

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
<i>Originator:</i>		11/4/2008		11/4/2008	Council
<i>Division Head:</i>					
<i>Dept. Head:</i>					
<i>Prosecutor:</i>					
<i>Purchasing/Budget:</i>					
<i>Executive:</i>					

TITLE OF DOCUMENT:
 Resolution correcting an error in County Executive's salary

ATTACHMENTS:

SEPA review required? () Yes () NO SEPA review completed? () Yes () NO	Should Clerk schedule a hearing? () Yes () NO Requested Date:
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SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE: *(If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)*
 Resolution correcting an error in the County Executive's salary

COMMITTEE ACTION:

COUNCIL ACTION:
 11/04/2008: Council Approved 5-2
 Caskey-Schreiber & Crawford opposed
 11/12/2008: Council Rescinded 4-3 Brenner,
 Caskey-Schreiber & Weimer opposed

Related County Contract #:

Related File Numbers:
 AB2008-121G AB2006-418
 AB2007-530

Ordinance or Resolution Number: R2008-72

Please Note: Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County's website at: www.co.whatcom.wa.us/council.

PROPOSED BY: Consent
SPONSORED BY: Weimer
INTRODUCED: November 4, 2008

RESOLUTION 2008- 072

RESOLUTION CORRECTING AN ERROR IN THE COUNTY EXECUTIVE'S SALARY

WHEREAS, the provisions of the Washington State Constitution provide the legislative body of charter counties with the authority to set the salary for the County Executive; and

WHEREAS, the Whatcom County Council under that authority passed Resolution 2007-073, which amended Resolution 2006-075, and thereby set the Executive's salary for the year 2008; and

WHEREAS, Resolution 2007-073 was in effect on July 1, 2008, when without County Council approval, knowledge, or any change to Resolution 2007-073, the County's Administrative Services Department raised the County Executive's salary based on an incorrect interpretation of the "Elected Officials Realignment" section of Resolution 2006-075; and

WHEREAS, Section 7.1.2 of Resolution 2006-075, the "Realignment" section, clearly states that such realignments for elected officials take place "during the first quarter of each year"; and

WHEREAS, no such realignment of the Prosecuting Attorney's salary, as outlined in Section 7.1.2 of the resolution took place during the first quarter; and

WHEREAS, nowhere else in Resolution 2006-075 does it provide for an automatic increase in the County Executive's salary based on 101% of the Prosecuting Attorney's salary; and

WHEREAS, on July 8, 2008 the Whatcom County Council passed Resolution 2008-047 which sets the Executive's salary from July 27, 2008 forward, and removed any reference to the Executive's salary being tied to the Prosecutor's salary; and

NOW THEREFORE BE IT RESOLVED, that the Whatcom County Council hereby directs the County Executive to work with his Administrative Services Department to ensure that this unauthorized salary increase is corrected immediately; and

BE IT FURTHER RESOLVED, that the Whatcom County Council directs the County Executive to report back to the County Council by no later than the Council's November 25, 2008 regularly scheduled meeting with a plan for how this unauthorized salary increase will be repaid to the taxpayers of Whatcom County.

APPROVED this 4th day of November, 2008.

ATTEST:

**WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON**

Dana Brown-Davis
Clerk of the Council



Carl Weimer, Council Chair

APPROVED AS TO FORM:

Civil Deputy Prosecutor