

State of Washington
PUBLIC DISCLOSURE COMMISSION
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MINUTES – Regular Meeting

9:30 a.m. | May 27, 2021

711 Capitol Way S. #206

Olympia, Washington

Commission Members Present (Participated via Microsoft Teams Online)

Fred Jarrett, Chair; Nancy Isserlis, Vice Chair; Bill Downing, Member; Russell Lehman, Member.

Staff Present (Participated via Microsoft Teams Online)

Peter Frey Lavalley, Executive Director; BG Sandahl, Deputy Director; Kim Bradford, Communications and Outreach Director; Sean Flynn, General Counsel; James Gutholm, Chief Information Officer; Jana Greer, Administrative Officer; Kurt Young, Compliance Officer; Phil Stutzman, Compliance Officer; Jennifer Hansen, Compliance Officer; Alice Fiman, Compliance Officer; Tabatha Blacksmith, Compliance Coordinator; Chad Johnson, Senior Financial Consultant, Department of Enterprise Services (DES); John Meader, Assistant Attorney General representing the Commission; and Chad Standifer, Assistant Attorney General representing PDC staff.

The regular meeting of the Public Disclosure Commission (PDC) was called to order by Commission Chair Fred Jarrett at 9:32 a.m.

[PDC Meeting Video](#)

COVID 19 update: The May 27, 2021 Public Disclosure Commission Meeting was streamed live at <https://www.youtube.com/user/WASTPDC/live>.

The Commission meeting was held remotely pursuant to the Governor's Emergency Proclamation [20-28](#) regarding Covid-19, waiving in-person meeting and access requirements.

Public Comment | [PDC Meeting Video](#)

No person(s) provided public comment.

Chair Opening Comments | [PDC Meeting Video](#)

Consideration and Possible Approval of Meeting Minutes | [PDC Meeting Video](#)

April 22, 2021 Meeting minutes were presented to the Commission for consideration and possible approval:

MOTION 21-033 Moved by Commissioner Isserlis and seconded by Commissioner Downing to approve.

The [motion passed](#) 4 - 0.

Legislative and Budget Update | [PDC Meeting Video](#)

Executive Director Peter Frey Lavalley and Chad Johnson, Senior Financial Consultant, Department of Enterprise Services (DES) presented Legislative and budget updates. Chad Johnson announced his departure from Department of Enterprise Services (DES), and introduced Diann Lewallen who would be assisting the PDC for the interim.

Commission Consideration and Possible Adoption of Interpretation | [PDC Meeting Video](#)

General Counsel Sean Flynn presented the updated draft PDC Interpretation “Designation and Use of Surplus Funds” for consideration and possible adoption [RCW 42.17A.430](#). [Updated Draft Interpretation re the Designation and Use of Surplus Funds](#).

MOTION 21-034 Moved by Commissioner Downing and seconded by Commissioner Isserlis to Adopt.

The [motion passed](#) 4 - 0.

Deputy Director Position Update | [PDC Meeting Video](#)

Executive Director Frey Lavallee announced the appointment of Kim Bradford as Public Disclosure Commission Deputy Director effective July 1, 2021.

Enforcement Hearing (Possible Stipulation) | [PDC Meeting Video](#) 10:09 a.m.

The Commission conducted a remote enforcement hearing concerning PDC Case [87409](#), Committee to Recall Benton County Sherriff Jerry Hatcher.

Chad Standifer, Assistant Attorney General, and Phil Stutzman, Compliance Officer, presented a proposed stipulation as to facts, violations and penalty in PDC Case [87409](#), Committee to Recall Benton County Sheriff Jerry Hatcher, involving alleged violations of: [RCW 42.17A.405\(3\)](#) and [\(14\)](#).

Kathlen Wierschke, President of Committee to Recall Benton County Sheriff Jerry Hatcher, participated via phone.

MOTION 21-035 Moved by Commissioner Downing and seconded by Commissioner Lehman to accept the stipulation.

The [motion passed](#) 4 - 0.

Petition for Declaratory Order | [PDC Meeting Video](#)

Kathlen Wierschke, President of Committee to Recall Benton County Sheriff Jerry Hatcher, requested the petition for declaratory order be withdrawn.

Management Team Updates | [PDC Meeting Video](#)

Executive Director update.

Reporting Modification Requests | [PDC Meeting Video](#) 10:52 a.m. The Commission conducted a remote hearing concerning requests for reporting modifications. Jennifer Hansen, Compliance Officer, presented the requests to the Commission for consideration and possible approval.

New

• [Sara Rolfs](#) – School Director, Pinnacles Prep Charter School [WAC 390-28-100\(1\)\(e\)\(iv\)](#). Sara Rolfs participated via phone on Microsoft Teams.

MOTION 21-036 Moved by Commissioner Downing and seconded by Commissioner Isserlis that the Commission grant the partial reporting modification as requested.

The [motion passed](#) 3 - 1. Commissioner Lehman voted No.

Closed Session

The Commission went into closed session at 11:00 a.m. to discuss matters allowed in closed session pursuant to [RCW 42.17A.120](#). Returned to public meeting at 11:19 a.m.

- [Lauren J. King](#) – Commission Member, Gambling Commission [WAC 390-28-100\(1\)\(d\)](#), Lauren J. King participated via Phone on Microsoft Teams.

MOTION 21-037 Moved by Commissioner Isserlis and seconded by Commissioner Downing that the Commission grant the partial reporting modification as requested.

The [motion passed](#) 4 - 0.

- [Harlan R. Gallinger](#) – School Director, Issaquah School District 411 [WAC 390-28-100\(1\)\(d\)](#)

MOTION 21-038 Moved by Commissioner Downing and seconded by Commissioner Lehman that the Commission deny the partial reporting modification as requested.

The [motion passed](#) 4 - 0.

- [Elizabeth G. Macphee](#) – Regent/Trustee, University of Washington [WAC 390-28-100\(1\)\(d\)](#)

Commissioner Isserlis recused herself from the matter of Elizabeth G. Macphee. ([See Also: Clarification of Motion](#))

MOTION 21-039 Moved by Commissioner Downing and seconded by Commissioner Jarrett that the Commission grant the partial reporting modification as requested.

The [motion passed](#) 2 - 1. Commissioners Jarrett and Downing voted to grant the reporting modification and Commissioner Lehman voted No. Commissioner Isserlis was recused.

Commission went into closed session to deliberate. Commission deliberated in closed session (see conclusion below).

- [Christon Skinner](#) – Regent/Trustee, Skagit Valley College & Judge, Island County Superior Court [WAC 390-28-100\(1\)\(d\)](#)

MOTION 21-040 Moved by Commissioner Downing and seconded by Commissioner Isserlis that the Commission grant the partial reporting modification as requested.

The [motion passed](#) 4 - 0.

Break/Executive Session The Commission went into executive session at 11:45 p.m. to discuss matters allowed in executive session pursuant to [RCW 42.30.110](#), including but not limited to discussion of enforcement matters and pending and potential litigation with legal counsel, and review of performance

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of public employees. Possible action regarding pending litigation, or other matters properly discussed during executive session, will be taken following the executive session.

Returned to public meeting at 1:03 p.m.

Strategic Plan Update and Adoption | [PDC Meeting Video](#)

- [Discussion and Possible Adjustment of Strategic Plan](#)
- [Audits](#)
- [Enforcement Process Map](#)
- [Campaign Reporting Modernization](#)
- [IT Activity Report](#) – Management update provided during Campaign Reporting Modernization

L-2 Enforcement (Request for Review) | [PDC Meeting Video](#)

1:38 p.m. The Commission conducted a hearing of requests for review. Tabatha Blacksmith, Compliance Coordinator, presented the request for review of PDC Case [86668](#), Courtney Blatz. During a Brief Enforcement Hearing held on April 1, 2021, Courtney Blatz was found to have violated [RCW 42.17A.615](#)

MOTION 21-041 Moved by Commissioner Downing and seconded by Commissioner Isserlis that Commission vacate the Order issued in PDC Case 86668, [Courtney Blatz](#).

The [motion passed](#) 4 - 0.

Commissioner Lehman was present for this matter, however he experienced technical difficulties and was not present for the vote of the motion. Upon re-entering the meeting, he noted his yes vote to the motion. [PDC Meeting Video](#).

Strategic Plan Update and Adoption | [PDC Meeting Video](#)

Training program expansion update.

Enforcement Hearing (Possible Stipulation) | [PDC Meeting Video](#)

1:52 p.m. The Commission conducted a remote enforcement hearing concerning PDC Case [82077](#), Kitsap County Republican Party.

Chad Standifer, Assistant Attorney General, and Alice Fiman, Compliance Officer, presented a proposed stipulation as to facts, violations and penalty in PDC Case [82077](#), Kitsap County Republican Party for alleged violation of RCW 42.17A.405 and WAC 390-05-400.

Kitsap County Republican Party (KCRP) Chair Julianna McMahan participated via phone on Microsoft Teams.

MOTION 21-042 Moved by Commissioner Isserlis and seconded by Commissioner Downing to approve the stipulation approved as to facts, violations and penalty as presented.

The [motion passed](#) 4 - 0.

Petition for Declaratory Order | [PDC Meeting Video](#)

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General Counsel Sean Flynn presented for consideration and possible Commission action regarding petition for Declaratory Order by Institute for Free Speech regarding potential reporting of legal representation of Tim Eyman.

Del Kolde, representing Institute for Free Speech, participated via Microsoft Teams.

Closed Session

The Commission went into closed session at 2:55 p.m. to discuss matters allowed in closed session pursuant to [RCW 42.30.110](#).

Returned to public meeting at 3:18 a.m.

MOTION 21-043 Moved by Commissioner Downing and seconded by Commissioner Lehman to approve Declaratory Order No. 18.

The [motion passed](#) 3 - 1. Commissioner Isserlis voted No.

Strategic Plan Update and Adoption | [PDC Meeting Video](#)

- [Digital Political Advertising Disclosure](#)
- [Training Program Expansion Continuation](#)

Management Team Updates | [PDC Meeting Video](#)

- [Deputy Director Updates](#).
- [Communications and Outreach Updates](#).

Enforcement Updates | [PDC Meeting Video](#)

Enforcement update report for the period April 13, 2021, through May 19, 2021.

Meeting adjourned at 3:50 p.m.

Approved June 24, 2021.