

**Whatcom County
Charter Review Commission
Meeting Minutes**

May 10, 1995

I. Call to Order

The meeting was called to order at 7:00 p.m. at the Courthouse, 5th Floor Juvenile Courtroom, 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
Don Hansey
Ron Polinder
Ray Radke (arrived late)
Mary Scrimsher
Orphalee Smith
Mary Stender
Kathy Sutter
Terry Unger (arrived late)

Absent, but excused:

Darlene McLeod

III. Approval of Agenda

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

Smith moved to approve the agenda.

Goldsmith seconded the motion.

Motion carried unanimously.

IV. Reading and Approval of Minutes

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.

Seeing no one wishing to speak, the Chair closed open session.

VI. Discussion of Proposed Motions

Radke moved to amend the Charter as follows, and this is a continuation of our actions last week, by adding:

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. ~~The County Executive shall present an annual report of progress during the first week of May.~~

Beech seconded the motion.

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

Motion carried unanimously.

Smith moved to amend the Charter as follows:

Section 6.41 Budget Control.

~~At the beginning of each quarterly~~ ~~Within six weeks of the end of each quarterly~~ period during the fiscal year, and more often if required, 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.

Goldsmith seconded the motion.

Motion carried unanimously.

Gardner moved to amend the Charter as follows:

Section 1.40 Name, Boundaries, County Seat, and Classification.

The corporate name of this county shall remain Whatcom County, and it shall have those boundaries provided by the legislature.

The County seat shall be Bellingham, Washington. A branch office shall be established to serve any noncontiguous part of the County which shares a common boundary with Canada and which is surrounded on three sides by water. Additional bBranch offices of the county are authorized, and branches hereafter established shall be by ordinance.

Wherever "classification" is significant, this county shall be considered equivalent to a classified county of the class having the population of this county at the time of the last official census.

Smith seconded the motion.

Gardner moved that we table this issue for a certain 4 weeks from this meeting.

Goldsmith seconded the motion to table.

Motion carried 12 - 2, with Hansey and Radke opposed.

Gardner withdrew the next three motions.

Goldsmith moved to amend the Charter as follows:

Section 1.51 Cooperation of Branches

Though powers are distributed to the respective branches, each branch shall strive to work in partnership with the other branch for a unified government in order to advance public justice for the people of Whatcom County, which is the primary task of this government.

Stender seconded the motion.

Motion carried, 10 - 4, with Gardner, Polinder, Stender, and Unger opposed.

{Clerk's note: at this point in the meeting, the Chair called for a 20 minute break.}

Hansey moved that we consider a new Article 8 entitled Planning and Zoning, as has been handed out.

{Clerk's note: see attached copy of substitute amendment.}

Goldsmith seconded the motion.

Frederick moved that conceptually we move forward on this, Don's new plan, Article 8, Planning and Zoning, so that we can discuss it. . .until next week.

Beech seconded the motion.

The Chair restated the motion: the motion is to postpone consideration of it until the meeting next week.

By consent, the Commission decided to seek comments from Council Members and the Planning Department.

Motion carried unanimously.

VII. Break

The Chair called for a break at 8:07 p.m.

The Chair reconvened the meeting at 8:27 p.m.

VIII. Other Business

Georgia Gardner moved the passage of the following resolution:

WHEREAS, the Point Roberts community is unique in Whatcom County as the only area separated by international boundaries; and,

WHEREAS, the difficulties of interaction with County offices is not just difficult, but in some cases prevented by Canadian authorities; and,

WHEREAS, a branch office, either part time or full time, could be accomplished with little budgetary expenditure, because of the impending retirement of the full time road employee; and,

WHEREAS, the County would be well served by implementation of branch offices in outlying areas, of which Point Roberts could be a model,

BE IT RESOLVED THAT the Charter Review Commission urges the County Council to consider establishing a branch office, as authorized by current Section 1.40, at Point Roberts with a regional agent appointed by the County Executive.

Unger seconded the motion.

By consent, the Commission changed the resolution to a recommendation to the Council.

Main motion, as amended, carried unanimously.

Stender noted that next week is also the County Courthouse open house. Next week's meeting will also be in the Juvenile Courtroom.

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.

X. Adjourn

The meeting was adjourned at 9:20 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 Starkenburg, 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.