

Tenth Judicial District Judicial Nominating Commission Minutes November 21, 2014 Meeting

Date: November 21, 2014

Time: 8:00 a.m.

Location: Johnson County Administration Building, 111 S. Cherry, Room 201, Olathe, KS

In attendance: Justice Lee Johnson, Chair; Steve Howe, Secretary, Michelle Kinzer, Marcia Rinehart, Vivien Jennings, Anna Beth Surbaugh, Charles German, Gregory Doring, Brett Milbourn, Richard Merker, Judge Kevin Moriarty and Joe Beveridge.

Absent: Ron Ryckman, Lee Smithyman and John Parisi

The meeting was called to order by Justice Lee Johnson at 8:09 a.m. and a quorum declared. Charles German moved to approve the minutes of the November 6, 2014 meeting and Marcia Reinhart seconded the motion, which passed unanimously, 11-0.

At 8:15 a.m., Justice Johnson opened the meeting up for public comment. There being no members of the public present, the public comment portion of the meeting was closed.

At 8:17 a.m., a motion was made by Brent Milbourn and seconded by Rick Merker to adjourn to executive session until no later than 9:20 a.m. to discuss background checks and qualifications of applicants/interviewees for the position of Judge of the Tenth Judicial District as allowed by K.S.A. 75-4319(b)(1) and (b)(4). The motion passed unanimously, 11-0.

At 9:20 a.m., the committee took a ten minute break before starting interviews. At 9:30 a.m., the public portion of the meeting resumed and the Commissioners proceeded to interview applicants. After completing the morning round of interviews at 11:50 a.m., a motion was made by Anna Beth Surbaugh to amend the previously approved November 6, 2014 minutes. Anna Beth Surbaugh indicated that the November 6, 2014 vote to approve the July 6, 2013 minutes reflected that she voted to approve those minutes, when actually she abstained from voting. Her motion was seconded by Steve Howe and the motion to amend the minutes passed unanimously, 11 -0.

The committee took a short break to eat lunch. At 12:20 p.m., a motion was made by Michelle Kinzer and seconded by Gregory Doring to adjourn to executive session until no later than 1:00 p.m. to discuss background checks and qualifications of applicants/interviewees for the position of Judge of the Tenth Judicial District as allowed by K.S.A. 75-4319(b)(1) and (b)(4). The motion passed unanimously, 11-0.

At 1:00 p.m., the public portion of the meeting resumed. After completing interviews at 2:30 p.m., a motion was made by Brett Milbourn and seconded by Anna Beth Surbaugh to adjourn to executive session until no later than 3:00 p.m. to continue to discuss background checks

and qualifications of applicants/interviewees for the position of Judge of the Tenth Judicial District as allowed by K.S.A. 75-4319(b)(1) and (b)(4). The motion passed unanimously, 11-0.

At 3:00 p.m., the public portion of the meeting resumed. At 3:00 p.m. Marcia Reinhart made a motion, seconded by Gregory Doring to adjourn to executive session until no later than 3:20 p.m. to continue to discuss background checks and qualifications of applicants/interviewees for the position of Judge of the Tenth Judicial District as allowed by K.S.A. 75-4319(b)(1) and (b)(4).

At 3:20 p.m., the public portion of the meeting resumed. At 3:20 p.m. Gregory Doring made a motion, seconded by Marcia Reinhart to adjourn to executive session until no later than 3:30 p.m. to continue to discuss background checks and qualifications of applicants/interviewees for the position of Judge of the Tenth Judicial District as allowed by K.S.A. 75-4319(b)(1) and (b)(4).

The public portion of the meeting reconvened at 3:30 p.m. and Commissioners proceeded to cast their signed ballots. At the conclusion of the first ballot, it was determined, pursuant to the voting rules, that Michael McCulloch and Robert Wonnell had each received 8 or more votes, so they were declared the first two nominees. Applicants Torline and Taylor were removed from the ballot for the second round of voting due to a failure to receive 2 or more votes.

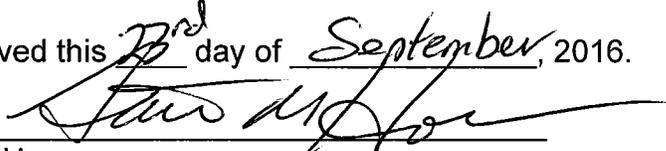
The committee discussed whether there was a need to have further discussion before proceeding to a second ballot. Anna Beth Surbaugh made a motion, seconded by Brett Milbourn, to go immediately to a second ballot. The motion passed unanimously, 11-0.

The Commissioners cast their second signed ballot for the remaining position to be filled. Justice Johnson tallied the votes and it was determined that no applicant received 8 or more votes and therefore a third ballot was needed. Applicants Dersch and Jayaram were removed from the ballot for the second round of voting due to a failure to receive 2 or more votes.

The committee then proceeded to cast their third ballot. At the conclusion of the third ballot, it was determined that Rhonda Mason would be the third nominee.

The meeting was adjourned at 400 p.m.

Approved this 23rd day of September, 2016.



Steve Howe
Secretary