



STATE OF WASHINGTON  
CONSERVATION COMMISSION

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April 20, 2018

Richard Mankamyer  
PO Box 234  
McKenna, WA 98558  
[Rmtcd6@gmail.com](mailto:Rmtcd6@gmail.com)

Dear Mr. Mankamyer,

The State Conservation Commission has received a number of complaints alleging neglect of duty and malfeasance by Thurston Conservation District Supervisors. The Commission has determined that there is sufficient cause to review each Supervisor, and has directed me to investigate. I am sending this letter to all Supervisors to describe the upcoming process.

According to state law, “a supervisor may be removed by the State Conservation Commission upon notice and hearing, for neglect of duty or malfeasance in office, but for no other reason.” RCW 89.08.200. The definitions of malfeasance and neglect of duty can be found in WAC 135-110-110. Our investigation will involve the following process:

- 1. Preliminary Investigation.** Investigator Kirk Robinson, along with other Conservation Commission staff, will be contacting each Supervisor to arrange interviews. We will also interview District staff. If you know of other individuals with first-hand information about alleged neglect and malfeasance, please provide us with their names. You are welcome to provide any additional information that you would like considered. This can include witnesses, documents, emails, or other records. Please provide any information to Investigator Kirk Robinson at [krobinson@scc.wa.gov](mailto:krobinson@scc.wa.gov). Do not contact Commissioners.
- 2. Investigation Report.** At the conclusion of the investigation by staff, a report will be produced and presented to the Conservation Commission’s executive director. The report will include information on any sufficient facts to show neglect of duty and/or malfeasance by any Supervisor(s).
- 3. Notice of Hearing (if any).** If the executive director determines, based on the investigation report, there are sufficient facts to present to the full Conservation Commission, we will issue a notice letter to the concerned Supervisor(s) under WAC 135-110-960 and RCW 89.08.200. This notice letter will explain the

specific elements for neglect of duty or malfeasance found, and the process for hearing.

- 4. Administrative Hearing.** After notice to any affected Supervisor(s), the Conservation Commission will conduct an administrative hearing under the authority of WAC 135-110, RCW 89.08 and RCW 34.05.410-494. The Commission (or a subset of Commission member(s)) will hear testimony, admit exhibits, and allow for cross-examination and legal argument. At the conclusion of this hearing, the Commission will enter findings of fact based on the preponderance of credible evidence. The Commission will then determine whether the facts constitute neglect and malfeasance, and determine whether to remove any Supervisor(s). The final removal decision(s), if any, will be appealable to the Superior Court as provided by RCW 34.05.510-.590.

No conclusions have been made at this time. You are free to retain an attorney to represent you. RCW 34.05.428. The Washington State Attorney General's Office is not available to represent individual employees, or local government officials. Please contact them directly if you need more information. If you retain counsel, please direct them to contact the Conservation Commission's attorney, Robin McPherson, at 360-586-6756. Please do not contact Conservation Commission members directly in this matter: any contact could be considered an inappropriate ex parte contact under RCW 34.05.455.

We are confident that this will be a full and fair process that will hear and resolve the complaints against District Supervisors. We understand this is a strenuous process for everyone involved and thank you in advance for your cooperation and professionalism.

Sincerely,



Mark Clark  
Executive Director