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WHATCOM COUNTY COUNCIL
Special Committee Of The Whole

June 22, 2010

CALL TO ORDER

Council Chair Sam Crawford called the meeting to order at 10:00 a.m. in the Council Chambers, 311 Grand Avenue, Bellingham, Washington.

ROLL CALL (10:04:29 AM)

Present: Barbara Brenner, Sam Crawford, Kathy Kershner, Bill Knutzen, Ken Mann and L. Ward Nelson

Absent: Carl Weimer

COMMITTEE DISCUSSION

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

There was discussion of whether Code section 2.02.095 should be moved to Whatcom County Code (WCC) 2.03, and how to remove people from appointed boards and commissions.

Crawford stated a motion was held from the last meeting on this issue. ***Councilmember Mann had moved*** to amend 2.02.095, "...and committees **which exercise administrative or legislative functions.**"

The following people answered questions:

- Dana Brown-Davis, Clerk of the Council
- Karen Frakes, Prosecutor's Office

Mann withdrew his motion.

Crawford moved to delete 2.02.095 in its entirety.

The motion carried by the following vote: (10:18:30 AM)

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

Nays: None (0)

Absent: Weimer (1)

Mann moved to amend 2.02.110 as it is proposed in the Council packet.

The motion carried by the following vote:

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

Nays: None (0)

Absent: Weimer (1)

Brenner moved to approve 2.02.130 as it's proposed in the Council packet.

1
2 The motion carried by the following vote:

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

4 **Nays:** None (0)

5 **Absent:** Weimer (1)

6
7 **Mann moved** to approve 2.02.135 as it's proposed in the Council packet.

8
9 The motion carried by the following vote:

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

11 **Nays:** None (0)

12 **Absent:** Weimer (1)

13
14 **Nelson moved** to amend 2.02.150, "The chairperson shall supervise the clerk of the
15 council, ~~the planning and policy analyst, and the contracted hearing examiner,~~ and other
16 personnel selected by the County Council; provided,...."

17
18 **Brenner suggested a friendly amendment** to eliminate the reference to the
19 Hearing Examiner.

20
21 **Nelson accepted** the friendly amendment, "The chairperson shall supervise the
22 clerk of the council, ~~the planning and policy analyst, and the contracted hearing examiner,~~
23 and other personnel selected by the County Council; provided,...."

24
25 The motion carried by the following vote:

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

27 **Nays:** None (0)

28 **Absent:** Weimer (1)

29
30 **Nelson moved** to delete 2.02.165 in its entirety.

31
32 There was discussion about whether the County Council may hire another planning
33 and policy analyst and not identifying a specific position in this code.

34
35 The motion failed by the following vote:

36 **Ayes:** Crawford, Knutzen and Nelson (3)

37 **Nays:** Brenner, Mann and Kershner (3)

38 **Absent:** Weimer (1)

39
40 **Brenner moved** to amend 2.02.165, "In addition to personnel who may be selected
41 in 2.02.150, The A position of planning, and policy, and/or budget analyst shall may be
42 employed as an independent staff member reporting to the county council, and shall would
43 be responsible for such duties as may be assigned by the county council."

44
45 **Crawford suggested a friendly amendment** to remove the first part of the
46 sentence.

47
48 **Brenner accepted** the friendly amendment, "The A position of planning, and policy,
49 and/or budget analyst shall may be employed as an independent staff member reporting to
50 the county council, and shall would be responsible for such duties as may be assigned by
51 the county council."
52

1 **Kershner suggested** a friendly amendment, (10:40:05 AM) "If additional staff
2 members are selected by the County Council, ~~The A position of planning, and policy, and/or~~
3 ~~budget analyst~~ they shall ~~may~~ be employed as an independent staff members reporting to
4 the county council, and ~~shall~~ **would** be responsible for such duties as may be assigned by
5 the county council."

6
7 **Brenner accepted** the friendly amendment

8
9 **Knutzen suggested a friendly amendment**, "If additional staff members are
10 selected by the county council, ~~The A position of planning, and policy, and/or budget analyst~~
11 they shall ~~may~~ be employed as an independent staff members reporting to the county
12 council, and ~~shall~~ **would** be responsible for such duties as may be assigned by the county
13 council **by an affirmative roll-call vote of two-thirds of the county council.**"

14
15 There was discussion on how the Council would select additional independent staff.

16
17 **Brenner accepted** the friendly amendment and **amended** the motion, "If additional
18 staff members are selected by the county council, ~~The A position of planning, and policy,~~
19 ~~and/or budget analyst~~ they shall ~~may~~ be employed as an independent staff members
20 reporting to the council, and ~~shall~~ **would** be responsible for such duties as may be assigned
21 by the council **by an affirmative vote of two-thirds of the council.**"

22
23 Nelson stated take the entire section out. Each council will have to decide how they
24 want to do the selection process. This will tie the hands of future councils on how they
25 should determine whether any type of analyst is used. They are defining specifics of what
26 that council can and can't do. However, a future council may change the language, so he's
27 not that uncomfortable with the language. He's more comfortable with Councilmember
28 Kershner's proposal to remove specificity. However, put it under the duties of the Chair.
29 The Chair will have to make sure an analysts work projects are established fairly.

30
31 **Crawford suggested a friendly amendment** to amend, "2.02.165 ~~Planning and~~
32 ~~policy analyst~~ Other staff reporting directly to the County Council. **If additional staff**
33 **members are selected by the county council, ~~The A position of planning, and policy, and/or~~**
34 **~~budget analyst~~ they shall ~~may~~ be employed as an independent staff members** reporting to
35 the council, and ~~shall~~ **would** be responsible for such duties as may be assigned by the
36 council **by an affirmative vote of two-thirds of the council.**"

37
38 **Brenner accepted** the friendly amendment.

39
40 **Kershner suggested a friendly amendment**, "2.02.165 ~~Planning and policy~~
41 ~~analyst~~ Other staff selected by the County Council. **If additional staff members are selected**
42 **by the county council, ~~The A position of planning, and policy, and/or budget analyst~~ they**
43 **shall ~~may~~ be employed as an independent staff members** reporting to the council, and ~~shall~~
44 **would** be responsible for such duties as may be assigned by the council **by an affirmative**
45 **vote of two-thirds of the council.**"

46
47 **Brenner accepted** the friendly amendment.

48
49 The motion carried by the following vote:

50 **Ayes:** Brenner, Mann, Crawford, Knutzen and Kershner (5)

51 **Nays:** Nelson (1)

52 **Absent:** Weimer (1)

53

1 **Mann moved** to approve 2.02.170 as proposed in the Council packet.

2
3 The motion carried by the following vote:

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

5 **Nays:** None (0)

6 **Absent:** Weimer (1)

7
8 **Knutzen moved** to approve 2.02.190 as proposed in the Council packet.

9
10 The motion carried by the following vote:

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

12 **Nays:** None (0)

13 **Absent:** Weimer (1)

14
15 Crawford stated this will go forward to the Council as amended.

16
17 **2. DISCUSSION REGARDING THE PROPOSED ORDINANCE AMENDING**
18 **WHATCOM COUNTY CODE 2.03, BOARDS AND COMMISSIONS (AB2010-**
19 **143B)**

20
21 The committee did not discuss this item.

22
23
24 **OTHER BUSINESS**

25
26 There was no other business.

27
28
29 **ADJOURN**

30
31 The meeting adjourned at 11:00 a.m.

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35
36 Please contact the Council Office to obtain an
37 official, signed copy:
38
39 360-676-6690 or council@co.whatcom.wa.us
40
41
42
43
44

45 _____
Dana Brown-Davis, Council Clerk

Sam Crawford, Council Chair