

Libertarian Party of Oregon

Minutes from July 16th, 2018 Regular Board Meeting
Held at Elmer's, 1250 NW Waterhouse Ave, Beaverton, OR
Approved 2018-08-20

Call to Order

The July meeting of the Libertarian Party of Oregon (LPO) board of directors was held on Monday, July 16th, at 7:07pm at Elmer's, the Chairperson being in the chair.

Attendance was as follows:

Present

Lars Hedbor
Kyle Markley
Jennifer Mendenhall
Timothy Perkins
Gary Dye

Absent

Jeff Weston
Wes Wagner
Josh Hunking
Drew Layda

Observers

Jake Pelroy
Richard Burke
Sabrina Rayburn

Remote

Michelle Binker
Gary Dye
Nicole Nowlin

Approval of Agenda

- The agenda was approved without objection.

Approval of Minutes

- The June minutes were presented and approved without objection.

Consent Agenda

- Recording Email Ballots
 - The motions are shown in Appendix A.
 - Kyle moved to accept the consent agenda into minutes and it was unanimously approved following a second.

Open Forum

- Richard Burke spoke about various items on the agenda and recapped comments on the reconciliation efforts as well as the recent National Convention.

Reports of Officers, Boards, and Standing Committees

- Chair
 - The full text of the report is available in Appendix B.
- Vice Chair
 - Timothy attended the National Convention and reported on the activities therein.
 - A Libertarian supporter has expressed interest in printing at cost through his business for future elections.
 - A recent grad is also interested in becoming active with the party once he is settled in his new location.
- Treasurer
 - The current bank balance is \$1817.71. \$1103 in donations were collected during elections.

Libertarian Party of Oregon

- Fundraising Committee
 - A concerted effort toward fundraising is needed.
 - Mr. Perry would be a potential speaker for a fundraising event and has expressed interest in doing so, with only travel/lodging paid.
- Member Development Committee
 - Tim Sippel joined the committee. He's willing to consolidate all volunteer information, which is something we sorely need done.
- Bylaws Committee
 - There has been no work.
- CRM Committee
 - Lars explained how to get an account and will send the instructions to the board.
- Website Rebuilding Committee
 - Google Drive needs minutes updated. The Wordpress child theme needs to be created still. The main page needs to be redirected.
- Affiliate Development Committee
 - A meeting needs to be scheduled.
- Public Relations Committee
 - A newsletter needs to be scheduled.
- Candidate Development Committee
 - Depending on interest from nominees, we should consider providing candidate training sessions.
- Primary Election Operations Committee
 - The full text of the report is in Appendix C.

Special Orders

- There were none.

Unfinished Business and General Orders

- Discussion of Method for Reconciliation
 - The reporting board member was not present.

New Business

- Resolving the Primary Election
 - The full text of the issue is available in Appendix D.
 - Senate District 6
 - Kyle moved to nominate Kayla Hampton, seconded by Lars, unanimously approved.
 - Senate District 16
 - Kyle moved to nominate John Maxwell, seconded by Lars, but the motion to extend the nomination failed.

Director	Vote	Director	Vote	Director	Vote
Gary Dye	Y	Drew Layda	-	Timothy Perkins	N
Lars Hedbor	N	Kyle Markley	y	Wes Wagner	-
Josh Hunking	-	Jennifer Mendenhall	y	Michelle Binker	N

Libertarian Party of Oregon

- Representative District 9
 - Kyle moved to nominate Teri Grier, seconded by Lars, unanimously approved.
 - Comments from a representative for the nominee were heard.
- Representative District 44
 - Kyle moved to nominate Manny Guerra, seconded by Lars, unanimously approved.
- Governor
 - The invalid ballot must be removed from the lock box and the vote removed to determine if the race has a win or a tie.
- Additional Races
 - Timothy motioned to consider all tied races to have produced no winner. Lars seconded. There were no objections.
 - Kyle motioned to nominate winners of the races just declared vacant by rolling dice with the highest roll winning. Ties would be broken by additional rolls. Jennifer seconded. There were no objections. The die roll results are available in Appendix D.
 - Elections results are available in a separate document.

Open Forum

- Richard Burke provided an update on his board retirement and a related reception as well as some updates.

Next Board Meeting

After discussion, Kyle Markley moved to set the next board meeting via email due to the restaurant closing before discussion could happen. The meeting adjourned at approximately 8:29pm.

APPENDICES

Appendix A

Recording Email Ballots

On June 23, Kyle Markley made a motion by e-mail, seconded by Timothy Perkins, which passed 5-0-4:

I move to set the nomination paperwork deadline to be 15 days after nomination letters are printed, with mailing to occur on the same or first business day after printing.

Director	Vote	Director	Vote	Director	Vote
Michelle Binker	y	Josh Hunking	-	Jennifer Mendenhall	y
Gary Dye	y	Drew Layda	y	Timothy Perkins	y
Lars Hedbor	-	Kyle Markley	-	Wes Wagner	-

On June 24, Timothy Perkins moved to approve Kyle's draft letter to the credentials committee, seconded by Michelle Binker, which passed 7-0-2. The text was:

Dear LNC Credentials Committee, et al.,

Libertarian Party of Oregon

As some of you are aware, the credentialing of an Oregon delegation to the LNC national convention has been a contentious matter since 2012. This biennial controversy reflects a rift within the Libertarian Party of Oregon existing since March of 2011. Since our dispute arose, two groups have each claimed to be the Libertarian Party of Oregon. One group has been recognized by the Oregon Secretary of State since 2011, and each group has been recognized by various bodies within the LNC at different times.

We are pleased to report to your committee, the LNC, and delegates assembled at convention that the leadership of both Oregon factions – represented by the signatures of Kyle Markley and Ian Epstein, below – have come together in the spirit of cooperation, setting aside our differences in the interest of representing Oregon Libertarians at this year’s convention. The Oregon delegation contains several people from both sides of our dispute, and both sides have agreed to Drew Layda serving as Oregon delegation chair.

This cooperation marks an important first milestone on our road to reconciliation. Both sides have begun to work together, and although challenges remain, we are confident that the conclusion of this process will open a new productive chapter for the Libertarian Party of Oregon as we advance the libertarian movement together.

Yours in Liberty,

Drew Layda
Kyle Markley
Ian Epstein

Director	Vote	Director	Vote	Director	Vote
Michelle Binker	y	Josh Hunking	y	Jennifer Mendenhall	y
Gary Dye	y	Drew Layda	y	Timothy Perkins	-
Lars Hedbor	y	Kyle Markley	y	Wes Wagner	-

Appendix B

Chairperson's Report

Kyle Markley

I executed the Region 1 formation agreement. Oregon is now a member of Region 1.

The Oregon delegation participated in the national convention without significant drama.

The primary election ballots were counted, results are online, and winners have been contacted.

Several board members attended a meeting with the Secretary of State’s legal affairs director Stephen Elzinga to provide feedback on a proposed 2019 bill to improve equity for minor political parties. I also later met with Rob Harris from the Independent Party, and found that our feedback was generally similar, although our concerns about participating in a state-conducted primary did not apply to them. Mr.

Libertarian Party of Oregon

Harris told me that Benton County did get funding for voting equipment compatible with ranked choice voting, so I followed up with Mr. Elzinga regarding letting the Libertarian Party use ranked choice voting, with ballots sent to Benton County for counting. He said that he would research it. It will be important for us to consider amending the bylaws to allow us to choose to participate in whatever options may become available to us as a result of this bill.

I was contacted by a reporter about the Independent Party's claims that Governor debates that do not invite their candidate must be considered campaign contributions as a result of 2017 HB 2505. (I was contacted because I was on the Campaign Finance Reform task force, not because they wanted the Libertarian Party's position.) I remarked that the bill did not change the basic definition of a contribution, but rather added items to the list of things not considered contributions. I'm not aware of debates having been considered campaign contributions in previous elections, so that was either incorrect then, or has not changed now. I added that the bill added three new places where "major" political parties are treated differently than minor ones, and could have the effect of making minor party candidates less likely to be invited to debates and forums.

I sent Andrew Freborg, candidate for Corvallis City Council, Ward 9, the list of registered Libertarians in his district.

Appendix C

Primary Election Operations Committee Report

Prepared by Kyle Markley

We did not plan adequately for ballot counting. We should have had a schedule for ballot pickup and counting, with participants identified in advance. Instead, it was a scramble to pick up ballots and coordinate tellers, and we could not count ballots until 5 days after the election. A last-minute volunteer saved the day by enabling us to count ballots before Jennifer went on vacation. We might have had a delay of several more weeks, for an election that has already been plagued with delays.

Kyle entered the write-in candidate information into our election database, verifying party and district along the way. A surprising number of write-ins are not residents of the districts they are written in for. For future primaries, we should have someone available to perform this work at the same time that tellers are processing ballots. That would result in a more accurate first run of election results.

Kyle added a general election page to the website, pulling information about winners and pending races from our election database.

Kyle sent first-class letters to the 49 clear election winners to inform them of their victories and how to complete their nomination paperwork. Nomination forms have just started to come back.

Appendix D

Resolving the Primary Election

Kyle Markley

Our election resulted in many races that tied, and a few races with more interesting circumstances.

Libertarian Party of Oregon

Bylaws references:

Final paragraph of Art. 8, Sec. 1(A): If the primary election does not yield a nominee for an office, or if the primary election winner and all runners-up are ineligible, unable, or unwilling to be the nominee, or fail to submit their nomination paperwork by a deadline determined by the board, then the board may elect a voting member of the LPO to be the nominee for that office.

Penultimate bullet in Art. 8, Sec. 2(B): Provided that no votes are cast for any libertarian elector who is both willing and eligible to accept the nomination, votes and nominations for candidates registered with other parties shall be entertained.

Neither our bylaws nor our adopted election rules specifically address the matter of ties in the primary election. The passage of RONR we include says only that a tie in the last round should be broken in favor of the candidate with the most votes in the first round, but is silent regarding ties in the first round.

Reasonable options may include:

- Random winner
 - Customarily, we have rolled dice to assign numbers to each candidate, recording multiple rolls in case of tied rolls, high number wins.
- Ask the tied candidates if any is willing to drop out to let someone else be the winner.
 - It's time-consuming to contact people by mail.
- Board selects among the tied candidates
 - This could arguably run afoul of our Art. 5, Sec. 2(D) prohibition against "taking a position on any public or electoral issue", but is not a clear contradiction of it.
- Declare no winner from the primary election
 - We could then use our Art. 8, Sec. 1(A) authority to nominate a Libertarian (who could be one of the tied candidates).

We might choose what to do on a race-by-race basis, rather than uniformly for all races.

Our bylaws require us to entertain votes for candidates registered with other parties, but the meaning of "entertain" is unclear. Does that mean we may choose to ignore them? Could we, for example, decide to exclude write-ins for non-Libertarians?

We might choose what to do on a race-by-race basis, rather than uniformly for all races.

Miscellaneous notes:

- Bryan Eggiman won SD8, HD15, and Benton 1 by write-in. I encouraged him to choose a state legislative race to let the other write-in for county commissioner have it.
- Kenneth Gross won HD54 and Deschutes 1 and 3 by write-in. I asked him to pick one.
- Joyce Enebo registered in our primary as a Libertarian for HD59 but subsequently switched registration to Republican.

title	d/p	ballot_name	status	party	comment	#r	r1	rN	tiebreak
US Rep	4	Craig William Lashot	considering	Libertarian		3	1	1	12, 8
22US Rep	4	Michelle Lance Binker	considering	Libertarian		3	1	1	20, decline

Libertarian Party of Oregon

title	d/p	ballot_name	status	party	comment	#r	r1	rN	tiebreak
US Rep	4	Gary Dye	ineligible	Libertarian		3	1	1	-
US Rep	4	Frank Leroy Lengele Jr	considering	Libertarian		3	1	1	19
US Rep	4	Drew Layda	ineligible	Libertarian		3	0		-
US Rep	4	Nick Chen	ineligible	Libertarian		3	1	1	-
US Rep	4	Richard R Jacobson	considering	Libertarian		3	1	1	16
US Rep	4	Matthew Russell	considering	Libertarian		3	1	1	12, 10
US Rep	4	Peter DeFazio	considering	Democratic	D nom, inc	3	2		2
US Rep	4	Art Robinson	considering	Republican	R nom	3	1		5

Matthew Russell tied here and also won SD6 and HD12 by write-in. I encouraged him to choose HD12 to leave SD6 open for another candidate. (See below.)

title	d/p	ballot_name	status	party	comment	#r	r1	rN	tiebreak
Governor		Wes Wagner	considering	Libertarian		5	1		
Governor		Patrick Marnell	considering	Libertarian		5	1		
Governor		Frank Leroy Lengele Jr	considering	Libertarian		5	43		
Governor		Bryan Eggiman	considering	Libertarian		5	1		
Governor		Allen Casey	considering	Libertarian		5	0		
Governor		Ben Falck	considering	Libertarian		5	1		
Governor		Nick Chen	considering	Libertarian		5	104	122	
Governor		Kenneth Gross	considering	Libertarian		5	1		
Governor		Michael Portis	considering	Libertarian		5	1		
Governor		Caitlin Mitchel-Markley	considering	Libertarian		5	1		
Governor		William Namestnik	considering	Libertarian		5	1		
Governor		Mike Smith	considering	Libertarian		5	101	123	
Governor		Jeff Dilley	considering	Nonaffiliated		5	1		
Governor		Kate Brown	considering	Democratic	D nom, inc	5	3		
Governor		Sam Carpenter	considering	Republican		5	2		
Governor		Knute Buehler	considering	Republican	R nom	5	8		
Governor		Melissa McManus	considering	Republican		5	1		
Governor		Mickey Mouse	considering	Other		5	1		

Governor: Due to one illegal ballot that was counted, we don't know if the last round is a victory for Smith, or a tie with Chen. If it's a tie, Chen wins because he had more votes in round 1. We do not need to tiebreak this race, but we could do it out of an abundance of caution. (The illegal ballot may also have affected HD25 and Marion 1 and 2.)

title	d/p	ballot_name	status	party	comment	#r	r1	rN	tiebreak
State Sen	3	Gary Dye	ineligible	Libertarian		1	1		

Libertarian Party of Oregon

Kayla Hampton: She registered in the primary requesting SD13, but actually lives in SD6. Unfortunately, I corrected her district incorrectly, and we ran her in SD7. She won with 5 votes, but can't be nominated there. I encouraged the write-in winner to request the nomination in the other district they also won by write-in, leaving us the opportunity to nominate Kayla Hampton for SD6.

I move to nominate Kayla Hampton for State Senator, district 6.

title	d/p	ballot_name	status	party	comment	#r	r1	rN	tiebreak
State Sen	11	Laura Yarnell	considering	Democratic		1	1		
State Sen	11	Peter Courtney	considering	Democratic	D nom, inc	1	1		
State Sen	15	Clark Nelson	considering	Libertarian		1	1		10, 6
State Sen	15	Steven Fuiten	considering	Libertarian		1	1		2
State Sen	15	Kyle Sheahan	withdrawn	Libertarian		1	1		16
State Sen	15	William Namestnik	considering	Libertarian		1	1		10, 1
State Sen	16	John Maxwell	considering	Nonaffiliated	bylaws allow?	1	12		board tied

John Maxwell: The winner (and only vote-getter) in SD16 registered in our primary and submitted a candidate statement, but is a Nonaffiliated voter. A strict reading of our bylaws says that we are required to entertain votes for candidates registered with other parties. Does that imply we may not entertain votes for nonaffiliated candidates? We'll need to decide on an interpretation of this provision.

I move to nominate John Maxwell for State Senator, district 16.

title	d/p	ballot_name	status	party	comment	#r	r1	rN	tiebreak
State Sen	20	Kenny Sernach	considering	Libertarian		1	1		6
State Sen	20	Andrew Laws	considering	Libertarian		1	1		19
State Sen	24	Bryan Hansen	considering	Libertarian		1	1		20
State Sen	24	Michael Portis	considering	Libertarian		1	1		2
State Sen	24	Alyssa Eveleth	considering	Libertarian		1	1		15
State Rep	1	Jeremy Isaiah Davidson	withdrawn	Libertarian		1	8		
State Rep	7	James Manning Jr	ineligible		not found	1	1		
State Rep	8	Martha Sherwood	considering	Libertarian	registered	1	1		4
State Rep	8	Sara Burcham	considering	Libertarian	registered	1	1		16
State Rep	9	Caddy McKeown	considering	Democratic	D nom, inc	1	1		
State Rep	9	Teri Grier	considering	Republican	R nom, wants	1	1		

I e-mailed McKeown a week ago regarding interest in our nomination, but received no response. Grier is enthusiastically interested in our nomination.

I move to deem McKeown is uninterested, leaving Grier as the sole candidate and winner.

title	d/p	ballot_name	status	party	comment	#r	r1	rN	tiebreak
State Rep	18	Patrick Marnell	considering	Libertarian		1	1		17, 11

Libertarian Party of Oregon

title	d/p	ballot_name	status	party	comment	#r	r1	rN	tiebreak
State Rep	18	David Tate	considering	Libertarian		1	1		17, 6
State Rep	32	Jennifer Bocko	ineligible	Libertarian	moved HD10	1	1		
State Rep	42	Edward Marihart	considering	Libertarian		1	1		4
State Rep	42	Shira Newman	considering	Libertarian		1	1		11
State Rep	42	Bruce Knight	considering	Libertarian		1	1		20
State Rep	43	Allen Casey	considering	Libertarian		1	1		16
State Rep	43	Zachary Owens	considering	Libertarian		1	1		4
State Rep	43	Justin Nicholas Yau	considering	Libertarian		1	1		18
State Rep	44	Joshua Ryan Johnston	ineligible	Libertarian	HD34, printed by mistake	1	5		
State Rep	44	Manny Guerra	considering	Libertarian	name not printed	1	0		

HD44: We printed ballots with the wrong candidate's name in this district, causing the ineligible person (Joshua Ryan Johnson) to win, and the eligible person (Manny Guerra) to get no votes. There were no write-ins, so this race is empty, so the board can nominate.

I move to nominate Manny Guerra for State Representative, district 44.

title	d/p	ballot_name	status	party	comment	#r	r1	rN	tiebreak
State Rep	58	Jeremiah Pine	ineligible	Libertarian	length of residency	1	1		
Benton Co	1	Erik Gradine	considering	Libertarian		1	1		12
Benton Co	1	Bryan Eggiman	considering	Libertarian		1	1		7
Marion Co	1	Patrick Marnell	considering	Libertarian		2	1		1 18
Marion Co	1	Colin D Keys	considering	Libertarian		2	1		1 16
Marion Co	1	Laura Yarnell	considering	Democratic		2	1		
Marion Co	1	Shelaswau Crier	considering	Democratic		2	1		
Marion Co	1	Kevin Cameron	considering	Republican		2	2		