WHATCOM COUNTY CHARTER REVIEW COMMISSION
Record of Proceedings
Regular Meeting of March 23, 2015

1. CALL TO ORDER

Commissioner Ben Elenbaas called the meeting to order at 6:30 p.m. in the Lynden City Hall Annex, 205 - 4th Street, Lynden, Washington.

2. ROLL CALL


Absent: Barbara Ryan

3. FLAG SALUTE

4. PUBLIC COMMENT SESSION

The following people spoke:

Scott Korthuis, Lynden Mayor, welcomed the Commission to Lynden.

Sherry Lambert spoke about proposed amendment 11 to limit voting for the at-large position.

Greg Brown spoke about proposed amendment 4, amending the Preamble regarding diversity and Charter section 2.30.

Elizabeth Volkart spoke about district-only voting, proposed amendment 10 to prohibit the Council from changing the Charter in certain circumstances, proposed amendment 4 regarding diversity, and proposed amendment 11 about limiting who can elect the at-large Council position.

5. APPROVAL OF MINUTES FOR MARCH 9, 2015

Joe Elenbaas moved to approve the minutes. The motion was seconded.

The motion carried 14-0 with no debate.

6. NEW BUSINESS

Bell spoke about the Commission’s process for discussion.

Mackiewicz moved that the Commission work under small body discussion rules.

There was no second.

Joe Elenbaas moved to go into Committee of the Whole if there is need for a more informal discussion. The motion was seconded.

Ben Elenbaas stated the Commission has that ability already, and the motion is superfluous.
Mutchler moved to modify Robert’s Rules of Order to allow the Commission Chair to hang onto the gavel, to make amendments if he wishes, and to discuss freely, as the rest of the Commissioners are free to do. The motion was seconded.

Ben Elenbaas stated this item will be discussed later in the meeting as new business.

6. OLD BUSINESS: DISCUSSION AND POSSIBLE VOTE ON PROPOSED CHARTER AMENDMENTS FOR VOTERS AT THE NEXT GENERAL ELECTION

Proposed Amendment 4 from Jon Mutchler: Shall the Charter Preamble be amended to affirm the diversity of our citizens?

Motion failed 5-9 with debate, with Donovan, Mackiewicz, May, Mutchler, and Walker in favor and Ryan absent.

Proposed Amendment 8 from Jon Mutchler: Shall the Charter be amended to provide voter education concerning county officials’ election titles by requiring ballots to refer to the Assessor as the “Property Assessor” and the Auditor as the “Auditor and Elections Officer”?

Mackiewicz moved to delay a vote, postpone to the next meeting, and get feedback from the Assessor and Auditor on how this change may affect their ability to do their jobs and run their election campaigns. The motion was seconded.

The motion carried 13-1 with debate, with Ken Bell opposed and Ryan absent.

Proposed Amendment 9 from Todd Donovan: Shall the Charter be amended to provide for the election of Councilmembers countywide and by districts from which the candidate was nominated?

The Chair called Committee of the Whole for discussion.

(Note: The Commission took a break from 8:05 p.m. to 8:25 p.m.)

Bell moved to postpone until someone writes transition language. The motion was seconded.

Motion carried 14-0 with discussion, with Ryan absent.

Proposed Amendment 10 from Chet Dow: Shall Charter Section 8.23 be amended to prohibit the County Council from proposing any Charter amendment to Charter Sections 2.12 or 2.13?

Motion carried 9-2 with debate, with Stuen and Walker opposed; Donovan, Goldsmith, and May abstained, and; Ryan absent.

Proposed Amendment 11 from Cliff Langley: Shall the Charter be amended to require that the Councilmember At-Large reside in unincorporated Whatcom County and be elected by unincorporated county voters?

Bell moved to withdraw this proposed amendment from consideration. The motion was seconded.
The motion was withdrawn by general consent.

7. OLD BUSINESS: COMMISSION-APPROVED CHARTER AMENDMENTS

The Commission voted to forward these proposed amendments to Whatcom County voters. They are not scheduled for discussion at tonight's meeting. However, any commissioner may move to reconsider these amendments during any meeting.

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

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

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

- Proposed Amendment 5 from Todd Donovan: Shall the Charter be amended to facilitate voting on initiative and referendum?

- Proposed Amendment 6 from Ken Bell: Shall the Charter be amended to apply term limits to the County Council members?

8. NEW BUSINESS

Pending Amendment from John Mutchler: Shall the Charter be amended to include a new section to require compliance with the Washington State Open Public Meetings Act and impose a civil penalty on violations of the Act?

Mutchler stated he would like to hold this item as new business to the next meeting.

The Chair restated the motion from earlier in the meeting from Jon Mutchler, who moved to modify Robert’s Rules of Order to allow the Commission Chair to hang onto the gavel, to make amendments if he wishes, and to discuss freely, as the rest of the Commissioners are free to do. The motion was seconded.

The motion failed 8-4-2 for a lack of two-thirds majority, with Goldsmith, Kentch, Langley, and Sobjack opposed; Ben Elenbaas and Joe Elenbaas abstained, and; Ryan absent.

Pending Amendment from Eli Mackiewicz: Shall the Charter be amended to include four political parties, instead of two, in the districting process?

Mackiewicz moved to submit his amendment as Old Business for discussion at the next meeting. The motion was seconded.

The Chair stated he would schedule this item on the next agenda as Old Business.

Bell stated the Charter should define how Charter violations are determined and what happens if they are.

14. ADJOURN

The meeting adjourned at 9:12 p.m.
The Commission approved these minutes on April 13, 2015.

Jill Nixon, Recording Secretary

Chet Dow, Commission Secretary

Ben Elenbaas, Commission Chair