

# **PIMA COUNTY COMMISSION ON TRIAL COURT APPOINTMENTS**

## **MINUTES**

**January 11, 2017**

**PRESENT:** Justice Ann A. Scott Timmer, Acting Chair; John Barry; Michael Boreale; Sherry Downer; Michael Hennessy; Marian Hill; Julie Katsel; Cassia Lundin; Gioia Sanderson; Richard Schaefer; Micah Schmit and Nanette Warner

**ABSENT:** Lynn Cuffari

Justice Ann A. Scott Timmer called the meeting to order at 8:35 a.m.

### **Introductions**

Justice Timmer introduced herself and welcomed the commission members and public present. She noted that the interviews will be followed by nominations to fill the judicial vacancy created by the retirement of Judge Carmine Cornelio.

### **Public Comment**

Justice Timmer called for public comment on the candidates being interviewed. She reminded the speakers they were limited to a couple minutes each and asked them not to repeat comments by previous speakers about the same candidate.

Herman "Gib" Zickerman spoke on behalf of John Smith.  
Cornell Collins spoke on behalf of Reagen Kulseth.  
John Maciulla spoke on behalf of Reagen Kulseth.  
Chad Kasman spoke on behalf of Kellie Johnson.  
Patrick Donaldson spoke on behalf of John Smith.  
Reuben Riddle spoke on behalf of Reagen Kulseth.  
Stephanie Boysen spoke on behalf of Keith Singer.  
Jennifer Copenhaver-Celi spoke on behalf of Kellie Johnson.  
Miranda Riddle spoke on behalf of Reagen Kulseth.

### **Approval of Minutes**

Justice Timmer asked if any member wished to submit changes or additions to the draft minutes of the screening meeting held on December 14, 2016. It was moved that the minutes be approved as submitted. The motion was seconded and passed unanimously.

### **Selection of Interview Questions**

A motion to go to executive session for the purpose of selecting interview question was made at 9:28 a.m. The motion was seconded and passed unanimously.

The commission returned to public session at 10:39 a.m.

### **Investigation Reports**

The Commission disclosed the due diligence reports for Vincent Frey, D. Greg Sakall, Kellie Johnson and Keith Singer. They agreed to disclose the remaining reports after lunch.

### **Disqualifications and Disclosures**

Justice Timmer asked the Commission members if there were any changes to the disqualifications and disclosures since the December 14, 2016 screening meeting.

Nanette Warner disclosed that she fostered two cats through an organization Reagen Kulseth is involved with and worked cases with her in the past.

### **Interviews of Applicants**

From 11:20 a.m. to 12:55 p.m. the Commission interviewed Vincent Frey, D. Greg Sakall, Kellie Johnson and Keith Singer.

A motion to go to executive session was made at 12:57 p.m.

The Commission returned to public session at 1:15 p.m.

From 1:15 p.m. to 1:43 p.m. the commission recessed for lunch.

The Commission disclosed the due diligence reports for Nanette Morrow, Wayne Yehling, Reagen Kulseth and John Smith.

From 1:50 p.m. to 3:33 p.m. the Commission interviewed Nanette Morrow, Wayne Yehling, Reagen Kulseth and John Smith.

### **Discussion of Applicants and Interviews**

Justice Timmer reminded Commission members of the constitutionally required balance of political affiliations among nominees. She added that she would not be voting unless there was a tie.

The Commission discussed the interviews and the qualifications of the candidates in the order in which they were interviewed.

After further discussion, Justice Timmer asked the Commission if a straw vote was needed prior to nominations; the Commission preferred to take nominations and votes on a tentative list.

After further discussion Justice Timmer opened the floor for individual nominations and votes to create a tentative list of nominees.

Nanette Warner moved to add Nanette Morrow to the list. The motion was seconded and passed by a vote of 11-0-1 with Justice Timmer abstaining.

Nanette Warner moved to add D. Greg Sakall to the list. The motion was seconded and passed by a vote of 11-0-1 with Justice Timmer abstaining.

Gioia Sanderson moved to add Kellie Johnson to the list. The motion was seconded and passed by a vote of 10-1-1 with Justice Timmer abstaining.

Marian Hill moved to add Wayne Yehling to the list. The motion was seconded and passed by a vote of 10-1-1 with Justice Timmer abstaining.

Nanette Warner moved to add Reagen Kulseth to the list. The motion failed by a vote of 2-9-1 with Justice Timmer abstaining.

Gioia Sanderson moved to add Vincent Frey to the list. The motion was seconded and passed by a vote of 10-1-1 with Justice Timmer abstaining.

Sherry Downer moved to add John Smith to the tentative list. The motion failed by a vote of 4-7-1 with Justice Timmer abstaining.

Gioia Sanderson motioned to close nomination and finalize the list of nominees consisting of **Vincent Frey, Kellie Johnson, Nanette Morrow, D. Greg Sakall** and **Wayne Yehling**. The motion was seconded and passed with a vote of 11-0-1 with Justice Timmer abstaining.

### **Adjournment**

At 5:00 p.m., it was moved that the meeting be adjourned. The motion was seconded and passed unanimously.