

**MINUTES OF MEETING
WAYNE COUNTY ELECTION COMMISSION
THURSDAY, DECEMBER 2, 2021 – 10:00 A.M.
COLEMAN A. YOUNG MUNICIPAL CENTER
2 WOODWARD AVENUE, ROOM 211
DETROIT, MICHIGAN 48226**

****Meeting held via Zoom Video Conferencing****

Call to Order: The meeting was called to order at 10:00 a.m.

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

Also present: Rebecca Camargo, Assistant Corporation Counsel
Libby Busdicker, Assistant Corporation Counsel
Gregory P. Mahar, Director, Wayne County Elections
Jennifer Redmond, Deputy Director
En’Joli Conley, Administrative Assistant
Edward McRae, Administrative Assistant
Susan Evitts
Deborah Pyles
Rita Hampton
Judy Kennard

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

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

Agenda item: **Approval of Minutes of November 4, 2021**

Board action on agenda item: Chair Burton requested a motion to approve the minutes of the meeting held on November 4, 2021. Member Sabree, duly supported by Member Garrett, moved to approve the minutes of November 4, 2021. The motion was adopted unanimously by a voice vote.

Agenda item: **Determination of Clarity – Judy Kennard, Office of Board Member, Romulus Community Schools**

Chair Burton asked Assistant Corporation Counsel to remind the commission of its role in making a determination of clarity. Assistant Corporation Counsel Rebecca Camargo reminded the commission of its role and duties for a determination of clarity. Ms. Camargo summarized the section of Michigan Election law regarding the role of the Election Commission and the basis for a determination of clarity.

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 Judy Kennard:

“Ms. Kennard has violated two of the qualifications to be a member of the Romulus School Board. She must be a registered voter and a resident of the city of Romulus. These qualifications is stated in the Romulus Board By-Laws and Policies and Michigan and Association of School Boards.”

Member Sabree indicated there was additional information received from Ms. Judy Kennard. Chair Burton indicated that Corporation Counsel Camargo sent communication to Ms. Kennard informing her that the Commission is not making a determination regarding the truthfulness of the language, only whether the language is factual and sufficiently clear for circulation.

Board action on agenda item: Member Garrett, duly supported by Member Sabree, moved that item 5A-1 be rejected for lack of clarity. The motion was adopted unanimously by a voice vote.

Agenda item: **Determination of Clarity – Susan Evitts, Office of Board Member, Romulus Community Schools**

Reason for recall as printed on the Recall Petition 5A-2 for Susan Evitts:

“Ms. Evitts has violated the Open Meeting Act of Michigan by not making Board Minutes available to the public for inspection, within 8 days after the board meeting and not posting approved minutes for Public inspection within 5 days after the Board’s approval. This lack of transparency is causing distrust”

Board action on agenda item: Member Sabree, duly supported by Member Garrett, moved that item 5A-2 be rejected for lack of clarity. The motion was adopted unanimously by a voice vote.

Agenda item: Determination of Clarity – Deborah Pyles, Office of Board Member, Romulus Community Schools

Reason for recall as printed on the Recall Petition 5A-3 Debi Pyles:

“Ms. Pyles has created a contentious school environment with her mendacious behavior. She has become ineffective. She has failed to perform her job as a board member. She has mismanaged funds by using district resources without board approval. She has lost all trust of the school community by circumventing board policy.”

Board action on agenda item: Member Garrett, duly supported by Member Sabree, moved that item 5A-3 be rejected for lack of clarity.

Corporation Counsel Libby Busdicker asked for clarity regarding the petition that is being considered and that it's for Deborah Pyles. Chair Burton indicated that was correct and asked if there were any additional comments.

Ms. Pyles stated that she was not clear as to what behavior she engaged in that would be the basis for the recall petition. Chair Burton re-stated that the role of the Commission is to determine if the language is sufficiently clear to the electors that would be signing the petition.

Member Sabree indicated that Ms. Pyles is speaking but the Commission has already rejected her petition for lack of clarity. Deputy Director Jennifer Redmond indicated that there is an error on the agenda and the petitions were labeled and forwarded to the Commission as followed: 5A-1 for Deborah Pyles, 5A-2 for Judy Kennard and 5A-3 for Susan Evitts.

Chair Burton indicated that the agenda has already been adopted and the Commission has already voted on item 5A-1 and 5A-2 and they have both been rejected. Member Sabree and Member Garrett indicated that they voted based on the way the petitions are numbered in front of them. Chair Burton polled the Commission members regarding their vote on the previous agenda items and whether they still stand by their motion on item 5A-1. Member Sabree and Member Garrett affirmed. Chair Burton asked if the Commission members still stand by their vote on item 5A-2. Member Sabree stated that he could not support that previous motion as the petitions were labeled differently. Chair Burton stated that the Commission would continue with item 5A-3 and go back to re-visit item 5A-2 for Susan Evitts.

Board action on agenda item: Member Garrett, duly supported by Member Sabree, moved that item 5A-3 be rejected for lack of clarity. The motion was adopted unanimously by a voice vote.

Chair Burton asked Corporation Counsel if it was proper to revisit the issue that has already been voted on. Corporation Counsel Camargo advised that the Commission may re-visit its determination.

Agenda item: **Determination of Clarity – Susan Evitts, Office of Board Member, Romulus Community Schools**

Reason for recall as printed on the Recall Petition 5A-2 for Susan Evitts:

“Ms. Evitts has violated the Open Meeting Act of Michigan by not making Board Minutes available to the public for inspection, within 8 days after the board meeting and not posting approved minutes for Public inspection within 5 days after the Board’s approval. This lack of transparency is causing distrust”

Ms. Evitts addressed the Board and stated that the minutes are current and up to date

Board action on agenda item: Member Garrett, duly supported by Member Sabree, moved that item 5A-2 is approved and meets the clarity standards.

Ayes: Garrett, Sabree Nays: Burton

Agenda item: **New Business.** None

Chair Burton asked if it would be beneficial to have something crafted that details what the law requires. Corporation Camargo indicated that they would be happy to craft that document.

Agenda item: **Public Comment.** Rita Hampton made a public comment and thanked the Commission for their patience.

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

Meeting adjourned at 10:17 a.m.