

SJC Charter Review Commission SPECIAL Meeting Minutes
Wednesday, September 15, 2021

1. Call to Order 4:05pm

1a. Land Acknowledgement

1b. Pledge of Allegiance

2. Roll Call:

In Attendance: Kevin, Maureen, Jane, Sharon, Patty, Paul, Tom, Dave A, Bill, Bob, Liz, Janet, David D, Tony, Dick (joined late)

Members of the Public: Kathryn Hansen, Megan McLean, Milene Henley, Gordy Peterson, Jeff Gillette, Laura Arnold, Nicholas Power, Sheryl Albritton, Erika Ann, SJC Resident

3. Approve Minutes from August 18 meeting:

Sharon made changes to the August 18 minutes previously submitted by Bob and Bill. Minutes approved as amended.

4. Budget & Provisions Amendment, cont'd. (Bob O./Process Committee):

Proposed to add # 2, 3 & 4:

Kevin: SJCC doesn't have authority to appoint outside counsel. Only the PA can do that. Doesn't agree that this language is illegal. Agrees with Bob's point that a conflict of interest needs to be addressed. This allows the next CRC to have some insight into this before a conflict arises.

Motion by Paul, seconded by Tom to remove paragraph 4.

Discussion:

- Kevin opposed to this motion. Remove legislative body and put in PA - that resolves everything and it's within in the law.

Friendly amendment by Bill to adopt his replacement language rather than simply removing paragraph 4:

No later than its second regular meeting the chair of the CRC will ask the Prosecuting Attorney to appear before the CRC and delineate the following:

The nature and limits of the CRC's legal authority, and

The practices and procedures followed by the office of the prosecuting attorney in the event of conflict of interest between county bodies or other authorities represented by that office.

Friendly amendment accepted by Paul and Tom.

Discussion:

- Bob: Bill's language is a reasonable approach but prefers his version. Bill's language is a better alternative than simply removing paragraph 4.
- Tom called the question. Got voted down.
- David D: Trusts the PA to make the proper decision if there is or is not a conflict of interest. Would vote in favor of Bill's language but not Bob's.

- Bob called the question to adopt Bill's language

Vote: 9 in favor, 5 opposed, 1 abstention. **Motion passed.**

NOTE: In the chat, following the vote, Tony requested that Sharon change his vote back to “abstention”. This change made the final vote count: **8 in favor, 5 opposed, 2 abstentions.**

(Dick Grout joined the meeting.)

5. Review of Recommendations:

1. Recommendation re: Nov. 2021 Ballot Proposition #6 – Justice, Equity, and Inclusion Commission – Proposed Functions and Tasks - Jane Fuller presented:

Motion by Jane, seconded by Janet, to forward this recommendation to the SJCC.

Vote: 10 in favor, 1 opposed (Paul), 2 abstentions (Tony, Tom)

Motion carried. Recommendation is adopted.

2. Recommendation re: Section 2.60 Miscellaneous Appointments – Maureen see presented:

Motion by Dave, seconded by Jane, to forward this recommendation to the SJCC.

Kevin called the question.

Vote: 10 in favor, 0 opposed, 3 abstentions

Motion carried. Recommendation is adopted.

3. Recommendation re: Tourism - Janet presented:

Motion by Janet, seconded by Dave A, to forward this recommendation to the SJCC.

Vote: 10 in favor, 4 opposed, 1 abstention

Motion carried. Recommendation is adopted.

4. Recommendation re: Section 10.50 - Public Records - Maureen presented:

Motion by Maureen, seconded by Bob, to forward this recommendation to the SJCC.

Discussion:

- Tom - What's the magnitude of cost per year?
- Maureen - the county has already spent a lot of money putting records together for online. They have an IT dept - they've already purchased software but they've failed to get it online.

Friendly amendment by David D. to strike the lead-in sentence to the second paragraph.

Friendly amendment accepted by Maureen and Bob.

Motion on table is as amended.

Vote: 13 in favor, 1 opposed, 1 abstention

Motion carried. Recommendation is adopted.

5. Recommendation re: Election Observation – Tom presented:

Motion by Tom, seconded by Paul, to forward this recommendation to the SJCC.

Friendly amendment proposed by Sharon to add the following as an additional paragraph:
The activity of these observers shall be limited to taking notes and submitting written commentary at a later time. Anything beyond this shall be considered harassment of election workers. And the CRC encourages the County Council to enact legislation to strongly discourage harassment of election workers, if such harassment is not already covered by current statutes.

Friendly amendment accepted by Paul and Tom.

Discussion:

- David D: Suggested one representative from each of the major parties plus one for Independent, or one representative from each party that has a candidate on the ballot.
- Dick: Incidence of election fraud in this country is incredibly low. This is misguided and he's voting against it.
- Tom: Party chairs just received notice of elections and poll watching - SJC's policy limits observers to one from each party.
- Kevin: Milene and Elections Division are doing an outstanding job. This recommendation with the friendly amendment already accepted is guidance we can move forward with.
- David D: We don't have fraud because we have an election observer.

Friendly amendment proposed by David D to delete "open to all parties" and replace with "open to one representative of each of the parties that has a candidate of its party on the ballot."

Friendly amendment not accepted by Tom, who pointed out that our elections are nonpartisan.

Kevin called the question.

Vote: 12 in favor, 1 opposed (Dick), 2 abstentions (Liz & Tony)

Motion carried. Recommendation is adopted.

6. Recommendation re: Community Values - Bob presented: This recommendation has already been adopted.

7. Recommendation re: Public Access to County Financial Information - Dave A presented:

Motion by Dave, seconded by Patty, to forward this recommendation to the SJCC.

Discussion:

- Bill: Has this been run by the auditor and treasurer?
- Dave: Not to his knowledge.
- Kevin: It will be some sort of link on the county website.

Kevin called the question.

Vote: 13 in favor, 0 opposed, 2 abstentions (Bill & Tony)

Motion carried. Recommendation is adopted.

8. Article 8 Personnel System, Section 8.20 – Exemptions - Jane presented:

Motion by Jane, seconded by Paul, to forward this recommendation to the SJCC.

Discussion:

- Tom: SJCC to find a way to ensure these goals are met – agrees, but what are the teeth here? Just the good judgment of the SJCC?
- Jane: Bottom of page 1 of the recommendation - Pierce County Charter, Article 7 - added clause related to exemption (read it aloud).

Vote: 14 in favor, 0 opposed, 1 abstention (Tony)

Motion carried. Recommendation is adopted.

(NOTE: Tony left the meeting at 6:16)

9. Recommendation re: San Juan County Law and Justice Council - Jane presented.

Motion by Jane, seconded by Janet, to forward this recommendation to the SJCC.

Discussion:

- Tom: Can the member be a reporter?
- Kevin: Yes.
- Jane: To Tom's point, the purpose of having a resident sit on this body is to have a resident voice - to have some kind of exchange between community and the council - some interaction.
- Bob: It would probably be a violation of journalistic ethics to be part of the story you're reporting on.

Vote: 12 in favor, 1 opposed (Liz), 2 abstentions (Dave & Bill)

Motion carried. Recommendation is adopted.

(NOTE: Kevin turned chair over to Maureen at 6:23. Kevin left the meeting at 6:23.)

6. Next steps: Not discussed in this meeting.

7. Discuss future meetings:

Maureen proposed October 6, 2021 for the next CRC meeting.

8. New Business:

A. Milene re spread of Covid requirement:

Hopes we will all be willing to send her a photo of our vaccination card at mileneh@sanjuanco.com. It's not HIPAA protected because doesn't indicate a medical condition, so employers and governments can require vaccination because we really want to stop this thing. If you're not going to get vaccinated by Oct. 31, then you'd be removed from your commission or employment. There are two narrow exceptions: One for medical conditions (requires note from doctor that there is a condition - doesn't have to specify) and one for sincerely held religious belief (narrowly construed according to state guidelines).

Discussion:

- Bob: This commission is very odd in its operation - it has no in-person contact with the public or each other.

- Milene: Includes volunteers and includes CRC members as elected officials. It's about our contacts at the grocery store, legion hall, dog park, etc. in order to stop the spread of the virus in the community.

B. Bill: Are those two opinions public and can he disseminate them?

Discussion:

- Bob: This was attorney-client privilege and our choice if we want to make it public, but more or less advised that we don't.
- Dick: We voted on that and decided to keep everything as attorney-client privilege.

C. What might be missing from the CRC website?

- Maureen will find out what is not yet on the CRC website that should be there. She'll contact Gordy Peterson and help get info on there if she can.
- Kathryn is willing to put anything up on the CRC website that is vetted by the CRC.

D. Sharon made a statement in response to an email received by the CRC from a member of the public stating that Coast Salish tribes had slaves:

Human beings have treated each other badly in every part of the world and in many cultures. I don't believe that justifies the genocide of the last 150 years or the racial discrimination that's continued into the 21st century.

I would like to see us welcome the opportunity to evolve as human beings in how we regard and treat each other - all of us.

The fact remains that until settlers of European descent came to this region, the waters were not polluted and the salmon and Orca populations were not endangered.

The Coast Salish tribes have been good stewards of these lands we now inhabit. In that respect, we have a lot to learn from them, and they should be acknowledged for it.

E. Jane: What is the remaining work the CRC needs to undertake?

- Sharon: Still need to go over RCV amendment.
- Patty: Still need to go over Public Advocate amendment.

Dick: Moved to adjourn.

9. Open for Public Comment: (4:50pm)

Gordy Peterson:

Former freeholder and chair of CRC - they left this CRC with some direction. Sect. 9 in the Charter - Three ways to put things on the ballot as an amendment. Clear distinction between amendment and recommendation. The last CRC specified a date for election in 2020, in Sect. 9. The only election after that is Nov. 2021. Any amendments that made it in time for that election made it onto the ballot. SJCC has no authority to change that. Re: Sect. 9.2 term of office - have to have public hearings on recommendations that can be changed. Doesn't think we can put another set of amendments on the ballot according to the Charter.

The way this has been approached by this CRC - feels we're at a big disadvantage because we can't be with each other in person. Current Preamble was to get greater control of county government by the people. Thinks the Climate & Environment and Justice & Equity boards are putting obstacles in front of the people. We have dozens of advisory boards in the county that are not in the Charter. There's a statement of shared values in the Comp Plan. The Charter is

not the Comp Plan. It's supposed to be about governance. It's silent on many issues for a reason. It's just to reflect how county government should be run.

Transparency: Tried to find things online. The PA's memos aren't on the CRC website. Some meetings like May 31 are nowhere to be found on the website - had to get public request for that. A lot of things are missing on the CRC website.

No further public comments.

ADJOURNMENT: Adjourned at 6:39 pm.

Sharon Abreu
CRC Member

<i>Minutes were approved by consensus at the October 13, 2021 Special Meeting</i>
