

MICHIGAN STRATEGIC FUND

RESOLUTION 2026-031

APPROVAL OF MSF PUBLIC COMMENT POLICY REVISIONS

WHEREAS, Public Act 270 of 1984, MCL 125.2001 *et seq.* (the “MSF Act”), established the Michigan Strategic Fund (“MSF”);

WHEREAS, under Section 5(10) of the MSF Act, MCL 125.2005(10), MSF Board meetings are conducted in accordance with the Michigan Open Meetings Act, MCL 15.261 *et seq.*, (the “OMA”) and the Michigan Strategic Fund Act, MCL 15.2001 *et seq.*,

WHEREAS, under Section 3(5), MCL 15.263(5), of the OMA, members of the public attending a meeting of a public body are permitted to address the public body under rules established and recorded by the public body;

WHEREAS, the MSF Board adopted the MSF Public Comment Policy on June 27, 2023, by Resolution 2023-103, and later amended on March 26, 2024, by Resolution 2024-050;

WHEREAS, in order to ensure that members of the public have a fair and adequate opportunity to be heard at meetings of the MSF Board and to facilitate the orderly conduct of MSF Board meetings, the MSF Fund Manager and the Attorney General recommend that the MSF Board adopt the revised MSF Public Comment Policy attached to this Resolution (the “Revised MSF Public Comment Policy”); and

WHEREAS, the MSF Board wishes to adopt the Revised MSF Public Comment Policy.

NOW, THEREFORE, BE IT RESOLVED, the MSF Board adopts the Revised MSF Public Comment Policy.

BE IT FURTHER RESOLVED, the MSF Board approves MSF President and MSF Fund Manager to develop, finalize, and revise any processes and procedures needed to implement the Revised MSF Public Comment Policy.

Ayes: Dr. Britany Affolter Caine, Wesley Eklund, Rachael Eubanks, John Groen (on behalf of Director Corbin, designation attached), Michael B. Kapp (on behalf of Director Wieferich, designation attached), Quentin L. Messer, Jr., Leon Richardson, Lynda Rossi, Susan Tellier

Nays: None

Recused: None

Lansing, Michigan
March 24, 2026

EXHIBIT B

Michigan Strategic Fund

Public Comment Policy

Background

Meetings of the Michigan Strategic Fund (the “MSF”) Board are conducted pursuant to the Open Meetings Act, MCL 15.261 *et seq.*; see also the MSF Act, MCL 125.2005(10). MSF Board meetings are held in person with MSF Board Member attendance also permitted by use of telecommunications or other electronic equipment as authorized by the MSF Board By-Laws and the MSF Act, MCL 125.2005(9). All MSF Board meetings are open to the public and will have a public comment period, as required by the Open Meetings Act. (the “Public Comment Period”).

The MSF Board has adopted this Public Comment Policy in accordance with the requirements of the Open Meetings Act; particularly MCL 15.263(1) and (5), which provide, respectively, that all meetings of a public body must be open to the public and must be held in a place available to the general public, and the members of the public must be permitted to address a meeting of a public body under rules established and recorded by the public body. For those members of the public choosing to attend MSF Board meetings remotely, those persons may address the meeting as “Virtual Commentors” by way of a pre-registration process under the rules established by the Public Comment Policy (See Virtual Public Comment Period below).

Public Comment Period

I. General Rules

- a. The Public Comment Period is provided for in accordance with MCL 15. 263(5).
- b. Public comment is limited to the designated Public Comment Period as listed on the MSF Board meeting agenda.
- c. The OMA does not provide for members of the public to address the MSF Board during its deliberations on a particular matter.
- d. Members of the public may make public comments after being recognized by the MSF Board Liaison or an MSF Board Member. Upon being recognized and prior to making their public comment, an individual shall state their name and the municipality wherein they reside.
- e. Public comment is an opportunity for the public to express their comments regarding any subject matter. MSF Board Members may engage in dialogue with a member of the public making a public comment; however, no MSF Board Member is required to respond to a public comment. In general, MSF Board Members will not respond to comments unless it becomes necessary to ask a clarifying question, correct a factual error, or provide or request specific factual information.
- f. Each member of the public will be recognized to speak one time during the Public Comment Period.
- g. Members of the public making a public comment must direct their comments to the MSF Board and not to staff or other participants.

- ii. Under MCL 15.263(6), require that a member of the public leave the meeting if the person commits a breach of the peace at the meeting; and
- iii. Request the assistance of law enforcement officers in excluding a member of the public when the person commits a breach of the peace at the meeting.

Virtual Public Comment Period

I. General Rules

- a. The Virtual Public Comment Period is limited to the designated Virtual Public Comment Period as listed on the MSF Board meeting agenda. The OMA does not provide for members of the public to address the MSF Board during its deliberations on a particular matter. An MSF Board Member, however, may request a member of the public's comment.
- b. No Virtual Commentor may make a comment until recognized by the MSF Board Liaison or an MSF Board Member. Upon being recognized and prior to making their public comment, a Virtual Commentor must state their name and the municipality wherein they reside.
- c. The Virtual Public Comment Period is an opportunity for the public to express their comments regarding any subject matter. MSF Board Members may engage in dialogue with a Virtual Commentor, however no MSF Board Member is required to respond to a Virtual Commentor. In general, MSF Board Members will not respond to comments unless it becomes necessary to ask a clarifying question, correct a factual error, or provide or request specific factual information.
- d. Each Virtual Commentor will be recognized to speak one time during the Virtual Public Comment Period. Any member of the public who has spoken during the Public Comment Period will not be provided with an opportunity to speak during the Virtual Public Comment Period.
- e. Virtual Commentors shall direct all comments to the MSF Board and not to staff or other participants.
- f. Virtual Commentors attending as a common group are encouraged to designate one of their members to speak on behalf of the group during the Virtual Public Comment Period to avoid cumulative comments and to allow time for other members of the public to speak.

II. Procedure

- a. Virtual Commentors must pre-register on the MSF website at least three (3) hours prior to the start of the MSF Board meeting (the "Registration Deadline"). Pre-registrations received after the Registration Deadline will not be permitted to speak during the Virtual Public Comment Period at the impending MSF Board meeting but will be added as a pre-registered Virtual Commentor at the next scheduled MSF Board meeting. Pre-registering will require each Virtual Commentor to provide their full name and last four digits of their phone number for the MSF Board Liaison to efficiently recognize each Virtual Commentor.
- b. At the beginning of the Virtual Public Comment Period, the MSF Board Chair or the MSF Board Liaison will announce the total number of pre-registered Virtual Commentors along with the time limit allowed for each Virtual Commentor in accordance with the time limits set forth below.

- c. Once the Virtual Public Comment Period begins, the MSF Board Liaison will recognize each person who pre-registered as a Virtual Commentor to offer public comment. A person pre-registered as a Virtual Commentor who is not online when called on by the MSF Board Liaison will not be provided with another opportunity to make a public comment during Virtual Public Comment Period. Persons who do not pre-register in accordance with this Public Comment Policy are not eligible to make a public comment as a Virtual Commentor.

III. Time Limits

- a. Time Limitations:
 - I. 1-20 pre-registered Virtual Commentors in total: 3 minutes each.
 - II. 21-30 pre-registered Virtual Commentors in total: 2 minutes each.
 - III. 31-40 pre-registered Virtual Commentors in total: 1 minute and 30 seconds each.
 - IV. 41 or more pre-registered Virtual Commentors in total: 1 minute and 30 seconds each, or if at the beginning of the Virtual Public Comment Period the MSF Board Chair determines that the total number of pre-registered Virtual Commentors will interfere with the orderly conduct of the MSF Board meeting, the MSF Board Chair may:
 - a) Limit the Virtual Public Comment Period to 1 and a half hours, and any pre-registered Virtual Commentors who do not receive an opportunity to speak as a result of this limited time will be (1) encouraged to submit Written Materials and (2) automatically added as a pre-registered Virtual Commentor for the next scheduled MSF Board meeting, or
 - b) Move the Virtual Public Comment Period to the end of the MSF Board meeting agenda, or
 - c) Omit the Virtual Public Comment Period entirely, and pre-registered Virtual Commentors will be (1) encouraged to submit Written Materials and (2) automatically be added as a pre-registered Virtual Commentor for the next scheduled MSF Board meeting.
- b. Virtual Commentors cannot reserve or yield this time.
- c. In an effort to provide the public a full opportunity to be heard, if an MSF Board Member provides a response to a Virtual Commentor during the Virtual Commentor's comment period, the time used by the MSF Board Member will not count against that person's time limit for making their comment, i.e. the time limit for the person's public comment will be tolled while an MSF Board Member is speaking. However, once a Virtual Commentor has used their time, no further time will be provided the person to make a "rebuttal" or follow-up comment in response to an MSF Board Member's reply unless specifically granted by the MSF Board Member.
- d. The MSF Board Chair has the authority to enforce this Public Comment Policy during the Virtual Public Comment Period by requesting that the MSF Board Liaison mute a Virtual Commentor when their comment exceeds the time limit allowed under this Public Comment Policy.

Meeting Minutes

Pursuant to the Open Meetings Act, MCL 15.269(1), minutes of the MSF Board meeting consist of the date, time, place, members present, members absent, any decisions made at the meeting open to the public and as appropriate, the purpose or purposes for which a closed session is held. Additionally, the minutes will include a record of all roll call votes taken at the MSF Board meeting.

Effective: March 26, 2026



STATE OF MICHIGAN
DEPARTMENT OF TRANSPORTATION
LANSING

GRETCHEN WHITMER
GOVERNOR

BRADLEY C. WIEFERICH, P.E.
ACTING DIRECTOR

January 3, 2023

Ms. Rhonda Bishop
Board Relations Liaison
Michigan Strategic Fund Office
300 N. Washington Square
Lansing, Michigan 48913

Dear Ms. Bishop:

I hereby confirm and ratify my designation of Michael B. Kapp, Administrator, Michigan Department of Transportation, as the person authorized and empowered to act in my stead for Michigan Strategic Fund meetings that I am unable to attend.

Sincerely,

A handwritten signature in blue ink, appearing to read "Bradley C. Wieferich".

Bradley C. Wieferich, P.E.
Acting Director

cc: M. Kapp
Executive File



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LABOR AND ECONOMIC OPPORTUNITY
LANSING

SUSAN CORBIN
DIRECTOR

March 14, 2025

Ms. Natalie Davenport
Michigan Strategic Fund Administrator
300 North Washington Square
Lansing, Michigan 48913

Re: Michigan Strategic Fund Board Meeting Designee

Dear Ms. Davenport,

Pursuant to MCLA 16.51, I hereby confirm my designation of John Groen as the person authorized and empowered to act in my stead as a member of the Michigan Strategic Fund Board for scheduled meetings or portions thereof that I am unable to attend.

If you need anything additional, please contact Amaya Durkee at 616-522-7772 or DurkeeA4@michigan.gov.

If you need

Sincerely,

A handwritten signature in cursive script that reads "Susan R. Corbin".

Susan R. Corbin
Director