COUNTY GOVERNMENT STUDY UPDATE
LEAGUE OF WOMEN VOTERS OF ROGUE VALLEY
COUNTY GOVERNMENT STUDY
UPDATE

JACKSON AND JOSEPHINE COUNTIES IN ROGUE VALLEY OREGON

2017-2019

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SECTION 1
INTRODUCTION

Introduction

Twenty years ago, a combined committee from the League of Women Voters of Rogue Valley (LWVRV) and the League of Women Voters of Ashland completed a study of Jackson County government. Since then the Rogue Valley and Ashland Leagues have merged and included members from Josephine County. The populations of Jackson and Josephine counties have grown, and the issues and decisions faced by the Board of Commissioners (BoC) and county government in each county have changed.

In 2017, the membership of LWVRV decided it was time to update the 1997-98 County Government study. The following four (4) questions set the major scope of the current study:

- After researching and reviewing current government structure, how do we combine Josephine County into our position? This includes renaming the position.
- What number of commissioners would best serve our growing populations?
- Would non-partisan elections serve our voters better than the current partisan elections?
- Based on findings of the recent League of Women Voters of Oregon (LWVOR) elections methods study, would an alternative election method (with a different voting ballot) be more effective in representing a greater number of citizens?

The election methods section is a new section in the study. At the time of adoption of the 1997-98 report, no study on election methods was available. The LWVOR study now recognizes that election methods affect how voters participate in our democratic process, who can run for office, and who can be elected. Adopted in 2017, the LWVOR elections methods study provides the basis for the League’s position on several public policy issues related to elections. Given current thinking, it is appropriate to assess the election methods currently in place in Jackson and Josephine counties and evaluate potential alternatives.

Also, in updating the LWVRV’s local government study, a section has been added regarding citizen engagement and participation. While not considered in the four questions that outline the scope of the work for this study update, citizen engagement and participation is a key ingredient in government decision-making and achieving governance goals of transparency, effectiveness and fairness. Again, it seemed appropriate to gather information and consider how citizen engagement and participation is achieved and supported.
In the fall of 2017, a committee, chaired by Barbara Klein, was formed. Additional committee members included: Rick Bennett, Kathleen Donham, Debra Har, Bill Mansfield, Sheila McGinnis, Margie Peterson, Mary Sinclair, Nancy Swan, and Jackie Clary (LWVRV president). The work of the committee included: review of the 1997-98 study and position, research of county government charters, analysis of county commission voting data, review of budgets related to County Commissioners, and interviews with current and past County Commissioners and other elected and appointed officials, as well as inclusion of other resources. The committee also drafted consensus questions (approved by the board) to be utilized as a part of the League consensus process and final approval of the updated study.

This section is the introduction to the document the committee produced of their findings. This resource will be used by local members to study the issues and answer the accompanying consensus questions. The results (consensus) will guide the organization in the update and may result in new or amended positions in response to the four questions above. The local league will vote on the updated and new or amended positions at their annual meeting. As always, it is only through such positions, and the spirit of such positions, that the League of Women Voters takes public action.
SECTION 2
JACKSON AND JOSEPHINE COUNTY GOVERNMENT

Jackson and Josephine counties share an historical connection since Josephine County was created in 1856 from the western portion of Jackson County. The League of Women Voters of Rogue Valley (LWVRV) is building upon that connection by including both counties in the update of the 1998-99 local governance study. Although both counties have had League presence as early as the 1930s (possibly earlier), Josephine County has not been active since the mid-1970s. This updated study is a major first step to help increase LWVRV’s presence in Josephine County.

Jackson and Josephine Counties have much in common besides history and geography. Both govern using Home Rule (described below), and elect three full-time County Commissioners. They also elect county officials, such as county clerk, sheriff, surveyor, and assessor.

There are two primary differences between the two counties in terms of governance. The election of County Commissioners in Jackson County is partisan, while it is nonpartisan in Josephine County (i.e., candidates are not formally affiliated with a political party). Jackson County has a County Administrative Officer who deals with administrative issues of county government. In Josephine County, the Commissioners individually oversee county departments. Table 1 (below) lists other similarities and differences.

**Home Rule Charter**

“A charter is the constitution of local government. It defines the powers and responsibility of local government, outlines the organization of the government, and defines the powers and methods of selecting local officials. A home rule charter allows a county to develop its own form of government within the parameters of its state constitution and statutes”\(^1\)

The table that follows presents some key statistics for both Josephine and Jackson counties. Please refer to these in reference to several of the issues discussed in this report.

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Table: 1 Jackson and Josephine County Structure and Key Statistics.

<table>
<thead>
<tr>
<th>Jackson County</th>
<th>Josephine County</th>
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| **Pop. 217,479—Census Bureau 2017**  
  7% population growth since 2010 | **Pop. 86,352—Census Bureau 2017**  
  5% population growth since 2010 |
| **Area: 2802 sq. miles** | **Area: 1642 sq. miles** |
| Home Rule Charter 1978  
  Last amendment  1999 | Home Rule Charter 1981  
  Last amendment  1996 |
| 3 Commissioners (partisan)  
  4-year overlapping terms  
  Rotating chairmanship  
  Quasi-judicial role in Land Use decisions | 3 Commissioners (non-partisan)  
  4-year overlapping terms  
  Chair elected by BoC  
  Quasi-judicial role in Land Use decisions |
| Commissioners are assigned as liaisons to committees. | Commissioners liaise with various committees; Commissioners annually agree on division of departments to supervise. |
| **Annual Budget = $358,062,146** | **Annual Budget = $122,929,000** |
| Real Property tax rate: $1.94 /$1000 of assessed valuation | Real Property tax rate: $0.58 /$1000 assessed valuation |
| **Per Capita spending = $164.64**  
  [figured on annual budget divided by population.] | **Per Capita spending = $142.36**  
  [figured on annual budget divided by population.] |
| **Per Capita Income = $29,619** | **Per Capita Income = $25,828** |
| **Medium Household Income * = $46,343 (2016)** | **Medium Household Income * = $37,867 (2016)** |
| **Wages for people who work (average) = $41,419**  
  2 | **Wages for people who work (average) = $35,907** |
| Commissioner maximum annual salary = $106,891  
  (FY 2018-19; does not include benefits: changes annually) | Commissioner fixed annual salary = $77,861  
  (FY 2018-19; does not include benefits: changes annually) |
| Paid Administrator Appointed by BoC  $255,964 per year | No Administrator; all administrative work is done by the Commissioners |
| County Clerk (elected) Non-partisan | County Clerk (elected) Non-partisan |
| County Sheriff (elected) Non-partisan | County Sheriff (elected) Non-partisan |
| County Assessor (elected) Non-partisan | County Assessor (elected) Non-partisan |
| County Surveyor (elected) Non-partisan | County Surveyor (elected) Non-partisan |
| County Counsel managed by BoC; Non-partisan | County Counsel (elected) Non-partisan |
| Treasurer duties assumed by Finance Dept. 1999 | Treasurer (elected) Non-partisan |
| District Attorney (elected) Non-partisan | District Attorney (elected) Non-partisan |

Partial Source: Data USA, County Profiles:  [https://datausa.io/profile/](https://datausa.io/profile/) (Accessed Nov. 13, 2018)

2 Jackson and Josephine county “wages for people who work” information from Oregon Department of Employment.
CHART 1: JACKSON COUNTY ORGANIZATIONAL CHART

Source: Jackson County
Source: Josephine County
SECTION 2.1
Current Options of County Government in Oregon

Options for Structure\(^3\) of County Government currently or historically used in some areas of Oregon.

Option 1. Three Commissioners – Administrator Form. The authority of the County Administrator can vary, but is less than a County Manager’s. Three full-time county commissioners perform both legislative (policy) functions and administrative oversight. There is a paid administrator. [Present Jackson County Model.]

Option 2. Commission Form. This is typically found in less populated counties and is usually comprised of three to five members. Three full-time county commissioners perform both legislative (policy) functions and administrative functions. No paid administrator. Commissioners oversee the various administrative departments. [Present Josephine County Model.]

Option 3. Five Commissioners – Administrator form. Five full-time county commissioners perform both legislative (policy) functions and administrative functions. Most of these have a paid administrator.

Option 4. Commissioner - Executive Form. Voters directly elect the executive, who has veto power and is assisted by a professional county administrator. The commissioners exercise the legislative function. Typically, there are five county commissioners. Chair is full-time and the others are part-time. Chair oversees administration and the full board performs legislative (policy) functions. A few more populous counties have something like this. [One Josephine County Commissioner suggested a Hybrid form similar to this.]

Option 5. County Council Form. Several commissioners, or council members, who are unpaid or paid very little. All serve part-time and perform only legislative (policy) functions. A paid administrator performs administrative functions. [Clatsop County uses this model.]

Option 6. County Judge as chair of Commission. At one time, county courts existed in all 36 Oregon counties. The title “county judge” is retained in some counties as the title of the chair of

\(^3\) Coppa, County Government
the board of county commissioners. There is no requirement that county judges be members of the bar.

Where a county judge’s judicial function still exists, it is limited to juvenile and probate matters and occupies only a portion of the judge’s time, which is primarily devoted to non-judicial administrative responsibilities as a member of the county board.

Now, only six counties, all east of the Cascades, have county judges who retain any judicial authority. Gilliam, Sherman and Wheeler have juvenile and probate jurisdiction, while Grant, Harney and Malheur have probate jurisdiction.

SECTION 3
FUTURE PRIORITIES AND CHALLENGES
FACING COUNTIES

County Challenges and Priorities

A 2017 survey by the National Association of Counties (NACo), the professional society for county commissions, identified the top challenges facing county government in the US. The top three are as follows:

1. **Revenues**: declining county revenues and state government ‘preemptions’ (limits on county fund-raising abilities).
2. **Mandates**: state mandates that place additional service demands on counties without providing additional funding.
3. **Justice systems**: rising financial and social costs resulting from the rapid growth of prison populations.

In the current LWVRV study, interview participants identified their county’s top challenges and priorities.

**County finances, forest management, marijuana industry** and **land use** were the top concerns across the two counties, followed by county jails and transportation. Rounding out the counties’ lists of challenges were disaster preparedness, funding mental health infrastructure, homelessness/affordable housing, and professional staff.

- **Financial concerns** include stable and sustainable county financing, fiscal responsibilities, budgets, Oregon Public Employees Retirement System (PERS) pension obligations, and limits on taxing abilities.
- **Forest management** concerns include wildfire, smoke levels, and the federal role in forest management.
- **Marijuana industry** challenges include revenues to cover county costs of infrastructure and enforcement, land and water impacts, illegal grows, and black-market sales.
- **Land use** issues include growth and urbanization, agricultural impacts, and zoning.
- **Justice** concerns include county jail, courthouse, and sheriff funding.

Mentioned briefly were:

- **City-county issues** (where interests overlap or they work together on issues).
- **Disaster preparedness**
- **Mental health infrastructure funding**
- **Homelessness** and affordable housing
- **Professional staff** - refers to appointing professionals to key county positions:
  - Appointing the county assessor, surveyor, treasurer, or clerk could reduce liability – Jackson
  - Creating an operations officer or chief of staff – Josephine
➢ Prepared workforce (Josephine County), meaning a workforce able to meet the needs of prospective employers in Josephine County.

Interviewees also identify a variety of roadblocks to addressing the above challenges, noting the need to compromise and work together:

- Existing contracts and legal constraints (including PERS, taxation limits)
- Finances and budget (taxes)
- Conflicts over land use
- Federal requirements and constraints
- Equal access to justice

Findings: As the above list shows, the two counties face major challenges ahead, which appear to be consistent with the counties’ stated purposes and goals. Respondents generally focused on resource and infrastructure challenges, with less discussion of social needs. Counties face the all-too-common dilemma of doing more with less, which is exacerbated by the loss of “O&C” (Oregon and California Railroad Revested) lands funds. These funds were temporary payment to eligible counties supporting essential services to compensate for reduced timber sales (Association of O&C Counties). In recent years, our counties have faced difficult decisions regarding funding for libraries and mental health services. Planners around the country recognize that social infrastructure⁴—the organizations and programs that strengthen networks of social interaction—is a critical complement to physical infrastructure. Social infrastructure builds relationships, creates a resilient community, and strengthens civil society—not only during a crisis, but on a day-to-day basis. As the counties continue to make difficult funding choices, they should not overlook the importance of investing in local social infrastructure.

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SECTION 4
ISSUES RELATED TO STRUCTURE IN JACKSON & JOSEPHINE

The following sections were briefly addressed in the previous LWVRV study, such as what offices serve the counties. Additionally, the sections address which offices should appear on the ballot, and how they appear.

SECTION 4.1
ISSUE OF COUNTY ADMINISTRATORS

A County Administrator (CA) generally oversees the administrative portion of county government. The CA answers to the Board of Commissioners. The CA job description includes: responsibility for daily operations of the county, administering the budget, and managing county employees. Thirteen Oregon counties use CA’s, including five of the nine charter counties (NACo, 2008). Forty-two percent of all US counties use CA’s (NACo, 2015).

Jackson County has a County Administrator; Josephine County does not. Jackson County Commissioners can spend 100% of their time (according to Commissioner Bob Strosser) on policymaking. In Josephine County, each Commissioner has responsibility for different departments, adding to the administrative portion of their job (estimates varied from 40% to 80% depending on each Commissioner’s view).

Current Josephine County Commissioners did not favor the idea of a CA, explaining the worry that the CA position would come between the Commissioners and the Public. Each Commissioner had a different idea about how to lessen the administrative part of their job, with one suggesting a Chief of Staff, another proposing an administrative assistant for each Commissioner, and another was thinking more in terms of a coach.
SECTION 4.2
ELECTED VERSUS APPOINTED POSITIONS

Elective vs. Appointive. In our interviews, the persons who prefer positions to be appointed stress that these positions are technical positions and do not involve political policy. The persons who prefer positions to be elective stress that they want these office holders to be more responsive to the will of the people.

Presently in Jackson County, the offices of County Clerk, County Assessor, County Surveyor, and County Sheriff are elective. The treasurer's duties were assumed by the finance department as a result of a 1999 charter amendment, which was recommended by the League of Women Voters of Rogue Valley study. The League also recommended in 1999 that the Assessor and Surveyor should be appointed on the basis of professional criteria rather than elected:

“the office of County Assessor does not involve policy making, but is purely administrative. Also, the direction and control of the duties of the office of County Assessor are established by the state. For this reason the Committee feels the County Assessor’s position should be made appointive rather than elective.” [Study 1998-99, p. 6-7]

In 2017, the Jackson County Assessor incorrectly certified property tax rolls, incorrectly billing over 91,000 tax payers and requiring a major staff effort to correct the problem. This incident created liability for the county due to substandard accounting procedures and highlights the importance of professional expertise in this position. This may indicate that it is time for the County Assessor to be considered for appointment versus election. Other states and counties have changed from appointed to elective assessors after considering the arguments for each approach.

The League of Women Voters of Rogue Valley 1999 position did not recommend having an appointed sheriff, citing (as one issue) a lack of support. There continues to be sustained public interest in the election of the sheriff. As an example, in the recent past, Jackson County had the issue on the ballot and 85% of voters supported an elected sheriff.

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6  The New York State Department of Taxation and Finances, addresses some of the changes seen in the role of assessor and explores some of the arguments for appointing assessors here: https://www.tax.ny.gov/pit/property/learn/assessors.htm (Accessed Nov. 7, 2018)
SECTION 4.3

NON-PARTISAN VS. PARTISAN BASIS OF ELECTIONS

“The League of Women Voters of Oregon (LWVOR) does not support nonpartisan elections for state legislators,” despite the fact that the LWV itself is nonpartisan.

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Currently, Jackson County is one of ten in the state that have partisan elections. The rest have nonpartisan elections including Josephine County. The Jackson County charter must be amended by the electorate if citizens want nonpartisan elections.

Interviews of the Jackson County Commissioners and Administrator found a mix of opinions, most saying it made no difference because the public can discriminate party affiliation by the positions taken on certain issues. It was stated that “elections and government need to be more transparent either way.” According to Danny Jordan, Jackson CA, “there is already a lack of trust in government. Transparency is just more simple with partisanship. It’s more honest.”

Another view of partisan elections was:

> When we select county leadership, party labels often paralyze our ability to identify common issues and seek effective solutions. A ‘D’ or an ‘R’ beside a name on the ballot can become a cue to stop thinking and listening. Party primaries can serve to eliminate qualified candidates. We are conditioned to cast our votes for a Democratic or Republican, Libertarian or Green Party member and assume we have done our duty. (Pam Marsh & Diarmuid McGuire, Op-Ed: County Commissioners Should be Non-partisan Mail Tribune, June 15, 2014.)

Some point out (regarding primaries) that nonpartisan elections might also increase voter participation since all parties and independents would be included. An example comes from Deschutes County where 8,000 voters were registered as Independent and 39,900 had no affiliation meaning only 40% of the county could have participated in the most recent Republican or Democratic primaries.

Conversely, a partisan label might make it easier for a voter to identify the positions of a candidate, especially when they think that points-of-view are not clearly stated during campaigning.

Interviewees from both counties ran the gamut regarding partisan or nonpartisan elections for Commissioners. Three Commissioners stated they thought elections should be nonpartisan,
while two said it didn’t matter (because people already knew, or could guess, party affiliation),
and two said party identification helped voters make choices. The Jackson County Clerk
responded that changing to nonpartisan elections would affect the process, such as printing
and counting of ballots.
SECTION 5
NUMERICAL MAKEUP
OF
COUNTY COMMISSION SEATS

The 1999 LWVRV position (see appendix 1) recommends five or more commissioners for Jackson County.

Currently, two commissioners constitute a quorum of the three commissioners. Therefore, only two commissioners are required to hold a meeting and make decisions for the entire population. If county business is being discussed, conversations between two commissioners are restricted to open public meetings.

Most former and present commissioners interviewed about these restrictions did not view public meeting rules as a difficulty. In the process of reviewing Board of Commissioner meeting minutes it was noted that votes taken at meetings in Jackson County with only two commissioners present were inevitably in agreement, and those commissioners often seemed to know their counterparts' opinions on items presented for votes ahead of time. This suggests that perhaps some form of communicating opinions may occur in advance. However, Commissioner Bob Strosser clearly pointed out that such ‘vote counting’ ahead of time is not allowed.

This same pattern of concurrence was noted in the 1998-99 study. Having more commissioners might require additional deliberation and sharing of diverse views since more points of view would need to be considered to reach a quorum. Indeed, five of the nine Home Rule counties in the state of Oregon have five (5) members. Four have only three (3) commissioners. Of the General Law Counties, seven have County Courts with a Judge and two Commissioners; three of these are non-partisan. The remaining twenty counties are General Law counties with 3-member commissioners. Only one of those (Clackamas) has a five-member BoC.  

7 http://oregoncounties.org/counties/commissioners-judges/. Also see appendix 5 and appendix 3 map developed by LWVRV - Oregon Counties with five-member BoC.
Are two-commissioner majority decisions a problem in the absence of third commissioners?

In an effort to quantify meeting attendance, minutes from 1,397 Jackson County Board of Commissioners (BoC) meetings, and 556 from Josephine County Commissioner meetings, were reviewed from 2008 – 2018 in Jackson County and 2016-2018 in Josephine County. We tallied the number of official votes taken at meetings at which there were only two commissioners in order to get a sense of the legislative function being performed by only two individuals. The rates of attendance/absence were similar for both counties, even though the Josephine County commissioners attend more meetings per week, and Josephine County had fewer votes taken at two-member-majority meetings. Commissioners attend state meetings and have vacation periods, but the online minutes do not consistently explain the reason for absences. There is also no online public record of the number of meetings that were cancelled for lack of a quorum beforehand. Two Josephine County Commissioners did report abstaining/recusing themselves for a total of three votes, and rarely a commissioner was documented as using teleconference to join a meeting.
Josephine County has only three years of published BoC meeting minutes available at the time this document was written, and there is no online record of the total number of votes taken over a given year, thereby preventing a tally of the percentage of total votes taken that were made by only two commissioners.

<table>
<thead>
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<th>Josephine County – Meetings with just 2 Commissioners</th>
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<tbody>
<tr>
<td><strong>2016</strong></td>
</tr>
<tr>
<td>51/170 meetings = 30%</td>
</tr>
<tr>
<td>72 votes of only two commissioners</td>
</tr>
</tbody>
</table>
The 1999 LWVRV position also recommends considering part-time or unpaid commissioners. At least three present or past commissioners in Jackson County have acknowledged a willingness for themselves or other candidates to serve for less salary. By contrast, Josephine County commissioners spend 40-80% of their time on administrative matters because of a lack of a professional administrator. They generally see a need for administrative assistance rather than additional commissioners, but seem reluctant to ask for a typical county administrator like Jackson County.

SECTION 5.1
COMMENTS FROM INTERVIEWEES ABOUT THE NUMBER OF COMMISSIONERS

Current commissioners in Jackson County are generally satisfied with three members, but former commissioners had concerns. A particular case cited in the 1970’s involved the effort to replace a vacant commissioner seat. By charter rules, commissioner replacements are to be appointed by the BoC. The discussions about filling the vacancy were very difficult to hold in public meetings and resulted in a long period of having only two commissioners.
Other Jackson County former commissioners noted:

1) It would be easier to reach consensus with five commissioners.
2) It would provide better representation.
3) It would allow commissioners a chance to travel.

Josephine County Commissioners differed in their opinion concerning increasing the number of commissioners, but did acknowledge the difficulties encountered when only two commissioners were present. This occurred as often in Josephine as in Jackson County, approximately 25% of the time.

There are estimates that one-third of the population of Jackson County lives in Medford, one-third in the smaller towns (Ashland, Central Point, Shady Cove, etc.) and one-third in rural areas. Ideally, representation included from those areas would insure that the concerns of those big-city/little-town categories would be addressed.

In conversation regarding Josephine County, commissioners sometimes mentioned being spread too thin. Commissioner DeYoung commented that two Commissioners were currently attending County College and that they could not drive or eat together, and the rooms where they stayed had to have distance between them and that this complicated things.

SECTION 5.2
PROS AND CONS OF ADDING MORE COMMISSIONERS

From our committee research, interviews, reading and inferences, the following chart summarizes some the major arguments for and against adding commissioners in Jackson and Josephine counties.

8 * Jackson County Budget 2018-2019 p.44
Table 3: Pros and Cons of Additional Commissioners

<table>
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<th>Arguments for more commissioners</th>
<th>Arguments against more commissioners</th>
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<tbody>
<tr>
<td>More likely to insure adequate representation for rural, urban, and unincorporated areas</td>
<td>Additional salaries for commissioners</td>
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<tr>
<td>May contribute to a more robust discussion of issues when a larger discussion group is present</td>
<td>Additional office space &amp; equipment</td>
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<tr>
<td>Allows for commissioners to attend relevant meetings without depleting the commission</td>
<td>Possibility of additional support staff</td>
</tr>
<tr>
<td>Two commissioners could conceivably have a non-meeting discussion if two were not a majority of the BoC</td>
<td>Possibilities of stalemates with more than one commissioner to persuade in favor of a recommendation</td>
</tr>
<tr>
<td>Decreases potential costs for counties when travel is required (two can carpool)</td>
<td>Requires Charter Amendment to change number commissioners</td>
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Josephine County Commissioner DeYoung gave an example of how Commissioners use their time that could be an argument for more Commissioners: Josephine County planned to put sidewalks in parts of Merlin. Merchants and others were upset. All the Commissioners spent a day in Merlin going door to door speaking to affected business persons and others. The sidewalks were put in and now seem to be much appreciated. Perhaps with additional Commissioners, responses could have been foreseen with a preemptive visit, taking less time to talk to more people overall.

DeYoung also wanted more time to improve the people’s perception of Josephine County. He thought that local media were reluctant to show the good side. He also would like more time to get out to Cave Junction, Wolf Creek, and Williams.

All of Josephine County Commissioners commented on complaints by constituents that the current Board is made up of Grants Pass residents, leaving the rural areas unrepresented. The fact is, while the current Commissioners are native to Josephine County and grew up outside the city, it may not be the case with future Commissioners.
SECTION 6
COMPENSATION AND OTHER COSTS
ASSOCIATED WITH COMMISSIONERS

The 1997-98 study made three points regarding the compensation of county commissioners:

- Full-time Commissioners would be able to spend full-time and commit their full attention to County business. It should be noted that the Model Charter Commentary\(^9\) says that “A salary too close to a full-time salary could encourage council members to think of their positions as managerial and thus detract from their role as legislators or policy-makers.”

- If the commissioners were not full-time paid, but volunteers, the addition of more commissioners would not cause added expense to the County budget. Further, part-time, volunteer Commissioners would be more likely to focus their energies on policy and not become easily embroiled in the day to day administrative problems.

- It should be noted that Oregon Revised Statutes requires county governing bodies to appoint a compensation board that will annually recommend a compensation schedule for county elective officers. (See ORS 204.112 for specific guidelines – Appendix 2.)

But how does this apply to Jackson County and Josephine County today?

JACKSON COUNTY

Jackson County has three full-time commissioners. According to the 2017-18 Adopted Budget, the “Home Rule Charter sets the structure of the Board of Commissioners and also outlines its duties. Those duties include executive, judicial (quasi-judicial) and legislative authority. All duties are derived from the Home Rule Charter.” The Board of Commissioners is the policy body for the entire county. To implement their policy, the Board employs a full-time county administrator.

\(^9\) While not confirmed in the LWVRV 1998/99 study, we presume the cited “Model Charter Commentary” was the version published in 1993 by the National Civic League.
The county’s adopted FY 17-18 budget appropriates $798,031 for its Board of Commissioners. Of that amount, $674,509 is categorized as “personnel.” There are 3 commissioner positions and 2.55 support staff positions.

With regards to compensation, as of 01/08/18, the salary of two commissioner positions is budgeted at $104,343.20 each and the salary of one commissioner position is budgeted at $94,660.80. Total benefits such as health care, PERS, and so forth are $160,522.46 for three commissioners. Total compensation (salary and benefits) for three commissioners is approximately $463,929.66.  

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**JOSEPHINE COUNTY**

Josephine County has three full-time commissioners. According to the 2017-18 Adopted budget, “The Board of County Commissioners serves as the executive-legislative branch of the County and perform quasi-judicial functions.” Due to the absence of a county administrator, the Board of Commissioners is responsible for the daily operation of over 20 county departments, including supervision of managers of county services, and numerous county commissions and advisory committees. The managerial function requires each commissioner to assume primary responsibilities for a number of elective offices, departments, commissions, and committees. (See appendix 4 for 2018 distribution of supervisory responsibilities.)

The county’s adopted FY 17-18 budget appropriates $535,000 for its Board of Commissioners. Of that amount, $520,100 is categorized as “personal services.” There are 3 commissioner positions and 2.5 support staff positions.

With regards to compensation, the salary of three commissioner positions is budgeted at $77,861 (per commissioner). Taxes and benefits vary for each commissioner (based on acceptance of health care coverage, participation in PERS, etc.), from $16,141 to $48,001 (total benefits for three positions - $92,141). Total compensation (salary and benefits) for three commissioners is $325,724.

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As noted elsewhere in this report, salaries depend on how long a commissioner has served in that role. Differences primarily relate to years of service. These numbers change annually. Specifically, numbers discussed in Section 6 relate FY 2017-18; as of January 8, 2018 the compensation for two commissioners is budgeted at $104,343.20 (and a third commissioner is budgeted at $94,660.80). Jackson County had adopted a budget for FY 2018-19, and commissioners’ compensation has been increased for the new fiscal year. The salary of $106,891 in the government structure chart is from the adopted budget for FY 2018-19 and not effective until January 2019.
SECTION 6.1
COMMISSIONERS’ INPUT ON COMPENSATION

What They Said.
The study committee interviewed several current and former commissioners.

With regards to compensation, here are some general comments or sentiments expressed regarding Jackson County:

“... there are others in the county that would be willing to serve the community with less pay ... it could inhibit some candidates.” (Commissioner Bob Strosser)

... serves for other reasons than pay. (Commissioner Colleen Roberts)

The issue is how the community feels about the pay ... “pay is a sensitive community issue. But I realize it is difficult for younger folks to serve for free” (former Commissioner Jon Deason).

In interviews with two current Josephine County commissioners, Lily Morgan and Dan DeYoung, both stated that the position of commissioner was a full-time job. However, both also said there was a need for a chief of staff or county administrative officer. Dan DeYoung also stated that he had no problem with a decrease in pay if there were an increase in Commissioners.

With regards to how many county commissioners there should be, here are some of the comments or sentiments expressed from Jackson County:

Biggest question: does the current system allow for all interests to be represented on the board? It has changed from rural/white/men to being more diverse. If the board had 5 members, there should be wards or district. (Former commissioner Sue Kupillas)

“Three commissioners do not work well today.” With more commissioners it would be easier to reach consensus ... and would be more efficient. (Former Commissioner David Gilmour)

...Must have a vision for population growth and districting, more commissioners could work as long as every area is represented (former Commissioner Tam Moore)

“I see no need to expand the Board to five commissioners. It works well with three” (Commissioner Rick Dyer)

“The downside of three commissioners is that a quorum is two (2) ... can’t talk or have any type of policy discussion. Of course, the downside of 5 commissioners is the need for extra staff and office space,... perhaps extra pay” (Commissioner Bob Strosser)

Does not think it is a challenge to work in this structure (3 commissioners). It’s the only structure she’s worked in (Commissioner Colleen Roberts)

Prefers city model – five or more and no pay. Five not a problem ... more flexibility (former Commissioner Jon Deason).
Here are some comments from Josephine County regarding the number of commissioners:

“...I don’t think more commissioners are needed ... we need a chief of staff to help with duties.” ... (Commissioner Lily Morgan);

...“I feel that in Josephine County three commissioners do the job just fine... It’s easy to have solidarity with three people. However, sometimes they’re spread too thin, then a two-person quorum doesn’t work... Also, with three commissioners, some small communities don’t feel like their voices are heard...,” (Commissioner Dan DeYoung).

See Appendix #2 for Compensation of County Officers, Deputies and Other Employees.

SECTION 6.2
ADDITIONAL COMMISSIONERS – AND IMPACT ON BUDGETS

Regarding current LWVRV position on number of commissioners and compensation.

From a position established from our 1998-99 study, the LWVRV currently supports a Board of Commissioners of 5 or more members. The League supports considering other options to full-time paid commissioners.

With regards to increasing the number of commissioners, what would be the impact of Board budgets in Jackson and Josephine counties?

Increasing the number of full-time members on Jackson County’s Board of Commissioners would require a significant increase in the Board’s operating budget. The starting salary for a county commissioner is approximately $94,660; health, retirement and other benefits adds approximately $53,500 to the base salary. The increased compensation associated with adding two additional commissioners would be approximately $296,320. Assuming that additional commissioners would require more staff support, the average salary and benefits for administrative assistant would be $40,900. Other operating costs for the Board of Commissioners are shown under “materials”. Based on the 2017-18 adopted budget, cost of materials is projected at $122,522 or $41,174 per commissioner. For the purposes of this scenario, assume that adding two commissioners would increase the cost of “materials” by approximately $82,350. Under this scenario, the cost of adding two commissioners to Jackson County’s Board of Commissioners could be as much as $419,570. It should be noted that the addition of commissioners might also require one-time capital expenditures associated with acquiring office space for commissioners and staff as well as technology and communications.
On the other hand, increasing the number of members on Jackson County’s Board of Commissioners but making the commissioner’s position a part-time position would reduce the operating budget for the Board. For example, changing the commissioner’s position from full-time to a half-time would result in salary costs of approximately $246,333 (for five commissioners); and costs of benefits would be approximately $133,750.

The total cost of five half-time commissioners would be approximately $380,083. For this scenario, assume an additional .5 FTE (full-time equivalent) in staff support or $20,450 and that the other “material” costs associated with the commissioners’ budget would remain unchanged ($122,522).

With these assumptions in mind, the total operating costs of increasing the number of commissioners to five and making the commissioner’s position a half-time position would be approximately $523,055. With this scenario as with the previous one, it should be noted that the addition of commissioners might also require one-time capital expenditures associated with acquiring office space for commissioners and staff as well as technology/communications.

Recognizing that the suggested budget costs associated with these two scenarios are rough estimates, they are still helpful in comparing the current operating costs of the Jackson County Board of Commissioners to other structural options. The 2017-18 adopted budget for the Board of Commissioners is $798,031. As indicated above, the operating budget associated with increasing the number of full-time commissioners from 3 to 5 would be approximately $1,217,601. On the other hand, the operating budget for a Board of 5 part-time commissioners would be approximately $523,055 (decreasing the current budget).

For Josephine County, similar scenarios for increasing the number of commissioners and considering full-time versus part-time positions would result in a lower but similar range of operating budgets (Josephine County’s commissioners’ salaries are approximately $25-30K lower than Jackson County’s commissioners.)
SECTION 7
COUNTY ELECTION METHODS AND ALTERNATIVES

Much of this section borrows heavily from research and language from the 2017 LWVOR Election Methods Study by LWV. That full report is available online at www.lwvor.org under ‘studies.’

This section regarding county government will cover the only new and unexplored part of the study scope, with information that may be unfamiliar to many readers and members. We want to explore the question of whether an alternative election method (using a different voting ballot) as well as related changes would be more effective in representing the greatest number of citizens.

While supporting the “greatest level of representation” is a goal embraced by most Leagues, we must take into account the advantages and disadvantages of each method. Included in these issues, first and foremost, is cost.

The County Clerks run the system in both our counties. They have a small staff and, as is common in Jackson County, hire part-time workers as needed. Chris Walker, the Jackson County Elections Director spoke to our committee about all their efforts to efficiently work together with limited staff and save dollars. She said that the Oregon “VBM (vote-by-mail) system simplifies a lot. "There is no perfect system; but VBM does a lot and there is no poll line intimidation as there once was.” Additionally, she added that their new ballot scanner saves 10% more time. Both of these time-savers ultimately save costs as well. The new ballot scanner and election machine vendors will come up again in our report in relationship to new voting methods.

The question of a different election method to include more voices might assume that what you currently have is not adequate. At least two of the former commissioners we spoke with disregarded that premise. One said that “no restructuring of County Government is needed;” and the other stated that we should “not change the county structure. It is well run, and doing a good job.”

The study committee questions if at times sentiment defending, or castigating, the election methods are a reflection on current (or past) personalities or specific decisions. The study’s purpose is to look at the strength of a system simply in terms of its ability to reflect voter voices.

Before we can consider other election methods for county government in Josephine or Jackson counties, we must understand some of the options and under what circumstances they are viable. One component to consider is whether an election is for a single winner or multiple winners.

That may sound simple, but is often confused when the terms, single member district or multi-member district are used, which indeed are the same as single winner or multi-winner. It becomes more detailed when we realize that single winners are either elected to a single ‘seat’
(as in a city like Ashland) or a single district (like a state representative). Multiple winners are elected in multi-member districts, which we often term “At-large” (such as the Josephine and Jackson County commissioners). By their very structure, these differences present quite varying results.

SECTION 7.1 SINGLE-WINNER ELECTIONS

PLURALITY – THE AMERICAN STATUS QUO

In Josephine and Jackson counties, all commissioners, city councils, and other offices are elected with the same single-seat plurality\(^1\) (aka First-Past-The-Post) elections, as are the delegates to the Oregon US House of Representatives and both houses of the Oregon Legislature. It is the ‘American Status Quo’ and often explained as “everyone gets one vote and the person with the most votes wins.” However, this method is not as simple as it sounds.

From LWVOR Election Methods study p. 6

[Regarding plurality] majority winning thresholds are not required; results are not proportional to voting populations. Voting and counting are clear and citizens accept (if not always like) the gamesmanship required of both candidates and voters. These contests require less evaluation than ranked or rating systems. Whether good-government groups view this is as positive or negative for voter education, it is a plus in the “easy” column for voters. …

…Plurality is also the easiest system to administer. Programming is straightforward which enables use of older and simple voting machines. Results can be summed at the precinct level and aggregated centrally.

A sample ballot is familiar to all of us:

<table>
<thead>
<tr>
<th>Vote for One</th>
</tr>
</thead>
<tbody>
<tr>
<td>○ Rosalind Franklin</td>
</tr>
<tr>
<td>● Marie Curie</td>
</tr>
<tr>
<td>○ Rachel Carson</td>
</tr>
<tr>
<td>○ Jane Goodall</td>
</tr>
</tbody>
</table>

\(^1\) As explained in the LWVOR Election Methods report of 2017, the Electoral World does not agree on all terminology. This can be frustrating to readers, students or activists. We use Plurality to describe an election which is often called First Past the Post in which the voter can choose only one candidate, the winning threshold is simply the candidate with the most votes, and there is a single winner.
Due to its simplicity, when only two candidates are running for office, plurality is the system of choice. The same holds true when voting for or against a ballot measure. In both of these cases, the voter is picking ‘up or down.’ Because of that simple choice between two candidates, a majority of those who vote will rule. Thus for a single winner (or ballot measure) election, majority is the highest level of representation. In both of those cases, plurality is the choice of simplicity.

When an additional candidate enters the race (a 3 way or greater race), the benefit of plurality’s simplicity no longer serves the voter. As the LWVOR report states “In cases with more than two candidates, however, plurality scores near the bottom compared to other methods…..It ranks lowest in ability to elect a candidate with the highest value to the whole electorate, and is a distant second in resistance to strategic voting.”

The rather whimsical pictorial graphic below makes it easy to understand why plurality (also known as FPTP, or First-Past-The-Post) systems don’t serve voters well when more than 2 options (or candidates) are in the running.

**Image 1:** First-Past-The-Post – or Winner Take All - shown via common choices.

Where shall we go to drink tonight?

The Red Lion  The Castle  The Green Man  The Queen’s Head  Coffee Shop

FPTP gives you coffee when 70% of you would rather go down the pub
LWVRV members can refer to the state study for in-depth details on how the pros and cons of many election systems compare to each other, and how each affects the representative outcomes of our elections. Some points from the report are quoted here for ease in understanding (and to best reflect the final position that was determined following study and consensus from the 2017 study).

It seems reasonable that plurality would fare poorly in this area: In even a three-candidate election, a plurality vote may elect a candidate with less than a majority of the votes. The 2014 Oregon gubernatorial election had a greater winning percentage than many elections; however, the winning tally was still less than 50%. Most Americans do not even question this system. “The person with the most votes wins.” Still, more than half of Oregon voters may have felt unrepresented by these results. This can lead to disillusionment and a sense that the system is unfair and that democracy is not fulfilling its promise of giving every voter a voice.

A voting method that encourages strategic voting undervalues voters who vote sincerely, for candidates they actually prefer. The most common strategy plurality voters use is to avoid the spoiler effect. If a major party candidate is likely to win, a voter who prefers a minor party candidate may vote insincerely for her second choice in a major party candidate. Otherwise, she risks causing her least favorite candidate to win. In the 2002 Oregon governor’s race, Libertarian Tom Cox was considered a spoiler since he received 5% of the vote and was assumed to have cut into Republican Kevin Mannix’s 46% vote. Many third-party candidates argue that THEY are not spoilers; rather the system is the spoiler.

Another Oregon example is the 1990 Oregon gubernatorial race that Democrat Barbara Roberts won with 46%, less than a majority. It was believed that unaffiliated candidate Al Mobley, with 13%, cost Dave Frohnmayer, with 40%, the race. We may find such results pleasing, if the winner suits us, but when one candidate wins even though a majority of voters would have preferred the losing candidate in a two-candidate race, our democracy is not functioning as well as we might hope.

This type of ‘spoiler effect’ – and complaints about the ‘spoiler’ – was heard repeatedly in the 2000 presidential election when Ralph Nader was lambasted by Democrats for stealing votes from candidate Al Gore. His third-party supporters sang the same refrain as others, that Nader was not the spoiler, it was the system, and that all voices should be given a chance to be heard by a sincere vote.

Unfortunately, the inability to vote sincerely, and instead consider casting a strategic vote is encouraged in a three (or more) candidate race. Worse is that political parties prey on voters’ fear of not being able to vote for their preferred candidate without wasting their vote or being a ‘spoiler’. Parties have resorted to nasty tricks and other strategies to win on a regular basis. [See details LWVOR report p. 7-8.]
In these times of claiming ‘fake news’ as well as misinformation, half-truths and negative campaigning, it is easy to see these tactics played out, namely by depressing the vote. These approaches discourage voter turnout. In extreme times, voter groups, activists, and disenchanted voters may be able to overcome all such efforts to dissuade their vote. Still, one can question if the actual way they cast their ballot can be affected by this negativity and lack of cooperation. As the LWVOR reports explains

*Other voting methods lead to less negative campaigns by encouraging candidates to win over the most voters, even if some of those voters also cast a vote for an opponent. For example, a successful candidate for mayor of Minneapolis reported reaching out to voters who could place her second in a ranked-choice election.*

To our knowledge, all Leagues of Women Voters with published positions evaluating election systems rank plurality poor compared to all other single winner systems (based on numerous accepted criteria regarding representation of the voter), while consistently ranking it high in the ease of use and administration. Often in local elections (like counties), this can go unnoticed for years or decades, especially if the races are primarily a two person face-off. At those times, the ease of use and administration is a large benefit. If times changes, and third parties or third choices enter more races and the question to voters is more than two choices, then representation of the voters can be negatively affected.

**UNCOMMON ALTERNATIVE STRUCTURES (RATING SYSTEMS)**

The two most common “Rating” systems (versus “Ranking” systems) are approval and range voting. Each has an impressive score on evaluation of criteria (as seen in Appendix 2 of the LWVOR report, 6 of 13 for range voting, and 7 of 13 for approval). Additionally, section 2.3.4 of the report outlines benefits and criticisms of both approval and range voting. Because the final position of the LWVOR study (see appendix 6) did not support the use of either of these systems, they are not being covered in detail in our study of possibilities for Jackson and Josephine counties.

**RANKING ELECTION SYSTEMS – RANKED CHOICE VOTING**

While there are several ranking systems as well as rating ones, the most commonly used today for a single winner race is Ranked Choice Voting (RCV), also known in the US as “Instant Runoff Voting”. [For multiple winners, RCV is also most common, but there are several other viable contenders in use around the world for multi-winners.]

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Ranked Choice Voting (RCV) allows the voter to submit a single ballot that shows their preference in the ordering of the election options. (That may explain why Robert’s Rules of Order calls this system “preference voting.”) Additionally, in other countries like UK and Australia it is known as Alternative Voting. It demonstrates each voter’s comparative support for the candidates. Ranking is not a new idea, and has been used by other countries for more than a century. Areas of this country have used it as well. (One of the very first Oregon initiatives was for a ranking system, although a bit different than RCV.) Additionally, in 2016, Benton County, Oregon passed a citizen’s initiative to adopt RCV (for single seats).

Here is a sample ballot for ranked choice voting:

<table>
<thead>
<tr>
<th>1st Choice</th>
<th>2nd Choice</th>
<th>3rd Choice</th>
<th>4th Choice</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Michelle Obama</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lady Bird Johnson</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hillary Clinton</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Eleanor Roosevelt</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Readers can refer to Sections 2.4.1 of the LWVOR report as to how RCV works. Sections 2.4.2 and 2.4.3 cover the Benefits and Criticism in detail. Because this was the system most supported by statewide League membership for a single winner, it is best to understand it. See appendix 7 How RCV Works. More importantly, it is vital for our members to grasp the benefits (or drawbacks) to a change in our systems and how it would relate to county government. See Appendix #8 for benefits or drawbacks of single seat RCV.

A commonly heard complaint is that it is too difficult for voters to understand RCV. However, a New York Times editorial on Maine’s 2018 first-in-the-country statewide Ranked Choice Vote described a 2018 San Francisco election in which “voters made eight times as many errors on ballots for the gubernatorial primary, which was run using the standard method, as they did on mayoral ballots, which used ranked-choice.” As the Times said, “ballots can be designed intuitively.”

13 See http://www.betterballotbenton.com/
14 New York Times Editorial Board ‘Vote for Me! For Second Place, at Least?’ June 9, 2018
SECTION 7.2
MULTIPLE WINNER SYSTEMS

We learned that interviewees in the LWVRV study found one question about representation the most difficult question to which to respond. We posed this ‘theoretical question:’

**Some** election methods (the way we design and count ballots) represent voters more fairly than others. Specifically to our county, would it be reasonable for a group of people representing 40% of the county (whether by party, issue or community interest) to expect to be able to reliably elect approximately 40% of winners, meaning at least 1 seat on the board?

Chris Walker, Jackson County Clerk and elections director understood the question, and replied, “*Logic says this is rational, but it is also adding many new variables.*” We agree with her on both counts. It does add new variables (some good, some troublesome), but that also it is logically rational. Our survey question did not use any of the words that need to be part of this conversation, such as proportional representation (PR), Ranked Choice Voting (or other alternative systems), nor did it explore other single-winner districting variables such as gerrymandering, or other issues satisfied with multiple winners.

![Image 2: Proportional Representation Explained.](image)

The premise behind the LWVRV consensus question may be easily understood by the accompanying image here – depicting what would result in a county with 5 commissioners if
some type of proportional representation (PR) was employed. In this scenario, groups of people with enough support would win seats in ‘proportion’ to their support. Five percent (5%) support for the yellow group is far too small to capture a seat, but the ‘purple’ supporters would not win ALL the seats. The Red and Blue supporters (with 20%) would win one seat each.

Image used with permission (October 24, 2018) from 2010 article Redistricting: Gerrymandering as a Competitive Sport by Cat Woods via Dissident Voice.
‘MULTIPLE WINNERS’ MISUNDERSTOOD IN THE DISTRICT DEBATE

When an election has multiple winners, the election science nomenclature is a multi-member district (MMD). Often in US towns, cities or counties (like Jackson and Josephine) this is called “at-large.” More than one representative governs voters in such areas. Each Jackson and Josephine resident has 3 county commissioners to approach. While in the US we see it most often in cities or counties, there are state offices in which the constituents have two or three representatives. [For instance, in the state of Arizona, voters elect two candidates per district to the state House – and are thus represented by both of these officials.] In other countries around the world, two-member MMDs are rare; instead it is common to find 3, 5 or more seats open to the contest.

This often leads to debate (especially in urban city or country areas) over which are better – District or ‘At-large’ elections? During the 1960s, and with the Voting Rights Act, minorities began to think that going to a district system would best serve them. At that point, MMDs (multi-member districts, where there were multiple winners) were rejected for federal offices. [See Bloc MMD below.] Most times, debate stops there. Then people who tend to support minorities or related organizations feel obligated to support district systems; those of more traditional backgrounds believe that at-large systems serve everyone (minorities included).

Not only does the debate stop there, but often without understanding HOW the systems work or that there are additional options. In terms of minorities (of any kind: racial, gender, rural, party), the answer to how they are best served (meaning how well they can elect ‘their’ candidate) is surprising. At-large elections can be the BEST answer for their representation or they can be the WORST.

As we saw with single winners, plurality does not guarantee even a majority; there are times that governors are elected with as little as 35% of the vote. [Worse is that when more than two candidates run, voters start to understand that they may need to think strategically – and not vote for whom they prefer. This insincere vote does not serve the voters well.] The best that a single seat election is able to provide is a majority win (which most Americans have been taught to believe is the best level – the gold standard). However, in At-large systems the best possible outcome that may be delivered, in terms of the proportion of those represented, is much greater (representing a larger proportion of the electorate when ballots incorporating proportional representation methods are used, as we will see below).

However, for a good part of our history that is NOT what at-large elections have done. Instead, because of our ‘pick one’ type elections, these at-large systems have allowed the biggest group in any area (like a county) to control everything. Justified or not, this has been a frequent complaint in Jackson and Josephine counties for a long while, in which Democrats in those
counties have professed to have little voice on the commissions (although there have been numerous occasions of party diversity). Thus, in our current type of at-large elections in the two Rogue Valley counties, support tends to be partisan and whichever party rules the majority often rules without minority party input. Depending on the strength of your party, one either looks to adopt districts to obtain more representation for their geographical area, or to preserve at-large areas to maintain their party power.

*That may be the wrong debate.*

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### SECTION 8.1

**TYPES OF AT-LARGE ELECTIONS**

“At-large” or multi winner (“multi-member districts” aka “MMD”) need not be the villain to minority voices (again, whether they be racial, gender, rural or party minorities). To appreciate that, we must understand the **different classes of at-large elections**. They are not “all created equal.” There are three different types:

- Bloc
- Semi-Proportional
- Proportional Representation

**BLOC**

**Bloc types** of “At-large” are perhaps the most misunderstood, yet still the most common. They are the most traditional in the US, since being used by the original thirteen states. Oregonians vote under this system in most elections for school boards, city councils or counties like Jackson and Josephine.

Today bloc multi-member districts total only about 14.7 percent of offices above local counties. According to Ballotpedia, “of the 7,383 seats in 50 state legislatures, 1,082 are elected from districts with more than one member.” Prior to 1842, bloc districts were favored and 31% of US House seats were filled in that manner.

> According to Stephen Calabrese, a Carnegie Mellon political scientist, bloc type multi-seat elections allowed state parties to transform their majorities (even narrow or fleeting ones) into control of the entire delegation. Because entire state

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electorates participated in each election for each congressional seat, the majority political opinion won every seat...By [1972] most states had already succumbed to pressure to abandon bloc multi-member districts so as not to marginalize and reduce the ability of minority parties or cultural minorities to win an election. Although federal law ended bloc multi-member districts for federal House seats, many states elect state legislatures using bloc multi-member districts. “ [LWVOR report p.22]

Image 3: Representing Voters in different types of AT LARGE districts
by Barbara Klein

Representing Voters in AT LARGE (multi winner) Elections

- **Bloc**
  - 51% of voters can win 100% of seats.
  - Minorities of all kinds (racial, gender, party, rural/urban) underrepresented

- **Semi-Proportional**
  - Groups can ensure a FAIR proportion of wins, when strategically working together.
  - Cumulative Voting is an example.

- **Proportional Representation**
  - Allows like-minded voters to elect representatives in proportion to their numbers in the electorate.
  - PR comes in several flavors: party list, mixed member, or ranked choice voting.

There are other attempts at ‘fixing’ bloc elections that may also miss the mark of best representation levels, for one reason or another. These ‘hybrid’ types are seen in Oregon. Examples include Portland and Ashland, where city council members are elected at-large rather than by geographic districts. However, candidates run for a specific ‘position’ in single seat elections. Voters must choose between those pitted against another in each seat. There are some drawbacks.

If a voter’s favorite two candidates from among all those running vie for the same position, she must choose one and reject the other. Races are not restricted by a district, but they are restricted by positions, reducing voter choice. According to Western Carolina University political science experts, bloc types [of this kind] are simply disguised single-winner seats, conducted either in different years (such

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16 Richardson, Lilliard E. Jr and Christopher A. Cooper, [Western Carolina University], The Mismeasure of MMD: Reassessing the Impact of Multi Member Districts on Descriptive Representation in U.S. State Legislatures, retrieved 10-3-2016 from http://paws.wcu.edu/ccooper/mismeasure.pdf

as staggered year elections for U.S. senators) or [as in Ashland] on different parts of the ballot (such as Position A and Position B for at-large city-council members, each of which acts as a single-winner election for that position).” LWVOR report p.21. [Clarification, Ashland technically calls these positions 1-2-3 etc.]

Bloc multi-member districts offer some of the lowest fair representation results of all systems. Conversely, proportional representation offers some of the highest. When debates over multi-member districts’ merits are in progress, we need to understand what type is referred to.” LWVOR report p. 23

OTHER AT-LARGE SYSTEMS

The other two types of At-large (aka multi-member districts or MMD) systems for multiple winners are Semi-proportional and Proportional Representation (often abbreviated as PR). LWVOR report (p. 22) summarizes these as follows:

1. **Semi-Proportional** methods allow voters more choice than bloc type single-winner elections, and may result in more proportional results if groups within the electorate carefully coordinate their voting strategy. Candidates run in multi-member districts. Voters have multiple votes in the same race. The top vote-receivers win the number of seats that are available.

2. **Proportional representation** (impossible without multi-seat elections) is designed to allow like-minded voters to elect representatives in proportion to their numbers in the electorate. Proportional representation comes in several flavors: party list, mixed member, or ranked choice voting. In all cases, a pool of candidates contends for a number of seats. Winners are selected based on the proportion of votes they receive. Voters simultaneously elect multiple candidates for multiple seats in one race.

[...The number of members per district is an important design consideration ...Most experts say the best size for a district is five members, and three and seven are also acceptable.¹⁸, ¹⁹ Fewer than three and the legislature will not achieve proportional results; more than seven becomes unwieldy for voters.]

_Ultimately, proportional and semi-proportional systems reflect ideas of cooperation and rotation -- the importance of public access to power._

-- Lani Guinier, Harvard Law Professor

¹⁸ ACE, The Electoral Knowledge Network, Electoral Systems, Section 7.4.1, retrieved 6-30-2016 from http://aceproject.org/ace-en/topics/esd/esd02/esd02e/esd02e01

¹⁹ ACE, The Knowledge Network, op. cit.
SECTION 8.2
STATE LEAGUE POSITION REGARDING AT-LARGE SYSTEMS

It is worth repeating that the type of district, and ballot, we incorporate create very different results and different levels of representation. Single seat elections are always winner-take-all, thus the percentage of those who are represented by the person they prefer when only two people are running is at least 50% (in general), and if more are running the percentage can be considerably less. An at-large system, with a proportional style ballot, can offer representation to a much higher percentage of people. This does not include a bloc at-large system as noted above.

Multi-member districts with proportional representation systems are designed to allow like-minded voting groups to elect representatives in direct proportion to group strength. They are more representative of electorates than single-member districts. The majority can rule, yet the minority is represented. Conversely, bloc multi-member districts are likely to be less representative than single-member districts. The 2007 LWVOR redistricting report\(^{20}\) states “... the use of multi-member districts can be used to decrease the gerrymandering possibilities and increase the competitiveness of the districts. However, the use of multi-member districts, with at-large elections for each seat [winner-take-all contests as in bloc methods] can reduce most types of representation. [LWVOR report p. 23]

In-depth structure details, benefits, and drawbacks for At-large systems are described in the LWVOR report and can be found in these sections:
- Bloc (sections 3.2)
- Semi-Proportional (3.3)
- Proportional Representation (3.4)

After study and consensus meetings, the state membership approved a position that “supports an election system that elects policy-making bodies—legislatures, councils, commissions, and boards—that proportionally reflect the people they represent.” [See appendix 6.]

As such, the League of Women Voters of Oregon supports at-large systems that are either semi-proportional or proportional, but does NOT support a bloc system.
SECTION 9
VIEWS OF ROGUE VALLEY OFFICIALS ON ALTERNATIVE METHODS

DISTRICTS VS. AT-LARGE

As Jackson County Administrator Danny Jordan pointed out (along with several others), it would take the will of the people to change the Jackson County Charter [to districts] – an amendment to the charter.

In Josephine County, while Commissioners Dan DeYoung and Lily Morgan were not asked about districts due to time constraints of the interview, Commissioner Simon Hare suggested that a 4 district area, with a 5-person, part-time board, with nonpartisan elections might work best. [We assume that he proposes one of these seats would be elected at-large.]

In Jackson County, all 3 current commissioners support an at-large system.

Commissioner Colleen Roberts warned that districts can have ‘agendas’ (meaning self-serving approaches). She thinks the at-large system “works the way it is.”

Commission Bob Strosser agrees. He prefers at-large and says that “as a public servant [he] wants to deal with the whole county.” He also thinks that people want to feel they can vote for all commissioners – not just one. Although interviewed separately, Mr. Strosser echoes Ms. Robert’s sentiment when he explained that districts set up a “turf game” even though the representatives [commissioners] represent the whole. Of note to us, the commissioner quoted himself from a previous exchange when he said “I once told someone – I never knew a community to be stronger by being divided.”

Commissioner Rick Dyer also opposes election of commissioners by districting, stating that the Board makes “decisions for the benefit of the entire county.” He thinks that no restructuring of County government is needed. He further explains that he would also oppose a hybrid districting system. [We assume that he means either a system like the city of Ashland – mentioned above, or a system in which some seats are elected by district and others at-large. The latter has come to be criticized for developing ‘super seats.’]

Former Commissioners

Several former Jackson County commissioners were in favor of transforming the county to a district system. Former Commissioner David Gilmour believed district elections would be helpful and should be examined every ten years for possible revision. It would give a voice to smaller communities and rural areas. Although the Commissioners deal primarily with county-wide issues, often the commissioners elected were from Medford. He said that cities should not dominate. Former Commissioner Tam Moore stated that “districts provide better representation” (although reminding us that changing the County Charter this way would not
be easy). Former Commissioner Sue Kupillas clarified that if the commission had a 5-member board, there should be “wards or districts.”

Former commissioner Jon Deason was of a different view and said there was no easy way to divide Jackson County into 5 districts (assuming from the previous part of the discussion that 5 were on the board). Mr. Deason said that equal populations would be difficult east/west and north/south. He further reflected on the whole process, saying it was ‘evolutionary.’ Explaining that in 1976 the board was all old/white/retired/men and the county was flush (reasonably) with money. Things are now a bit different, but the young couldn’t afford to run then (and that remains a problem). No former commissioners from Josephine County were interviewed.

Regarding this debate, Commissioner Kupillas stated that the biggest question (issue) is “does the current system allow for all interests to be represented on the commission?” [She then explained it has changed from rural/white/male to being diverse.] The first part of her question however restates the debate between those who want or oppose districts. There is rarely an exploration to look at improving the at-large system to “allow for all interests to be represented on the board?”

None of the commissioners addressed the issue of whether voters are more concerned about districts with geographic advantage (being located close to their representative) or whether they want to emphasize ideological representation (sharing views).

Another point of interest to the LWVRV committee, but not formally addressed for our two counties, is that districts (electing single winners) often tend toward gerrymandering complaints.

ELECTION STRUCTURE CHANGES

As mentioned earlier, our study question regarding election methods (the way we design and count ballots) that could represent more people was not easily answered by most of the commissioners. Former Commissioner David Gilmour may have said it most simply when ironically, he said, “it’s complicated.”

Although former Commissioner Tam Moore would support a study about the implementation of representative districts (as well as school funding), he does not want to change county structure. “It is well-run, and doing a good job.” He did however say that since the county population is growing (by immigration), we need to continually educate our population about government functions. While research and previous judicial findings exhibit the opposite, Mr. Moore thought that a change of system [to something like RCV] could result in litigation on the “one-man, one-vote” principle. However, we would agree with his assessment that “proportional representation is hard to sell.” Whether this be due to misinformation, difficulty in explaining benefits to those used to winner-take-all, efforts to maintain power, or fear of change, we believe his statement is accurate (at least for the time being).
Our conversation led Commission Bob Strosser to reflect on the rise of independents in Oregon (and elsewhere). He explained, “Personally, I don’t believe one party is always right and one always wrong... I have to listen and evaluate – and I reserve the right to do that. I want to think of gray, not just black and white.” Since changes in election systems can lead to greater voice for independents or third parties, this is a relevant consideration. Mr. Strosser further said, “Independents are not happy with absolutes (probably the reason their number is growing). Absolute adherence to a position disregards specific situations.”

SECTION 9.1
ADMINISTRATION OF ALTERNATIVE METHODS

Cost and management are always part of the discussion when changing any county structure. There is no exception when considering districts or new ways to handle an at-large system (with different ballots). These types of changes may likely require adoption of voting administration, changes to hardware and software, revision to training and voter education campaigns, which are vital when adopting any new ballot designs.

Chris Walker, Jackson County Clerk is one of the three mentioned below in the LWVOR report:

The three Oregon county clerks interviewed as part of our research all agreed that complexity and cost of equipment are important concerns and should be included along with other criteria when considering administering different voting methods.

When interviewed for the LWVRV study, Walker correctly stated that ranked choice voting (RCV) would only be “relevant” if three (3) or more candidates were running (for a single seat). She mentioned that Josephine Co. has a lot more people running for office, and that RCV may be more relevant as Josephine seems more political. “In Jackson, I think we would want to see more people running before doing that [ranked choice voting].” According to the clerk, Jackson generally appears a more stable county than Josephine (perhaps meaning fewer candidates). She believes there are “too many variables” to easily transfer to this system.

Walker added however, that education needs are most important. Similar to clerks around the nation (such as the Secretary of State in Maine) who have had to adopt changes like RCV, she said that education would be vital for such a transition. She added that voter education about any change in the procedure is difficult. It is already tricky with party primaries. (As an example, voters are now confused when they cannot vote because they are registered as Independents or another party not on the primary ballot.)

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21 Jackson, Lane, and Multnomah Counties
EQUIPMENT LIMITATIONS

As our LWVOR report pointed out, “many older vote-counting machines are designed specifically for the single vote, single winner election and can’t count other ballot styles.”...The exact equipment costs to convert to an alternative method would depend on the specifics, but in general a more complicated ballot with more options for voters, would be more likely to require costly new equipment and/or software updates.

Alan Zundel of RCV Oregon, an organization that advocates for ranked-choice voting in Oregon, researched which counties in Oregon have voting machines capable of handling ranked-choice voting. His research\(^2\) indicates that at best 12 of Oregon’s 36 counties have equipment as of mid-2016 that could handle a ranked-choice ballot. Jackson and Josephine are two of those now so equipped (using Clear Ballot). However, that does not mean that this equipment is ‘ready to go.’ It would take extra funding for software upgrades. Such funding may be established by appropriate future budgeting. [See LWVOR 2017 election methods study.]

Let us not forget the need to account for methods to recount ballots when necessary, such as when election results are close. The LWV supports the public’s need to be assured (guaranteed) that results are reliable, auditable, reproducible, accurate, and completed within a ‘reasonable’ amount of time. RCV ballots for at-large areas would be more difficult to recount for a total election because “it is important to capture more information when reviewing each ballot.” If an electronic recount of paper ballots is allowable, there is little concern, but a total recount by hand presents more difficulty. The city of Cambridge, Massachusetts, which has been holding at-large RCV elections for over 50 years, well before computer assistance, has shared their methods for recount with other jurisdictions around the nation. While the need may be rare, other at-large systems including Bloc, Semi-proportional, or other Proportional Representation systems may adapt easier if the only concern is a full hand count.

OTHER ELECTION ADMINISTRATION NOTES

When asked in general about thoughts for better possible policies or services, Chris Walker pondered a few ideas, such as voter registration being emailed as an attachment or a fax. And while she said some ideas may take legislation, they would like to reach out to voters where there is no DMV signature. Right now, it’s just an idea but they are interested in both security and all eligible voters having few hurdles.

One interesting point she explained to us covers both service to the voter and security. When a second ballot is requested (as in changing parties after ballots have been sent out), the 1\(^{st}\) ballot is deactivated. The 2\(^{nd}\) is sent clearly marked as the one to use. They will contact voters if the 1\(^{st}\) ballot, or both, are used. If they suspect there was ill intention, the Secretary of State’s office will be notified.

\(^2\) Retrieved 8/1/16 from: [http://www.socialecologicaljustice.com/democracy-elections/bring-ranked-choice-voting-oregon/] [Access to that link no longer appears available as of 9/1/18.]
SECTION 10
CITIZEN ENGAGEMENT AND PARTICIPATION

Around the country, states, counties and cities increasingly foster citizen participation in government decision-making to achieve important governance goals of policy legitimacy, effectiveness and fairness. The resulting meaningful dialog and actionable data can improve government policies and services, increase government transparency, and build public trust and support for decisions, as well as improve social and economic policy outcomes. Substantive citizen engagement goes beyond one-way information sharing and the limited citizen engagement and influence characteristic of open meetings and advisory boards to draw upon a range of “bottom-up” participation methods designed to achieve the informational and action goals of the situation—share information, deliberate, resolve conflict, make decisions, or coordinate actions.

In the current study, county interview participants were asked how their County Commission sought to engage citizens in decision-making processes for policies or services, and their ideas on ways to engage county citizens.

Interviews suggest that participation is founded on a Commissioner’s commitment to serving the public. The following are some of the highlights from the interviews:

- The most important role of a Commissioner is to be representative of the people and to serve ALL county’s people in ALL aspects of government.
- County culture is changing; Commissioner’s role may require encouraging all citizens to comment, and to reach out through public meetings and Citizen Advisory Committees.
- Calling people or talking to them one-on-one about their issues is a good way to engage them. Commissioner Strosser mentioned that “95% of that outreach goes well.” He not only thought that the public needs to be involved but said “talk to those with the problems, but then get them to participate in the solutions, not just in the problem identification.”

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24 See these sample citizen engagement approaches and resources:
More issues should be reviewed by citizens, and there needs to be a culture of being approachable. Outreach to citizens was emphasized. Some of these ideas included Town Halls and weekly business sessions, plus websites like www.share@co.josephine.or.us to help foster citizen participation. All new communication sources should be used (information technology and social media).

Interviewees further described a range of current and potential engagement tools. Danny Jordan particularly noted the need to be transparent—especially as the public in general already has a lack of trust in government.

Float trial balloons or use bully pulpit through media and meetings throughout the county to address concerns. Hold frequent evening meetings throughout the regions at libraries, granges, etc.

FINDINGS ON CITIZEN PARTICIPATION: OPEN GOVERNMENT AND CITIZEN PARTICIPATION

The League of Women Voters supports an open governmental system that is representative, accountable and responsive to its citizens, and believes that democratic government depends upon informed and active participation at all levels of government. Comments from county commissioners in both Jackson and Josephine indicate that counties see the value of citizen input and participation. Both counties use advisory boards for citizen input (see appendix 8). Overall, the commissioners actively work to reach out to engage their citizens, and they also expressed the desire to improve the current level and quality of participation. Despite active outreach on the part of individual Commissioners, it can be difficult to connect with citizens on an ad hoc basis or within the structure of a public hearing. Creating a culture of engagement can be further complicated by lack of citizen trust based on prior experience and exacerbated by current rancor in the national public discourse.

Image 4 – Common Sense Decision Making

County-level citizen participation could be strengthened by applying the lessons of “new governance” learned in other jurisdictions. Governing bodies around the country leverage the benefits of citizen participation by going beyond basic compliance with statutory requirements for public records, open meetings, and citizen comment. They formally adopt and consistently use a range of participation practices and structures, including e-media strategies.

These tools provide input, data, education, and citizen influence throughout the decision process to foster transparency and deliberation, build relationships, and create a culture of partnership with citizens.\(^{26}\)

The study committee believes that there are opportunities for Jackson and Josephine counties to go beyond open meetings and public records to use new tools and practices in their efforts to achieve open government and meaningful citizen engagement. Citizens want functional government, meaning government that works for everyone.

\[\text{The question we ask today is NOT}\]
\[\text{whether our government is too big}\]
\[\text{or too small,}\]
\[\text{but whether it works.......}\]
\[-- \text{President Barack Obama}\]

Counties can use participation to find common ground with citizens throughout the decision process, and to integrate multiple viewpoints into solutions that benefit the broadest base of constituents rather than choosing among factions. This will require committed Commission leadership that champions effective public engagement, clear roles and goals for participation, systematic processes for public engagement, and empowering citizens to influence policy outcomes. Under any system of representation, people are more likely to feel well-represented when county commissioners effectively partner with their citizens.

\(^{26}\) See these sample practices:
City of Portland (2010). *City of Portland Public Involvement Principles.*
https://www.portlandoregon.gov/civic/61272
SECTION 11
CONCLUSIONS

The League of Women Voters of Rogue Valley now includes both Jackson and Josephine County. These counties have much in common, though not in all matters, attitudes, needs or structure. The committee recommends to membership that during the consensus period we understand it is vital to both recognize practical differences in the needs between counties, as well as what we believe are the ‘best government’ practices despite county differences.

This means that we may wish to present a ‘gold standard’ in the areas of some questions, and yet adjust that to meet needs of each county if it seems appropriate. That dual approach may mean that identical recommendations for the counties are not necessary. We may rely on an attitude of “it depends.” Despite what findings will result from consensus meetings, we have updated or changed language to include Josephine County as part of this local government study. Ultimately, both counties will be part of our position (whatever is accepted by membership). This requirement to include Josephine County should be kept in the foreground as reading of the report, and preparation for consensus, proceed.

We sincerely ask the membership not simply to rely on the previous position or a tendency to ‘believe what you think’ in regard to any of the issues addressed. Instead, consider the pros and cons of several of the points in the scope of our study, such as the number of recommended commissioners or whether our elections should be partisan or non-partisan.

Another topic of the report to consider before consensus meetings is “districts” vs “at-large” elections. This question is included in a new area (election methods), thus not strictly a study “update”, although district/at-large elections were considered in the previous study. No strong defense of districts was presented in the 1998/99 study or position. Similarly, the election methods section explains why questions such as districts vs at-large elections are not always black and white matters. We have attempted to lay out relevant issues regarding ‘best representation’ for voters. Namely, considerations of single and multi-winner elections, and what the three different types of at-large elections mean for representation. Our report demonstrates why the type of ballot we use (the election method) is strongly linked to how an at-large system functions for our citizens, or not. The section on ‘Bloc’ at-large elections may explain why many minorities, or minority voices, believe they can never get a fair shot in at-large elections. We present the case that this is not accurate.

Keeping to the issues enumerated in the scope of this study/update, and as referenced above, the section covering election method systems draws on our state study and lays out advantages and disadvantages for Jackson and Josephine Counties. Alternative systems function differently depending on how they are implemented. For instance, Ranked Choice Voting (RCV) can be used for single seat elections (such as in a district, where it only ensures a majority win but can eliminate ‘spoilers’). And RCV can be used for At-large, or multi-winner, elections (where it
ensures more people are represented.) As mentioned above, gold standards and practicality must both be considered when implementing an alternative election system.

In all issues within the scope of this study, we have taken cost and finances very seriously. Frankly, an organization like the LWV must consider practicality regarding every question that confronts us (whether as an organization, as voters or as tax-payers). Simply put, we must realize that if a change is worth implementing, it is worth paying for. Thus, our decisions of support or opposition need to be made carefully as all our commissioners would explain they do when looking at the county budgets.

While not technically in the scope of this study/update, after careful consideration of interview responses, outside sources and deliberation, this committee notes that whenever possible counties should consider expanding their efforts for open, accessible governance by adopting more active, deliberative forms of community engagement that address a broad range of county decisions.

Finally, this study report has concentrated on both the counties that LWV of Rogue Valley represents and the general ideas of government structure, best representation and election systems. We would like to end with a portion of the LWV Oregon report due to the elegance of its language, thought and inspiration.

For thousands of years across numerous cultures we have struggled to find methods for making democratic decisions that are fair and reflective of the electorate. From throwing chits into urns to hundred-million dollar presidential primaries and the Electoral College, we have experimented with a wide variety of methods.

.... Some methods produce more representative results when used in homogenous communities, others require sophisticated technologies to execute, while still others emphasize ideological instead of geographic ideas of representation.

... Will growing numbers of non-affiliated voters, dissatisfaction with spoilers and other distortions lead us to depart from the historical default and try something new?

... Adjustments to the very foundation of our democracy must be made carefully and with due consideration so as not to have disastrous unintended consequences. This is why the League with our almost century-long, broad, nonpartisan perspective is the right organization to be reviewing and weighing in on changes when they are proposed. We hope the information contained in this update provides the information we need to make these decisions and help our community adapt to a growing and changing democracy. Together we make democracy work!
SECTION 12
CONSENSUS QUESTIONS

1) COUNTY ADMINISTRATOR ROLE  [Section 4.1]

Jackson County has a full-time County Administrator, but Josephine County does not. What would the pros and cons be for Josephine County to adopt a similar full-time position? [It would not demand a charter change to do this.]

Comments: __________________________________________________________________________

2) ELECTED VERSUS APPOINTED POSITIONS (Section 4.2)

In 1999, the League recommended that the County Treasurer position be abolished and replaced with an appointed Finance Officer. Jackson County made that Charter change the same year. The League also recommended that the Assessor and Surveyor should be appointed.

Discuss events that either support or change the basis of that position. Based on that discussion shall the League continue to recommend appointed, rather than elected, department heads for offices which require expertise in a professional field for Jackson and Josephine County?

__Support appointed Assessor
__Support appointed Surveyor & Assessor
__Support appointed County Counsel (legal counsel to county), currently appointed in Jackson, elected in Josephine
__Support appointed Surveyor, Assessor, Treasurer (Josephine County), County Counsel (legal counsel to county, currently elected in Josephine, appointed in Jackson)
__Support appointment for all offices except Sheriff and County Clerk
__Support appointment for all offices: Surveyor, Assessor, Treasurer (Josephine County), Sheriff, County Clerk and County Counsel (county legal counsel for Josephine and Jackson)
__Support election of all currently elected offices and appointed positions: Surveyor, Assessor, Treasurer (Josephine County), and County Counsel (county legal counsel Josephine and Jackson), as well as Sheriff, and County Clerk

Note: The District Attorney (DA) must be elected by Oregon law. In each Oregon County, the elected District Attorney is a county-funded state officer.
Source: Secretary of State Archives [Archives Division - Chapter 166; Division 150. COUNTY AND SPECIAL DISTRICT RETENTION SCHEDULE. 166-150-0095 District Attorney Records]
Qualifications for Nonpartisan Candidates as relates to the DA in Oregon: Candidate must be an Elector (18 years old) and a resident of state for 4 years (ORS 8.610). The DA must be admitted to practice law in the Oregon Supreme Court at time of election or appointment. (ORS 8.630) The Governor appoints qualified person to serve until successor is elected.

3) PARTISAN VS. NONPARTISAN [Section 4.3]

Of the counties that govern using Home Rule, only two (2) have partisan elections – Benton and Jackson Counties. A change to nonpartisan would require a change in the charter.

A. How do party labels help or hinder voters in local elections?
B. What are the benefits or drawbacks if Jackson County continues with partisan elections or changes to nonpartisan?
C. Should the 1998/99 study recommendation for nonpartisan elections be retained?

4) NUMBER OF RECOMMENDED COUNTY COMMISSIONERS [Section 5]

The 1998/99 Study recommended five or more Commissioners.

A. Discuss whether the number of Commissioners on a board influences their effectiveness or ability to govern? How?
B. What might the consequences be if the number of Commissioners were to increase?
   1) Full time
   2) Part time
   3) Volunteer
   4) Other (or Combination)
C. Based on the advantages and disadvantages listed in the report, shall the League continue to recommend a five-person board of commissioners rather than the current three members for a) Jackson County and b) Josephine County?

Yes / No / Equivocal Comments regarding Jackson

__________________________________________________________________________________

Yes / No / Equivocal Comments regarding Josephine

__________________________________________________________________________________
5) IMPACT ON BUDGETS FOR ADDITIONAL COMMISSIONERS [Section 6]

The LWVRV’s current position supports a Board of Commissioners of 5 or more members. The League’s current position also supports considering other options to full-time paid commissioners in either Jackson or Josephine County.

Considering JUST the budgetary impacts associated with increasing the number of commissioners and their full- or part-time status, both in Jackson and Josephine counties, is the LWVRV current position still valid and should it be retained?

Yes
No
Yes, with amendments
No, with amendments

Comments: ___________________________________________________________________

6) ELECTION METHOD PRIORITIES [Section 7]

In reference to any changes to the structure or election methods (type of ballot) in Josephine and Jackson County, there are various criteria to consider. Our LWVOR position on election methods states support of many criteria (encourage voter participation / voter engagement; encourage participation of minority opinions; easy to use; verifiable and auditable; promote access to voting; promote competitive elections; promote sincere voting over strategic voting; discourage negative campaigning; prevent political manipulation / gerrymandering; compatible with vote-by-mail elections). Many of these issues can translate to local government as well as state or national.

On a scale of 1-5, where 1 is “not preferred” and 5 is “most preferred,” rate the following criteria in terms of which would best serve the voice of all voters in Jackson and Josephine Counties. [Ratings numbers can be repeated.]

The System:

1 2 3 4 5 promotes protection of the two-party system
1 2 3 4 5 provides transparency to all regarding candidate party affiliation
1 2 3 4 5 elects a commission that proportionally reflects overall electorate
1 2 3 4 5 enables candidate/commissioner to serve all voters of the County
1 2 3 4 5 is easy to use and understand
1 2 3 4 5 is easy to administer by elections officials
1 2 3 4 5 encourages voter turnout and voter engagement
1. encourages those with minority opinions to vote
2. encourages cooperation across party lines
3. enables voters to elect local representatives from their geographic area
4. discourages negative campaigning
5. is not overly burdensome to taxpayers
6. is resistant to Gerrymandering
7. provides for the greatest level of voter representation

Comments: ___________________________________________________________________

7) ELECTION METHODS IN SINGLE OR MULTI-SEAT ELECTIONS [Section 7.2 and 8.0]

“The League of Women Voters of Oregon supports an election system that elects policy-making bodies—legislatures, councils, commissions, and boards—that proportionally reflect the people they represent” to that it is added that we support systems which “prevent political manipulation (e.g. Gerrymandering).”  There are many other issues and strategies mentioned in the LWVOR position.  These two would exclude support of small districts, vulnerable to gerrymandering and which tend toward the use of plurality in most areas (and as in Jackson and Josephine counties).  The original LWVRV report from the late 90s stated that “commissioners should be elected either at large or by a combination of district/at large....”

On a scale of 1-5, where 1 is “not preferred” and 5 is “most preferred,” rate the following scenarios in terms of which would best serve the broadest cross-section of voters. [Ratings numbers can be repeated.]

1. Status Quo.  At large with a plurality system of election (Bloc)
2. A District System with a Plurality (winner-take-all) system (discouraged by LWVOR)
3. A District System with a Ranked Choice Voting / Instant Runoff (also winner-take-all result) system (approved by LWVOR for single seat contests)
4. A hybrid system incorporating at large and districts with plurality threshold
5. A hybrid system incorporating at large and districts with a mix of different election systems (plurality or RCV / IRV for districts, semi-proportional or proportional for at large seats).
6. At large with election system such as Cumulative Voting (Semi-Proportional Representation)
7. At large with election system such as Ranked Choice Voting (Proportional Representation) (approved by LWVOR)
8) ALTERNATE METHODS ADMINISTRATION [Section 7, 8 and 9]

A question from the LWVOR study states “creating the ballots, educating voters, and counting the votes will require additional effort by our hard-working elections officers if alternative voting methods are chosen.”

Any new voting method should be instituted only after voters affected, from Jackson or Josephine County, agree to provide the necessary financial support to appropriate elections administrators to make technical changes and to educate voters.

_____ True
_____ False
_____ Equivocal / Situational

Comments:
____________________________________________________________________

9) PUBLIC PARTICIPATION [Section 10]

9A. On a scale of 1-5, where 1 is “not important” and 5 is “very important,” rate the following principles in terms of how important they are to encouraging citizen participation and engagement in Jackson and Josephine Counties[1].

1 2 3 4 5 Early involvement of citizens. County officials and staff involve community members in defining problems, identifying priorities, designing public involvement processes and county policies, programs, and projects.

1 2 3 4 5 Transparency. Public decision-making processes are accessible, open, honest, and understandable. Members of the public receive the information they need, and with enough lead time, to participate effectively.

1 2 3 4 5 Accountability. City leaders and staff are accountable for learning, facilitating and ensuring meaningful public involvement in the work of city government.

1 2 3 4 5 Citizen influence. Citizens influence policy decisions and receive feedback on how their input was used. Citizens have the opportunity to recommend projects and issues for government consideration.

9B. Implementation. How often do Rogue Valley county governments achieve these principles?

Always _____ Sometimes _______ Seldom_____ Never____

Comments: ____________________________________________________
9C. The LWVOR position states support for encouraging citizen participation and citizen engagement in county decisions and policy-making. Both counties currently use citizen advisory boards and committees. Public dialogue and decision-making processes should encourage participation of the community in its full diversity, and respect the values, interests and knowledge of all citizens. Are there additional principles to facilitate transparency and citizen participation in Rogue Valley counties that should be included in this position?

JACKSON COUNTY GOVERNMENT - 1999 League Position

Concerning the overall functioning of county government, the League believes that the Board of Commissioners (BOC) as the legislative and principal policy making agency of the county should pass appropriate ordinances, approve all budget decisions and act in its quasi-judicial capacity in land use matters.

Composition:

The League supports a Board of Commissioners of 5 or more members. The commissioners should be elected either at large or by a combination of district/at large and should be elected on a non-partisan basis. The League supports considering other option to full-time paid commissioners.

County Administrative Officer:

The League supports the BOC's delegation of administrative functions to a professional administrator, but reasserts the League's position that policy making shall be reserved to the BOC and that overall responsibility for all functions of the County's government ultimately rests with the Board of Commissioners.

The League believes that the position of Administrator should be incorporated in the County Charter in order to give more stability to that position. It further believes that the qualifications of that position should be established by ordinance.

Elected Department Heads:

Concerning elected department heads, the League believes that those offices which require expertise in a professional field, are not required to make policy decisions, and are not politically sensitive, should be appointive rather than elective.

The League believes that the Office of Treasurer should be abolished with those duties assigned to the Finance Officer. That office should be made appointive and the Charter amended to reflect these changes. The League believes that Jackson County should establish by ordinance qualifications for the office of Financial Officer.
The League believes that the offices of Assessor and Surveyor should be appointive rather than elected and that the Charter should be amended to reflect these changes. The qualifications of those offices must conform to state requirements.

**Citizen Participation in Jackson County Government:**

Concerning policies and procedures that facilitate citizen involvement, the League:

1. Continues to emphasize the importance of citizen involvement and citizen participation in the establishment of policy through citizen advisory groups and commissions.

2. Believes that the BOC should provide widespread notice throughout the county of all vacancies on advisory boards and commissions. The Board should establish terms of service and qualifications for such positions. It should conduct interviews and select candidates who will bring diversity and experience in their service to the County.

3. Reaffirms its belief in the importance of the Oregon Open Meetings Law. Notices and agendas for all public meetings of the BOC should be given widespread advance publicity in media throughout the county.

**Charter Amendments:**

The League believes that the Charter's election laws, (Charter, Chapter VII, Section 28: 1, 4, 5) should be amended to conform with state statutes. This would correct the current inconsistent time intervals regarding initiative and referendum.

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**APPENDIX 2**

**COMPENSATION OF COUNTY OFFICERS, DEPUTIES AND OTHER EMPLOYEES**

204.112 County compensation board; members; compensation review and recommendations. (1) Each county governing body shall appoint a county compensation board. A county compensation board shall consist of from three to five members, who are knowledgeable in personnel and compensation management.

(2) The county compensation board shall annually recommend a compensation schedule for the county elective officers mentioned in ORS 204.005.

(3) The county compensation board shall annually review the compensation paid to persons comparably employed by the State of Oregon, local public bodies and private businesses within a labor market deemed appropriate by the board for each elective officer. The county compensation board shall take into account such factors as the number of employees
supervised and the size of the budget administered by each elective officer, the duties and responsibilities of each elective officer, and the compensation paid to subordinates and other appointed employees who serve in positions of comparable management responsibility. The county compensation board shall prepare and approve by majority vote a recommended compensation schedule for the elective officers and shall submit the recommended compensation schedule to the county governing body.

(4) Notwithstanding subsections (1) to (3) of this section, the sheriff’s salary shall be fixed in an amount which is not less than that for any member of the sheriff’s department. [1989 c.941 §1]

204.115 [Repealed by 1953 c.306 §18]

204.116 Governing body to fix compensation of county officers, deputies and employees; disposition of fees. (1) Except as otherwise provided by law, the governing body of each county shall fix the compensation of its own members and of every other county officer, deputy and employee when the compensation of such individuals is paid from county funds.

(2) Any commission, fees or other moneys received by a county officer, deputy or employee for services rendered in the course of that individual’s office or employment may not be allowed to or retained by that individual, but shall promptly be paid into the county treasury except:

(a) For compensation fixed under subsection (1) of this section;
(b) As otherwise determined by the governing body of the county; or
(c) As otherwise provided by ORS 106.120 or 205.320 (1)(f). [1981 c.48 §2; 1997 c.253 §2; 1997 c.424 §2; 1999 c.776 §4; 2001 c.501 §8; 2015 c.27 §21]

204.120 [Renumbered 204.241]

204.121 Compensation and appointment of officers, deputies and employees in counties subject to county civil service law. It is the intent of the Legislative Assembly that no provision of ORS 204.112, 204.116, 204.126 or 204.601 shall supersede any provision of the county civil service law, and when any conflict arises between any provision of ORS 204.112, 204.116, 204.126 or 204.601 and any provision of the county civil service law, then the county civil service law shall prevail. [1953 c.306 §10; 1981 c.48 §4; 1989 c.941 §2]

204.125 [Repealed by 1953 c.306 §18]

204.126 Change in compensation of elective officers. (1) The compensation of any elective county officer shall remain in effect unless changed with the approval of the county budget committee or tax supervising and conservation commission.

(2) Before any change in the compensation of an elective county officer is effective, it must be submitted to and approved by the county budget committee or tax supervising and conservation commission at a regular meeting or at a special meeting called for that purpose. [1981 c.48 §3]
APPENDIX 3

OREGON 5-MEMBER BOC COUNTIES
MAP DEVELOPED BY LWVRV
### APPENDIX 4

**JOSEPHINE COUNTY COMMISSIONER ASSIGNMENTS**

<table>
<thead>
<tr>
<th>2018 - Approved</th>
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</thead>
<tbody>
<tr>
<td>Simon Hare</td>
</tr>
<tr>
<td>Parks</td>
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<tr>
<td>Community Development</td>
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<td>Facilities Services</td>
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<tr>
<td>Forestry</td>
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<td>Property</td>
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<th>Elected Officials</th>
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<tr>
<td>Assessor</td>
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<tr>
<td>Surveyor</td>
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<tr>
<td>Treasurer / Tax Collector</td>
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</table>

### Outside Agencies & Committees

- Parks Advisory Board
- Forestry Committee
- Mining Committee
- Rural Planning Commission
- Community Economic Dev. Com.
- Dunsmuir Campus Redevelopment
- Merlin/North Sewer Dist.
- Library Board
- Charter Communications / PEG
- Risk Assessment Committee
- AOC – Public Lands Co Chair
- O & C Exec. Board, Vice President
- Oregon Forest Trust Lands
- USFS/BLM
- NACo Public Lands Committee
- Housing & Com., Dev. Council

- BoFPA
- Mental Health Board
- Board of Health
- 911 Board
- EMS (Emerg. Medical Svcs.) Board
- LADPC (Local Alcohol & Drug)
- LPSCC (Public Safety Council)
- CASA
- Cannabis Advisory Board
- Chamber of Commerce: Gov’t Affairs, BR&E & Board
- *Regional Solutions
- AOC – Public Safety Vice Chair
- NACo – Telecommunications & Technology Steering Vice Chair
- Blue Zones
- *Court Security

### Full Board Outside Agencies & Committees

- 4-H Extension  
- 4-H Board  

<table>
<thead>
<tr>
<th>REPORT TO FULL BOARD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Finance Director – Arthur O’Hare</td>
</tr>
<tr>
<td>Elected Legal Counsel – Wally Hicks</td>
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<td>Human Resources – JJ Scofield</td>
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<table>
<thead>
<tr>
<th>BCC Staff</th>
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<tr>
<td>Budget Officer: Finance</td>
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<tr>
<td>Risk Manager</td>
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<table>
<thead>
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<th>REPORT TO FULL BOARD - LIAISON CHAIR</th>
</tr>
</thead>
<tbody>
<tr>
<td>I.T.</td>
</tr>
<tr>
<td>BCC Staff</td>
</tr>
<tr>
<td>John McCafferty</td>
</tr>
</tbody>
</table>

01/04/18
Oregon’s counties derive their powers from the state constitution and statutes, which establish the legal frame-work for county government and list the powers and duties of the governing bodies. Oregon offers two basic forms of government to its 36 counties, General Law or optional Home Rule Charter status.

Of the 27 General Law counties in Oregon, 18 utilize a board of commissioners as the county’s governing body and 9 employ the county court system. Both forms allow election of the governing body on an at large basis. The County Court system consists of a county judge and two commissioners. In addition to juvenile court or probate duties, the county judge has full-time administrative responsibility over county business. The commissioners of the court function on a part-time basis and serve as the governing body. All of the General Law counties may also appoint a county administrator. Clackamas, Deschutes, Jefferson, Linn, Marion, Union and Yamhill counties have an appointed administrator, and use boards of commissioners as the county governing bodies. Additional elected positions include the Assessor, County Clerk, District Attorney, Sheriff, Surveyor, and Treasurer.

Article VI, Section 10 of the state constitution permits county voters to adopt, amend, or repeal a county charter. This section also permits a general grant of powers in the charter to the county’s governing body. Charter counties elect their governing bodies from single-member districts, at large, or a combination thereof. Nine counties currently operate under a charter: Benton County, Clatsop County, Hood River County, Jackson County, Josephine County, Lane County, Multnomah County, Umatilla County, and Washington County. All of the Charter counties have a board of commissioners; five counties utilize five-member boards and three counties utilize three-member boards. Additionally, five charter counties appoint an administrative officer/administrator, who appoints most of the other department heads. These counties are Benton, Clatsop, Hood River, Jackson, and Lane. Multnomah County and Washington County have a “strong” chair, elected countywide, who holds administrative responsibility, including appointment and removal of department heads, subject to the board’s approval. In addition, Washington County has an appointed administrator to assist the chair.

Oregon’s counties provide a great variety of public services and facilities. State law mandates some county functions, while others are permissive. Counties are required to conduct tax appraisals, assessments and collections, and provide road maintenance, law enforcement, and public health services, among others. The list of permissive functions for counties is long and includes management of natural resources, fire protection, and public housing.

Source: NACo, 2008, pg. 62

APPENDIX 6
ELECTION METHODS POSITION (LWVOR)
NOVEMBER 2017

The League of Women Voters of Oregon recognizes that election methods affect how voters participate in our democracy, who can run for office, and who can get elected. Therefore, the League supports election methods that:

- Encourage voter participation and voter engagement.
- Encourage those with minority opinions to participate.
- Are easy to use.
- Are verifiable and auditable.
- Promote access to voting.
- Promote competitive elections.
- Promote sincere voting over strategic voting.
- Discourage negative campaigning.
- Prevent political manipulation (e.g. Gerrymandering).
- Are compatible with vote-by-mail elections.

The League of Women Voters of Oregon does not believe that plurality voting is the best method for promoting democratic choice in all circumstances. For single-winner systems, the League supports ranked-choice voting; we do not support range or approval voting.

The League of Women Voters of Oregon supports an election system that elects policy-making bodies—legislatures, councils, commissions, and boards— that proportionally reflect the people they represent. We support systems that promote stable government, but we do not support systems that protect the two-party system.

The League of Women Voters of Oregon supports enabling legislation to allow local jurisdictions to explore alternative election methods. If an alternative election method is adopted, then funding for startup and voter education should be available.

The League of Women Voters of Oregon does not support nonpartisan elections for state legislators.

APPENDIX 7
HOW RCV WORKS

[From LWVOR report p.15-16]

A ranked choice voting ballot lists all candidates for an office and asks voters to assign an order to them. Ballots are tabulated by first counting the first place vote on each ballot. If any candidate receives a majority of (first-place) votes cast (50% +1) she is declared the winner. If no candidate has a majority, the candidate with the fewest number of first place votes is eliminated.
The ballot of any voter who ranked the eliminated candidate first is then redistributed to that voter’s second choice candidate. If any candidate has a majority after this process, she wins. If still no candidate has a majority, the elimination process continues until one candidate has 50% +1 of the votes, to win. The system can be imagined as a simulated series of runoff elections where voters cannot change their preferences between rounds. See a short video of this counting process here: http://vote.minneapolismn.gov/rcv/.

Here is a sample ballot for ranked choice voting:

<table>
<thead>
<tr>
<th>1st Choice</th>
<th>2nd Choice</th>
<th>3rd Choice</th>
<th>4th Choice</th>
</tr>
</thead>
<tbody>
<tr>
<td>Michelle Obama</td>
<td>Lady Bird Johnson</td>
<td>Hillary Clinton</td>
<td>Eleanor Roosevelt</td>
</tr>
</tbody>
</table>

APPENDIX 8

SINGLE SEAT RCV – BENEFITS AND DRAWBACKS

Benefits of RCV

1. Ballots are more descriptive of a voter’s choice, expressing relative preferences.
2. Voter has wider range of options (generally including NOTA).
3. RCV reduces ‘spoiler effect’ allowing voters to cast their vote for a favorite without harming a candidate they also support (although less so) but who is more likely to win.
4. The system guarantees a majority result in final round.
5. Candidates are naturally encouraged to earn broad support across a majority of voters to obtain more votes. (They cannot simply ‘play to their base.’)
6. System tends to reward less negative campaigning.
7. It is strongly resistant to strategic manipulation\(^\text{27}\) by voters.
8. RCV has a moderate benefit of currently being used in many American cities, other nations, and even in the Oscars. While implemented in only one election so far, it is now used statewide in Maine (passed twice by citizen initiative).

Drawbacks.

1. A mathematical situation known as “monotonicity” is possible. [For the clearest explanation of this, see footnote from LWVOR report.]

2. The majority is achieved in the last round. But, if a voter’s ballot only contains votes for a candidate(s) eliminated before the final found, that ballot is ‘exhausted’ and doesn’t count toward the final total. Some critics say majority may not be of ALL ballots returned, but only of those still viable in the last round. This is somewhat similar to a delayed runoff where some voters may not return to the polls. (Single winner RCV – aka instant runoff voting – is much like a delayed runoff election, except that with RCV the count is immediate and in some cases, there is not the cost of a second election.)

3. There can be costs and administrative difficulties switching to an RCV system (Jackson and Josephine counties would both need new software). While there can be formidable savings if an RCV election replaces a delayed runoff election, this is not always possible. As an example, in Portland, as the LWVOR report explains “in many cases it is not possible to combine two entire elections… Oregon has little control over the federal partisan primary process. In these cases removing a single office from the ballot does not result in significant savings.” Still, for a city using an ‘instant runoff’ that would save money, it also increases voter choice in November elections, when a larger and more diverse electorate participates. However, to date, that has been an uncommon situation in Rogue Valley. For Jackson and Josephine counties there would be significant costs to implement the system.

4. Because votes have to be aggregated in a central administration office to determine how many ballots are cast, counting time could be increased, as it must be determined which candidate(s) to eliminate in each around. [Preliminary data is often released, but can be confusing to the public.]

5. Recount procedures are more complicated under ranked choice voting and would require additional administrative procedures for Oregon election officials. Some Oregon counties

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28 “Ranked choice voting is strongly resistant to strategic manipulation” by voters. In order to game-the-system, a strategic coalition of voters would need a relatively close race between at least three candidates and reliable information about how a very large percentage of voters would rank each candidate. Even with this information, a coalition runs a substantial risk of their plan backfiring and electing a less favorable candidate. Some discussion of inadvertent unintended effects is discussed below as monotonicity. Since success is unlikely, given the high risk gamble combination of all these factors, ranked choice voting is considered by experts to be resistant to strategic manipulation. In his simulation data on resistance to strategy, Green-Armytage et al. give ranked choice voting a near perfect score of 0.98. Monotonicity is the criterion that, all other things being equal, if you increase your desired candidate’s ranking then it must never hurt their overall election result. Because ranked choice voting is very sensitive to the order in which candidates are eliminated, there are situations where it is possible to cause your favorite candidate to lose by ranking her higher on your ballot. Similarly, it is conceivable that ranking a disfavored candidate lower on your ballot could cause that candidate to win.”

29 Scott, Tim (Director of Elections for Multnomah County), Committee interview conducted 10-21-2015

30 For example: Jackson and Tillamook Counties use the ES&S DS850 vote scanner, the same model used in Minneapolis for their RCV elections.
already own optical vote tallying equipment that can handle RCV, while others would likely need to purchase new equipment. None currently have purchased the needed software (even if they own equipment that can handle RCV). Both Jackson and Josephine fall under that category, having recently changed vendors and purchased equipment from a company called Clear Ballot.

APPENDIX 9
ADVISORY BOARDS DISCUSSION

Current status. Neither the 1978 Jackson County Charter nor the 1996 Josephine County Charter (amended) made provision for or mention of citizen involvement. Oregon has maintained a comprehensive statewide program focused on land use planning since 1973, which involves a cross-section of affected citizens in all phases of the land use planning process. Currently, Jackson County has 21 boards and commissions and Josephine County has 20 boards (as shown on the county’s respective websites), which all provide some form of citizen involvement. Most committee descriptions in the two counties stipulate that members are chosen based upon their relevant constituency or interest, geographical location, expertise and background diversity. Advisory meeting schedules are posted on county commission calendars on each county’s website.

In 1981, Jackson County Ord.#81-47 established designations for boards, committees and advisory groups. In 2006, the Jackson County Board of Commissioners established the Committee for Citizen Involvement focused on land use planning. In Jackson County, four advisory committees are mandated by state statute (Budget, Mental Health, Regional Disposal Site, and Taylor Grazing Fund). The Jackson County Board of Commissioners administrative code (section 213.02) provides for regularly scheduled meetings, public notice of meetings and agendas, and rules for conducting public hearings. An online BoC meeting archive posts meeting agendas, meeting minutes, and video recordings of Commission and land use meetings.
SECTION 14
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(Accessed Aug. 25, 2018)

(Accessed Aug. 24, 2018)


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Cover Graphic - County Oregon Map outline

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