

Notes on response to FOIA request showing Conan Smith has been suspended as executive director by the board of the nonprofit Metro Matters

The Ann is a monthly magazine distributed in the Ann Arbor area as an insert to the printed edition of the New York Times. The October edition, to be distributed Oct. 2, 2016, includes an opinion piece by Mary Morgan on the situation caused by former Washtenaw County Commissioner Conan Smith, when he developed an interest in a high-level staff job at the county, then responded to a call for his resignation as commissioner by resigning.

Morgan's opinion piece for The Ann was based in part on information obtained from various municipalities through a request made under Michigan's Freedom of Information Act. After that piece went to print, additional information was produced by municipalities under MFOIA. That additional information is presented here, not only because it provides further confirmation of what Morgan wrote for The Ann, but also because it reveals important added context.

In publicly discussing his interest in the job of director of Washtenaw County's Office of Community & Economic Development (OCED), Smith did not mention the financial situation of the nonprofit Metro Matters, where he has served as executive director for 12 years. When asked, he indicated a solid fundraising record for Metro Matters this year and said that his pursuit of the OCED position should not be interpreted as a comment on the situation at Metro Matters.

However, the financial instability of Metro Matters and the board's growing dissatisfaction led to Smith's suspension recently as executive director. That provides relevant context for evaluating Smith's description of his interest in the OCED job.

Summarized below is the information obtained through a request made under Michigan's Freedom of Information Act to the City of Southfield, among other metro Detroit municipalities, for communications between Smith and Metro Matters board members.

[Text file consisting of some key messages extracted from the City of Southfield's FOIA response:

<https://www.dropbox.com/s/jxoa030hhbyfuqr/%28Excerpts%29%20Southfield%20Conan%20Smith%20FOIA%20Dave%20Askins.txt?dl=0>]

[Text file consisting of complete response from City of Southfield (cleaned up for odd characters and additional carriage returns that were likely artifacts of the conversion from the .pst file that Southfield produced):

<https://www.dropbox.com/s/jeiofklahr1jzwh/Southfield%20Conan%20Smith%20FOIA%20Complete%20But%20Cleaned.txt?dl=0>]

- Conan Smith's Status at Metro Matters
 - Smith has been suspended from his executive director position. That suspension apparently took place at an Aug. 26, 2016 special meeting of the board. Smith was informed of his suspension when he met on Aug. 30, 2016 with Metro Matters board member Edward Klobucher (also City Manager of the City of Hazel Park) and Metro Matters legal counsel Brandon Fournier.
 - From an email sent to board members by Ed Klobucher on Wednesday, August 31, 2016 11:47 AM:
"Brandon Fournier and I met with Conan Smith yesterday and informed him of the Board's decision that he be suspended from exercising the authorities of the Executive Director position at Metro Matters. He was instructed to turn over all materials and records from the organization. Conan was further informed that we were not in a position to make him an offer for a final separation agreement at this time, and that we would sit down with him after we had an opportunity to consult the Board of Directors."
- Separation Issues
 - To handle the current employment situation between himself and Metro Matters, Smith has retained David Blanchard as his attorney, while Metro Matters is represented by Brandon Fournier. Smith's employment with Metro Matters appears to have been based on a month-to-month contract. Potentially at issue appears to be compensation Smith feels he is owed during a period in 2016 when he worked without pay.

- From a message written by Brandon Fournier and sent to board members on Sept. 11, 2016 8:10:46 AM:
 "At the conclusion of Thursday's meeting I returned a message from Conan's attorney, David Blanchard, inquiring to the status of his position and a separation offer. I advised him that the Board's first priority was to gain control of the organization and financial status of the organization. Once that transition was complete separation discussions could possibly resume, I advised him in light of the stated cash position of the organization we are unable to discuss the matter at this time."
- Indications of Board's Concerns about Smith's Performance
 - Dissatisfaction among some board members with Smith's performance appears to date back a few years. When a vendor (The Work Department) contacted board members directly about an unpaid invoice and the lack of responsiveness from Smith, board members' subsequent communications refer to "a pattern that we've tried to address for several years." An email from a board member in early 2016 characterizes Metro Matters as having resembled a "smoke and mirrors grad project" for a long time, and that left him "concerned that an organization with my name on it is using grant and donations improperly."
 - From an email sent by Steve Duchane to Ed Klobucher on Aug. 31 2016 9:26:02 AM:
 "Just note for all that when I examine the record of deliverables over the past three years it is impossible to find one solid accomplishment while records of money spent on pizza are clearly available..."
- Indications of Financial Crisis for Metro Matters
 - In late December 2015 Smith presented to the board a plan to try to address financial difficulties, which Smith followed by laying off the staff, closing the physical office and working without pay. In March 2016 Smith presented the board with four options, two of which were declaring bankruptcy and closing shop. Metro Matters was having difficulty meeting obligations to at least one vendor. Financial and accounting issues were cited by board members as reasons for dissatisfaction with Smith's performance.

The financial issues at Metro Matters have quickly escalated in the brief time since Smith's suspension.

- From an email Smith sent the board on Sept. 8, 2016 at 8:38 AM: "Since I was informed of my suspension last week, nobody has been minding the shop. As a result, the organization is in arrears on its loan and its bank account is overdrawn."

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