

**Whatcom County
Charter Review Commission**

Meeting Minutes

April 5, 1995

I. Call to Order

The meeting was called to order at 7:00 p.m. in the Courthouse Basement Multi-purpose Room, 311 Grand Avenue, Bellingham, by Chairperson Kathy Sutter.

II. Roll Call

Present:

Keith Ahrens
Danna Beech
Joe Elenbaas (arrived late)
Karen Frederick
Georgia Gardner (arrived late)
Yvonne Goldsmith
Don Hansey
Darlene McLeod
Ron Polinder
Ray Radke
Mary Scrimsher
Orphalee Smith
Mary Stender
Kathy Sutter
Terry Unger (arrived late)

Absent, but excused:

(None)

III. Approval of the Agenda

{Clerk's note: Gardner arrived at this point in the meeting.}

Smith moved to approve the agenda.

Beech seconded the motion.

Motion carried unanimously.

IV. Reading and Approval of Minutes from the March 29, 1995 Meeting

Stender moved to approve the minutes.

Ahrens seconded the motion.

Motion carried unanimously.

V. Open Session - Public Comments (15 minutes)

The Chair opened the floor for open session.

Speaker:

Dr. William S. Griffith, P.O. Box 1189, Point Roberts

{Clerk's note: Elenbaas and Unger arrived at this point in the meeting.}

The Chair closed open session.

VI. Discussion of Proposed Motions

The Commission discussed proper procedure. General conclusions:

1. Move motion
2. Discussion
3. Amendments
- 4.. Vote: Pass/fail or table for review/rewrite, then vote

Gardner moved to amend the Charter as follows:

{Clerk's note: for motion, see attached, proposed change #1}

Elenbaas moved, in order to accomplish that, then, that we divide the question and we have a vote currently on the first portion, 2.11.

Goldsmith seconded the motion.

After further discussion, Elenbaas withdrew his motion to amend.

Beech moved to amend this motion to change the number 5 to 9.

Motion failed for lack of a second.

Main motion failed, 13 - 2, with Goldsmith and Elenbaas in favor.

{Clerk's note: at this point in the meeting, the Chair called for a break}

Scrimsher moved to amend the Charter to read as follows:

{Clerk's note: for motion, see attached, proposed change #2}

McLeod seconded the motion.

Elenbaas moved to table this motion to a time certain, that being the next meeting of the Commission.

Goldsmith seconded the motion.

Motion carried unanimously.

Scrimsher moved to amend the Charter as follows:

{Clerk's note: for motion, see attached, proposed change #3}

McLeod seconded the motion.

Goldsmith moved to table it for better language.

Beech seconded the motion.

Motion carried unanimously.

VII. Break

The Chair called for a break at 8:20 p.m.

The Chair reconvened the meeting at 8:35 p.m.

VIII. Other Business

Bob Woods, County Budget and Program Analyst, offered the Commission copies of an article comparing the best city and worst county in the United States.

Polinder requested that the intern, Martin Otterson, research the ombudsman idea.

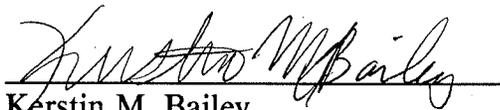
IX. Discussion of Next Agenda

Items to be included on the next agenda: call to order, roll call, approval of agenda, approval of minutes, open session, discussion of proposed motions (including Scrimsher's 2 motions that were tabled, Smith's motion, and three new ones), other business, discussion of next agenda, adjourn.

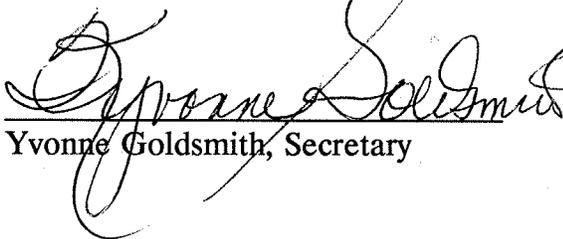
X. Adjourn

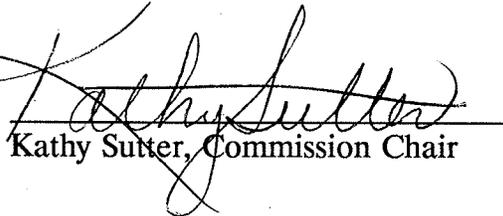
The meeting was adjourned at 9:30 p.m.

Respectfully submitted,


Kerstin M. Bailey
Recording Secretary

WHATCOM COUNTY CHARTER REVIEW COMMISSION


Yvonne Goldsmith, Secretary


Kathy Sutter, Commission Chair

Proposed Changes to the Whatcom County Home Rule Charter

1. (Georgia Gardner) I move to amend the Charter as follows:

Section 2.11 - ~~Three~~ **Four** Districts

The County Council shall consist of ~~seven (7)~~ **five (5)** members, selected as follows: For purpose of nomination of members of the Council, the county shall divide into ~~three~~ **four** districts so that each district shall comprise as nearly as possible ~~one-third~~ **one-fourth** of the population of the county. ~~On adoption of the charter, the existing commissioner districts shall constitute the three districts for the purpose of nomination of candidates to the County Council.~~

Section 2.12 - Nominations

(a) Nominees by district.

There shall be ~~two~~ **one** council positions in each of the ~~three~~ **four** districts, ~~designated position (A) and position (B), respectively.~~ At the primary election, the qualified electors of each district shall select two (2) candidates for each position to be filled from their district.

(b) Nominee at large.

There shall be one council position designated council member at-large, which shall be nominated without regard to district. The two candidates receiving the largest number of votes county-wide shall be certified as candidates for the position of council member at-large.

Section 4.20 Qualifications.

Each county officer holding an elective office shall be, at the time of his appointment or election and at all times while holding office, a citizen of the United States and a resident and registered voter of Whatcom County and council members shall be residents of the districts which they represent. Any change in the boundaries of the council member's district which shall cause that member to be no longer a resident of the district which that council member represents shall not disqualify that council member from holding office during the remainder of the term for which that council member was elected or appointed. ~~Any reduction in the number of Council positions allowed in each district shall not disqualify the council member whose term is nearest to completion from holding office during the remainder of that term.~~

Section 4.41 Districting Committee.

During the month of January, 1981, and by January 31 of each tenth year thereafter, a five-member Districting Committee shall be appointed. The County Council shall appoint four persons to the committee, two from each major political party, the four to appoint the fifth who shall be the Chairman. The Districting Committee shall within thirty (30) days of its appointment meet and appoint a Districting Master who shall be qualified by education, training and experience to draw a districting plan. If the Districting Committee is unable to agree upon the appointment of a Districting Master within thirty (30) days, the County Council shall appoint a Districting Master by March 31 of that year.

In the event that changes in the Charter result in increases or decreases in the number of districts, a Special Districting Committee shall be appointed as called for above if a regular Districting Committee would not otherwise be scheduled, by January 31 of the next year after the change shall have been approved by the voters. Establishment of a Special Districting Committee shall not alter the schedule for appointment of regular Districting Committees.

2. (Mary Scrimsher) I move to amend the Charter as follows:

Section 2.24 - Relationship with Other Branches

Except in the performance of its legislative functions under this Charter, as defined in Section 2.10, the County Council, its staff, and individual council members shall not interfere in the administration of the executive and/or administrative branch or executive branch. They shall not give orders to or direct, either publicly or privately, any officer, or employee subject to the direction and supervision of the County Executive, executive branch, or other elected official.

3. (Mary Scrimsher) I move to amend the Charter as follows:

Section 7.30 - Administration

The County Executive shall administer the personnel system of the county in accordance with the personnel rules adopted by the County Council by ordinance. Except for setting in place the personnel system and rules, the County Council shall not be involved in the day-to-day administration of the personnel system, except for the employment and supervision of the staff in the legislative branch, or as otherwise provided in this Charter.

4. (Orphalee Smith) I move to amend the Charter as follows:

Section 2.13 - Election Countywide

The qualified voters of the entire county the specific districts shall vote upon each council member position the Council Members from their respective districts at both the primary election and the November general election. The candidate receiving the highest number of votes for each position shall be elected.

**CHARTER REVIEW COMMISSION
SPEAKERS AT THE
MARCH 29, APRIL 5, APRIL 12, AND APRIL 19, 1995 MEETINGS**

March 29, 1995

(No members of the public spoke at this meeting.)

April 5, 1995

Dr. William S. Griffith, P.O. Box 1189, Point Roberts

945-1346

(See hand-out)

-I am not so upset about the taxes we are charged in Point Roberts as the lack of use of those taxes in Point Roberts. We receive a disproportionately low percentage of County services. Surely there must be some way to ensure a more equitable provision of services to the Point!

April 12, 1995

(No members of the public spoke at this meeting.)

April 19, 1995

1. Shirley Forslof, County Auditor

-Regarding Radke's motion to add Section 1.50, Performance and Strategic Planning: I think that the County should be doing long-term planning. It has in the past, but recently it's seemed more short-term. In order to do an audit, you have to establish a means of measurement. You might want to be more generic in the wording.

-Regarding requiring that candidates' names appear on the ballot as drawn by lot: if you look at the last election, it cost us \$6,000 to have the candidates' names rotate on the ballot. It requires extra printing, extra costs to set up automatic counting, and extra checking. Just the printing was about \$3,000. We looked at the overall results of the election to the results on the absentee ballots, which did not rotate. The order of the names did not seem to matter; people voted for the people they wanted. Because of the size of the Charter Review Commission, the cost of rotating names is exaggerated.

2. Robert Imhof, County Council Chair

-I think that an increase in the Council's salary appropriate. I think that you should also look at making the Council Chair a full-time position, in lieu of making everyone full-time. I can't take the time out to go to various meetings. By not having representation at those meetings, especially the ones that determine where money is spent, we miss out on our share. To have representation at those meetings would more than make up for the extra cost of the position and would greatly benefit the County. I'm concerned that Whatcom County is losing out on an ear at the State level. We're the only County in the state that has part-time representation. It would also give the position a little more power. It doesn't benefit me; this is my last year as Chair. The Council would still choose its own Chair; we'd just have to see who could do it and work it out. I don't think it should be tied to the

at-large position, because then you have that person on for four years. Right now, the Council Chair is one or two years.

-I spend 25 - 30 hours per week as the Chair.

-The position of Chair is as powerful as the person. I focus more on moving forward and getting things done than my predecessor did.

-In order to go to other meetings, half-time won't do it. With all the literature that comes across my desk, I could have put together an 80-hour week really fast. But even by the time I've sorted what I need to do from what I don't, it's still more than half-time. You need to make the position financially sound enough for the person to do a good job. If we don't have time, we end up sending staff, so staff ends up developing legislation, which is our job.

-I also think that it's important that the Charter have generic wording. If you have more specific language, you could recommend it to the Council as an ordinance or resolution, on the budget and any other items that come up that may not be appropriate for the Charter. I think the Council would be very receptive to that. Coming from a group like this, it would carry a lot of weight.

-I'd also like to caution you not to develop recommendations that come from the current personality problems, but rather look at the overall process. People going to meetings and saying, "This is the will of the Council," when, in fact, it's never come before the Council, is a problem with who gets elected and personalities.

-Having an ombudsman in the Executive's office would be a possibility. I do think that we need to do something differently.