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2
3 WHATCOM COUNTY COUNCIL
4 **Committee Of The Whole**

5
6 April 13, 2010
7

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9
10 **CALL TO ORDER**

11
12 Council Chair Sam Crawford called the meeting to order at 12:10 p.m. in the Council
13 Chambers, 311 Grand Avenue, Bellingham, Washington.
14

15
16 **ROLL CALL**

17
18 **Present:** Barbara Brenner, Sam Crawford, Kathy Kershner, Bill Knutzen, Ken
19 Mann, L. Ward Nelson and Carl Weimer

20 **Absent:** None
21

22
23
24 **1. DISCUSSION REGARDING THE PROPOSED ORDINANCE AMENDING**
25 **WHATCOM COUNTY CODE 2.02, COUNTY COUNCIL (AB2010-143A)**

26
27 **- And -**

28
29 **2. DISCUSSION REGARDING THE PROPOSED ORDINANCE AMENDING**
30 **WHATCOM COUNTY CODE 2.03, BOARDS AND COMMISSIONS (AB2010-**
31 **143B)**

32
33 **WCC 2.02.020**

34
35 There was discussion on clarifying or changing the way they do things now; clarifying
36 the Ethics Commission section of the County Code; whether a sitting councilmember should
37 or should not vote for himself or herself; how six councilmembers can either work together
38 and discuss issues or stick with their voting blocks without keeping an open mind; how
39 timeframes can be manipulated; adding more confusion by trying to clarify one particular
40 situation; paying for a special election; creating a new set of rules that set a precedence
41 and may not be defensible; checking qualifications of applicants; whether or not they should
42 allow a sitting councilmember to be a nominee for a vacancy; the Ethics Code allowing the
43 opportunity for abuse, and; whether or not they should continue the Ethics process or rely
44 on State laws governing the actions of elected officials.
45

46 ***Kershner moved*** to amend Council packet page 71, Whatcom County Code (WCC)
47 section 2.02.020(B), "...shall not be eligible for appointment, unless that councilmember's
48 term will expire within 75 days of the appointment."
49

50 ***Brenner suggested*** a friendly amendment to structure the sentence in the positive,
51 not the negative.
52

53 ***Kershner accepted*** the friendly amendment.

1
2 Nelson suggested language, "A vacancy can only be filled by a non-sitting
3 councilmember."

4
5 Brenner suggested language, "If a councilmember resigns or is no longer available
6 for office, a special election will be held within 90 days."

7
8 **Kershner withdrew** her motion.

9
10 **Knutzen moved** to keep section 2.02.020 as it is currently, without the added, bold
11 language in the Council packet.

12
13 Crawford stated that's the way the language exists currently, and it doesn't need a
14 motion.

15
16 **Knutzen withdrew** his motion.

17
18 WCC 2.02.025

19
20 Discussion included whether or not a councilmember should be allowed to nominate
21 himself or herself for a Council vacancy.

22
23 Crawford referenced the proposed language change to section 2.02.025(B) on
24 Council packet page 71.

25
26 The following person answered questions:

- 27
 - Dana Brown-Davis, Clerk of the Council

28
29 **Crawford moved** to amend 2.02.025(B), "...~~shall~~ **may**..."

30
31 The motion to amend carried by the following vote:

32 **Ayes:** Brenner, Mann, Crawford, Knutzen, Kershner and Nelson (6)

33 **Nays:** None (0)

34 **Absent:** Weimer (1)

35
36 **Brenner moved** to amend 2.02.025(A), "...regular meeting. **No councilmember
37 may nominate or vote for himself or herself, but they may be nominated by another
38 councilmember.**"

39
40 **Kershner suggested** a friendly amendment to amend 2.02.025(A), "...regular
41 meeting. **No councilmember may nominate himself or herself, but may be nominated by
42 another councilmember.**"

43
44 **Brenner accepted** the friendly amendment.

45
46 The motion to amend carried by the following vote:

47 **Ayes:** Brenner, Crawford, Knutzen and Nelson (4)

48 **Nays:** Mann (1)

49 **Abstain:** Kershner (1)

50 **Absent:** Weimer (1)

1 **Nelson moved** to amend 2.02.025(A), "...regular meeting. No councilmember may
2 nominate or vote for himself or herself, but they may be nominated by another
3 councilmember."

4
5 **Brenner suggested** a friendly amendment, "...vote for him or herself, but they may
6 be nominated by another councilmember. A nominated councilmember shall be allowed to
7 vote for other nominees."

8
9 **Nelson did not accept** the friendly amendment, because it goes under the
10 procedure section in 2.02.030.

11 The motion carried by the following vote:

12 **Ayes:** Brenner, Crawford, Knutzen and Nelson (4)

13 **Nays:** Mann (1)

14 **Abstain:** Kershner (1)

15 **Absent:** Weimer (1)

16
17
18 WCC 2.02.030

19
20 Discussion included whether a majority vote should always be four votes and what
21 happens if there were multiple vacancies on the Council.

22
23 **Nelson moved** to amend 2.02.030(A), "An appointment to fill a vacancy on the
24 council shall be approved by majority vote of the council a majority affirmative roll-call vote
25 of the council."

26
27 **Nelson amended his motion** to amend 2.02.030(A), "An appointment to fill a
28 vacancy on the council shall be approved by majority vote of the council an affirmative roll-
29 call vote by a majority of the council."

30 The motion to amend carried by the following vote:

31 **Ayes:** Brenner, Mann, Crawford, Knutzen, Kershner and Nelson (6)

32 **Nays:** None (0)

33 **Absent:** Weimer (1)

34
35
36 **Brenner moved** to add to the end of 2.02.030(A), "The council majority shall be
37 four votes."

38
39 The motion carried by the following vote:

40 **Ayes:** Brenner, Crawford, Knutzen, Kershner and Nelson (5)

41 **Nays:** Mann (1)

42 **Absent:** Weimer (1)

43
44 Crawford stated they will hold this in Committee to continue discussion and
45 amendments.

46
47
48 **OTHER BUSINESS**

49 There was no other business.

1 **ADJOURN**

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The meeting adjourned at approximately 1:18 p.m.

Bill Nixon, Minutes Transcription

Please contact the Council Office to obtain an
official, signed copy:
360-676-6690 or council@co.whatcom.wa.us

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Dana Brown-Davis, Council Clerk

Sam Crawford, Council Chair