

WHATCOM COUNTY COUNCIL AGENDA BILL

NO. AB2011-224C

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator:				2/14/2012	Finance/Intro
Division Head:				2/28/12	Council
Dept. Head:	<i>AB</i>	2.6.12			
Prosecutor:					
Purchasing/Budget:					
Executive:					

TITLE OF DOCUMENT:
Ordinance creating the Whatcom County Commission on Salaries for Election Officials

ATTACHMENTS:

SEPA review required? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> NO SEPA review completed? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> NO	Should Clerk schedule a hearing? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> NO Requested Date:
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SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE: *(If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)*

Ordinance establishing Whatcom County Code section 2.22, creating the Whatcom County Commission on salaries for elected officials

COMMITTEE ACTION:
 2/14/2012: Discussed. Committee recommends one change.

COUNCIL ACTION:
 2/14/2012: Introduced Substitute
 2/28/2012: Council Adopted 7-0
 Ord. 2012-008

Related County Contract #:	Related File Numbers:	Ordinance or Resolution Number: Ord. 2012-008
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Please Note: *Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County's website at: www.co.whatcom.wa.us/council.*

PROPOSED BY: CONSENT
SPONSORED BY: CONSENT
INTRODUCTION DATE: FEBRUARY 14, 2012

ORDINANCE NO. 2012-008

**ESTABLISHING WHATCOM COUNTY CODE SECTION 2.22, CREATING THE
WHATCOM COUNTY COMMISSION ON SALARIES FOR ELECTED OFFICIALS**

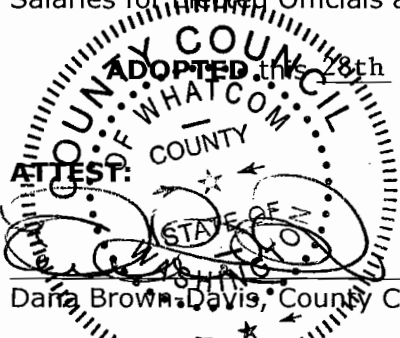
WHEREAS, on July 26, 2011, the Whatcom County Council adopted Ordinance 2011-026, submitting a proposed Charter amendment to the voters of Whatcom County to create a citizens' commission to review and set salaries for county elected officials; and

WHEREAS, the voters of Whatcom County approved the proposed Charter amendment at the November 2011 General Election; and

WHEREAS, the voter-approved Charter amendment requires that the Whatcom County Council establish by ordinance and in accordance with law an independent citizens' commission on salaries for elected officials which shall fix the salaries for the county council, executive, assessor, auditor, prosecuting attorney, sheriff and treasurer.

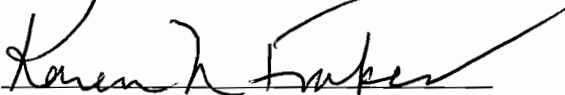
NOW, THEREFORE, BE IT ORDAINED that the Whatcom County Council hereby establishes Whatcom County Code 2.22, creating the Whatcom County Commission on Salaries for Elected Officials as outlined in "Exhibit A" to this ordinance

ADOPTED this 28th day of February, 2012.



Dana Brown-Davis, County Clerk

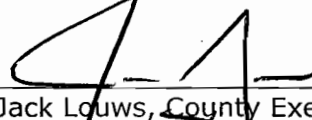
APPROVED AS TO FORM:


Civil Deputy Prosecutor

**WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON**


Kathy Kershner, Council Chair

Approved () Denied


Jack Louws, County Executive

Date: 3/6/12

EXHIBIT A

(ORDINANCE ESTABLISHING COMMISSION ON SALARIES FOR ELECTED OFFICIALS)

CHAPTER 2.22

WHATCOM COUNTY COMMISSION ON SALARIES FOR ELECTED OFFICIALS

Sections:

- 2.22.010 Established.
- 2.22.020 Purpose.
- 2.22.030 Duties.
- 2.22.040 Membership – Term of office.
- 2.22.050 Meetings and operation.
- 2.22.060 Compensation.
- 2.22.070 Referendum.

2.22.010 Established.

The Whatcom County Commission on Salaries for Elected Officials is hereby established as an independent county commission.

2.22.020 Purpose.

The purpose of the commission is to fix the salaries of the county council, executive, assessor, auditor, prosecuting attorney, sheriff, and treasurer in accordance with this chapter, the county charter, and state law. The commission shall study the relationship of salaries to the duties of the elected officials and fix the salary for each position. Except as provided in this chapter, the commission shall be solely responsible for its own organization, and shall enjoy the fullest cooperation of all elected officials, departments, and agencies of the county.

2.22.030 Duties.

(1) The commission shall prepare a schedule of salaries for elected officials for the succeeding two calendar years and file the schedules with the county council and county auditor no later than May 1, 2013, and no later than May 1 every two years thereafter. The chair of the commission shall sign each salary schedule filed by the commission, certifying that the schedules have been prepared and filed in accordance with the provisions of this chapter, Whatcom County Charter Section 6.100, and the rules, if any, of the commission.

(2) Except as provided in subsection (3) of this section, the salary schedules prepared and filed by the commission in accordance with this section shall become effective January 1 of the following calendar year. The salary schedules will be incorporated into the county budget without further action by the county council, county executive, or commission, provided that salary decreases established by the commission shall become effective as to incumbent elected officials at the commencement of their next subsequent term of office. Salary increases established by the commission shall become effective for all elected officials regardless of their terms of office.

(3) Salary increases and decreases shall be subject to referendum as provided in Whatcom County Code 2.22.080 and sections 5.50 and 5.60 of the Whatcom County Charter.

2.22.040 Membership – Term of office.

(1) The commission shall consist of ten members. Six members shall be selected by lot and appointed and confirmed as provided in subsection (2) of this section. The remaining four members shall be appointed and confirmed as provided in subsection (3) of this section. The members of the commission may not include any officer, official, or employee of the county or any of their immediate family members. For the purposes of this section, "immediate family member" means parent, spouse, domestic partner, sibling, child, or dependent relative of an officer, official, or employee of the county, whether or not living in the same household.

(2) Six of the ten commission members shall be selected by lot by the county auditor from among those registered voters eligible to vote at the time persons are selected for appointment to full terms on the commission. Of these six commission members, two shall be selected from each county council district established under Whatcom County Code 1.12. The county auditor shall establish policies and procedures for conducting the selection by lot. The policies and procedures shall include, but not be limited to, those for notifying persons selected and for providing a new selection if a person declines appointment or if, following the person's appointment, the person's position on the commission becomes vacant before the end of the person's term of office. The county auditor shall forward the names of persons selected under this subsection to the county executive who shall appoint those persons to the commission. Appointments made by the county executive shall be confirmed by the county council.

(3) Four of the ten commission members shall be selected and appointed by the county executive and confirmed by the county council. The members under this subsection shall be residents of the county and shall all have experience in personnel management. Of these four members, one member shall be selected from each of the following fields of expertise: business, professional personnel management, legal profession, and organized labor. The county council may confirm or reject appointments made under this subsection. If the council rejects an appointment the county executive shall promptly appoint another person meeting the requirements of this subsection.

(4) The members of the commission shall serve two-year terms, with their terms ending on December 31, 2014. Thereafter, all members shall serve for two years. No person may be appointed to more than two terms. Members of the commission may be removed by the county executive, with the approval of the county council, only for cause of incapacity, incompetence, neglect of duty, malfeasance in office, or for a disqualifying change of eligibility. Upon a vacancy in any position on the commission, a successor shall be appointed and confirmed to fill the unexpired term. The appointment and confirmation shall be concluded within thirty days of the date the position becomes vacant and shall be conducted in the same manner as the original appointment.

2.22.050 Meetings and operation.

(1) All business of the commission shall be subject to the Open Public Meetings Act, Chapter 42.30 RCW. The commission shall meet biennially as provided in Whatcom County Charter Section 6.100. However, the commission may meet as frequently as it deems necessary.

(2) The members of the commission shall elect a chair from among its members.

(3) The county executive shall provide clerical support for the commission from available county staff.

2.22.070 Compensation.

Members of the commission shall serve without compensation, but may receive reimbursement for mileage to and from meetings and for such other expenses directly related to their service if approved by the county executive.

2.22.080 Referendum.

(1) Salary changes fixed by the commission shall be subject to referendum in the same manner as a county ordinance except as otherwise provided in RCW 36.17.024. Referendum petitions shall be prepared and processed in accordance with Whatcom County Charter Section 5.60, except that pursuant to RCW 36.17.024 referendum proposals must be filed with the county auditor within thirty days after filing of the salary schedules.

(2) After the filing of a referendum petition the salary changes shall be suspended until approved by the voters as provided in Whatcom County Charter Section 5.60. If the voters fail to approve the salary changes for a two year biennium the commission may prepare and file a schedule of salaries for the second year of the biennium no later than May 1 of the first year of the biennium, which shall be prepared and filed and take effect as provided in Whatcom County Code 2.22.030.