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MICRC

05/27/21 5:00 Meeting

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Hello, welcome, good evening.

If everyone could find their way to their seats, we are ready to begin.

We are getting feedback and I don't know if maybe it will go away and seems like we are getting feedback from the virtual connection.

>> MS. SARAH REINHARDT: It should be resolved now, Madam Chair

>> CHAIR KELLOM: Thank you. Good evening. As Chair of the Commission, I call this meeting of the Michigan Independent Citizens Redistricting Commission to order at 5:10 p.m.

This Zoom webinar is being live streamed at you tube at www.YouTube.com/michsosoffice/videos.

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 to find the link for viewing on YouTube.

Our live stream today includes closed captioning. Closed captioning, ASL interpretation, and Spanish and Arabic translation services will be provided for effective participation in this meeting. e-mail us at Redistricting@Michigan.Gov for additional viewing options or details on 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 being recorded and will be available at www.Michigan.gov/MICRC for viewing at a later date.

This meeting is also being transcribed, and those transcriptions will be made available and posted at Michigan.gov/MICRC along with the written public comment submissions.

There is also a public comment portal that may be accessed by visiting Michigan.gov/MICRC. This portal can be utilized to post maps and comments which can be viewed by the public. And the Commission.

Members of the media who may have questions before, during or after the meeting should direct those questions to Edward Woods III, Communications and Outreach Director for the Commission at WoodsE3@Michigan.gov.

For the purpose of the public watching and the public record, I will turn to department state Staff to make note of the Commissioners present.

>> MS. SARAH REINHARDT: Good evening, Commissioners. Please say present when I call your name. 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 remotely.

Douglas Clark.

>> COMMISSIONER CLARK: Present.

>> MS. SARAH REINHARDT: Juanita Curry.

>> MS. SARAH REINHARDT: Anthony Eid?

>> COMMISSIONER EID: Present.

>> MS. SARAH REINHARDT: Brittini Kellom?

>> CHAIR KELLOM: Present.

>> MS. SARAH REINHARDT: Rhonda Lange?

>> COMMISSIONER LANGE: Present; attending remotely from

Reed City, Michigan.

>> MS. SARAH REINHARDT: Steve Lett?

>> COMMISSIONER LETT: Present.

>> MS. SARAH REINHARDT: Cynthia Orton?

>> COMMISSIONER ORTON: Present.

>> MS. SARAH REINHARDT: MC Rothhorn?

>> COMMISSIONER ROTHORN: Present.

>> MS. SARAH REINHARDT: Rebecca Szetela?

>> VICE CHAIR SZETELA: Present.

>> MS. SARAH REINHARDT: Janis Vallette.

>> COMMISSIONER VALLETTE: Present.

>> MS. SARAH REINHARDT: Erin Wagner?

>> COMMISSIONER WAGNER: Present; attending remotely from

Charlotte, Michigan.

>> MS. SARAH REINHARDT: Richard Weiss?

>> COMMISSIONER WEISS: Present.

>> MS. SARAH REINHARDT: Dustin Witjes?

>> COMMISSIONER WITJES: Present.

>> 12 Commissioners are present and there is a quorum.

>> CHAIR KELLOM: Thank you. As a reminder to the public watching, you can view the agenda at redistricting.Michigan.org. And that's why we are going to now bring our attention to the adoption of the agenda. I will now entertain a motion to approve the agenda.

>> COMMISSIONER EID: I move to accept the agenda.

>> COMMISSIONER ROTHORN: It just occurred to me, I'm not sure that Juanita was registered because Sarah said 12 Commissioners present. And I'm wondering if Juanita, yeah, the verbal acknowledgment may not have been heard.

>> CHAIR KELLOM: Thank you, MC.

>> COMMISSIONER WITJES: I will second that.

>> CHAIR KELLOM: Thank you, Commissioner Witjes. Yes, Commissioner Clark?

>> COMMISSIONER CLARK: I would like to add one item to the agenda and that's to expand the number of meetings that we have associated with this.

>> CHAIR KELLOM: I have it under --

>> COMMISSIONER CLARK: That may be new business number 3, A3.

>> CHAIR KELLOM: Yes.

>> COMMISSIONER CLARK: Okay, thank you.

>> CHAIR KELLOM: Thank you, so now we will go to item three or number three. Yes. I was going to ask. So I was going back to we were at adoption of the agenda. And I'm trying to have us recall who made the motion and seconded because is there a motion to adopt if there are no motions?

>> COMMISSIONER ROTHORN: Yes, motion was made by Commissioner Eid and seconded by Commissioner Witjes.

>> CHAIR KELLOM: Thank you. Can we raise hands and signify with an aye those in favor offered adopting the agenda as presented?

>> Aye.

>> CHAIR KELLOM: All opposed raise your hand and say nay. Motion carries. The agenda is adopted as presented.

Moving on to public comment pertaining to agenda topics. My apologies, review and approval of minutes. So we will now review and approve the minutes from the May 13, 2021, public hearing in Kalamazoo. I would entertain a motion to approve the minutes from the May 13, 2021, public hearing which are posted on redistricting Michigan.org.

>> COMMISSIONER LETT: So moved.

>> CHAIR KELLOM: Motion made by Commission Lett.

>> COMMISSIONER WITJES: Second.

>> CHAIR KELLOM: Second by Commissioner Witjes. Is there any discussion on the motion? Hearing none, we will now vote on the motion to adopt minutes for the May 13, 2021, public hearing. All in favor raise your hand and say aye.

>> Aye.

>> CHAIR KELLOM: All opposed same sign, nay. The ayes prevail the motion is adopted.

We will now review and approve the minutes from May 18th, 2021, public hearing in Marquette. I would entertain a motion to approve the minutes from the May 18th, 2021, public hearing, which are posted on redistricting Michigan.org.

>> COMMISSIONER WITJES: So moved.

>> CHAIR KELLOM: Motion made by Commissioner Witjes.

>> VICE CHAIR SZETELA: Seconded.

>> CHAIR KELLOM: Motion seconded by Commissioner Orton. Thank you. Is there discussion or debate on the motion? Hearing none, we will now vote on the motion to adopt the minutes of the May 18th, 2021, public hearing. All in favor raise your hand and say aye.

>> Aye.

>> CHAIR KELLOM: All opposed raise your hand and say nay. The ayes prevail. The motion is adopted for the approval of the May 18, 2021, minutes.

We will now review and approve the minutes from the May 20th, 2021, regular meeting in Gaylord. I would entertain a motion to approve the minutes from May 20, 2021, regular meeting, which are posted on redistricting Michigan.org.

>> COMMISSIONER LETT: So moved.

>> COMMISSIONER WITJES: Second.

>> CHAIR KELLOM: Motion made by Commissioner Lett. And I believe the second was made by Commissioner Witjes.

Is there any discussion or debate on the motion? Hearing none we will now vote on the motion to adopt the minutes for the meeting in Gaylord May 20th, 2021. All in favor raise your hand and aye.

>> Aye.

>> CHAIR KELLOM: All opposed raise your hand and say nay. The ayes prevail. Motion carries.

We will now review and approve the minutes from the May 20, 2021, public hearing in Gaylord. I would entertain a motion to approve the minutes from May 20th, 2021, public hearing, which are posted on redistricting Michigan.org.

>> COMMISSIONER LETT: So moved.

>> CHAIR KELLOM: Motion made by Commissioner Lett.

>> COMMISSIONER WITJES: Second.

>> CHAIR KELLOM: Seconded by Commissioner Witjes. Is there any discussion or debate? We will now vote on the motion to adopt the minutes of the May 20, 2021, public hearing? All in favor raise your hand and say aye.

>> Aye.

>> CHAIR KELLOM: All opposed? The ayes have it, motion carries to adopt the minutes for the public hearing on May 20, 2021. We will now review and adopt we will now review and approve the minutes from the May 25th, 2021, public hearing in Midland.

I would entertain a motion to approve the minutes.

Motion is made by Commissioner Rothorn.

>> COMMISSIONER LETT: Second.

>> CHAIR KELLOM: Commissioner Lett gave a second, sorry, I can't see.

I will now entertain or will vote on the motion to adopt those minutes for May 25th. All in favor raise your hand and say aye.

>> Aye.

>> CHAIR KELLUM: All opposed raise your hand and say nay. The ayes have it, the motion is adopted.

The motion carries.

So moving on to public comments and correspondence and remarks, without objection we will now begin the public comment pertaining to agenda topics only portion of our meeting. Are there any objections?

Hearing no objection we will now proceed with public comment pertaining to agenda topics. A few reminders, individuals who have signed up and indicated they would like to provide in-person public commentary to the Commission will now be allowed to do. So please step to the nearest microphone when I call your name and you will have two minutes to address the Commission.

Please conclude your remarks when you hear the timer. As well, please go to the public comment tool and share your comments in writing including any specific area of the map about which you are speaking. The public comment tool is at Michigan.gov/MICRC.

First in line to provide public comment is James Gallant. You are now invited to address the Commission.

>> Is this on? All right. My names is James Gallant with the Marquette suicide prevention coalition and my community of interest is the entire State of Michigan. And my interest in that is the Bylaws, rules of procedure and the decision making process of the Commission and future iterations of this Commission.

Now to start with I would like to say the Constitution amendment states very specifically that the Secretary of State is the secretary of this Commission without a vote. And she is not here and not been participating.

I talked to your Sarah Reinhardt and said she has been appointed by the Secretary of State in her stead. Except for she never verified that with the Secretary of State. She never spoke to the Secretary of State about that. So I ask that you to verify why the Secretary of State is not acting as the secretary.

Making decisions, you wanted to say what the motion was, you go to the clerk, because that is the secretary and you go to your County Commission, that is what they do.

Now, the Secretary of State, I believe that based on facts that the rules of procedure for this Commission had been willfully gerrymandered to benefit the political left and specifically the democratic party.

Now, Secretary of State Benson created a precedent to the current rules of procedure at the first meeting that have not been codified in order that this Commission would then follow them and adhere to them.

And starting with the second meeting chaired by Commissioner Lett. He conducted a straw poll. If you look in the book, the chapter says, the title of it, the straw poll is out of order, that is all we need to know.

And it appears that he also did not adhere to the precedence to the election rule established by the Secretary of State, which is the third ranking public official, election official in the state. And did not adhere to the election rule to -- when you voted for the Vice Chair the first time, they said there were four people, so you vote to get it down to two and have a runoff. But the second time there was three and they just voted. And they did not do the runoff thing, which is the rule.

So these rules need to be codified in order that you can then have a starting point for this and future iterations of this.

>> CHAIR KELLUM: Your statement has ended, please conclude your statement.

>> Okay, I would like to say that the citizens Independent Redistricting Commission is -- you are -- it's pretty much un-American what you are doing here. Because this is the way we do it in America. Robert's Rules of order based on the precedence of Congress in the United States. This is the way we do it in the United States. And it appears that this Commission is trying to change the dominant narrative of what is in this book. It's my understanding you don't even have a copy of this book. And, okay, we will see how that goes. Thank you.

>> CHAIR KELLUM: Thank you so much, Mr. Gallant.

We will go on to our next public comment. Please step to the nearest microphone and you are here and you will have two minutes to address the Commission. And please conclude your remarks when you hear the timer. You are now invited to address the Commission.

>> All right. Thank you for being here. I want to thank the voters of Michigan for having this Commission. I think it's really important that we draw fair lines for the citizens of the state.

I live in Grand Ledge and I work in Delta Township. My Congressional District is through Jackson all the way down to the bottom of the state. My representative, my Congressional representative is an hour and 40 minutes away from me. And I just -- I want to make sure that when we redraw the lines and considering the citizens, you know, they are similar like Grand Ledge is more and more become an urban and less agricultural, all right? So we have less in common with those folks that are down south of the state.

And I work in the Lansing area. I live just outside the City of Dusso. So it's difficult for me to have proper representation like that, so I just want to make sure those things are considered.

And, lastly, I just want to thank the folks who are working here today, operating the cameras and the gentleman that came up here to keep this microphone sanitized and

things like that. And all of you for being here. I appreciate you being here and doing this. Thank you.

>> CHAIR KELLOM: Thank you. And just as a quick reminder, those wanting to speak for the hearing portion that signed up ahead of time, that is going to follow our regular meeting.

Right now we are in our regular meeting and the public hearing will begin at 6:00.

So these -- this time for public comment is only for agenda topics, so please do share with us but keep in mind we have a public comment tool for everything that is shared in the hearing. And if the person that just spoke, if you would like to put your comment in the comment tool, particularly any area of specification that you just mentioned, that would be very helpful for the Commission.

At this time for the public record, it doesn't seem that we have any remote public comment, so we will move to our unfinished business the first item. My apologies. You are correct. You can approach the mic when you are ready.

You will have two minutes to address the Commission. When your allotted two minutes is up you, will hear a timer. And please do respect the end of the timer. And you can definitely finish the end of your sentence, but that will be your allotted time to address the Commission.

You may now address the Commission.

>> My name is James Gallant with Marquette Suicide Prevention Coalition and I would ask you to please consider scheduling a special meeting to review and amend your Bylaws. I would ask you to hire a certified parliamentarian. Robert's Rules of Order foundation has that on their website. In Michigan, I talked to the lady. She is top notch. She would be more than willing to do it. She is top in the state. To get a review and then some recommendations from an actual certified parliamentarian.

And I would ask you to have a special meeting, but to conduct a public hearing at that special meeting so you can get unrestricted input from the public. And that you would then consider the part about the hiring a certified parliamentarian to get the process of reviewing and amending the bylaws for future generations and iterations of this Commission.

And I am now preparing an amicus brief supporting your extension of time to the Michigan Supreme Court. I'm going to explain to them all of these structural defects. And I'm going to tell them that you are going to need some time to fix this. So you are going to need more time, not just to do the reports, not just because the census data is late, but because you're going to have to revisit the rules. You are going to have to codify the rules, start over, and you got to do most of your -- because these rules were created in February. They were approved in February. And it was the third draft, that is because your Chair, Mr. Lett, I believe it was, allowed the attorney the floor without a motion pending to do the Bylaws. Then they said, well, you know, if the discussion is

not over, it's going to automatically lay on the table until the next meeting. No, that is out of order too.

So all of a sudden this is what happened. I learned this in Marquette from the democrats. If you look at Marquette in the UP it's blue with a big red stain in the middle. Oh, no, that is democrats with a big stain on the red in the UP. And what they do is they bring it and they have discussion and say can you go back and work on that.

The third draft, when there was no motion pending, of these rules of procedure, was approved by this Commission. And you never asked for a draft to begin with and that draft was created by the --

>> CHAIR KELLOM: Your allotted two minutes is over, Mr. Gallant.

>> I'm finishing my sentence please and my thought like you said I could and thank you very much.

>> CHAIR KELLOM: You began another sentence. Thank you for addressing the Commission. Moving to unfinished.

>> You said I can finish my thought, not my sentence.

>> CHAIR KELLOM: You cannot disrupt our meeting. Thank you for addressing the Commission.

Moving on to unfinished business agenda, item 6A regarding the public comment portal, without objection Michigan department of state staff and Moon Duchin of MGGG Redistricting Lab will provide an update accessing printing maps and comments from the public comment portal are there any objections?

Hearing no objection, I ask that MDOS and MGGG proceed.

>> MS. SARAH REINHARDT: Good evening, Commissioners. Moon with MGGG could not be here, but I'm happy to provide an update for you all on the public comment portal.

We have now updated the portal to allow Commissioners and members of the public to right click on a comment and open it in a new tab to avoid resetting the gallery to its first page.

To use this feature click on submission cards from the gallery and select open in a new tab. This will open the submission in a new tab, saving your place in the submission gallery.

Additionally, we are working currently working with MGGG to add a print feature to the comment gallery. This new feature will allow Commissioners and members of the public to do an advanced search by date, range, keyword, etcetera, and physically print those comments. And this new print feature is expected to be added to the portal in the next week and that is my update. I'm happy to take any questions.

>> CHAIR KELLOM: Are there any questions for Ms. Reinhardt? We appreciate that update. Thank you. Moving on to unfinished business agenda item.

>> COMMISSIONER LANGE: Madam Chair, sorry, Erin had her hand up.

>> CHAIR KELLOM: Thank you, Commissioner Lange. Commissioner Wagner, please go ahead.

>> COMMISSIONER WAGNER: Sarah, I have a few questions but I was hoping to ask Moon because I don't think you will be able to answer them. One of them was are we letting the public know to hash tag all of their comments with the area they are in so we can organize them?

And also how are we sorting those comments that are not hash tagged?

>> MS. SARAH REINHARDT: That's a great question and I'm happy to answer. Sorry, go ahead.

>> COMMISSIONER WAGNER: One more question. I noticed there is a lot of public questions on the public comment tool and how are those getting answered? So those are my three questions. Thank you.

>> MS. SARAH REINHARDT: Thank you, Commissioner Wagner. I'm happy for answer them for you. So first with tags, tags are optional. Anyone may add them to help categorize their comment, but they are not required.

I would also add that anyone can go to any comment within the portal and add a comment to that comment, that provides secondary tags to help in the categorization of comments.

The advanced feature also allows you to search by keyword. So if they don't tag their comment on map submission as say the Kalamazoo area but they mention it in the description, that search feature will still catch that submission.

And, I'm sorry, what was your last question? Oh, yes, answering questions, I apologize.

So for members of the public who have questions about the function of the Commission, or how the Commission is approaching the map drawing process or anything that can be answered or that they would like to be answered, I encourage them to e-mail our inbox, which is redistricting at Michigan.gov. And we will provide answers to any questions.

>> CHAIR KELLOM: Thank you, Ms. Reinhardt. Are there any further questions? And I will be mindful to maybe keep eyes on the screen as well because I don't want to miss hands. Are there any other questions regarding this topic?

Okay, moving on to unfinished business, Agenda Item 6B. Without objection Commissioner Clark has requested school District data be placed on this agenda for discussion.

Are there any objections?

Hearing no objection, I invite Commissioner Clark to proceed.

>> COMMISSIONER CLARK: Thank you, Commissioner Kellom. When we were in Jackson and Kalamazoo, there was a significant number of public comments relative to community of interest of keeping school districts intact within the same District. So after the meetings I contacted Matt Grossman who works at MSU as a professor and is

significantly involved with election data. And I asked of Matt if this type of data was available.

His response was the following, and I will forward this e-mail on to the rest of the Commissioners: The school District boundary files are here and then he gives me a wink. Then he made a comment I don't know if they can be added to the public tool, but you can certainly use them. They are updated until 2017, but we can help the mapping consultant add any recent changes.

So we are going to have to work with our mapping consultant to see if the data that is available is appropriate to be added and is something we will address as we begin to work with them. But I wanted to make everyone aware of this. And I will definitely get you a copy of the e-mail. Thank you, Commissioner Kellom.

>> CHAIR KELLOM: Thank you so much, Commissioner Clark. Is there any discussion or any further discussion about school data?

>> COMMISSIONER ROTHORN: I just --

>> CHAIR KELLOM: Commissioner Eid.

>> COMMISSIONER EID: Thank you, Commissioner Kellom. I just wanted to thank Commissioner Clark for taking the initiative to do that. You know, more data is always good in my eyes. And whether or not we choose to use that data in the map drawing process, I'm glad that we have it. So thank you again, Commissioner Clark.

>> CHAIR KELLOM: Moving on to unfinished business Agenda Item 6C, which is the update on the contract with EDS. If there is no objection, and I don't think I hear any, I'll ask our Executive Director, Sue Hammersmith, to proceed with that update.

>> MS. SUANN HAMMERSMITH: Yes, I just want the Commission and the public to know the contract was finalized and signed on Tuesday. And Julianne and I did have -- our General Counsel, Julianne Pastula, and I had an initial conversation with Kim Brace of EDS and talked about next steps and what kinds of data he needs in order to initiate the process.

>> CHAIR KELLOM: Is there any further discussion about that update? Okay, moving on to new business, Agenda Item A1 regarding individual requests from Commissioners One Voice, if there are no further -- if there are no objections, I will turn the floor over to Commissioner, pardon me, to Executive Director Sue Hammersmith.

Hearing none, you can continue. You can go ahead, Sue.

>> MS. SUANN HAMMERSMITH: Okay. Thank you. Yeah, I cannot be a Commissioner and Executive Director both, that is too much.

>> CHAIR KELLOM: I try to tangle you in a web.

>> MS. SUANN HAMMERSMITH: So I've been receiving lots of individual requests from Commissioners. And it's great and I appreciate all the comments, but you need to realize that when 13 people are reaching out to me, some have opinions one way and some have opinions another way and then there are some in the middle. And it makes it very difficult on my part to proceed according to the will of the Commission.

So I just wanted to remind you I work for you as a whole body, so if I don't respond right away in the affirmative to everything you want, maybe there are other considerations we need to take into effect.

And we really do need to all speak with one voice. My job is to support you and back you up in your decisions that you make and help facilitate your discussions. So if you can just be mindful of that, I would appreciate it.

And so when somebody, you know, wants to do continuing education now, some want to do it after the public hearings, some have given me the order they want to do it, some have given me the opposite order, and we need to discuss some of these things so then we can move forward as one body. So I just wanted to share that with you and I thank you for listening. And thank you for being understanding if when you request something it doesn't happen immediately.

>> CHAIR KELLUM: Thank you, Sue. Is there any further discussion?
Commissioner Clark?

>> COMMISSIONER CLARK: I can see where it's a real problem, Sue, relative to people providing that input to you. I think I have a question relative to those items that are given to you. How do we prioritize those into the agenda? And how do you understand what the Commission's priority is to address those things?

>> MS. SUANN HAMMERSMITH: So I do my best to listen to you and listen to you as a body. And we are also working with other people who are, I mean, even as a staff we recognize that there are certain priorities that need to be moved closer to the top of the list.

So, for example, Item 7B3, that needs to be taken care of today, so that is why it's on the agenda.

So, I mean, there are certain things that are high priority. They are more time sensitive. And we want to be responsive to everybody. So sometimes we just allow time for more people to respond. I do want people to reach out to me. I do want to hear from you. But when I hear many different opinions, then it makes my job a little more difficult. As Richard says, you know, I have 13 kids.

>> COMMISSIONER CLARK: Yeah.

>> MS. SUANN HAMMERSMITH: That is pretty scary, but 13 Commissioners I will work with.

>> COMMISSIONER CLARK: Let me make another comment relative to that. Would it be helpful if we had a Commissioner involved in some of the priority of what gets on the agenda? Because right now the way I envision what is happening is in your staff meetings you have Julianne and yourself and you guys decide and Edward. But I think it would be relevant to at least have one Commissioner providing input during that discussion.

>> MS. SUANN HAMMERSMITH: Well, what I've seen from this Commission is that you don't feel any one person should have more say so than another. And I've seen

that very distinctively from this group, that you want everybody to have equal power. So if you set somebody up to do that, that would change what you have done all along.

And even your Chair basically chairs the meetings and maybe helps with some financial areas if something needs to be signed. But and up until this point, every Commissioner has been treated equally.

>> COMMISSIONER CLARK: I totally agree with that. Thank you.

>> CHAIR KELLOM: Thank you, Commissioner Clark. I mean, yes, I was right. Commissioner Orton.

>> COMMISSIONER ORTON: Thank you. So my thought on that is, and I think we will discuss it later on the agenda, I think we need to have more time then to discuss these things so we can decide as a group what we want on future agendas.

>> CHAIR KELLOM: Just as a reminder, I was able to kind of read the screen. I think we need to make sure that we are speaking directly into the mic. I know those of us that are in person, we can turn. But if I turn too far then you can't hear. And so we want to make sure that those watching, those providing interpretation can distinctively decipher what we are saying, just a quick reminder.

Thank you. Commissioner Clark and Commissioner Orton, for facilitating your thoughts and perspective. And thank you, Sue, for sharing and gently reminding us to move as one voice and maybe exercise some patience and discretion. So I appreciate that.

If there is no further discussion, I'm looking to see if there is a hand raised online.

We are going to move on to new business, new business Agenda Item A2, the executive assistant position, which is Resolution 2021512. Without objection, Executive Director will now provide an update on the executive assistant position. Are there any objections? Hearing none, I ask that Executive Director Sue Hammersmith proceed.

>> MS. SUANN HAMMERSMITH: Thank you, Commissioner Kellom. The staff members have needed somebody to help assist in many areas as an executive assistant. And we have needed this position for some time. When we did the first posting, we didn't come to a satisfactory conclusion. So we posted the position again.

This round we have found an excellent person. Her name is Sarah Martinez. She is ready and willing to start work on June 1st. I have provided the offer letter and a contract for Sarah Martinez.

And her full job description, which is pretty extensive, she has 25 years of experience as being an executive assistant. And besides that she's a delightful person. So we think she will be a great first person to contact when they call the Commission.

We are looking forward to having her assist me with secretarial functions or with accounting functions. I spent two days this week processing things like Commissioners' expense reports.

So there are many areas in which she has expertise and can assist us. And with the permission of this Commission, through the resolution that's been provided, I would be happy to answer any questions or move forward, so we can get her on board.

>> CHAIR KELLOM: Commissioner Clark?

>> COMMISSIONER CLARK: Yes, I read through your job description this afternoon. And I'd like to add one thing. I'd like to add an item at the end that identifies her job responsibilities with a caveat that I don't know exactly how we word it, but that, you know, also additional responsibilities as defined in the future because there will be some additional things that are not designated on that sheet.

And I apologize for not speaking into the mic. There are additional things that are -- that will be added as we move forward that aren't defined currently and I just want to cover that. So one simple statement for that.

I also want to point out I reviewed this up against the budget and everything appears to me to be in conjunction with what we approved on the budget, both for this fiscal year and next fiscal year.

So I would -- given that -- those comments, I would like to put a motion forward that we go ahead and hire this individual.

>> CHAIR KELLOM: Motion made by -- if there is no further discussion, motion made by Commissioner Clark.

>> VICE CHAIR SZETELA: Seconded.

>> CHAIR KELLOM: It's a tie. Seconded by Commissioner Szetela. We will now vote on the motion to approve Resolution 2021512. All in favor raise your hand and say aye.

>> Aye.

>> CHAIR KELLOM: All opposed raise your hand and say nay.

Okay, Commissioner Lange, did you vote nay? I just wanted to make sure we caught it if so.

>> COMMISSIONER LANGE: No. I raised my hand for, yeah, aye, all of the above.

>> CHAIR KELLOM: Thank you, Commissioner Lange. The ayes have it.

And we will -- the motion is approved to hire the executive assistant.

Moving on to new business agenda, Item A3, without objection, our Executive Director will now address expanded times to accommodate Commission business and public comments at public hearings.

Hearing no objection, I ask that the Executive Director proceed.

>> MS. SUANN HAMMERSMITH: As we move to largely populated areas or larger than where we have been, we can see how long the public comment takes and how many hours we may be in a public hearing. We are also having difficulty getting our one-hour meetings completed within the timeframe and leaving a lot of unfinished business on the table.

So I might throw out a couple of suggestions. We may want to have a Commission meeting from, for example, from 1-3 in the afternoon and start public hearings at 4. But, regardless, some of our facilities have clauses where they want us out of the building by midnight. And I don't think we can make that schedule and hear for everybody. And our goal is to hear from everybody, to be able to give people the allotted two minutes if at all possible that we have been providing for public comment. So interested in hearing Commissioners' thoughts about how we might amend our meetings.

Adding more is difficult because, you know, you're approving five sets of minutes at once. So that means also the Michigan Department of State has to provide those minutes and they go through a process of review first by General Counsel, then by me, then by Edward, and, you know, and then sometimes back to other people at MDOS.

So it's not even easy internally to process that within a, you know, a 12 or 24 or 36-hour turnaround. So just some thoughts.

You know, I would like to hear from Commissioners about what we can do to make sure that we have enough time for our meetings. And then also that we have enough time to make sure that we hear from the people in the public comment.

>> CHAIR KELLOM: Thank you, Sue. I will ask, she has a hand raised, but I was going to ask our Vice Chair, Rebecca Szetela, to also facilitate discussion on the matter.

>> VICE CHAIR SZETELA: Sure. Thank you. I have just a quick question. If we bumped our regular meetings a half an hour earlier, would that assist and start them at 4:30 or is that not workable.

>> MS. SUANN HAMMERSMITH: I think it would help ever so slightly, but I don't think it's enough.

>> VICE CHAIR SZETELA: Okay, Commissioner Clark, go ahead.

>> COMMISSIONER CLARK: I want to speak specifically to our Commission meetings rather than the public hearings. In looking at it rather simplistically, more like a supply and demand type of situation, the supply is the time. And we have allocated, and the demand is the number of topics and decisions.

>> CHAIR KELLOM: Commissioner Clark, sorry to interrupt. Can you scoot your mic and make sure it's right in front of you?

>> COMMISSIONER CLARK: And the demand is the amount of items that we have to discuss as well as the decisions we have to make. And those two are not in sync at this point. And I think we are significantly falling behind in the amount of work that we've got to get done. And we need to get that rebalanced.

So my opinion would be that we -- until we can get them rebalanced, that we have meetings on Saturday for four hours. And an hour or an hour and a half just doesn't get us through the number of things that we want to do.

And we have days during the week when we are not having public hearings, but we are also traveling those days. And I'd like to get the continuity of about a three or

four-hour meeting. And I would suggest until we get caught up Saturday would be the appropriate thing to do. I yield back.

>> VICE CHAIR SZETELA: Thank you, Commissioner Clark. Commissioner Kellom?

>> CHAIR KELLOM: I will be really quick because we have lots of hands on this. I think two things. I think utilizing the days we are already working, which would be a Tuesday and a Thursday. And honestly, I like the suggestion of meeting hours beforehand, leaving three or four hours. So thinking about having like a full eight-hour workday on those days, and probably more than eight hours. But I think it would be sufficient.

And I can't speak for individuals, but we need to work hard on being efficient while we have the time. As I look at the time already, and we have an important agenda item to discuss, Julianne cannot leave here today without that. We are a sharing group. And I would just kind of lovingly say that maybe we could each look inside of ourselves when we are looking for amendments and things to add and our comments in the meeting that we are speaking with efficiency and purpose. And that is not to say that any of us are not. But it's to kind of help cure this issue of feeling like we are falling behind or feeling like we have angst if there is not enough time. Thank you.

>> VICE CHAIR SZETELA: Thank you, Commissioner Kellom, Commissioner Lange?

>> COMMISSIONER LANGE: I would be fine with adding like on a Tuesday, I would be fine with doing a Saturday as far as that goes. I guess my question would be if we have -- you're also talking about possibly extending the hearing part, the listening part. So my question would be: If we extend them, is it still based on all of the other hearings that we've done where there would be a set time to sign up for?

Right now it's from -- they have until 8:00 p.m. to sign up. So would that not change where we are not giving other hearings additional time that we did not give to the hearings that we've already had, I guess would be my question, in order to keep it on a balanced, fair field?

>> VICE CHAIR SZETELA: Thank you, Commissioner Lange, Commissioner Wagner?

>> COMMISSIONER WAGNER: I was just thinking since we have the venue already there and available, I would think setting it up takes quite a bit of time to do it. And it makes more sense, since all of you are traveling, that if we could meet at the venue prior to the actual hearing, that would go a long way to consolidate things.

>> VICE CHAIR SZETELA: Thank you, Commissioner Wagner.

MC, did you have your hand up? Go ahead, Commissioner Rothhorn.

>> COMMISSIONER ROTHORN: I like the Tuesday/Thursday idea because we are meeting.

I do understand too that we want to use the time that we have. I want to suggest that we have the public hearings only -- I guess what I mean is the meet and greet before,

I'm sad we won't be able to meet these folks that are out here because we have a meeting. Some people came later. And I just want to offer, I think if we can have a break between the meeting and the public hearing, I believe that we get that interaction with the public, which has been crucial for me.

>> VICE CHAIR SZETELA: Thank you, Commissioner Rothhorn. Go ahead, Commissioner Witjes.

>> COMMISSIONER WITJES: I just wanted to say that I would wholeheartedly agree with the fact that we have one meeting on Saturdays because of the fact that if it's three hours or so we are going to actually be able to focus and get things done all in one swoop as opposed to feeling any sort of time crunch.

>> VICE CHAIR SZETELA: Go ahead.

>> COMMISSIONER ORTON: So I'm thinking now, and have been meeting virtually for our regular meetings, and now we will have to meet in person unless I'm wrong. So I think meeting for -- planning a two-hour regular meeting on Tuesdays and Thursdays earlier in the day and giving us a break so we have time to eat as well as greet people before the public hearing and maybe moving the public hearing a little earlier as well so that we have more time for that. And moving the time that people sign up to the earlier slot. Is that clear?

>> VICE CHAIR SZETELA: I would be in favor of that as well. Any additional comments? Go ahead, Commissioner Eid?

>> COMMISSIONER EID: Yes. I agree to what has been said already. You know, the work is only going to increase from here on out. And, you know, it's important we are efficient with our time and that we are here to do the work.

So I'm okay with Tuesdays, Thursday, Saturdays, whatever we decide; but I would not be in favor of moving the latest sign in time to earlier than 8:00 p.m. even if we are starting the public comment portion of the meeting earlier.

I think it's important we keep that 8:00 p.m. stop time for the latest that people can sign up. You know, if we are in a situation where we have less people, I don't foresee it happening. I think we are just going to have more and more people come in as time goes on, which is exactly what we need. Thank you to everyone who is here today. But I think 8:00 p.m. should stay as the latest sign in date, time.

>> VICE CHAIR SZETELA: Go ahead, Commissioner Lett.

>> COMMISSIONER LETT: Yes. Thank you. I would move that we postpone this matter for further discussion until our next Tuesday meeting and to meet a little early on that day. If I have a second, I will speak to it.

>> COMMISSIONER WITJES: Second.

>> COMMISSIONER LETT: The purpose being that we have not heard from the Secretary of State's Office and what it would take to set up the meetings so that they can be broadcast as we are required to broadcast everything.

Also, there may be some issues meeting early at the venues. And if we could not do that, then we would have to find another venue. So I think there are some questions, while I agree generally speaking with the Tuesday, Thursday, 1-2, 1, 3, 1-4 meeting time, that would add time for us to do our work. I think there are other questions that need to be answered before we say we are going to do it that way.

>> CHAIR KELLUM: The motion was made by Commissioner Lett. The second was made by Commissioner Witjes. If there is no discussion on the motion, are we ready to vote?

>> MS. JULIANNE PASTULA: For clarity, that is to address the Tuesday meeting or the next regular meeting on Thursday?

>> CHAIR KELLUM: Thank you because I was going to ask, Commissioner Lett, are you suggesting that we discuss this on June 1st or June 3rd? June 3rd, I believe would be our next regular meeting, which is a Thursday.

>> COMMISSIONER LETT: I would propose to have June 3rd, if that is our next regular meeting, that would give the Secretary of State, as well as our staff, time to make sure that we are going to be able to do what we want to do.

>> CHAIR KELLUM: Thank you, Commissioner Lett. So just to clarify, Commissioner Lett has made a motion or there is a motion on the floor to postpone this part of our agenda to the June 3rd meeting. And the second was made by Commissioner Witjes. All in favor? I'm, sorry Commissioner Eid?

>> COMMISSIONER EID: If we do postpone this issue, then at our next regularly scheduled meeting we need -- we are getting to decide then. So if we do decide to do that, can we have prepared for us a couple different options like what we have stated here today, whether it be meeting on Tuesday, Thursday or meeting on Saturday? Let's have a few options prepared to vote on with all the caveats that Commissioner Lett just brought up to make sure that it's feasible to do it.

>> CHAIR KELLUM: Thank you, Commissioner Eid. Is there any further discussion on the motion? All those in favor say aye and signify with a raised hand.

>> Aye.

>> CHAIR KELLUM: All those opposed raise your hand and say nay. Will the nays keep their hands up as well as speak directly into the microphone, and if you moved it, so we can hear.

>> Nay.

>> Nay.

>> CHAIR KELLUM: The motion carries. And we will address this on June 3rd during our regular meeting. Vice Chair Szetela?

>> VICE CHAIR SZETELA: I would like to move at this time that we also postpone the next two items on our agenda because we have run out of time. And I know we want to get to that resolution about the conflict of interest waiver. So I move that we

postpone legal counsel update on litigation counsel request, which is B1 and B2. Can I do that in a single motion, Julianne?

So I'd like to move we post upon agenda items B1 and B2 until next Thursday's regular meeting so that we can move on to B3.

>> CHAIR KELLOM: Motion made by Vice Chair Szetela. Is there a second?

>> COMMISSIONER LETT: Second.

>> CHAIR KELLOM: Second by Commissioner Lett. Is there any discussion on the motion? Commissioner Eid?

>> COMMISSIONER EID: I mean, these seem like pretty important things to at least get an update on. This is a question for our General Counsel, will discussing this at the next meeting on June 3rd hinder us in any way?

>> MS. JULIANNE PASTULA: No.

>> CHAIR KELLOM: Thank you, Julianne. All those in favor, raise your hand and say aye.

>> Aye.

>> CHAIR KELLOM: All those opposed? Raise your hand and say nay. The ayes have it, motion carries. We will be tabling the items under legal counsel. New business, B1 and B2. B1 update on litigation counsel. And, two, update on petition to the Michigan Supreme Court.

Moving on to new business, Item B3, Resolution 2021513, the waiver of conflict of interest. If there is no objection, we will hear from our General Counsel, Julianne Pastula.

Hearing none, Julianne, you can proceed.

>> MS. JULIANNE PASTULA: Thank you so much, Madam Chair.

What the Commission has before them today is a proposed resolution to waive a potential conflict of interest. Allow me to back a little bit.

The Commission filed in tandem with the Secretary of State a petition on April 20th of this year requesting an extension of time. That petition would request immediate consideration and oral argument.

So on May 20th, the Michigan Supreme Court issued an order granting our request for immediate relief, scheduling oral argument on June 21st at 9:30 a.m., and also outlined three specific questions to be addressed.

Their expectation is that the petitions will supply a brief. And the order also requested that the Department of Attorney General provide separate briefs, both in the affirmative to the petition's position, and in the negative to the position we are advancing.

In order to do that, the department of Attorney General will need to assemble separate teams to address the petition. The particular resolution is to grant permission so that the Attorney General team that has background information on this issue may respond to the brief or to the questions in the affirmative. Not in the negative, that would be an actual conflict of interest and would not be appropriate.

So, again, the Commission is not waiving any rights or responsibilities. The Commission is being requested to consider giving informed consent that you're acknowledging that you understand that certain department of Attorney General counsel will be working not on the Commission's brief or the Secretary of State's brief. Those individuals that are listed as counsel of record on the original petition cannot work on any other brief. They can only work on the petitioner's response brief.

So, again, this would just be granting permission that Attorney Generals may work on the brief in the affirmative. All of the teams are already screened. The screens were put in place by the Attorney General's Office and your General Counsel last week. So there are no conversations occurring between any prospective teams.

This would just be for the Commission to consider today. And I recommend that it be approved. And I will also answer any questions the Commission has.

>> CHAIR KELLOM: Are there any questions for General Counsel? Commissioner Lange?

>> COMMISSIONER LANGE: So the people that would be going affirmative have sat in on the meetings with the MICRC and Michigan Department of State before you had filed, correct?

>> MS. JULIANNE PASTULA: That is an excellent question, Commissioner Lange. So that is exactly the source of the potential conflict is that I had conversations with a few of the department of Attorney General attorneys in relation to the draft petition. So that is exactly what I'm referring to.

>> COMMISSIONER LANGE: Okay.

>> CHAIR KELLOM: Thank you, General Counsel. And Commissioner Clark?

>> COMMISSIONER CLARK: Julianne, can you explain again why there has to be an affirmative and a negative response?

>> MS. JULIANNE PASTULA: Thank you, Commissioner Clark. The Michigan Supreme Court order, dated May 20th, has requested a supplemental brief from petitioners, so that would be your counsel and Secretary of State Benson's counsel, who is also represented by the Attorney General.

The Supreme Court order specifically requested separate briefings in the affirmative and the negative from the Department of Attorney General. So this is something that the Attorney General's office is very accustomed to. They are often asked to brief separate sides of an issue.

In fact, the Attorney General's Office has the ability to file opinions or statements on their own on behalf of the residents of the State of Michigan in certain matter if they so choose. So in this particular case, the Michigan Supreme Court is requesting it.

>> CHAIR KELLOM: Thank you, General Counsel. Commissioner Witjes?

>> COMMISSIONER WITJES: I just want to put a motion forward to adopt Resolution 2021513.

>> VICE CHAIR SZETELA: Seconded.

>> CHAIR KELLOM: Motion made by Commissioner Witjes and seconded by Vice Chair Szetela. If there is no further discussion, are we ready to vote? All in favor raise your hand and say aye.

>> Aye.

>> CHAIR KELLOM: All opposed, raise your hand and say nay.

>> COMMISSIONER LANGE: Nay.

>> CHAIR KELLOM: The motion carries. The ayes prevail. And we will be approving Resolution 2021513. Vice Chair Szetela?

>> VICE CHAIR SZETELA: I would also like to move at this time that we also postpone Item C, Communications Outreach and Report, Edward woods until next week's regular scheduled meeting on Thursday.

>> CHAIR KELLOM: I'm sorry, go ahead. Motion to postpone made by Vice Chair Szetela.

>> COMMISSIONER WITJES: Second.

>> CHAIR KELLOM: Second made by Commissioner Witjes. All those -- is there any discussion? Commission Eid?

>> COMMISSIONER EID: I just am wondering it's a question for our Communications Director Edward Woods, III, is there anything in your presentation that is important to be told to us today rather than next week? Thank you.

>> CHAIR KELLOM: All in favor raise your hand and say aye.

>> Aye.

>> CHAIR KELLOM: All opposed raise your hand and say nay. The ayes have it. We will be postponing the communications and outreach report, supposed to be made by Edward woods, III.

If there are any objections to our Executive Director making any announcements, and I don't hear any, I will hand the floor over to her to make any announcements that you might have at this time.

>> MS. SUANN HAMMERSMITH: There are none. Thank you.

>> CHAIR KELLOM: Thank you, Sue. Our last item on the agenda today before we move to public hearing is adjournment. Do I do have a motion to adjourn.

>> COMMISSIONER LETT: I agree we adjourn to the public hearing and take a five-minute break before we start.

>> CHAIR KELLOM: Motion made by Commissioner Lett and seconded by Commissioner Witjes, I believe. Any discussion on the adjournment? Hearing none, all those in favor please signify with a raised hand and saying aye.

>> Aye.

>> CHAIR KELLOM: All those opposed raise hand nay. The ayes have it.

The meeting has been adjourned for the time is 6:12 and we will take a five-minute break before starting public hearing. Thank you.

[Five-minute recess]

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