

**MINUTES OF MEETING
WAYNE COUNTY ELECTION COMMISSION
MONDAY, JANUARY 13, 2020 – 11:30 A.M.
COLEMAN A. YOUNG MUNICIPAL BUILDING - ROOM 700C
2 WOODWARD AVENUE, DETROIT, MICHIGAN 48226**

Call to Order: The meeting was called to order at 11:46 a.m.

Members present: Honorable Freddie G. Burton, Jr., Chief Judge, Probate Court
Honorable Eric Sabree, Member – Wayne County Treasurer
Honorable Cathy M. Garrett, Secretary – Wayne County Clerk

Members absent: None.

Also present: Janet Anderson-Davis, Corporation Counsel
Gregory Mahar, Director
Jennifer Redmond, Deputy Director
En’Joli Conley, Administrative Assistant
Melvin Butch Hollowell
Eddie McDonald
Kyeara Cook-McGhee
Alan Helmkamp
Felicia Johnson
Gary Woronchak

Agenda item: **Consideration of Agenda approval.**

Board action on agenda item: Chair Burton requested a motion to adopt the agenda. Member Sabree, duly supported by Member Garrett, moved to adopt the agenda. The motion was adopted unanimously by a voice vote.

Agenda item: **Approval of Minutes of September 5, 2019**

Board action on agenda item: Chair Burton requested a motion to approve the minutes of the meeting held on September 5, 2019. Member Garrett, duly supported by Member Sabree, moved to approve the minutes of the meeting held September 5, 2019. The motion was adopted unanimously by a voice vote.

Agenda item: **Approval of Ballot Printing for the March 10, 2020, Presidential Primary Election**

Chair Burton requested a motion to bring agenda item number five before the commission for discussion purposes. Member Sabree,

duly supported by Member Garrett, moved to bring item number five before the Commission for discussion. The motion was adopted unanimously by a voice vote.

Chair Burton asked Corporation Counsel Janet Anderson-Davis to outline the duties and responsibilities of the Commission. Corporation Counsel Anderson-Davis stated that the body is charged with printing the ballots for the March Presidential Primary. She informed the Commission that there is one issue that has come to the forefront.

She indicated a petitioner filed an initiative petition for funding for an After-School program. The petitioner's position is that the matter should be placed on the March Presidential Primary. The Wayne County Commission Counsel's position is that would not be the proper procedure without it going before the Wayne County Commission.

Counsel Anderson-Davis informed that she has looked into the matter and concluded that the State of Michigan is an indirect state, which means any initiative should go to the legislature before being placed on the ballot.

Melvin Hollowell, attorney for Wayne Kids Win ballot initiative, presented arguments that the petition was filed, the Charter sets for signature requirements but the Wayne County Charter does not state that the petition has to go before the Wayne County Commission. He further indicated that the procedure outlined by the Secretary of State's publication of "March 10, 2020 Presidential Primary, Date and Deadlines, was followed to the T and that the Wayne County Election Commission should place it on the March Ballot.

Felicia Johnson, Counsel for the Wayne County Commission, pointed out that the canvass of the petitions has not been completed by the Wayne County Clerk's office, so the matter doesn't appear to be ripe before the Election Commission. Ms. Johnson argued that if the signatures have not been canvassed, she is not sure how it can be placed on the March 10th ballot.

She further argued that the Charter states that in the absence of an ordinance, the initiative powers under the state constitution are applicable. In this case, Wayne Kids Win ballot committee has not followed those procedures.

Alan Helmkamp, Assistant Corporation Counsel to the Wayne County Commission also argued that the petition process is

indirect. He stated that once the petition was canvassed and sufficient, then it goes to the legislative body. The legislative body could adopt it into law, or if they do not adopt it then it goes on the November General Election ballot. He also pointed out that the petitioner does not get to choose what ballot the initiative goes on. The petition is not eligible for the March 10th Presidential Primary.

Discussion ensued between the Commission, Mr. Hollowell, Corporation Counsel Anderson-Davis and the Wayne County Commission's Counsel about the proper procedure for the initiative petition.

Board action on agenda item: Chair Burton requested a motion to approve the Ballot Printing for the March 10, 2020 Presidential Primary Election. Chair Burton stated that before the Commission was the Official list of candidates and proposals to appear on the March 10, 2020 Presidential Primary ballot. There is no verification yet for the Wayne Kids Win ballot initiative. Member Sabree, duly supported by Member Garrett, moved to approve the Ballot Printing for the March 10, 2020 Presidential Primary Election. The motion was adopted unanimously by a voice vote.

Agenda item: **New Business.** None

Agenda item: **Public Comment.** None

Agenda item: **Adjournment.** Chair Burton requested a motion to adjourn. Member Garrett, duly supported by Member Sabree, moved to adjourn the meeting. The motion was adopted by unanimously by a voice vote.

Meeting adjourned at 12:33 p.m.