

**ORDINANCE NUMBER 04-2021**

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF FRANKLIN COUNTY,  
WASHINGTON

***AN ORDINANCE ESTABLISHING THE FRANKLIN COUNTY CITIZENS' COMMISSION ON  
SALARIES FOR ELECTED OFFICIALS***

**WHEREAS**, RCW 36.17.024 allows for the establishment of an independent salary commission to set the salaries of elected officials; and

**WHEREAS**, the Board of Franklin County Commissioners desires to establish a Franklin County Citizens' Salary Commission in accordance with the procedures set out in RCW 36.17.024.

**NOW, THEREFORE, BE IT ORDAINED** the Franklin County Board of Commissioners does hereby establish the Franklin County Citizens' Commission on Salaries for Elected Officials as follows:

**Section 1.     Appointment of Members.**

The Commission shall consist of ten members, each assigned a position number and appointed as follows:

1. Positions one through six shall be selected by lot by the Franklin County Auditor from among Franklin County registered voters, two from each Franklin County commissioner district, assigned as follows:
  - 1.1. District 1: Positions one and two.
  - 1.2. District 2: Positions three and four.
  - 1.3. District 3: Positions five and six.
2. The County Auditor shall establish policies and procedures for conducting the selection by lot.
  - 2.1. Policies and procedures shall include, at minimum, procedures for:
    - 2.1.1. Notifying persons selected; and
    - 2.1.2. Providing a new selection from the county commissioner district if a person selected declines appointment; and
    - 2.1.3. Providing a new selection if a position on the Commission becomes vacant before the end of the established term.
  - 2.2. The County Auditor shall provide to the County Administrator the names of persons who have accepted appointment to the Commission for presentation to the Franklin County Board of Commissioners for appointment.
3. The remaining four of the ten members shall be appointed by the Franklin County Board of Commissioners from among Franklin County registered voters with experience in the field of personnel management. Of these four members, one shall be selected from each of the following four sectors in the County, and assigned as follows:
  - 3.1. Business: Position seven;
  - 3.2. Professional personnel management: Position eight;
  - 3.3. Legal profession: Position nine; and
  - 3.4. Organized labor: Position ten.



**Section 2.      Qualifications.**

1. All members of the Commission must be a Franklin County registered voter, residing in Franklin County.
2. Members of the Commission shall not be an officer, official, or employee of the County, or the immediate family member of an officer, official, or employee of the County.
  - 2.1. "Immediate family member" means parent, spouse, domestic partner, sibling, child, or dependent relative, whether or not living in the household of the officer, official, or employee.

**Section 3.      Term of Office.**

1. The term of each position shall be four years.
2. In order to establish staggered terms, initial terms shall end as follows:
  - 2.1.        Position 1: December 31, 2024
  - 2.2.        Position 2: December 31, 2023
  - 2.3.        Position 3: December 31, 2022
  - 2.4.        Position 4: December 31, 2024
  - 2.5.        Position 5: December 31, 2023
  - 2.6.        Position 6: December 31, 2022
  - 2.7.        Position 7: December 31, 2024
  - 2.8.        Position 8: December 31, 2023
  - 2.9.        Position 9: December 31, 2022
  - 2.10.       Position 10: December 31, 2024
3. No member shall be appointed to more than two complete terms of four years each.
4. Upon a vacancy on the Commission, a successor shall be selected and appointed to fill the unexpired term. The selection and appointment shall be concluded within 30 days of the date the position becomes vacant and shall be conducted in the same manner as for the original appointment.
5. No member may be removed by majority vote of the Board of Franklin County Commissioners during their term of office, except for cause of incapacity, incompetence, neglect of duty, malfeasance in office, or a disqualifying change of residence.

**Section 4.      Officers and Support.**

1. The Commission shall elect a chairperson, vice-chairperson, secretary, and such other officers deemed necessary. The chairperson, or designee, shall preside over all meetings and shall be a voting member of the Commission.
2. The Franklin County Administration and the Human Resources Departments shall provide assistance necessary to carry out the functions of the Commission, as requested.
3. County Administration will be responsible for payment for any public notices, postage, copies, or other expenses incidental to the work of the Commission.



**Section 5. Rules and Procedures.**

1. The Commission shall be subject to the provisions of the Open Public Meetings Act (OPMA).
  - 1.1. Members of the Commission shall complete open government training as required by law.
2. The Commission shall adopt rules and regulations for the transaction of business.
  - 2.1. The setting of salaries shall be by an affirmative vote of not less than six members.
3. The Commission shall first meet within 30 days of the appointment of all members and shall thereafter meet as often as necessary to accomplish its business.

**Section 6. Duties of the Commission.**

1. The Commission shall set the salaries of the following Franklin County elected officials:
  - 1.1. Auditor
  - 1.2. Assessor
  - 1.3. Clerk
  - 1.4. Commissioners
  - 1.5. Coroner
  - 1.6. Prosecuting Attorney (County portion)
  - 1.7. Sheriff
  - 1.8. Treasurer
2. Any change in salary shall be filed by the Commission with the Franklin County Auditor and Human Resources and shall become effective and incorporated into the County budget without further action of the Board of County Commissioners or the Salary Commission.
  - 2.1. Salary increases established by the Commission shall become effective as to the elected officials, regardless of their terms of office.
  - 2.2. Salary decreases established by the Commission shall become effective at the commencement of the next subsequent term of the elected office.
  - 2.3. Salary changes, filed in accordance with this section, shall supersede previous resolutions or filings setting the affected salaries.

**Section 7. Referendum.**

1. Salary increases and decreases shall be subject to referendum petition by the people of the County in the same manner as a County Ordinance upon filing of such petition with the County Auditor within 30 days of the filing of the salary change.
  - 1.1. If a referendum is filed, the salary change shall not go into effect until approved by a vote of the people.
2. Referendum measures under this section shall be submitted to the voters of the County at the next following general or municipal election occurring 30 days or more after the petition is filed, and shall be otherwise governed by the laws generally applicable to referendum measures.

**Section 8. Compensation.**

Members of the Commission shall serve without compensation.



Section 9.     **Severability.**

If any provision of this ordinance or its application to any person or circumstance is held to be invalid, the remainder of this ordinance and its application to other persons or circumstance shall not be affected.

**APPROVED** this 6 day of April, 2021.

**BOARD OF COUNTY COMMISSIONERS  
FRANKLIN COUNTY, WASHINGTON**

  
Chair

  
Chair Pro Tem

  
Member

**ATTEST:**

  
Clerk to the Board





## Auditor's Office | Procedure

Effective Date: 02/14/2020

Replaces:

See Also: RCW 36.17.024

## Procedure | Salary Commission Voter Selection

The Franklin County Auditor's Office will randomly select and refer 30 active registered voters from each County Commissioner District to the Franklin County Human Resources Department for potential appointment. (RCW 36.17.024)

### Action By

### Action

#### Two Election Staff

1. **Use Franklin County's voter registration system to randomly select potential members.**
  - a. Use voter export file by commissioner district to randomly generate all active registered voters from each commissioner district. Candidates of the committee must be eligible to vote at the time of selection. Only voters who are on active status at the time the lists are generated will be selected.
  - b. The residence of the candidate at the time of selection is used to identify the voter's commissioner district. The residency is based on the residence address displayed in the voter registration file. Any challenge to the voter's residency must be addressed through the formal challenge process already established by RCW.
  - c. 30 voters from each commissioner district will be generated from the list by any method that will produce a random selection of voters.
  - d. Two election staff members will generate the list together.
  - e. The selected voters will be assigned a rank within their commissioner district based on the order of the random selection.
  - f. The list will be forwarded to the Franklin County Human Resources Department for contact.

#### Human Resources

2. **The Franklin County Human Resources Department will mail an introductory letter/questionnaire with information about the commission to the potential members.**
  - a. Potential members will be asked to return a form indicating they are eligible and willing to serve on the commission.
  - b. A postage paid return envelope will be provided.
  - c. Potential members will have two weeks from the date of mailing to respond.
  - d. Affirmative responses will be assigned a number in order of receipt by commissioner district. The affirmative responses will be kept on record in the Human Resources Department.
  - e. The affirmative responses with assigned order will be forwarded to the Auditor's Office for a random drawing by commissioner district.



**Auditor,  
Election Staff  
and Human  
Resources**

- 3. A random drawing will be held from the affirmative respondents by Commissioner District. Six names will be forwarded to the County Administrator for presentation to the Board of County Commissioners, two from each commissioner district for appointment consideration.**
  - a. The top two selections from each commissioner district will be forwarded to Human Resources for second contact to confirm interest.
  - b. If a person selected declines appointment, then another name will be drawn from affirmative respondents for that district.
  - c. Affirmative responses will be kept on record. This pool will be used to fill vacancies throughout the term.
  - d. Should the selection process above result in fewer than six respondents, or at least two from each commissioner district, a second random drawing, selecting 30 additional names from the commissioner district will be conducted. A random drawing from affirmative respondents in this new pool will be used to complete any remaining appointments.
  - e. All random selection records will be kept on file in the Auditor's Office.
- 4. A new random selection of names will be conducted to fill future vacancies or to select future commission members.**



**APPLICATION FOR THE FRANKLIN COUNTY CITIZENS' COMMISSION  
ON SALARIES FOR ELECTED OFFICIALS**

Name: \_\_\_\_\_

Physical address: \_\_\_\_\_ Registered voter? \_\_\_\_\_

Mailing address (if different than physical address): \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Are you registered to vote in Franklin County? ☐ Yes ☐ No

Are you or any of your immediate family members (a parent, spouse, domestic partner, sibling, child or any other dependent relative) an officer, official or employee of Franklin County? ☐ Yes ☐ No

Do you have experience in the field of personnel management? ☐ Yes ☐ No

Which sector(s) are you qualified to represent (check all that apply)?

☐ Business ☐ Professional Personnel Management ☐ Legal Profession ☐ Organized Labor

Please briefly describe how your work history and / or educational background would benefit the Franklin County Citizens' Commission on Salaries for Elected Officials (Salary Commission):

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Signature: \_\_\_\_\_ Date: \_\_\_\_\_

*Please submit this completed application form, along with a resume and a letter of interest, to Karin Milham, Clerk of the Board of County Commissioners, by 3 p.m. [INSERT DATE]. Submissions must be received by the deadline and can be delivered in one of the following three ways:*

**IN PERSON**

Deliver in person at the office of the Franklin County Commissioners, Room A102 of the Historic Courthouse at 1016 N 4<sup>th</sup> Ave in Pasco.

**VIA EMAIL**

Send e-mail and attachments to [KMilham@co.franklin.wa.us](mailto:KMilham@co.franklin.wa.us). Include "Salary Commission" in the subject line.

**BY MAIL**

Send to the Franklin County Commissioners, attn: Karin Milham, 1016 N 4<sup>th</sup> Ave, Pasco, WA, 99301.



# Agenda Summary Report (ASR)

## Franklin County Board of Commissioners

<b>DATE SUBMITTED:</b> 3/23/2021	<b>PREPARED BY:</b> Carlee Nave
<b>Meeting Date Requested:</b> 4/6/2021	<b>PRESENTED BY:</b> Carlee Nave
<b>ITEM:</b> (Select One) <input type="checkbox"/> Consent Agenda <input checked="" type="checkbox"/> Brought Before the Board Time needed: 15 minutes	
<b>SUBJECT:</b> Public Hearing for establishing the Franklin County Citizens' Commission on Salaries for Elected Officials	
<b>FISCAL IMPACT:</b> Establishing the Commission does not bear a direct fiscal impact, except for the minimal cost of advertising for participants and postage for notifications of those selected by lot. There is an indirect impact for staff time in County Administration, Elections, and Human Resources for administration of the selection procedures as well as support for the Commission, as requested.  The future fiscal impact of salary changes cannot be predicted.	
<b>BACKGROUND:</b> On January 7, 2020, the Board requested that the County Administrator and HR Director take steps toward creating a Citizens' Salary Commission for the purpose of setting elected officials' salaries.  On February 4, 2020 a draft ordinance was presented to the Board for discussion and input. The Board made some suggestions, as well as expressing a desire to solicit opinions from other elected officials who would be impacted by this action.  We had intended on presenting the ordinance for public hearing at the Board's next evening meeting in March 2020. Due to the necessary public engagement in the process in order for the Commission to be successful, we felt a robust public hearing process would be important to solicit feedback from citizens. The COVID-19 pandemic created challenges around the public hearing process as well as challenges around convening a new Commission, so the process has been on hold.	
<b>RECOMMENDATION:</b> Adopt the Ordinance as presented if it is the Board's desire to establish a Citizens' Commission on Salaries for Elected Officials.	
<b>COORDINATION:</b> The draft ordinance presented on 2/4/2020 was created after review of RCW 36.17.024 as well as documents from several counties including Lewis, Snohomish, Whatcom, Pierce, San Juan, and Whitman. Prior to the 2/4 meeting, K Johnson, County Administrator, solicited feedback from San Juan and Whitman counties, who indicated a favorable view of the process. At that same meeting, Sheriff J Raymond and Coroner C McGary expressed support for the creation of the Commission.  Following the 2/4/2020 meeting, the ordinance draft was finalized and sent to the Prosecuting Attorney's Office for legal review, and to elected officials soliciting their feedback. Sheriff Raymond responded immediately, reiterating his support for the creation of the Commission.  During the legal review process, a need was identified for a referendum procedure. As referendum is the only mechanism to challenge the decisions of the Commission, it is a critical piece of the process. The questions around this process have since been resolved.	



A Heyen, Elections Administrator, drafted the Auditor's Office the selection procedures required by Section 1.2 of the ordinance, with review and input from J Johnson, Chief Civil Deputy Prosecuting Attorney/Risk Manager, and HR.

**ATTACHMENTS:** (Documents you are submitting to the Board)

1. Ordinance
2. Voter Selection Procedures
3. Application [DRAFT]

**HANDLING / ROUTING:** (Once document is fully executed it will be imported into Document Manager. Please list name(s) of parties that will need a pdf)

All elected officials, A Heyen

*I certify the above information is accurate and complete.*

Carlee Nave

Carlee Nave, HR Director