

**Whatcom County
Charter Review Commission
Meeting Minutes**

May 3, 1995

I. Call to Order

The meeting was called to order at 7:00 p.m. at the Courthouse 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
Yvonne Goldsmith (arrived late)
Don Hansey
Darlene McLeod (arrived late)
Ron Polinder (arrived late)
Ray Radke
Mary Scrimsher
Orphalee Smith
Mary Stender
Kathy Sutter
Terry Unger

Absent, but excused:

(None)

III. Approval of the Agenda

Smith moved to approve the agenda.

Radke seconded the motion.

Motion carried unanimously.

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

IV. Reading and Approval of Minutes from the April 26, 1995 Meeting

Unger 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:

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

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

Gardner moved that we bring these proposed amendments forward and place them on next week's agenda.

{Clerk's note: "these proposed amendments" refers to a handout of amendments received from Mr. Griffith at the meeting. No vote is required to move these amendments forward to the next agenda.}

Goldsmith seconded the motion.

The Chair closed open session.

VI. Discussion of Proposed Motions

Radke withdrew his first motion from the agenda.

Goldsmith moved to amend the Charter by adding the following language to Section 1.51, Cooperation of Branches:

The Executive, Administrative, and Legislative Departments under the budget authority of Whatcom County shall perform long-term strategic planning and develop performance measurements.

Elenbaas seconded the motion.

Beech moved to amend the motion to put it under a separate section with the title "Performance and Strategic Planning".

Unger seconded the motion.

Beech withdrew the motion to amend.

Goldsmith withdrew the main motion.

Radke moved to reinstate his motion, which is to amend the Charter by adding the following section: Section 1.50 Performance and Strategic Planning.

Elenbaas seconded the motion.

Stender moved to amend the motion to make it Section 1.52, since we already have a section 1.50 from last time.

Radke seconded the motion.

Motion to amend carried unanimously.

By consent, the Commission replaced "establish a partnership intended to achieve" with "engage in".

By consent, the Commission removed the words "fix" and "establish".

By consent, the Commission replaced "determine" with "establish".

The Chair re-read the motion as the following:

Section 1.52 Performance and Strategic Planning

The executive and legislative branches shall engage in long-term strategic planning to establish organizational structure, priorities, and performance measurements.

Main motion, as amended, carried unanimously.

Radke moved to amend the Charter as follows by adding to Section 2.50 Resolutions an additional paragraph which will say:

At its first regular meeting of each calendar year, the County Council shall by resolution specify the date on which the County Executive shall provide the annual statement of

governmental affairs. This date shall not be less than thirty (30) days nor more than sixty (60) days from the date of resolution.

Goldsmith seconded the motion.

By consent, the Commission replaced "shall provide" with "shall present".

By consent, the Commission replaced "shall not be less" with "shall be not less".

Polinder moved to table this motion to a time certain, that being next week's meeting.

Beech seconded the motion.

Motion to table carried unanimously.

Radke moved to amend the Charter as follows:

Section 6.41 Budget Control.

At the beginning of each quarterly period during the fiscal year, and more often if required by resolution of the Council or by events, the County Executive shall submit to the County Council a written report showing the relation between the estimated income and expenses and actual income and expenses to date; and if it shall appear that the income is less than anticipated, the Council may reduce appropriations, except amounts required to meet contractual obligations and for debt, interest and other fixed charges, to such a degree as may be necessary to keep expenditures within the cash income.

Beech seconded the motion.

Motion failed, 1 - 14, with Radke in favor.

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

Radke moved to amend the Charter by adding the following section:

Section 8.25 Non-substantive Amendments by the County Council

The County Council may effect amendments to the language of the Charter where the passage of time or changes in law have rendered language moot or obsolete, and the amendment does not constitute a substantive change to the powers, authorities, and duties granted in this Charter. Such changes shall be made by ordinance, have public hearing, and be subject to the veto power of the County Executive.

Beech seconded the motion.

By consent, the Commission amended the motion to read:

Section 8.25 Amendments by the County Council

The County Council by unanimous vote of the entire Council may effect amendments to the language of the Charter where the passage of time has rendered language moot or obsolete. Such changes shall be made by ordinance, and have a public hearing.

Main motion, as amended, carried 14 - 1, with Stender opposed.

VII. Break

The Chair called for a break at 8:10 p.m.

The Chair reconvened the meeting at 8:25 p.m.

VIII. Other Business

Elenbaas moved to reconsider Section 1.51.

Beech seconded the motion.

Motion carried by a majority.

Gardner requested a listing of all amendments to date from Secretary Kerstin M. Bailey.

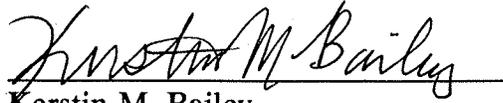
IX. Discussion of Next Agenda

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, other business, discussion of next agenda, adjourn.

X. Adjourn

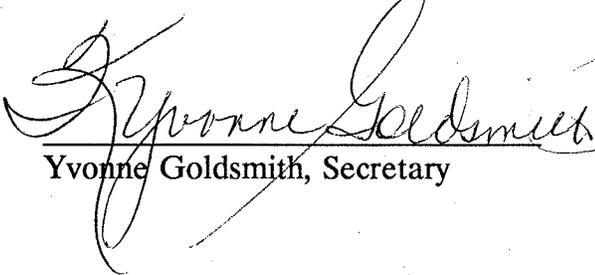
The meeting was adjourned at 9:00 p.m.

Respectfully submitted,

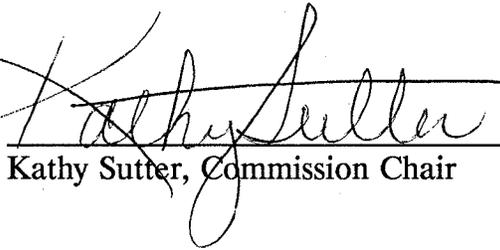


Kerstin M. Bailey
Recording Secretary

WHATCOM COUNTY CHARTER REVIEW COMMISSION



Yvonne Goldsmith, Secretary



Kathy Sutter, Commission Chair

**CHARTER REVIEW COMMISSION
SPEAKERS AT THE
APRIL 26, , MAY 3, MAY 10 AND MAY 17, 1995 MEETINGS**

April 26, 1995

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

May 3, 1995

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

945-1346

(See also hand-out received at May 3, 1995 meeting.)

-I am here to give you concrete suggestions that would address the inequities that the citizens living in Point Roberts face. I am suggesting four additions to the Charter:

1. Under 1.40, add, "A branch office shall be established to serve any non-contiguous part of the County which shares a common boundary with Canada and which is surrounded on three sides by water."

-It is clear that the Council would still have the power to establish additional branches. Thus far, the Council has not chosen to establish one in Point Roberts. The reason we feel that this issue should be addressed in the Charter, rather than leaving it up to the Council, is because Point Roberts truly is a unique place, requiring special legislation, just as the State has acknowledged through its legislation.

2. Under Section 3, add "Section 3.23.1 - Regional Agent: The County Executive shall appoint a regional agent without Council confirmation who shall be responsible for representing the Executive Branch of County Government in any non-contiguous part of Whatcom County which shares a common boundary with Canada and which is surrounded on three sides by water. The Regional Agent shall maintain an office in the specific area to be served."

-This regional agent would be appointed by the Executive without Council approval, just as other positions are currently filled.

3. Also under Section 3, add "Section 3.30 - Administrative Offices: The administrative offices of Whatcom County shall consist of those agencies of the executive branch which primarily provide administrative services for the various agencies of county government in all contiguous areas of the County as well as in any non-contiguous parts which share a common boundary with Canada and are surrounded on three sides by water."

4. Also under Section 3, add "Section 3.52.1 - Regional Agent: The powers and duties of the Regional Agent shall be set by the County Executive for the purpose of ensuring effective communication between the citizens living in any non-contiguous part of Whatcom County which shares a common boundary with Canada and which is surrounded on three sides by water and the Executive Branch of Whatcom County Government."

-We hope that these changes will provide the optimal additional structure, so that individuals of good-will will find it easier to work together, and so that we can be ensured

that someone from the Executive's office will be able to communicate and will be well-informed concerning the situation in Point Roberts. We feel that the taxes that we have been paying into the County are more than adequate to cover the costs of these changes.

-In January, the population in Point Roberts is approximately 2,000; 950 are American citizens. However, 85% of the property is owned by Canadians, who do pay taxes to the County.

-When we have invited officials and department heads to Point Roberts, we have had good cooperation; however, practically no one comes to Point Roberts without an engraved invitation.

May 10, 1995

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

May 17, 1995

1. Alvin Starckenburg, Council Member

676-6690

-I would like to strongly encourage you to consider placing the Planning Department under the Council. I think it would be the better format. First of all, the Council consists of seven elected officials who represent the diversity of the County. I think that land use ought to be represented in that way. The Executive is only one person elected to represent all. We would do better with seven members who know the issues. Also, I think it would make the entire operation move smoothly and quickly and be more in touch with what's going on. We wouldn't have to double up on some things, as I see happening now. It would be a significant move taking place. My only caution that is that when you lay it out, it should be clear that the Council should only be able to give direction to the director, not those under the director. Otherwise, it would create the problem of Council members going to individuals with their specific issues.

2. Barbara Brenner, Council Member

676-6690

-I support Don's amendment, but for different reasons than Alvin. I see planning as a pre-legislative condition, not administration. As legislators, we need that kind of interaction and working relationship before we legislate. When you're legislating and creating, you need your creative staff to help you. I never thought of this before; it's just a great idea.

-On the Point Roberts proposal, I think it's a neat idea, but I don't think it should come to the Council. I don't know if it should go to the voters either. I'm not sure if we're going to help Point Roberts that way, because I don't know if people are going to understand its significance. I'm afraid that it's going to get lost in the election.

-Point Roberts is one of the most controversial communities we've got. Conflict regarding Point Roberts occurs daily! It's really exciting. They deserve some of the services that the rest of the County gets; they are one of the biggest providers of revenue for as small as they are. I think it's a really good idea to give them somebody up there. It might be nice if that person answered to the Council, rather than the Executive, since they come to us with their problems all the time. Either way, they need more representation; I don't think this is asking for a lot.