

1 **WHATCOM COUNTY CHARTER REVIEW COMMISSION**

2 Record of Proceedings

3 Regular Meeting of February 23, 2015

4
5 **1. CALL TO ORDER**

6
7 Commission Chair Ben Elenbaas called the meeting to order at 6:30 p.m. in the
8 Lummi Administration Center, 2665 Kwina Road, Bellingham, Washington.

9
10 **2. ROLL CALL**

11
12 Present: Ken Bell, Todd Donovan, Chet Dow, Ben Elenbaas, Joe Elenbaas, Yvonne
13 Goldsmith, Wes Kentch, Cliff Langley, Eli Mackiewicz, Richard May, Jon Mutchler, Barbara
14 Ryan, Eileen Sobjack, Thomas Stuen, Alie Walker

15
16 Absent: None

17
18 **3. FLAG SALUTE**

19
20
21 **4. PUBLIC COMMENT SESSION**

22
23 The following people spoke:

24
25 Tim Ballew, Lummi Chair, welcomed the Commission to the Lummi Administration
26 Center.

27
28 Tyler Schroeder, Whatcom County Executive’s Office, stated he is available to
29 provide information on Charter amendment seven.

30
31 Regina Delahunt answered questions and provided information on Charter
32 amendment seven.

33
34 Suzanne Divan spoke against proposed amendment seven regarding prohibiting
35 nonprofit funding.

36
37 Kathy LeCocq, Lynden Senior Center Manager, spoke against proposed amendment
38 seven regarding prohibiting nonprofit funding.

39
40 Dana Hanks, Blaine Senior Center, spoke against proposed amendment seven
41 regarding prohibiting nonprofit funding.

42
43 Shirley Forslof, Council on Aging Board Member, spoke against proposed amendment
44 seven regarding prohibiting nonprofit funding.

45
46 Dolly Simplot spoke against proposed amendment seven regarding prohibiting
47 nonprofit funding.

48
49 Mary Carlson, Council on Aging Executive Director, spoke against proposed
50 amendment seven regarding prohibiting nonprofit funding.

51
52 Louise Bjornson, Council on Aging volunteer, submitted a handout (*on file*) and
53 spoke against proposed amendment seven regarding prohibiting nonprofit funding.

1 Janet Marino, Whatcom Peace and Justice Center, spoke against proposed
2 amendment seven regarding prohibiting nonprofit funding.
3

4 Charles Law spoke against proposed amendment seven regarding prohibiting
5 nonprofit funding.
6

7 Stoney Bird submitted a handout (*on file*) and spoke about proportional
8 representation on the County Council.
9

10 (*Note: Commission Chair Ben Elenbaas left the meeting at 7:30 p.m. Commission*
11 *Vice-Chair Joe Elenbaas assumed the duties of the Chair.*)
12

13 Paul Englesberg submitted a handout (*on file*) and spoke about proposed
14 amendment four regarding the Preamble.
15

16 Harriet Spanel spoke on proposed amendment one regarding district-only voting,
17 proposed amendment three about limiting Council-proposed Charter amendments, and
18 proposed amendment six regarding term limits.
19

20 Lucy Morse submitted a handout (*on file*) and spoke on the amendments regarding
21 the Preamble, district-only voting, and limiting county funding of nonprofit organizations.
22

23 John Munson, Ferndale Food Bank Board Member, spoke against proposed
24 amendment seven regarding prohibiting nonprofit funding.
25

26 Jim LeMaster, Ferndale Food Bank Board Member, spoke against proposed
27 amendment seven regarding prohibiting nonprofit funding.
28

29 Mike Cohen, Bellingham Food Bank Director, spoke against proposed amendment
30 seven regarding prohibiting nonprofit funding.
31

32 Karen Brown spoke about amendment one regarding district-only voting and
33 amendment seven regarding prohibiting nonprofit funding.
34

35 Greg Brown spoke about amendment one regarding district-only voting, amendment
36 three regarding limiting Council-proposed Charter amendments, and against proposed
37 amendment seven regarding prohibiting nonprofit funding.
38

39 Jean Quinliven spoke about limiting environmental study requirements for projects
40 around the county and limiting Council-proposed Charter amendments.
41

42 Micah Dilts spoke about proposed amendment seven regarding nonprofit funding and
43 district-only voting.
44

45 Karl Uppiano spoke about proposed amendment seven regarding prohibiting
46 nonprofit funding.
47

48 Joy Gilfillan spoke against proposed amendment seven regarding prohibiting
49 nonprofit funding and the budget process between the Executive and Legislative branches of
50 County government.
51

52 Kelly Bashaw, Bellingham School District and Whatcom Community College, spoke
53 against proposed amendment seven regarding prohibiting nonprofit funding.
54

55 (*Clerk's Note: The Commission took a break from 8:25 p.m. to 8:40 p.m.*)
56

1 **5. Approval of Minutes for February 9, 2015**

2 Dow moved to approve the minutes. The motion was seconded.

3
4
5 Mackiewicz stated the minutes should correctly reflect his vote against the motion to
6 adjourn.

7
8 The motion carried unanimously with no debate.

9
10 **6. Old Business: Discussion and Possible Vote on Proposed Charter**
11 **Amendments to Voters at the next General Election**

12
13 Proposed Amendment 1: Shall the Charter be amended to provide for election of council
14 members within the council district from which the candidate was nominated?

15
16 Joe Elenbaas moved to approve the proposed amendment.

17
18 The motion passed with debate 8-6, Commissioners Donovan, Mackiewicz, May,
19 Ryan, Stuen, and Walker opposed and Ben Elenbaas absent.

20
21 Proposed Amendment 2: Shall the Charter, in Article 5.40 and Article 5.60, be amended to
22 increase the "concise statement" limit from 20 words to 40 words?

23
24 Stuen moved to postpone to the next meeting. The motion was seconded.

25
26 The motion to postpone carried without debate 14-0 with Ben Elenbaas absent.

27
28 Proposed Amendment 3: Shall Charter Section 8.20 be amended to prohibit the County
29 Council from proposing Charter amendments on matters that have been approved by a 2/3
30 majority of voters?

31
32 Joe Elenbaas stated this item would be held for two weeks to allow the Commissioner
33 who proposed the amendment to be present and to allow legal counsel to do research.

34
35 The Commission concurred by general consent.

36
37 Proposed Amendment 4: Shall the Charter Preamble be amended affirm the diversity of our
38 citizens?

39
40 Mutchler moved to postpone to the next meeting.

41
42 The Commission concurred by general consent.

43
44 Proposed Amendment 5: Shall the Charter be amended to facilitate voting on initiative and
45 referendum?

46
47 Donovan moved to approve the proposed amendment.

48
49 Dow moved to amend to change the percentage from eight percent to 10 percent of
50 the gubernatorial election. The motion was seconded.

51
52 The motion failed with debate 6-8, with Commissioners Sobjack, Ryan, Langley,
53 Kentch, Dow, and Bell in favor and Ben Elenbaas absent.

54
55 The main motion carried with debate 12-2, with Commissioners Dow and Ryan
56 opposed and Ben Elenbaas absent.

1
2 Proposed Amendment 6: Shall the Charter be amended to apply term limits to the County
3 Councilmembers, Executive, Auditor, Treasurer, Assessor, and Sheriff?

4
5 This item was not discussed and was held to March 9, 2015.
6

7 Proposed Amendment 7: Shall the County Charter prohibit grants and expenditures to non-
8 profit organizations unless the County is reimbursed by another organization or jurisdiction?
9

10 This item was not discussed and was held to March 9, 2015.
11

12 **7. New Business**

13
14 Shall Charter Section 4.10 be amended to provide voter education concerning county
15 officials' election titles?
16

17 Mutchler moved to submit this item and schedule it as old business on the next
18 agenda. The motion was seconded.
19

20 The Commission concurred by general consent.
21

22 Shall the Charter be amended to provide for the election of County Council Members who
23 represent a district from which the candidate was nominated?
24

25 Donovan moved to submit this item and schedule it as old business on the next
26 agenda. The motion was seconded.
27

28 The Commission concurred by general consent.
29

30 May moved that all future agendas have two categories for Old Business. The first
31 category would contain proposed amendments the Commission has not yet considered. The
32 second category would be a continuing list of amendments already discussed and voted on.
33 The motion was seconded.
34

35 The motion carried 14-0 with Ben Elenbaas absent.
36

37 Shall Charter Section 8.23 be amended to prohibit the County Council from proposing any
38 Charter amendment to Charter Sections 2.12 and 2.13?
39

40 Dow moved to submit this item and schedule it as old business on the next agenda.
41 The motion was seconded.
42

43 The Commission concurred by general consent.
44

45 Shall the Charter be amended to require that the Councilmember At-Large reside in
46 unincorporated Whatcom County?
47

48 Langley moved to submit this item and schedule it as old business on the next
49 agenda. The motion was seconded.
50

51 The Commission concurred by general consent.
52

53 May moved to thank Lummi Nation Chairman Tim Ballew, II and his staff for hosting
54 tonight's meeting and providing refreshments. The motion was seconded.
55

56 The motion carried 14-0 with Ben Elenbaas absent.

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14. ADJOURN

Goldsmith moved to adjourn the meeting. The motion was seconded.

The motion carried unanimously.

The meeting adjourned at 9:30 p.m.

The Commission approved these minutes on March 9, 2005.



Ben Elenbaas, Commission Chair



Joe Elenbaas, Commission Vice-Chair



Chet Dow, Commission Secretary



Jill Nixon, Recording Secretary