

**SNOHOMISH COUNTY
Charter Review Commission**

Corrected Minutes

Wednesday March 8, 2006, 6:30 p.m.
Public Meeting Room No.1
First Floor, County Administration Building East
Everett, Washington

Commission Members Present: Kim Halvorson, Gail Rauch, Ryan Larsen, David Simpson, Dianne Symms, Christine Malone, Mike Cooper, Mark Bond, Barbara Cothern Hawksford, Jim Kenny, Wendy Valentine, Kristin Kelly, Rick Ortiz, and Eric Earling.

Commission Member Excused: Renee Radcliff Sinclair.

Others in Attendance: Geri Modrell, Evelyn Spencer, Rick Bart, Bob Terwilliger, Grant Heppenstall, Patricia Saunders, John Campbell, Debbi Mock, Ron Ledford, Jackie Minchew, Bob Bolerjack, Lynn Clott, Steve Reinig, Aaron Reardon, and Allena Olson.

Call to Order: Chair Cooper called the meeting to order at 6:34 p.m.

Approval of Minutes: ACTION: Commissioner Simpson made a motion to approve the minutes of the last meeting held on February 22, 2006. Commissioner Larsen seconded the motion and was unanimously approved by the fourteen commission members present.

Approval of Agenda: Commissioner Symms inquired as to the decision on legal council at the meetings. Chairman Cooper stated that this would be discussed and during the budget item on the agenda.

ACTION: On motion of Commissioner Symms, seconded by Commissioner Ortiz, the agenda for this meeting was unanimously approved by the fourteen commissioners present.

Guest Speaker: Bob Terwilliger, County Auditor. The topics of Mr. Terwilliger's presentation included term limits, the performance auditor, and other legislative procedures practiced at the state level, which he thought would be worthwhile for the county to adopt. Please see the attached information for a more detailed description of Mr. Terwilliger's topics.

DISCUSSION: Commissioner Symms asked Mr. Terwilliger, about the state salary commission and that if commission set a salary, is there anyone that can veto that decision. Mr. Terwilliger replied that there was no one that could veto a decision from the commission. The determination of salary was solely up to the commission

Commissioner Halvorson asked Mr. Terwilliger to express his personal opinions on term limits. Mr. Terwilliger stated that while term limits were popular in the 80's and early 90's he believes that they are a bad policy. Mr. Terwilliger continued saying that voters know when certain elected officials should leave office and that term limits sometimes remove the best individual for the job for no good reason.

Commissioner Cooper challenged that perhaps the people want term limits, and continued on to inquire whether or not anyone had challenged the term limit policy. Mr. Terwilliger replied that the policy had not yet been challenged within Snohomish County, but that made it, in his opinion, no less a bad policy.

Commissioner Halvorson asked how long Mr. Terwilliger thought it took for elected officials to familiarize themselves with a position. Mr. Terwilliger replied that he thought on average it would take four years to familiarize with all that goes on and how things work related to the Auditors office.

Commissioner Cooper inquired as to whom there is to contact in Mr. Terwilliger's office that could give them information and due dates for any measures the commission may wish to put forward. Mr. Terwilliger replied that he is readily available, but if for some reason he is unreachable, to speak with Carolyn Diepenbrock his chief deputy for elections.

Commissioner Kenny addressed the term policy issue again, inquiring that if term limits are good for the president why they aren't good for county officials. Mr. Terwilliger replied that term limits are not good for the president. Commissioner Kenny continued, asking Mr. Terwilliger if he would propose some draft language concerning technical amendments for the commission to consider. Mr. Terwilliger stated that he would draft the language and speak with Chair Cooper about a timeline.

Commissioner Kelly stated concern that if voters determined to increase the size of the county council, is there enough time in 2007 to redistrict and meet new election timelines. She felt that it was too soon to redistrict, and wondered why there was such an early date. Mr. Terwilliger replied that redistricting was could be to meet election timelines.

Commissioner Earling noted the Commission has previously discussed the appearance of a conflict of interest given the current placement of the Performance Auditor under the County Auditor's office. He asked if the commission were to act to address that appearance of conflict, would moving the Performance Auditor to reporting to the County Council not be the best solution? Mr. Terwilliger replied that if there were to be a move, then moving to the Council would be a good one. He directed the Commission's attention to the copy of the memo and email attachment, pointing out the options to assure the independence of the Performance Auditor.

Commissioner Hawksford asked whether or not an individual can move from one position of a council to another after their term in the original position is over. Mr. Terwilliger replied this is not in accordance with policy.

Commissioner Kelly asked why not add council members every ten years when normal redistricting occurs? Mr. Terwilliger replied that there was no need to wait the tens years. The addition of individuals had been done with out incident in the past. What could happen is that there may be more that one individual representing a certain district at any given time upon completion of the districting plan. Commissioner Cooper offered an example of when this happened in the 1990's.

Commissioner Simpson asked Mr. Terwilliger about his opinion on appointed versus elected positions. Mr. Terwilliger replied that it had been brought up to change positions from elected to appointed three times since the 80's and every time the decision was made to stay with election. Mr. Terwilliger continued, to say that both have their strengths and weakness'. On the same topic Commissioner Rauch asked which cost more, an elected position or that which was appointed. Mr. Terwilliger replied that the position that was appointed would cost more, just in salary due to market rate considerations.

Commissioner Halvorson voiced her concern with the process of getting initiatives on the ballot and asked if a change could be made to include the signatures needed for a mini ballot to count toward the much larger number of signatures needed to get an initiative on the general election ballot. Mr. Terwilliger replied that there is no rule stating that this can not be accomplished; his only concern was that the signatures and the initiative may become "stale."

Commissioner Halvorson then asked if there were some way to have district by district initiatives. Mr. Terwilliger replied that this was a bad idea, creating too much complexity for managing such processes.

Guest Speaker: Aaron Reardon, County Executive. Mr. Reardon spoke about the salary commission, fiscal issues, and general housekeeping. topics. The topic of fiscal policies included information about a biennial budgeting, fiscal notes, fiscal responsibility, and fiscal housekeeping.

DISCUSSION: Commissioner Simpson asked Mr. Reardon what he thought of the issue of appointed vs. elected officials. Mr. Reardon replied that he felt Mr. Terwilliger answered that question quite well and that he echoed Mr. Terwilliger's sentiments. Mr. Reardon said that he felt one needs to be cautious what is put to the voters.

Commissioner Hawksford stated that she agreed with Mr. Reardon's thoughts related to the biennial budget. She asked why is there a need to have items pass by a super majority. Mr. Reardon said that with something like the budget he feels that it is

necessary to have a super majority. That what is being done must be well understood and backed.

Commissioner Rauch asked Mr. Reardon how he thought was the best way for the salary commission to function. Mr. Reardon replied that he would look at legislation from his past experience to formulate his thoughts on that. Commissioner Rauch followed with the question of whether or not Mr. Reardon would support a salary commission that operates like the state. Mr. Reardon answered that if the voters approved and wanted to take politics out of it that would be fine.

Commissioner Kelly inquired as to whether a biennial budget would save money. Mr. Reardon stated that there was nothing worked out on paper, and it may not be a direct savings of money, but there would be better staff time allocation which would lead to money savings through efficiency. Commissioner Kelly also asked about the spending lid and the availability of funds in an emergency. Mr. Reardon replied that in such a circumstance there would be budget cuts to cover the costs.

Commissioner Earling asked that Mr. Reardon point out the downside to annual budgeting other than the fiscal aspect. Mr. Reardon answered that voters want a more responsive government and that a biennial budget frees up more time for things other than budgeting. Staff can focus on evaluating the efficacy of programs...

Commissioner Malone asked for Mr. Reardon's thoughts on the line veto. Mr. Reardon stated that if there would have been such an option he would have only had to veto one of the three he vetoed. Commissioner Earling offered clarification of the policy of line item vetoes, that being section, or budget line.

Commissioner Hawksford inquired as to whether or not it would be helpful for the county and state biennial budgets to be offset by one year. Mr. Reardon stated that while that may be helpful the county and state operate on different fiscal calendars.

Commissioner Halvorson asked if there was a grants management team in the executive branch and if not does the executive branch sign off on all grants that are applied for. Mr. Reardon replied that grant applications are handled at the department level. The grant writers in the departments are given specific procedures they must follow.

Chair Cooper asked Mr. Reardon if, that if the commission chooses not to support these fiscal issues, can the county council approve? Mr. Reardon replied that indeed they could.

Discussion and action on By Laws: Commissioner Larson noted that the language he had requested in the By Laws about the need for subcommittees to be made up of an odd number of individuals was not in there. Chair Cooper acknowledged that it had been mistakenly left out, but would indeed be put in. Chair Cooper asked Mr. Reinig to put the language related to odd number of committee members into the By Laws.

ACTION: Commissioner Hawksford made a motion to accept the By Laws, with the editing of the language on subcommittees. Commissioner Rauch seconded the motion and it was unanimously approved by the fourteen commissioners in attendance.

Chairs Remarks: Chair Cooper brought up the topic of the budget for the commission, and the lack of adequate funding for full time presence of outside legal representation. Discussion ensued regarding the budget and the appropriate actions to be taken in dealing with the county council regarding the approval of a larger budget, as well as thoughts on the necessity and efficiency of legal representation at every commission meeting.

Commissioner Valentine stated that she was uncomfortable not having some form of legal representation at all of the meetings. Commissioner Halvorson said that she agreed with Commissioner Valentine and that the council should realize the commission has a job to do and requires adequate funding for that job. Chair Cooper advised that while he agreed it would be a wise decision to work within the council's guidelines.

There was further discussion on the options for legal council available if the funding required for the commission is not met. Commissioner Rauch commented that there should be a backup plan formulated in case the budget is not approved in a short time frame. There needs to be some adaptability. Commissioners were requested to contact county council members and educate them on the need for the funds. Chair Cooper was to meet with them as soon as appointments could be made. There continued to be discussion of utilizing the Prosecuting Attorney if a solution could not be found partially or in full

ACTION: Commissioner Hawksford moved to defer action on the lawyer's contract. Commissioner Larsen seconded the motion. The motion was unanimously approved by the fourteen commissioners in attendance.

Staff Comments: Mr. Reinig noted that the web page is ready and with the blessing of the commission he could put it out for the public. He also spoke about Survey Monkey, saying that with the okay of the commission he can go ahead and post a survey.

ACTION: Commissioner Ortiz made a motion to allow Mr. Reinig to move ahead with both projects. Commissioner Bond seconded the motion and, it was unanimously approved by all fourteen commissioners in attendance.

Public Comment: ACTION: Commissioner Larsen made a motion to extend the meeting eight minutes as to allow time for public comment. Commissioner Hawksford seconded the motion, and it was unanimously approved.

Mr. Lynn Clott from Tulalip asked that the set up with the microphones be improved. He stated that it was difficult to hear many of the commissioners that were not sitting right next to one of the four microphones available. Chair Cooper replied that there was nothing to be done short of rewiring the meeting room. Mr. Clott brought up the option of soliciting a law student for legal advice and/or ballot writing at a lower cost. Chair Cooper replied that a law student was not an option, stating that this was a legislative branch of the government and therefore legal representation should be from a lawyer.

Ms. Evelyn Spencer from Everett inquired as to when the public will have access to the website. Steve Reinig replied that the information would be available the next day, Thursday, March 9, 2006. Commissioner Valentine commented that she thought the web site should be published in the Herald.

Other: Commissioner Rauch inquired as to the address of the next meeting. Chair Cooper informed everyone that it would be held in Edmonds City Hall at 6:30 p.m. Commissioner Kenny requested that meetings that were to be held out of Everett be scheduled for 7:00 p.m. rather than 6:30 p.m. as to allow more travel time. Chair Cooper said that while the time of the next meeting had already been published that 7:00 p.m. time for future out of Everett meetings could be done.

Adjournment: The meeting was adjourned at 8:36 p.m.

Minutes Submitted by:

**Allena Olson
Recorder**