like what she said about starting off with  
18 what we have, and then go on after maybe six months or a  
19 half-time, and then if we want to revisit that, we can  
20 revisit whoever the chair and the vice chair is. That  
21 would be great with me.

22 COMMISSIONER LETT: Is anybody willing to make  
23 a motion, at this time, as to the structure of the chair  
24 and vice chair moving forward?

25 COMMISSIONER CLARK: I'd like to make a motion



1 that we take Cynthia's approach where we have a semi-  
2 permanent -- or permanent chair and vice chair for a  
3 six-month period of time and then revisit it.

4 COMMISSIONER WITJES: I'll second that.

5 COMMISSIONER LETT: Okay. So we have a motion  
6 by Doug, seconded by Dustin, that the chair and vice  
7 chair be elected for a period of six months. At the --  
8 the end of that time, we would revisit the chair and  
9 vice chair, and see how we wanted to proceed.

10 COMMISSIONER ROTHORN: (Inaudible) amendment?

11 COMMISSIONER LETT: Pardon?

12 COMMISSIONER ROTHORN: I want to suggest an  
13 amendment.

14 COMMISSIONER LETT: You -- you wanna make an  
15 amendment?

16 COMMISSIONER ROTHORN: Yeah. Just instead of  
17 six months, I'm suggesting that it be three months,  
18 because we're in September -- October, November,  
19 December. I -- I like the idea of just saying until the  
20 end of the year. So I'm suggesting -- I guess I  
21 would -- I would -- a friendly amendment is until  
22 December 31st, 2020.

23 COMMISSIONER ORTON: I -- I agree with that,  
24 because in January is when we kind of start the public  
25 hearings, according to our schedule. It's kind of a new

1 phase.

2 COMMISSIONER LETT: So, MC, you said December  
3 31?

4 COMMISSIONER ROTHORN: Yes.

5 COMMISSIONER CLARK: All right. MC, are you  
6 saying every three months or just for the first time to  
7 revisit it?

8 COMMISSIONER ROTHORN: The -- the motion, as  
9 you stated it, I heard was a semi-permanent or permanent  
10 until -- for six months. And so I'm just saying, same  
11 motion until December 31st.

12 COMMISSIONER CLARK: Okay. Fine. I just  
13 wanted to clarify that.

14 MS. MARSH: And acting chair, I just wanted to  
15 --

16 (Multiple speakers)

17 COMMISSIONER LETT: Hold on.

18 Sally?

19 MS. MARSH: Sorry, Doug. I just wanted to  
20 quickly jump in here, on a Roberts rules of order point,  
21 once you make the motion and then, you know, this  
22 amendment as well, that you all can discuss then that  
23 specific motion, and -- and have a discussion about  
24 that, before moving to a vote. You don't have to  
25 immediately move to a vote.

1 So I just wanted to make sure everybody was  
2 aware of that.

3 COMMISSIONER LETT: Got it. And I was.

4 Okay. So we have a -- a motion to elect a --  
5 at least semi-permanent chair and vice chair, which has  
6 been amended that it would go -- run from now until  
7 December 31st of 2020.

8 Is there any discussion on the amendment?

9 Yes, Anthony?

10 COMMISSIONER EID: Personally, I don't think  
11 I'm in favor of this motion. I think -- I think this is  
12 a tough choice to make, but I think we should decide,  
13 you know, either Choice A or Choice B, because I'm just  
14 not sure how the optics of, you know, having -- having a  
15 semi-permanent structure and then changing to a  
16 different structure, you know, three months or six  
17 months into this process. I don't know how the optics  
18 is -- of that's going to look.

19 So I think -- my opinion is, you know, even  
20 though it's a tough decision, we should make a decision  
21 between the two options.

22 COMMISSIONER ROTHORN: I'm just going to  
23 on that, meaning I agree.

24 COMMISSIONER LETT: So, as I understand it,  
25 you're -- you're speaking against having a chair for a

1 specific period of time and revisiting it. You want  
2 someone now for the duration?

3 COMMISSIONER EID: Not necessarily for the  
4 duration. I think we can do it either way. I think we  
5 can either do the duration or the rotating, but I think  
6 -- I don't think we should take a half measure and do a  
7 compromise between the two. I think we should pick one  
8 or the other.

9 COMMISSIONER LETT: Okay. Further comment on  
10 the amendment, which is to have a vice chair -- chair  
11 and vice chair until December 31st and revisit it at  
12 that time? Any other --

13 COMMISSIONER WITJES: That was my -- that was  
14 my thought, too. I mean, Anthony makes a good point.  
15 If we're constantly potentially changing who is leading  
16 our group of 13, that might put a sour taste in -- in --  
17 in people's mouths of the public.

18 So my original second would stand where either  
19 six months to a permanent would be the better option for  
20 all of us, in my opinion.

21 COMMISSIONER LETT: Okay. Hold on, Anthony.  
22 Any others before I go back to Anthony?

23 COMMISSIONER CURRY: I agree with that.

24 COMMISSIONER LETT: You agree?

25 COMMISSIONER CURRY: For the six months.

1 COMMISSIONER CLARK: Yeah, I -- I agree with  
2 what Dustin said as well.

3 COMMISSIONER LETT: We're only talking about  
4 three months right now. We will get to the six months.  
5 I understand what you're saying, though.

6 Anthony?

7 COMMISSIONER EID: Two thoughts. My first  
8 thought kind of harps onto what Brittini said a little  
9 while ago. I don't know if we should look at this, as  
10 whoever is the chair, as -- as leading us. We're all  
11 leaders here. Just by applying for this committee, that  
12 means we all at least are in a little bit of know-how of  
13 what's going on in the political sphere of our state.  
14 And I think all 13 of us are leaders. And, inherently,  
15 the person who has the chair or the vice chair position,  
16 doesn't necessarily have any more power as any of the  
17 other 13 of us.

18 So instead of looking at it as, you know,  
19 someone leading us, I would more so look at it as, you  
20 know, someone who is guiding the meetings to run  
21 smoothly, and move forward.

22 My second thought is, Steve, if you would,  
23 just for a point of clarification, restate the motion  
24 that's on the table so that everybody could -- could  
25 hear it and just so there's clarity on exactly what this

1 motion that got the second is.

2 COMMISSIONER LETT: Sure. Right now, what is  
3 on the table is the amended motion, which would say --  
4 which says that the chair and vice chair would serve for  
5 a period ending on December 31st, 2020. That's what's  
6 on the table. If that passes or fails -- if it passes,  
7 we're all done. If it fails, then we would go to the  
8 election of a -- the motion to elect a vice chair and  
9 chair for a period of six months.

10 Any further comments on the amended motion?

11 I think, Doug, you kind of had one.

12 COMMISSIONER CLARK: I was just gonna support  
13 what Anthony said about facilitating and being the  
14 leader of the group. I think that's the correct  
15 approach, is to be the facilitator as far as the  
16 Chairman goes.

17 COMMISSIONER WITJES: And -- and I agree with  
18 that as well, like the chairperson is supposed to be the  
19 one that facilitates leaders. But my biggest concern is  
20 how the public will see that if we're constantly  
21 changing who is leading our meetings and facilitating  
22 our meetings. That's my biggest concern.

23 COMMISSIONER LETT: Okay. MC?

24 COMMISSIONER ROTHORN: Well, that's exactly  
25 why the California one rotated, because they perceived

1 it positively. And that's why, I think, I'm going back  
2 to that. I think we are modeling good collaborative  
3 government by rotating a chair and not having a single  
4 person. That is what the status quo, I'll say, does,  
5 right? And it's to do it differently, is to actually be  
6 perceived -- they did it differently and it was  
7 perceived as one of the most positive things they did.  
8 There's no partisanship. And they were -- I think -- I  
9 think if we have static leadership or just a  
10 facilitator, right, because we are all leaders. I agree  
11 with that part. I think the idea is that we loose  
12 education potential. The potential to educate  
13 ourselves, the potential for us, as commissioners, to go  
14 out to the public that we know and to potentially learn  
15 these things. I think -- I think we could do something  
16 really -- I think we could model -- California modeled  
17 it, and I feel like -- I feel like that's a good,  
18 positively perceived model. Yeah.

19 COMMISSIONER LETT: Okay. So there's a  
20 speech -- I don't have a speech for or against, or  
21 wherever it is, but I think we have heard everybody's  
22 kind of position.

23 Are we ready to vote?

24 Okay. We are voting on amendment, which is  
25 elect a chair and vice chair for a period ending

1 December 31st, 2020. And we'll do a roll call.

2 Sally, roll call, please.

3 MS. MARSH: Yes, absolutely.

4 Acting chair, will you restate the motion so  
5 that people can vote either for or against?

6 COMMISSIONER LETT: Sure.

7 The motion before us is the amended motion,  
8 and it says that the chair and the vice chair will be  
9 elected for a period ending December 31st, 2020. If you  
10 are in favor of this motion, you will vote yes, and if  
11 you are not in favor, you will vote no.

12 And if Sally would call the roll, we would  
13 appreciate it.

14 MS. MARSH: Thank you. I will read and  
15 reverse alphabetical order this time.

16 COMMISSIONER LETT: Okay.

17 So, Steve Lett?

18 COMMISSIONER LETT: Yes.

19 MS. MARSH: Richard Weiss?

20 COMMISSIONER WEISS: No.

21 MS. MARSH: Rhonda Lange?

22 COMMISSIONER LANGE: Yes.

23 MS. MARSH: MC Rothhorn?

24 COMMISSIONER ROTHORN: No.

25 MS. MARSH: Juanita Curry?



1 COMMISSIONER CURRY: No.

2 MS. MARSH: Janice Vallette?

3 COMMISSIONER VALLETTE: No.

4 MS. MARSH: James Decker -- sorry, Ed Decker?

5 COMMISSIONER DECKER: Yes.

6 MS. MARSH: Erin Wagner?

7 COMMISSIONER WAGNER: Yes.

8 MS. MARSH: Dustin Witjes?

9 COMMISSIONER WITJES: No.

10 MS. MARSH: Doug Clark?

11 COMMISSIONER CLARK: Yes.

12 MS. MARSH: Cynthia Orton?

13 COMMISSIONER ORTON: Yes.

14 MS. MARSH: Brittni Kellom?

15 COMMISSIONER KELLOM: No.

16 MS. MARSH: Anthony Eid?

17 COMMISSIONER EID: No.

18 COMMISSIONER LETT: The amendment fails. We  
19 are now at the original motion, which is essentially the  
20 same.

21 I will restate it. However, there is --  
22 you -- there is an option -- or an opportunity for  
23 discussion on the original motion, which is to have a  
24 chair and vice chair elected for a period of six months,  
25 ending whatever six months is from the day.

1 Is there any further discussion?

2 Anthony?

3 COMMISSIONER EID: Thank you, Steve.

4 So I kind of stated this before. But, again,  
5 I feel like we should choose between either having a  
6 permanent chair for the duration of our time here, or  
7 having the two rotating chairs. This motion is on the  
8 table right now. However, we can table it in favor for  
9 a different motion after we have further discussion, if  
10 we so choose. I don't really have an opinion yet.

11 If we should do the permanent versus the  
12 rotating, I have to think about that for -- for a  
13 minute. But I think -- I think we should do one or the  
14 other, not a three-month thing, a six-month thing, and  
15 we just need to choose one.

16 COMMISSIONER LETT: All right.

17 COMMISSIONER WITJES: Well, wouldn't --  
18 wouldn't the six-month thing, could that potentially be  
19 rotating? I mean --

20 COMMISSIONER KELLOM: Yeah, that's what I  
21 was --

22 COMMISSIONER WITJES: If you have a  
23 six-month -- if you have a six-month position, it could  
24 either stay the same or it could potentially switch. I  
25 mean, that would be the rotation.

1 COMMISSIONER LETT: Are you proposing that as  
2 an amendment?

3 COMMISSIONER WITJES: No, sir. I'm just --  
4 discussion.

5 COMMISSIONER LETT: Rhonda, and then Richard.

6 COMMISSIONER LANGE: Just for discussion  
7 purposes, when we're talking about rotating, so what  
8 would be the guidelines of rotating? Rotating how  
9 often? I guess that's where I'm getting lost in it, as  
10 we've turned down three months, there's six months on  
11 the table, some say let's do a rotating. So what would  
12 the guidelines be for rotating?

13 COMMISSIONER KELLOM: I think that would  
14 depend on -- so, I think three months was too quick to  
15 do the work, in my opinion. I think six months gives  
16 someone a little longer, as we talked about -- Doug  
17 raised, for consistency purposes, and being able to  
18 establish some sort of footing. So I think there's a  
19 likelihood if we do decide the more communal approach or  
20 a collective, where someone might want to take  
21 facilitation leadership, but we -- I don't think we know  
22 enough information to make that decision. I think it --  
23 like I go back to my point, if there's someone that's  
24 interested in being vice chair and chair, then we will  
25 have credence to talk about rotating. If we vote on

1 rotating, but no one wants to take on that facilitation  
2 responsibility, then this is kind of a moot point, but  
3 that's my perspective.

4 COMMISSIONER ORTON: So before we --

5 COMMISSIONER LETT: Richard?

6 COMMISSIONER ORTON: Oh, I'm sorry.

7 COMMISSIONER LETT: Richard?

8 I'll come back to you, Rhonda.

9 Richard?

10 RICHARD: I'm just reading on page 39 here.

11 Says: Commission decided on a shared governance model  
12 with rotating chair and vice chair. The Commissioner  
13 who served as vice chair for the previous meeting became  
14 the chair for the next session of business meetings.  
15 The Executive Director drew up a rotation to ensure that  
16 no time would the chair or vice chair be from the same  
17 party.

18 I guess I'm thinking why not have two vice  
19 chairs and a chair, and then do this procedure. And  
20 each meeting you would rotate, and then this is kind of  
21 whatever California did, and it sounds like it worked.

22 COMMISSIONER CLARK: I thought California  
23 rotated among everyone.

24 RICHARD: I got the impression it was just two  
25 vice chairs and a chair, but that could be true. I'm

1 not sure.

2 COMMISSIONER ORTON: I think it was everyone.  
3 They -- they said not everyone wanted to participate at  
4 first, but, eventually, everyone took a turn.

5 RICHARD: That would make sense, too, I guess,  
6 you know.

7 COMMISSIONER CLARK: But that's -- that's  
8 where we lose the continuity.

9 COMMISSIONER ROTHORN: But that's not how the  
10 people evaluated that, Doug. I think -- I think that's  
11 your opinion.

12 COMMISSIONER CLARK: Yeah.

13 COMMISSIONER ROTHORN: But the people  
14 evaluated it differently.

15 COMMISSIONER CLARK: Correct. Yeah, I think  
16 their comment yesterday was that the -- the people liked  
17 that. Now, I don't know how they got that feedback,  
18 but --

19 COMMISSIONER LETT: Well, you gotta remember,  
20 it's California, too.

21 COMMISSIONER CLARK: I know, it's a different  
22 world out there. I'm out there a lot. It's a different  
23 world.

24 COMMISSIONER KELLOM: I think we need to do  
25 what's best for our jobs and our group, and not be

1 worried about public opinion.

2 COMMISSIONER CLARK: I -- I agree with you,  
3 Brittni.

4 COMMISSIONER WITJES: Yeah, that's true, too.  
5 I agree with you as well.

6 COMMISSIONER LETT: Rhonda?

7 COMMISSIONER LANGE: Okay. So is it possible,  
8 before we vote on it, whether it's going to be rotating  
9 or permanent, to see who would be interested in being a  
10 chairperson and vice chair, so, that way, we know how  
11 many people wouldn't mind doing it or how many people  
12 would be uncomfortable doing it and don't wanna do it,  
13 and that might help us guide our decision a little bit,  
14 too? Is it possible?

15 COMMISSIONER LETT: Are you making that as a  
16 motion or do you just want to take a straw pole to see  
17 what the feeling of the group is?

18 COMMISSIONER LANGE: I want to see what the  
19 feeling of the group is, so just a straw poll, if we  
20 can, of who would be interested in being a chair or vice  
21 chair, and a chair, and that would help us make our  
22 decision.

23 COMMISSIONER LETT: Okay. If you would be in  
24 favor of finding that out, raise your hand.

25 It appears to be most everybody.

1           Okay. So then we are at the point, I guess,  
2 that we would be asking for volunteers as a chairperson.

3           Who wants to do that?

4           The usual suspects?

5           MALE SPEAKER: I'm bowing out.

6           COMMISSIONER EID: I will jump in real quick  
7 and say that no matter which way we go, right now, I am  
8 thinking I would actually be very comfortable with Steve  
9 being the chairperson for the duration of our time  
10 together. But, if we do pass the rotating chair  
11 structure, then I -- I would be interested in taking  
12 part in that.

13           COMMISSIONER WITJES: I would want to agree  
14 with that. I think Steve would make a fantastic chair  
15 for now. And if it comes to vice chairs, if we have two  
16 of them, then, potentially, I can put my name forward,  
17 or whoever wants to put their name forward.

18           But he's been doing a great job so far. I  
19 know it's only been a day-and-a-half, but it's -- it's  
20 been working, so...

21           COMMISSIONER LETT: It can only go downhill.

22           COMMISSIONER WITJES: Well, let's not  
23 re-invent the wheel.

24           COMMISSIONER CLARK: Steve's been doing a good  
25 job. I think we should consider him.

1           COMMISSIONER ORTON: I would like to say that  
2 I think I represent maybe a few of us here. I don't  
3 feel comfortable right now. You know, if were to  
4 rotate, I wouldn't want to take a turn right now. But,  
5 eventually, after I get more comfortable with it, then I  
6 think I might want to. But I think Steve is doing a  
7 good job, too.

8           COMMISSIONER LETT: Well, I would -- I -- I  
9 like chairing meetings. I have done a lot of them in my  
10 career. I would certainly take it as an honor if that's  
11 what everybody chose to do. So I would put my name in  
12 the hat.

13           I would also note for everybody, that  
14 regardless of what -- what we decide here, doesn't mean  
15 that sometime down the road, before six months or three  
16 months, or whatever, we can't revisit it. I mean,  
17 something may happen. I might die. I'm old and --

18           MALE SPEAKER: Don't say that.

19           (Laughter)

20           COMMISSIONER LETT: Well, it's true. You  
21 might have to -- you might have to revisit it. So  
22 nothing's cast in stone here. And unless we -- we adopt  
23 bylaws that say, well, you can't make a change, which I  
24 don't think would be a good idea, but -- so, that's  
25 where it is.



1 Cynthia -- Cynthia doesn't want to do it now,  
2 but she wants to be considered later. That's fine.  
3 That's great. I'll throw my name in the hat, and Dustin  
4 and Anthony are in.

5 COMMISSIONER WITJES: I -- I just saw  
6 something in the chat. Janice had her hand up for a  
7 while.

8 COMMISSIONER LETT: Oh, I'm sorry.

9 COMMISSIONER VALLETTE: I also feel like  
10 Cynthia, it's too early for me to make a decision if  
11 this is something I'd be comfortable to do. So I am not  
12 ready, at this point, to put my name in.

13 COMMISSIONER LETT: Okay. All right.  
14 Juanita?

15 COMMISSIONER CURRY: I feel the same way. I'm  
16 not comfortable right now. I like to, whoever we  
17 choose, to choose a vice president, along with our --  
18 Steve, you're doing a fine job. And perhaps if you guys  
19 want a vice president to be chosen, somebody that you  
20 all could be comfortable with today, along with -- if  
21 anything, like Steve said, you never know what might  
22 happen. You all can do that, but I'm not interested  
23 right now. I'm just really trying to get a feel of how  
24 this is operating and what's going on. I'm just getting  
25 a feel of it. And I think if we do wait a little while

1 before everybody gets to know each other's -- how  
2 everything is, and people be comfortable with it.

3 COMMISSIONER LETT: Well, Juanita, when you --  
4 when you get that feel of what we're doing and how we're  
5 doing it, would you let everybody else know? We're all  
6 in the same boat.

7 COMMISSIONER CURRY: I know, I know. But  
8 you're doing a good job.

9 COMMISSIONER LETT: MC, and then -- and then  
10 Brittni.

11 COMMISSIONER ROTHORN: I guess I wanna make  
12 sure that we realize that even though we are trying to  
13 do this, what's best, maybe what is efficient, all of  
14 the eyes are on us, and it does feel, to me, like the  
15 more that we step into this discomfort, the more that we  
16 challenge ourselves to sort of accept that we will be  
17 doing things that are uncomfortable, what we might be  
18 doing when we do that, when each of us does that, we  
19 might be empowering people. We might be actually  
20 helping each other, helping each other.

21 Again, because we are -- exactly what you just  
22 said Juanita, right? The idea that we don't know until  
23 we know. And what I'm saying is, it's going to be  
24 uncomfortable. There -- it has been shown to be an  
25 effective way of communicating and building trust. One

1 of the things we are supposed to do as a commission is  
2 build trust back into this institution. And it feels --  
3 if feels crucial to be a structure, right? To make this  
4 decision, and to -- to consider more deeply rotating,  
5 because it feels like it could build trust and it could  
6 exactly be what we need, even though I'm certainly not  
7 throwing my hat in the ring. I don't wanna do it. But  
8 it feels, to me, like it's important to recognize the  
9 value that did it show.

10 COMMISSIONER LETT: Brittnei?

11 COMMISSIONER KELLOM: So I am in agreement  
12 with MC. I will also say that I am noticing an  
13 apprehension in our group that makes me feel like  
14 whoever is chair, and I don't wanna speak for everyone,  
15 because I think we're assertive to a certain extent, but  
16 I don't want it to be that we are being blindly led or  
17 looking to the chair to make decisions that we need to  
18 be considering as a group.

19 So I don't know if I have the answer that it's  
20 gonna be collaborative or meaning -- I'm sorry,  
21 rotating, or a full term, but I think whatever that  
22 choice is, if we have someone that's stable, we -- it  
23 would behoove us to fully step into our power and know  
24 that it is our individual responsibility to contribute  
25 to the whole.

1           With that said, I would put my hat in for the  
2 vice chair, because I do think there needs to be a -- a  
3 balance, and I'm willing to facilitate meetings, but I  
4 know that we're talking about chair right now. But  
5 that's my full thought on that.

6           COMMISSIONER LETT: Well, no, we are talking  
7 about both.

8           COMMISSIONER KELLOM: Yeah, yes, I would be  
9 willing to be vice chair if that's a consideration that  
10 we're making. Yes.

11          COMMISSIONER LETT: Any other comments?

12          Dustin, yes?

13          COMMISSIONER WITJES: So I think we're looking  
14 at this in the way that shares some form of leadership,  
15 where all 13 of us have the same voice, the same -- the  
16 same vote, so to speak, with everything that we do.  
17 It's just the facilitator that really makes sure that we  
18 stay on track to get our jobs done. It's -- it's really  
19 -- it's not like we're voting in an executive here to --  
20 to -- to, you know, overrule us in decisions. This is  
21 just an individual that's gonna make sure that we follow  
22 the rules of order and that we stay on track. Whether  
23 that's one person or two, or, heck, even all 13 of us,  
24 it doesn't really much matter. It's just to make sure  
25 that we stay on track in our meetings to make sure that

1 we get our jobs done.

2 So I would say that we would just need one  
3 person that can, you know, make sure that we stay on  
4 track, keep all of our motions in -- in line, and all of  
5 our questions in line, and -- and -- and vote  
6 accordingly on certain things. It doesn't really matter  
7 who it is, but that's -- that's just my opinion. It's  
8 not a -- it's not a -- a position of power at all.

9 COMMISSIONER LETT: Okay. Doug?

10 COMMISSIONER CLARK: Yeah, I agree 100 percent  
11 with what Dustin said. This -- and -- and -- and the  
12 simpler we keep it, I think the better off we're gonna  
13 be.

14 COMMISSIONER LETT: We have -- I think we have  
15 heard everybody's opinion. If you -- if we --

16 COMMISSIONER ORTON: Erin had her hand up.

17 COMMISSIONER LETT: Erin?

18 (Multiple speakers)

19 COMMISSIONER LETT: There, Erin.

20 COMMISSIONER WAGNER: I was going to say, I  
21 think we've already seen who is not as reticent or  
22 anxious about chairing a meeting. There were four of  
23 you that had put your names forward to begin with. And  
24 I think, the way I understood it through California and  
25 Arizona, they seem to have their public meetings almost

1 one on top of another in the beginning of their whole  
2 concept of coming together. And if that's something we  
3 can agree on, I think the four of you have already put  
4 your names forward as, you know, being considered as  
5 chairs and vice chairs. And then those of us who may be  
6 a little anxious or not want to put our hats in the ring  
7 can see how you all do in facilitating those meetings  
8 and go from there. I don't think it has to be a -- a  
9 let's vote on this right now thing. I think we can  
10 decide who is going to be acting chairs and vice chairs,  
11 or whatever, with the names you already threw into the  
12 hat, and the rest of us can deliberate in the future.

13 COMMISSIONER LETT: Let me suggest this. And  
14 I am willing to -- to abide by your direction to me, I,  
15 as a mediator, and I mediate lots of cases, I -- I  
16 operate on a rule of three, and once I have heard the  
17 same comment three times, I've got it. I -- I know what  
18 we're thinking. And I'm hearing repeated comments on  
19 the same topic.

20 So I think we're ready -- I think we're ready  
21 to move forward, unless somebody wants to continue.

22 There's two ways we can do this. The motion  
23 that's in front of us is to have a chair and a vice  
24 chair for six months. That's the motion that is before  
25 us. We have a number of names put forth for chair,

1 Anthony, Dustin and myself; we have one for vice chair,  
2 Brittni. So I would propose that we would vote, because  
3 the suggestion was, who wants to do it before we vote on  
4 having a chair and a vice chair for a period of six  
5 months. So that's where we're at.

6 Unless I hear something different, I believe  
7 we're ready to vote. You can vote it up or down, and we  
8 continue.

9 COMMISSIONER ROTHORN: I just wanna caution  
10 that the optics of the parties -- I don't -- I don't  
11 know which parties are -- that you all affiliate with,  
12 but it's the optics. It's the way that it will look  
13 when we have the chair or vice chair for six months, and  
14 whether, right? I guess what I'm saying is I don't know  
15 how you all identify, right, which -- excuse me, which  
16 party you identify with publicly. But it seems, to me,  
17 because I don't know, like if you don't know, what I'm  
18 saying is that we may actually accidentally have two  
19 Democrats, for example, and two Republicans, and that  
20 may look really bad. And what I'm saying is that we are  
21 making a choice here that we have to really consider how  
22 it looks. Please.

23 COMMISSIONER LETT: Well, we're not -- we're  
24 not to that point yet, and you certainly -- we will have  
25 an opportunity, or you will have an opportunity, to

1 decide that.

2 Right now, we are deciding on how long it's  
3 gonna be, and if it's gonna be a chair and a vice chair  
4 for six months.

5 COMMISSIONER EID: To add in a little bit more  
6 discussion before we vote. I have been jotting down a  
7 pros and cons list for the two options of what I've  
8 heard everyone says -- has said so far. I can share my  
9 screen and put it up right now if you guys are okay with  
10 that.

11 COMMISSIONER LETT: Go right ahead.

12 MALE SPEAKER: (Inaudible).

13 COMMISSIONER LETT: Go right ahead.

14 COMMISSIONER EID: If anyone wants to add  
15 something to either one option or the other, just call  
16 it out and I'll jot it down.

17 I am a little confused at the motion that's on  
18 the table. Because I was under the impression, at this  
19 point, we were deciding between having a permanent  
20 chair, like how Mr. Clark was saying, or following the  
21 California model, which is what MC was saying.

22 COMMISSIONER LETT: That's -- that's not the  
23 motion that's on the table.

24 COMMISSIONER EID: I see. But if this motion  
25 were to fail, I assume the next motion would be for one



1 of those two models?

2 (Multiple speakers)

3 COMMISSIONER LETT: I'm not gonna make a  
4 motion. There's 12 other people that can make a motion.

5 COMMISSIONER EID: There is a motion already.  
6 So I believe we have to vote one way or the other before  
7 a different motion is put up.

8 COMMISSIONER ORTON: That was my question, is  
9 that now there's a motion on the table to get rid of it.  
10 Do we have to vote?

11 COMMISSIONER LETT: Yes, motion's on the  
12 table.

13 COMMISSIONER EID: Can I motion to table this  
14 current motion right now?

15 COMMISSIONER LETT: You can make that motion,  
16 and it's not debatable. And, I think, without looking  
17 at a chart, it has to have a majority vote.

18 So, all in favor -- we'll do this by hand  
19 vote.

20 All in favor of tabling this motion, raise  
21 your hand.

22 One, two, three, four -- four. It fails.

23 The motion before us is to have a Chairman or  
24 vice Chairman chosen for a six-month period. There's no  
25 further discussion. We will -- oh, there is further

1 discussion. Anthony, you did have further discussion.

2 COMMISSIONER EID: No, I made my point.

3 COMMISSIONER LETT: So I will do this -- I  
4 wanna do this by roll call. And --

5 COMMISSIONER ROTHORN: I wonder if -- I  
6 wonder if I can make another sort of friendly amendment.  
7 Because I -- I wonder if we just -- that we will agree  
8 that they can't be from the same party, chair and vice  
9 chair can't be from the same party. For example --

10 COMMISSIONER CURRY: How would you know?

11 FEMALE SPEAKER: Yeah, that's -- how would --

12 COMMISSIONER WITJES: Well, our party  
13 affiliations are publicly listed.

14 MALE SPEAKER: Yeah.

15 COMMISSIONER WITJES: Like, for example, I  
16 know that Steve is -- is unaffiliated currently.

17 COMMISSIONER LETT: Yeah, it's stated in  
18 the -- in your -- you had to state that when you  
19 applied. So it's not a secret.

20 Well, MC, I think you can make that motion. I  
21 think it's premature, because what we are dealing with  
22 right now is simply how long we're gonna have a vice  
23 chair and a chair for six months. We have not decided  
24 who. That's where that motion would come in, okay?  
25 Bring it back.

1 COMMISSIONER ROTHORN: Okay.

2 COMMISSIONER LETT: Okay. Are you -- Sally,  
3 are you there?

4 MS. MARSH: I'm here.

5 COMMISSIONER LETT: You wanna do a roll call,  
6 please? I will restate the motion.

7 The motion is to -- we will elect a chair and  
8 a vice chair for a period of six months from today.

9 MS. MARSH: Absolutely. Just give me one  
10 moment.

11 And just to note, Anthony, you are still  
12 sharing your screen. I wanna make sure you know.  
13 Either way is fine.

14 Okay. Great. So I will read in reverse  
15 alphabetical order again by first name.

16 So, Steven Lett?

17 COMMISSIONER LETT: Yes.

18 MS. MARSH: Richard Weiss?

19 COMMISSIONER WEISS: No.

20 MS. MARSH: Rhonda Lange?

21 Oh, you're on mute, Rhonda.

22 COMMISSIONER LANGE: No.

23 MS. MARSH: MC Rothorn?

24 COMMISSIONER ROTHORN: No.

25 MS. MARSH: Juanita Curry?

1 COMMISSIONER CURRY: Yes.

2 MS. MARSH: Janice Vallette?

3 COMMISSIONER VALLETTE: Yes.

4 MS. MARSH: Ed Decker?

5 COMMISSIONER DECKER: Yes.

6 MS. MARSH: Erin Wagner?

7 COMMISSIONER WAGNER: No.

8 MS. MARSH: Dustin Witjes?

9 COMMISSIONER WITJES: Yes.

10 MS. MARSH: Doug Clark?

11 COMMISSIONER CLARK: Yes.

12 MS. MARSH: Cynthia Orton?

13 COMMISSIONER ORTON: Yes.

14 MS. MARSH: Brittni Kellom?

15 COMMISSIONER KELLOM: Yes.

16 MS. MARSH: Anthony Eid?

17 COMMISSIONER EID: No.

18 MS. MARSH: Give me a moment to tally this,  
19 acting chair.

20 COMMISSIONER EID: Do we need a majority or do  
21 we need two-thirds for this to pass? Just a point of  
22 clarification.

23 COMMISSIONER LETT: To my knowledge, all of  
24 our votes are majority votes.

25 COMMISSIONER EID: Gotcha.

1 COMMISSIONER LETT: There is no super  
2 majority, to my knowledge, unless Mike has something  
3 different that he could enlighten us on, but I don't  
4 believe it's that.

5 Okay. By my count it was 8 to 5 for a yes.

6 COMMISSIONER EID: That was my count as well.

7 COMMISSIONER WITJES: I'm going to make a  
8 motion to keep Steve Lett as chair for the first six  
9 months.

10 COMMISSIONER LETT: Is there a second?

11 MALE SPEAKER: I second.

12 FEMALE SPEAKER: I second that.

13 COMMISSIONER LETT: Okay. Okay. Are there  
14 any other nominations?

15 Come on, people.

16 COMMISSIONER CURRY: We are nominating the  
17 vice chair now, right?

18 COMMISSIONER LETT: Well, let's vote on them  
19 one at a time.

20 COMMISSIONER CURRY: Okay.

21 COMMISSIONER LETT: So there are no more  
22 nominations. I will declare the nominations closed.

23 COMMISSIONER ROTHORN: Britnni, you're not --  
24 (Multiple speakers)

25 COMMISSIONER LETT: -- take a vote on one name

1 or can we agree I'm it?

2 COMMISSIONER ROTHORN: I wanna -- I wanna  
3 streamline. I'm asking Brittini, because I know you  
4 specifically said vice chair.

5 COMMISSIONER KELLOM: Yeah.

6 COMMISSIONER ROTHORN: But are you willing to  
7 be considered as chair, too? Can we make it like a  
8 vote?

9 COMMISSIONER LETT: Don't -- I -- I won't feel  
10 bad, Brittini. Now, don't --

11 COMMISSIONER KELLOM: No, that's not it. I'll  
12 just -- I'm on the fence. I'll throw my name in, but  
13 I --

14 COMMISSIONER ROTHORN: I'd like to nominate  
15 you.

16 COMMISSIONER KELLOM: Yeah. Thank you, MC. I  
17 was just thinking about vice, like for balance and other  
18 reasons. But, sure. Just bear with me on Robert's  
19 rules, but I can brush up and be -- working together. I  
20 don't mind. I don't mind.

21 COMMISSIONER EID: I'll second that  
22 nomination, MC.

23 COMMISSIONER LETT: Okay. Okay. Brittini,  
24 give them your campaign speech.

25 COMMISSIONER KELLOM: Okay. I -- as I said

1 yesterday, I have experience as an Executive Director,  
2 which means that I have monthly meetings, and I'm  
3 familiar with Robert's rules in conducting business in  
4 an orderly fashion. I truly believe in collaborative  
5 approach in terms of hearing folks' voices, as well as  
6 creating a safe space. I'm really, really into that. I  
7 think whoever is the chair has to be cognizant of the  
8 mission of the commission. But, also, willing to be  
9 more of a listener than a talker and create an  
10 environment in which everyone feels empowered.

11 So I do have the kind of hard skills to do the  
12 job, as well as when I, you know, reflect back on  
13 yesterday and the work we need to do for community  
14 engagement. I have done that my whole life. Advocacy  
15 is something that comes as natural to me as breathing.  
16 And I would be -- you know, it would -- you know, I  
17 would take it seriously and not consider myself as a  
18 leader, but creating an environment where we can all  
19 learn together and -- and feel that we're making  
20 informed decisions.

21 COMMISSIONER LETT: Thank you. Everybody has  
22 seen --

23 I'm sorry. Doug?

24 COMMISSIONER CLARK: Yes, I would like to put  
25 forth a motion to adjust the original motion that -- to

1 include what MC had talked about before, to not have the  
2 chair and the vice chair both from the same party.

3 COMMISSIONER WITJES: I don't believe that  
4 they are. I believe Steve is unaffiliated and I think  
5 Brittni is of -- if I remember correctly, off of the  
6 Democratic side. I don't remember.

7 COMMISSIONER LETT: Is that correct, Brittni?

8 COMMISSIONER CLARK: I thought we were gonna  
9 vote for Steve and Brittni for a chair?

10 COMMISSIONER EID: We're only -- we're only  
11 voting for a chairperson at the moment. We have not  
12 gotten to the vice chair yet.

13 COMMISSIONER CLARK: All right.

14 COMMISSIONER LETT: The only thing I was going  
15 to say in my campaign speech is you've seen how I  
16 operate, clearly. I don't see this as a leadership  
17 position, for anything other than to facilitate the  
18 meeting, try to keep the conversation going, and, you  
19 know, maybe make a ruling here and there, and a fine  
20 point of Robert's rules of order. So I leave it up to  
21 you.

22 If there are no more nominations, which I  
23 assume there aren't, they are closed. We will take it  
24 in a vote. I guess we'll do a roll call vote.

25 All of those who would vote for Brittni as



1 chair --

2 Sally, where are you?

3 COMMISSIONER WITJES: Question. Can we just  
4 do a roll call vote of all 13 of us to see who we want  
5 to vote as opposed to saying yay or nay for who wants to  
6 be chair? So just say your name or hers?

7 COMMISSIONER LETT: Anybody got an objection  
8 to that?

9 Okay. Call the roll and they'll say --  
10 they'll say who they want.

11 MS. MARSH: Okay. I will go in alphabetical  
12 order by first name.

13 Anthony Eid?

14 COMMISSIONER EID: I will vote for Steve.

15 MS. MARSH: Brittni Kellom?

16 COMMISSIONER KELLOM: Brittni.

17 MS. MARSH: Cynthia Orton?

18 COMMISSIONER ORTON: Steve.

19 MS. MARSH: Doug Clark?

20 COMMISSIONER CLARK: Steve.

21 MS. MARSH: Dustin Witjes?

22 COMMISSIONER WITJES: Steve.

23 MS. MARSH: Erin Wagner?

24 COMMISSIONER WAGNER: Oh, Brittni.

25 MS. MARSH: Ed Decker?

1 COMMISSIONER DECKER: Steve.

2 MS. MARSH: Janice Vallette?

3 COMMISSIONER VALLETTE: Brittni.

4 MS. MARSH: Juanita Curry?

5 COMMISSIONER CURRY: Steve.

6 MS. MARSH: MC Rothhorn?

7 COMMISSIONER ROTHORN: Brittni.

8 MS. MARSH: Rhonda Lange?

9 COMMISSIONER LANGE: It's tough. I'm gonna go  
10 with Brittni.

11 MS. MARSH: Richard Weiss?

12 COMMISSIONER WEISS: Steve.

13 MS. MARSH: Steve Lett?

14 COMMISSIONER LETT: Steve.

15 All right. I continue as chair. We didn't --  
16 we had two people running. Brittni had first indicated  
17 that she would put her name in as vice. I would  
18 certainly request that she continue with me as vice  
19 chair. I would be extremely pleased if she would, and I  
20 would ask that the commission acknowledge, unless  
21 there's some other -- somebody's gonna jump in here that  
22 wants to be vice chair, I would ask that we, by  
23 consensus, approve Brittni as vice chair.

24 COMMISSIONER WITJES: Yeah, I was gonna make a  
25 motion to just do a vote to make Brittni vice chair

1 currently.

2 COMMISSIONER LETT: Okay.

3 COMMISSIONER CLARK: I second that motion.

4 COMMISSIONER LETT: Moved and seconded to make  
5 Brittni the vice chair.

6 Any discussion by anybody?

7 COMMISSIONER EID: I was thinking just for  
8 debate sake, I'll throw my name in so there's a little,  
9 at least competition for the seat.

10 COMMISSIONER LETT: Now, are we back -- are we  
11 back to this question of party?

12 COMMISSIONER EID: I am independent, so..

13 COMMISSIONER LETT: We determined Brittni's a  
14 Democrat? Did we determine that? Do you want to make  
15 me look it up?

16 COMMISSIONER KELLOM: I said that's what I  
17 affiliate with, yep.

18 COMMISSIONER WITJES: My -- my -- my -- I -- I  
19 do like MC's idea here. I would suggest that if we have  
20 a independent as chair, we have either a Democrat or a  
21 Republican as a vice chair.

22 COMMISSIONER CLARK: I would agree with that.

23 COMMISSIONER EID: We can -- we can each have  
24 a little speech and then we can all vote on it.

25 (Laughter)

1 COMMISSIONER LETT: Okay. Brittnei, did you  
2 wanna say anything more? You did a really good job.

3 COMMISSIONER KELLOM: I will make a stretch of  
4 a comment.

5 I think it's important to have representation,  
6 and I -- I think that's what I'll say on top -- on top  
7 of my ability to connect with community. And, as well  
8 as most of your -- your facilitation during meetings and  
9 act in your stead, that would be an honor.

10 COMMISSIONER LETT: Anthony?

11 COMMISSIONER EID: Well, first, I'd like to  
12 say, you know, I think, no matter how this turns out, I  
13 think, Steve, you're gonna do a great job and I think  
14 either Brittnei or I, either of us would do a great job  
15 as well. So let's start off by saying that. Let's keep  
16 the positivity going here.

17 I -- I do think I would be a good fit for the  
18 role of vice chair. The vice chair would, obviously,  
19 become the chairperson for whatever meeting we have in  
20 the next six months in case Steve isn't able to make it.  
21 And I think I have the skills and the ability to, you  
22 know, serve the 13 of you in that role. Like I said,  
23 yesterday, I have been the -- the chair of many  
24 committees during my educational career. And I think  
25 the skills that I've obtained through those committees,

1 you know, put me in a good position to facilitate the  
2 discussions we have, keep our meetings on track, make  
3 sure everybody who wants to have speaking rights, has  
4 speaking rights.

5 And just so you know, generally, making sure  
6 we have a good, fun time. (Laughter). I also think  
7 representation is very important. Being a first  
8 generation minority myself, I think that's very  
9 important. I think I'm also the youngest person on this  
10 committee. Steve, I don't know how old you are, but --  
11 you're quite a bit older than I am. So I think the  
12 delta between our ages would probably be a pretty --  
13 pretty good one there.

14 But, yeah, that's all I got.

15 COMMISSIONER LETT: All right. You wanna do  
16 the vote the same way we did? We call the roll and you  
17 say the name.

18 Okay. Sally, call the roll, please.

19 MS. MARSH: Okay, commissioners. I'll go in  
20 reverse alphabetical order by first name.

21 Steve Lett?

22 COMMISSIONER LETT: Brittni.

23 MS. MARSH: Richard Weiss?

24 COMMISSIONER WEISS: Brittni.

25 MS. MARSH: Rhonda Lange?

1 COMMISSIONER LANGE: Brittini.  
2 MS. MARSH: MC Rothhorn?  
3 COMMISSIONER ROTHORN: Brittini.  
4 MS. MARSH: Juanita Curry?  
5 COMMISSIONER CURRY: Brittini.  
6 MS. MARSH: Janice Vallette?  
7 COMMISSIONER VALLETTE: Brittini.  
8 MS. MARSH: James Decker -- sorry, Ed?  
9 COMMISSIONER DECKER: Anthony.  
10 MS. MARSH: I'm sorry, Anthony.  
11 Erin Wagner?  
12 COMMISSIONER WAGNER: Brittini.  
13 MS. MARSH: Dustin Witjes?  
14 COMMISSIONER WITJES: Brittini.  
15 MS. MARSH: Doug Clark?  
16 COMMISSIONER CLARK: Anthony.  
17 MS. MARSH: Cynthia Orton?  
18 Oh, Cynthia, I don't think we can hear you.  
19 COMMISSIONER ORTON: Can you hear me now?  
20 MS. MARSH: Yes.  
21 COMMISSIONER ORTON: Okay. Anthony.  
22 MS. MARSH: Brittini Kellom?  
23 COMMISSIONER KELLOM: Brittini.  
24 MS. MARSH: And Anthony Eid?  
25 COMMISSIONER EID: I will say Anthony, but I

1 believe Brittni has it.

2 COMMISSIONER LETT: You believe correctly.

3 9-4 for Brittni.

4 Okay. We are at a break time, unless somebody  
5 has some comment they can -- in fact, we are way past  
6 break time. Let's take -- it says five, but let's --  
7 let's take 10 minutes. We've been doing good work, so  
8 let's take a breather. It's, what, 12 after. We'll  
9 come back at 22.

10 COMMISSIONER WITJES: Can I -- can I make a  
11 suggestion of what to think about when we come back?

12 COMMISSIONER LETT: Sure.

13 COMMISSIONER WITJES: Just because -- because  
14 all these meetings are recorded, are -- are certain like  
15 positions even needed, like recording secretary or  
16 treasurer, or anything like that, things to think about?  
17 Because it's all gonna be part of a public record  
18 anyways, so I don't know if we need to record minutes or  
19 do anything of the sort. I guess, while we go on break,  
20 take a -- no, Mike's got his hand up. He clearly has an  
21 idea, so...

22 COMMISSIONER LETT: Mike, can I suggest -- you  
23 know what Dustin's thoughts are. Can we talk about that  
24 when we get back?

25 Okay. 20 -- 10 minutes. 22 after. No --

1 yeah, 23.

2 (Brief break)

3 COMMISSIONER LETT: Okay. We have everybody  
4 back.

5 And we left off with -- Mike had his hand up.

6 Mike?

7 MR. BRADY: I -- let's see. Dustin had posed  
8 a question just in terms of other roles to be  
9 considered. And whatever else the commission would like  
10 to do on that front, I -- I wanted to remind you that  
11 you may not select a secretary because the Constitution  
12 provides that you already have a secretary, of course,  
13 being a non-voting secretary, who is, of course, the  
14 Secretary of State. So that was one thing I wanted to  
15 add there.

16 While I've got you, I also want to correct the  
17 record. I had stated erroneously earlier that a quorum  
18 for this commission is seven members; it's not. That's  
19 what it would be under the Open Meetings Act. As I --  
20 as I noted earlier, the requirements of this commission  
21 in -- in several different respects go above and beyond  
22 some of the requirements in the Open Meetings act. This  
23 is one of them.

24 Quorums for this commission, per Subsection  
25 10 of -- Article 4, Section 6, Subsection 10, it states



1 that nine commissioners, including at least one  
2 Commissioner from each selection pools, that would be  
3 one person who affiliates with the Democratic party, one  
4 person who affiliates with the Republican party, and one  
5 person who does not affiliate with one major party.

6 That's what quorum is.

7 So, with that correction, I return this to you  
8 all.

9 COMMISSIONER LETT: Mike, give me that section  
10 again, please.

11 MR. BRADY: Okay. Subsection 10. It begins  
12 with the words, each commissioner shall perform his or  
13 her duties. And then the third sentence begins with  
14 nine commissioners, including at least one commissioner  
15 from each selection pool, et cetera, et cetera.

16 COMMISSIONER LETT: Okay. Any questions on  
17 that from anybody?

18 I thought I read that somewhere, but I  
19 couldn't remember where.

20 MR. BRADY: Yeah, after I said it, it stayed  
21 with me, so...

22 COMMISSIONER LETT: Okay. Dustin's question  
23 was regarding other positions, duties, et cetera.

24 Clearly, the -- since we haven't seen the  
25 Secretary of State here taking notes in shorthand, I

1 assume that to someone probably that we don't who know  
2 who that is, but they're doing that, is that correct?

3 MR. BRADY: That is correct. Yes, Sally  
4 Marsh, Sarah Reinhardt and myself are -- are working on  
5 that, and we will in fact have minutes for your review  
6 at next meeting for approval.

7 On that note, I believe it's on the agenda,  
8 but just wanted to flag that, you know, I am not sure of  
9 other obligations for the timing of the commission  
10 itself, but, certainly, an important item would be  
11 making sure that there's enough time to at least  
12 schedule another meeting before this meeting ends.  
13 Again, I know that's -- you have a lot on your plate,  
14 but that's the only -- an important one.

15 COMMISSIONER LETT: We are set to go to --  
16 well, 5:00, we have public comment, and I know we have  
17 one person -- at least one person.

18 I kick it back to -- to Dustin.

19 It's very disconcerting. Everybody keeps  
20 moving around in these squares. (Laughter). So by the  
21 time I got used to where you were, Dustin, you have  
22 moved.

23 You brought up a point. Do we need a  
24 secretary? Do we need this? Do we need that? And I --  
25 I guess I'd be more than happy to hear what your

1 thoughts are on that.

2 COMMISSIONER WITJES: Well, I was just -- I  
3 was just thinking of structure of other organizations  
4 that I was a part of. So we had a president, vice  
5 president, recording secretary, treasurer, so on and so  
6 forth.

7 So if the -- if the Secretary of State, along  
8 with Sally and everyone else is -- is taking notes,  
9 then, clearly, we don't need that.

10 And then I have no idea what our budget is.  
11 I've just heard what people said in California and  
12 Arizona, but I'm gonna assume that our budget is gonna  
13 be handled by the state itself, so I don't even know if  
14 a treasurer -- treasurer would be necessary for our  
15 group of commissioners.

16 And then those are the only two real important  
17 like, I guess, offices you could call them, I've ever  
18 had to deal with. So that was my main concern. I mean,  
19 I didn't don't if -- if those were gonna be handled by  
20 us or handled by the Secretary of State, which it sounds  
21 like that is indeed the case.

22 COMMISSIONER LETT: Doug, you had your hand  
23 up?

24 COMMISSIONER CLARK: Yeah, it was my  
25 impression, Dustin, that it's handled by the state. And

1 the coordination point between us and the state is gonna  
2 be the Executive Director. Once we appoint or get an  
3 Executive Director appointed. That -- that was my  
4 impression on how it's going to work.

5 And then the other things that we have to go  
6 out and hire people for, such as legal counsel, and so  
7 forth, I mean, we would use the Executive Director to  
8 help us through the procurement process and RFP process,  
9 but we would make the decisions on who -- on who those  
10 individuals would be. But that's my impression how it's  
11 gonna work.

12 COMMISSIONER WITJES: That's -- that's --  
13 that's what I -- I have gathered in the last five  
14 minutes as well, so...

15 COMMISSIONER LETT: As far as the budget goes,  
16 per the amendment, we are at 25 percent of whatever the  
17 Secretary of State's budget is. The last figures that I  
18 saw were for this last -- last fiscal year, and that  
19 would bring our budget up to around \$5.5 million. And  
20 judging from what California said, though, I doubt that  
21 we're gonna be as expensive as California was. We  
22 probably are gonna use all of it, would be my bet.  
23 But --

24 COMMISSIONER CLARK: -- as much as California,  
25 I thought?

1 COMMISSIONER LETT: Pardon?

2 COMMISSIONER CLARK: I thought Arizona used as  
3 much money as California?

4 COMMISSIONER LETT: They -- you could be  
5 right. I -- you know, I don't recall that. But I  
6 certainly wouldn't doubt it. What I remember about  
7 Arizona is they had -- she said they had to go hand-in-  
8 hand begging for money from the legislature.

9 And, of course, we won't know what the final  
10 is until the end of this month.

11 Other comments on -- on structure, because  
12 that's what we are talking about?

13 COMMISSIONER EID: Is that -- is that all -- I  
14 know that we are assuming that what we are saying is  
15 correct, as far as a treasurer goes, but is that  
16 actually correct? Can some of the (inaudible) people  
17 chime in?

18 COMMISSIONER LETT: Mike looks like he's ready  
19 to chime.

20 Chime away, Mike.

21 MS. MARSH: Mike, we can't hear you.

22 We got you now.

23 MR. BRADY: Can you hear me now?

24 COMMISSIONER LETT: Gotcha.

25 MR. BRADY: Thank you.

1           So I'm -- this is a common question, that we  
2 received from some of you, and (inaudible) anticipate  
3 questions that you would ask.

4           With that in mind, I may have alluded  
5 yesterday to this conversation that I had had with folks  
6 in the legislature to understand how this would work for  
7 you all, since your budget actually sits in the  
8 legislative branch. I think what Doug said makes a lot  
9 of sense and probably will certainly be the case.  
10 Assuming you hire a new Executive Director, and once you  
11 have an Executive Director, that they will then have the  
12 authority to act and, you know, move forward with  
13 whatever you need to, you know, do along those lines.

14           In the interim, the conversation with the  
15 legislative branch, was just talking about some other  
16 issues, whether it be technical, payroll, other  
17 administrative support, frankly, even an Executive  
18 Director may not be in the best position to handle the  
19 mechanics of payroll within, you know, the larger budget  
20 of the state, and to what all of that entails, but the  
21 Executive Director would be authorized by you to do what  
22 needed to be done there.

23           So the legislature suggested that they have  
24 something called the Legislative Council. It exists as  
25 a bipartisan organization. It's actually -- strike

1 that. It's actually a non-partisan organization that's  
2 part of the professionalized Civil Service. The people  
3 who run that and the people who were there, as I  
4 understand it, are not allowed to be involved in  
5 partisan politics at all. And they serve both -- I  
6 think both chambers of the legislature, and also both  
7 parties in the legislature. They do that, again, in a  
8 non-partisan way.

9 So given the independence and real, you know,  
10 rationale for this commission, they thought that might  
11 be something that would provide -- would provide some  
12 sort of like back end support for the commission in  
13 terms of, you know, payroll for you all, and payroll for  
14 your Executive Director, and whatever else. Because  
15 even -- even if when you have an Executive Director,  
16 there is still gonna be basic logistic questions and  
17 basic back end operating financial, HR, otherwise, you  
18 know, whatever, all of those things, technology matters  
19 that probably won't make sense for you to fully build  
20 out for a year, but -- but rather you be able to rely on  
21 this non-partisan group.

22 Whether you decide to do that is entirely up  
23 to you as an autonomous body, but I -- I've received the  
24 green light from quadrant leaders -- these are four  
25 legislative leaders of the legislature -- that they are

1 amenable to, you know, allowing the legislative council,  
2 as a non-partisan, you know, somewhat independent  
3 organization within the legislature, to support you in  
4 the same way that maybe they provide to other bodies of  
5 the legislature.

6           So that's an update I wanted to, you know,  
7 relate to you all. And also say, you know, if there's  
8 something that you would like us to, you know, start a  
9 conversation on that front, then, you know, we --  
10 myself, Sally, et cetera, can do that. We just need a  
11 clear direction from you all to start that process. It  
12 feels like a little bit of chicken or the egg situation.  
13 And that's not lack of interest on anybody's part. It  
14 is somewhat, frankly, almost by design, just given your  
15 autonomous nature in that you're brand new -- not you,  
16 but the commission is brand new. Presumably, some of  
17 these things will not be the same in 10 years when you  
18 have a -- you know, when we all have a new commission  
19 being seated, because they'll be able to look at what  
20 you did. You guys don't have that, unfortunately. So  
21 we're trying to, you know, all respect your autonomy,  
22 while also, you know, just do the basic nuts and bolts  
23 and provide answers to you all, like how you can do what  
24 you need to do.

25           COMMISSIONER LETT: Okay. Thank you, Mike.



1 Any further discussion along those lines?

2 It would seem to me that we would want to have  
3 Mike or Sally, or Sarah, whoever is gonna to be -- seems  
4 like Sally is kind of our touchstone person, to reach  
5 out to this legislative council.

6 Are we in agreement that we need to get to  
7 hiring an Executive Director of some description?

8 Okay. I think we need a motion on that.

9 Somebody motion that we would --

10 COMMISSIONER WITJES: I motion that we need to  
11 hire an Executive Director.

12 COMMISSIONER CLARK: And I second that.

13 COMMISSIONER LETT: All right. Any  
14 discussion?

15 Hearing none.

16 All in favor of saying -- of agreeing to hire  
17 an Executive Director, signify by saying aye.

18 (Chorus of ayes)

19 COMMISSIONER LETT: And opposed to that, say  
20 I'll do it.

21 Nope, nobody is volunteering, so...

22 Now, Mike, come back. Is this something that  
23 the legislative council can assist us with?

24 MR. BRADY: Absolutely.

25 COMMISSIONER LETT: Okay. I think with the

1 consensus of everybody, at least let's go talk to them  
2 and see what they've got to say, and -- and then bring  
3 that back to us.

4 COMMISSIONER ROTHORN: If I may?

5 COMMISSIONER LETT: Go ahead.

6 COMMISSIONER ROTHORN: So on the topic of the  
7 -- I think this is being somewhat distinct. I think  
8 the -- the sorts of things that the legislative council  
9 would be able to assist you with, at this date, is  
10 including setting up that email address, that government  
11 email address for you. That's something, again, that  
12 we'd be able to do. We, being the Department of State,  
13 and again, practically speaking would be me, Sally and  
14 Sarah, would be able to do on your behalf, at your  
15 direction, and work with legislative council to do that.

16 If you -- and you all haven't discussed your  
17 own salary, and -- or your own payment, and when you --  
18 the schedule on which you want to be paid, and, you  
19 know, neither here nor there, that's something you have  
20 to get to at some point. And if and when you want to be  
21 paid, the legislative council will be able to -- to do  
22 that for you, and the Department of State can facilitate  
23 that interaction -- can facilitate that with the  
24 legislative council.

25 The question you just raised in terms of the

1 Executive Director, I wonder if a more direct route that  
2 I could offer, you know, for your consideration,  
3 whatever that may be, is, you know, basically, having a  
4 job posting that, you know, we, staff, Department of  
5 State, could just draft a, you know, basic, you know,  
6 posting for the Executive Director. We have assembled  
7 some of the job postings for other commissions around  
8 the country, and we -- we gathered those from  
9 California, and just to understand and anticipate what  
10 those would look like in anticipation of this.

11 And so, you know, at one point, we had thought  
12 maybe we would just develop that draft and bring it to  
13 you today. We decided not to do that, because we didn't  
14 want that to be misunderstood by you all as us taking a  
15 more active role. But in terms of kind of bottom line,  
16 being very pragmatic about this, if you want an  
17 Executive Director, I think you're gonna need to post  
18 that position just as a practical matter so the world  
19 knows you're looking and people know who do they  
20 contact, do you want a resume, I imagine, do you want a  
21 writing sample, do you want references? All of those  
22 basic things that come with hiring. We can do that very  
23 simply. We can send that along. You can approve that  
24 at your next meeting and then we can post it on your --  
25 at your direction. Those are things that, I think, fit

1 well with our role in the Constitution, as being, you  
2 know, non-voting secretary.

3 And so, I think that that would probably be  
4 easier for something like the Executive Director role  
5 than having the legislative council provide that, as I  
6 view their role here as being, you know, more technical.

7 COMMISSIONER LETT: Doug?

8 COMMISSIONER CLARK: And -- and, Mike, and  
9 then once you do the job posting, let's assume three  
10 people posted for the job, we would have the opportunity  
11 to interview each of those individuals, and then we  
12 would choose which one we -- we wanted to have?

13 Can't hear you, Mike.

14 MR. BRADY: Yeah, forgive me.

15 Can you hear me now?

16 Yeah, so absolutely. The actual selection can  
17 only be done by you all. The Constitution actually  
18 provides specific rules for the hiring and discharge of  
19 your -- of your employees and your consultants. So that  
20 definitely fits with you. I'm looking at it to say, you  
21 know, before you get to the hiring stage, you gotta  
22 actually get people interested, to know that there's a  
23 job out there and what that would look like.

24 So, you know, you all wanna move -- I  
25 understand you all wanna move quickly on it, but just

1 from a very pragmatic matter, I think we've all held  
2 jobs before and saw a job posting and we applied for  
3 that job. Now, you all have now voted you wanted an  
4 Executive Director, which is an important first step,  
5 but -- but the next step to kind of make that into a  
6 reality, at least from my vantage point, and I'm open to  
7 whatever, of course, whatever you guys wanna do, is that  
8 you need to actually write up your job description.  
9 You're gonna pay this much. The person is gonna serve  
10 on a contract maybe for this period of time, they're  
11 gonna get benefits, they're not. You know, whatever  
12 that is, all of those different things. And so, but  
13 just that chicken and the egg.

14           What I -- what I want to be clear is, the  
15 Department of State is happy to do a draft job  
16 description for you, but then you all will have to  
17 approve that job description and then direct us to put  
18 it on -- make it available, send it out to search firms  
19 or not, or just post it online or whatever else.

20           And then once resumes come back in, if you  
21 want us -- because, again, you don't have staff yet, we  
22 can assemble those resumes, create a board packet for  
23 each of your -- commission packet for each of you, just  
24 as we did in advance of this meeting, and then you all  
25 will have an opportunity to vet those resumes, vet those

1 candidates, decide who you wanna interview, conduct the  
2 interview in a -- in a public meeting, all of that.

3 So all of those things I just said may end up  
4 taking a few meetings actually, just in terms of the  
5 approval of job description, posting it, getting resumes  
6 back, reviewing the resumes, who do you wanna interview,  
7 all of that, and all of that has to happen in a public  
8 meeting.

9 COMMISSIONER CLARK: In a public meeting.  
10 Well, I -- I was gonna suggest that we put together a  
11 committee to -- to do all of that work, and then come  
12 back to the group as a recommendation on who to hire. I  
13 don't know how other people feel about that.

14 COMMISSIONER LETT: MC, you had your hand up.

15 COMMISSIONER ROTHORN: Yeah. I saw Rhonda  
16 shaking her head. I wanted to see if Rhonda had  
17 something to say.

18 COMMISSIONER LETT: Rhonda?

19 COMMISSIONER LANGE: As far as that goes as a  
20 committee for hiring, and then bring back the  
21 recommendations, I think, from my perspective, I would  
22 wanna be there when questioning them. I wouldn't want a  
23 committee to interview possible people that we would be  
24 hiring. I wanna hear, you know, their responses to  
25 questions that are asked in person. I mean, not that I

1 wouldn't trust the opinion of anybody, any of the other  
2 commissioners, but I am a very hands-on, I like to see  
3 and hear things. So I think it would be more beneficial  
4 to me. Plus, I kind of get a feel for people, a read of  
5 people when I'm actually there and listening to it them.  
6 So I think, as far as I go, it would be beneficial that  
7 I was there.

8 COMMISSIONER LETT: MC?

9 COMMISSIONER ROTHORN: And I think what  
10 I'm -- what I'm hoping to do here is try to create a  
11 structure about how we are going to do these things.  
12 And what I -- I agree with you, Rhonda. And I think  
13 what Doug is suggesting potentially maybe advisory.  
14 What I'm imagining right now is that we have to  
15 understand enough about each other, like how are we  
16 going to work? I mean, like, when we're meeting again,  
17 like, are we gonna meet as committees? And we have to  
18 set up our pay? There's a -- there's a number of pieces  
19 that feel really important to me that feel -- I'm not  
20 sure if we're taking the first -- I'm not sure if we're  
21 discussing hiring or how to hire. And maybe, should we  
22 be discussing what -- what pieces we want on a job  
23 description? Or should we have an advisory committee?

24 You know what? I apologize. I'm gonna stop  
25 talking, because I have not formulated everything. I'm

1 gonna just stop.

2 COMMISSIONER LETT: Doug, and then Cynthia.

3 Doug?

4 COMMISSIONER CLARK: No, I agree with you. We  
5 gotta figure out the structure. If -- if we -- if we  
6 take what Rhonda said and we did that with everybody we  
7 hired, we're gonna eat into 13 people's time, many,  
8 many, many times, where we have -- we have to rely on  
9 each other and committees to do the work. That's the  
10 structure I believe MC is talking about, that we gotta  
11 figure out how we're gonna do this work, and then we  
12 have got to execute to it.

13 COMMISSIONER LETT: Cynthia?

14 COMMISSIONER ORTON: I was just thinking, I  
15 really like what Mike said, that -- that they have  
16 pulled together information from the previous  
17 commissions. And so that would give them an idea of  
18 what a job posting would look like, who we're searching  
19 for. So I think that we should make a motion to have  
20 them start putting that together, and then we can look  
21 at it and go from there, as we're talking about how we  
22 are gonna structure things. We still need to get the  
23 information out there so people will apply.

24 COMMISSIONER LETT: Okay. I hear a motion on  
25 the floor that we direct the Secretary of State's staff



1 to bring back a potential posting and potential job  
2 description for our review and to do what we want to do  
3 with it.

4 Dustin, you got your hand up?

5 COMMISSIONER WITJES: Oh, I just had -- I just  
6 had a question. When it comes to committees, we can't  
7 really split up into committees, because we are all  
8 gonna have to be here anyway when we're interviewing  
9 them. We have to -- all of us need to really -- well,  
10 at least nine of us have to be here to -- to listen to  
11 them talk, I imagine, correct? Like, we can't just have  
12 a committee off on their own doing their own thing  
13 without us all listening in.

14 COMMISSIONER LETT: Well, you can't -- you  
15 can't have a committee of less than nine make a  
16 decision. You certainly can have a committee listening  
17 to what -- you know, interviewing what they are, and  
18 then bringing it back to the committee of the whole for  
19 a decision.

20 COMMISSIONER WITJES: Okay.

21 COMMISSIONER LETT: You can't make -- you  
22 can't make a decision in a subcommittee.

23 COMMISSIONER WITJES: Got it. I understand.

24 COMMISSIONER LETT: MC?

25 COMMISSIONER ROTHORN: And -- and to be super

1 clear, I'm -- I'm imagining that if they're --  
2 committees are advisory. So, for example, I don't have  
3 a strong interest in like helping the -- our secretary  
4 and the staff from the Secretary of State go back and  
5 forth with how -- what -- what sort of criteria do -- do  
6 we wanna have? What I'm suggesting, like Rhonda, for  
7 example, you might we on a committee that sort of helps  
8 craft the back and forth, like helps just the -- the  
9 communication. And then you bring to us as a whole  
10 to -- to ratify, but you -- you and other people in  
11 that -- in the advisory committee have sort of worked  
12 out some of the things you can help as a committee to  
13 represent to staff what we might be thinking about.  
14 Right? And -- and we can have -- we can have a  
15 discussion about what we want, so you feel better-  
16 informed about how you represent and advise, I say but I  
17 guess what I'm suggesting, committees feel like a way to  
18 -- I'm already starting to feel overwhelmed, frankly,  
19 with the amount of work we have to do. And what I'm  
20 seeing as we -- as we -- as we start to structure  
21 ourselves, right, I'm trying to feel like -- I'm being  
22 drawn to the communities of interest, for example. I  
23 really would love to start working on that, and -- and  
24 I'm feeling dress drawn to the legal stuff, for me.

25 So I'm imagining, how do each of us -- I

1 imagine some of you are feeling that way, too, right?  
2 You're being drawn to one part, but not the whole thing.  
3 Of course, we have to be a whole and make a decision as  
4 a whole, and -- right? In order to work with our staff  
5 well so that we have communication and divide and  
6 conquer, I think was the -- the language that was used  
7 in the other commissions, I'm imagining advisory  
8 committee structure, where there's enough of us to help  
9 the staff think it through so that they are representing  
10 us, and then helping -- yeah, then we all decide.  
11 That's -- that's what I'm imagining, advisory. I just  
12 want to make sure it feels like advisory.

13 COMMISSIONER CLARK: Yeah, let me make an  
14 analogy to what I think MC is saying.

15 Let's -- let's look at our -- our -- the  
16 Senate at the Federal level. They have committees, and  
17 committees work out all of the details between --  
18 between them, and then they come to the floor for the  
19 final vote. So we would have committees and the final  
20 vote would be the 13 of us. I think that's what you're  
21 getting at, MC. Because we have so much work in front  
22 of us, we can't have 13 people deal with all -- all of  
23 the issues all of the time. We just -- we don't have  
24 enough cycles to do that.

25 COMMISSIONER LETT: Okay. We have a motion on

1 the floor seconded that we ask the Secretary of State  
2 staff to bring back to us, a proposed job posting and  
3 the proposed job description, which I would, from the  
4 comments that I'm hearing, would be simply starting  
5 point for our consideration, whether or not we wanted to  
6 accept it, whether or not we want to make changes,  
7 et cetera, et cetera. So that's a motion on the floor.

8 I see Mike has his hand up. Mike?

9 MR. BRADY: Point of clarification. I saw --  
10 I had in my notes that Cynthia had moved for it. I did  
11 not capture a second on that. And I'm just wondering  
12 who the second was.

13 MALE SPEAKER: I also did not hear a second.

14 COMMISSIONER WITJES: There wasn't one.

15 MALE SPEAKER: Okay.

16 COMMISSIONER EID: Well, before that, before  
17 anyone seconds it, I would like the course of action  
18 that we take -- okay. The first thing we need to do is  
19 decide which positions we want to hire. After we do  
20 that, we can then instruct the Secretary of State to  
21 bring us example job postings. And when they bring the  
22 -- they can bring us a few examples of every position,  
23 and then we, as a commission, can decide which one of  
24 those to go ahead and post. That's the first thing we  
25 need to do, in my opinion.

1           After that, I -- I echo what MC was saying,  
2    where I don't think it takes 13 of us to go through  
3    what's probably going to be hundreds of applications.  
4    How I've done hiring in the past is, we can set up a  
5    committee of maybe three or four of us that take all of  
6    the applications that we get from the job posting, and  
7    then dilute that down to maybe the top five or  
8    however -- whatever smaller number that we decide. And  
9    then, the committee brings those applicants to us as a  
10   larger commission. And then us, as a commission,  
11   decides between those applicants.

12           That would be what I propose, if anyone has  
13   any thoughts on that.

14           COMMISSIONER LETT: Are you making that a  
15   motion?

16           Let me ask this, first. We have -- Cynthia  
17   made a motion. Is there a second for that motion?

18           COMMISSIONER DECKER: I'd like to second  
19   Cynthia's motion.

20           COMMISSIONER LETT: Who was that?

21           COMMISSIONER DECKER: That was Ed.

22           COMMISSIONER LETT: Ed. Okay. So it's now  
23   open for discussion.

24           Anthony, I will take that as discussion for  
25   this motion, is that acceptable?

1 COMMISSIONER EID: Yeah, oh, I'm -- I'm in  
2 support of the motion. I just think that, you know,  
3 to -- to expedite things, while we do that, we might  
4 want to add a few other positions to it.

5 COMMISSIONER LETT: Okay. So you're -- you're  
6 making that kind of as a friendly amendment?

7 COMMISSIONER EID: I -- I suppose.

8 COMMISSIONER LETT: Will you accept that as a  
9 friendly amendment, Cynthia?

10 I can't hear you. Take --

11 COMMISSIONER ORTON: I think -- I think MC  
12 wants to say something first.

13 COMMISSIONER LETT: Okay. But here's where we  
14 get Roberts in. He's made it -- he's made an amendment.  
15 I'm asking if you'll accept it as a friendly amendment,  
16 which will change your amendment. Are you accepting of  
17 that?

18 COMMISSIONER ORTON: I'm gonna say no right  
19 now, just because --

20 COMMISSIONER LETT: All right. It's just an  
21 amendment.

22 MC?

23 COMMISSIONER ROTHORN: So I think the danger  
24 there, Anthony, is, that we -- we -- if we decide who  
25 the Executive Director needs to hire, I think we are in

1 danger of creat -- I think we should just decide, we as  
2 a board -- excuse me -- we as a commission, hire the  
3 Executive Director, and the Executive Director will make  
4 recommendations, and we will sort of approve the budget  
5 or maybe there's a committee that approves the budget,  
6 but the idea is that the Executive Director actually  
7 will hire the rest of the people, right? It helps us be  
8 in the role of decision-makers and not actually  
9 functioning like an Executive Director.

10 And so, what I'm saying is, I -- I -- I don't  
11 disagree with you, right? I think it's important, but I  
12 don't think it's the first thing. I think we have to  
13 really decide, what kind of Executive Director do we  
14 want, right? Where are we gonna hire -- who are we  
15 gonna ask for? Are we gonna ask for minority  
16 candidates? Are we gonna ask for people who are voted  
17 VRA? Like, the Voting Rights Act, right? Like, all of  
18 those things that in our orientation materials, I think  
19 it's really important we say who and where are we gonna  
20 post this? How widespread are we gonna -- what's the  
21 time frame? What's the job -- excuse me. What's the  
22 pay, right? Are we gonna -- are we gonna be  
23 competitive? And, yeah, frankly, like, who are we gonna  
24 trust? So I'm saying I do think it's really important  
25 that we just focus on the Executive Director and let

1 them help us decide what the other pieces are. We'll  
2 have an input, but I don't think we wanna decide that as  
3 the first thing.

4 COMMISSIONER LETT: Brittni?

5 COMMISSIONER KELLOM: I agree with -- with  
6 what MC is saying and a little bit of Anthony, so I  
7 guess it's a conundrum. But I think if we establish  
8 criteria that we, as a commission, want to see in a  
9 candidate and give that to the E.D., and that's what  
10 we're working off of, like this is who we want to work  
11 with in this capacity, then you can kind of get a hybrid  
12 best of both worlds, if I'm hearing what is being  
13 expressed correctly.

14 COMMISSIONER LETT: Doug?

15 COMMISSIONER CLARK: The only comment -- I  
16 think I may have made this before. I see the committee  
17 doing that work, but not -- but then bringing it to the  
18 13 of us, and the 13 of us would say, yeah, that's what  
19 we wanna do.

20 COMMISSIONER LETT: All right. We have a  
21 motion that's been made and seconded by Cynthia,  
22 seconded by?

23 COMMISSIONER DECKER: Ed.

24 COMMISSIONER LETT: Ed, that we ask the  
25 Secretary of State to -- employees to bring us a posting



1 example and a job description example.

2 Is there any further discussion? Are we ready  
3 to vote?

4 COMMISSIONER ROTHORN: We -- we do have those  
5 examples already in our materials. So we could -- we  
6 could go a little bit further and just sort of say, are  
7 there people within our commission who want to help  
8 review that with the staff, right, to sort of craft it?  
9 Because we do have those materials.

10 COMMISSIONER LETT: I mean, I would see them  
11 as being part of the -- we would review -- when the  
12 staff brings whatever they are going to bring us, plus  
13 what we have already, would be what we would be looking  
14 at.

15 COMMISSIONER CURRY: I agree.

16 COMMISSIONER WITJES: I agree.

17 COMMISSIONER LETT: I'm not -- I guess what  
18 I'm hearing, what I think I'm hearing, is that the --  
19 whatever the staff brings us is a fait accompli. I  
20 don't see that. Whatever they bring us is a starting  
21 point, as far as I'm concerned.

22 So let's do a hand vote and see if I gotta  
23 take a roll call vote.

24 All in favor to the motion asking the staff to  
25 bring us the posting and the job description, raise your

1 hand.

2 That's everybody. It's unanimous.

3 COMMISSIONER ROTHORN: But they are gonna  
4 need things that we have to decide yet.

5 (Multiple speakers)

6 COMMISSIONER LETT: No, no, I -- I disagree.  
7 I don't think they're gonna need -- they already talked  
8 about it. They're not -- this is -- they're not  
9 inventing the wheel here.

10 COMMISSIONER ROTHORN: Okay, okay. I --

11 COMMISSIONER LETT: There's lots of  
12 commissions in the State of Michigan.

13 COMMISSIONER ROTHORN: Okay, okay.

14 COMMISSIONER LETT: And whatever they bring  
15 us, if we don't like it, we can say, take it back, try  
16 it again. We don't like this.

17 Don't -- don't -- don't take this the wrong  
18 way, MC. Don't over-think this at this stage of the  
19 game. We got -- we got a long way to go and we're just  
20 getting started.

21 COMMISSIONER ROTHORN: And the risk is that  
22 we do it the standard way. And I wanna be -- I wanna  
23 make sure that we have -- that we sort of look like  
24 we're doing things thoughtfully and like -- that we're  
25 -- that we're doing things thoughtfully. What I'm

1 suggesting, I think that the way that we look to the  
2 outside and the way that we deliberate, if we just have  
3 them bring stuff -- I mean, we can deliberate it, but we  
4 can also say, like, gosh, we have things in our  
5 materials right now. We -- and we want to, for example,  
6 say we absolutely think it's most important to make sure  
7 we have an Executive Director, who is a woman, for  
8 example, because we want to make sure that we have  
9 representation, for example, right? Or we wanna have an  
10 Executive Director who has 15,000 years of experience,  
11 for example.

12 Go ahead, Rhonda.

13 COMMISSIONER LANGE: Okay. I know you said,  
14 for example. But then, are you not getting into a legal  
15 part, as far as discrimination based off on sex? If you  
16 say, I want my Executive Director to be a woman? That's  
17 all I'm asking. I know you were using it just as an  
18 example, but if you make comments like that, then is  
19 there gonna be some kind of legal ramification? I'm not  
20 an attorney. I'm just asking.

21 COMMISSIONER ROTHORN: That's fair.

22 COMMISSIONER LETT: Okay. I want to move on  
23 to a couple of things that maybe won't take as much  
24 discussion.

25 Emails. Everybody, right now, is using their

1 private email, their own personal email. We certainly  
2 have, as I understand it from Mike and Sally, the  
3 ability to request Michigan.gov emails. And I certainly  
4 would strongly, highly urge everybody to do that,  
5 because when the lawsuits start filing and start coming,  
6 they are gonna want our emails. And if they are on --  
7 if you have been using your personal email, as I said  
8 earlier today, they're gonna start rummaging around,  
9 going on a fishing expedition on your computer and your  
10 email account.

11 Now, if you don't put anything in there, you  
12 don't want anybody -- you don't care about anybody  
13 seeing, that's fine. Probably I don't have anything in  
14 there that I don't care about anybody seeing, but I  
15 certainly don't want them rummaging around in my email  
16 account.

17 So my question is, is everybody in -- you can  
18 pick and choose, I guess. I mean, I'm gonna ask them  
19 for an email account. Do we all want to ask them to  
20 provide us with an email account, which, obviously, is  
21 gonna be your nail -- be your name at Michigan.gov?  
22 That's the way it works.

23 COMMISSIONER ORTON: So do we need someone to  
24 make a motion for that?

25 COMMISSIONER LETT: Sure. Go ahead, Cynthia.

1 COMMISSIONER ORTON: Okay. I move to request  
2 that the Secretary of State team get us emails,  
3 government emails.

4 (Multiple speakers)

5 COMMISSIONER LETT: Okay. All in favor, raise  
6 your hand.

7 All right. Mike, did you get that?

8 MS. MARSH: We got that.

9 COMMISSIONER LETT: All right. So that takes  
10 care of emails.

11 Mike, come back. Are we gonna need Michigan  
12 I.D.s?

13 COMMISSIONER WITJES: Can't hear you. Should  
14 be now.

15 MR. BRADY: There was a lag. Yeah, it's an  
16 interesting question. I'm not sure. I only use my I.D.  
17 to access government buildings, and that -- and that's  
18 -- and that is to say access those parts of government  
19 buildings not open to the public, like my office. So  
20 perhaps a different question might be one that we  
21 anticipated, you know, a year ago, was, would you need  
22 your own office space?

23 Nowadays, you know, at least for the time  
24 being, I wouldn't recommend that, as most people are not  
25 working in person. But, if you have a different thought

1 behind a value that could come from government I.D.,  
2 then, you know, please let me know and I'm happy to hear  
3 you out on that.

4 COMMISSIONER LETT: Well, I will -- since I  
5 asked the question, I'll give you my thoughts. You're  
6 right. I mean, it was anticipated that we would -- when  
7 we started this process, we would have an office, and  
8 that the Executive Director would have an office. I  
9 don't -- I'm not so sure that once we get an Executive  
10 Director and a staff, that they're not gonna need some  
11 office space.

12 Also, I had anticipated that we would be going  
13 here and there, and to have these conferences, listening  
14 sessions. So I guess my -- my -- my -- my personal  
15 preference would be that we would go ahead, move forward  
16 with getting I.D.s, so that we got them in place, if we  
17 ever need them, number one. And when you say buildings  
18 that are open, that you have access to, that the public  
19 has access to, there aren't very many buildings around  
20 anymore that you don't have to either go through  
21 security or have an I.D. to get through. And that would  
22 include a Secretary of State's office, Austin Building,  
23 all of those buildings, you are required to do that, so  
24 we have to do that. Doesn't mean we have to rush out  
25 and get one, but I would like to have the ability --

1 have it set up so that if we want one, we can get one.

2 Yes, Mike, go ahead.

3 MR. BRADY: Yeah, no, that's helpful  
4 background. I -- so, I -- my I.D., as an employee at  
5 the Department of State, allows me to access the  
6 building that -- you know, that I work in. But we have  
7 other buildings at the Department of State. And I don't  
8 believe -- like there's a secondary complex. It's, you  
9 know, outside -- outside of Lansing as an aside. And  
10 so, my -- because I don't work there, I -- my I.D.  
11 doesn't actually let me get in there, even though that  
12 is actually a Department of State building.

13 Similarly, or I guess, you know, even more  
14 perhaps obvious, across the walkway from our building  
15 is, I think, the Department of Transportation building.  
16 I've never tried to go in there, but I have tried to go  
17 in the A.G.'s office and my badge doesn't work to let me  
18 in the A.G.'s office.

19 So I just want to clarify and say, the state  
20 I.D., the state badge, is really more of a, you know,  
21 special -- like it doesn't apply to all of the -- I  
22 don't even know how many thousands of people work for  
23 the State of Michigan. It really is about the  
24 individual access to your floor or office space, or  
25 other things that go with that, not dissimilar from

1 where, you know, I worked before. I used to work in the  
2 Guardian Building in Downtown Detroit. And I had a  
3 badge that came with, you know, the office lease that I  
4 had there, and that badge would take me to my office  
5 floor, but not to any other office floor.

6 And so I think it's really more akin to that  
7 than anything else. So, I mean, I can certainly note  
8 that, but I'm not sure, at this point, until you have  
9 office space, that, one, we would be able to actually  
10 get you a badge, because the badge would be tied to like  
11 where you need access. And I'm not sure, at this point,  
12 you actually need physical access to any individual  
13 building in the State Government.

14 COMMISSIONER LETT: I will take that answer.  
15 Too bad they have got your name on all of those lists.

16 (Laughter)

17 COMMISSIONER LETT: All right. So that takes  
18 care of the I.D.

19 How are we gonna get paid? I don't -- we  
20 don't have a budget yet. Clearly, it was said earlier  
21 today that -- Sally said that we are in for about  
22 80-thou a year. Is that what I heard you say?

23 (Laughter)

24 MS. MARSH: Can I just -- quickly, a couple  
25 quick notes on the budget.



1           So you all are guaranteed compensation, equal  
2 to 25 percent of the governor's salary, which is about  
3 \$40,000.

4           In addition, I also wanted to mention that the  
5 -- and we touched on this earlier, I believe, but the  
6 Constitution does require that the legislature set aside  
7 a -- a budget for you, and every -- basically, in every  
8 fiscal year, which means every year of the state  
9 government budget.

10           And so, for this past fiscal year, which ends  
11 at the end of this month, so, really shortly, you -- you  
12 know, you were appropriated funds, which, obviously, you  
13 couldn't access until now, but you will be, then again,  
14 appropriated, roughly, the same amount, but this past  
15 fiscal year, the amount was 3.3 million dollars. It  
16 will depend on what's -- it'll depend on some of the  
17 minutiae of the budget process, but you will have a  
18 budget that's millions of dollars that is appropriated  
19 to you as part of the constitutional requirement.

20           COMMISSIONER LETT: Okay. And I had the --  
21 the question, in addition to the, quote, salary, the  
22 compensation, there would be reimbursement for expenses  
23 if we travel. Am I correct in that?

24           Sally?

25           MS. MARSH: So that is -- I'm smiling, and

1 Mike is smiling, because that's one of the most  
2 frequently asked questions that we got over the course  
3 of the application cycle. And the answer is, actually,  
4 you all have the ability to decide whether or not you  
5 are going to use some of the budget allotted to you to  
6 reimburse your -- your travel fees.

7 COMMISSIONER LETT: Okay. Very good.

8 Of course, right now, we're not doing any  
9 traveling. That may change.

10 So the -- I guess what we are -- we're faced  
11 with the state, probably isn't going to give us \$40,000  
12 to put in our bank account right away. They do pay  
13 every two weeks. So we wanted to get on a regular  
14 payroll. I'm assuming that that could be done on that  
15 method. I'm also assuming that it can probably pay  
16 monthly.

17 Any thoughts on that?

18 COMMISSIONER WITJES: I'm hoping for a lump  
19 sum so I can pay off some student loans. That'd be  
20 nice.

21 (Laughter)

22 COMMISSIONER LETT: You can make a motion  
23 that -- that we pay the extra out of our budget for you.

24 Doug?

25 COMMISSIONER CLARK: Yeah, I -- I'd like to

1 put a motion forward that we get paid on a monthly  
2 basis, and that each of us get paid 25 percent of the  
3 governor's monthly salary at the end -- at the end of  
4 each month. And that travel expenses are appropriately  
5 reimbursed to every one of us, or not just travel, but  
6 any expenses, that's appropriate -- appropriately  
7 reimbursed.

8 COMMISSIONER LETT: A second?

9 MALE SPEAKER: I just wanna amend --

10 COMMISSIONER KELLOM: Discussion on the motion  
11 at all?

12 COMMISSIONER LETT: I gotta have a second  
13 first.

14 COMMISSIONER CURRY: I second it.

15 COMMISSIONER LETT: Who seconded it?

16 COMMISSIONER CURRY: Juanita Curry. I second  
17 it.

18 COMMISSIONER LETT: Motion's made and  
19 seconded. The motion is that we be paid on a monthly  
20 basis pursuant to the amendment, which is 25 percent of  
21 the governor's salary, equal monthly basis, and that  
22 allowable expenses, such as travel, and if you're away,  
23 having to stay at a motel or something, those would be  
24 reimbursed, plus the per diem for meals.

25 That's a motion that's been seconded.

1 Discussion.

2 MC, you had your hand up.

3 COMMISSIONER ROTHORN: I see Mike. He might  
4 have something first.

5 COMMISSIONER LETT: Okay. Mike?

6 MR. BRADY: Thank you. I wanted to flag, so,  
7 with -- as Sally noted, this being one of the most  
8 frequently asked questions over the last year-and-a-half  
9 as we set this thing up, in consultation with the A.G.'s  
10 office, just to -- to point out the actual language in  
11 the -- the Constitution, just so that everybody is clear  
12 about what it says and what it doesn't say. So that the  
13 relevant section here is Subsection 5. It's near the --  
14 it's the second to the last sentence of Subsection 5.

15 It reads -- this is the only part where this  
16 comes up.

17 It says: Each Commissioner shall receive  
18 compensation, at least equal to 25 percent of the  
19 governor's salary.

20 Now, you all have control over your budget.  
21 (Inaudible) and whatever else is up to you all. The --  
22 just the ebb and flow -- and again, this came up in  
23 conversation with the legislature, came up in  
24 conversation with the public, all of the public comment  
25 we had, and all of those other things, some folks had

1 initially kind of assumed -- and, I mean, this over a  
2 year ago, that you had a salary that was equal to 25  
3 percent of the governor's salary. And it doesn't say  
4 salary. As the A.G.'s office pointed out, it says  
5 compensation. And what that means is that -- that, you  
6 know, if -- if -- if you're working for multiple years,  
7 you don't necessarily get 25 percent of the salary every  
8 month. Just -- you know, of the governor's salary for  
9 that month. So the bare minimum that's -- that's  
10 provided, you know, for here is compensation.

11 And there's gonna be an argument here that I  
12 know, because we've heard this directly from folks.  
13 Some people say, well, you know, basically, is that  
14 gonna be -- again, that's the bare minimum, but, like,  
15 you know, if you did a lump sum up front or if you get  
16 it every month, like after 12 months, you will have met  
17 the -- the bare minimum for that.

18 And, at that point, if you go above and beyond  
19 that, that'll be up to you all. And I would just say,  
20 some of the people, as some of you may have seen, some  
21 of the critics of this commission, and frankly, some of  
22 the critics -- and I don't mean of you all, but the idea  
23 of this commission, some of you spoke out against the  
24 commission when it was on the ballot and afterwards  
25 described this as being a blank check for people to get

1 on and do whatever they wanted with the government --  
2 you know, with -- with tax payer dollars.

3 And so we certainly heard about that loud and  
4 clear during public comment over the course of the last  
5 year-and-a-half of some people saying, you know,  
6 (inaudible), well, actually, you know, it doesn't  
7 provide you with 25 percent of her salary for the next  
8 10 years or for the next four years, or anything else.  
9 It provides you with an amount equal to -- again, as a  
10 cap -- or, strike that -- as a -- as a floor, because it  
11 does at least 25 percent of the governor's salary.

12 So that -- you know, I refer back, consistent  
13 about, you're an autonomous body, and everything else  
14 that goes with that. But, at the same time, the  
15 guarantee that you have in the budget and your ability  
16 to go back to the legislature to ask for more money, I  
17 think, you know, that other section that talks about  
18 going back and asking for money seems to -- to pretty  
19 clearly link it to, you know, questions of, you know,  
20 legal experts and, you know, various other things.

21 I'm not saying it couldn't include this as  
22 well. I want to flag it for you as being a hot topic  
23 that Sally and I have heard about a lot over the last  
24 year-and-a-half.

25 That's all.

1 COMMISSIONER LETT: Thank you.

2 Other comments?

3 Cynthia?

4 COMMISSIONER ORTON: Oh, I just have a  
5 question for Mike. And this -- I don't know. This is  
6 kind of the end before the beginning. But, I'm  
7 wondering, as far as our budget goes, and I have no idea  
8 how much things are gonna cost, how much we're gonna  
9 spend, but what happens with the budget money we don't  
10 spend -- our budget money that we don't spend at the  
11 end?

12 COMMISSIONER LETT: It goes back. Goes  
13 back to --

14 MR. BRADY: Yeah, that's a good question. It  
15 does go back, because, as Sally mentioned, you  
16 actually -- one of the -- I don't know, say curiosities  
17 of this amendment is that the legislature was required  
18 to appropriate 25 -- an amount equal to 25 percent of  
19 the Department of State's general fund appropriation a  
20 year ago, starting October 1st of last year. And so,  
21 the commission has been -- you know, there's been a line  
22 item sitting in the legislature -- legislature's budget,  
23 for this commission, for the last 11-and-a-half months.  
24 And, you know, you only have, you know, two weeks or so  
25 now for us to get anything set up on your behalf.

1           So that -- that last amount will go back to  
2     the -- the legislature as, you know, as these things --  
3     as these things do.

4           COMMISSIONER LETT: Does that answer your  
5     question, Cynthia? In other words, we gotta spend a lot  
6     of money before now and the end of the month.

7           COMMISSIONER ORTON: Well, so I would like to  
8     make one comment. I feel -- probably, I'm speaking for  
9     all of us, if not almost all of us.

10          As a citizen, who wanted to partake --  
11     participate in this commission, I do not want to spend  
12     more money than we need to. I would like us to be  
13     conservative with the taxpayer's money, and I think  
14     that's what the tax payers want, I think, when they  
15     voted us in.

16          Having said that, I think we should move  
17     forward with that in mind.

18          COMMISSIONER LETT: Thank you.

19          Other comments?

20          Anthony, and then Brittni.

21          COMMISSIONER EID: Brittni, you can go first.  
22     I need a second to gather my thoughts.

23          COMMISSIONER LETT: All right. Brittni?

24          COMMISSIONER KELLUM: I was gonna use your  
25     talking time to gather -- it's okay. It's okay.



1 COMMISSIONER LETT: Okay. Anybody else wanna  
2 go?

3 COMMISSIONER KELLOM: I will -- I will say  
4 that I think -- I would be interested in a biweekly  
5 option, as opposed to getting paid at the end of the  
6 month.

7 COMMISSIONER LETT: Are you making that as an  
8 amendment?

9 COMMISSIONER KELLOM: It was part of the  
10 discussion, but it can be an amendment, just taking into  
11 consideration different folks' circumstances and all of  
12 that.

13 COMMISSIONER LETT: Okay. Is there a second  
14 to amendment?

15 COMMISSIONER WITJES: I'll second that.

16 COMMISSIONER LETT: Okay. We're on the  
17 amendment now. Any discussion on the amendment, which  
18 would be a biweekly pay? Compensation, as they're  
19 putting it.

20 COMMISSIONER WITJES: I do have a question,  
21 actually, and this is because I work in payroll.

22 Are we gonna be W-2'd or are we gonna be  
23 1099'd?

24 COMMISSIONER LETT: I have no idea. Where did  
25 --

1 Mike, do you know, or Sally?

2 MR. BRADY: Good question. I -- I will put it  
3 to the legislative council, to -- direct this to speak  
4 with them, you know, along those lines and -- and follow  
5 up.

6 I suspect -- and you might be able to confirm  
7 this, you know, given your, you know, experience with  
8 payroll, or, Steve, your experience with employment law.

9 I think W2 usually applies to employees, and  
10 I'm not sure -- I -- offhand -- I mean, I have to say  
11 I'm not speaking as an authority on this, and I will  
12 check and get you a definitive answer. But it kind of  
13 seems like 1099 is actually a more appropriate form here  
14 than a W2. That's just my instinct there, Steve, or  
15 anyone else, if you have some perspective on that.

16 COMMISSIONER WITJES: Well, that's -- that's  
17 what I was thinking as well, is that we would most  
18 likely would be 1099'd, because we're not technically a  
19 W-2'd employee by the definition per American Payroll  
20 Association Rules, as far as I can tell, so...

21 COMMISSIONER LETT: I have -- I have no  
22 experience, so I don't know.

23 Any further discussion?

24 All right. Hearing none, I would like --  
25 Mike?

1 MR. BRADY: Yeah. I'm sorry. Just a point of  
2 clarification on this. The -- I appreciate the back and  
3 forth. I heard -- I think Doug had made an initial  
4 motion, or at least floated an idea, maybe it was a  
5 formal motion, to have the payment made monthly.  
6 Brittni spoke in favor of, or just raised, you know, the  
7 possibility of it being biweekly. I don't anticipate  
8 there would be any sort of real issue from the  
9 legislative council, once we set it up, in terms of  
10 setting it up one way or another, and I assume we want  
11 it to be consistent for everybody just from an  
12 accounting and logistics perspective.

13 The distinct question, though, of -- that I  
14 will raise and add, just to make sure whatever you --  
15 whatever you ask us to do, that I know -- that it's  
16 crystal clear for us and for the legislative council.  
17 So the motion that I think I heard Doug offer at the  
18 beginning -- this is before I spoke before -- said that  
19 each month, you all -- like each of you would get  
20 basically a monthly amount, which would be 1/12th of 25  
21 percent of the governor's salary -- per annual salary.

22 COMMISSIONER LETT: That's what I under the  
23 motion to be, yes.

24 MR. BRADY: Yeah. And so, along those lines,  
25 that means that a year from now, or in fairly short

1 order, because it will take a moment to get this set up,  
2 you know, I don't know how long it will take to  
3 (inaudible) a council, a year from now, you will have  
4 exhausted that amount. And so it means that in taking  
5 this vote, are -- you know, to be clear, like you don't  
6 even adopt your -- the Constitution says you have to  
7 formally adopt the map by November 1st of 2021. So  
8 that's six week away. So that means the last six weeks  
9 you would have already gone through your full -- you  
10 wouldn't have new money coming in, unless you were gonna  
11 vote yourselves collectively money beyond the 40 -- the  
12 25 percent of the governor's salary.

13           Again, you are an autonomous body. You can do  
14 that, but I want to be clear, by going with Doug's -- if  
15 you stay with the language that I think he offered and  
16 see if you confirm that that's your read of that as  
17 well, then it means that one of your, you know, first  
18 votes will be to go beyond that 25 percent cap kind of  
19 right out the gate. Or at least anticipate that, you  
20 know, a year from now, you will meet the 25 percent  
21 amount. And then, in your last six weeks, which I  
22 expect would be a busy time for you, that you either  
23 kind of re-up at that point or otherwise, or you just  
24 run out of money for your last six weeks.

25           So that's -- and I hate to put all of this up

1 front, but just to say there's a question in terms of do  
2 you want to spread over 12 months, which is what I think  
3 the motion on the floor is, or do you want to spread it  
4 out until, let's say, the end of December 2021, or  
5 whatever -- or until November 1st, 2021? I mean, you  
6 can do whatever you want, but I just want to kind of  
7 clarify that that's, I think, that's potentially a  
8 bigger question. And I just want to make sure that you  
9 all understanding what you're voting on, so that when I  
10 take it to the legislature, they're gonna be asking me  
11 about this, that I have absolute clarity and I know you  
12 guys are clear.

13 So that's all.

14 COMMISSIONER LETT: Anthony?

15 COMMISSIONER EID: I think Mike brings up --  
16 brings up some really good points. And it kind of makes  
17 me think we have to think about this a little bit more  
18 before taking a vote on it. I didn't realize that the  
19 physical year for the state ends at the end of the  
20 month. I think that's something we need to consider.

21 We also need to consider that the Constitution  
22 says we're paid 25 percent in compensation, instead of  
23 salary. That might mean that we can go beyond the 25  
24 percent for those extra six to eight weeks that go  
25 beyond -- beyond a year.

1 I also want to be conservative of the funds,  
2 but I do not see a cap here. So it doesn't mean we  
3 necessarily need to be limited to 25 percent of the  
4 government's -- of the governor's salary for that period  
5 of time that takes place after a year from when we  
6 started yesterday. I think that's something to take  
7 into consideration.

8 The final thing I think we should take into  
9 consideration is, to -- in order to complete this job  
10 successfully, we might not all incur the same costs.  
11 For example, I see in here there's a discussion on  
12 technology. I don't foresee myself needing any new  
13 technology bought, at least none that I can foresee now,  
14 but what I do foresee is a -- is a transportation issue.  
15 And that might be a cost that I incur that one of you  
16 might not incur. So we might need to think about how we  
17 want to go about, do we individually regulate ourselves  
18 or do we, as a group, regulate ourselves as far as  
19 incurred costs? Do we maybe set a limit where like,  
20 okay, anything below a certain amount of money, we can  
21 submit ourselves for reimbursements, but anything after  
22 a certain amount of money, we need the approval from all  
23 13 of us?

24 I think these are just all like pretty  
25 important points actually that we should probably think

1 about before voting on this motion.

2 COMMISSIONER LETT: Are you amending the  
3 motion -- are you -- are you amending the amendment?

4 COMMISSIONER EID: No, I'm not.

5 COMMISSIONER LETT: Okay.

6 COMMISSIONER EID: I'm just saying, when  
7 everyone votes, you should think about these things  
8 before casting your vote.

9 COMMISSIONER LETT: Anybody else?

10 I have a comment then.

11 I think that the things that you bring up are  
12 actually very good and should be considered. I also  
13 think they are separate from what the frequency is going  
14 to be on spreading out the set compensation, call it  
15 what you will, of the 25 percent. And therefore, I  
16 would encourage us to move forward with that, and then  
17 whatever else we wanna consider on what you're talking  
18 about, which would be mileage, per diem, whatever else  
19 might be, would be a separate item.

20 So, having said that, I take it back to  
21 Cynthia. You're the -- no, Brittni, you're the maker of  
22 the motion. I'll give you the last word before we vote.

23 COMMISSIONER KELLOM: Last word as in, do I  
24 have a comment?

25 COMMISSIONER LETT: Yeah, it's your motion.

1 Do you have a comment?

2 COMMISSIONER KELLOM: I don't know if it's the  
3 right time. It's more so about the amount. I've made  
4 the comment about biweekly, which is what I was kind of  
5 thinking when Mike was talking.

6 So I'll wait until we kind of settle on this  
7 and raise another question about maybe considering going  
8 a little bit beyond the 25 percent. And as well as  
9 Anthony was saying about considering travel costs,  
10 because we do need to meet and commune with folks.

11 COMMISSIONER LETT: Rhonda?

12 COMMISSIONER LANGE: I have seen Sally's hand  
13 up for a while, so I just wanted to bring it to your  
14 attention.

15 COMMISSIONER LETT: Oh, Sally?

16 MS. MARSH: Hello, acting chair. Hello,  
17 commissioners.

18 I just wanted to jump in here and -- and, you  
19 know, clarify that neither Mike nor I are, you know,  
20 experts on how LSB, which is the Legal Services Bureau,  
21 the entity that would be responsible for executing your  
22 payroll, neither of us are experts on how they do that.  
23 It's because of the sort of technicalities of -- of the  
24 different parts of state government, that's not who does  
25 our payroll.



1           What we need from all of you is authority to  
2 speak to them on your behalf, and -- and you could ask  
3 us to ask them what your options are and come forward to  
4 you, you know, in your next meeting or in -- in future  
5 sessions with more clarity. I would hate for all of you  
6 to kind of make a vote or -- or -- or -- or otherwise  
7 make a decision that doesn't have all of the -- the  
8 details. And, unfortunately, you know -- or,  
9 fortunately, whatever, either way, Mike and I don't have  
10 that expertise. So I don't wanna be -- I wanna be up  
11 front with you that what we need is authority to speak  
12 on -- on your behalf.

13           COMMISSIONER LETT: Any comment, Rhonda, other  
14 than telling me to call on her? Which I appreciate, by  
15 the way, because I have -- like I said, you guys move  
16 around. When somebody goes in and out, it -- it -- it  
17 changed, and so I don't see it.

18           COMMISSIONER ORTON: I think we need to make a  
19 motion. But can we not make a motion until we vote on  
20 the other motion?

21           COMMISSIONER LETT: Well, why don't we try it?  
22 What do you wanna move?

23           COMMISSIONER ORTON: Well, I think she --  
24 Sally is saying we need to make a motion to ask them to  
25 go gather the information of how we can get paid.

1 COMMISSIONER LETT: Let me see if I can work  
2 us through here a little quicker.

3 So far, we basically have a motion -- two  
4 motions on, one that we get paid 1/12th of the salary,  
5 and the other, 1/26th. There's 26 pay periods. What  
6 Cynthia is suggesting is to direct Sally and/or Mike to  
7 go to the Legislative Service Bureau, and say, here's  
8 what the commissioners are kind of talking about. What  
9 can they do? What direction -- what advice should we  
10 give them for their consideration.

11 So if you would consider that as a friendly --  
12 substitute a motion -- I think -- who made this motion,  
13 Cynthia? Did you make the original motion? And,  
14 Brittni, you made the amendment. Would you consider  
15 that a substitute of the motion, to have Sally and Mike  
16 go to the Legislative Service Bureau and seek  
17 clarification on what we can do?

18 Yay or nay?

19 COMMISSIONER KELLOM: Yay.

20 COMMISSIONER ORTON: That was the original  
21 motion.

22 COMMISSIONER LETT: Okay.

23 COMMISSIONER KELLOM: Oh, sorry, I couldn't  
24 hear.

25 COMMISSIONER LETT: Okay.

1 COMMISSIONER KELLOM: My apologies.

2 COMMISSIONER LETT: So here's where we're at.

3 We're going -- I'm gonna ask for a motion that Sally

4 and/or Mike go to the Legislative Service Bureau

5 advising them of what we've been talking about, and then

6 having them provide some guidance and bring it back to

7 us so we can then make a decision.

8 I'll entertain that motion from somebody. So

9 moved would be real fine.

10 COMMISSIONER WITJES: So moved.

11 COMMISSIONER LETT: Second?

12 COMMISSIONER CLARK: Second.

13 COMMISSIONER LETT: All in favor, say aye.

14 Aye? All opposed? Same sign.

15 None opposed.

16 Sally and Mike, I'm assuming that you heard

17 all of that, and we'll move forward with it.

18 MS. MARSH: Absolutely.

19 COMMISSIONER LETT: You know, we -- we have

20 really been at this for a while. Let's take five

21 minutes. I don't have my super timer, so it's about 33.

22 Come back -- come back at 20 to 5:00.

23 (Brief break)

24 COMMISSIONER LETT: Okay. Are we missing

25 anybody? I don't think so.

1 MS. MARSH: 13 commissioners are present.

2 COMMISSIONER LETT: All right. We have --  
3 it's 4:42. At 5:00, we have an order of the day, what  
4 I'll call an order of the day since these are open  
5 meetings and transparent. And public comment will start  
6 at 5:00. And we have one speaker, which we will take at  
7 5:00.

8 That brings us to our agenda, which we didn't  
9 even come close to getting through. And unless we want  
10 to work until 11:00 or 10:00 tonight, I would suggest  
11 that we might want to reconfigure the agenda, have the  
12 staff and myself and Brittini work on the next agenda.

13 So I would like, at this time, to figure out  
14 when we would like to meet next. And I'm -- I'm reading  
15 something. Hold on a minute.

16 Okay. I will read you what I was reading.

17 Should we also decide -- careful, folks. I  
18 can't -- should we also decide whether or not we want  
19 Michigan Department of State to come back with a posting  
20 for Outreach Director and RPV Consultant, since public  
21 hearings and racially polarized voting was something we  
22 were advised to regard earlier rather than later?

23 Well, we already decided on coming back with  
24 the posting and job description for the E -- Executive  
25 Director.

1           Okay. We'll open that up for discussion.

2   Everybody understand what I just said, two other  
3   positions to come back with?

4           COMMISSIONER KELLOM: Basically, coming back  
5   with the position -- the descriptions of the general  
6   positions that we want?

7           COMMISSIONER LETT: Yeah, to -- to discuss.

8           COMMISSIONER KELLOM: Makes -- might as well.  
9   Instead of eliminating back and forth.

10          COMMISSIONER LETT: Doug?

11          COMMISSIONER CLARK: Yeah. The only thing I  
12   wanna add, these appear to be -- people are going to  
13   hire from the outside, and, generally, that's done  
14   through an RFP process, so maybe we wanna to ask for --  
15   as well, ask for a copy of a draft RFP.

16          COMMISSIONER LETT: Okay.

17          COMMISSIONER CLARK: RFP, for those that don't  
18   know, is request for proposal.

19          COMMISSIONER ROTHORN: Right. I'm almost  
20   certain we have some of those from California in our  
21   orientation materials. They may be links, but they're  
22   -- I'm almost certain we have those.

23          COMMISSIONER LETT: Any objection to  
24   requesting Mike and Sally to bring those items back with  
25   us -- to us?

1 I'm assuming Mike and Sally heard that.

2 MS. MARSH: I -- I did. But I want to make  
3 sure that we have -- know of everything that you all  
4 requested so we can come back thoroughly.

5 So I heard request for proposal I heard  
6 Outreach Director, racially polarized voting consultant,  
7 and --

8 COMMISSIONER LETT: E.D.

9 MS. MARSH: And, of course, an Executive  
10 Director, which -- which was mentioned earlier.

11 Anything else, Mike? And -- and,  
12 commissioners, is there any other posting or draft  
13 description that you'd like us to react to so we can  
14 come back to it?

15 COMMISSIONER CLARK: I think legal --

16 MR. BRADY: Yeah, that makes sense.

17 COMMISSIONER LETT: The recommendation that  
18 I've read is an in-house council and law firm. So the  
19 law firm would be under an RFP. In-house would be,  
20 obviously, a posting.

21 COMMISSIONER CLARK: Correct.

22 COMMISSIONER LETT: Is that your  
23 understanding, Mike?

24 MR. BRADY: It is.

25 COMMISSIONER LETT: Okay. Well, I would -- I

1 would -- I would think that we would want, then, those  
2 two in addition, unless somebody has an objection.

3 Okay. Meeting dates.

4 MR. BRADY: Oh, and --

5 COMMISSIONER LETT: Yeah.

6 MR. BRADY: Forgive me, Steve. For the  
7 record, it's kind of a clarification.

8 Though -- though you say, you know, Mike and  
9 Sally, and, of course, you know, that's -- that's all  
10 fine and good, because Sally and Sarah and I will  
11 certainly be taking the lead -- taking the lead on this  
12 project. For the record, I plan on, you know, having it  
13 in the minutes reflect Department of State staff, which  
14 is -- just I wanna flag that in the open meetings so  
15 everyone else is aware that that's how I'm interpreting  
16 that.

17 COMMISSIONER LETT: Correct. I just -- I  
18 didn't wanna be rude to you.

19 MR. BRADY: Oh, no, I understand that.

20 COMMISSIONER LETT: And call you staff. You  
21 have a name.

22 Okay. Meeting dates. How are -- how's ev --  
23 I mean, some of us -- some of you guys work. I can't  
24 believe it.

25 COMMISSIONER WITJES: I don't wanna talk about

1 it.

2 (Laughter)

3 COMMISSIONER LETT: I guess, you know, those  
4 of you who actually have a job that you have to either  
5 stay home for or go to, you know, give us some idea of  
6 what we gotta work around for you.

7 COMMISSIONER WITJES: Oh, I'm -- I'm gonna  
8 start. I'm pretty much open. I've been working closely  
9 with HR, and they are more than willing to bring me down  
10 to either part-time or give me some sort of a leave for  
11 the next year, if I need to take it. So I just need to  
12 have something concrete presented to them, saying these  
13 are when we are gonna meet, this is how often we could  
14 possibly meet, and if it gets to a certain level where  
15 it's so high, then they'll be willing to most likely  
16 give me a leave away and secure my job for when this is  
17 all over.

18 COMMISSIONER LETT: Okay. Rhonda?

19 COMMISSIONER LANGE: Okay. I'm self-employed,  
20 so I'm pretty well open. I can adjust my schedule to  
21 fit, other than some dates that are already set. So,  
22 for the most part, I would say any time for me will  
23 work.

24 COMMISSIONER LETT: Now, you're -- you're  
25 selling real estate in Reed City?



1 COMMISSIONER LANGE: Yes.

2 COMMISSIONER LETT: Well, you've probably sold  
3 every house in Reed City that's up for sale, haven't  
4 you?

5 COMMISSIONER LANGE: I think right now, it's  
6 close to it. It's a busy market right now.

7 COMMISSIONER LETT: Who -- who else?  
8 Brittni?

9 COMMISSIONER KELLOM: Yeah. So sometimes I  
10 have to attend court hearings and do victim  
11 accompaniment, as well as facilitate online learning for  
12 my kiddos, meaning, the kids that I work with, because I  
13 don't have any children yet.

14 My job, when I'm working for someone else, is  
15 flexible, but I think if it became a situation where it  
16 became like a considerable amount of my days being taken  
17 away, I would have to discuss other options with them.

18 But, yes, I'm flexible, kind of. And it's --  
19 it's unfair for me to say my weekends open, because I  
20 know those are sacred for so many of us. So, yeah, my  
21 demands are high in terms of my work, but there is  
22 flexibility, if that makes sense, kind of like what  
23 Dustin was discussing.

24 COMMISSIONER LETT: Dr. Anthony, I'd like to  
25 hear from you.

1 COMMISSIONER EID: Still student doctor now.

2 Give me about two years and we'll be there.

3 You know, luckily -- well, this actually is  
4 terribly, not luckily, but because of the coronavirus  
5 outbreak, the whole medical education system is really  
6 an unknown right now, so that gives me an opportunity to  
7 take some time off from that while I participate on this  
8 commission. So I'm pretty flexible.

9 I do think we should have a -- a consistent  
10 meeting date, if possible, whether we decide that's  
11 biweekly or weekly. We can talk about that.

12 COMMISSIONER LETT: Okay. Yeah, Cynthia?

13 COMMISSIONER ORTON: So in our -- in our  
14 binder that we received, there are some proposed --  
15 weekly or biweekly schedules. It just kind of says week  
16 of September 28th for different webinars and things.  
17 Are we going to do that, as well as have meetings where  
18 we are figuring out things amongst ourselves?

19 COMMISSIONER LETT: Yes.

20 COMMISSIONER ORTON: Okay. Just wanted to  
21 clarify.

22 COMMISSIONER LETT: Sure.

23 What -- I guess my thought process was to set  
24 some meeting date next week.

25 And, Erin, do you have your hand up?

1 COMMISSIONER WAGNER: My only thing was  
2 considering it has to be a public announcement, what  
3 kind of time frame does MDOS need to make that public  
4 announcement that we would be meeting again in the near  
5 future?

6 COMMISSIONER LETT: Mike?

7 MR. BRADY: What a great question. So I  
8 think -- so, for the Open Meetings Act, I believe -- let  
9 me see. The relevant section here is MCL 15.265. Don't  
10 worry about writing that down, I'm just pulling it up.  
11 It asks that -- it says: The meeting of public body  
12 shall not be held unless notice is given. And then it  
13 says: Regular meetings of a public body. There shall  
14 be posted within 10 days after the first meeting of the  
15 public body in each calendar or fiscal year, a public  
16 notice stating the dates, times and places of its  
17 regular meetings.

18 So these, to be clear, because I'm not gonna  
19 read you the whole Act, can be changed later on. But  
20 for some public bodies, you might say, well, we're gonna  
21 meet on the -- you know, every other Friday, we're gonna  
22 meet on the, you know, second Friday of the month.  
23 We're gonna, you know, various (inaudible) organized in  
24 different places, as you have undoubtedly experienced  
25 yourself.

1           It also allows for individual special meetings  
2 to be called. And those special meetings require, under  
3 normal circumstance, 18 hours of -- of notice. And so,  
4 you know, if there's an emergency, it doesn't actually  
5 have to be an emergency, but 18 hours public notice  
6 allows for a special meeting to occur.

7           I would say the practical matter, while I  
8 appreciate the -- well, no, I don't wanna talk you out  
9 of a meeting next week, but I do wanna (inaudible) just  
10 a little bit that we are thrilled to assist in the --  
11 the things you've asked us to assist with. But it's  
12 gonna take a moment to actually connect with, for  
13 example, legislative council. And so, even if this  
14 meeting were, you know, a full week from now, I -- I  
15 just don't know yet whether I'm gonna have an answer on  
16 all of these things from the legislative council.

17           That said, I think it's abundantly clear, you  
18 all have plenty of work to do. And so, as soon as we're  
19 ready -- as soon as we -- some of the things, you know,  
20 probably are able to turn around, like a job  
21 description, for example, in fairly short order. Other  
22 things, like the payroll, may -- may or may not. I just  
23 have to work through, you know, reach out to people and  
24 legislative council and kind of work through some of  
25 those things.

1           So, again, your -- your question was about  
2 timing, and 18 hours is the minimum standard that has --  
3 or the minimum amount of time that public notice has to  
4 be posted. And to the degree possible, that you're able  
5 to come up with, you know, just some proposed regular --  
6 sched -- quote, unquote, some regularly scheduled  
7 meeting. That is what the Open Meetings Act would  
8 anticipate from most public bodies that's gonna work.

9           The caveat -- or not the caveat. The  
10 challenge here, frankly, is that -- and I don't know if  
11 California commissioners had a chance to get into this  
12 yesterday, but in the prior meetings that we had had  
13 with them over the last year-and-a-half, they made clear  
14 that it was really, you know, ebb and flow to the work.  
15 It's a lot of work up front, getting a team built,  
16 getting payroll, getting RFP, interviewing legal  
17 counsel, and all of that.

18           And then, at some point, I don't know if the  
19 work ever fully, you know, went away, but there was  
20 definitely, you know, some weeks where it was slower and  
21 some weeks that were very, very involved, very intense.

22           And so that's, I think, just perhaps -- you  
23 know, one of the challenges that I see for the Open  
24 Meetings Act and what regular meetings might mean.

25           COMMISSIONER LETT: Mike, if -- if I'm

1 remembering correctly, and I probably aren't because I  
2 -- until this commission, I wasn't that involved with  
3 open meetings, but an adjourned meeting -- if we were to  
4 adjourn this meeting, we would have to provide notice  
5 within X number of time as to the next date that it's  
6 adjourned to, am I correct in that?

7 MR. BRADY: Yeah. That, I believe, is  
8 referenced -- forgive me, I'm just looking over the  
9 statute here.

10 I think he uses the word recess. This is  
11 Subsection 5, a meeting of the public body that is  
12 recessed for more than 36 hours shall be reconvened only  
13 after public notice that is equivalent to the notice  
14 required under Subsection 4.

15 COMMISSIONER LETT: Okay.

16 MR. BRADY: So, yeah, so, you know, if it's  
17 more than 36 hours, then you've gotta re-notice the  
18 meeting. And again, to do a special meeting would be 18  
19 hours.

20 So, under any event, if you want to meet next  
21 week, we can set that up for you. And, you know, I'm  
22 not trying to talk you out of that at all. And we'll  
23 get as much ready for you for that.

24 COMMISSIONER LETT: Ed?

25 COMMISSIONER DECKER: Yeah. Steve, I just

1 wanted to mention next week, I would not be able to  
2 attend next week, but given, obviously, a regular  
3 schedule, I can build that in.

4 COMMISSIONER LETT: All right. Anybody else  
5 that --I mean, I'm not --

6 Go ahead, Doug.

7 COMMISSIONER CLARK: Yeah. I mean, I would  
8 suggest that, as it was already mentioned, on page 12,  
9 there's some agenda proposals set up by the state with  
10 some webinars. And we take one day a week to meet and  
11 go through those, and then another day to go through  
12 the -- the other business that we need to,  
13 independently.

14 COMMISSIONER LETT: Okay. So I think that --  
15 well, I mean, I don't want to meet certainly without Ed,  
16 so, we're looking not at next week, but the week after,  
17 which is the week of the 28th through the 2nd. I am  
18 just gonna pick -- pick a day. The 30th, October 30th,  
19 does that work for everybody?

20 COMMISSIONER KELLOM: You mean September?

21 COMMISSIONER LETT: I'm sorry. Yes,  
22 September. I went to October, but that is September.

23 COMMISSIONER KELLOM: At what time?

24 COMMISSIONER LETT: 9:00. 9 to 5.

25 COMMISSIONER WITJES: Did I hear correctly,

1 like scheduling two meetings a week at this point in  
2 time, from Doug, or no?

3 COMMISSIONER CLARK: No, I just threw that out  
4 as an idea.

5 COMMISSIONER WITJES: Oh, okay.

6 COMMISSIONER DECKER: Steve, I apologize.  
7 September 30th is not a good day for me. That's a  
8 Wednesday?

9 COMMISSIONER LETT: Yeah.

10 COMMISSIONER DECKER: Yeah, that's something  
11 that I am obligated to that I can't get out of.

12 COMMISSIONER LETT: How about Thursday?

13 COMMISSIONER DECKER: Thursday is good.

14 COMMISSIONER LETT: October 1st.

15 Okay. Not hearing any objections, October  
16 1st, 9 to 5-ish, and we'll work on the agenda.

17 COMMISSIONER ROTHORN: I'm so sorry, Steve.  
18 Yes, we're trying to do regular meetings, right? If we  
19 could avoid Wednesdays and Thursdays for my schedule,  
20 that would be fantastic. Mondays and Tuesdays are ideal  
21 for me.

22 COMMISSIONER LETT: Okay.

23 COMMISSIONER ROTHORN: If it's possible for  
24 others.

25 COMMISSIONER LETT: I'm -- I'm good with



1 Monday or Tuesday of that week.

2 Rhonda?

3 COMMISSIONER LANGE: I'm seeing Brittni's  
4 face. So I know -- I know what you're saying about set  
5 -- yes, let's have a set amount for the weeks that we're  
6 gonna do it, maybe one or two meetings a week, but have  
7 them on different days to try to accommodate everybody.  
8 So even if one or two commissioners can't be there, at  
9 least they're not gonna miss every one. If somebody has  
10 a schedule where Mondays and Tuesdays are just crazy at  
11 their work, then we don't have to take the chance of the  
12 same commissioners missing the same meetings over and  
13 over. I think -- trying to be fair to everybody.

14 COMMISSIONER LETT: Well, that -- that raises  
15 an excellent point. There are 13 people, and some of  
16 you all work, and I don't know what we are gonna do.  
17 It's -- it's the same with any group. You, often times,  
18 can't get everybody together all on the same day at the  
19 same time.

20 So I guess we're at -- looking at September  
21 28th or 29th of that week. Do either one of those days  
22 work for anybody? Or don't work -- does not work?

23 COMMISSIONER ROTHORN: Sally has something.

24 MS. MARSH: Steve, can I just briefly offer --  
25 if I can just briefly offer, if you all set your next

1 meeting date and ask that the Department of State helps  
2 you convene it, and, you know, Mike, feel free to  
3 correct me if I'm wrong on this, but we could -- we can  
4 ask for your longer term availability and report back to  
5 all of you in that meeting in order to establish a more  
6 regular meeting, if that would be helpful for all of  
7 you.

8 COMMISSIONER LETT: It wouldn't hurt.

9 Mike?

10 MR. BRADY: Yeah, I was gonna speak to that,  
11 and also, you know, just be happy to assist in that way.

12 If -- if the next meeting, you're looking at  
13 the week of the 28th, and I think I heard you say the  
14 week of the 28th and 29th, I wasn't gonna speak up, but  
15 the -- the one thing, just as a practical matter of us  
16 staffing it, is that there's an election coming up. And  
17 Sally, one of the other responsibilities of the  
18 Department of State, of course, is -- is working on  
19 elections. So aside from, of course, title,  
20 registration and vehicles, and -- and the like. So  
21 we -- leading up to the election, Mondays are -- are  
22 just very full days with the Bureau of Election and  
23 with -- you know, working with clerks and the A.G.'s  
24 office, and just all of the different things to make  
25 sure that everything is lining up the way they need to

1 be.

2 So at least until after November 3rd, that's  
3 one practical matter that I ask if, you know, Sally and  
4 I would be limited in our ability to fully support you,  
5 and the rest of the team to fully support you on  
6 Mondays.

7 COMMISSIONER LETT: Okay.

8 COMMISSIONER EID: How about that Friday?

9 COMMISSIONER LETT: That's what I was gonna  
10 say, how about we try Friday? That would be October  
11 2nd.

12 COMMISSIONER KELLOM: That works for me.

13 MR. BRADY: So we're not gonna go next Friday?

14 COMMISSIONER LETT: No. We wanted to give  
15 the -- the -- the secretary staff time to accumulate the  
16 information.

17 COMMISSIONER CLARK: I was -- I was thinking  
18 maybe we would wanna continue the discussion in case  
19 there's things we've missed and so forth.

20 COMMISSIONER LETT: Oh, we've definitely  
21 missed -- we didn't get through this agenda, I'll tell  
22 ya that.

23 COMMISSIONER CLARK: No, we didn't. No. I  
24 mean, I almost suggest every Thursday and Friday we do  
25 this 'til we get our hands around it.

1 COMMISSIONER WITJES: I would agree, because I  
2 need to -- I need to get something to -- oops, sorry. I  
3 need to get something to my employer sooner rather than  
4 later, in regards to, if I need to either -- well, quit,  
5 which I don't wanna to do, move part-time, or work with  
6 HR to get me a leave so that I can have my full  
7 attention here.

8 COMMISSIONER ROTHORN: And I can move my  
9 Wednesdays -- what I'm -- what I'm -- what I'm hearing  
10 is that -- I think I can be flexible. And the 30th, if  
11 that's -- if that's preferable to the -- the 2nd, I  
12 think I can make that work. And I like the idea of  
13 doing it weekly, having a weekly -- yeah. So what I  
14 need is Wednesdays, I'm gonna try to say, are on the  
15 table.

16 COMMISSIONER LETT: Wednesday doesn't work  
17 this next week because Ed's not gonna be here.

18 COMMISSIONER ROTHORN: No, I'm speaking of  
19 30th and -- and going forward.

20 COMMISSIONER EID: Well, it doesn't sound like  
21 anybody had a problem with Fridays. If we wanna do one  
22 every Friday, we can do that, too.

23 COMMISSIONER LETT: Yep. Wanna try to meet  
24 next Friday? Mike and Sally, is that -- does that work  
25 for you two, or whatever you send?

1 MR. BRADY: Yes, we can make that work.

2 MS. MARSH: Yeah, I think we can make that  
3 work.

4 COMMISSIONER LETT: Everybody else?

5 COMMISSIONER WITJES: I can make that work.

6 COMMISSIONER LETT: Rhonda? Hand's up?

7 COMMISSIONER LANGE: I just -- I just have one  
8 quick question. There is one Friday that I have a  
9 morning commitment. It's possible to join the meeting  
10 late, correct?

11 COMMISSIONER LETT: Yes.

12 COMMISSIONER LANGE: No issues with doing  
13 that?

14 COMMISSIONER LETT: We have not set Friday as  
15 the day every week. We're just working on next week  
16 right now.

17 COMMISSIONER LANGE: Oh, oh. Then, yeah, I'm  
18 good for next week.

19 COMMISSIONER LETT: Now, that may end up being  
20 it, but we're just trying to get through one week.. All  
21 right. Next Friday.

22 COMMISSIONER DECKER: Now, Steve, I can't be  
23 in next week, but if that's okay, I can catch up. Next  
24 week, the week after this week.

25 MIKE Brady: Maybe we'll be online.

1 COMMISSIONER DECKER: My problem is I'm going  
2 through an audit at work, so my attention will be pretty  
3 much tied up for Thursday and Friday of next week.

4 COMMISSIONER KELLOM: The 25th, right? The  
5 24th and 25th?

6 COMMISSIONER DECKER: Correct.

7 COMMISSIONER KELLOM: I like to use dates.  
8 Sorry.

9 COMMISSIONER LETT: All right. I'll -- I'll  
10 leave it to -- to the group. We have an issue that's  
11 gonna be an issue probably every meeting, one of us  
12 can't be there. Obviously, it'll be on YouTube and  
13 Facebook what we did. Give you something to do on the  
14 weekend, Ed.

15 COMMISSIONER DECKER: Right.

16 COMMISSIONER LETT: So are we good,  
17 understanding that Ed is not going to be available, most  
18 likely, and we'll do October 2nd starting at 9:00 and  
19 running until 5? Good to go?

20 All right. October 2nd.

21 COMMISSIONER WITJES: Oh, I thought it was the  
22 25th.

23 (Multiple speakers).

24 COMMISSIONER LETT: I'm sorry, I'm sorry.  
25 Yes, 25th. September 25 -- 25, 9:00. 9 to 5.

1 We're at the order of the day for comment.

2 Sally, would you do the honors and get us  
3 going with our public comment person, please?

4 MS. MARSH: Yes. Thank you.

5 Before we do, I just wanna verify, and, you  
6 know, apologies. We're all learning on the fly here.  
7 Do we need to -- you don't have -- okay. Good. I was  
8 just waiting for confirmation from Mike that you all  
9 didn't need to formally vote in order to schedule a  
10 meeting. So you are all set on that front.

11 And, you know, acting chair, if you'd like to  
12 read the introduction for --

13 Mike, are you good?

14 MR. BRADY: My note was that -- it wasn't  
15 clear to me that they had actually -- I don't know that  
16 they need to vote to schedule the meeting, but to have  
17 us, you know, do all of the things on their behalf.

18 COMMISSIONER LETT: Yeah, that's what we want.  
19 You got it.

20 COMMISSIONER ORTON: So I move that we meet  
21 next Friday, September 25th at 9 a.m., and that we have  
22 the Secretary of State -- or, I don't know want to call  
23 you guys -- the MDOS, support that meeting and advertise  
24 that meeting.

25 FEMALE SPEAKER: I second.

1 FEMALE SPEAKER: Thank you, Cynthia.

2 COMMISSIONER LETT: All in favor, say aye?

3 (Chorus of ayes)

4 COMMISSIONER LETT: All opposed? Same sign.

5 Motion passes. Meeting will be September 25th

6 at 9:00 -- beginning at 9:00.

7 COMMISSIONER ROTHORN: And any end time?

8 COMMISSIONER LETT: Standard time, 9 to 5.

9 COMMISSIONER ROTHORN: 9 to 5. Okay.

10 COMMISSIONER LETT: Okay. I apologize, Sally.

11 I hope you have the intro on the public comment, because  
12 mine did not print off in its entirety, and I don't have  
13 it.

14 MS. MARSH: I do indeed. Would you like me to  
15 read it out?

16 COMMISSIONER LETT: Please. Save me.

17 (Laughter)

18 MS. MARSH: Thank you, acting chair.

19 We will now open the floor to public comment  
20 for members of the public who signed up to participate  
21 in today's section. For those of you who just joined  
22 us, a few reminders about public comment for this  
23 two-day section -- section, I should say.

24 Because this is a virtual meeting, members of  
25 the public had to sign up in advance to address the



1 commission. Staff from the Department of Safe, myself,  
2 will unmute each member of the public for up to 90  
3 seconds on a first come, first serve basis. We have one  
4 person who has signed up in advance this afternoon  
5 address the commission.

6 To the members of the public participating in  
7 public comment, please note you have no more than 90  
8 seconds to address the commission this morn -- this  
9 afternoon. And to any member of the public who is  
10 watching, you can submit your thoughts to the commission  
11 by emailing our office, Redistricting@Michigan.Gov, if  
12 you did not participate in live public comment, but have  
13 a comment you'd like to make to the commission.

14 So I will call on the public comment  
15 participant, and -- and make sure that you know that you  
16 are unmuted, and then you will have 90 seconds to  
17 address the commission.

18 So our first public comment participant is Bob  
19 Dindoffer. I apologize if I mispronounced your name.  
20 Please feel free to correct me in your comments and  
21 allow us a moment for the staff to unmute you.

22 You should now be unmuted and you will be able  
23 to address the commission.

24 BOB DINDOFFER: Thanks, Sally, and thanks to  
25 the commission. It's -- it's been a pleasure seeing you

1 guys work a little bit. I might be the only nerd who --  
2 who -- who's watching the whole thing. I hope not.

3 My comment was, and I did email a couple of  
4 you with it, and I know I have 90 seconds, the challenge  
5 I see based on the law is that a purely centralized  
6 committee staff could lead to a -- a lack of  
7 commissioner autonomy, and -- and kind of an echo  
8 chamber effect. Most legislative bodies address it by  
9 giving each of their members a staff member, like an  
10 attorney or a trusted adviser, a chief of staff, what  
11 have you, that would allow you to bounce ideas off of  
12 someone in your own privileged way, either under  
13 legislative privilege or under attorney/client  
14 privilege.

15 This is a particularly important given the  
16 structure of the constitutional amendment, because you  
17 are prohibited from seeking advice from members of the  
18 general public, except in writing or at a noticed  
19 meeting. Taken it to logical extreme, this means maybe.  
20 You can't even talk to your spouse about committee  
21 business. Now, that would be, you know, left to the  
22 interpretation of the courts. But I'm saying, if you  
23 want to have a trusted adviser and you want to be  
24 autonomous and avoid an echo chamber effect, please  
25 consider voting to approve a slate of staff members that

1 you would each pick for yourselves. And I could provide  
2 more information if the -- if the commission is  
3 interested on this concept.

4 Thank you for your time. I appreciate it.

5 MS. MARSH: Thank you. That concludes our  
6 public comment this afternoon.

7 COMMISSIONER LETT: Assuming that  
8 Mr. Dindoffer is continuing to observe us on whatever he  
9 is observing us on, I will acknowledge that I did  
10 receive, today, an email from him, basically with the  
11 same comments that he just gave us. And I will forward  
12 those to -- I guess I'll forward them to Sally for  
13 inclusion in our written comments that we receive. And  
14 that we have, obviously, received his oral comments.  
15 And whatever consideration we give to it will be  
16 whatever we give to it. We will not reply on that basis  
17 to it specifically.

18 Having said that, we have assumed our next  
19 day -- date, and that is done. Unless there is  
20 something burning to bring, I would entertain a motion  
21 to adjourn.

22 COMMISSIONER WITJES: I've got a -- I do have  
23 a point of order to correct the record.

24 COMMISSIONER LETT: Sure. Point of order, go  
25 ahead.

1 COMMISSIONER WITJES: Steve Lett is no longer  
2 acting chair. He is now the chair.

3 COMMISSIONER LETT: I was hoping that you guys  
4 might have missed that so I could skate out if things  
5 got a little too hot.

6 All right.

7 COMMISSIONER ROTHORN: Last thing is, should  
8 we just submit ideas for like sending thank you notes,  
9 like little things we do today, address that to the  
10 agenda for next time?

11 COMMISSIONER LETT: Sure. Yeah, you can --  
12 yeah, we can do that.

13 MS. MARSH: And -- and, commissioners, and I'm  
14 sure Mike's about to hop in and make the same point, I'm  
15 happy to take a few minutes to write down agenda items  
16 you'd like to cover in the next time. You can also  
17 email that to our staff and we'll -- we'll build the  
18 agenda in a way, so that if there's something that's not  
19 listed, you have the opportunity to bring it up on the  
20 agenda.

21 COMMISSIONER LETT: Okay. I gotta --  
22 following up on that with Mike. On building the agenda,  
23 you guys have given it to us. Okay. So you're not on  
24 the commission. Can I, and whoever else has agenda  
25 items, send them -- can we work up the agenda with you

1 and Sally?

2 MR. BRADY: I think you can. I -- I don't  
3 think that falls within the constitutional prohibition  
4 on discussing redistricting.

5 COMMISSIONER LETT: I agree. We're not making  
6 a decision, we're setting the agenda.

7 All right.

8 COMMISSIONER EID: Real quick --

9 MR. BRADY: It's not --

10 COMMISSIONER LETT: Go ahead, Mike.

11 MR. BRADY: Sorry. Forgive me. Just it's --  
12 it's not about the decision, it's about the  
13 deliberation. It's -- it's a big thing with the Open  
14 Meetings Act, and in turn, with the constitutional  
15 language. So you guys did make decisions today, but any  
16 of the discussion about redistricting is subject to it.  
17 But, any event, (inaudible).

18 COMMISSIONER LETT: Anthony?

19 COMMISSIONER EID: Real quick, if you guys  
20 would like to privately message me your phone numbers, I  
21 can create a group chat that we can use purely for  
22 social reasons. I hope to get to know the 12 of you a  
23 lot more, and I think the better we know each other, the  
24 more successful we will be in our mission. So you can  
25 message me here in the Zoom private little chat here at

1 the bottom right.

2 COMMISSIONER LETT: Okay.

3 MR. BRADY: So that's --

4 COMMISSIONER LETT: I'm not -- I'm not ignore  
5 -- I'm not ignoring you, Rhonda. Go ahead. I think  
6 Mike's just dying to make a comment, but I'm gonna take  
7 Rhonda first.

8 COMMISSIONER LANGE: I just have one quick  
9 question about the agenda. Will we get a copy of the  
10 agenda prior to meeting so we can kind of prepare for  
11 that, too?

12 MS. MARSH: Absolutely.

13 COMMISSIONER LETT: Okay. Mike?

14 MR. BRADY: I'm sorry. The -- the only thing  
15 I wanted to point to, Anthony, is that before anybody  
16 puts their personal cell phone information in there,  
17 again, you're acting on a government -- you know, this  
18 is a public space, and so, if there's -- if there's any  
19 way -- I don't know Zoom well enough, but if there's any  
20 way that that's actually preserved, then it's preserved.  
21 And that's a public record. Welcome to the public  
22 sector. I just wanted to speak out and flag this for  
23 you. That's why I spoke up in the way that I did.

24 And forgive me, Rhonda, Steve, and the rest of  
25 the commission, I certainly wouldn't wanna step on

1 anyone's toes, but I want to make sure you're sensitive  
2 to -- you know, what I'm saying now will -- will live  
3 for at least 10 years, because that's the record  
4 retention of this document. And -- and the document  
5 being not just the transcription, but the actual video  
6 of watching me and each of you. I just wanted to flag  
7 that for you.

8 COMMISSIONER LETT: I think that to be safe  
9 for anybody, assume that anything you see or hear or say  
10 on Zoom in any form, chat, shared screen, whatever, is  
11 recorded, and it would be discoverable. So just -- I  
12 mean, operate that way.

13 Doug?

14 COMMISSIONER CLARK: One -- one of the  
15 items -- you know, we talked about email addresses and  
16 so forth today.

17 COMMISSIONER LETT: Right.

18 COMMISSIONER CLARK: Can we get a mobile  
19 phones as a discussion on the next agenda, from the  
20 state? Mobile phones out of the states? Because they  
21 are gonna -- because text messages are discoverable as  
22 well.

23 COMMISSIONER LETT: And I think Sally was  
24 gonna get us everybody's email now.

25 COMMISSIONER CLARK: Okay.

1 COMMISSIONER LETT: Right, Sally? You're  
2 gonna send us a list of emails for everybody?

3 MS. MARSH: If you all would like, I can -- I  
4 can share your personal emails, yes.

5 COMMISSIONER LETT: You can have mine.

6 MALE SPEAKER: I'm good.

7 COMMISSIONER LETT: Okay. Then we'll get you  
8 something, Anthony.

9 COMMISSIONER EID: Yep. Okay.

10 COMMISSIONER LETT: Okay. Motion?

11 COMMISSIONER WITJES: Motion to adjourn until  
12 next Friday at 9 a.m.

13 COMMISSIONER LETT: Second?

14 FEMALE SPEAKER: Second.

15 COMMISSIONER LETT: All right. All in favor,  
16 say aye.

17 (Chorus of ayes)

18 COMMISSIONER LETT: All opposed, say I'll wait  
19 hear until next Friday.

20 MALE SPEAKER: I got nothing better to do.

21 COMMISSIONER LETT: We're all done. Thank  
22 you, people. While we didn't get through everything, we  
23 got through a lot. Everybody have a great weekend.  
24 Good-bye.

25 MALE SPEAKER: Good-bye, everybody.



1 COMMISSIONER LETT: Thank you.

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