

Michigan Independent Citizens Redistricting Commission

Virtual Meeting via Zoom Webinar because of Covid-19 pandemic,
pursuant to Executive Order 2020-154

Full agenda, presentations, transcripts, and video recordings are available at
RedistrictingMichigan.org

Thursday and Friday, September 17-18, 2020
9:00 AM – 5:00 PM each day

MINUTES

PRESENT: Douglas James Clark
Juanita Curry
James Decker
Anthony Eid
Brittni Kellom
Rhonda Langue
Steven Terry Lett
Cynthia Orton
M. Rothhorn
Janice Vallette
Erin Wagner
Richard Weiss
Dustin Joseph Witjes

ABSENT: N/A

OTHERS PRESENT: Secretary of State Jocelyn Benson; Michigan Department of State (“MDOS”) staff; members of the Public

September 17, 2020: 9:00AM Session

CALL TO ORDER AND WELCOME

Secretary Benson called the September 17-18, 2020 inaugural meeting of the Michigan Independent Citizens Redistricting Commission to order at 9:17 AM and

welcomed the commissioners. Secretary Benson outlined her constitutional role as the commission's "secretary without a vote."

ROLL CALL

MDOS staff called roll. All commissioners were present and a quorum was met.

PUBLIC COMMENT

Secretary Benson opened the floor to public comment.

- Nancy Wang addressed the commission.

A full inventory of live and written public comment is available at RedistrictingMichigan.org.

OATH OF OFFICE

Secretary Benson administered the oath of office to the commissioners.

HOUSEKEEPING AND LOGISTICS

MDOS staff provided an overview of Robert's Rules of Order and other logistics.

INTRODUCTIONS

Each commissioner introduced themselves.

ACTING CHAIR

The commissioners accepted volunteers to serve as Acting Chair. Four volunteered. The commissioners discussed how to proceed.

MOTION: Structure the vote so that four candidates¹ so that four candidates may be voted on, with a runoff vote to follow between the top two candidates. **Motion by Commissioner Eid. Supported by Commissioner Witjes. MDOS staff called roll for the vote of each commissioner. Each commissioner voted yes on the motion. MOTION UNANIMOUSLY APPROVED.**¹

Initial Vote on the Acting Chairperson. **MDOS staff called roll for the vote of each commissioner. BRITTNI KELLOM AND STEVE ~~LETTER~~ LETT WERE SELECTED AS THE FINALISTS. Each commissioner voted as follows:**

¹Per the Open Meetings Act [MCL 15.269(1)] any corrections made by a public body to approved Minutes must "show both the original entry and the correction" and therefore all corrections are shown using font ~~strikethrough~~ to denote deletions and red font to denote corrections.

Anthony Eid	Anthony Eid
Brittini Kellom	Brittini Kellom
Cynthia Orton	Steve Lett
Douglas Clark	Steve Lett
Dustin Witjes	Steve Lett
Erin Wagner	Steve Lett
James (Ed) Decker	Steve Lett
Janice Vallette	Brittini Kellom
Juanita Curry	Brittini Kellom
MC Rothhorn	Brittini Kellom
Rhonda Lange	Steve Lett
Richard Weiss	Steve Lett
Steven Lett	Steve Lett

Run-off Vote Between Brittini Kellom and Steve Lett on the Acting Chairperson. **MDOS staff called roll for the vote of each commissioner. STEVE LETT WAS ELECTED ACTING CHAIRPERSON. Each commissioner voted as follows:**

Anthony Eid	Steve Lett
Brittini Kellom	Brittini Kellom
Cynthia Orton	Steve Lett
Douglas Clark	Steve Lett
Dustin Witjes	Steve Lett
Erin Wagner	Steve Lett
James (Ed) Decker	Steve Lett
Janice Vallette	Brittini Kellom
Juanita Curry	Brittini Kellom
MC Rothhorn	Brittini Kellom
Rhonda Lange	Steve Lett
Richard Weiss	Steve Lett
Steven Lett	Steve Lett

RECESS

Acting Chairperson Lett called for a motion to recess until 2:00 PM.

MOTION: Recess meeting until 2:00 PM. Motion by Commissioner Orton. Supported by Commissioner Witjes. MDOS staff called roll for the vote of each commissioner. Each commissioner voted yes on the motion. MOTION UNANIMOUSLY APPROVED.

The meeting was recessed until 2:00 PM that afternoon.

September 17, 2020: 2:00PM Session

RETURN TO ORDER

Acting Chairperson Lett called the commission back to order at 2:05 PM on Thursday, September 17, 2020.

ROLL CALL

MDOS staff called roll. All commissioners were present and a quorum was met.

PRESENTATIONS AND DISCUSSION

1. Introductions to Role as a Commissioner. MDOS staff presented to the commission and answered questions.
2. Basics of Article IV, Section 6 of the Michigan Constitution. Matt Grossman (Institute for Public Policy and Social Research, Michigan State University), Jon Eguia (Michigan State University, Institute for Public Policy and Social Research), and John Chamberlain (University of Michigan, Center for Local, State, and Urban Policy) presented to the commission and answered questions.
3. Lessons from California and Arizona Commissions. Former California Redistricting Commissioners Andrew Parvenu (no party affiliation), Vincent Barabba (Republican), and Cynthia Dai (Democrat), along with former Arizona Redistricting Commissioner Colleen Mathis (no party preference) presented to the commission and answered questions.

[A full inventory of the presentations, discussion, and questions can be found at RedistrictingMichigan.org.]

PUBLIC COMMENT

Acting Chairperson Lett opened the floor to public comment.

- Anthony Scannell addressed the commission.

A full inventory of live and written public comment is available at RedistrictingMichigan.org.

RECESS

Acting Chairperson Lett called for a motion to recess for the day until 9:00 AM the following morning, Friday, September 18, 2020.

MOTION: Recess meeting until ~~2 P.M.~~ **9 AM**. Friday, Sept. 18. **Motion by Commissioner Witjes. Supported by Commissioner Eid. Acting Chairperson Lett held a voice vote. MOTION UNANIMOUSLY APPROVED.**

The meeting was recessed until 9:00 AM the following morning, Friday, September 18, 2020.

September 18, 2020: 9:00AM Session

RETURN TO ORDER

Acting Chairperson Lett called the commission back to order at 9:02 AM on Friday, September 18, 2020.

ROLL CALL

MDOS staff called roll. All commissioners were present and a quorum was met.

PUBLIC COMMENT

Acting Chairperson Lett opened the floor to public comment. There were no live public comments during this time.

A full inventory of live and written public comment is available at RedistrictingMichigan.org.

INTRODUCTIONS

Each commissioner provided additional information about their interests and their impressions and takeaways from the first day of the meeting.

PRESENTATIONS AND DISCUSSION

1. Redistricting 101. Tom Ivacko (Center for Local, State, and Urban Policy at the University of Michigan Ford School of Public Policy), Ellen Katz

(University of Michigan Law School), and Justin Levitt (Loyola Law School) presented to the commission and answered questions.

2. Redistricting in Michigan. Matt Grossman (Institute for Public Policy and Social Research, Michigan State University), Chris Thomas (former Director of the Bureau of Elections), and John Pirich (Michigan State University Law School) presented to the commission and answered questions.
3. Transparency & Independence Workshop. MDOS staff presented to the commission and answered questions.

[A full inventory of the presentations, discussion, and questions can be found at RedistrictingMichigan.org.]

RECESS

Acting Chairperson Lett called for a motion to recess until 2:00 PM.

MOTION: Recess meeting until 2:00 PM. **Motion by Commissioner Rothhorn. Supported by Commissioner Orton. Acting Chairperson Lett held a voice vote. MOTION UNANIMOUSLY APPROVED.**

The meeting was recessed until 2:00 PM that afternoon.

September 18, 2020: 2:00PM Session

RETURN TO ORDER

Acting Chairperson Lett called the Commission back to order at 2:01 PM on Friday, September 18, 2020.

ROLL CALL

MDOS staff called roll. All commissioners were present and a quorum was met.

NEW BUSINESS

1. COMMISSION STRUCTURE

The commissioners discussed possible organizational structures and their relative merits.

MOTION: Vote on a six (6) month semi-permanent chairperson structure. **Motion by Commissioner Clark. Supported by Commissioner Witjes.** Discussion ensued.

MOTION TO AMEND: Vote on a three (3) month semi-permanent chairperson structure. **Motion by Commissioner Rothhorn. MDOS staff called roll for the vote of each commissioner. MOTION TO AMEND FAILED 7-6. Each commissioner voted as follows:**

Anthony Eid	N
Brittini Kellom	N
Cynthia Orton	Y
Douglas Clark	Y
Dustin Witjes	N
Erin Wagner	Y
James (Ed) Decker	Y
Janice Vallette	N
Juanita Curry	N
MC Rothhorn	N
Rhonda Lange	Y
Richard Weiss	N
Steven Lett	Y

STRAW POLL: Who among the group would have interest in serving as chairperson. **Requested by Commissioner Lange. Acting Chairperson Lett held a vote by show of hands. STRAW POLL UNANIMOUSLY APPROVED.** Three commissioners then expressed interest in serving as chairperson or vice-chairperson (Commissioners Eid, Witjes, Kellom, and Lett). Discussion ensued.

Acting Chairperson Steve Lett called for a roll call vote on the original motion by Commissioner Clark to ~~instate~~ **institute** a 6-month semi-permanent chairperson structure in which the commission chairperson and structure would be re-assessed exactly six months from the day of the vote (i.e. March 18, 2020). **MDOS staff called roll for the vote of each commissioner. MOTION PASSED 8-5. Each commissioner voted as follows:**

Anthony Eid	N
Brittini Kellom	Y

Cynthia Orton	Y
Douglas Clark	Y
Dustin Witjes	Y
Erin Wagner	N
James (Ed) Decker	Y
Janice Vallette	Y
Juanita Curry	Y
MC Rothhorn	N
Rhonda Lange	N
Richard Weiss	N
Steven Lett	Y

2. CHAIRPERSON SELECTION

Acting Chairperson Lett requested nominations.

MOTION: Keep Acting Chairperson Lett as the chairperson for the initial six (6) month term. **Motion by Commissioner Witjes.**
Supported by Commissioner Vallette. Acting Chair Lett accepted the nomination.

MOTION: Nominate Commissioner Kellom as the chairperson for the initial six (6) month term. **Motion by Commissioner Rothhorn.**
Supported by Commissioner Eid. Commissioner Kellom accepted the nomination.

MDOS staff called roll for the vote of each commissioner. STEVE LETT WAS ELECTED CHAIRPERSON 8-5. Each commissioner voted as follows:

Anthony Eid	Steve Lett
Brittni Kellom	Brittni Kellom
Cynthia Orton	Steve Lett
Douglas Clark	Steve Lett
Dustin Witjes	Steve Lett
Erin Wagner	Brittni Kellom
James (Ed) Decker	Steve Lett

Janice Vallette	Brittni Kellom
Juanita Curry	Steve Lett
MC Rothhorn	Brittni Kellom
Rhonda Lange	Brittni Kellom
Richard Weiss	Steve Lett
Steven Lett	Steve Lett

3. VICE-CHAIRPERSON SELECTION

Chairperson Lett requested nominations.

MOTION: Nominate Commissioner Kellom as the vice-chairperson for the initial six (6) month term. **Motion by Chairperson Lett. Supported by Commissioner Eid.** Commissioner Kellom accepted the nomination.

MOTION: Nominate Commissioner Eid as the vice-chairperson for the initial six (6) month term. **Motion by Commissioner Eid. There was no second.**

MDOS staff called roll for the vote of each commissioner.

BRITJNI KELLOM WAS ELECTED VICE-CHAIRPERSON 9-

4. Each commissioner voted as follows:

Anthony Eid	Anthony Eid
Brittni Kellom	Brittni Kellom
Cynthia Orton	Anthony Eid
Douglas Clark	Anthony Eid
Dustin Witjes	Brittni Kellom
Erin Wagner	Brittni Kellom
James (Ed) Decker	Anthony Eid
Janice Vallette	Brittni Kellom
Juanita Curry	Brittni Kellom
MC Rothhorn	Brittni Kellom
Rhonda Lange	Brittni Kellom
Richard Weiss	Brittni Kellom
Steven Lett	Brittni Kellom

4. **HIRING STAFF**

The commissioners discussed possible staffing needs and options. They also discussed the role of the Secretary of State's Office in keeping minutes for the meeting.

MOTION: Hire an executive director for the commission. **Motion by Commissioner Witjes. Supported by Commissioner Clark. Chairperson Lett held a voice vote. MOTION UNANIMOUSLY APPROVED.**

MOTION: Request that MDOS staff prepare a draft job descriptions and postings for the commission's review. **Motion by Commissioner Orton. Supported by Commissioner Decker. Chairperson Lett held a vote by show of hands. MOTION UNANIMOUSLY APPROVED.**

MOTION: Request that MDOS staff work with the Legislative Council to provide the commission with government email addresses. **Motion by Commissioner Orton. Supported by Commissioner Witjes. Chairperson Lett held a vote by show of hands. MOTION UNANIMOUSLY APPROVED.**

Chairperson Lett asked that MDOS staff bring the following draft job descriptions, postings and materials to the commission for review: draft request for proposal; executive director; racially-polarized voting consultant; outreach director; in-house legal counsel.

5. **BUDGET AND COMPENSATION**

The commissioners discussed compensation, frequency, reimbursement of costs, overall budget allocations, and timing of the budget.

MDOS staff clarified that the constitution sets forth that payment received by commissioners is "compensation", and that the constitution does *not* refer to commissioner payment as a "salary." MDOS staff clarified **that** that if the commission elects to receive monthly payments for 12 months equal to 25% of the Governor's salary, that after 12-months, the total compensation required by the constitution for each commissioner will have been exhausted.

Michigan Department of State staff again clarified the language of the Constitution regarding Commissioner payment and compensation. MDOS staff stated that payment received by Commissioners is regarded as compensation, not as salary, and is currently only limited to a set compensation of 25% of the Governor's annual salary.

MOTION: That each commissioner be paid 25% of the Governor's monthly salary on a monthly basis. **Motion by Commissioner Clark. Supported by Commissioner Curry.** Discussion ensued.

MOTION TO AMEND: That each commissioner be paid on a bi-weekly basis 25% of the Governor's bi-weekly salary. **Motion by Vice-Chairperson Kellom. Supported by Commissioner Witjes.** Discussion ensued.

SUBSTITUTE MOTION: Request that MDOS staff collect further information from the Legislative Council on instituting bi-weekly or monthly payments. **Motion by Commissioner Witjes. Supported by Commissioner Clark. Chairperson Lett held a voice vote.**
MOTION UNANIMOUSLY APPROVED.

6. FUTURE MEETINGS

The commissioners discussed general availability and schedules. They also discussed, and MDOS staff clarified the requirements of the Open Meetings Act, including the advance notice timing needed for subsequent meetings. The Commission requested that MDOS staff collect long-term availability from each commissioner and provide it to the commission to determine dates and times for recurring meetings.

MOTION: Request that MDOS staff collect long-term availability from each commissioner and provide it to the commission to determine dates and times for recurring meetings. **Motion by Chairperson Lett. There was no second.**

MOTION: Designate Friday, September 25, 2020 as the day of their next meeting. **Motion by Commissioner Orton. Supported by Vice-Chairperson Kellom. Chairperson Lett held a voice vote.**
MOTION UNANIMOUSLY APPROVED.

PUBLIC COMMENT

Chairperson Lett opened the floor to public comment.

- Bob Dindoffer addressed the commission.

A full inventory of live and written public comment is available at RedistrictingMichigan.org.

ADJOURNMENT

There being no further business, Chairperson Lett called for a motion to adjourn.

MOTION: Adjourn the meeting. **Motion by Commissioner Witjes. Supported by Commissioner Vallette. Chairperson Lett held a voice vote. MOTION UNANIMOUSLY APPROVED.**

The meeting was adjourned at 5:37 PM.