



CLALLAM COUNTY CHARTER REVIEW COMMISSION MINUTES of July 9, 2020

MEETING OF THE CHARTER REVIEW COMMISSION (CRC)

Chair Erzen called the meeting to order at 6 p.m., Thursday, July 9, 2020. Also present were Commissioners Lotzgesell, Morris, Turner, Hunter, Murray, Cameron, Pratt, Stoffer, Richards, Doherty, Corrado, May, Stokan, Doherty and Fleck. All Commissioners appeared by either video or audio. Due to Governor's Proclamation (COVID-19) in person attendance was prohibited.

APPROVAL OF AGENDA

Commissioner Stokan requested to address the public comment list, the website and minutes.

ACTION TAKEN: Commissioner Turner moved to adopt the agenda as modified, second; motion carried (14 voted in favor of)

APPROVAL OF MINUTES

- Meeting Minutes June 25, 2020

Commissioner Stokan requested to list in the minutes how each Commissioner voted on a motion during the meeting. Commissioner Erzen updated that only amendments that are placed on the ballot will list each Commissioners vote.

ACTION TAKEN: Commissioner Stoffer moved to approve the minutes as presented, second; motion carried (14 voted in favor of)

ACTION TAKEN: Commissioner Stokan moved that all of the votes regarding the amendment proposals will include how each Commissioner voted, no second; motion defeated

PUBLIC COMMENT

- Ed Bowen, Clallam Bay, commented on survey questions 10 – Trust Lands, Department of Community Development Committee report materials, Open Public Meetings Act and BlueJeans chat log.
- Elizabeth Athair, Port Angeles, commented on the Electromagnetic Field (EMF)/5g/Franchise proposal.
- Sidney Collins, Port Townsend, commented on the EMF/5g/Franchise proposal.
- Stephen Levine, Sequim, commented on the EMF/5g/Franchise proposal.
- Rose Marschall, Port Angeles, commented on the EMF/5g/Fran proposal.
- Rick Marschall, Port Angeles, commented on the EMF/5g/Franchise proposal.
- Kraig Kylo, Port Angeles, commented on the EMF/5g/Franchise proposal.
- Dr. Linda Melos, Sequim, commented on the EMF/5g/Franchise proposal.
- Commissioner Ozias, Sequim, commented on the County Administrator proposal.

CORRESPONDENCE/PETITIONS

Gores noted receipt of correspondences from Commissioner Turner, Commissioner Ozias, Commissioner Stokan, William Kildall, Stephen Landess, Darlene Schanfald, Kraig Kylo, Stephen Levine PhD, Rose Marschall, Elizabeth Athair, Carol Gallup and Martin T. Shaw (see attached).

REPORTS

- Survey Results – Commissioner Morris

Commissioner Turner provided a report on the survey. She pointed out that she is calling the survey a citizen input tool and feels the Commissioners can do what they want with the results. She noted there were 749 responses received back from the public. Commissioner Morris commented responses were received from across the entire county. She felt due to COVID the survey was a good way to receive responses.

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- County Administrator Committee Report – Commissioner Turner
Commissioner Turner provided a County Administrator Committee Report. She noted the committee has some proposed language and is planning to have it sent soon.
- Department of Community Development Committee Report – Commissioner Pratt
Commissioner Pratt provided a Department of Community Development Committee Report. She noted the committee is seeking Ordinances that define the role of the Elected Director of the Department of Community Development as per section 4.25 third paragraph. She commented they received a response to their request, but found no definition. She noted the committee will be meeting for further discussion, but no date has been set.

VOTE ON CHARTER AMENDMENTS TO BE PLACED ON THE BALLOT

- Add Article XII Section 12.30: Franchises – Commissioner Corrado
Commissioner Corrado spoke in favor of Article XII Section 12.30: Franchises. He noted the amendment is designed to not make a decision, but to get the facts before the citizens. Commissioner Corrado read the amendment into the record. CRC Members discussed the proposed amendment.

Proposed amendment:

Addition to Article XII Section 12.30: Franchises

The Clallam County Charter is herein revised to add the following paragraph to Section 12.80 franchises. The BOCC shall take all required and necessary legal actions to ensure that any franchise associated with new radio frequency devices or systems operating in the micro or millimeter wave frequency range, be accompanied by a scientific study determining that such law, regulation or franchise is in compliance with the National Environmental Protection Act (NEPA) prior to the enactment or granting of any franchise.

ACTION TAKEN: Commissioner Corrado moved to add the addition to article XII Section 12:30; Franchises to be forwarded to the ballot, second (motion was amended)

Amended proposed amendment:

That this amendment not be forwarded to the ballot as a Charter Amendment, but rather be forwarded to the County Commissioners for consideration as an ordinance amending the County Code regarding franchises.

Action Taken: Commissioner Fleck moved that the motion be amended regarding the proposed amendment to Article XII, Section 12.30 regarding Franchises with the amendment being that this amendment not be forwarded to the ballot as a Charter Amendment, but rather be forwarded to the County Commissioners for consideration as an ordinance amending the County Code regarding franchises, second; motion carried (10 voted in favor of and 5 voted opposed)

(Commissioners for: Lotzgesell, Morris, Hunter, Turner, Murray, Stoffer, Fleck, Doherty, May and Cameron and Commissioners opposed: Erzen, Stokan, Pratt, Corrado and Richards)

ACTION TAKEN: (Amended amendment) Commissioner Corrado moved the addition to article XII Section 12:30; Franchises be submitted as a proposed Ordinance for consideration to the County Commissioners, second; motion carried (14 voted in favor of and 1 voted opposed)

(Commissioners for: Lotzgesell, Morris, Turner, Hunter, Murray, Stokan, Pratt, Stoffer, Richards, Doherty, Fleck, Corrado, May and Cameron and Commissioners opposed: Erzen)

- Add to Article VI Section 6.20: Duties & Responsibilities(County Administrator)- Commissioner Turner
Commissioner Turner provided a report on Article VI Section 6.20: Duties and Responsibilities (County Administrator). She noted that she has an error in her proposal and the word "of" needs to be deleted in Section 6.20. She pointed out that the topic was discussed in detail at the June 25 meeting. CRC Members discussed the proposed amendment.

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Proposed amendment:

Addition to Article VI Section 6.20: Duties and Responsibilities

The Administrator shall be directly responsible to the Commissioners and he or she shall serve the Commissioners and the county by making recommendations concerning the affairs of the county as may be necessary; keeping the Commissioners advised as to the needs of the county and making recommendations when appropriate; preparing and submitting the proposed annual budget to the Commissioners; supervising, performing, and delegating other responsibilities as may be prescribed by this Charter or be required of him or her by ordinance or resolution of the Commissioners. The County Administrator will not hold any of other position within county government during his or her term of employment. The Administrator and any other officer or officers of the county are authorized to exercise and perform any of their duties or responsibilities through any of their respective subordinates.

ACTION TAKEN: Commissioner Turner moved to add Article VI Section 6.20: Duties and Responsibilities (County Administrator) to be forwarded to the ballot, seconded; motion defeated (6 voted in favor of and 8 voted opposed)

(Commissioners for: Turner, Stokan, Pratt, Doherty, Fleck and May and Commissioners opposed: Erzen, Lotzgesell, Morris, Hunter, Murray, Stoffer, Richards and Cameron)

AMENDMENTS FOLLOW-UP

- Remand Amendments to Prosecuting Attorney for ballot wording and ballot title
- Commissioners sign up for a Pro or Con Committee to write a statement for the Voters Pamphlet on amendments approved for 2020 ballot.

Commissioner Erzen noted there are not amendments to send to Prosecuting Attorney for ballot wording and ballot title. She noted that when there is an amendment that needs to be sent to the ballot a Pro and Con Committee will need to be established.

WITHDRAWN AMENDMENTS

- Commissioner Turner motion re 5 commissioners
- Commissioner Corrado motion re select and elect commissioners countywide
- Commissioner Lotzgesell motion to strike Article VI, Section 6.10 and 6.20

Commissioner Erzen noted the above three amendments have been withdrawn.

CONSIDER AMENDMENTS / VOTE TO MOVE AMENDMENTS

- Consider amendments and vote to move amendments to Special Meeting July 16, 2020 for a final vote to put on ballot. Any amendments not considered due to time constraints, will be placed on a future agenda.

1. Appoint DCD - Commissioner Morris

Commissioner Morris noted she won't be at the next meeting and would like to be there when the proposed amendment was voted on. CRC Commissioners and Attorney Stanley discussed the bylaws and schedule to notice and vote on the amendment. Commissioner Morris provided a report regarding the proposed amendment. CRC Commissioners discussed the proposed amendment.

ACTION TAKEN: Commissioner Turner moved to remove the motion off the table, second; motion carried (14 voted in favor)

ACTION TAKEN: Commissioner Morris moved to consider the proposal amendment at the July 16 meeting and place the proposed amendment on the July 23 meeting for a vote, second; motion carried (13 voted in favor of and 1 voted opposed)

2. Prosecutor Non- Partisan - Commissioner Richards

Commissioner Richards provided a report on the proposed amendment.

ACTION TAKEN: Commissioner Richards moved to consider the proposed amendment at the July 16 meeting for a vote, second; motion carried (12 voted in favor of, 1 voted opposed and no response from Fleck)

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3. Frequency of CRC - Commissioner Erzen

Commissioner Erzen vacated the Chair position and asked second Chair Commissioner Turner to take over. Commissioner Erzen provided a report regarding the proposed amendment. CRC Members discussed the proposed amendment.

ACTION TAKEN: Commissioner Erzen moved to consider the proposed amendment at the July 16 meeting for a vote, second; motion carried (14 voted in favor)

4. Select by district, Elect Countywide – Commissioner Turner

Commissioner Turner provided a report regarding the proposed amendment. Fleck questioned if we needed to have the exact language to move the proposal forward to the next meeting for a vote. Attorney Stanley briefed the Commission on the bylaws. CRC Members discussed the proposed amendment. Commissioner Fleck asked that a committee be formed to discuss proposing an amendment to have Fire Commissioners. Commissioners Lotzgesell, Fleck, Stokan and Corrado will form the Committee.

ACTION TAKEN: Commissioner Turner moved to consider the proposed amendment at the July 16 meeting for a vote, second; motion carried (9 voted in favor of and 5 voted opposed)

5. Change # of signatures for Initiative to Repeal Charter – Commissioner Erzen

6. New Article XIV Health/Environment - Commissioner Stokan

7. Addition of Section 12.80 "Health & Safety" to Article XII – Commissioner Corrado

ACTION TAKEN: Commissioner Stoffer moved to table items 5, 6 and 7 to the July 16 meeting for consideration, second; motion carried (10 voted in favor of and 4 voted opposed)

PUBLIC COMMENT

- Ed Bowen, Clallam Bay, commented on the County Administrator proposal, speaking privileges with the Charter Review Commission and the BlueJean chat log.

NEXT MEETING

- Next meeting is a Special Meeting
 - Vote on Amendments that were remanded from July 9 meeting
 - Consider Amendments that were not considered at July 9 meeting
 - Items 5, 6 and 7 (above)
 - Rain Water Amendment – Commissioner Stokan
 - Tribal Rep Amendment – Commissioner Stokan
 - Changes in Article VI Administrator – Commissioner Lotzgesell
 - Attorney Stanley Legal Action Requests for Water Quality and Tribal Representatives.

ITEMS FOR THE GOOD OF THE ORDER

- CRC Commission questioned on changing the view of BlueJeans.

See attached for the BlueJeans chat log for July 9, 2020.

ADJOURNMENT

Meeting concluded at 8:53 p.m.

Respectfully submitted,

Loni Gores, CMC

Clerk to the Charter Review Commission

Approved: July 16, 2020