

D076615A THE 9TH LEGISLATIVE DISTRICT BOARDS OF COUNTY COMMISSIONERS met in the Auditorium of the Public Service Building, Colfax, Washington for a **Special/Joint** meeting on **Friday, May 8, 2015 at 2:00 p.m.**

2:00 p.m. - Special/Joint Meeting.

076616 In compliance with the State Constitution, an official letter submitting three names, in ranked preference order (Richard Lathim, Mary Dye and Patrick Guettner) for appointment to the Office of State Representative, Position 1 for the 9th Legislative District was received from the Washington State Republican Central Committee, thereby requiring a special/joint meeting comprised of the 9th Legislative District county commissioners.

PRESENT:

County Commissioners Representing the 9th Legislative District in Attendance:

Adams County: John M Marshall, Roger L Hartwig, Jeffrey W. Stevens
Asotin County: Brian Shinn, Jim Fuller, Jim Jeffords
Franklin County: Brad Peck, Rick Miller
Garfield County: Robert K Johnson, Justin Dixon (2:12 p.m.), Wynne McCabe
Spokane County: Shelly O'Quinn, Al French, Todd Mielke (Via Conference Phone)
Whitman County: Dean Kinzer, Arthur D Swannack, Michael Largent

County Commissioners Representing the 9th Legislative District Not in Attendance:

Franklin County: Robert E Koch.

Nominees:

Richard W Lathim: Pasco, Franklin County, WA
Mary L Dye: Pomeroy, Garfield County, WA
Patrick Guettner: Pasco, Franklin County, WA

Elected Officials/Staff:

Joe Schmick: 9th Legislative District Representative, Position 2
Lisa Fenton: House of Representatives, Chief of Staff Republican Caucus
Denis Tracy: Whitman County Prosecutor
Ginna Vasquez: Spokane County Clerk of the Board
Maribeth Becker: Whitman County Clerk of the Board
Tim Myers: Whitman County Parks/Developmental Services (Timer)

General Public Including Media:

Approximately 23 individuals were in attendance.

1. Welcome/Introductions.

Welcome and introductions by Whitman County Commission host Chairman Dean Kinzer.

2. Special/Joint Meeting Convened.

At 2:10 p.m. the 9th Legislative District Special/Joint county commissioners meeting was convened by host Chairman Kinzer followed by the Pledge of Allegiance and general meeting information.

It was noted Commissioner Justin Dixon would be arriving momentarily and Commissioner Todd Mielke was on the phone and would like to participate. As the rules were originally prepared, voting takes place by a paper ballot. That issue will be addressed later.

3. Nominations and Election of Special/Joint Meeting Chairperson.

Motion by Brian Shinn **seconded** by Bob Johnson and carried to nominate Dean Kinzer as the joint meeting Chairman.

4. Review, Discuss and/or Amend the Proposed Agenda and Meeting Rules and Procedures.

Commissioner Brad Peck said while he was not opposed to participation by phone it was unclear how the voting procedure would be handled. Chairman Kinzer explained a phone call took place earlier today with the Spokane and Whitman County Prosecutors and Commissioner Todd Mielke concerning the mechanism that might be used in order that Commissioner Mielke could vote. One option would be for Commissioner Mielke to private relay his nominee preference to the Spokane County Clerk of the Board who would then transfer that information to Commissioner Mielke's ballot. Commissioner Peck indicated that method would be acceptable to him.

Issues before the membership include:

- Commissioner Mielke's voting mechanism
- Length of time for nominees presentations
- Number of recesses
- Number of recesses each member can request

Commissioner Shelly O'Quinn **moved** to strike items #5a-g (later corrected to #5a-f) of the rules and to forego paper ballot and use "ayes" or a "show of hands" for voting. Motion **seconded** by Commissioner Al French. The Chairman called for discussion.

Commissioner Swannack questioned the legality of that method. Prosecutor Tracy indicated it would be a legal method but each individual commissioner would need to be identified and who he/she voted for.

Commissioner Al French thought oral voting would take less time.

Commissioner Jeffrey Stevens appreciated Commissioner Mielke's desire to participate. This having been Commissioner Stevens' 7th time to appoint an elected official, past practice has been paper ballots and they have never been offered the opportunity to participate by telephone for this particular type of meeting. It would have been more convenient had that been an option and part of the rules. Commissioner Stevens recommended continuing the past practice of using paper ballots and only those in attendance be allowed to vote.

Commissioner Brad Peck said the method by which commissioner Mielke is proposing (oral vote) gives him the advantage of being handed the autonomy of process until the votes are read. With respect to the motion on the floor for a method other than a written vote, he would be willing to do that provided Franklin County votes last otherwise he would be opposed.

Commissioner Shelly O'Quinn talked about the voting method used in another joint county appointment that seemed to work well, but was in favor of selecting the method that worked best for this meeting.

Commissioner Mielke spoke about the importance of getting this done expeditiously and that the procedure meet the Open Public Meeting Act requirement and that he be permitted to vote either orally or by paper ballot via the Spokane County Clerk of the Board.

Commissioner Michael Largent said based on the motion on the floor and Franklin County's request to vote last, both issues would be resolved by allowing Commissioner Mielke to relay his vote to the Spokane County Clerk of the Board and that she mark his ballot.

Commissioner Shelly O'Quinn was not opposed to either method of voting.

Commissioner John Marshall respected Commissioner Mielke's position and thought he should be permitted to vote but it be done by paper ballot.

The Chairman called for the vote to strike item #5a-f of the proposed Rules and Procedures. Motion **failed**.

Motion by Commissioner Largent to allow Spokane County Commissioner Todd Mielke to transmit his vote to the Spokane County Clerk of the Board and that she mark his ballot. Motion **seconded** by Commissioner Al French and **carried**.

5. Adoption of Proposed Agenda, Meeting Rules and Procedures.

Commissioner Largent **moved** adoption of the rules and procedures as amended. Motion **seconded** Commissioner Brian Shinn and **carried**.

Commissioner Jim Jeffords **moved** Commissioner Brian Shinn **seconded** the motion and it **carried** to adopt the proposed agenda as presented.

Commissioner John Marshall questioned the order of names as submitted by the State Republican Central Committee and thought he understood from the Precinct Committee Officers meeting May 6th that the names would be submitted in random order. Commissioner Arthur Swannack said he remembered the situation differently and was under the impression the names would be submitted in order of preference and not randomly. Commissioner Rick Miller concurred with Commissioner Swannack. **Motion** by Commissioner Largent, **seconded** by Commissioner Swannack and **carried** that the order for Agenda item #6 is correct.

6. Nominees Presentations.

Five (5) minute presentations were given to the commissioners by each nominee in the order received from the Washington State Republican Central Committee.

- a. Richard W Lathim
- b. Mary L Dye
- c. Patrick Guettner

2:52 p.m. - Motion by Commissioner Brad Peck **seconded** by Commissioner Rick Miller and **carried** to take a 3 minute county recess. Motion **carried**.

2:55 p.m. - Special/Joint Meeting Reconvened by Chairman Kinzer.

7. Commissioners Questions and Answer Period for Nominees.

Order of Speakers:	(Issue)
• Brian Shinn Lathim, Dye, Guettner	(Personal background problems that may arise)
• Michael Largent Lathim, Dye, Guettner	(WSAC sustainability initiative)
• Brian Shinn Lathim, Dye, Guettner	(State Taxes)
• Brad Peck Lathim, Dye, Guettner	(Funding for education)
• Shelly O'Quinn Lathim, Dye, Guettner	(Transportation funding packages)
• Rick Miller Guettner, Dye, Lathim	(Criminal Justice)
• Al French Lathim, Dye, Guettner	(State balancing budget on backs of cities/counties)
• Shelly O'Quinn Lathim, Dye, Guettner	(Effectiveness in Olympia)
• Al French Lathim, Dye, Guettner	(Remaining informed about entire 9 th District)

3:50 p.m. - Recess.

Commissioner Peck **moved** Commissioner Dixon **seconded** the motion and it **carried** to recess for 10 minutes.

4:00 p.m. - Special/Joint Meeting Reconvened by Chairman Kinzer.

8. Final Remarks.

Two (2) minute final remarks given by each nominee in the order received from the Washington State Republican Central Committee.

- a. Richard W Lathim
- b. Mary L Dye
- c. Patrick Guettner

9. Motion made Commissioner Brad Peck, **seconded** by Commissioner Robert Johnson and **carried** to forego another recess at this time.

4:10 p.m. - Executive Session.

Commissioner Shelly O’Quinn **moved** to go into executive session for 10 minutes in accordance with RCW 42.30.110(1)(h) (review qualifications of candidates for appointment to an elected office). Motion **seconded** by Commissioner Arthur Swannack and **carried**. At 4:20 p.m. the executive session was extended 5 minutes.

4:25 p.m. - Special/Joint Meeting Reconvened by Chairman Kinzer.

10. Vote on House Nominees.

Ballot “A” distributed, votes cast, ballots collected, results read aloud by Chairman Kinzer as follows:

COUNTY COMMISSIONERS	BALLOT NUMBER	NOMINEE LATHIM	NOMINEE DYE	NOMINEE GUETTNER
Adams County Commissioner John N Marshall	1-A		X	
Adams County Commissioner Roger L Hartwig	2-A			X
Adams County Commissioner Jeffrey W Stevens	3-A		X	
Asotin County Commissioner Brian Shinn	4-A		X	
Asotin County Commissioner Jim Fuller	5-A		X	
Asotin County Commissioner Jim Jeffords	6-A		X	
Franklin County Commissioner Brad Peck	7-A	X		
Franklin County Commissioner Robert E Koch	8-A	ABSENT	ABSENT	ABSENT
Franklin County Commissioner Rick Miller	9-A	X		
Garfield County Commissioner Robert K Johnson	10-A		X	
Garfield County Commissioner Justin Dixon	11-A		X	
Garfield County Commissioner Wynne McCabe	12-A		X	
Spokane County Commissioner Todd Mielke	13-A		X	
Spokane County Commissioner Shelly O’Quinn	14-A		X	
Spokane County Commissioner Al French	15-A	X		
Whitman County Commissioner Arthur D Swannack	16-A		X	
Whitman County Commissioner Dean Kinzer	17-A		X	
Whitman County Commissioner Michael Largent	18-A		X	
TOTALS REPORTED BY CHAIRPERSON KINZER		3	13	1

11. Chairman declares 9th Legislative District House of Representatives, Position 1 appointee.

Chairman Kinzer declared and congratulated Mary Dye as the newly appointed member of the 9th Legislative District House of Representatives, Position 1 and signed the official certification of appointment.

12. Adjournment.

At 4:33 p.m. the convention of county commissioners was adjourned by Chairman Kinzer after motion by Commissioner Brian Shinn seconded by Commissioner Jim Jeffords and carried.

13. Swearing In Ceremony/Oath of Office.

Immediately following the special meeting, newly appointed 9th Legislative District Representative, Mary Dye was administered the Oath of Office by Superior Court Judge David Frazier. The signed certification of appointment and oath of office were forwarded on 05/08/15 via email and USPS to the House of Representatives Chief Clerks Office in Olympia.