

DISCLAIMER: This is NOT a certified or verbatim transcript, but rather represents only the context of the class or meeting, subject to the inherent limitations of realtime captioning. The primary focus of realtime captioning is general communication access and as such this document is not suitable, acceptable, nor is it intended for use in any type of legal proceeding.

MICRC

20240108-1000 Meeting

Captioned by Q&A Reporting, Inc., www.qacaptions.com

>> CHAIR ORTON: As Chair of the Commission, I call the meeting of the Michigan Independent Citizens Redistricting Commission to order at 10:01 a.m.

This Zoom webinar is being live streamed on YouTube on The Michigan Independent Citizens Redistricting Commission YouTube channel.

For anyone in the public watching who would prefer to watch via a different platform than they are currently using, please visit our social media at Redistricting MI.

Our live stream today includes closed captioning. Closed captioning, ASL interpretation, and Spanish and Arabic and Bengali translation services will be provided for effective participation in this meeting. Please E-mail us at Redistricting@michigan.gov. For additional viewing options or for additional details for accessing language translation services for this meeting.

People with disabilities or needing other specific accommodations should also contact Redistricting at Michigan.gov.

This meeting is also being recorded and will be available at www.Michigan.gov/MICRC for viewing at a later date.

This meeting also is being transcribed and those closed-captioned transcriptions will be made available and posted on the Michigan.gov/MICRC website and written public comment submissions. There is a public comment portal accessed Michigan.gov/MICRC.

Members of the media who may have questions before, during or after the meeting should direct those questions to Edward Woods III, Executive Director For the Commission at WoodsE3@Michigan.gov or 517-331-6309.

For the public watching and the public record I will turn to the department of state staff take note of the commissioners present.

>> YVONNE YOUNG: Good morning. Commissioners, please say present when I call your name. And if you are attending the meeting remotely, please announce during roll call that you are attending the meeting remotely. And unless your absence is due to military duty, announce your physical location by stating the county, city, township, or village and the state from which you are attending the meeting.

I will begin roll call alphabetically with Commissioner Andrade?

>> ELAINE ANDRADE: Present from Imlay Township, Michigan.

>> YVONNE YOUNG: Commissioner Callaghan?
Commissioner Curry?

>> COMMISSIONER CURRY: Present; and attending remotely from Detroit, Michigan.

- >> YVONNE YOUNG: Commissioner Eid?
- >> COMMISSIONER EID: Present; remotely attending from Detroit, Michigan.
- >> YVONNE YOUNG: Commissioner Kellom? Commissioner Lange?
- >> COMMISSIONER LANGE: Present; attending remotely from Reed City, Michigan.
- >> YVONNE YOUNG: Commissioner Lett?
- >> COMMISSIONER LETT: Present; attending from Lee County, Florida.
- >> YVONNE YOUNG: Commissioner Muldoon?
- >> MARCUS MULDOON: Present from Carlton, Michigan.
- >> YVONNE YOUNG: Commissioner Orton?
- >> CHAIR ORTON: Present; attending remotely from Battle Creek, Michigan.
- >> YVONNE YOUNG: Commissioner Szetela?
- >> COMMISSIONER SZETELA: Present; attending remotely from Wayne County, Michigan.
- >> YVONNE YOUNG: Commissioner Vallette?
- >> COMMISSIONER VALLETTE: Present; attending remotely from Highland Township, Michigan.
- >> YVONNE YOUNG: Commissioner Wagner?
- >> COMMISSIONER WAGNER: Present; attending remotely from Eaton Township, Michigan.
- >> YVONNE YOUNG: Commissioner Weiss?
- >> COMMISSIONER WEISS: Present; attending remotely from Saginaw Township, Saginaw Michigan.
- >> YVONNE YOUNG: Thank you, Commissioners. Madam Chair, we have 11 Commissioners present you have a quorum. Thank you.
- >> CHAIR ORTON: Thank you, Ms. Young.
- >> YVONNE YOUNG: You're welcome.
- >> CHAIR ORTON: As a reminder to the public watching, you can view the agenda at www.Michigan.gov/MICRC. I would now entertain a motion to approve the agenda.
- >> COMMISSIONER LETT: So moved.
- >> CHAIR ORTON: Moved by Commissioner Lett and seconded by Commissioner Curry. Is there any discussion or debate on the motion? Seeing none, all in favor of adopting the agenda raise your hand and say aye.
- >> Aye.
- >> CHAIR ORTON: Any opposed raise your hand and say nay.
- >> COMMISSIONER LANGE: Nay.
- >> CHAIR ORTON: Okay. The ayes prevail and the adoption and the agenda is adopted.

Without objection, Vice Chair Janice Vallette will facilitate the comment pertaining to the agenda topics portion of our meeting today. Hearing no objection please proceed Commissioner Vallette.

>> COMMISSIONER VALLETTE: Without objection we will begin the public comment for the agenda topics portion of our meeting.

Hearing no objections, we will now proceed with public comment.

Individuals who have signed up and indicated they would like to provide live, remote public commentary to the Commission will now be allowed. I will call your name and our staff will unmute you. If you are on a computer you will be prompted by the Zoom app to unmute your microphone and speak. If you are on the phone a voice will say that the host wants you to speak and prompt you to press star six to unmute. I will call on you by name or by the last four digits of your phone number. Also, please note if you experience technical or audio issues or we do not hear from you for three to five seconds, we will move on to the next person in line and then return to you after they are done speaking.

If your audio still does not work e-mail redistricting@Michigan.gov and we will help you troubleshoot so you can participate in the next public comment period at a later meeting. You have 90 seconds to address the Commission. Please conclude your remarks when you hear the timer.

First in line to provide public comment is James Gallant. Please allow our staff a moment to unmute you.

>> Hello, can you hear me?

>> COMMISSIONER VALLETTE: We can hear you.

>> All right, hey, James Gallant, Marquette County Suicide Prevention Coalition. These are my opinions. I believe that member Lett's motion to block this vacate Eid hearing that we are having today, this is the hearing for the Eid to vacate case. Because that was out of order and automatically null and void under Robert's Rules. Because you did not rescind the prior decision. You now you have two meetings scheduled for the same time and same place and that is not even physically possible.

And rule number 4-6 bars Reinhardt and Brady from being the parliamentarian. And it says only the general counsel, or you can hire a certified professional. And my prediction is that Secretary Benson will face a recall petition in 2024 for not being here today to do the roll call and determine a quorum as required under the Constitution, amongst other things.

And I believe that Eid did gross conduct in office as defined by Mr. Leitle for failing to follow Robert's Rules of Order as instructed by Mike Brady while acting as the Chair and Hammersmith application subcommittee with Commissioner Witjes. And then there is the text messaging between Eid and Szetela, a closed session during a public meeting. If Witjes got the same text message during that same meeting then that is the shenanigans. Eid did talk to Witjes and will hide the little dirty deed. And then he did, Eid did approve draft maps. When you end your turn, you unilaterally approve the draft maps and go to the next one. Lett just changed this and said I'm going to change back what that person did and that's what I'm going to do, and I've now changed the mat

unilaterally. That is why you are supposed to have a question and then you vote on the amendments.

>> COMMISSIONER VALLETTE: Thank you for addressing the Commission. Next in line is Robert Dindoffer. Please allow a moment for the staff to unmute you.

>> MS. SARAH REINHARDT: That participant is not present.

>> COMMISSIONER VALLETTE: Next in line is Anthony Skinnell. Please allow a moment for our staff to unmute you.

>> Good morning. Thank you so much, Commission. I think you did a good job for the most part on the State House maps. Got a lot of choices. And I don't know which one is the best. But if I can say Tulip that is probably a no just from my perspective of districts one and two. Mainly looking at that area. And, yeah, so Tulip that is a no from my perspective, but I know it's not on the agenda today. You got a stacked agenda. I'll just go piece by piece 5A individual map presentation, I think it's great the Commissioners who have done a map and added another opportunity District where you weren't even thinking of it. I think that's a great thing. I think it was great that an effort was made to put Taylor together. For some reason you said that made the partisan fairness numbers worse. But that does not seem plausible or because everyone knows if you put Taylor whole it would be an evenly split District but the way you have it configured now neither of those are going to go blue. But that's just the way it is. So any way okay that is 5A agenda item. 5B Supreme Court drop that, quit wasting our money and 5F too national redistricting conference. Is that going to cost money for anyone to attend or is that just a Zoom date? I don't know. I would like to know. National redistricting conference seems like a waste of money for Michigan's perspective.

Yeah, I will leave it there thanks.

>> COMMISSIONER VALLETTE: Thank you for addressing the Commission. Next in line is Sarah Howard. Please allow our staff a moment to unmute you.

>> MS. SARAH REINHARDT: That participant is not present.

>> COMMISSIONER VALLETTE: Thank you. Next in line is Elizabeth Gary. Please allow our staff a moment to unmute you.

>> MS. SARAH REINHARDT: That participant is also not present.

>> COMMISSIONER VALLETTE: Thank you. Next in line is Alex McGuire. Please allow our staff a moment to unmute you.

>> Can you hear me?

>> COMMISSIONER VALLETTE: We are we can.

>> I would like to thank the Commission for their work and opportunity to speak. Bergamot are the worst in the meeting and over P represent the lakeshore and under mines partisan fairness in the broader region and amounts to a gerrymander wearing an fig leaf. I ask the Commission to please prioritize partisan fairness as well as explore other underrepresented COIs in the area such as Harper Woods school District and

south Lake school District in St. Clair Shores. Again thank you so much for your efforts and ensuring that Michigan maps Michigan's maps are fair. Have a great day.

>> COMMISSIONER VALLETTE: Thank you for addressing the Commission. Next in line is Chris Gilmer hill. Please allow our staff a moment to unmute you.

>> MS. SARAH REINHARDT: That participant is not present.

>> COMMISSIONER VALLETTE: Thank you. Next in line is Christine Krisleib. Please allow our staff a moment to unmute you.

>> Can you hear me?

>> COMMISSIONER VALLETTE: Yes we can.

>> Okay, my name is Christine and I live in District ten. And that District, you know, is composed of such desperate groups, you have the Central business District in Detroit, then you have you know, a block of primarily rental units along the gold coast. And then you have the Grosse Pointe municipalities. It just does not -- I don't see how any representative could or represent all of those people, all of those different interests in a very effective way. That's my first comment.

My second comment is I would like to see the Commission go forward with the hearing today regarding Mr. Eid. Thank you.

>> COMMISSIONER VALLETTE: Thank you. Next in line to address the Commission is James Gallant. Please allow our staff a moment to unmute you.

>> Okay, can you hear me?

>> COMMISSIONER VALLETTE: Yes, we can.

>> All right. James Gallant. Again, these are my opinions. You know, this whole time for, you know, last couple years, we have been driving on the Robert's Rules of Order. And that's not my opinion that you have to follow Robert's Rules, that is my personal opinion. My opinion is I agree with Mike Brady. Mike Brady is the one who instructed you, you have to follow Robert's Rules of Order, first meeting. And Commissioner Lett went straight to doing it and went four months. If you understand, if you looked at rules of procedure it will say adopted in February of 2021, yet you started in September of 2020. So what was it in between that time? It was Robert's Rules of Order as Mike Brady told you and you didn't do any of it. The transcripts show that you just systematically said, well, we are going to have the Chair going to no power than the others and do consensus building without actually changing the rules to do it. And you've actually introduced and institutionalized a Marxist style Communism. That is what this is, communalism. It's where you come together, and you are going create the question and then you are going to vote on it after. That's not what we do in capitalist societies like the United States of America under our Constitution. The question comes first. So then you are always protected. Now you are not protected because you all, individually approved those draft map. So the draft maps you then vote on at the end, whoever changed it last unilaterally changed that map. And Mr. Leitle is the one saying that you are supposed to be collectively drawing the maps and approving the drafts.

But you're not doing that. You are not doing it now. You should have started the motion to approve and divide the question.

>> COMMISSIONER VALLETTE: Thank you for addressing the Commission. That concludes our public comment. Please feel free to e-mail public comments at redistricting@Michigan.gov. We appreciate everyone who offers public comment in whatever way they choose and invite you to keep sharing your thoughts. Thank you.

>> YVONNE YOUNG: Excuse me, Madam Chair, I would like to acknowledge that Commissioner Kellom has joined. Commissioner Kellom, can you share where you are joining remotely from today?

I see is on and she might be having some technical issues.

>> CHAIR KELLOM: I was, good morning, from Wayne County, present.

>> YVONNE YOUNG: Thank you so much.

>> CHAIR ORTON: Thank you.

>> YVONNE YOUNG: Thank you, Madam Chair.

>> CHAIR ORTON: Next on the agenda is unfinished business 5A, individual map presentation. Without objection, I will ask Commissioner Rebecca Szetela to facilitate this item. Hearing no objection, please proceed, Ms. Szetela.

>> COMMISSIONER SZETELA: I will share my screen.

>> CHAIR ORTON: I can barely hear you.

>> COMMISSIONER SZETELA: Can you hear me now?

>> CHAIR ORTON: Yeah.

>> COMMISSIONER SZETELA: Okay.

Can you guys see that?

>> CHAIR ORTON: No. It looks like it started to share but then didn't.

>> COMMISSIONER SZETELA: Yeah, that is weird. I saw that. Looks like it's going now?

>> CHAIR ORTON: Yeah.

>> COMMISSIONER SZETELA: All right. Let me take this layer off. Okay. So this is my individual map. It's similar in some ways to some of the collaborative maps. I'm just going to kind of walk through some of the districts without the COI map on then I will put the COI map back on. So District 1, this was designed around for all of my districts. They are designed around a community of interest that the Commission had previously identified as being a community of interest. And I brought this up once before but, just for the record, we had a debrief session on October 28th, 2021. On pages 10-21 of the transcript you can see exactly what I'm talking about, but we went through the communities of interest after our public hearings and identified those communities of interest in the Detroit area in particular that we were going to try to make changes to the maps to honor. And that included Banglatown, it included the Palmer Park, Ferndale, LBGTQ community, Dexter Linwood, Latin X community of interest. The Grandmont, Rosedale, Minock Park neighborhoods. Cornerstone, Morningside, East English Village

neighborhoods. And then, excuse me, Oak Park, Orthodox Jewish community. So that is kind of what I drew any maps around. And I will put the layer back on so you can see, makes it a little easier.

So this is the Latino community of interest we received. This one right here is a Native American community of interest. Obviously it's split in this map, but it's still on my communities of interest list. This is the Morningside neighborhood. This is right here 10 and 11 is the Grosse Pointes. This area right here in 9 is the Hamtramck, Bangladeshi community. This area in 7 is Dexter Linwood. This area on 8 is the Palmer Park, Ferndale neighborhood. This area in 5 is the Orthodox Jewish community from Oak Park and parts of Southfield. This area right here in 16 is Rosedale, Minock Park and Grandmont neighborhoods. This area right here is a different area called Cody Rouge which requested to be together. And the last one out in Westland is the Native American community of interest out in Westland as well. So let me take that back off. Oops, put the wrong one on.

Okay, then in terms of just to show for the public, can you guys see the next screen I'm sharing? Can you guys see the Hamtramck community of interest?

>> MS. SARAH REINHARDT: We are still seeing the full map that you were sharing.

>> COMMISSIONER SZETELA: I will come back to that then. So all of those I drew around communities of interest. District 1 is Latino, District 2 we heard a lot of discussion in the last week or so about Melvindale and Lincoln Park to be together and preserves that. District 3 and 15 are keeping together that Arab community of interest we received comments about, keeping Dearborn mostly intact and Dearborn Heights intact with a little bit of Detroit where there is a high Arab American population and then a portion of Dearborn to balance out the population. District 4 is driven around that Cody Rouge neighborhood, a little is going in Dearborn Heights, but community of interest was kept in together. 5 is Oak Park with parts of Detroit and received lots of public comments about that, wanting to be together. And because we are pulling Oak Park down into Detroit, that includes the Orthodox Jewish community, so I grabbed the portion of Southfield, that also includes that community to keep the community of interest together. District 6 up here, into Birmingham, this was originally one of the districts that pulled all the way into Detroit. And this was made more compact. Keeps Birmingham and Royal Oak mostly intact together. District 7, this is structured around Dexter Linwood area we were asked to preserve together. District 8 preserves the Ferndale, Palmer Park community of interest, plus a little bit around it. District 9 is keeping Banglatown together. Then District 10 and 13, this is a little different from what's in the collaborative maps. And we did receive a lot of comments about the five Grosse Pointe communities wanting to stay together. And they are together in the Senate map and are together in the Congressional map and they were originally together in the Hickory map. However, when drawing these districts, it became more and more apparent to me both individually and watching the group as a collaborative

map trying to draw Detroit when trying to preserve these five communities. And how much these five communities were driving the construction of the districts going westward and really kind of dominating how we were drawing the maps. So I decided to kind of revisit that, go back through communities of interest, look at what else was out there and I think for this map I think it's probably best for Detroit which is what we are trying to remedy here to split those communities. I split them along communities of interest that were otherwise identified to us Morning Star, East English Village along here. And also Jefferson Chalmers, which is on the western border of Grosse Pointe Park had asked to be put with Grosse Pointe Park and Grosse Pointe and Grosse Pointe Farms. And put them together for a Detroit centric neighborhood. Same thing with East Point. We want to bring that in Detroit and not have the orphaned out into Macomb County, which was problematic in the Court's ruling. So I put those together along with Harper Woods. As we know Harper Woods, we received comments both ways, but many comments we received said Harper Woods specifically wanted to be with Grosse Pointe Woods and Grosse Pointe Shores, so now they are together. Instead of five communities take priority and really drive the rest of the map in a way that it becomes difficult, I decided to split them up in this map, knowing that our general policy was that we can't accommodate every community of interest in every map. And these communities are together in two other maps. And so I think in this particular map it's okay to split them.

All right. District 12, this is a much more compact District with St. Clair Shores, Roseville and a small sliver of East Point. District 13 is once again honoring a community of interest. So we received the Banglatown community of interest. And it starts in Hamtramck but kind of carries up into this portion outside of the Detroit area. And so by keeping this block together, I'm trying to, again, build around that community of interest. 14 is the shape is mostly based off 13. So we have Madison Heights and parts of Macomb and Warren together in a community of interest. And then the big change over here this is Inkster and this whole block here, as I had the map on earlier, let me find it again, visibility on, this is the Native American community of interest we were asked to preserve. In the prior map, based on advice from Mr. Adelson we had drawn the District up in Garden City to keep the voting rights numbers at 35%. And it divided that community, so by restructuring it, it, number one, converts this into a VRA District and results in this map having 12. And then it also preserves a community of interest at the same time. So I think that is sort of a win-win in terms of fixing that.

I will take that back off. All right. And then partisan fairness on this map is the least lopsided margin is 5.5, mean median is 2.4. Efficiency gap is 3.1. The seats vote is 60/50 with 1.7 democratic lean. So and then the last thing I wanted to address in the map all collaborative maps do not touch 16, 17 and 18. And those districts stack on top of each other 123. The original 16 goes west Detroit through Redford into Livonia. The original 17 goes from west Detroit through Redford into Livonia, original 18 into

Farmington Hills. Each districts were drawn using criteria that Mr. Adelson had given to us and drawn that way to reduce the Black voting age population in those districts because the Detroit area and Southfield had very highly concentrated Black populations and stretched them out intentionally to follow Mr. Adelson's advice. So I think based on the Court's order those districts are likely unconstitutional as well and we would be remiss in not changing them in any maps.

Same could be said for five and six, which were the two districts that were up and down on the original map. And so I changed those as well because I think if we are going back in and creating new maps we should be trying to adhere to the Constitution and to the extent these other districts were drawn based on criteria we have been told we can't use it's probably not a great choice to use them.

So, really quickly, I'm just going to show you the public comment portal. Can you guys now see the public comment screen?

>> CHAIR ORTON: Yes.

>> COMMISSIONER SZETELA: Okay, I got to see if I can move this bar so I can change what I'm doing here, sorry. I have a Zoom bar that is covering my ability to navigate between pages so I'm just going to stretch this out a little bit. So this is what I'm talking about community of interest. Everyone is based on public comment we received in 2021. This is the community of interest from Hamtramck you can see the map. That is the map I duplicated on my community of interest map. And then if we can go through them. Bangladesh, remember how I was mentioning how the community pulls up from Hamtramck, this is exactly what I was trying to duplicate in my map. East Point is sitting here and everything to the east or west of there is part of that Bangladesh community I was trying to preserve. The Latin X community is the map submitted by Oscar. He came last week and spoke to us again, so this is the Latin X community that drives District 1 and how that is configured. 5, Grandmont people did not give us maps for it and Rosedale Park, but we have many of these comments about these communities. And so I drew the map based on the neighborhood map which includes those communities.

The east suburbs, as I said, this is the map I look to for Grosse Pointe Park and then you have got the Morningside, Cornerstone neighborhood, East English Village. This map is what I'm talking about where they asked to be together with those particular neighborhoods. Orthodox Jewish community, this is that community up in Southfield, in Oak Park. As you can see these portions right here are Oak Park. This portion is Southfield, so I reunited them in my map. Just an example of comments saying Harper Woods should be with the Grosse Pointes. Got many of those. This is that Cody Rouge neighborhood that is in District 4. As you see it has a little bit of Warrendale down here as part of it. I ended up putting in Dearborn Heights to balance population, but overall the neighborhood and community of interest is kept intact.

The last one is the map submitted by Meredith Kennedy and came to us and spoke many, many times and this is where she asked for this Native American community of interest to be honored. Just north of Inkster.

And then this is actually the VRA analysis for this map. As you can see it has 12 districts, 1234, 567. 8, 9, 10, 11 and then this Inkster, District is 12.

All right. Any questions?

>> CHAIR ORTON: Commissioner Weiss?

>> COMMISSIONER WEISS: Out of the 7 contested districts obviously you changed all of those according to the Court. How many total districts out of the map itself did you actually change?

>> COMMISSIONER SZETELA: So I didn't go through and count. I saw the map that Kim had put up the other day but that did not have my map on it. I think it's safe to say there is at least 20 because there is 18 Districts in Metro Detroit area and I changed at least 18 of them plus the one from Inkster but I have not actually counted it myself.

>> COMMISSIONER WEISS: Okay thank you.

>> CHAIR ORTON: Commissioner Lange?

>> COMMISSIONER LANGE: Yeah, I just want to say thank you for showing the public comment portal and showing exactly what you used to make your maps. I think it makes it very helpful. And kind of deciding if you like them or if you don't and showing where the community of interest really play a part in it. So thank you for doing that.

>> COMMISSIONER SZETELA: Thank you.

>> CHAIR ORTON: Any other questions for Commissioner Szetela? I don't see any, so thank you very much.

>> COMMISSIONER SZETELA: Thank you.

>> CHAIR ORTON: Next on the agenda is unfinished business 5B the Supreme Court appeal. Without objection I will ask Nate Fink to facilitate this item.

>> Nate Fink: Thank you Madam Chair and good morning everyone. The agenda item is to discuss the pending Supreme Court appeal of the District Court's panel's decision in the Agee et al versus Benson et al case which again is pending in the Western District of Michigan.

We have Richard Riley here from Baker Hostetler who is, of course, the lead litigation counsel for the Commission in that case. And pursuant to the Commission's rule of procedure 6.2.5, which governs closed sessions, it is my recommendation that the Commission go into a closed session for the purpose of discussing the pending litigation Agee et al versus Benson et al pending in the Western District of Michigan and also pending on appeal to the Supreme Court of the United States. So I believe that it is appropriate under the Commission's rules and under the law for the Commission to go into closed session for a discussion with litigation counsel to discuss that pending litigation.

So I would recommend that the Commission move to and ultimately go into closed session.

>> COMMISSIONER LETT: So moved.

>> Nate Fink: For that discussion.

>> CHAIR ORTON: Do we have a second for the motion? Okay, moved by Commissioner Lett, seconded by Commissioner Weiss to go into closed session to discuss the pending litigation. Any discussion on the motion? Seeing none, all in favor of going into closed session raise your hand and say aye.

>> Aye.

>> CHAIR ORTON: Any opposed raise your hand and say nay.

>> COMMISSIONER LANGE: Nay.

>> CHAIR ORTON: Okay, the ayes prevail and go ahead.

>> Nate Fink: I'm sorry pursuant to rules of procedure I believe the Commission is required to take a roll call vote on this. I would recommend the Commission do this by roll call and requires a two thirds vote of all members serving.

>> CHAIR ORTON: Okay, may we have a roll call vote?

>> YVONNE YOUNG: Absolutely Madam Chair. The motion is before you to move into closed session to have conversation with legal counsel pending litigation. A yes vote means you are in favor of the motion and a no vote means you are not. I will start with Commissioner Curry?

>> COMMISSIONER CURRY: Yes.

>> YVONNE YOUNG: Commissioner Eid?

>> COMMISSIONER EID: Yes.

>> YVONNE YOUNG: Commissioner Kellom?

>> COMMISSIONER KELLOM: Yes.

>> YVONNE YOUNG: Commissioner Lange?

>> COMMISSIONER LANGE: No.

>> YVONNE YOUNG: Commissioner Lett?

>> COMMISSIONER LETT: Yes.

>> YVONNE YOUNG: Commissioner Muldoon?

>> MARCUS MULDOON: Yes.

>> YVONNE YOUNG: Commissioner Orton?

>> CHAIR ORTON: Yes.

>> YVONNE YOUNG: Commissioner Szetela?

>> COMMISSIONER SZETELA: Yes.

>> YVONNE YOUNG: Commissioner Vallette?

>> COMMISSIONER VALLETTE: Yes.

>> YVONNE YOUNG: Commissioner Wagner?

>> COMMISSIONER WAGNER: Yes.

>> YVONNE YOUNG: Commissioner Weiss?

>> COMMISSIONER WEISS: Yes.

>> YVONNE YOUNG: Madam Chair, with 11 yes votes and one no, the motion.

>> CHAIR ORTON: Commissioner Andrade?

>> ELAINE ANDRADE: I would like to vote yes on that.

>> YVONNE YOUNG: I'm sorry Andrade I thought I got you my bad. Commissioner Andrade?

>> ELAINE ANDRADE: Yes.

>> YVONNE YOUNG: I'm sorry, 11 so you have 12 yes votes, I'm sorry 11 yes votes and one no. 11 yes and one no. Sorry Commissioner Andrade. Motion carries.

>> CHAIR ORTON: Okay thank you. Okay so then we will go into closed session. Sarah Reinhardt can you instruct?

>> MS. SARAH REINHARDT: Absolutely so Commissioners you will receive an e-mail from your Executive Director in your in box containing a link to a new Zoom session. You will fully log out of this one and then join that new Zoom session once you receive the link. So completely log out of this one, log in the new one, once the closed session ends we will rejoin the session so this session will stay live. And I'll give further instruction on that in the closed session as a reminder. So are there any questions?

>> CHAIR ORTON: I don't see any. Okay then see you later.

[Recess into closed session]

>> MS. SARAH REINHARDT: Hi, Juanita. This is the original Zoom, so you will want to log out and look for the new link from Edward. Commissioner Curry, this is the original Zoom meeting, so you will want to end this session and look for a new e-mail from Edward containing the updated link.

[Closed session in progress]

>> CHAIR ORTON: Okay, it looks like we are all back. So I call this session of the Michigan Independent Citizens Redistricting Commission back to public session. Will the secretary please take roll?

>> YVONNE YOUNG: Absolutely, Madam Chair. Let me just get my little mouse working again.

Commissioners, please say present when I call your name. You will not need to share your location as you've shared that at the beginning of the meeting. However, if your location has changed, please share that as I call roll. I'll begin alphabetically with Commissioner Andrade?

>> ELAINE ANDRADE: Present.

>> YVONNE YOUNG: Commissioner Callaghan?

>> DONNA CALLAGHAN: Present.

>> YVONNE YOUNG: Commissioner Curry?

- >> COMMISSIONER CURRY: Present.
- >> YVONNE YOUNG: Commissioner Eid?
- >> COMMISSIONER EID: Present.
- >> YVONNE YOUNG: Commissioner Kellom?
- >> COMMISSIONER KELLOM: Present.
- >> YVONNE YOUNG: Commissioner Lange?
- >> COMMISSIONER LANGE: Present.
- >> YVONNE YOUNG: Commissioner Lett?
- >> COMMISSIONER LETT: Present.
- >> YVONNE YOUNG: Commissioner Lett, I see you, but I didn't hear you.
- >> COMMISSIONER LETT: Present.
- >> YVONNE YOUNG: Thank you, sir. Commissioner Muldoon?
- >> MARCUS MULDOON: Present.
- >> YVONNE YOUNG: Commissioner Orton?
- >> CHAIR ORTON: Present.
- >> YVONNE YOUNG: Commissioner Szetela?
- >> COMMISSIONER SZETELA: Present.
- >> YVONNE YOUNG: Commissioner Vallette?
- >> COMMISSIONER VALLETTE: Here present.
- >> YVONNE YOUNG: Commissioner Wagner?
- >> COMMISSIONER WAGNER: Present.
- >> YVONNE YOUNG: Commissioner Weiss?
- >> COMMISSIONER WEISS:
- >> YVONNE YOUNG: Commissioner Weiss I see you, but I don't hear you, sir.
- >> COMMISSIONER WEISS: Present.
- >> YVONNE YOUNG: Thank you so much. Madam Chair you have a full quorum.
- >> CHAIR ORTON: Thank you.
- >> YVONNE YOUNG: You're welcome.
- >> CHAIR ORTON: So we will continue on with our unfinished business 5B Supreme Court appeal. Commissioner Lett?
- >> COMMISSIONER LETT: Yes at this time I would move that we direct litigation counsel Baker Hostetler to file for a 60-day extension with the U.S. Supreme Court.
- >> CHAIR ORTON: Is there a second for that motion?
- >> MARCUS MULDOON: I'll second.
- >> CHAIR ORTON: Okay so we have a motion and a second. And is there any discussion? Commissioner.
- >> COMMISSIONER LANGE: Lange just want the public to know my view I'm adamantly against it and I think it should be repealed and the whole thing and the plug pulled on it. So that's my thoughts. Thank you.
- >> CHAIR ORTON: Commissioner Szetela?

>> COMMISSIONER SZETELA: I also am not in favor of continuing the appeal. And I just ask for a roll call vote as well.

>> CHAIR ORTON: Okay any other discussion? Okay can we have a roll call vote?

>> YVONNE YOUNG: Certainly, Madam Chair. A yes vote means you are in agreement with the 60-day continuous on the appeal. A no means that you are not in favor of the 60-day continuance on the appeal. I will begin with Commissioner Curry?

>> COMMISSIONER CURRY: Can you come back to me? I'm still thinking about it.

>> YVONNE YOUNG: I'll begin with Commissioner Eid?

>> COMMISSIONER EID: Yes.

>> YVONNE YOUNG: Commissioner Kellom?

>> COMMISSIONER KELLOM: No.

>> YVONNE YOUNG: Commissioner Lange?

>> COMMISSIONER LANGE: No.

>> YVONNE YOUNG: Commissioner Lett?

>> COMMISSIONER LETT: Yes.

>> YVONNE YOUNG: Commissioner Muldoon?

>> MARCUS MULDOON: Yes.

>> YVONNE YOUNG: Commissioner Orton?

>> CHAIR ORTON: Yes.

>> YVONNE YOUNG: Commissioner Szetela?

>> COMMISSIONER SZETELA: No.

>> YVONNE YOUNG: Commissioner Vallette?

>> COMMISSIONER VALLETTE: Yes.

>> YVONNE YOUNG: Commissioner Wagner?

>> COMMISSIONER WAGNER: No.

>> YVONNE YOUNG: Commissioner Weiss?

>> COMMISSIONER WEISS: Yes.

>> YVONNE YOUNG: Commissioner Andrade in.

>> ELAINE ANDRADE: Yes.

>> YVONNE YOUNG: Commissioner Callaghan?

>> DONNA CALLAGHAN: Yes.

>> YVONNE YOUNG: Commissioner Curry?

>> COMMISSIONER CURRY: No.

>> YVONNE YOUNG: Madam Chair with a vote of eight yes to five no, the motion carries.

>> CHAIR ORTON: Thank you.

>> YVONNE YOUNG: You're welcome.

>> CHAIR ORTON: Okay, Commissioner Lett?

>> COMMISSIONER LETT: We have been at this a couple of hours, let's take 15 minutes.

>> CHAIR ORTON: Okay, without objection we will take a 15-minute break. Let's from back at 12:15.

[Recess until 12:15 p.m.]

>> CHAIR ORTON: Okay, hopefully we are all back. Next on our agenda is unfinished business 5E, review of code of conduct. Without objection, I will ask MICRC Executive Director Edward Woods III and local counsel Nate Fink to facilitate this item. Without objection, you may proceed.

>> David Fink: If I may just say briefly I have been authorized by Nate Fink, notwithstanding my junior status in the firm.

>> COMMISSIONER LETT: We will need to take a vote on that.

>> CHAIR ORTON: I'll just say Mr. Fink and I can apply to whoever.

>> David Fink: Thank you.

>> MR. EDWARD WOODS: Give me a minute. I'm having a hard time loading this up, so just a second. All right, Mr. Fink and I are basically recommending the changes from the last time. There has been no changes whatsoever with regards to that so we are basically looking for a vote to approve. This shows what was changed in terms of a copy. But because of our pending litigation we moved these items later. So unless there is further discussion, we can take them at this time. But otherwise we are looking for a recommendation to approve the changes. And obviously we would revise the date to the date that it was adopted at the top.

>> CHAIR ORTON: I thought I saw Commissioner Lange's hand so if you don't have something then Commissioner Szetela?

>> COMMISSIONER SZETELA: Can you actually Zoom this up a little bit? It's just kind of small on a Zoom screen. On that I'm just curious what the thought process is behind changing the language that we've always had in place saying that Commissioners cannot publicly oppose or support specific valid initiatives or legislative bills beyond those of the work of the Commission itself. Why are we removing that one? It's been in place for three years at this point?

>> MR. EDWARD WOODS: We were taking that out based upon the discussion of the Commission. And when there is no rhyme or reason other than that. We had the discussion a few months ago. There was questions as to local initiatives versus statewide initiatives. And it just thought it was in the best interests just to pull that up.

>> COMMISSIONER SZETELA: I don't remember us agreeing on that. I know there was discussion on that, but I don't remember it being agreed upon.

>> MR. EDWARD WOODS: Okay.

>> CHAIR ORTON: We can discuss it again.

>> COMMISSIONER SZETELA: I think it should stay in, we don't want people on the Commission appearing to have the weight of the Commission behind their opinions to adopt specific valid initiatives. It's pretty narrowly drafted and it's only things that are specific valid initiatives, not general topics. So if you want to you know advocate for gun

control that is fine but when there is a specific valid initiative I think that it's creating the impression that the MICRC is behind supporting or opposed, whatever the case may be when we allow individual Commissioners to make these kind of comments out there in the public.

>> CHAIR ORTON: Commissioner Lange, I've seen your hand a couple times but I'm not sure if you mean to have it up or down.

>> COMMISSIONER LANGE: No, I think Rebecca just covered what my question was. So thank you.

>> CHAIR ORTON: Okay, anything else? Anyone?

>> David Fink: I would just say if I may I assume this was covered in the previous meeting which I think Nate covered, not me. There is regardless of how long this has been in place there are serious first amendment ramifications suggesting Commissioners cannot support or oppose a ballot initiatives. This is not a nonpartisan Commission. It is an explicitly bipartisan Commission. And you did not give up your constitutional rights to speak when you became Commissioners. That's all I will add.

>> CHAIR ORTON: Commissioner Lange?

>> COMMISSIONER LANGE: You know how bad that ticks me off because there has been a lot of things that I have been so against that have happened since I've been on this Commission. I've had to keep my mouth shut so now to change the rules, it just I have to say it just annoys me to no end. But that's part of life I guess. That's it.

>> CHAIR ORTON: Commissioner Szetela?

>> COMMISSIONER SZETELA: Yeah, I just find it ironic how often we love to throw constitutional rights out there when they benefit certain people but then when they come to other people miraculously disappear. So Mr. Fink on to that point. Would a freedom of speech of a Commissioner include the right to testify at trial for the other side? Just curious?

>> David Fink: I don't see how that is relevant to the question we are dealing with right now.

>> COMMISSIONER SZETELA: So the answer is yes, thank you.

>> David Fink: If you want to cross-examine me you would have to get me under oath.

>> COMMISSIONER SZETELA: No, I think I made my point perfectly well, thank you Mr. Fink.

>> David Fink: I think you did.

>> CHAIR ORTON: Is there anything else? Okay, so Director Woods, I believe you said we still have not voted on this whether to adopt these changes or not.

>> MR. EDWARD WOODS: Yeah, we need a motion.

>> CHAIR ORTON: Okay so do we have a motion one way or the other?

>> COMMISSIONER LETT: I move we adopt the revised document as presented.

>> COMMISSIONER VALLETTE: Second.

>> CHAIR ORTON: A motion by Commissioner Lett a second by Commissioner Vallette to adopt the code of conduct with the revisions. Can we have a roll call vote?

>> YVONNE YOUNG: Certainly Madam Chair. I got a weird mouse going on here. I'm sorry. The motion before the Commission is move to adopt the revisions made to the MICRC code of conduct that has been suggested by legal counsel and our Executive Director. A yes vote means you're in favor of the motion and a no vote means you are not in favor of the motion. I will start with Commissioner Kellom, please?

>> COMMISSIONER KELLOM: Yes.

>> YVONNE YOUNG: Commissioner Lange?

>> COMMISSIONER LANGE: No.

>> YVONNE YOUNG: Commissioner Lett?

>> COMMISSIONER LETT: Yes.

>> YVONNE YOUNG: Commissioner Muldoon?

>> MARCUS MULDOON: Yes.

>> YVONNE YOUNG: Commissioner Orton?

>> CHAIR ORTON: Yes.

>> YVONNE YOUNG: Commissioner Szetela?

>> COMMISSIONER SZETELA: No.

>> YVONNE YOUNG: Commissioner Vallette?

>> COMMISSIONER VALLETTE: Yes.

>> YVONNE YOUNG: Commissioner Wagner in.

>> COMMISSIONER WAGNER: No.

>> YVONNE YOUNG: Commissioner Weiss?

>> COMMISSIONER WEISS: Yes.

>> YVONNE YOUNG: Commissioner Andrade?

>> ELAINE ANDRADE: No.

>> YVONNE YOUNG: Commissioner Callaghan?

>> DONNA CALLAGHAN: Commissioner Curry?

>> COMMISSIONER CURRY: You know I really need to read this. I just got this last night at 10:00 at night and I was asleep more or less. And I really have not went over this at all so I'm going to stand mute on this.

>> YVONNE YOUNG: So you're abstaining?

>> COMMISSIONER CURRY: I'm abstaining because I have not read it thoroughly.

>> YVONNE YOUNG: Okay thank you. Commissioner Eid?

>> COMMISSIONER EID: Yes.

>> YVONNE YOUNG: Madam Chair did we lose Donna Callaghan?

>> CHAIR ORTON: I don't see her.

>> YVONNE YOUNG: I don't either, okay.

With 7 yes, 4 no and one abstention the motion carries.

>> CHAIR ORTON: Okay, thank you.

>> YVONNE YOUNG: You're welcome.

>> CHAIR ORTON: So next on the agenda unfinished business 5E review of the rules of procedure. Without objection I will ask Director Woods and local counsel, Mr. Fink, to facilitate this item. Seeing no objection please proceed.

>> MR. EDWARD WOODS: Thank you. This has to deal with the calling of our meetings. It was sent to you with regards to the Section that changed within red. And it talks about the reschedule of meetings. The changes, the Chairperson, Vice Chairperson or the Executive Director may reschedule a meeting or a public hearing. And then there was a correction where it says 5 spelled out in five, it used to be the number 5 and then five so that was the change. And then the other one is the Chairperson, Vice Chairperson or the Executive Director may cancel a meeting or public hearing as an addition. And then last but not least this deals with the regular meetings. And it basically is added affirmative vote or member before maps are approved. After maps are approved the Commission shall meet no less frequently than once per month. Unless otherwise determined by the affirmative vote of a quorum of its members.

I'm just going back for quality assurance but those were the only three changes.

>> CHAIR ORTON: Commissioner Lange?

>> COMMISSIONER LANGE: Is it possible to make a change to it about that five hour? I know the last time we had a special meeting called and it was posted kind of within the timeframe but kind of last-minute, there was a lot of public push back from that because they said it was like next to no notice. So is there any way we can extend, I mean five hours if people want to attend, and they work I can understand how they might see that as not reasonable. So is it possible?

>> MR. EDWARD WOODS: Yes, whatever the will of the Commission. Yes, ma'am.

>> COMMISSIONER LANGE: So I would guess are there any thoughts from anybody? I mean, do we normally know 18 hours in advance? Five hours.

>> CHAIR ORTON: I would say that normally we would be able to have more notice than that. But I would say the time that it has come in handy that we could do the five hours was when we had the three new Commissioners chosen. We literally only had five hours and a few minutes after they reached each of our three new Commissioners when we needed to meet. So, you know, it -- we hope that doesn't happen again. And five hours does seem pretty short, but that's I just realized at that point it was handy. Commissioner Wagner?

>> COMMISSIONER WAGNER: Yes, what I'm seeing here in red is the Chairperson, Vice Chairperson or Executive Director may reschedule. Last I recall we all voted the vice and the Chair only facilitate meetings. I think this gives vice and Chair way too much authority and I still think they need to come before the whole Commission whether or not we agree to have a special meeting. So those are my thoughts on that.

>> CHAIR ORTON: So I have a question about that then. If it has to come before the -- if a meeting needs to be rescheduled but it has to come before the whole Commission how does that happen?

>> COMMISSIONER WAGNER: So far we got e-mails out pretty well except me getting my Zoom link but that is beside the point. An e-mail could go out we need to vote on a special meeting and hold one to vote and that could be the special meeting, but I think it gives vice and Chair way too much authority when we are supposed to be a Commission of 13 individuals. And, like Rhonda, I think they need more than five hours. I would give them 24-hour notice because some of these people cancel their hardworking jobs to be here to give us public comment.

>> CHAIR ORTON: Rhonda your hand is still up do you have something else?

>> COMMISSIONER LANGE: I would like to make a motion to change the five hours and do a compromise and make it 12 hours.

>> CHAIR ORTON: Is there a second for that?

>> COMMISSIONER SZETELA: I'll second it.

>> CHAIR ORTON: Okay so.

>> MR. EDWARD WOODS: Clarification, Chairperson, Commissioner Lange is that for both or for one or reschedule a cancellation? I'm sorry. Never mind.

>> CHAIR ORTON: I think for rescheduling meetings. So we have a motion and a second to change the wording in our rules of procedure to give, sorry you said 12, 12 hours' notice for the rescheduling of a meeting. All in favor raise your hand and say aye. Sorry, is there discussion? Commissioner Lange?

>> COMMISSIONER LANGE: Yes, I believe because this is our rules of procedure that that would have to be addressed at the next meeting when any changes to our rules of procedure require three.

>> MR. EDWARD WOODS: That would be correct. Because we are actually changing the wording. But I mean, it would still need to be approved today whether or not we can move it forward. So if there is no -- otherwise if you all agree to do it as is it's effective immediately but if you do want to change it we need to do it now and come back to vote on it next month.

>> COMMISSIONER LANGE: Okay thank you.

>> CHAIR ORTON: We still take the vote, and you bring it back to us next.

>> MR. EDWARD WOODS: Depends on the outcome of the vote, correct.

>> CHAIR ORTON: Yeah. Okay anything else? Any other discussion? Okay, all in favor of having those changes brought back for a vote raise your hand and say aye.

>> Aye.

>> CHAIR ORTON: Any opposed raise your hand and say nay.

>> COMMISSIONER LETT: Nay.

>> MR. EDWARD WOODS: You need to do a roll call Madam Chair.

>> CHAIR ORTON: Roll call vote, please?

>> YVONNE YOUNG: Yes, ma'am. The motion is before the Commission as stated. And I will begin a yes vote means you're in favor of the motion and a no vote means you are not. And I will begin with Commissioner Lange, please?

>> COMMISSIONER LANGE: Yes.

>> YVONNE YOUNG: Commissioner Lett?

>> COMMISSIONER LETT: No.

>> YVONNE YOUNG: Commissioner Muldoon?

>> MARCUS MULDOON: Yes.

>> YVONNE YOUNG: Commissioner Orton?

>> CHAIR ORTON: Yes.

>> YVONNE YOUNG: Commissioner Szetela?

>> COMMISSIONER SZETELA: Yes.

>> YVONNE YOUNG: Commissioner Vallette?

>> COMMISSIONER VALLETTE: No.

>> YVONNE YOUNG: Commissioner Wagner?

>> COMMISSIONER WAGNER: Yes.

>> YVONNE YOUNG: Commissioner Weiss?

>> COMMISSIONER WEISS: No.

>> YVONNE YOUNG: Commissioner Andrade?

>> ELAINE ANDRADE: Yes.

>> YVONNE YOUNG: Commissioner Callaghan? Commissioner Curry?

>> COMMISSIONER CURRY: I'm abstaining due to the fact I received this stuff late last night.

>> YVONNE YOUNG: Commissioner Eid?

>> COMMISSIONER EID: No.

>> YVONNE YOUNG: Commissioner Kellom?

>> COMMISSIONER KELLOM: No.

>> YVONNE YOUNG: Madam Chair with six yes, five no, and one abstention the motion carries.

>> CHAIR ORTON: Okay so that means Director Woods, you will make that change and bring it back for a vote next time?

>> MR. EDWARD WOODS: For the rescheduling of meetings but we also need to talk about the cancellation of the meetings. And we will also need to address the frequency of meetings when the Commission is not mapping. So we still need -- I will put it back on the screen but it's the cancellation.

>> CHAIR ORTON: All right Commissioner Lett?

>> COMMISSIONER LETT: I just wanted to see the language on the frequency of meetings one more time.

>> CHAIR ORTON: Commissioner Lange?

>> COMMISSIONER LANGE: Thank you for bringing that up where I could read it. That is saying once per quarter so once every three months is what it's saying just for clarification?

>> MR. EDWARD WOODS: That is correct.

>> COMMISSIONER LANGE: Thank you.

>> CHAIR ORTON: This is obviously if we are just waiting around like we were for this past several months before the case was active. Okay.

>> MR. EDWARD WOODS: I'm not sure if you want to take them separate or put them together but we need a motion with regards to cancellation of meetings for that change. Sarah Reinhardt?

>> CHAIR ORTON: Sarah?

>> MS. SARAH REINHARDT: I just had a question regarding the regular meetings, the updated language. Regarding the like threshold for an approval. It says by an affirmative vote of a quorum of its members. Does that mean that it requires nine total affirmative votes or just a majority vote?

>> MR. EDWARD WOODS: A majority vote. As long as we have a quorum. I think the concern was if we had nine people, which is a quorum it would be a quorum of its members which would mean five.

>> MS. SARAH REINHARDT: Got it, just to be consistent where it says that where it kind of states that in other places throughout the rules of procedure I would recommend it say either by a majority vote of the like total number of like the full Commission or a majority vote of Commissioners present.

>> MR. EDWARD WOODS: I'll defer to legal counsel.

>> CHAIR ORTON: Commissioner Lett?

>> COMMISSIONER LETT: You have to have a quorum to take any action. So saying that majority vote of Commissioners present kind of leaves out the quorum part. So I think you need the language and David might be of a different opinion, but I think you have to have a quorum in order to take action.

>> CHAIR ORTON: Mr. Fink? You're muted.

>> David Fink: I confess I lost the train here for a moment. We are talking about the language that unless otherwise by an affirmative vote of a quorum of its members?

>> MR. EDWARD WOODS: That is correct.

>> MS. SARAH REINHARDT: So my concern here is that some votes within the rules of procedures require a two thirds majority. Which would be a vote of nine Commissioners in the affirmative. Which is a quorum. So the way it kind of reads to me right now, and if I'm over thinking this please tell me, and if it's clear to everyone that I'm not reading it this way or that I shouldn't be reading it this way that is totally fine. But just the way it reads to me right now is that it would require a two thirds vote, affirmative vote of a quorum of its members meaning nine Commissioners.

>> David Fink: Okay, okay, I'm sorry. Now I see what your concern is. So as you're reading this, an affirmative vote of a quorum means a quorum has to vote affirmatively.

>> MS. SARAH REINHARDT: Correct.

>> David Fink: Okay.

>> MS. SARAH REINHARDT: Where elsewhere in the rules of procedure when it talks about what thresholds it specifically stakes a majority of Commissioners present or majority of the full Commissioner.

>> David Fink: It's either unclear or stating something it was not intended. Edward, I was not involved in some of the discussions, was the intention that the meetings scheduled under these terms can only be changed if nine members of the Commission vote to change it?

>> MR. EDWARD WOODS: No. It was affirmative vote of a quorum. Let's say example we have 13 Commissioners. Don't we only have nine people, nine people is a quorum. So affirmative vote would be five. So that was the how it was explained to me.

>> David Fink: This is determined by the affirmative vote this is determined by a majority of members present.

>> MR. EDWARD WOODS: It would be another way of saying it, correct.

>> David Fink: I appreciate this issue is raised because it's very different. She is correct. This does read as though it's requiring a vote of a quorum. And that is a vote of nine. So if we can, what we are intending to say is: Unless otherwise determined by a majority, by a vote of a majority of members present, but I understand you also are concerned if you don't have a quorum at the time of the vote but you can't vote if you don't have a quorum, can you?

>> That is what I was going to add to the discussion and it's important to remember the Commission cannot go and vote on anything if there is not a quorum so I think including that language is essentially unnecessary at that point because you must have a quorum to vote on anything.

>> David Fink: So really it just comes down otherwise determined by a majority vote of the Commission.

>> MR. EDWARD WOODS: We can change that then. So let's just bring that back.

>> David Fink: Sometimes you say Commissioners present, sometimes you say Commission.

>> MR. EDWARD WOODS: And where are we with regard to the cancellation? Somebody is going to have to be able to cancel a meeting because we won't pay anything.

>> CHAIR ORTON: Right, somebody has to do it. Is there any discussion on that? I don't see any.

>> MR. EDWARD WOODS: Then we need a motion and a roll call.

>> CHAIR ORTON: So a motion to send this.

>> MR. EDWARD WOODS: A motion to approve.

>> CHAIR ORTON: Change the language and bring it back.

>> MR. EDWARD WOODS: We will bring the language back on the regular meeting but for a cancellation of meetings we need a mechanism to cancel the meeting.

>> CHAIR ORTON: Okay, Commissioner Lange?

>> COMMISSIONER LANGE: Are you planning on cancelling any meetings before next meeting? Because I would prefer that the language be changed and brought back where we can actually read it before voting on it. I am not the type to vote on something without seeing the changes and Commissioner Curry said that she just got the stuff last night so has not been able to review all of the papers. So I would motion that the changes be made and brought back to the Commission to vote on.

>> MR. EDWARD WOODS: There's no change, Commissioner Lange, it's just saying cancellation of meetings, it's posted and says the Chairperson, Vice Chairperson or Executive Director may cancel the meeting or public hearing.

>> COMMISSIONER LANGE: It's in red. So the red wasn't a change?

>> MR. EDWARD WOODS: Right. It was a previously announced change. We are bringing it back. And so the first thing we decided to do was to change it from five hours to 12 hours and so we need to bring it back to the next Commission meeting to vote. Because that was a change. The next thing the Commission decided to do was to change the language for the regular meeting in terms of the frequency and how they want it worded. That will require a change be brought back at the next meeting. At this point there has been no amendment to the change that the Chairperson, Vice Chairperson or the Executive Director may cancel a meeting or public hearing.

>> COMMISSIONER LANGE: Okay but I still don't see why we can't vote on the whole thing at once but okay I get what you're saying.

>> MR. EDWARD WOODS: Okay.

And that is the will of the Commission, however you all would like to do that.

>> COMMISSIONER LETT: I move we adopt 5.4 as presented here.

>> COMMISSIONER WEISS: I'll second that.

>> CHAIR ORTON: Okay so we have a motion and a second to adopt 5.4 as stated here. Is there any discussion -- further discussion on that? Seeing none, can we have a roll call vote?

>> YVONNE YOUNG: Absolutely Madam Chair.

We have the motion before you. A yes vote means you're in favor. And a no vote means that you are not in favor of the motion. I will begin with Commissioner Lett?

>> COMMISSIONER LETT: Yes.

>> YVONNE YOUNG: Commissioner Muldoon?

>> MARCUS MULDOON: Yes.

>> YVONNE YOUNG: Commissioner Orton?

>> CHAIR ORTON: Yes.

>> YVONNE YOUNG: Commissioner Szetela?

- >> COMMISSIONER SZETELA: No.
- >> YVONNE YOUNG: Commissioner Vallette?
- >> COMMISSIONER VALLETTE: Yes.
- >> YVONNE YOUNG: Commissioner Wagner?
- >> COMMISSIONER WAGNER: No.
- >> YVONNE YOUNG: Commissioner Weiss?
- >> COMMISSIONER WEISS: Yes.
- >> YVONNE YOUNG: Commissioner Andrade?
- >> ELAINE ANDRADE: Yes.
- >> YVONNE YOUNG: Commissioner Callaghan? Commissioner Curry?
- >> COMMISSIONER CURRY: Yes.
- >> YVONNE YOUNG: Commissioner Eid?
- >> COMMISSIONER EID: Yes.
- >> YVONNE YOUNG: Commissioner Kellom?
- >> COMMISSIONER KELLOM: Yes.
- >> YVONNE YOUNG: Commissioner Lange?
- >> COMMISSIONER LANGE: No.
- >> YVONNE YOUNG: Madam Chair, with a yes vote of nine and a no vote of three the motion carries.
- >> CHAIR ORTON: Okay thank you.
- >> YVONNE YOUNG: You're welcome.
- >> CHAIR ORTON: And Executive Director Woods you will bring back at the next meeting those two changes?
- >> MR. EDWARD WOODS: Correct.
- >> CHAIR ORTON: Okay, thank you. Okay next on the agenda unfinished business 5F. National redistricting conference. Without objection, I will ask Commissioner Anthony Eid and local counsel Mr. Fink to facilitate this item. Hearing no objection please proceed.
- >> MR. EDWARD WOODS: Commissioner Eid is going to refer to his attendance and Commissioner Fink is going to share the legal opinion for the record. So.
- >> CHAIR ORTON: Okay I see Commissioner Curry's hand up.
- >> COMMISSIONER CURRY: Yes. I just glanced at Section 5-5 on remote attendance. Now what exactly does that mean? And for the MICRC language? Any member of the Commission may attend meetings and public hearings remotely for any reason by providing notice pursuant to the following. What does that mean?
- >> MS. SARAH REINHARDT: So Commissioner Curry that is a good question. Because the meetings of the Commission are noticed as remote meetings, it's assumed that all of the Commissioners are attending remotely. So when we post before every meeting I post a meeting notice so that members of the public are aware there is an

upcoming meeting, and it says on there that meetings are going to be remote or virtual via Zoom. So that everyone knows that you all will be joining the meeting via Zoom.

>> COMMISSIONER CURRY: I will probably not be attending remotely unless something different happens in the near future. And it's not because I don't want to be there. I have other reasons and I think you all are aware of them.

>> MS. SARAH REINHARDT: Attending remotely would be attending.

>> COMMISSIONER CURRY: Excuse me, I'm sorry I meant in person, okay.

To be sure.

>> MS. SARAH REINHARDT: Understood, thank you.

>> COMMISSIONER CURRY: Okay, I'm sorry.

>> CHAIR ORTON: Okay, Commissioner Eid, go ahead.

>> COMMISSIONER EID: Yeah, I don't have a whole lot to share today other than I attended the national redistricting conference back in mid-December. It was a really nice conference, very similar to other academic conferences I have attended in the past and a lot of different topics were discussed. I thought of note, you know, making -- there are a few things I really took out of it. I think the biggest thing is people really look to us and our Commission as a possible model going forward. For other states to either learn from or improve upon what we do. There are a lot of advisory Commissions that are similar to ours but did not have the power of law behind them, so there was a lot of talk how to get those Commissions to actually be independent Redistricting Commissions like we are. Another interesting topic that I thought was how different Commissions use their experts. And that's all I have right now. But if the Commission wants I'm more than happy to write up a written report. And, you know, put it on our website or give it to you folks. I certainly think it was a great educational event. And I think I'm a better Commissioner for attending.

>> CHAIR ORTON: Okay Commissioner Lange?

>> COMMISSIONER LANGE: I'm just confused on what this has to do with the business of the Commission. Because when we discussed it way back it was Commissioners could attend in their personal capacity. It was not something that was what's the word I'm looking for? It wasn't the whole Commission saying yes, this is something we wanted to be a part of. I expressed concerns about it because the group that was hosting it does do active lobbying. So I don't understand why this was even a topic. And I don't know maybe that is why Mr. Fink said something about a legal opinion. I don't know. Is that accurate?

>> David Fink: Regarding the previously legal opinion was provided regarding participation and compensation related to the program. And it's set forth pretty clearly in the Constitution Section 11, subsection 11.

>> COMMISSIONER LANGE: Okay but this was not a sanctioned thing from the Commission, so I guess I just don't understand why when there is pressing matters that we are doing this months later. But never mind.

>> CHAIR ORTON: Okay Commissioner Szetela?

>> COMMISSIONER SZETELA: I'm just curious I know there was an offer of covering expenses and possible remuneration for this event Anthony. Did you receive any compensation, reimbursement of expenses, any money towards traveling to this trip or attending?

>> COMMISSIONER EID: Well first I don't have to answer that question, but I will anyway. I did not. I paid for it from my own pocket. But when we made so when we made the original decision for Commissioners to attend representing only themselves, and for the Commission not to reimburse those fees, there was an offer from the group to provide the Commissioners who attended a stipend. And I believe that is why that is why we are having the discussion today, to address if accepting that stipend is something that is legal or not. But as of today, I have not, I paid for everything out of my own pocket.

>> COMMISSIONER SZETELA: You did not accept the stipend is exactly what I'm asking Anthony.

>> COMMISSIONER EID: I think you heard my answer Commissioner, thank you.

>> CHAIR ORTON: Commissioner Lett?

>> COMMISSIONER LETT: Well just to address I think this was a conference that certainly had some bearing to provide information to a number of Commissions around the United States. And I commend Anthony for going. It's not official business of the -- of this Commission but it certainly provides some information that I think can be provided to take pot shots at Anthony now seems to be rather disingenuous.

>> CHAIR ORTON: Commissioner Szetela?

>> COMMISSIONER SZETELA: I'm not taking pot shots and want to know if he took the stipend because it was offered to us and feel he danced around it and did not answer it, it's "Yes" or "No," did you accept it or not?

>> CHAIR ORTON: Commissioner Eid?

>> COMMISSIONER EID: I think the question does remain if we are -- if like I attended this conference individually, I would like to hear the legal opinion on the whole stipend issue, if that is possible.

>> CHAIR ORTON: So and from what I understand that's what we are talking about next is that Mr. Fink is that what you're talking about?

>> David Fink: If you tell me that is what I'm talking about, that's what I'm talking about.

>> MR. EDWARD WOODS: We had a request Commissioners with one of the Commissioners with regards to a legal opinion on the matter so that is what this is addressing. There was a legal opinion issued but it was never discussed on the record.

>> CHAIR ORTON: Okay, well before you do that, there is a couple more hands. So Commissioner Szetela?

>> COMMISSIONER SZETELA: Yeah, I understand that's what Mr. Fink is going to speak about. But I am just asking Anthony directly did you accept the stipend? And he still has not answered that question. I don't know why he just doesn't answer it. Just answer it "Yes" or "No."

>> COMMISSIONER EID: I think I answered it twice already.

>> COMMISSIONER SZETELA: No you didn't.

>> COMMISSIONER EID: Pretty sure I did.

>> COMMISSIONER SZETELA: You did not.

>> CHAIR KELLUM: Point of order, this is a public meeting, what is between Commissioner Szetela and Commissioner Eid that is playing out now obviously and undeniably because of previous tension it needs to stop. It's not professional. He gave a presentation and a report back. There is nothing wrong with that. Any other Commissioner this would not be going on. It needs to stop. So.

>> COMMISSIONER SZETELA: No, he needs to answer the question.

>> CHAIR KELLUM: Point of order, point of order.

>> COMMISSIONER SZETELA: Answer the question.

>> CHAIR KELLUM: You're being immature.

>> COMMISSIONER SZETELA: You're being immature it relates to Mr. Fink's opinion. I just want to know.

>> CHAIR ORTON: Okay.

>> MS. SARAH REINHARDT: Apologies Commissioners I just want to remind everyone please do not speak over each other. Also when a point of order is called all Commissioners need to seed to the point of order to hear what the point is that is being called and then it is up to the Chair to determine if that point is sustained or not. And no one should be speaking without being called on by the Chair. Thank you.

>> CHAIR ORTON: Thank you for the reminder Ms. Reinhardt the point of order is sustained. So we will move on. Commissioner Lange, do you have something else or is it about the same?

>> COMMISSIONER LANGE: No, I was just going to ask was the legal opinion the one I requested and spoke with Nate Fink about? Is that the request that was sent in, the one I had the conversation with Nate Fink about?

>> MR. EDWARD WOODS: Chairperson Commissioner Lange is correct.

>> CHAIR ORTON: Okay.

>> COMMISSIONER LANGE: Okay thank you.

>> CHAIR ORTON: Okay Mr. Fink, please share yours.

>> David Fink: There are two different issues here. One which is really not in contention, but I will make reference to it and that is that Section or subsection 11 does provide that Commissioners should not be discussing redistricting matters with members of the public outside of an open meeting of the Commission. There is no suggestion that actually occurred here. This wasn't a presentation by the Commission

but rather he was at a program where he was learning about things. And hearing about opportunities. And experiences around the country. The question of receiving the stipend is not 100% obvious. And that is Section 6-11 prohibits Commission members from receiving anything of value greater than \$20. For the benefit of any person or organization that may influence the manner in which the Commissioner, staff, attorneys, expert et cetera performs his or her duties. There is not case law obviously around that provision yet however it does resemble Michigan compiled law is a.342 which defines the standard of conduct generally for public officers and employees. That law states that a public officer, employee shall not solicit or accept no one is suggesting solicitation but shall accept a gift or loan of money, goods, services or other thing of value for the benefit of a group or personal organization other than the state which tends to influence the manner in which the public officer or employee or another public officer or employee performs official duties. The gifts provision, the standard of conduct gifts provision has been the subject of Michigan board of ethics decisions and advisory opinions. Two of them have some relevance here. To address the payment of travel expenses by third parties where it was determined there was no violation of the gifts provision when the officials were traveling in their official capacities and the state derived a benefit from the travel. In contrast, the board of ethics found a violation where a state employee who had influence over contracts received free materials from the state contractor for the employee's personal use. If someone chose to challenge acceptance of the common cause stipend they could argue the stipend is more like this latter example. Since the Commissioners would not be acting or in this case Commissioner or Commissioners would not be acting in their official capacities. And the organization could take positions on redistricting in Michigan in the future if the Commission is required to redraw the plans as we are experiencing now. So given all of that above, we, as your General Counsel, or local General Counsel, would encourage the Commissioners who attend to decline the stipend. And of course, to avoid discussions regarding the specifics of redistricting.

Now when I say we recommend you decline the stipend I'm not going to stay we drilled down so precisely it's unequivocally clear it's improper but it's a small stipend and a one-time circumstance and say not to do it further and simply passing on it frankly.

>> CHAIR ORTON: Thank you.

>> Nate Fink: I like it better when I say yes and no but I didn't feel like it.

>> CHAIR ORTON: Commissioner Lange?

>> COMMISSIONER LANGE: Not to open a can of worms then if our general local counsel is advising us not to because of potential legal ramifications of doing such, my question would be did you? Because Lord knows I don't want any more money spent for legal costs for something that could be completely avoided so I guess that would be my question if I can do it in a respectful way without confrontation.

>> CHAIR ORTON: Commissioner Eid?

>> COMMISSIONER EID: Respectfully again like I said already on my own dime and did not accept any stipend or anything like that. I think that is the third time I stated that now. I do have a question for Mr. Fink. Would this even be an issue if the Commission just agreed to match the stipend that common cause offered?

>> David Fink: That is an interestingly compound question. It's compound because you are raising two different issues. If the Commission chose to provide expenses for a Commissioner to go to an educational program of one kind or other or for other purposes to advance the goals of the Commission, there would be no problem with that. The issue is you phrased it as if the Commission would match what was offered by common cause. And that seems to bring that back in. If the predicate for the Commission providing the reimbursement is that some third-party had to first extend the offer, then you do have a problem. Because then what will happen is, you know, obviously if a third-party wanted to help you all they have to do is run around and offering, knowing you won't accept but the Commission can pay you. But the more direct answer to your question because as a lawyer I don't like to be direct but the more direct answer, just joking the direct answer to your question is there is not a problem, I don't see a problem. If the Commission sees a -- something that's in the interest of the Commission for any Commissioner to give training, education to participate in a program, the Commission can use its resources to pay for that.

>> COMMISSIONER EID: Thank you. The only reason I ask is because I think we've all said that more training is necessary for this job. I think we have all said we want more training. And not only, I mean a form of training is going to a conference like this and learning from our peers. Of which there aren't a lot of around the country. But it's not limited to that. It includes things like GIS training. Training on geographics, technology training and all of the above. So I'm not going to motion for it today. But you know we should not have to pay out of our own pockets as Commissioners to try to become better Commissioners. We should have some sort of fund, you know, per year or something like every other organization has where we can use funds in order to try to become better at our jobs. And yeah, like I said it's just what I think. So we should really think about that as a Commission.

>> CHAIR ORTON: Okay, is there anything else on this subject? Okay I don't see any. I apologize but I skipped over something on the agenda. So we need to go back to unfinished business 5D. Review of conflict-of-interest policy. And so without objection I will ask Executive Director Woods and Mr. Fink to facilitate this item. Seeing no objection please proceed.

>> MR. EDWARD WOODS: Can you hear me?

>> CHAIR ORTON: Yes.

>> MR. EDWARD WOODS: Okay thanks, once again this has been before the Commission before with regards to the conflict of interest. Most of these were just M instead of ICRC and you see there is not a whole lot of change. It really comes down to

therefore we took out direct or indirect potential or actual, but all conflicts of interests must be to close. We did not try to separate was the feedback. Once again from the Commission. You can see the S in considerations. MICRC. Here is something that the Commission shared to the extent permitted by law. Divulge confidential information acquired in the course of their duties or employment and it says to anyone outside of the Commissioner's per view. Unauthorized person, wasn't clear so it's outside of the Commission per view was the language that was agreed upon. Which may influence the way agents perform their duty. Personal opinion it says basically you have to represent his or her opinion as that of the MICRC. You are not allowed to do that. Here is another one. Generally a conflict exists when an individual's external interest provides an incentive to affect the individual's conduct of his or her MICRC activities or when the individual could impermissibly affect the MICRC decision or activity.

Those are changes here. For any new previously unidentified or potential conflict of interest as soon as it arises or becomes known, talking about immediate disclosure with regard to that, that was part of our discussion..

Conflicts as is. Details. And in order to was changed to two. And then this is the signature sheet. So this has been out for a couple of months. We postponed doing this because of the mapping. But this has been shared with the Commission a few months ago. It's on this agenda for approval as is. With regards to that, if there is any questions, we can take them at this time. But right now as because we are no longer mapping, we are in -- have this opportunity as relates to our code of conduct. Our rules and procedures and our conflict of interest in terms of handling these issues and getting them resolved.

>> CHAIR ORTON: Commissioner Lange?

>> COMMISSIONER LANGE: Since it has been a while since the initial conversation took place, can somebody, and I don't care who refresh my memory here on why we are changing the conflict of interest? Because I honestly don't remember why it's being changed so if somebody could fill me in.

>> MR. EDWARD WOODS: I think we were doing that, Commissioner Lange, to provide clarity because there was some allegations of conflict of interest amongst the Commissioners. And how could we provide clarity to ensure we are all speaking the same language. Have a common understanding. And so that those allegations would no longer be repeated but understood that this is what the Commission is saying.

>> COMMISSIONER LANGE: All right, that explains, thank you.

>> CHAIR ORTON: Any other questions for Director Woods? Okay, so you need a motion just to accept this with these.

>> MR. EDWARD WOODS: Yes, please.

>> CHAIR ORTON: Okay, does anyone wish to make that motion? Commissioner Callaghan?

>> DONNA CALLAGHAN: Motion to accept.

>> CHAIR ORTON: I will second it. So we have a motion and a second to accept this code of conduct as presented today.

>> MR. EDWARD WOODS: I'm sorry, conflict of interest.

>> CHAIR ORTON: Sorry conflict of interest. I'm having a hard time with that today.

>> COMMISSIONER LANGE: Roll call.

>> CHAIR ORTON: Any other discussion on that motion? Seeing none can we have a roll call vote, please?

>> YVONNE YOUNG: Absolutely. Madam Chair. Commissioners, the motion to accept the revisions and the language regarding MICRC conflict of interest policy presented by Executive Director Woods is before you. A yes vote means that you are in favor of the revisions. And the motion. A no vote means you are not in favor of the motion. I will excuse me I'm sorry I will begin with Marcus Muldoon?

>> MARCUS MULDOON: Yes.

>> YVONNE YOUNG: Cynthia Orton?

>> CHAIR ORTON: Yes.

>> YVONNE YOUNG: Rebecca Szetela?

>> COMMISSIONER SZETELA: No.

>> YVONNE YOUNG: Janice Vallette?

>> COMMISSIONER VALLETTE: Yes.

>> YVONNE YOUNG: Erin Wagner?

>> COMMISSIONER WAGNER: No.

>> YVONNE YOUNG: Richard Weiss?

>> COMMISSIONER WEISS: Yes.

>> YVONNE YOUNG: Andrade?

>> ELAINE ANDRADE: Yes.

>> YVONNE YOUNG: Donna Callaghan?

>> DONNA CALLAGHAN: Yes.

>> YVONNE YOUNG: Juanita Curry?

>> COMMISSIONER CURRY: Yes.

>> YVONNE YOUNG: Anthony Eid?

>> COMMISSIONER EID: Yes.

>> YVONNE YOUNG: Brittini Kellom?

>> COMMISSIONER KELLOM: Yes.

>> YVONNE YOUNG: Rhonda Lange?

>> COMMISSIONER LANGE: No.

>> YVONNE YOUNG: Steven Lett?

>> COMMISSIONER LETT: Yes.

>> YVONNE YOUNG: Madam Chair with ten yes votes and three no, the motion carries.

>> CHAIR ORTON: Thank you.

>> YVONNE YOUNG: You're welcome.

>> CHAIR ORTON: Okay is that all you need on that, Director Woods?

>> MR. EDWARD WOODS: Yes, thank you.

>> CHAIR ORTON: Thank you. Okay then we will move on to new business 6A, notice to vacate proceedings. Without objection I will ask Mr. David Fink to facilitate this item. Hearing no objections please proceed, Mr. Fink.

>> David Fink: As I think everyone is aware, the rules of procedure provide that, when there is a notice to vacate that if a written notice to vacate is filed and a written response is filed with regard to that notice to vacate, the next step is for the Commission to vote on whether to conduct a hearing on that notice. .

So at this time, that's the matter that is before the Commission. I see that Commissioner Curry has a question.

>> CHAIR ORTON: Commissioner Curry?

>> COMMISSIONER CURRY: Yes hi I don't want to be redundant but notice to vacate what? Because I have not read this. So I just need to know what you're speaking of.

>> David Fink: The Constitution provides a procedure for a Commissioner's seat essentially being vacated. That is that a Commissioner to be deemed to no longer be a Commissioner. And that begins with a motion to vacate or notice of vacation and a notice was filed by Commissioner Szetela to Commissioner Eid. That is the issue we are talking about. Is that what you wanted to know?

>> COMMISSIONER CURRY: Yes, thank you.

>> CHAIR ORTON: Okay, so what action do we need to take? Or what are we doing now?

>> David Fink: To go forward with a hearing you will need majority voting it's necessary to go forward with that hearing.

>> CHAIR ORTON: Okay.

>> David Fink: I don't know if anybody wants to go forward with that hearing. But I can speculate that if somebody filed a notice, they would want to go forward with the hearing.

>> CHAIR ORTON: So we need a motion to.

>> COMMISSIONER LANGE: I move we go forward with the hearing.

>> CHAIR ORTON: Okay do we have a second?

>> COMMISSIONER SZETELA: I'll second it.

>> COMMISSIONER LETT: What is the motion? I didn't hear it.

>> CHAIR ORTON: To go forward with the hearing on the notice to vacate against Commissioner Eid.

>> David Fink: If that carries then on February 13th there will be a hearing in which the parties can present their positions on this and make a determination and then the Commission can make its determination.

>> CHAIR ORTON: Okay so we have a motion and a second to go forward with the hearing on the notice to vacate against Commissioner Eid and if we vote yes then the hearing would take place on February 13th. Any discussion? I see Commissioner Lett's hand.

>> COMMISSIONER LETT: Yeah, David, how many -- we have what 13 Commissioners here today?

>> CHAIR ORTON: 12 I believe right now.

>> MR. EDWARD WOODS: We are up to 13.

>> COMMISSIONER LETT: We only need a majority so that would be 7 is that correct David?

>> David Fink: Yes to go forward but.

>> COMMISSIONER LETT: Are there limitations on who can vote?

>> David Fink: You know, I apologize. Let me pull this up. I believe that the rule is explicit as to whether the challenged Commissioner can vote on that.

>> COMMISSIONER LETT: I know he can't vote in the hearing. The question would be whether or not he can vote to push it ahead. And whether or not the petitioners can push it or vote to push it ahead.

>> David Fink: If you hold one moment. Well, I'm not sure the rule is explicit as to whether the responding member in this case, Mr. Eid has a vote. If he did not have a vote, he would not have a vote on the interestingly on participating in the vote for additional time to respond. I'm sorry, this is taking me just a moment. I did not anticipate that question. No, the member subject to removal is not entitled to vote on the removal so it would seem unusual if he or she could vote on the subject of whether the removal would go forward. So I think that you really -- he really does not participate in that vote.

>> COMMISSIONER LETT: That means we have 12 members voting but that doesn't change the majority requirement of 7 so that is taken care of. Okay.

>> CHAIR ORTON: Any other discussion?

>> COMMISSIONER LETT: I have some further discussion.

>> CHAIR ORTON: Go ahead.

>> COMMISSIONER LETT: The petition filed to terminate Anthony's position as Commissioner while this is not a criminal proceeding, obviously, the sanction that is being proposed would be his removal, which in effect would be the death sentence for a Commissioner on this Commission. So the level of proof required certainly is going to be more than 50%.

In fact, I would argue that it would be beyond a reasonable doubt.

The other problem I have with this is Commissioner Szetela has given an interview to Gonwar, which they have reported that her concern was that Anthony could influence the maps if we are called back and so she filed a complaint to limit this access to any new maps. So she went on to state that happens, there is a pretty strong contingent of

Commissioners who frankly feel that Eid should never touch one of our maps again. I don't know who that contention is. But I know of several people who don't agree with that. Me being one of them. She says there is a general consensus that Commissioner Eid is not honest among the Commissioners. Whether they are going to be willing to remove him or not remains to be seen. Not a very strong comment on what kind of proof you have to remove him..

>> COMMISSIONER SZETELA: Point of order this seems to be.

>> COMMISSIONER LETT: I'm not done.

>> COMMISSIONER SZETELA: Point of order.

>> COMMISSIONER LETT: Pardon me, did my -- the middle of my sentence or beginning of your sentence.

>> COMMISSIONER SZETELA: Chair Orton?

>> MS. SARAH REINHARDT: Apologies Commissioners but as I stated earlier when a point of order is called all Commissioners need to seed to the point of order and the Chair makes the determination whether the point of order is sustained. Thank you.

>> CHAIR ORTON: Can you say what your point of order is, Commissioner Szetela?

>> COMMISSIONER SZETELA:

>> MS. SARAH REINHARDT: Sorry Commissioner Szetela I think you might be muted.

>> COMMISSIONER SZETELA: Sorry about that. The motion is whether or not we're going to have a hearing. Commissioner Lett is going into the burdens of proof when we have a hearing, he is going into his own analysis and opinions of whether he thinks the notice is valid. None of that has to do with the actual question of whether or not we should have a hearing or not. And he is certainly welcome to bring it up next week, but he is going way off the topic are we going to have a hearing or not.

>> CHAIR ORTON: Okay, well, I think let me think about it a moment. I think enough has been said about whether we are going to have a hearing, or not. So let's move on and vote. Commissioner Lange, do you have something different? Or is it about this that we've already.

>> COMMISSIONER LANGE: Well it was kind of about that, Commissioner Lett was given his commentary, so I thought that the appropriate thing to do was to give my point of view on it since I am the cosponsor.

>> CHAIR ORTON: Okay well we stopped the discussion about that, and we are going to vote about that unless somebody has something different.

>> COMMISSIONER LANGE: So the Chair can unilaterally stop discussion? I thought it had to be a vote of two thirds to end discussion that you could do a point of order but to end discussion wouldn't that require a two thirds? But I will retract. We can go to the vote. I will be silenced. Thank you.

>> CHAIR ORTON: And we have a roll call vote, can we, whether we are moving forward with the hearing.

>> YVONNE YOUNG: Regarding notice to vacate against Commissioner Eid. If the yes vote prevails the hearing will take place February 13, 2024. Commissioners, the motion is before you and has been read. If you are in favor of the motion please respond by saying aye or yes. And if you are opposed to the vote, please respond by saying, no. Commissioner we will start with Commissioner Szetela?

>> COMMISSIONER SZETELA: Yes.

>> YVONNE YOUNG: Commissioner Vallette?

>> COMMISSIONER VALLETTE: No.

>> YVONNE YOUNG: Commissioner Wagner?

>> COMMISSIONER WAGNER: Yes.

>> YVONNE YOUNG: Commissioner Weiss?

>> COMMISSIONER WEISS: No.

>> YVONNE YOUNG: Commissioner Andrade?

>> ELAINE ANDRADE: No.

>> YVONNE YOUNG: Commissioner Callaghan?

>> DONNA CALLAGHAN: No.

>> YVONNE YOUNG: Commissioner Curry?

>> COMMISSIONER CURRY: No.

>> YVONNE YOUNG: Commissioner Eid?

>> COMMISSIONER EID: I'm abstaining.

>> YVONNE YOUNG: Abstained, I'm sorry, I knew that my apologies.

>> COMMISSIONER EID: Okay.

>> YVONNE YOUNG: Commissioner Kellom?

>> COMMISSIONER KELLOM: No.

>> YVONNE YOUNG: Commissioner Lange?

>> COMMISSIONER LANGE: Yes.

>> YVONNE YOUNG: Commissioner Lett?

>> COMMISSIONER LETT: No.

>> YVONNE YOUNG: Commissioner Muldoon?

>> MARCUS MULDOON: No.

>> YVONNE YOUNG: Commissioner Orton?

>> CHAIR ORTON: No.

>> YVONNE YOUNG: Madam Chair with a vote of three yes, nine no and one abstention the motion does not carry.

>> CHAIR ORTON: Okay, thank you.

>> YVONNE YOUNG: You're welcome.

>> CHAIR ORTON: Commissioner Eid?

>> COMMISSIONER EID: Thank you, Commissioners. At this time I would like to motion that the Commission pick up the legal costs associated with the failed motion to vacate in accordance with Section 3.4 of our rules of procedure.

>> Second.

>> CHAIR ORTON: Okay there is a motion and a second to -- can you restate that Anthony?

>> COMMISSIONER EID: Yes, pick up for the Commission to reimburse for the legal fees in accordance with Section 3.4 of our rules of procedure.

>> CHAIR ORTON: Okay any discussion? Commissioner Szetela?

>> COMMISSIONER SZETELA: I would have to ask Mr. Fink about this but I'm not sure that it's appropriate for Mr. Eid to be making that motion himself. Because I think it would violate our conflict-of-interest policy because it benefits him personally. So I don't think he should be voting on it and certainly don't think he should make the motion himself, certainly someone else can make it.

>> CHAIR ORTON: Mr. Fink?

>> David Fink: I'm not sure it does violate the conflict-of-interest policy. But just to be clear for all of the members, there is an explicit provision in the explicit provision in Section 3.4 that responding member may retain legal counsel at their own expense if the vote to declare the member seat vacant fails the member may be reimbursed for reasonable attorney fees utilizing the lodestar method and the Michigan rules of professional conduct which include the relevant factors to figure into calculating the lodestar amount and whether any adjustments upward or downward are appropriate. I would think that this provision contemplates that the member, himself or herself, if they have the right to seek that reimbursement should have the right to ask for that reimbursement, which is what this request was as it was presented.

The preclusion on his voting or participating in the vote on his own removal is explicit and constitutional. There is no such provision here. So I don't really see that it's a conflict for him to vote on it.

>> CHAIR ORTON: Commissioner Lett?

>> COMMISSIONER LETT: I don't know whether Anthony gets to make the motion or not. But Anthony has got the cart before the horse here. First off we need a billing, how much it's going to or how much your attorney is charging and a breakdown on that. The lodestar method certainly goes by an hourly rate, et cetera, how good the person is and what's his ranking. There are a number of factors that go into that. So certainly if the proper information is brought back before the Commission I would be happy to make a motion for the Commission's consideration on whether or not to approve it. But we are going to have to have a billing before that takes place, Anthony.

>> CHAIR ORTON: Okay, anything else?

>> MR. EDWARD WOODS: Chairperson if it's okay with Commissioner Eid and Commissioner Callaghan if they withdraw the motion we can assist them with facilitating this process to bring it back to the Commission at its next meeting in March.

>> CHAIR ORTON:

>> MR. EDWARD WOODS: Next regularly scheduled meeting.

>> COMMISSIONER EID: I will get that to you guys.

>> CHAIR ORTON: So you withdraw your motion?

>> COMMISSIONER EID: Yes.

>> CHAIR ORTON: Okay.

Anything else on that?

Then the next item is new business 6B review salary of Commission. Without objection I will ask MICRC Executive Director Woods to facilitate this item. Hearing no objection please proceed, Mr. Woods.

>> MR. EDWARD WOODS: Sure. On this was a request of Commissioner Kellom. And I can just go ahead and start it and then she can finish. But starting the week of January 15th the Commission engaged in mapping. During the mapping phase the Commission received 35% of the Governor's salary versus the constitutional minimum of 25% of the Governor's salary. And to move with the Commission improve the increase of Commissioner salaries from 746 to 63 cents to 1072.21 per week until the Commission is completed drawing the State House and State Senate districts retroactive to Monday January 15th. Commissioner Kellom, I will turn it over to you.

>> CHAIR KELLOM: Yes, thank you, I'm sorry, community Outreach Director Edward Woods III. Sorry I'm under the weather. But I just recommend that we accept the recommendations as laid out on the previous slide that Edward just shared. And that the previous discussion that we had about salary suggested a more permanent change. So I am to believe there would be different perspectives if we shall choose to have a salary increase retroactively from the point we started mapping up until the House and Senate maps are finished and I make a motion to accept those recommendations.

>> DONNA CALLAGHAN: Second.

>> CHAIR ORTON: Okay we have a motion and a second to retroactively from when we started remapping through the mapping process of the House and Senate to raise the Commission's salary to 35% of the Governor's salary as stated on the Page.

Discussion, Commissioner Lange?

>> COMMISSIONER LANGE: Two points. During the mapping process between downtime with computers crashing, programs crashing, we didn't even work 40 hours. Second point, I don't know how many more times I'm going to stress this but I'm going to keep stressing it because it's my opinion. We violated people's constitutional rights, why should we be whether it was unintentional, or not, why should we be rewarded for that? I just don't understand what the reasoning is. I will never understand. That's all I got to say, and I mean no disrespect to anybody. I just have to express myself. Thank you.

>> CHAIR ORTON: Commissioner Curry?

>> COMMISSIONER CURRY: I just want to say that upon receiving this job my newspaper ad when I put in my application for this job said 45% of the Governor's salary. I mean the state salary. So I'm just shocked that it went down so far. You

know, everybody on the Commission just about are professionals. We went to college. Got our associates, bachelor's and everything. I'm trying to figure out this is a -- I just agree with Kellom, Chairperson I mean Commissioner Kellom.

>> CHAIR ORTON: Commissioner Szetela?

>> COMMISSIONER SZETELA: Yeah, I just don't agree with increasing salaries. I think that we are compensated well enough. And I mean to kind of echo Commissioner Lange's point I don't know of any other job where you would get paid more because you messed something up and had to redo it. If anything you wouldn't get paid anything. And that's kind of the position we are in. We got it wrong. We are being forced to fix it by a Court. And to ask for more money to do that I just think is just inappropriate. So I'm not in favor of increasing salary.

>> CHAIR ORTON: Commissioner Kellom?

>> COMMISSIONER KELLOM: I don't think it's a reward or a response to the work we are doing. And I already stated that because of socioeconomic reasons in society, because of non-equitable salaries, because there's no other job that your peers or your coworkers would dictate how much you make, that's more so a discussion when we have this conversation way back, I think it was a year ago I did not vote for the salary to decrease for the position I'm taking now is the position I've had through the entirety of this role that I deeply respect, that I'm honored to have. So it's well beyond the monetary value. But I do believe that everyone should get paid what they're worth. And I for sure did not agree to how the maps were drawn. So to say that we got it wrong, I'm not even going to get into that. But that is my position.

>> CHAIR ORTON: Commissioner Eid?

>> COMMISSIONER EID: Yeah, I don't think looking at it as a reward or punishment is really the I look at it. I simply look at it as what is a reasonable, dignified living wage in 2024 for this job that we do, that is unconventional, and some weeks have more hours than other weeks. I told you I worked quite a lot over the past two weeks outside of meetings. Doing jobs for this Commission. And it's a thankless job. It's a job that has no benefits. We are the only state employees that don't get healthcare as far as I know. The only state employees that don't get a 401(k) or a percentage match. As far as I know every other state employee has those things, but you know we don't. And that's okay.

But the question is what is a dignified wage? And that answer is going to be different for each of us. And that's okay.

We come from different backgrounds. We have different careers. We have different families, and we have different life circumstances. But I think all of those things should be taken into account when discussing something like this. So you know to me it's not a reward or a punishment. It's just what is reasonable, what is dignified, and, you know, how can we be reasonable and proud to say that we have this job?

>> CHAIR ORTON: Commissioner, oh, okay.

Anything else? Okay so we have a motion and a second.

>> COMMISSIONER LANGE: Roll call.

>> CHAIR ORTON: On the floor. And can you put the motion back up on the screen again, please? So as stated on the screen roll call vote, please.

>> YVONNE YOUNG: Absolutely, Madam Chair. The motion is before you on the screen. I will call Commissioners in order, a yes vote means you are in favor of the motion that's before you and a no vote means you are not. I will begin with Commissioner Vallette?

>> COMMISSIONER VALLETTE: So would you say again a yes vote is yes for the increase?

>> YVONNE YOUNG: Yes, ma'am.

>> COMMISSIONER VALLETTE: Okay, yes.

>> YVONNE YOUNG: Erin Wagner?

>> COMMISSIONER WAGNER: No.

>> YVONNE YOUNG: Richard Weiss?

>> COMMISSIONER WEISS: My position is still the same on raises, no.

>> YVONNE YOUNG: Elaine Andrade?

>> ELAINE ANDRADE: No.

>> YVONNE YOUNG: Donna Callaghan?

>> DONNA CALLAGHAN: Yes.

>> YVONNE YOUNG: Juanita Curry?

>> COMMISSIONER CURRY: Yes.

>> YVONNE YOUNG: Anthony Eid?

>> COMMISSIONER EID: Yes.

>> YVONNE YOUNG: Brittini Kellom?

>> COMMISSIONER KELLOM: Yes.

>> YVONNE YOUNG: Rhonda Lange?

>> COMMISSIONER LANGE: No.

>> COMMISSIONER VALLETTE: Steve Lett?

>> COMMISSIONER LETT: No.

>> YVONNE YOUNG: Marcus Muldoon?

>> MARCUS MULDOON: Yes.

>> YVONNE YOUNG: Cynthia Orton?

>> CHAIR ORTON: No.

>> YVONNE YOUNG: Rebecca Szetela?

>> COMMISSIONER SZETELA: No.

>> YVONNE YOUNG: Madam Chair with a vote of six yes, seven no, the motion does not carry.

>> CHAIR ORTON: Thank you.

>> YVONNE YOUNG: You're welcome.

>> CHAIR ORTON: Okay, next on the agenda is new business, 6C, November financial report. Without objection I will ask Director Woods to facilitate this item. Hearing no objection please proceed, Mr. Woods.

>> MR. EDWARD WOODS: All right, for November, column in the middle, our travel costs were 19,000 high but this was due to the Court hearing in Kalamazoo. With regards to that we covered obviously we had travel costs not just for ourselves but for attorneys and our experts. We also see a high with regards to our litigation counsel. Expenses during that time and local counsel. So that's where we are with regards to that information.

So we are looking at a total of 600,000. I do want to note that we are still waiting for updated bills from EDS, which is our mapping consultant. So we spent a total of 600,257.87. In December we spent a total of, I'm sorry, 277,305.29. Some of that we had costs going back to Court as well. Obviously our legal costs are where they are at this time. But most of our costs as everyone is aware is driven by litigation. Most of our costs are driven by litigation. If there is any questions I know I kind of jumped, Chairperson so forgive me, but I showed up November, December. These are our quarterly reports that we turn in to the state. And so I needed to make sure that the Commission has seen this report so that we can get that in if there is any questions, I can take them at this time.

>> CHAIR ORTON: Any questions? I don't see any, Director Woods.

>> MR. EDWARD WOODS: All right that concludes the November and December financial report.

>> CHAIR ORTON: Okay, thank you. So without objection I will ask Director Woods to provide his Executive Director report. Hearing no objection please proceed.

>> MR. EDWARD WOODS: All right. Everybody able to see my screen?

>> CHAIR ORTON: Yes.

>> MR. EDWARD WOODS: For our February meeting schedule I'll be reaching out to you, but for our virtual meetings one of the things that worked out well when Commissioner Lange and Commissioner Curry I'm sorry Commissioner Lange and Commissioner Kellom did the virtual town hall meeting was somewhat of a cohost so getting Commissioners to kind of facilitate on that time. We have three, six, nine hours that will need facilitation so just want to reach out to see who would be interested in participating. Want to remind you this is more of a conversation and informal discussion with regards to that. We will obviously showcase the nine maps that were done collaboratively as well as the individual map for total of ten maps to share that information. But just to create some type of understanding we have a lot of people promoting this virtual because they know it's a conversation with the Commissioners where they can talk, where they can ask questions. And get feedback. But we just thought, and in this informal setting it would be nice to have some host and so just wanted to let you know I'll be reaching out to you. Asking for your participation to host

for a segment. Whether you want to do it individually or with someone else, let me know. But we are looking for hosts. And the time segment would be for an hour. So an hour. So one to two people per hour with regards to that as relates to the virtual which is scheduled to take place a week from today, treat it like a normal meeting but virtual. People are aware, we are having a new flier that will be coming out that tells people they have to sign up the day of. They will go in order as their hand is being raised. So we are excited about that. We kind of explained the process with regards to what the Commission is doing. But want to make this interactive, informal and engaging. So people who participate virtually can you know be really comfortable and not look at this as a formal meeting but more of an informal meeting where they can get their questions answered. So just wanted to share that.

>> CHAIR ORTON: So this will be more like the town hall was where they can ask us questions and Commissioners answer their questions.

>> MR. EDWARD WOODS: Correct.

>> CHAIR ORTON: Commissioner Wagner?

>> COMMISSIONER WAGNER: That sounds like a great idea and don't know if I will participate in it but since you brought it up did you ever reach out to the reporter that incorrectly attributed Brittini and Rhonda with that town hall meeting? It was Rhonda's idea.

>> MR. EDWARD WOODS: Yes, I made it very clear it was Commissioner Lange's idea from the beginning. So that has never wavered or changed. I know Commissioner Kellom was there to assist. But I also believe you wanted me to let them know that it was done as a Commission initiative as well, was that not correct?

>> COMMISSIONER WAGNER: It was Commissioner Lange's full idea and fantastic and both did a great job but want it accredited to the right person thank you.

>> MR. EDWARD WOODS: All right, thank you.

>> CHAIR ORTON: Excuse me, Sarah Reinhardt. I'm not seeing an -- oh, now I see Bethany James. We are okay. Go ahead.

>> MR. EDWARD WOODS: On February 21st we are having a public hearing at Greater Grace Temple and did site visits yesterday. And so that will be set up for the Commission. The public hearing is 10-1 and 2-5 and 6-8 at Greater Grace. We will take care of everything with the Commission there with regards to it. The walking is minimal with regard to Greater Grace temple. You will be coming through the banquet hall and it's right there with regards to that.

Same thing on the 22nd, which is a Thursday, public hearings at 10-1, 2-5 and 6-8 at Second Ebenezer. With regards to that we had Chase Creative, who is our AV team was present with us. Obviously Kristin, who has done a good job for us, Taylor, is our event planner. Then we will be doing press evals, so the Commissioner is aware on both days.

Once again, those two days are public hearings where people come in and make comment. We worked out, talked to Election Data Services. If people want to come and want to see the map or have a suggestion, we will have somebody there in the back just like we did the last time with regards to that. So really trying to push people to come and make their comments and get on the record with regards to their comments and really pushing that in Metro Detroit and I will share a little bit more about that later.

On February 27th the Commissioner agreed it's a virtual meeting from 8-11 to talk about what they have heard from these virtual town hall meetings and public hearings and decide what steps to do next. We will have all representations from the litigation counsel at the Commissioners disposal as well as VRA counsel, Election Data Services. They will be there on the 27th in the virtual meeting as the Commission processes what they have heard and goes into deliberations as to which map to move forward. And then the 28th of February the Commission is scheduled to meet 9-1 and 2-6. Once again, another virtual meeting with regards to that. And, if it's necessary, the Commission has to turn this into the Court by March 1st, so we can meet on the 29th and we can meet on March 1st if necessary.

So just kind of wanted to share these dates and what's taking place with regards to them. If there is any questions, I can take them at this time.

>> CHAIR ORTON: Commissioner Lange?

>> COMMISSIONER LANGE: I just want to -- I've already spoken to Executive Director Woods about this. But I just want to make sure with Secretary of State's office February 27th is primary day. So will you have the staff to be able to do a virtual meeting? I guess is my concern.

>> MS. SARAH REINHARDT: Hi Commissioner Lange. Really appreciate you raising this. It is primary day for everyone. All Commissioners members of the public, staff, everyone watching get out and vote. On February 27th, Tuesday February 27th. Acknowledging that the Commission is under a time crunch and that Commissioner's availability was discussed and it was limited and that's one of the only days which you all will be available. I can make sure that we have staff available to support the Commission during that time. But also acknowledging it is an 8-11 a.m. meeting. That is definitely something that we can assist and facilitate with. Again, I just want to thank Commissioner Lange for raising that because I appreciate you mentioning that it is election day.

>> COMMISSIONER LANGE: You're welcome. And just for the Commission's notification and the public I am actually not available that day. So just want to put that out there. Thank you.

>> CHAIR ORTON: Okay any other questions for Director Woods? Juanita? Did you have your hand up?

>> COMMISSIONER CURRY: No, I'm sorry I didn't.

>> CHAIR ORTON: Okay, I don't see anything else.

>> MR. EDWARD WOODS: All right, I will move on to the next slide. McConnell Communications, as you know, we had voted communications McConnell Communications, we have already started doing presentations and want to thank the Commissioners that have made themselves available. McConnell Communications has all of your numbers and will reach out to you as things come available. But we have done the Council of pastors and media interviews that have been done. Neighborhood District meetings, there is 7, neighborhoods in Detroit. And we have been working through their Council people, for example the Council president, the Honorable Mary shelf field had a meeting and able to present virtually and other meetings coming up. So we are really trying to look at every conceivable way to get the word out, spread the word out, in Detroit with regards to the meetings. Whether the neighborhood districts or even neighborhood meetings as well. We are also working with community organizations so people call, and they can call us with regards to that. We do have 800 number that is up so people can reach us. It's 866 map fair. 866 map fair. Is the number. And people can call, get their questions answered. So that there is no long distance charges. Also working with radio interviews and radio ads as well. So just want you to know as we talked before McConnell Communications is doing traditional media radio, print and television interviews and community outreach piece in terms of us getting in contact directly with the people and the places that they live..

98 forward is working on 30 second commercials. These will be for social media. These will also be used at the gas station, television ads where people go to pump gas. So really working with them on nontraditional and social media. They are going to use social media. You know we have Facebook, Instagram and YouTube and thought TikTok will be useful with the younger generation and social media influencers and someone from Arabic and Hispanic and they are searching for in the Bengali community as well. So just want you to know we are using nontraditional social media influencers in the Detroit area to get people to come to the public hearings or sign up for the virtual town hall that will take place a week from today. Text advertising. They have text in the districts of Detroit, they have a text campaign to text a selected group of people in each District, each of the 7 districts in Detroit to get them to come out, as well as the e-mail campaign. So just want you to know a lot of effort is going in to making sure we use traditional and nontraditional resources to get people engaged and to raise their voice. Hash tag they are using is show up speak up. Show up speak up is the hash tag they are using. Wanted to make sure the Commission was informed about that as well. And then I can share with you the new flier that we will post after today's meeting on the site. But this is the new flier that we have, talks about the virtual town hall, the meeting on Wednesday at Greater Grace. The meeting is on Thursday at Second Ebenezer. How they can use the QR codes the day of the meeting for the town hall. And if they don't have the QR code they can click, this is a PDF where they can click and sign up on a first come, first serve basis.

And then we have also shared the text in terms of people to give them an understanding with regards to that. And want to thank Commissioner Orton for helping us out with this and others with regards to this. So that people know how to get in contact with us and what is taking place. And so we are very excited about our outreach efforts. Want to thank the Commission for getting some support so that we can get the word out. And it's ongoing with regards to making sure people in the Metro Detroit can raise their voice as well as anyone across the state as it relates to the maps.

Let me see if there is one more thing that I want to share. I know we are short on time. I think that is it. So thank you for providing an opportunity to report. If there is any questions, I can take them at this time.

>> CHAIR ORTON: Okay, any questions for Director Woods? I don't see any.

>> MR. EDWARD WOODS: Thank you.

>> CHAIR ORTON: So, without objection, I will ask Sarah Reinhardt if there is any updates from the Michigan Department of State? Hearing none, Sarah?

>> MS. SARAH REINHARDT: Hi, Commissioners. I do not have an update for you today. Yep, that's it.

>> CHAIR ORTON: Okay, thank you.

>> MR. EDWARD WOODS: Chairperson.

>> CHAIR ORTON: Yes.

>> MR. EDWARD WOODS: We do have a legal liaison report.

>> CHAIR ORTON: Commissioner Lett?

>> COMMISSIONER LETT: No, we don't.

>> MR. EDWARD WOODS: No, we don't, okay, thank you.

>> CHAIR ORTON: Okay. So correspondence was received in advance of our meeting today along with any written public comments to the Commissioners. Are there any future agenda items that Commissioners would like to have added to the future agenda?

I don't see any so are there any announcements?

I don't see any of those either so as the items on the agenda are completed and the Commission has no further business a motion to adjourn is in order.

>> COMMISSIONER EID: So moved.

>> COMMISSIONER WEISS: Second.

>> CHAIR ORTON: It's moved and seconded that we adjourn. All in favor raise your hand and say aye.

>> Aye.

>> CHAIR ORTON: Any opposed raise your hand and say nay. Okay we are adjourned at 1:55 p.m.