

1 **WHATCOM COUNTY CHARTER REVIEW COMMISSION**

2 Record of Proceedings  
3 Regular Meeting of March 23, 2015

4  
5 **1. CALL TO ORDER**  
6

7 Commissioner Ben Elenbaas called the meeting to order at 6:30 p.m. in the Lynden  
8 City Hall Annex, 205 - 4th Street, Lynden, Washington.

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10 **2. ROLL CALL**  
11

12 Present: Ken Bell, Todd Donovan, Chet Dow, Ben Elenbaas, Joe Elenbaas, Yvonne  
13 Goldsmith, Wes Kentch, Cliff Langley, Eli Mackiewicz, Richard May, Jon Mutchler, Eileen  
14 Sobjack, Thomas Stuen, Alie Walker

15 Absent: Barbara Ryan

16  
17  
18 **3. FLAG SALUTE**  
19

20  
21 **4. PUBLIC COMMENT SESSION**  
22

23 The following people spoke:

24 Scott Korthuis, Lynden Mayor, welcomed the Commission to Lynden.

25  
26 Sherry Lambert spoke about proposed amendment 11 to limit voting for the at-large  
27 position.

28  
29  
30 Greg Brown spoke about proposed amendment 4, amending the Preamble regarding  
31 diversity and Charter section 2.30.

32  
33 Elizabeth Volkart spoke about district-only voting, proposed amendment 10 to  
34 prohibit the Council from changing the Charter in certain circumstances, proposed  
35 amendment 4 regarding diversity, and proposed amendment 11 about limiting who can  
36 elect the at-large Council position.

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38 **5. APPROVAL OF MINUTES FOR MARCH 9, 2015**  
39

40 Joe Elenbaas moved to approve the minutes. The motion was seconded.

41  
42 The motion carried 14-0 with no debate.

43  
44 **8. NEW BUSINESS**  
45

46 Bell spoke about the Commission's process for discussion.

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48 Mackiewicz moved that the Commission work under small body discussion rules.  
49 There was no second.

50  
51 Joe Elenbaas moved to go into Committee of the Whole if there is need for a more  
52 informal discussion. The motion was seconded.

53  
54 Ben Elenbaas stated the Commission has that ability already, and the motion is  
55 superfluous.

1  
2 Mutchler moved to modify Robert's Rules of Order to allow the Commission Chair to  
3 hang onto the gavel, to make amendments if he wishes, and to discuss freely, as the rest of  
4 the Commissioners are free to do. The motion was seconded.

5  
6 Ben Elenbaas stated this item will be discussed later in the meeting as new business.  
7

8 **6. OLD BUSINESS: DISCUSSION AND POSSIBLE VOTE ON PROPOSED CHARTER**  
9 **AMENDMENTS FOR VOTERS AT THE NEXT GENERAL ELECTION**

10  
11 Proposed Amendment 4 from Jon Mutchler: Shall the Charter Preamble be amended to  
12 affirm the diversity of our citizens?

13  
14 Motion failed 5-9 with debate, with Donovan, Mackiewicz, May, Mutchler, and Walker  
15 in favor and Ryan absent.

16  
17 Proposed Amendment 8 from Jon Mutchler: Shall the Charter be amended to provide voter  
18 education concerning county officials' election titles by requiring ballots to refer to the  
19 Assessor as the "Property Assessor" and the Auditor as the "Auditor and Elections Officer"?  
20

21 Mackiewicz moved to delay a vote, postpone to the next meeting, and get feedback  
22 from the Assessor and Auditor on how this change may affect their ability to do their jobs  
23 and run their election campaigns. The motion was seconded.

24  
25 The motion carried 13-1 with debate, with Ken Bell opposed and Ryan absent.

26  
27 Proposed Amendment 9 from Todd Donovan: Shall the Charter be amended to provide for  
28 the election of Councilmembers countywide and by districts from which the candidate was  
29 nominated?

30  
31 The Chair called Committee of the Whole for discussion.

32  
33 *(Note: The Commission took a break from 8:05 p.m. to 8:25 p.m.)*

34  
35 Bell moved to postpone until someone writes transition language. The motion was  
36 seconded.

37  
38 Motion carried 14-0 with discussion, with Ryan absent.

39  
40 Proposed Amendment 10 from Chet Dow: Shall Charter Section 8.23 be amended to  
41 prohibit the County Council from proposing any Charter amendment to Charter Sections  
42 2.12 or 2.13?

43  
44 Motion carried 9-2 with debate, with Stuen and Walker opposed; Donovan,  
45 Goldsmith, and May abstained, and; Ryan absent.

46  
47 Proposed Amendment 11 from Cliff Langley: Shall the Charter be amended to require that  
48 the Councilmember At-Large reside in unincorporated Whatcom County and be elected by  
49 unincorporated county voters?

50  
51 Bell moved to withdraw this proposed amendment from consideration. The motion  
52 was seconded.  
53

1 The motion was withdrawn by general consent.

2  
3 **7. OLD BUSINESS: COMMISSION-APPROVED CHARTER AMENDMENTS**

4 *The Commission voted to forward these proposed amendments to Whatcom County*  
5 *voters. They are not scheduled for discussion at tonight's meeting. However, any*  
6 *commissioner may move to reconsider these amendments during any meeting.*  
7

- 8 • Proposed Amendment 1 from Joe Elenbaas: Shall the Charter be amended to provide for  
9 election of council members within the council district from which the candidate was  
10 nominated?
- 11 • Proposed Amendment 2 from Joe Elenbaas: Shall the Charter in Article 5.40 and Article  
12 5.60 be amended to increase the "concise statement" limit from 20 words to 40 words?
- 13 • Proposed Amendment 3 from Ben Elenbaas: Shall Charter Section 8.20 be amended to  
14 prohibit the County Council from proposing Charter amendments on matters that have  
15 been approved by a 2/3 majority of voters?
- 16 • Proposed Amendment 5 from Todd Donovan: Shall the Charter be amended to facilitate  
17 voting on initiative and referendum?
- 18 • Proposed Amendment 6 from Ken Bell: Shall the Charter be amended to apply term limits  
19 to the County Councilmembers?  
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25 **8. NEW BUSINESS**

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27 Pending Amendment from John Mutchler: Shall the Charter be amended to include a new  
28 section to require compliance with the Washington State Open Public Meetings Act and  
29 impose a civil penalty on violations of the Act?  
30

31 Mutchler stated he would like to hold this item as new business to the next meeting.  
32

33 The Chair restated the motion from earlier in the meeting from Jon Mutchler, who  
34 moved to modify Robert's Rules of Order to allow the Commission Chair to hang onto the  
35 gavel, to make amendments if he wishes, and to discuss freely, as the rest of the  
36 Commissioners are free to do. The motion was seconded.  
37

38 The motion failed 8-4-2 for a lack of two-thirds majority, with Goldsmith, Kentch,  
39 Langley, and Sobjack opposed; Ben Elenbaas and Joe Elenbaas abstained, and; Ryan  
40 absent.  
41

42 Pending Amendment from Eli Mackiewicz: Shall the Charter be amended to include four  
43 political parties, instead of two, in the districting process?  
44

45 Mackiewicz moved to submit his amendment as Old Business for discussion at the  
46 next meeting. The motion was seconded.  
47

48 The Chair stated he would schedule this item on the next agenda as Old Business.  
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50 Bell stated the Charter should define how Charter violations are determined and  
51 what happens if they are.  
52

53 **14. ADJOURN**

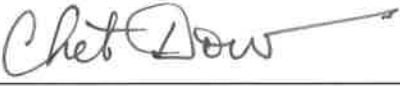
54 The meeting adjourned at 9:12 p.m.  
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The Commission approved these minutes on April 13, 2015.



Jill Nixon, Recording Secretary



Chet Dow, Commission Secretary



Ben Elenbaas, Commission Chair