



**NOTICE OF PONTIAC ELECTION COMMISSION
SPECIAL MEETING**

**May 24, 2021
at 2:00 P.m.**

THE MEETING WILL BE HELD ELECTRONICALLY

The Pontiac Election Commission will hold a Special Meeting on May 24, 2021 at 2:00 p.m. This meeting will be held electronically as allowed by the amended Open Meetings Act and in compliance with the City of Pontiac Electronic Meeting Policy. The agenda for the Special Meeting is attached. The Pontiac Election Commission gives notice of the following:

1. **Procedures.** The meeting will be conducted on zoom.us.

When: May 24, 2021 02:00 PM Eastern Time (U.S.A.)

Topic: Pontiac Election Commission Meeting

Please click the link below to join the webinar:

<https://zoom.us/j/95586198974?pwd=ei85TGE4ROQxRytWK3lielBnd0xRdz09>

Passcode: 226851

Or Telephone:

Dial 1 312 626 6799

Webinar ID: 955 8619 8974

Passcode: 226851

The public may view the meeting electronically through

<http://pontiac.mi.us/council/pontiactv/index.php>

or

<https://www.youtube.com/channel/UCR9pXYP1EmHJKmbSFSHQmeQ>

Pontiac City Clerk page on youtube.com

2. **Public Comment.** For individuals who desire to make a public comment, please log onto the meeting using the zoom meeting link above. When the Pontiac Election Commission reaches the public comment portion of the meeting, please raise your hand if you wish to speak during public comment. When your name is called, please unmute yourself and you will be given three minutes to speak. If you are accessing the meeting by phone, the City Clerk will ask are there any members of the public who are joining the meeting by phone who would like to make a public comment. Public comments are limited to three (3) minutes.

3. **Persons with Disabilities.** Persons with disabilities may participate in the meeting through the methods set forth in paragraph 2. Individuals with disabilities requiring auxiliary aids or services in order to attend electronically should notify the Interim City Clerk, Garland Doyle at (248) 758-3200 or clerk@pontiac.mi.us at least 24 hours in advance of the meeting.

Dated 5-21-2021, 5:00 p.m.

Garland S. Doyle, Interim City Clerk

City of Pontiac

47450 Woodward Ave. Pontiac, MI 48342 Phone: (248) 758-3200



Pontiac Election Commission

Commission Members

Garland S. Doyle, M.P.A., Interim City Clerk

Anthony Chubb, Esq., City Attorney

Sekar Bawa, City Treasurer

Jo Lynn Williams, Elections Administrator

47450 Woodward Avenue

Pontiac, Michigan 48342

Phone (248) 758-3200

Fax (248) 758-3160

MEETING AGENDA

May 24, 2021

2:00 P.M.

- I. Roll Call
- II. Authorization to Excuse Commissioners
- III. Approval of the Agenda
- IV. Approval of the Minutes- May 7, 2021
Be it further resolved that the Pontiac Election Commission approves the minutes from May 7, 2021 Meeting
- V. Approve the Ballots for the Primary Election on August 3, 2021
Be it further resolved that the Pontiac Election Commission approves the ballots for the August 3, 2021 Primary Election
- VI. Public Comment
- VII. Adjournment

IV.
MINUTES

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CITY OF PONTIAC - ELECTION COMMISSION

FRIDAY, MAY 7, 2021

2:00 P.M.

A public meeting held before the
Election Commission, 47450 Woodward Avenue,
Pontiac, Michigan.

COMMISSION MEMBERS:

- Garland S. Doyle, MPA, Interim City Clerk
- Anthony Chubb, Esq., City Attorney
- Sekar Bawa, City Treasurer
- Jo Lynn Williams, Elections Administrator

RECORDED BY:

Quentina R. Snowden, (CSR-5519)
Certified Shorthand Reporter & Notary Public

1 MEMBERS OF THE PUBLIC ADDRESSING THE COMMISSION:

2 MATTIE HATCHETT

3 CHRIS TREBILCOCK

4 BILL MAXEY

5 TIM GREIMEL

6 TRACHELLE YOUNG

7 MARK HOLLAND

8 JIM KELLY

9 DEIRDRE WATERMAN

10 MAURICE MAHONE

11 VERONICA TAYLOR

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 (CALL TO ORDER 2:00 P.M.)

2 COMMISSIONER DOYLE: It's 2:00 p.m.,
3 so I'm going to call the Pontiac Election Commission
4 meeting to order, May 7th, 2021.

5 Ms. Williams, will you please call the
6 roll.

7 MS. WILLIAMS: Bawa?

8 COMMISSIONER BAWA: Yes.

9 MS. WILLIAMS: Chubb?

10 COMMISSIONER CHUBB: Yes.

11 MS. WILLIAMS: Doyle?

12 COMMISSIONER DOYLE: Present.

13 Now I need to authorize or excuse any
14 Commissioners.

15 Next on the agenda is approval of the
16 agenda.

17 COMMISSIONER CHUBB: I would make a
18 motion to amend the agenda to alter number 7 to be a
19 resolution to approve and/or amend the candidate
20 certification list.

21 COMMISSIONER BAWA: I second.

22 COMMISSIONER DOYLE: Discussion on
23 that motion.

24 I believe that that is an improper
25 motion because the Commission does not have the

1 authority to certify candidates during my report,
2 but I'll ask Attorney Brewer (ph) to come to the
3 microphone right now to --

4 COMMISSIONER CHUBB: No, at this point
5 we're only talking about amending the agenda. If
6 you want to talk about the underlying merits of the
7 motion -- of the resolution, I think it's
8 appropriate when we get to that resolution.

9 Further, under the City Charter, I am
10 the City Attorney. I don't know who Mr. Brewer is,
11 or whether he's a city -- or an attorney, but his
12 advice on this matter would not be appropriate,
13 because he was not authorized to give legal advice
14 by me.

15 COMMISSIONER DOYLE: Well, first of
16 all, your -- as a member of this Commission, you
17 cannot serve -- you cannot advise the Commission and
18 be a voting member of the Commission. I've never
19 seen that before. We have had those discussions
20 previously that you cannot be a voting member of the
21 Commission and also provide legal advice to that
22 Commission. And --

23 COMMISSIONER CHUBB: That's absolutely
24 inconsistent with the Charter. The Charter very
25 specifically notes at Section 4.202 that I'll give

1 all legal advice with the exceptions as provided in
2 the Charter. The Charter then, with regard to the
3 Election Commission, names the City Attorney as
4 sitting on the Election Commission, but does not
5 provide an exception that would disallow me from
6 giving legal advice to this Commission. I think
7 it's quite standard that that would happen. And I
8 think that there's a reason that the Charter does
9 put our positions on this Commission by position,
10 because it is based upon our background and
11 experience with the City that we are appointed to
12 this Board.

13 That, again, though, has nothing to do
14 with my motion to amend the agenda.

15 COMMISSIONER DOYLE: Okay. We can
16 take a vote on the amendment. Call the roll,
17 please.

18 MS. WILLIAMS: Bawa?

19 COMMISSIONER BAWA: Yes.

20 MS. WILLIAMS: Chubb?

21 COMMISSIONER CHUBB: Yes.

22 MS. WILLIAMS: Doyle?

23 COMMISSIONER DOYLE: No. Okay. Then
24 we need to approve the agenda as amended. I mean, I
25 need a motion to approve the agenda as amended.

1 COMMISSIONER CHUBB: So moved.

2 COMMISSIONER BAWA: Yes.

3 MS. WILLIAMS: All right. Motion

4 to --

5 COMMISSIONER DOYLE: That would need

6 to be a second.

7 COMMISSIONER BAWA: I second, yes.

8 MS. WILLIAMS: Motion to approve,

9 Bawa?

10 COMMISSIONER BAWA: Yes.

11 MS. WILLIAMS: Chubb?

12 COMMISSIONER CHUBB: Yes.

13 MS. WILLIAMS: Doyle?

14 COMMISSIONER DOYLE: No. Okay. Next

15 we have approval of the minutes from October 20th,

16 2020. We need a motion to approve the minutes.

17 COMMISSIONER BAWA: I make a motion to

18 approve the minutes.

19 COMMISSIONER CHUBB: Second.

20 MS. WILLIAMS: All right. Roll call,

21 Bawa?

22 COMMISSIONER BAWA: Yes.

23 MS. WILLIAMS: Chubb?

24 COMMISSIONER CHUBB: Abstain due to

25 absence.

1 MS. WILLIAMS: Doyle?

2 COMMISSIONER DOYLE: Yes.

3 So next we will have public comment.
4 Public comment is -- speakers are limited to three
5 minutes. You can set the timer three minutes.

6 MS. WILLIAMS: I'll start when they
7 start talking.

8 COMMISSIONER DOYLE: Okay. The first
9 person is Mattie Hatchett.

10 MS. HATCHETT: Good afternoon,
11 Commissioners and Pontiac voters. First of all, I
12 want to say to Mr. Bawa and to Attorney Chubbs
13 (sic), you should disqualify yourself from this
14 certification list for certain office, because you
15 two have a conflict of interest. You work for one
16 of the people who it has been ruled is ineligible to
17 run. So you need to disqualify yourself.

18 The second thing I want to say is, the
19 decision you make today will have an effect on our
20 children in the future and on any future leaders
21 that may come forth. If you certify people who
22 broke the law, who committed a felony, and perjure
23 themselves, then you are telling our children that
24 they don't have to follow the rules for anything.
25 They can do whatever they want to do and still come

1 forth and be a City leader in this community. So
2 I'm hoping that you will consider that as you do
3 your deliberation and you should abstain, you two,
4 from ruling on one of the people who is being
5 challenged. Thank you. Excuse me.

6 COMMISSIONER DOYLE: The next person
7 on the list is Chris Trebilcock.

8 MR. TREBILCOCK: Good afternoon,
9 Commissioners. I'm an attorney representing Ms.
10 Hatchett. If I can just amplify the comments that
11 she made. Initially I'd just like to --

12 MS. HATCHETT: Chris. Chris. Hold
13 up. They didn't reset the clock.

14 MS. WILLIAMS: I did.

15 COMMISSIONER DOYLE: She did. It's
16 going.

17 MS. WILLIAMS: You want it counting
18 down instead of up? It's just going up to three
19 minutes.

20 COMMISSIONER DOYLE: It's just going
21 up.

22 MS. HATCHETT: I still had -- I'm out
23 of order.

24 COMMISSIONER DOYLE: Go ahead.

25 MR. TREBILCOCK: All right. Thanks,

1 guys. As a preliminary issue, I'd just like to note
2 that Attorney Chubb's statement about his counsel to
3 this Commission is incorrect.

4 Under Chapter 2 of the City Charter
5 4.202, commissions are not listed amongst his duties
6 to provide advice and counsel to. It is the
7 business of the City and its departments. This
8 Commission is an independent commission separate and
9 apart from the City and its departments; therefore,
10 this Commission is entitled to have its own separate
11 legal counsel for the reasons that Chairman Doyle
12 stated.

13 Beyond that, I would like to emphasize
14 that the Supreme Court of Michigan has declared that
15 strict compliance with the Michigan Election Law is
16 required in all instances. Substantial compliance,
17 partial compliance, close enough, is not the
18 standard that is applied to Michigan Election Law.
19 And in this case, the statute is clear, MCL 168.558
20 Subsection 2 regarding the affidavits of identity.

21 The three candidates that are
22 challenged by Ms. Hatchett did not comply with the
23 statute; and in the case of candidate Waterman, her
24 non-compliance constitutes a violation of the law.

25 Now, just a moment about the roles and

1 duties of this Election Commission. The Election
2 Commission is a body established by the Charter.
3 And under the Charter, it has no discretion. It's
4 ministerial duties. And its duty is to correct any
5 errors that are to be made. There is no error in
6 the certification of candidates made by the City
7 Clerk. His report is clear and his recommendation
8 is true and correct and in compliance with the law.

9 Each of you took an oath of office,
10 and your oath of office was to uphold the laws of
11 the City, and of this State. You represent the
12 people of Pontiac, not an individual officer or not
13 an individual candidate. And the failure to not
14 follow the law and the clear edict of the report of
15 the clerk is a willful neglect of office that risks
16 criminal prosecution.

17 I would urge each of you to consider
18 your oath of office to the people of Pontiac when
19 casting your votes.

20 I would also like to draw the
21 attention to a decision issued by the Court of
22 Appeals this morning, a published decision in which
23 they make it clear that the inclusion and exclusion
24 of the name on the ballot is ministerial in duty,
25 and the clerk of a city has a clear obligation and

1 duty to verify that an affidavit of identity is
2 true, and to confirm that when a candidate signs
3 that affidavit of identity, all of their campaign
4 finance reports are up-to-date and all of their
5 fines are due. It is a published decision --

6 COMMISSIONER DOYLE: That is your
7 time. That's your time.

8 MR. TREBILCOCK: I appreciate that.
9 It is a published decision and it is controlling on
10 this body. Thank you.

11 COMMISSIONER DOYLE: So the next
12 person on the list -- I'm sorry, I can't -- I can't
13 read the printing. The address is on the --
14 Hubbard.

15 MR. MAXEY: Maxey.

16 COMMISSIONER DOYLE: Oh, that's you,
17 Mr. Maxey? Okay. Bill Maxey. I'm sorry.

18 MR. MAXEY: Loud and clear, good
19 afternoon, Commissioners. It's already been stated
20 by Mattie Hatchett and her attorney. I support
21 Mattie Hatchett. My name is not on this, however,
22 Commissioners, did you not take the oath to uphold?
23 Candidates, did you not take the office? You placed
24 your hand and you were sworn in and you must rise
25 that you had your hands on the Bible. What happened

1 here with our mayor candidates is loud and clear. A
2 false statement on the quarterly report made to
3 Oakland County Clerk.

4 We have youth in this City who are
5 moving up academically and applying -- not applying,
6 but seeking office. They must have the truth. What
7 do we have to show them but a lie if you don't
8 uphold it? And conflict of interest, yes, Attorney
9 and Treasurer. It's a conflict of interest. You
10 get the same paycheck; if you do not uphold this
11 oath, it's perjury. To let you know that the people
12 of Pontiac are very much aware, and I'm one of the
13 leaders here, I speak loud and clear. And many of
14 the times we're asked, Mattie Hatchett and I and Bob
15 Bass, and others to speak after we have talked to
16 them. Don't think that because you violated this
17 oath that it's in this room, please don't think
18 that. It's all over Pontiac. And we know the
19 conflict of interest. Had a meeting last night and
20 this morning. No one gets the same paycheck. The
21 attorney and the treasurer, you're paid by, how can
22 you say something against your boss? But
23 nevertheless, the young people are watching you.
24 They are looking to us and we do have transparency
25 and integrity. And to -- to not vote this as

1 ineligible, you are setting a pattern. You are
2 giving an edge to our up and coming youth leaders.
3 Oh, yes, you got this so you can break the law. No,
4 you can't.

5 So you got to be mighty careful
6 because I was sworn in also, by a judge here in
7 Pontiac, 50th District Court. I swore to uphold and
8 I will do that. And any time you see Ms. Hatchett,
9 you'll see H. Bill Maxey. We are one and all,
10 citizens of Pontiac thinking the same. I support
11 everything that she said.

12 COMMISSIONER DOYLE: Mr. Maxey, that's
13 your time. That's your time.

14 MR. MAXEY: I'm out of time. Thank
15 you.

16 COMMISSIONER DOYLE: The next member
17 of the public is Tim Greimel.

18 MR. GREIMEL: Good afternoon,
19 Commissioners. I appreciate the opportunity to
20 speak to you this afternoon. I am here in regard to
21 the challenge that was filed by John Townsend. I
22 have set in front of each of you a packet of
23 information together with a supplemental stapled
24 packet of information. The information that I put
25 in front of you clearly demonstrates that I have

1 been a resident of Pontiac since last July, well
2 before the deadline to be a resident, in order to be
3 a candidate for mayor in the City. And I'd like to
4 walk you through that information.

5 I would begin by noting that Mr.
6 Townsend's correct in one regard, which is when he
7 states what the City Charter says. And the City
8 Charter is very clear that in order to serve as
9 mayor, one must be a resident of the City of Pontiac
10 for at least one year prior to taking office.

11 As he also notes, the next mayor of
12 Pontiac will take office on January 3rd of 2022.
13 Therefore, one must have lived in City of Pontiac
14 since at least January 3rd of 2021, January 3rd of
15 this year, in order to become mayor of the City and
16 to run as mayor of the City.

17 I moved here last July, in 2020,
18 approximately six months before the City Charter
19 requires. And if you look at Exhibit 1 in the
20 packet of information that I put in front of you, it
21 is the complete lease with confidential information
22 redacted, but it's the lease with all relevant
23 dates. And you can see that I moved into my place
24 in Pontiac in July of 2020.

25 If you look at Exhibit 2, in the

1 packet, it's a photo of the back of my driver's
2 license which clearly shows that the Secretary of
3 State changed the date -- changed my address to
4 Pontiac in July of 2020.

5 The basis of -- and I would also note
6 that as the Election Commission and certainly Clerk
7 Doyle, you all have access to government records
8 indicating that I've been registered to vote here in
9 Pontiac since last July, and that I have voted in
10 Pontiac last year in 2020.

11 The basis of the complaint appears to
12 be that there was a clerical error on one of my
13 campaign finance statements for a different office,
14 County Commissioner. That was a clerical error and
15 in evidence of that, if you look at Exhibit 3, it's
16 an affidavit from my previous landlord that says I
17 haven't lived at that address in Auburn Hills since
18 last July.

19 Furthermore, I've attached a couple of
20 documents that clearly --

21 MS. WILLIAMS: That's the time.

22 COMMISSIONER DOYLE: That's your time.

23 MR. GREIMEL: But I just want to
24 finish my sentence, if I could. I have attached a
25 couple of documents that show that I did change the

1 address on my County Commission report previously.
2 Thank you.

3 COMMISSIONER DOYLE: With respect the
4 time, everybody is only given three minutes to
5 speak.

6 So the next person on the list is
7 Trachelle Young. Did I pronounce your name
8 correctly?

9 MS. YOUNG: You did.

10 COMMISSIONER DOYLE: Okay.

11 MS. YOUNG: Good afternoon,
12 Commissioners. As indicated, my name is Attorney
13 Trachelle Young, and I represent Mayor Deirdre
14 Waterman. I represent Mayor Waterman on a challenge
15 that we have taken upon based upon the position of
16 Mr. Doyle as City Clerk in terms of not certifying
17 her as a candidate.

18 Most of you are aware that we have
19 filed a Complaint in court, as well as a motion for
20 a writ of mandamus. That matter is set to be heard
21 on Wednesday of next week at 8:30 a.m.

22 I am here to ask you to do the right
23 thing right now, and that is to uphold your charge
24 of certifying all eligible candidates for this
25 August primary ballot. The position that we have

1 stated is consistent with what is going on right now
2 in this entire area. The City Clerk in Detroit
3 received the same type of challenge that Mayor
4 Waterman received, and the City Clerk has taken a
5 position that her function is ministerial. She does
6 not have the authority to investigate beyond the
7 four corners of the affidavit of identity, and she
8 did not refuse to certify the candidate based on
9 that challenge.

10 We do not believe that the clerk in
11 this position has the authority to refuse to certify
12 Mayor Waterman as a candidate. And I would ask you
13 to remember that the Voting Rights Act of 1965 was
14 designed so that the people could elect
15 representatives of their choice.

16 By eliminating the candidate, you are
17 minimizing the choice of the people. And that
18 should not be the goal of what this Commission is
19 designed to do.

20 So we are asking you to certify Mayor
21 Waterman, to follow the local authority. I would
22 also note that the Taylor Mayor had the same type of
23 challenge, and he was just given a temporary
24 restraining order, and that Election Commission was
25 ordered to certify him as a candidate for Mayor of

1 Taylor. They did follow that court order. And,
2 again, the Detroit City Clerk took the same
3 position.

4 So it is not unprecedented for this
5 Election Commission to certify her. It is
6 consistent with the law right now. And if it is not
7 done here, we will end up in court. If it is done,
8 we will withdraw our petition and we will simply ask
9 that the voters of Pontiac have a full opportunity
10 to really vote for the candidate of their choice.
11 Thank you so much for your time.

12 COMMISSIONER DOYLE: Next person on
13 the list is Mark E. Holland.

14 MR. HOLLAND: To the honorable
15 Commission, first let me just say for those that are
16 watching I hope you guys are paying attention to all
17 of this pettiness. And for those that are
18 listening, I hope you guys are paying attention to
19 all of this pettiness and all this dirt. We haven't
20 even started yet and this is ridiculous.

21 My thing is this, the process, if I
22 brought in my paperwork on the 19th, no one called
23 to say that my paperwork wasn't correct. It was
24 stamped by the notary public. Everyone seen it.
25 And so from that day the 19th we had all the way to

1 the 20th at 4:00 to say that your paperwork is
2 incorrect.

3 I had to find out that my paperwork
4 was incorrect from the streets. I had no formal
5 response from anyone and I don't know if that's the
6 process or not. But then I heard someone else say
7 that they got an opportunity to verify that they
8 either changed the address or not, or verify if a
9 law was broken. Well, let me just say for clarity,
10 there is no way that I can have broken the law
11 personally myself because we didn't see a box. The
12 box -- or didn't say didn't say check here. The box
13 definitely was overlooked. I haven't had my glasses
14 for a year yet, for those that care. I have a
15 prescription. But just let me say this. I had to
16 go home and ask my mom was I a United States
17 citizen, because there's no one in this room that is
18 watching or no one else can tell you where they were
19 born.

20 And so, knowing that I used to be a
21 city councilman, knowing that I was the last person
22 to come out of last primary for mayor, and to
23 question that I'm a citizen should have been brought
24 to my attention way before 4:00 on the 20th to say,
25 well, look, not only did the office miss it, you

1 missed it, the notary public missed it that a box
2 wasn't checked that didn't say check here.

3 And so by signing that box -- signing
4 my signature, it's definitely saying that I am a
5 United States citizen. And if that was questioned,
6 I should have been afforded the opportunity to bring
7 in a birth certificate to say I was born here at
8 General Hospital.

9 But if politics has gotten this petty
10 that the leaders here that claim to be our moms and
11 pops that care about us, that watched us grow up, to
12 go out and get somebody from three cities over to
13 come to be this petty, you know, not only am I hurt,
14 I'm more disappointed of this process.

15 Let everyone get on this ballot to be
16 voted upon. And another part of this process, I
17 didn't see nowhere where it say you get to get
18 kicked off a ballot because of human error. You get
19 to get kicked off of the ballot because you have a
20 handicap with vision. Just like a person who
21 couldn't hear, you tell them to move their spot. I
22 couldn't see. And if that's what it is, well, I
23 know you guys have a job to do and I'm not going to
24 criticize that. But thank you for my opportunity.

25 COMMISSIONER DOYLE: Next person on

1 the list is Jim Kelly.

2 MR. KELLY: Good afternoon. My name
3 is Jim Kelly. I'm an attorney here on behalf of
4 Jonathan Townsend with regard to a complaint that
5 was filed challenging the candidacy and the
6 eligibility to serve in office of Timothy Greimel.

7 We heard Mr. Greimel speak earlier
8 today. I was surprised at that because the
9 complaint is not on the agenda. I was disappointed
10 to see that despite this well-founded complaint, the
11 Clerk did not put it on the agenda. I would urge
12 the Commissioners to take up this complaint when
13 they discuss the eligibility of the candidates.

14 The complaint is very well-founded.
15 The timeline of things are not in dispute. You
16 heard Mr. Greimel admit earlier today that he needs
17 to be a resident of the City of Pontiac after
18 July 1st, July 3rd, 2021 to qualify to be mayor if
19 he's elected because the term begins July (sic) 3rd,
20 2022. He must be a resident for one year before
21 that.

22 Equally clear is his filings that he
23 made with the Oakland County Clerk. Those are a
24 matter of public record. And unlike a lease or
25 unlike other documents, not something you could

1 manipulate after the fact, because they're online
2 and everyone can see them.

3 His campaign statement that he filed
4 July 25th of this (sic) year, so after July 25th,
5 after July 3rd, clearly showed his address in Auburn
6 Hills, Michigan, not the City of Pontiac. He
7 declared and attested under oath, under penalties of
8 perjury that he was a resident of the City of Auburn
9 Hills. As such, he's not eligible to serve as mayor
10 if he was elected. He's not even eligible to be on
11 the ballot for this election. He should not be
12 permitted to contest this election because he does
13 not meet the resident qualifications of the City
14 Charter.

15 The City Charter is an important
16 document. It is the most important document for the
17 City. It is the Constitution, and it is the spirit
18 of this City. It's approved by the voters and the
19 people.

20 I'll refer you to Section 4.101 of the
21 Charter which clearly states this one-year
22 residency. Clearly sets out the timeline. I would
23 also urge you to take a look at the campaign
24 statement -- the campaign finance statement that Mr.
25 Greimel filed under his own hand signed by himself

1 January 25th, 2021. It clearly shows the Auburn
2 Hills residence. He's not a resident of the City of
3 Pontiac. He's not eligible to run for election.
4 He's not eligible to serve if he's elected. Thank
5 you.

6 COMMISSIONER DOYLE: The next person
7 to speak is Deirdre Waterman.

8 MAYOR WATERMAN: Good afternoon,
9 honorable Commission and citizens of Pontiac. I am
10 Mayor Deirdre Waterman, second term, who has proudly
11 served the City of Pontiac. I am here to make very
12 certain that I am a candidate for re-election for
13 mayor of the City of Pontiac, and I will be a
14 candidate for the mayor of the City of Pontiac.

15 I'm very proud of what we have
16 accomplished. And my message will be continuing the
17 progress we have made together with the City of
18 Pontiac, with the many partners we brought in and
19 many resources we have made available to the City of
20 Pontiac.

21 Last week, in accordance with the
22 Charter, I delivered my eighth budget to the City
23 Council. The balanced budget is required, but not
24 only that, even after a year of COVID-19, economic
25 problems, I reported that we are going to forecast a

1 surplus not only for this year, but for the next
2 fiscal year as well. That is an extremely good
3 position for the City to be in, in terms of
4 financial stability, considering we have fought our
5 way back from disrepair when I started as Mayor; not
6 to mention the fact that we've improved our
7 neighborhoods, made them more beautiful, we have
8 improved public safety. We have contributed to the
9 infrastructure, and are going to use more money for
10 our infrastructure repair and we're going to do the
11 things to help increase the pride of the citizens of
12 Pontiac, not only in the neighborhoods, but bringing
13 in so many new businesses and jobs and jobs and jobs
14 and security for our community.

15 So that's the message I'm going to
16 take out during my candidacy, and that's what I hope
17 the citizens of Pontiac are going to consider. I
18 want and should be on the ballot, because it should
19 be the citizens of the City who get to determine who
20 they vote for. And that is why I'm here. I've
21 served the City of Pontiac citizens proudly. I will
22 continue to do that in whatever role they want me to
23 play, but those are the people that we should be
24 hearing. With all of the attorneys speaking, that's
25 the missing element in this decision today.

1 Depending upon the Election Commission for you to do
2 your job. Thank you. I appreciate the chance to be
3 heard.

4 COMMISSIONER DOYLE: Next person on
5 the list is Maurice Mahone.

6 MR. MAHONE: Hey, how you all doing?
7 Actually I was just signing in, I didn't know I was
8 supposed to be up here speaking, but since I'm up
9 here I'm going to say something.

10 I have been a citizen of Pontiac all
11 my life. And this City need to focus more on the
12 kids here. I coach football. I coach basketball.
13 The whole -- every kid in the City know who I am.
14 And I think it's time that we focus more upon our
15 youth here.

16 Our youth need the City of Pontiac
17 more. And there is so much going on with our kids,
18 and it's like no one is paying attention to it. And
19 the point I'm trying to make is, whoever -- and give
20 these people who are coming up here to be -- have a
21 position of mayor a chance to run. Let the citizens
22 have a chance to vote who they want. But whoever --
23 and I'm asking you, whoever gets in, focus more on
24 our kids. Focus more on our kids. These kids need
25 us. And there's just a saying every time you look

1 up a kid is either this or that in a bad manner.
2 There's no motivation for our kids any more. Open
3 our eyes up and focus on these kids. We are so
4 focused on businesses coming here and this and that.
5 Focus on these kids. That's what it's about. My
6 brother other here bring the Bible, what the Lord
7 say, love who first? Love the kids. We too focused
8 on the wrong things right now and not focused on our
9 kids. Look at our high school. Look at our middle
10 school. Where all of these kids shut -- where do
11 our kids have to go? In the streets every day.

12 When I was young, you couldn't go out
13 to the streets. You had centers, you had schools,
14 you had activities for the kids all -- none of that
15 is around here no more. Stop being blind to these
16 kids. These kids need us. Kids are the future.
17 When we leave here, who has to run this place? The
18 kids. We need somebody to put them in a right
19 direction. Stop having the closed eye to these kids
20 and wake up, City of Pontiac. Wake up, City of
21 Pontiac. Our kids need us. I'm tired of going home
22 nights and hearing about so and so has lost a child.
23 I was looking at the news one day and how did they
24 say Pontiac High School education is the bottom of
25 the barrel. How you think that make us parents

1 feel? Focus more on these kids. We bring the job.
2 We got the jobs. Bring the education pipeline to
3 Pontiac. That's what you do. Bring the education
4 and the kid is learning and want to learn in school,
5 he will motivate his parents to go out and work but
6 the --

7 MS. WILLIAMS: Time.

8 MR. MAHONE: You all -- focus more on
9 these kids. Thank you.

10 COMMISSIONER DOYLE: And the last
11 speaker for our public comment is Veronica Taylor.

12 MS. TAYLOR: Good evening, this
13 honorable body. First, I would like to ask God for
14 prayer for the City of Pontiac. We deeply need
15 prayer here in this City, not just this City, this
16 whole country. And, yes, I ask God to do the right
17 thing.

18 First let me tell you a little bit of
19 what I've been through in the last month or so. I
20 have -- as a registered sworn in precinct delegate
21 for two counties, I have some people want to
22 challenge, bring a challenge here as I go and do my
23 work as a real precinct delegate of helping getting
24 people on ballots. Everybody that want to run for a
25 -- for a seat has the right to. No one should be

1 able to tell no one they can't run for a seat. Now
2 if they got their paperwork in order, they I's
3 dotted and crossed, and all their stuff is did, then
4 they should be able to run.

5 Now, we did, as me taking in and
6 walking in this clerk's office with a lot of them
7 that I helped, I have two which I seen, watch them
8 do their affidavit, Mr. Mark Holland who ran for
9 mayor of the City, trying to put his glasses on to
10 see, to put his dot -- to make sure he had did what
11 he needed to do; and he just got his glasses,
12 couldn't do them and get them right. And he passed
13 his paperwork over to our clerk. And then she read
14 it. She could have seen that the box was not
15 checked there before she notarized it.

16 Now, to have people to come and sit
17 and challenge knowing this man or any other like
18 Perry Earl, that did his, he had two papers that he
19 notarized right in front of me, and he did not see
20 it either. And to challenge -- can't even run to
21 sit on the ballot. Here is a youth, as I knock at
22 them doors and got those signatures for over a
23 bunch, seven to be exactly, I heard so much from the
24 people. And the people are complaining that we are
25 putting people in office look like they just our

1 friends, and not listening to them.

2 Now to say they do want some new
3 mayors here. They do want some new stuff did. But
4 we need to think about, not challenge these people
5 that sitting up here if they work here. We all have
6 candidates here that we all support. Ms. Mattie
7 Hatchett has hers. We all have ours. Every
8 candidate in here, even you all look they're
9 working. That shouldn't even be a call. The call
10 should be what kind of job is you all going to do
11 for this City, because I have heard what this City
12 need and God need to clean up Pontiac, not the
13 people. Thank you.

14 FROM THE AUDIENCE: Thank you.

15 COMMISSIONER DOYLE: So that concludes
16 public comment on our agenda.

17 The next item on the agenda is City
18 Clerk's certification report.

19 I want to begin by reading the -- from
20 the City Charter, Section 2.108 on which says
21 primary election, nominations for each elected
22 office shall be made by a City primary election,
23 however, whenever not more than two persons file for
24 nomination to an office there shall be no primary
25 election for the office. The City Clerk shall

1 certify such persons as duly nominated for that
2 office and the name of the person who filed shall be
3 placed on the general election ballot for the
4 office.

5 I also want to read so we're clear
6 about who has the duty to do what. From the
7 Election Commission section, Section 2.105. The
8 City Election Commission is composed of the City
9 Clerk, the City Attorney and the City Treasurer.
10 This is amended in March of 2016. An initial
11 Charter was the City Assessor who was a member of
12 the Commission.

13 The Commission has general supervision
14 of all elections in the City and may hire
15 assistants, inspectors and other election personnel.
16 Except as otherwise provided by this Charter
17 Ordinance, the Commission shall perform all duties
18 required for the Election Commissions by law and may
19 subpoena witnesses, administer oaths, take testimony
20 and require the production of evidence, to enforce
21 the subpoena or order for production of evidence or
22 to impose any penalty prescribed for failure to
23 comply a subpoena or order the Commission shall
24 apply to the appropriate court.

25 All meetings of the Commission shall

1 be open to the public. In case of any doubt,
2 concern in election procedure, the Commission shall
3 prescribe the procedure to be followed.

4 Then, I also want to read from the
5 Michigan Election Law. And we all do know that
6 State Law supersedes municipal law. And this is
7 Michigan Election Law Act 116 of 1954, 168.558,
8 Filing nominations, qualifying petitions, filing
9 fee, or affidavit of candidacy; affidavit of
10 identity; requirement to indicate name change;
11 exception; statement; noncompliance; selection of
12 office to which candidacy restricted; failure to
13 make selection; perjury separate violation.

14 Section 558(1). When filing a
15 nominating petition, qualifying petition, filing
16 fee, and affidavit of candidacy for a federal,
17 county, state, city, township, village, metropolitan
18 district, or school district office in any election,
19 a candidate shall file with the officer with whom
20 the petitions, fee, or affidavit is filed 2 copies
21 of an affidavit of identity. A candidate nominated
22 for a federal, state, county, city, township, or
23 village office at a political party convention or
24 caucus shall file an affidavit of identity within 1
25 business day after being nominated with the

1 Secretary of State. The affidavit of identity
2 filing requirement does not apply to a candidate
3 nominated for the office of President of the United
4 States or Vice President of the United States.

5 (2) An affidavit of identity must
6 contain the candidate's name and residential
7 address; a statement that the candidate is a citizen
8 of the United States; the title of the office
9 sought; a statement that the candidate meets
10 the constitutional and statutory qualifications for
11 the office sought; other information that may be
12 required to satisfy the officer as to the identity
13 of the candidate; and the manner in which the
14 candidate wishes to have his or her name appear on
15 the ballot. If a candidate is using a name that is
16 not the name that he or she was given at
17 birth, the candidate shall include an affidavit of
18 identity, the candidate's full former name.

19 (3) The requirement to indicate a name
20 change on the affidavit of identity does not apply
21 if the name in question is one of the following:

22 A name that was formally changed at
23 least 10 years before filing as a candidate.

24 A name that was changed in a
25 certificate of naturalization issued by a federal

1 district court at the time the individual became a
2 naturalized citizen at least 10 years before filing
3 as candidate.

4 The name that was changed because of
5 marriage.

6 The name that was changed because of
7 divorce, but only if a legal name by which the
8 individual was previously known.

9 A name that constitutes a common law
10 name as provided in Section 560b.

11 An affidavit of identity must include
12 the statement that as of the date of the affidavit,
13 all statements, reports, late filing fees, and fines
14 required of the candidate or any candidate committee
15 organized to support the candidate's election under
16 the Michigan Campaign Finance Act of 1976 PA 388,
17 MCL 169.201 to 169.282, have been filed or paid; and
18 a statement that the candidate acknowledges that
19 making a false statement in the affidavit is
20 perjury, punishable by a fine up to 1,000 or
21 imprisonment up to 5 years, or both.

22 If a candidate files the affidavit of
23 identity with an officer other than the county clerk
24 or Secretary of State, the officer shall immediately
25 forward to the county clerk one copy of the

1 affidavit of identity by first-class mail. The
2 county clerk shall immediately forward one copy of
3 the affidavit of identity for state and federal
4 candidates to the Secretary of State by first-class
5 mail.

6 An officer shall not certify to the
7 Board of Election Commissioners the name of a
8 candidate who fails to comply with this section, or
9 the name of a candidate who executes an
10 affidavit of identity that contains a false
11 statement with regard to any information or
12 statement required under this section.

13 If petitions or filing fees are filed
14 by or on behalf of a candidate for more than one
15 office, either federal, state, county, city,
16 village, township, metropolitan district, or school
17 district, the terms of which run concurrently or
18 overlap, the candidate so filing, or on behalf of
19 whom petitions or fees were filed, shall select the
20 one office to which his or her candidacy is
21 restricted within three days after the last day for
22 the filing of petitions or filing fees unless the
23 petitions or filing fees are filed for two offices
24 that are combined or for offices that are not
25 incompatible.

1 Failure to make the selection
2 disqualifies a candidate with respect to each office
3 for which the petitions or fees were so filed and
4 the name of the candidate must not be printed upon
5 the ballot for those offices.

6 A vote cast for that candidate at the
7 ensuing primary or general election must not be
8 counted and is void.

9 A violation of this section for
10 perjury is distinct and separate from any violation
11 of the Michigan Finance Campaign (sic) Act, 1976 PA
12 388, MCL 169.201 to 169.282.

13 And I read that to start off before my
14 certification report so it is very clear as to who
15 is the certifying officer is clearly stated in the
16 Charter, the responsibilities of the clerk, and the
17 responsibilities of this Election Commission, is
18 further stated in the State Law. It further states
19 in the state law what I shall not do.

20 So, I've also ask Mr. Brewer if you
21 could come to the podium, because I've asked for
22 some legal assistance, because I too may have
23 thought some things could have been possibly petty
24 or whatever but I wanted to make sure that as the
25 clerk -- because I took the oath of office, that I

1 was following the duties of my office. So, that's
2 why Mr. Brewer is --

3 COMMISSIONER CHUBB: I would
4 absolutely object to Mr. Brewer talking --

5 COMMISSIONER BAWA: Yeah, so would I.

6 COMMISSIONER CHUBB: Elections --

7 COMMISSIONER DOYLE: Excuse me.

8 COMMISSIONER CHUBB: Let me state my
9 objection.

10 COMMISSIONER DOYLE: You're out of
11 order. You're out of order.

12 COMMISSIONER CHUBB: This is a point
13 of order and you're --

14 COMMISSIONER DOYLE: No, no. This is
15 during my report. You're out of order. I'm the
16 chair of the meeting. Go ahead, Mr. --

17 COMMISSIONER CHUBB: No, your report
18 is you talking. He has not been hired by this
19 Commission, and this Commission does have the
20 authority to hire consultants. We have not done so.
21 He does not give legal advice to us. He can speak
22 during public comment. He is nobody to this Board
23 other than an individual member of the public. He
24 absolutely is inappropriate in speaking.

25 COMMISSIONER DOYLE: You're out of

1 order and you're incorrect.

2 COMMISSIONER CHUBB: Absolutely not.

3 COMMISSIONER DOYLE: Furthermore, an
4 Ordinance that was actually done while your law firm
5 was the City Attorney, gives the City Clerk the
6 authorization to hire anyone as long as there is
7 funds in the City Clerk's budget. So please check
8 the Ordinance that is enacted so --

9 COMMISSIONER CHUBB: I clearly
10 understand that, and that's when you're acting as
11 the City Attorney -- or City Clerk. We are sitting
12 here as the Charter Commission -- as the Election
13 Commission and we're having a meeting of the
14 Election Commission. He has no authority to speak
15 on this matter. If you want to --

16 COMMISSIONER BAWA: I agree.

17 COMMISSIONER CHUBB: -- then we can
18 have -- it's wholly inappropriate.

19 COMMISSIONER BAWA: I think I agree
20 with that. You know, we have not appointed him as
21 our consultant. So I don't think it's appropriate
22 for him to speak.

23 COMMISSIONER CHUBB: I would like a
24 motion not to hear the statements of Mr. Brewer.

25 COMMISSIONER BAWA: I second it.

1 COMMISSIONER DOYLE: I believe you're
2 in essence out of order, because as part of my
3 certification report, is, in essence, my particular,
4 in essence, report. And it's the City Clerk's
5 certification report. It's not Commission's
6 certification report. It's the City Clerk's
7 certification report. So as a part of making my
8 certification report, and as a part of the Ordinance
9 that is enacted, he is operating in the capacity of
10 advising, in essence, the City Clerk.

11 So this is totally -- but Mr. -- he
12 can then therefore could have spoken under public
13 comment, so he can be given, in essence, three
14 minutes like any member of public to, in essence,
15 speak.

16 COMMISSIONER CHUBB: Public comment is
17 over.

18 COMMISSIONER DOYLE: Public --

19 COMMISSIONER CHUBB: It is not
20 appropriate and there is a motion on the floor.

21 FROM THE AUDIENCE: The Chair can make
22 an exception.

23 COMMISSIONER DOYLE: I mean, I want it
24 very noted that I think this Commission is acting
25 totally out of order on several different particular

1 instances. But, neither in essence of said, I
2 believe that the -- there was a case by the Court of
3 Appeals that, in essence, has ruled as to what the
4 authority of the Commission, and in essence I guess
5 the clerk on these types of matters. But, enough.
6 I'll continue with my certification report.

7 If the Commission so chooses, I guess
8 for not Mr. Brewer to speak, then I just want it
9 noted that I believe that the Commission is out of
10 order. That's why I have a stenographer here to
11 take verbatim word by word.

12 I also want it noted that I believe
13 that the City Attorney is acting out of the
14 capacity, because I stated -- I want this on the
15 record, that as a member of the Commission, you
16 cannot be the legal advisor to the Commission.

17 COMMISSIONER CHUBB: So are you
18 requesting -- or are you withdrawing your request
19 that Mr. Brewer speak; or do you want us to move
20 forward?

21 COMMISSIONER DOYLE: I have made a
22 request for Mr. Brewer to speak. I said as part of
23 my certification report I was allowing Mr. Brewer to
24 be a part of that, in essence, presentation. And I
25 don't think the Commission has the authority to tell

1 me what should be, in essence, in my report. It's
2 my report. So as a part of my report, I think it's
3 more than appropriate for Mr. Brewer to speak.

4 COMMISSIONER CHUBB: Again, it's your
5 report. You could have put it in the written report
6 or you could have included him on the agenda or
7 added him to the agenda at the proper time. This
8 isn't the proper time. Like I said, we have a
9 motion on the floor, so if you're going to withdraw
10 your request to have him speak, then I'll withdraw
11 the motion and we can move forward.

12 COMMISSIONER DOYLE: I'm not
13 withdrawing my request to have him speak because I
14 did make a request to have him speak.

15 COMMISSIONER CHUBB: I call the vote
16 on the --

17 COMMISSIONER DOYLE: Because he is a
18 part of -- I mean, I'm giving my certification
19 report. I don't believe the Commission has the
20 authority to tell me how to, in essence, do a
21 report. And I am the certifying officer of --

22 COMMISSIONER CHUBB: Call for a vote
23 on the motion.

24 COMMISSIONER BAWA: Second.

25 MS. WILLIAMS: Motion. Bawa?

1 COMMISSIONER BAWA: Yes.

2 MS. WILLIAMS: Chubb?

3 COMMISSIONER CHUBB: Yes.

4 MS. WILLIAMS: Doyle?

5 COMMISSIONER DOYLE: No. So I will
6 continue with my certification report.

7 As a matter of fact, I think I need to
8 read this, so that this is in the record.

9 Enclosed is my certification report.
10 As the certifying officer for the City of Pontiac, I
11 am providing you with a list of certified candidates
12 for the office of Mayor, City Council, and Library
13 Board.

14 If I was unable to certify a
15 candidate, the reason is stated. In addition, I
16 have included the list of candidate eligibility
17 challenges that I received as well as candidate
18 responses to a challenge. So I did pass -- I did
19 make sure that there were copies of the agenda
20 packet.

21 So as it relates to candidates for
22 Mayor: Jeremy Bowie, the City Clerk has certified;
23 Wanda Denise Coates, certified; Tim Greimel,
24 certified; Mark Holland, ineligible. Mr. Holland is
25 ineligible because he did not complete the

1 attestation section of the affidavit, I'm a citizen
2 of the United States and I meet the statutory and
3 Constitutional requirements for the office sought
4 was not completed. I did contact, just for the
5 benefit of the public and all, to see if that was
6 something the Clerk did have discretion on; and
7 unfortunately the Clerk did not have discretion. If
8 that box was not checked then you have to be -- it
9 was my duty to have to rule you, in essence,
10 ineligible.

11 Alexandria T. Riley, clerk certified;
12 Deirdre Waterman, ineligible. Candidate made a
13 false statement on an affidavit Ms. Waterman failed
14 to file a 2020 annual report, 2020 October quarterly
15 report, a 2020 July quarterly report, July 2019
16 annual report, a 2019 October quarterly report and a
17 2019 July quarterly report; and -- with the office
18 of the Oakland County Clerk on or about the date she
19 signed the affidavit on April 13th, 2021. As I have
20 previously read, if -- an officer shall not certify
21 to the Board of Election Commissioners the name of
22 the candidate who fails to comply with this section
23 or the name of the candidate who executes an
24 affidavit of identity that contains a false
25 statement with regards to any information or

1 statement required under this section. It was -- so
2 as relates to Deirdre Waterman, I received a
3 communication from Joseph Rozell, the Director of
4 Elections for Oakland County Clerk Register/
5 Register of Deeds on April 21st. Said, Dear Mr.
6 Doyle, my office is in receipt of the affidavit of
7 identity from mayoral candidate Deirdre Waterman.
8 After review of our records, we have determined that
9 Ms. Waterman failed to file the 2020 annual report,
10 a 2020 October quarterly report, a 2020 July
11 quarterly report, a 2019 annual report, a 2019
12 October quarterly report, a 2019 July quarterly
13 report. MCL 168.558 subsection 4 as amended states
14 in part, an affidavit of identity must include a
15 statement that as of the date of the affidavit, all
16 statements, reports, late filing fees and fines
17 required of the candidate or any candidate committee
18 have been filed or paid.

19 The statute further states that as an
20 officer shall not certify to the Board of Election
21 Commissioners the name of the candidate who fails to
22 comply with this section or a name of a candidate
23 who executes an affidavit of identity that contains
24 a false statement. Please consider this as a notice
25 to not certify Ms. Waterman as a candidate to your

1 Board of Election Commissioners.

2 So that concludes the candidates for
3 Mayor.

4 Candidates for City Council, District
5 1: Mark Bowman, certified; Karen Platen Jorgensen,
6 certified; Sean Preston, certified; Julia M. Ruffin,
7 certified; Melanie Rutherford, certified.

8 Candidates for City Council District
9 2: Brett Nicholson, certified; Megan E. Shramski,
10 certified; Coleman Yoakum, certified.

11 Candidates for City Council District
12 3: Michael Goodman, certified; Mary E. Pietila,
13 certified.

14 Candidates for City Council District
15 4: Ashleigh Altemann, certified; Randy Carter,
16 certified; Kathalee W. James, certified.

17 Candidates for City Council District
18 5: Gloria Miller, certified; William Parker Jr.,
19 certified.

20 Candidates for City Council District
21 6: Doris Taylor Burks, certified; William A.
22 Carrington, certified.

23 Candidates for City Council District
24 7: Perry D. Earl, Jr., ineligible. Mr. Perry is
25 ineligible because he did not complete statements

1 and attestation section of the affidavit on the
2 citizens of the United States, and I meet the
3 statutory and constitutional requirements for the
4 office sought was not completed.

5 Candidates for Library Board: Angela
6 Allen, certified; Ashelin R. Currie, certified;
7 Perry D. Earl Jr., ineligible. Did not complete
8 statements and attestation section of the affidavit
9 I'm a citizen of the United States and I meet the
10 statutory and constitutional requirements for the
11 office sought was not completed; Mattie McKinney
12 Hatchett, certified; Dion A. Johnson, certified;
13 Lacey Krout, certified; Yvette Brinker Marion,
14 certified; Holbert Maxey, certified; Rosie Lance
15 Richardson, certified; Melanie Rutherford,
16 certified; Shalell N. Weatherspoon, certified.

17 In addition, I received a number of
18 candidate challenges to the eligibility of
19 candidates. I received several challenges from
20 Mattie McKinney Hatchett. The first challenge was
21 the candidate Deirdre Waterman for mayor. My
22 decision is noted, and I stated before that Ms.
23 Waterman is ineligible for certification.

24 Mattie McKinney Hatchett also
25 challenged Mark Holland's candidacy. Again, Mr.

1 Holland is ineligible for certification.

2 Mattie Hatchett challenged Perry
3 Earl's City Council District 7 candidacy. Again,
4 Mr. Earl is ineligible for certification. She also
5 -- Mattie McKinney Hatchett also challenged Perry
6 Earl's Library Board candidacy. And, again, he was
7 ineligible for certification for the previous
8 reasons stated.

9 I also received a challenge from
10 Jonathan Townsend in regards to Tim Greimel's
11 candidacy for mayor. I reviewed the documents. He
12 made a challenge as it relates to Mr. Greimel's
13 residency and that he made a false statement on his
14 affidavit.

15 The -- Mr. Greimel has been certified
16 and his residency is verified, therefore, no false
17 statement was made on the affidavit that he filed
18 with the Office of the Clerk. So I was unable to
19 verify that a false statement was made on his
20 affidavit that he filed with the Clerk; and that was
21 the determining factor.

22 In addition, Mr. Greimel submitted a
23 response to Mr. Townsend's challenge. So I just
24 wanted a very clear and on the record, that the --
25 per the Charter, the clerk is the certifying officer

1 for the City of Pontiac, not this Commission. The
2 Commission has the authority to approve the ballot.
3 The Commission does not have the authority to
4 certify any candidates. And if the Commission takes
5 the position to certify -- to try to attempt to
6 certify any candidate that has not been certified by
7 the City Clerk who is the certifying officer for the
8 City of Pontiac, then the Commission is acting
9 beyond its authority that was given to it by the
10 Charter of the City of Pontiac which, in essence, is
11 the governing document; and then in addition, as
12 well as is stated within the State law.

13 Clearly if the Commission had the
14 authority to certify, then it wouldn't say an
15 officer shall not certify to the Board of Election
16 Commissioners right within the Michigan Election Law
17 Act 116 of 1954.

18 And if -- I want it also noted, and if
19 this Commission takes the position of failing to do
20 its duty, then this clerk will therefore look into
21 legal action against this Commission, because it's
22 clear that I personally have felt that a lot of
23 things have been done that has not been proper. And
24 therefore, to me documents, charters, and things of
25 that nature from the standpoint of a clerk are, in

1 essence, your governing documents.

2 So, therefore, I think we need clear
3 and concise and we'll maybe need a court, in
4 essence, intervention, because not -- like I just
5 was stating, that I would hope the Commission would
6 not act beyond its authority. But as the Clerk, it
7 has to be clear, what the authority of the clerk is
8 and what the authority of this Commission is.

9 So with that, that's what I want on
10 the record.

11 So, does any Commissioner have any
12 question about my report or want to discuss any
13 particular item?

14 COMMISSIONER CHUBB: Sure. You just
15 referenced acting within the scope of your
16 authority, and I think that's a good place to start,
17 because there's a lot of pieces of this report that
18 I find wholly outside the scope of your authority.

19 Several attorneys spoke today, and I
20 believe everyone was on the same page about one
21 thing, and that's that we have a ministerial
22 function as this Board. And so, when we received
23 the affidavits of identity, and when you received
24 the affidavits of identity of the clerk that is and
25 you went through them, and you found that three

1 people did not complete the affidavit properly, the
2 law is clear, that they are not able to be on the
3 ballot. I don't necessarily agree with the law,
4 it's -- I think it's unfortunate, but that is the
5 state of the law right now, and we are bound to
6 comply with it.

7 But the remainder of the law is that
8 your actions, again, are ministerial. And so, the
9 courts have been very clear about your ministerial
10 authority. And as I've noted, in both the very
11 case, *Berry V Garrett*, which noted that your -- you
12 have the ministerial task of completing a facial
13 review of the affidavits, and the *Bsharah V Wayne*
14 *County Clerk* case, which notes ultimately you
15 conclude the Plaintiff's proposed construction of
16 168.558 (4) would read an additional requirement
17 into the statute, requiring a county clerk to become
18 the arbiter of truth or falsity -- or falsity of
19 statements made in an affidavit of identity. We
20 refuse to do so.

21 And as Mr. Trebilcock pointed out --
22 this is actually an unpublished opinion, but as Mr.
23 Trebilcock pointed out, the Court of Appeals ruled
24 today in the matter of *Victoria Burton-Harris V*
25 *Wayne County Clerk*, and that case actually cited to

1 the Bsharah case. So to the extent that it wasn't
2 controlling authority, it is beginning today,
3 pursuant to the Victoria Burton-Harris case.

4 And what that means is that when you
5 have decided arbitrarily to go beyond the four
6 corners of two of all of these people's
7 certification reports, that was wholly arbitrary and
8 wholly inappropriate. The affidavit, as filled out
9 by Mayor Waterman was complete on its four corners
10 pursuant to the controlling law. And she absolutely
11 should be on the ballot.

12 Likewise, with Mr. Greimel, there was
13 a substantive challenge, but you're not the arbiter
14 of truth. Lawsuits can be filed to challenge these
15 things. Other -- other actions can be taken by
16 prosecutors. And as you noted, the standard is that
17 you shall not certify the -- an election person --
18 person for election that files a false affidavit of
19 identity, but the issue is -- or that contains a
20 false statement, that is. The issue is what it says
21 that it doesn't make you the investigator. But
22 you've chosen to, again, hand-pick two people,
23 politically-motivated or not, and do a deep-dive on
24 their actual applications and the status. And
25 likewise, as you noted, Mr. Rozell did -- the

1 Director of Elections for Oakland County did send
2 you a letter on April 21st, saying that he's
3 determined it's a false statement.

4 So I responded and told him I need a
5 letter from Corp Counsel saying that you're the
6 person that has the authority to determine that it's
7 a false statement. He never said a word. He never
8 said another word to me. And I never received
9 anything of that nature from Corp Counsel because he
10 doesn't have that authority. That is properly
11 rested in the judiciary or by a prosecutor that
12 ultimately has a guilty determination by a -- by a
13 court.

14 Again, I think it's clear that this
15 certification process was further arbitrary and
16 capricious because although you've gone on the hunt
17 for Mr. Greimel, and he's prepared affidavits and
18 things of that nature to prove his residency and the
19 fact that he's lived there for over a year, I
20 question whether you did that for any of these
21 others, for Brett Nicholson, Mikal Goodman, Randy
22 Carter, Kathalee James, Gloria Miller, William
23 Parker --

24 COMMISSIONER DOYLE: Excuse me, Mr.
25 Chubb. I did not go on the hunt for anyone. I gave

1 you a list of all of documentations in essence that
2 I received. You requested that information, and I
3 provided that information to you. I did not go on a
4 hunt for any particular body. All the challenges,
5 which I believe people are within their authority to
6 submit challenges, you received copies of those
7 challenges, they were all date stamped in the
8 Clerk's Office as well as the response that I
9 received from the challenges as relates to -- I mean
10 Mr. Greimel's response to the particular challenge.
11 I don't necessarily even know how he became aware of
12 that particular challenge.

13 But, whatever was turned in -- and I'm
14 sorry, I need to also add, because the report was
15 prepared before this morning while I'm at it, we did
16 receive two additional challenges. So I guess I do
17 need to put them into the record as well. So after
18 you finish your comment, I want to add those too in
19 the record too. The report was prepared before.

20 COMMISSIONER CHUBB: So I think now
21 just on the record you've noted that you haven't
22 done any investigation into the underlying
23 documentation provided or the truth underlying the
24 documentation provided by a candidate unless there
25 was a challenge. That is the definition of

1 arbitrary and capricious.

2 COMMISSIONER DOYLE: Excuse me.

3 COMMISSIONER CHUBB: Totally -- it's
4 totally inappropriate. Let me respond, and when I
5 finish with my comments. It is wholly inappropriate
6 and it's why this certification is wholly
7 indefensible. This Board should not act to approve
8 this obviously illegal action.

9 COMMISSIONER DOYLE: Let me be very
10 clear. It is -- when the Clerk's Office receives an
11 affidavit and petitions by its very nature, we have
12 to, in essence -- we have to verify the petitions.
13 So we have to go through to make sure that each
14 particular candidate has enough nominating
15 petitions. So that is what, in essence, in essence,
16 that we do. And we have to, in essence, review the
17 particular affidavits.

18 In addition to that, if somebody
19 submits a challenge, then I think, in essence, it's
20 incumbent upon me to receive that challenge, in
21 essence, read the challenge as well too. The law
22 does not tell me not to accept challenges from
23 people. So --

24 COMMISSIONER CHUBB: Well, the law
25 doesn't tell you not to accept challenges, but it

1 also doesn't give you the authority to investigate
2 and rule on them, and that's the piece that you're
3 missing here. That portion of this certification is
4 wrong; everything else is accurate; and the only
5 change is that it would result with Deirdre Waterman
6 being on the ballot.

7 COMMISSIONER DOYLE: Well, it -- I
8 guess if the position of this Commission is either
9 to accept because I talked to the County -- because
10 previously, apparently, four years ago, the -- I
11 wasn't in this capacity, apparently the
12 certification of candidates was not even done by
13 this Commission. When I reviewed all of the minutes
14 from the 2017 meetings of the Commission, there was
15 never certification item.

16 But, I was informed by the County when
17 they certify candidates, the Commission simply
18 receives and places them on file. So I believe all
19 the authority that this Commission has to do can do,
20 receive placement in file or accept it as-is or not
21 accept it at all. But it does not have, because I'm
22 the certifying officer, it does not have the
23 authority to amend any certification. It does not
24 have that authority.

25 I guess the question who is -- who is

1 the certifying officer for the City of Pontiac, per
2 the Charter?

3 COMMISSIONER CHUBB: The duties of the
4 Election Commission are set out where it notes that
5 it has an oversight of everything arranging the
6 primary ballot, and you certainly have your
7 obligations that are your ministerial obligations to
8 review the applications for certification. But this
9 Board clearly has a role and authority in that
10 regard.

11 COMMISSIONER DOYLE: Right. And the
12 authority is to, like I said, receive it or I guess
13 accept it or not accept it. But it does not have
14 the authority to amend it, because the Board does
15 not have -- is not the certifying officer. So the
16 Board would be acting without its scope if it
17 attempted to amend any certification.

18 But I do want to add into the record,
19 that I received a challenge from Robert Bass from
20 the Community EDC. Mr. Bass is challenging the --
21 Mayor Deirdre Waterman's failure to comply with
22 annual reporting requirements. So this is challenge
23 against Mayor Waterman's candidacy. I will share it
24 and I can provide copies as well. It was received
25 in essence today. And I also received a challenge

1 in H. Bill Maxsey from the New Pontiac Urban
2 Institute. And Mr. Maxsey is challenging Deirdre
3 Waterman and Perry Earl and Mark Holland. You
4 received all the other documents, so I'll make sure
5 that you get copies of those documents as well --
6 too.

7 So the next item on the agenda is
8 actually -- I provided the overall, in essence,
9 report. And is the certified -- the candidate
10 certification list. So that is --

11 COMMISSIONER CHUBB: Consistent with
12 our approved amendment to the agenda, I'd make a
13 motion to amend the approved candidate list to
14 include Deirdre Waterman.

15 COMMISSIONER BAWA: I second it.

16 COMMISSIONER DOYLE: Discussion on
17 that motion? I want -- as discussion on that
18 particular motion, I want it clearly stated on the
19 record that this Commission is acting beyond the
20 scope of its duty. And since this Commission is
21 acting beyond the scope of its duty, I will not
22 certify Deirdre Waterman as a candidate because the
23 Commission does not have the authority.

24 The Commission only has the authority
25 to approve the ballot, that's why it's not an agenda

1 item, because we don't have the ballot. But the
2 Commission does not have the authority to certify.

3 COMMISSIONER CHUBB: Call for the
4 vote.

5 COMMISSIONER DOYLE: Excuse me, I'm
6 talking. So do not be rude and interrupt me. I am
7 the Chair of the meeting.

8 So as I was saying, because there is a
9 discussion on the matter. So I definitely want it
10 noted. I also want it noted that as the clerk, I
11 will take legal action against this Commission if
12 this Commission makes an unauthorized move and vote
13 to put Ms. Waterman on the ballot when it's clearly
14 not -- was not certified by the City Clerk, the
15 certifying officer for the City of Pontiac.

16 COMMISSIONER CHUBB: Call for the
17 vote.

18 MS. WILLIAMS: Bawa?

19 COMMISSIONER BAWA: Yes.

20 MS. WILLIAMS: Chubb?

21 COMMISSIONER CHUBB: Yes.

22 MS. WILLIAMS: Doyle?

23 COMMISSIONER DOYLE: No. For all of
24 the reasons, in essence, as stated. And also I want
25 it also, in essence, noted on the record, the Clerk

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

will investigate as into the City Attorney, if it's a conflict for him providing this body legal advice, and also being a voting member of this Commission.

COMMISSIONER CHUBB: We are adjourned.

COMMISSIONER DOYLE: So, yes, as noted, the Clerk will not certify Deirdre Waterman. So I don't know what the next particular steps for this body is, but I will not. So this meeting is adjourned at 3:12.

(Meeting adjourned at 3:12 p.m.)

Minutes certified by:



/s/ Quentina Rochelle Snowden, CSR-5519
QRS Court Reporting, LLC
800.308.0068, 810.691.4226
Dated: May 9, 2021

VI.

**APPROVE THE
BALLOTS**

Official Ballot

**Tuesday, August 3, 2021 Election
Oakland County, Michigan
Pontiac, Precinct 1**

City Primary Election

Nonpartisan Section

City

Mayor

Vote for not more than 1

Jeremy Bowie

Wanda Denise Coates

Tim Greimel

Alexandria T. Riley

Council Member

1st District

Vote for not more than 1

Marcus Bowman

Karen Platen Jorgensen

Sean Preston

Julia M. Ruffin

Melanie Rutherford

Proposal Section

City

Proposal A

Shall the 1982 Charter for the City of Pontiac be revised by a Charter Commission to be selected by the electorate?

Yes

No

23615

Official Ballot

**Tuesday, August 3, 2021 Election
Oakland County, Michigan
Pontiac, Precinct 2**

City Primary Election

Nonpartisan Section

City

Mayor

Vote for not more than 1

Wanda Denise Coates

Tim Greimel

Alexandria T. Riley

Jeremy Bowie

Council Member

1st District

Vote for not more than 1

Karen Platen Jorgensen

Sean Preston

Julia M. Ruffin

Melanie Rutherford

Marcus Bowman

Proposal Section

City

Proposal A

Shall the 1982 Charter for the City of Pontiac be revised by a Charter Commission to be selected by the electorate?

Yes

No

23615

Official Ballot

**Tuesday, August 3, 2021 Election
Oakland County, Michigan
Pontiac, Precinct 3**

**City Primary Election
Nonpartisan Section**

City

Mayor

Vote for not more than 1

Tim Greimel

Alexandria T. Riley

Jeremy Bowie

Wanda Denise Coates

**Council Member
1st District**

Vote for not more than 1

Sean Preston

Julia M. Ruffin

Melanie Rutherford

Marcus Bowman

Karen Platen Jorgensen

Proposal Section

City

Proposal A

Shall the 1982 Charter for the City of Pontiac be revised by a Charter Commission to be selected by the electorate?

Yes

No

23615

Official Ballot

**Tuesday, August 3, 2021 Election
Oakland County, Michigan
Pontiac, Precinct 4**

**City Primary Election
Nonpartisan Section**

City

Mayor

Vote for not more than 1

Alexandria T. Riley

Jeremy Bowie

Wanda Denise Coates

Tim Greimel

**Council Member
2nd District**

Vote for not more than 1

Brett Nicholson

Megan E. Shramski

Coleman Yoakum

Proposal Section

City

Proposal A

Shall the 1982 Charter for the City of Pontiac be revised by a Charter Commission to be selected by the electorate?

Yes

No

23615

Official Ballot

Tuesday, August 3, 2021 Election
Oakland County, Michigan
Pontiac, Precinct 5

**City Primary Election
Nonpartisan Section**

City

Mayor

Vote for not more than 1

Jeremy Bowie

Wanda Denise Coates

Tim Greimel

Alexandria T. Riley

Council Member

2nd District

Vote for not more than 1

Megan E. Shramski

Coleman Yoakum

Brett Nicholson

Proposal Section

City

Proposal A

Shall the 1982 Charter for the City of Pontiac be revised by a Charter Commission to be selected by the electorate?

Yes

No

23615

Official Ballot

Tuesday, August 3, 2021 Election
Oakland County, Michigan
Pontiac, Precinct 6

**City Primary Election
Nonpartisan Section**

City

Mayor

Vote for not more than 1

Wanda Denise Coates

Tim Greimel

Alexandria T. Riley

Jeremy Bowie

**Council Member
2nd District**

Vote for not more than 1

Coleman Yoakum

Brett Nicholson

Megan E. Shramski

Proposal Section

City

Proposal A

Shall the 1982 Charter for the City of Pontiac be revised by a Charter Commission to be selected by the electorate?

Yes

No

23615

Official Ballot

**Tuesday, August 3, 2021 Election
Oakland County, Michigan
Pontiac, Precinct 7**

City Primary Election

Nonpartisan Section

City

Mayor

Vote for not more than 1

Tim Greimel

Alexandria T. Riley

Jeremy Bowie

Wanda Denise Coates

Proposal Section

City

Proposal A

Shall the 1982 Charter for the City of Pontiac be revised by a Charter Commission to be selected by the electorate?

Yes

No

23615

Official Ballot

Tuesday, August 3, 2021 Election
Oakland County, Michigan
Pontiac, Precinct 8

City Primary Election

Nonpartisan Section

City

Mayor

Vote for not more than 1

Alexandria T. Riley

Jeremy Bowie

Wanda Denise Coates

Tim Greimel

Proposal Section

City

Proposal A

Shall the 1982 Charter for the City of Pontiac be revised by a Charter Commission to be selected by the electorate?

Yes

No

23615

Official Ballot

**Tuesday, August 3, 2021 Election
Oakland County, Michigan
Pontiac, Precinct 9**

City Primary Election

Nonpartisan Section

City

Mayor

Vote for not more than 1

Jeremy Bowie

Wanda Denise Coates

Tim Greimel

Alexandria T. Riley

Proposal Section

City

Proposal A

Shall the 1982 Charter for the City of Pontiac be revised by a Charter Commission to be selected by the electorate?

Yes

No

23615

Official Ballot

Tuesday, August 3, 2021 Election
Oakland County, Michigan
Pontiac, Precinct 10

City Primary Election

Nonpartisan Section

City

Mayor

Vote for not more than 1

Wanda Denise Coates

Tim Greimel

Alexandria T. Riley

Jeremy Bowie

Council Member

4th District

Vote for not more than 1

Ashleigh Altemann

Randy Carter

Kathalee W. James

Proposal Section

City

Proposal A

Shall the 1982 Charter for the City of Pontiac be revised by a Charter Commission to be selected by the electorate?

Yes

No

23615

Official Ballot

Tuesday, August 3, 2021 Election
Oakland County, Michigan
Pontiac, Precinct 11

**City Primary Election
Nonpartisan Section**

City

Mayor

Vote for not more than 1

Tim Greimel

Alexandria T. Riley

Jeremy Bowie

Wanda Denise Coates

**Council Member
4th District**

Vote for not more than 1

Randy Carter

Kathalee W. James

Ashleigh Altemann

Proposal Section

City

Proposal A

Shall the 1982 Charter for the City of Pontiac be revised by a Charter Commission to be selected by the electorate?

Yes

No

23615

Official Ballot

Tuesday, August 3, 2021 Election
Oakland County, Michigan
Pontiac, Precinct 12

City Primary Election

Nonpartisan Section

City

Mayor

Vote for not more than 1

Alexandria T. Riley

Jeremy Bowie

Wanda Denise Coates

Tim Greimel

Council Member

4th District

Vote for not more than 1

Kathalee W. James

Ashleigh Altemann

Randy Carter

Proposal Section

City

Proposal A

Shall the 1982 Charter for the City of Pontiac be revised by a Charter Commission to be selected by the electorate?

Yes

No

23615

Official Ballot

**Tuesday, August 3, 2021 Election
Oakland County, Michigan
Pontiac, Precinct 13**

**City Primary Election
Nonpartisan Section**

City

Mayor

Vote for not more than 1

Jeremy Bowie

Wanda Denise Coates

Tim Greimel

Alexandria T. Riley

Proposal Section

City

Proposal A

Shall the 1982 Charter for the City of Pontiac be revised by a Charter Commission to be selected by the electorate?

Yes

No

23615

Official Ballot

**Tuesday, August 3, 2021 Election
Oakland County, Michigan
Pontiac, Precinct 14**

City Primary Election

Nonpartisan Section

City

Mayor

Vote for not more than 1

Wanda Denise Coates

Tim Greimel

Alexandria T. Riley

Jeremy Bowie

Proposal Section

City

Proposal A

Shall the 1982 Charter for the City of Pontiac be revised by a Charter Commission to be selected by the electorate?

Yes

No

23615

Official Ballot

**Tuesday, August 3, 2021 Election
Oakland County, Michigan
Pontiac, Precinct 15**

**City Primary Election
Nonpartisan Section**

City

Mayor

Vote for not more than 1

Tim Greimel

Alexandria T. Riley

Jeremy Bowie

Wanda Denise Coates

Proposal Section

City

Proposal A

Shall the 1982 Charter for the City of Pontiac be revised by a Charter Commission to be selected by the electorate?

Yes

No

23615

Official Ballot

**Tuesday, August 3, 2021 Election
Oakland County, Michigan
Pontiac, Precinct 16**

City Primary Election

Nonpartisan Section

City

Mayor

Vote for not more than 1

Alexandria T. Riley

Jeremy Bowie

Wanda Denise Coates

Tim Greimel

Proposal Section

City

Proposal A

Shall the 1982 Charter for the City of Pontiac be revised by a Charter Commission to be selected by the electorate?

Yes

No

23615

Official Ballot

**Tuesday, August 3, 2021 Election
Oakland County, Michigan
Pontiac, Precinct 17**

City Primary Election

Nonpartisan Section

City

Mayor

Vote for not more than 1

Jeremy Bowie

Wanda Denise Coates

Tim Greimel

Alexandria T. Riley

Proposal Section

City

Proposal A

Shall the 1982 Charter for the City of Pontiac be revised by a Charter Commission to be selected by the electorate?

Yes

No

23615

Official Ballot

**Tuesday, August 3, 2021 Election
Oakland County, Michigan
Pontiac, Precinct 18**

City Primary Election

Nonpartisan Section

City

Mayor

Vote for not more than 1

Wanda Denise Coates

Tim Greimel

Alexandria T. Riley

Jeremy Bowie

Proposal Section

City

Proposal A

Shall the 1982 Charter for the City of Pontiac be revised by a Charter Commission to be selected by the electorate?

Yes

No

23615

Official Ballot

**Tuesday, August 3, 2021 Election
Oakland County, Michigan
Pontiac, Precinct 19**

City Primary Election

Nonpartisan Section

City

Mayor

Vote for not more than 1

Tim Greimel

Alexandria T. Riley

Jeremy Bowie

Wanda Denise Coates

Proposal Section

City

Proposal A

Shall the 1982 Charter for the City of Pontiac be revised by a Charter Commission to be selected by the electorate?

Yes

No

23615

Official Ballot

**Tuesday, August 3, 2021 Election
Oakland County, Michigan
Pontiac, Precinct 20**

City Primary Election

Nonpartisan Section

City

Mayor

Vote for not more than 1

Alexandria T. Riley

Jeremy Bowie

Wanda Denise Coates

Tim Greimel

Proposal Section

City

Proposal A

Shall the 1982 Charter for the City of Pontiac be revised by a Charter Commission to be selected by the electorate?

Yes

No

23615

Official Ballot

Tuesday, August 3, 2021 Election
Oakland County, Michigan
Pontiac, Precinct 21

City Primary Election

Nonpartisan Section

City

Mayor

Vote for not more than 1

Jeremy Bowie

Wanda Denise Coates

Tim Greimel

Alexandria T. Riley

Proposal Section

City

Proposal A

Shall the 1982 Charter for the City of Pontiac be revised by a Charter Commission to be selected by the electorate?

Yes

No

23615