

Whatcom County
Charter Review Commission

Meeting Minutes

June 14, 1995

I. Call to Order

The meeting was called to order at 7:00 p.m. at the Courthouse Council Chambers, 311 Grand Avenue, Bellingham, by Chairperson Kathy Sutter.

II. Roll Call

Present:

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

Absent, but excused:

Darlene McLeod

III. Approval of the Agenda

The Chair amended the agenda to make Hansey's motion of reconsideration the first motion under agenda item #6.

Elenbaas moved to approve the agenda.

Ahrens seconded the motion.

Motion carried 12 - 2, with Frederick and Smith opposed.

IV. Reading and Approval of Minutes from the June 7, 1995 Meeting

Ahrens moved to approve the minutes.

Stender seconded the motion.

Motion carried unanimously.

V. Open Session - Public Comments

The Chair opened the floor for open session.

Speaker: Skip Richards, P.O. Box 4150, Bellingham

The Chair closed open session.

VI. Discussion of Proposed Motions

Hansey moved to reconsider the vote with which we adopted two week's ago to place on the ballot the proposition to make the Executive an appointed position.

Ahrens seconded the motion.

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

Motion carried, 8 - 6, with Frederick, Smith, Goldsmith, Beech, Radke, and Stender opposed.

Hansey moved that we defer further consideration of the question of placing on the ballot the notion of making the Executive an appointed position until the first meeting in August.

Unger seconded the motion.

Motion carried, 9 - 5, with Frederick, Goldsmith, Radke, Smith, and Stender opposed.

{Clerk's note: Stender's first motion on the agenda, additional implementation language required with the motion to make the Executive position appointed, is automatically deferred to August with the motion to which it is attached.}

Gardner withdrew motions #4 and #5 on the agenda.

Elenbaas moved to amend the Charter as follows:

Section 1.30 Construction.

The power of the County shall be liberally construed; it is intended that this Charter confer the greatest power of local self-government consistent with the Constitution of the State.

Specific mention of a particular power or authority shall not be construed as a limitation on general power of the county, but shall be considered as an addition to and supplementary to or explanatory of the powers conferred in general terms by this charter.

To protect the interests of the citizens, impede unchecked growth in regulation and expense, and provide a basis for allocation of county resources, a threshold of 4 Full Time Equivalent County Employees shall be allowed for each 1,000 citizens. In the event this threshold needs expansion, said activity must be submitted to the voters by the County Council at the next general election.

Compliance shall be complete within one year.

References to adoption of ordinances by the County Council shall not be construed as impairing the right of the people to initiate or refer ordinances. The word "law" shall mean the Constitution and laws of the State of Washington unless context indicates otherwise.

Goldsmith seconded the motion.

Motion carried, 8 - 6, with Ahrens, Gardner, Polinder, Scrimsher, Stender, and Unger opposed.

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

Sutter moved to amend the Charter as follows:

Section 2.30 Ordinances.

Every legislative act shall be by ordinance.

The subject of every ordinance shall be clearly stated in the title, and no ordinance shall contain more than one subject. Ordinances or summaries of them, the places where copies are filed, and the times when they are available for inspection, shall be published when the ordinances are proposed and again upon enactment.

No ordinance shall be amended unless the new ordinance sets forth each amended section or subsection at full length.

All ordinances shall include a clearly stated intent and goal which is measurable within a specified time frame.

Ordinances may, by reference, adopt Washington State statutes, or any recognized, printed codes or compilations in whole or in part.

{Etc.}

Section 2.31 Review of Ordinances

All ordinances shall include a set date for review as to its effectiveness in accomplishing its stated goal. If, upon the required review by the County Council, the ordinance has not met its stated goal, it shall be retired.

After twenty-five (25) percent of the set duration of the ordinance has elapsed, a citizen petition signed by at least 25 registered Whatcom County voters may be submitted to the County Council requesting an early review of the ordinance. The County Council shall do such a review and hold a public hearing within sixty (60) days of submittal of the petition. A citizen requested review may result in the Council amending or repealing the ordinance.

If the required review is not done within the specified time period, the ordinance shall be automatically repealed.

Goldsmith seconded the motion.

Elenbaas moved to postpone it to a time certain that being the next meeting.

Beech seconded the motion.

Motion to table carried unanimously.

Hansey moved to amend the Charter as follows:

Section 6.71 Contingency Appropriations.

The annual budget ordinance shall include contingency funds which shall not be expended unless the County Executive certifies in writing that sufficient funds are available and the County Council adopts an additional appropriation ordinance ~~after being requested to do so by the Executive.~~

Goldsmith seconded the motion.

Motion carried, 9 - 5, with Ahrens, Polinder, Scrimsher, Stender, and Unger opposed.

Radke moved to amend the Charter as follows:

Section 3.52 Powers and Duties.

{Etc.}

The County Auditor shall be the recorder of deeds and other instruments which are required by law to be filed and recorded in the county; shall issue licenses and other records, as specified in county law and as an agent of the state; shall certify and administer all elections within the county and maintain voter rolls and records; shall audit county financial systems, records, and management procedures, to include quasi-official agencies

that receive funding or have taxing authority for compliance with recognized accounting principles and conformance to federal, state, and county laws, policies, and procedures; shall insure the adequacy and standing of county finances through certification of an annual financial report; and shall perform other duties as specified by county law.

{Etc.}

Goldsmith seconded the motion.

Motion failed, 2 - 12, with Elenbaas and Radke in favor.

Sutter moved to amend the Charter as follows:

Section 5.60 Referendum - Procedures.

Any legal voter, or organization of legal voters of Whatcom County may file a referendum proposal, against any enacted ordinance or portion thereof, with the County Auditor. The proposal shall be presented to the Auditor within ~~forty five (45) days after the ordinance is passed by the County Council~~ ten (10) days after the ordinance is signed by the County Executive or otherwise enacted as provided by this Charter. Should such referendum petition be so presented, said ordinance, or portion thereof, shall not take effect until the Auditor has completed the petition signature process, as provided in this section of this Charter.

{Etc.}

Section 2.30 Ordinances.

Every legislative act shall be by ordinance.

{Etc.}

Except as otherwise provided in this Charter, all ordinances shall take effect ~~ten (10) days after the date they are signed by the County Executive or otherwise enacted~~ on the day following the expiration of the referendum filing period, as provided for in Section 5.60 of this Charter, or at a later date if stated in the ordinance.

Frederick seconded the motion.

Motion failed, 1 - 13, with Radke in favor.

Polinder moved to amend the Charter as follows:

PREAMBLE

Treasuring the many wonders of our unique environment and realizing that the power and

duty to govern and protect this region is inherent in its people, we, the citizens of Whatcom County, in order to have a ~~more responsible and better integrated~~ government; which ~~advances justice~~ inspires confidence; and fosters ~~self-reliance~~ responsibility, do adopt as the foundation of our government, this Charter.

Smith seconded the motion.

Motion carried, 10 - 3, with Frederick, Goldsmith, and Scrimsher opposed, Radke abstained.

{Clerk's note: agenda motion #11 could not be made by Polinder, who originally voted against the motion, because only a member of the prevailing side can move to bring a motion up again. Polinder will be allowed to speak to the motion next week.}

VII. Break

The Chair called for a break at 8:25 p.m.

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

VIII. Other Business

Beech moved it.

{Clerk's note: from context, "it" refers to hand-out from Beech to be made as a recommendation to the Council, regarding purchasing and contracts.}

Unger seconded the motion.

Motion carried, 12 - 2, with Gardner and Stender opposed.

Polinder requested clarification regarding reconsideration.

Hansey discussed a hand-out of his motion that will be on next week's agenda.

Recording Secretary Kerstin M. Bailey noted that the next meeting will be in the Human Resources Training Room, Bellingham City Hall. She also inquired if the Commission will need a secretary in August.

County Budget and Program Analyst Bob Woods discussed the budget and a concern from Building Maintenance regarding the time of the Saturday meeting on July 8.

The Chair discussed the Commission's schedule and determined that the Saturday, July 8 meeting will be scheduled from 8:00 a.m. to 5:00 p.m.

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 motions, other business, discussion of next agenda, adjourn.

The Chair requested that time be allotted under "Other Business" to review the draft amendments.

X. Adjourn

The meeting was adjourned at 9:40 p.m.

Respectfully submitted,


Kerstin M. Bailey
Recording Secretary

WHATCOM COUNTY CHARTER REVIEW COMMISSION

Yvonne Goldsmith, Secretary

Kathy Sutter, Commission Chair

