

**MINUTES OF MEETING
WAYNE COUNTY ELECTION COMMISSION
THURSDAY, JULY 18, 2019 – 2:00 P.M.
COLEMAN A. YOUNG MUNICIPAL BUILDING - ROOM 705
2 WOODWARD AVENUE, DETROIT, MICHIGAN 48226**

Call to Order: The meeting was called to order at 2:03 p.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, Assistant Corporation Counsel
Gregory P. Mahar, Director, Wayne County Elections
Jennifer Redmond, Deputy Director
Delphine G. Oden, Elections Consultant
En’Joli Conley, Administrative Assistant
Scott Hughes Julie Baumer
Thomas Bruetsch Nicol Brumme
Lisa Khoury Karen Listwan
Pamela Paris Amanda York
John Martin Kathy Abke
Paul M. Abke Jon Dean
Chris Profeta George McMullen
Mary Ann Brush Libby Busdicker
Laure H. Peabody Jacqueline Doerr
Michele Coffin Sarah Profeta
Beth Walsh-Sahutske Tadhg Sahutske

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 June 26, 2019

Board action on agenda item: Chair Burton requested a motion to approve the minutes of the meeting held on June 26, 2019. Member Sabree, duly supported by Member Garrett, moved to approve the minutes of June 26, 2019. The motion was adopted unanimously by a voice vote.

Agenda item: Determination of Clarity – Kathleen Abke, Office of Board Member, Grosse Pointe Public School System

Chair Burton asked Assistant Corporation Counsel Janet Anderson-Davis to remind the commission of its role in making a determination of clarity. Assistant Corporation Counsel Anderson-Davis reminded the commission that their role is to determine whether each reason as stated on the recall petition is factual and of sufficient clarity to enable the officer whose recall is sought and the electors to identify the course of conduct that is the basis for the recall. She also summarized an opinion issued by Judge Levy regarding a determination of clarity in the case of White vs. Wayne County Election Commission.

Board action on agenda item: Chair Burton requested a motion regarding item 5A-1. Member Garrett, duly supported by Member Sabree, moved to bring item 5A-1 before the commission for discussion purposes. The motion was adopted by unanimous consent.

Mr. Scott Hughes, attorney representing the petitioner, stated that the language in the petitions are an assertion fact and that it is clear enough to put the public official on notice of the reason for the recall and give notice to the public of the reason for the recall.

Chair Burton asked Thomas Bruetsch, counsel representing the three board members if he had any remarks to offer. Mr. Bruetsch stated that he would like to address the petitions for Abke & Gafa together. Mr. Bruetsch indicated the petitions are intentionally deceptive because the petitions don't state which of the 9 elementary schools are to be closed in the Grosse Pointe Public School System.

Board action on agenda item: Chair Burton requested a motion for determination of clarity on item 5A-1.

Reason for recall as printed on the Recall Petition 5A-1 for Kathleen Abke:

"On June 24, 2019, Kathleen Abke voted in favor of closing two elementary schools in the Grosse Pointe Public School System School District."

Board action on agenda item: Chair Burton, duly supported by Member Garrett, moved to approve item 5A-1 as sufficiently clear. The motion was adopted unanimously by a voice vote.

Agenda item: Determination of Clarity – Judy Gafa, Office of Board Member, Grosse Pointe Public School System

Reason for recall as printed on the Recall Petition 5A-2 for Judy Gafa:

“On June 24, 2019, Judy Gafa voted in favor of closing two elementary schools in the Grosse Pointe Public School System School District.”

Board action on agenda item: Chair Burton requested a motion for determination of clarity on item 5A-2. Chair Burton, duly supported by Member Sabree, moved to approve item 5A-2 as sufficiently clear. The motion was adopted unanimously by a voice vote.

Agenda item: Determination of Clarity – Christopher Profeta, Office of Board Member, Grosse Pointe Public School System

Reason for recall as printed on the Recall Petition 5A-3 for Christopher Profeta:

“On June 24, 2019, Christopher Profeta voted in favor of reconfiguring middle and elementary schools in the Grosse Pointe Public School System School District.”

Board action on agenda item: Chair Burton requested a motion for determination of clarity on item 5A-3. Chair Burton moved for approval of petition 5A-3 as sufficiently clear. The motion dies for lack of support.

Member Sabree, duly supported by Member Garrett, moved to reject item 5A-3 for lack of clarity.

Ayes: Garrett, Sabree

Nays: Burton

Agenda item: New Business. None

Agenda item: Public Comment. Chair Burton asked if there were any public comments. Karen Listwan made comments in support of Judy Gafa. Member Garrett made a comment regarding the duties as a commission member. John Martin made a comment regarding the petitioner and the sponsors of the recall.

Agenda item: Adjournment. Chair Burton requested a motion to adjourn.

Member Sabree, duly supported by Member Garrett, moved to adjourn the meeting. The motion was adopted by unanimous consent.

Meeting adjourned at 2:22 p.m.