



AGENDA

CHARTER REVIEW COMMISSION

223 East 4th Street, Room 160

Port Angeles, Washington

April 28, 2025 – 5:30 p.m.

Notes for the Audience

- Assistive listening devices are available. Please notify Clerk before the meeting if you would like a SoundMate personal listening system.
- Please utilize the public comment sign-up sheets located at the front door.

****ATTENTION****

Charter Review Commission meetings will also be available virtually at:

If you would like to participate in the meeting via Zoom audio only, call 253-215-8782 and use meeting ID: 836 9266 4344 and passcode: 12345 and use *9 to raise your hand.

If you would like to participate in the meeting via Zoom video conference, visit www.zoom.com and use meeting ID: 836 9266 4344 and passcode: 12345

This meeting can be viewed on a live stream at this link: <https://www.clallamcountywa.gov/669/Live-Archived-Meetings-Online>

Public comment can be directed to the Clerk at 360-417-2256 or Loni.Gores@clallamcountywa.gov

CALL TO ORDER, PLEDGE OF ALLEGIANCE, ROLL CALL

APPROVAL OF AGENDA

APPROVAL OF MINUTES

- Meeting Minutes April 14, 2025

PUBLIC COMMENT ON AGENDA ITEMS – Please limit comments to three minutes

CORRESPONDENCE/PETITIONS

BUSINESS ITEMS

- Open Public Meetings Act – Dee Boughton, Prosecuting Attorney's Office
- Consideration by the Commission of a proposed amendment regarding contract, grant, and loan management- Paul Pickett
- Notice to the Commission of a proposed amendment regarding open public meetings – Paul Pickett

SUBCOMMITTEE REPORTS

- Water Committee
- Town Hall Outreach Committee
- Coroner Committee

REPORTS

- Chair Report – Commissioner Fisch

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PUBLIC COMMENT – Please limit comments to three minutes

GOOD OF THE ORDER/FUTURE AGENDA ITEMS

ADJOURNMENT

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**INSTRUCTIONS FOR SPEAKING AT A
CHARTER REVIEW COMMISSION MEETING:**

- Members of the public wishing to address the Commission on general items may do so during the designated times on the agenda.
- Members of the public wishing to comment at the public hearing are asked to sign in on the sheet provided giving their name, address and topic.
- Public comment is limited to 3 minutes for each speaker subject to the Commissions concurrence.
- Speakers, generally, will be heard in the order they signed up. All comments must be made from the speaker's rostrum and any individual making comments shall first state their name and address for the official record.
- General comments, applause, booing from members of the audience are inappropriate and may result in removal.

These guidelines are intended to promote an orderly system for conducting a public hearing so that each person has an opportunity to be heard and to ensure that exercising their right of free speech embarrasses no one.

Note: Written testimony presented by members of the public during the meeting is considered a public document and must be submitted to the Clerk of the Charter Review Commission. Copies of public documents from meetings are available by contacting the Public Records Department.

CHARTER REVIEW COMMISSION UPCOMING MEETING DATES

Dates are subject to change as needed. For most up to date meeting information visit the Clallam County CivicClerk Portal at: <https://clallamcowa.portal.civicclerk.com/>

- May 12, 2025 at 5:30 p.m.
- May 27, 2025 at 5:30 p.m.
- June 9, 2025 at 5:30 p.m.
- June 23, 2025 at 5:30 p.m.
- July 14, 2025 at 5:30 p.m.
- July 28, 2025 at 5:30 p.m.
- August 11, 2025 at 5:30 p.m.
- August 25, 2025 at 5:30 p.m.
- September 8, 2025 at 5:30 p.m.
- September 22, 2025 at 5:30 p.m.
- October 13, 2025 at 5:30 p.m.
- October 27, 2025 at 5:30 p.m.
- November 10, 2025 at 5:30 p.m.
- November 24, 2025 at 5:30 p.m.
- December 8, 2025 at 5:30 p.m.
- December 22, 2025 at 5:30 p.m.

CHARTER REVIEW COMMISSION

Draft Minutes

April 14, 2025



CLALLAM COUNTY CHARTER REVIEW COMMISSION MINUTES of April 14, 2025

MEETING OF THE CHARTER REVIEW COMMISSION (CRC)

Chair Susan Fisch called the meeting to order at 5:30 p.m., Monday, April 14, 2025. Also present were Commissioners Jim Stoffer, Jeff Tozzer, Alex Fane, Ron Cameron, Patti Morris, Paul Pickett, Ron Richards, Christy Holy, Rod Fleck, Nina Sarmiento, Chris Noble and Cathy Walde. Bill Benedict and Mark Hodgson were excused.

REQUEST FOR MODIFICATIONS/APPROVAL OF AGENDA

Richards requested to add discussion regarding Olympic Medical Center and Jefferson Healthcare

ACTION TAKEN: Adopted as modified

PUBLIC COMMENT – Please limit comments to three minutes

- John Worthington, Sequim, commended on bylaws, oaths (see attached)
- Eric Fehrmann, Sequim, commented on bylaws, comments
- Marolee Smith, Port Angeles, commented bylaws, free speech
- Denise Lapio, Sequim, commented on Facebook and emails (see attached)
- Karin Cummins, Sequim, commented on wasting time
- Ed Bowen, Clallam Bay, commented on Department of Community Development Director, trust lands document
- Renee Renninger, Sequim, commented on freedom of speech
- Isaac Anderson, Port Angeles, commented on the Attorney support, Department of Community Development Director, Ethics Board
- Robert James, Sequim, commented on freedom of speech
- Pepai Whipple, Sequim, commented on freedom of speech
- Mitch Zenobi, Sequim, commented on freedom of speech
- Bonnie Bless-Boenish Sequim, commented on public comment
- Jody Dobson, Clallam County, commented on censorship

APPROVAL OF THE MINUTES

- Minutes March 24, 2025
Page 2 had the word calling misspelled.

ACTION TAKEN: Adopted as modified

CORRESPONDENCES

Gores noted receipt of correspondences from John Worthington, Tony Corrado, Jon Purnell, Tree Stokan, Pepai Whipple, Mike, Commissioner Richards, Commissioner Stoffer, Commissioner Morris, Commissioner Tozzer, Eileen Cummings, Virginia Shogren, Commissioner Fane, Eric Fehrmann, Renee Renninger, Marolee Smith, Kathy Downer, Commissioner Pickett, Tom Ash, Janine Blaeloch, Martha Rudersdorf, Verytautdrum, Gayle Baker, John Campbell, Jennifer Andrews, Auditor Riggs, Patrice Johnston, Dalton Anderson, Maureen McElravy, Kathy Sloper, Commissioner Cameron, Alex Wilson, Carey, Linda Campbell, Commissioner Holy, Aaron Terr, Trisha Lovgren, Kathy Trainor, Diana Henderson, and Jeff Henderson (see attached).

BUSINESS ITEMS

- Department of Community Development – Director Bruce Emery
Director Emery provided a brief update on Department of Community Development. CRC Members asked questions regarding natural resources, forest lands, land use, water issues, code enforcement,

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MINUTES of April 14, 2025
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appointed/elected position, comprehensive plan and reservoirs. Emery responded to questions. CRC Commissioners can submit any additional questions to Gores for response.

CRC recessed from 6:48 p.m. and reconvened at 6:58 p.m.

- Open Public Meetings act clarification – Commissioner Tozzer

Tozzer mentioned a Sequim Gazette article that Stoffer stated *that responding to questions would have been equivalent to the Commission taking action which it could not legally do at that meeting*. Tozzer questioned if that was an accurate statement of the Open Public Meetings Act OPMA. Fisch commented that the bylaws say that all inquiries or requests for legal opinions shall be referred to the Prosecuting Attorney's Office PAO at the direction of the Commission or the executive committee. CRC Members held discussion.

ACTION TAKEN: Tozzer moved to get an answer to three questions: 1) Is that an accurate representation of the OPMA policy, 2) What legal action were they considering taking at the town hall that was mentioned in the newspaper, and 3) Was Stoffer speaking on behalf of himself for the entire Commission, Walde seconded, withdrew

Tozzer withdrew his motion and stated that he will go online to figure it out himself.

- Strategy – Commissioner Tozzer

Tozzer commented that he would like to know the strategy as issues come before the Commission from the community. The Coroner issues obviously must get sorted out because of state law. He noted that there is a water steward committee that didn't rank as high as ethics did on the spreadsheet, and the Commission has heard more about ethics from the town halls. He questioned why committees are being formed when the questionnaire hasn't been received back from the community. He feels that the Commission is already picking and choosing favorite issues. Fisch noted that a Commissioner proposed forming a water committee and it was voted on by the Commission and passed. Richards commented that there doesn't need to be a committee to have an amendment proposed. Fisch commented that anybody is free to suggest a committee or amendment. Tozzer has concerns with timing to get items on the ballot. CRC Members held discussion regarding strategy, committees, and priorities.

- Legal opinion requests – Commissioners Tozzer and Richards

Richards stated his concerns with the OPMA regarding email communications. He noted that the Attorney told CRC Members not to send emails to each other that an email chain results in a violation. Emails should be directed to Gores. He also mentioned that there doesn't need to be a committee to pursue proposed amendments. He also feels there have been some problems with special meetings not specifying the business being conducted that the law requires. CRC Members held discussion.

ACTION TAKEN: Richards moved to ask Dee Boughton more detailed advice on his earlier advice that we cannot communicate with each other via emails, what needs to be in our notices, where do the notices have to be posted and whether or not committees should have regular meetings scheduled so they can avoid some of the problems with special meetings, Tozzer seconded, motion carried

(13 voted in favor of) (Pickett abstain)

Richards addressed Commissioner involvement in other boards. He stated that it always comes up whether the board is a required governmental organization or if it's a non-governmental organization or whether or not Commissioners are required to be on either one or another. CRC Members held discussion.

ACTION TAKEN: Richards moved that we ask the Attorney three questions 1) Which of the boards that the Commissioners serve on should be considered non-governmental organizations, 2) Which of those boards should be considered governmental organizations, and 3) Which of those boards are the Commissioners required to serve on, Walde seconded, motion failed
(3 voted in favor of and 9 voted no)

Rod Fleck left the meeting at 7:26 p.m.

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Richards commented that he discovered that King County owns Harborview Medical Center. He believes there could be a role with both Clallam and Jefferson counties in helping Olympic Medical Center and Jefferson Healthcare in a merger. CRC Members held discussion.

ACTION TAKEN: Richards moved to ask the Attorney to give advice as to what role the county, if any could play in this giving particular attention to the fact that King County owns Harborview Medical Center, Fane seconded, motion failed

(1 voted in favor of and 11 voted no)

SUBCOMMITTEE REPORTS

- Water Committee

Pickett commented the next Water Committee meeting is on April 18 at 9 a.m. in the Board of Commissioners Board Room 150. He noted that the Clallam PUD, Clallam County Department of Community Development, and Health and Human Services Environmental Health will be attending the meeting to discuss water issues.

- Outreach Town Hall Committee

Stoffer commented that the last Outreach Town Meeting was held on April 10. He requested to approve the survey questions so Morris can create the survey and forward it to the public. He requested that the Coroner topic be removed from the survey and forwarded to ballot consideration. He also would like to move the Department of Community Development to ballot consideration. Tozzer stated his concerns with the survey questions. CRC Members held discussion. Stoffer called for the question.

ACTION TAKEN: Stoffer moved to approve the Outreach Town Hall Committee survey questions, Holy seconded, motion carried

(11 voted in favor of and 1 voted no)

- Coroner Committee

Fisch noted that Cameron provided a Coroner Committee report and draft of an amendment. These documents will be attached to the minutes for April 14. She questioned if Cameron was giving notice that he is providing a draft of a proposed charter amendment to the Commission at the current meeting and the proposed amendment shall be placed on the agenda at a subsequent meeting. Cameron confirmed that was correct. He noted that he is not asking for it to be on the agenda for April 28 but will let the Executive Committee know a few weeks prior to when he would like it added to the agenda. Cameron commented that the Coroner Committee discussed removing the language from the Charter that appoints the Prosecuting Attorney as the Coroner and that would place it in the Commissioner's realm to create the office, which they must do anyways, and they would appoint. Cameron felt overwhelmingly folks would rather see it appointed than elected. CRC Members held discussion.

ACTION TAKEN: Stoffer moved that the Coroner question be forwarded to ballot action
Stoffer withdrew his motion

- Bylaws/Rules Committee

Holy commented that the Bylaws Committee met on April 3 with Fish, Noble, Holy and Tozzer in attendance. The prior Chair had resigned from the committee, so she was elected as the Chair. The agenda included the task, which was that a majority of Commissioners on the CRC voted at the last Commission meeting to reconvene the Bylaws Committee to create a bylaw or rule that would help create an environment where those making public comment would feel safe from being publicly targeted by any of the CRC Commissioners. This occurred after one public commenter found herself the target of online attacks after publicly speaking at a Commission meeting. Each committee member was given time to discuss changes. Holy noted that Noble made a motion during the committee meeting to *encourage the public to provide public comments. When speaking publicly, the CRC Commission shall refrain from referring to the commenters by name.* The motion was seconded and passed. As Chair, Holy would forward the amendment to the bylaws to the CRC Commission for consideration. The proposed amended language was sent to the Prosecuting Attorney's Office for review. CRC Members held discussion.

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Noble motion:

ACTION TAKEN: Noble moved to amend the rules for the Commission by adding section A.7 to encourage the public to provide public comments to the Charter Review Commission, when making public statements, Commissioners are encouraged to refrain from identifying public commenters, Stoffer seconded, motion failed
(6 voted in favor of and 6 voted no)

Pickett motion:

ACTION TAKEN: Pickett moved to table the motion back to the committee, Stoffer seconded, motion failed
(5 voted in favor of and 7 voted no)

REPORTS

- Chair Report – Commissioner Fisch
Fisch commented that she needs all agenda items no later than Monday, April 21 due to scheduling conflicts.

PUBLIC COMMENT – Please limit comments to three minutes

- John Worthington, Sequim, commented on American language, Jimmy Come Lately, conflict of interest, League of Women Voters, Jamestown Tribe
- Eric Fehrmann, Sequim, commented on town hall meetings
- Marolee Smith, Port Angeles, commented on Coroner and ombudsman
- Karin Cummins, Sequim, commented on Coroner, ombudsman, wished Commission the best
- Ed Bowen, Clallam Bay, commented on survey, Department of Community Development Director, elected/appointed, timber report
- C.G.H, commented on Commissioners, town halls, Department of Community Development, survey, public comment
- Pepai Whipple, Sequim, commented on American language

GOOD OF THE ORDER/FUTURE AGENDA ITEMS

- Tozzer commented on the bylaw's discussion, looking forward to getting the CRC back on track, personal agendas, special interest, public agenda
- Richards requested that committee meetings be recorded. CRC Members requested to have committee meetings recorded when possible.

ADJOURNMENT - Meeting concluded at 9:17 p.m.

Respectfully submitted,

Loni Gores, MMC
Clerk of the Charter Review Commission

Approved:

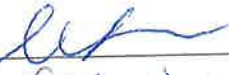
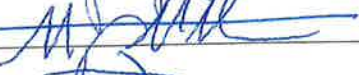
CLALLAM COUNTY CHARTER REVIEW COMMISSION 2025 - Voting
Y – Yes, N- No, A-Absent

	Bylaw motion #2 to table Pickett	Bylaw motion #1 amendment Noble
Susan Fisch	N	Y
Bill Benedict	A	A
Jim Stoffer	Y	Y
Jeff Tozzer	N	N
Alex Fane	Y	Y
Ron Cameron	N	N
Pattie Morris	N	N
Chris Noble	N	Y
Paul Pickett	Y	Y
Ron Richards	N	N
Rod Fleck	A	A
Mark Hodgson	A	A
Christy Holy	Y	Y
Cathy Walde	N	N
Nina Sarmiento	Y	N
Yes	5	6
No	7	6
Pass or Fail	Failed	Failed

CHARTER REVIEW COMMISSION PUBLIC COMMENT SIGN-UP SHEET

Public Comment on Agenda Items – 1st Session

I declare under penalty of perjury under the laws of the State of Washington that any testimony that I give is true and accurate. Please print name and address clearly.

No	PRINTED NAME	SIGNATURE	ADDRESS
1	JOHN WORTHINGTON		303 S. 5TH AVE, Sequim 98382
2	Eric Fehrman		Sequim
3	Hardee Smith		P.O. Box 98 PortA
4	Denise Lapio		
5	~~Mary Wilson~~	~~~~	
6	Karin Cummins		
7	Ed Bowen		
8	Renee Penninger		114 Runnion View Way Seq
9	Isaac Anderson		178 2nd St
10	Robert James		114 Runnion View Wy 98382
11			
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CHARTER REVIEW COMMISSION PUBLIC COMMENT SIGN-UP SHEET

General Public Comment – 2nd Session

I declare under penalty of perjury under the laws of the State of Washington that any testimony that I give is true and accurate. Please print name and address clearly.

NO	PRINTED NAME	SIGNATURE	ADDRESS
1	JOHN WORTHINGTON	John Worthington	3035.5TH AVE SEQ VAN
2	Eric Lehmann	Eric Lehmann	Sequm
3	MARLEE SILL	MS	PA
4	Mitch Zenobi	MZ	Sequm
5	Alex Cummins		
6	Ed Bowen	Ed Bowen	North Coast
7	Isaac Anderson	Isaac Anderson	
8			
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Public comment

Jeff Worthington

4/14/25

PASD October 14, 2024 FB post:

"Today is National Indigenous People's Day. Port Angeles School District recognizes the importance of honoring indigenous history, traditions, languages, and cultures of Indigenous people in the district, local area, State of Washington, United States, and worldwide. We acknowledge that we are on the indigenous lands of Coast Salish people,

We acknowledge the land we stand on:

The Sequim School District administrative and school buildings sit on the ancestral land of the nəxʷsʰáyəm' (S'Klallam) People. While the S'Klallam traditionally come from one nation, history has led to the formation of three sovereign S'Klallam/Klallam tribal governments: Lower Elwha Klallam Tribe (located in Port Angeles, WA), Jamestown S'Klallam Tribe (located in Sequim, WA), and the Port Gamble S'Klallam Tribe (located in Kingston, WA). Today, the Tribe and District share a partnership that includes official consultation on program and funding changes that may directly affect American Indian and Alaska Native students.

We acknowledge and honor the ancestral areas of the qʷidiččaʔa-tx̣ (Makah), nəxʷsʰáyəm' (Klallam) and tʃəmqəm (Chimacum) Peoples, who have stewarded the land and waters from Cape Flattery to Point Wilson throughout hundreds of generations. We respect their sovereignty and support their Treaty rights and right to self-determination. Through disease, unfair dealings, oppression, and attempted erasure of their culture, these people have endured and continue to honor their cultural traditions.

Living more sustainably requires us to think holistically and long-term – not just to look forward to the future, but to recognize our past. Colonization has shaped the reality of everyone here today. We take this opportunity to acknowledge that fact and express our desire to be part of the much-needed process of learning about our

“landcestry” and repairing relationships with the original people of these lands and waters, as an investment in the generations to come.

We acknowledge that we live and work on the appropriated homeland and territory of the Jamestown S’Klallam, Port Gamble Klallam, Lower Elwha Klallam, Makah, Quileute, Hoh and Quinault Tribes. We respect and honor their stewardship of these lands in the past, present and future and their Treaty Rights and status as sovereign nations.

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By design, we are a welcoming, informal and organizationally diverse group that operates collaboratively with shared responsibilities.

OUR MEMBERSHIP

Members

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[City of Port Townsend](#)

[City of Sequim](#)

[Clallam Conservation District](#)

[Clallam County](#)

[Clallam County Marine Resources Committee](#)

[Coastal Watershed Institute](#)

[Dungeness River Audubon Center](#)

[Dungeness River Management Team](#)

[Feiro Marine Life Center](#)

[Hood Canal Coordinating Council](#)

[Jamestown S'Klallam Tribe](#)

[Jefferson Clean Water District](#)

[Jefferson Conservation District](#)

[Jefferson County](#)

[Jefferson County Marine Resources Committee](#)

[Jefferson Land Trust](#)

[Local 2020](#)

[Lower Elwha Klallam Tribe](#)

[Makah Tribe](#)

[North Olympic Development Council](#)

[North Olympic Land Trust](#)

[North Olympic Peninsula Lead Entity for Salmon](#)

[North Olympic Salmon Coalition](#)

[Olympic Climate Action](#)

[Port Gamble S'Klallam Tribe](#)

[Port Townsend Marine Science Center](#)

[Puget Sound Partnership](#)

[Puget Sound Partnership Leadership Council](#)

[Sequim-Dungeness Clean Water District \(& Work Group\)](#)

[Streamkeepers](#)

[Washington Department of Fish and Wildlife](#)

[Washington Department of Natural Resources](#)

[Washington Sea Grant](#)

[Washington State University Clallam County Extension](#)

[Washington State University Jefferson County Extension](#)

Supporting Members

10,000 Years Institute

- [Mark Hodgson](#) (2nd Chair)
- [Nina Sarmiento](#)
- [Christy Holy](#) Democrat party Recording Secretary Executive Board
-
- [Cathy Walde](#)

The Story of Water Community Partners



- **December 11, 2019** Tribal Water Rights and History: "From Time Immemorial" Hansi Hals, Jamestown S'Klallam Tribe Natural Resources [View the lecture here.](#)

Alliance for a Healthy South Sound
American White Waters (Wild Olympics)
Blanton Environmental, Inc.
Center for Community Design in Port Angeles
Center for Law and Policy
Center for Whale Research
Chickadee Forestry
Clallam County Democratic Party
Clallam Economic Development Council
Dam Sense
Earth Economics
Environmental Protection Agency (EPA)
Federal Emergency Management Agency (FEMA)
Friends of the San Juans
Futurewise
Greenfleet Monitoring Expeditions
Icicle Seafoods
Jamestown Seafood Venture
Jefferson LandWorks Collaborative
Long Live the Kings
National Oceanic and Atmospheric Administration (NOAA) Fisheries
North Olympic Peninsula Voices
North Olympic Timber Action Committee
North Peninsula Coastal Lead Entity
North Peninsula Home Builders – BuiltGreen of Clallam County
Northwest Indian Fisheries Commission

Northwest Maritime Center

Northwest Straits Commission

Northwest Straits Foundation

Olympic Coast National Marine Sanctuary

Olympic Environmental Council

Olympic Forest Coalition

Oregon State University

Pacific Aquaculture Caucus, Inc.

Pacific Coast Shellfish Growers Association

Pacific Merchants Shipping Association

Pacific Northwest National Laboratory

Peninsula Daily News

People for Puget Sound

- [Susan Fisch \(Chair\)](#)
- [Bill Benedict](#)
- [Jim Stoffer](#) Sequim School Board Democrat party PCO PORT WILLIAMS / 258
- [Jeff Tozzer](#)
- [Alex Fane](#) City of Sequim

District 2 Commissioners:

- [Ron Cameron](#)
- [Patti Morris](#)
- [Chris Noble \(1st Chair\)](#)
- [Paul Pickett](#) Democrat party PCO BELLEVIEW / 205
- [Ron Richards](#) Democratic party

District 3 Commissioners:

- [Rod Fleck \(Parliamentarian\)](#) PCO FORKS / 301

Public Comment
Denise Lapio
4/14/25

April 14, 2025

Dear Charter Review Commissioners,

I am requesting that the CRC disqualify and rescind the email that was submitted by "Verytautdrum" to the By-laws Committee on April 3, 2025. His email was used by the By-laws Committee as a support document for the amendment to the By-laws to restrict free speech and censor Commissioner Jeff Tozzer and his Substack platform Clallam County Watch Dog (CCWD). Verytautdrum goes by the alias Kevin when he posts his comments on CCWD. On April 5, 2025, Kevin replied to my comment, which made me feel very uncomfortable, even chilled. I have printed the exchanges between Kevin and me and will read the time line for public record.

On April 2, 2025 Kevin replied to my comment that I posted on CCWD regarding the article "We Will Not Be Silenced." Here he states that he will submit an email (under the alias "Verytautdrum") as testimony for support regarding Patrice Johnston's public comment and submitted testimony made on March 31st. On April 3, the By-laws Committee Chair, Susan Fisch, read for public comment and submitted testimony, parts of the email that was sent by "Verytautdrum", aka Kevin. On April 5, Kevin (aka "Verytautdrum") replied to another of my comments regarding the article "Personal Agenda or Public Interest." The last two lines of his reply concerned me in such a way that I felt uncomfortable and even chilled.

Verytautdrum's statement is that he felt unsafe, intimidated, and harassed on the CCWD site. Yet, Kevin (aka Verytautdrum) has made multiple replies to Jeff, me, and several other commenters on the April 2nd and April 5th posted articles. One of his posts resulted in making me feel uncomfortable and chilled.

Therefore, based on the content of Verytautdrum's emailed testimony and subsequent contradictions, I request that his testimony be disqualified and rescinded as a support document for the amendment to the By-laws, which is now brought forth for a full vote by the Commission.

I am submitting copies of the posted comments and replies from CCWD along with my public comment to the CRC Board Clerk. Please note the highlighted areas. Earlier I attempted to use the CRC website, only to have my complete submission dumped. I could not retrieve it, so I contacted Loni Gores, who was prompt and efficient in helping me with this concerning situation. It remains lost.

Sincerely,



Denise Lapio

April 2, 2025

LIKE (2) REPLY (1)

Jennifer Jennifer's Substack 6d

Aleta, Ixodes is just a harmless (probably paid) troll. Every once in a while it attaches to new subscribers and sucks on them. A mild irritant but harmless. I would ignore it.

LIKE (2) REPLY (1)

Robert Robert's Substack 1d

They snipe from the shadows and they don't deserve to use the space they take up even online.

Block them. If they want to ID, then maybe they can carry on but ok the way it is. 😊

LIKE (1) REPLY (1)

Jennifer Jennifer's Substack 1d

Robert, I know I get sucked and feed the Tick, but sometime "Girls Just Want To Have Fun..." ;)

LIKE REPLY

Lloyd 6d

Seems to me. As long as there is no conflict of interest. And you are not profiting from the disclosure. All good. It seems to be the norm in the Democrat side of Washington to silence anyone who disagrees with their liberal and usually skewed views. And I'm talking about even non gov people, neighbors etc.

LIKED (17) REPLY (1)

Kevin R. 6d Edited

That's a fact. Punishment or suppression to those who speak out against issues like DEI as an example. The entire West Coast does exactly that. When others, like you mentioned, both government employees and/or people like you and I speak out or against such liberal issues we get crucified. Teachers, government employees etc suffer the most in great fear of losing their jobs. Like the scales of justice, Freedom of Speech is both highly and extremely suppressed on West Coast.

LIKED (9) REPLY

Denise Lapio 6d

Long live the free press! CCWD strives for transparency and other points of view that local newspapers ignore. Here, we aren't censored by fear; we are self-censored by civility. ND and FB have questionable practices that combined with useless print sources leave us with no voice. Jeff has his Constitutional rights. He is a responsible person, a concerned citizen, and a fighter for truth, fairness, and civil discussion. No one should have any qualms with his having a social media following and being a public servant. If elected officials can be on as many NGO and non-profit boards as they like, then there is no conflict with an elected official expressing his point of view.

LIKE (15) REPLY (2)



Eric Fehrmann Eric's Substack 6d

Lets get Jeff a cape. ;)

LIKED (12) REPLY (1)



Jeff Tozzer 6d

Author

They are selling a cape/speedo combo on line right now. Shall I order?

LIKED (11) REPLY (1)



Eric Fehrmann Eric's Substack 6d

Yeah, don't forget the tights too. (your choice of color)

LIKED (6) REPLY



Kevin 6d

I answered Jeff's opened ended question - why shouldn't journalist be in government?. A question he is best suited to answer. In this blog, however, questions are knowledge.

So here's my response typos and all, "It comes to your position among elected members of the CRC and being the author of a blog that dabbles in sensationalism. It does lately seem that there is degradation of your normal tidy, but performative, reporting. Take for instance your progress in "Balancing Transparency and Sovereignty", "The Chilling Effect", and today's blog post which has this odd title appealing to your subscribers suggesting that they might be silenced when the case is that you as CRC member may have to act impartially.

In "Balancing..." you seemingly highlighted yourself as the champion of transparency -including playing on the fears of non-tribal citizens being arrested for protesting on tribal land- while Johnston was presumed to be the antagonist going as far as to suggest further allegations of impropriety, regarding the passing of the recent bond measure, as a school board member.

However in "The Chilling Effect" you, as the champion of transparency, were brought to admit your capacity on the CRC that you had largely omitted the contents of the exchange due to

Substacks limitation of publishing in only one color (A claim of technical limitations that prevent complete and transparent presentation of the exchange feels flimsy - especially when you were aware of other means to clarify). Then you waded into a common trope of your reporting: using charged language and guided titles to give readers the impression of collusion by alleging that Johnston and others had preplanned the reconvening of the bylaws committee to censor you - including the bolded header, "a plan unfolds".

You now rail against the idea that you would have to clarify if you had to present yourself as a private citizen offering commentary on your own blog or doing so as a member of the CRC while seeking to reframe your mishap as an attack on free speech.

What is most telling fellow subscribers, is that Jeff, the sole source of information on local reporting - which a fair amount of you admit - has regressed from a paragon of public integrity using the same schema he accuses the multiple municipal officials, tribal leaders, and executive NGO's as using. Instead of owning up to selective reporting, he recast himself as an advocate of free speech under threat. It's a classic "when criticized, change the subject". Your strong and boisterous watchdog is now with its tail tucked between its legs. He is choosing to ignore the legitimate concerns of misrepresentation to which Fisch spoke to, that is the chilling effect that puts people's lives in danger.

Honestly a lot of these people need to support free community college. In just a few days it was plain as day that many of these commenters are "true believers" in what you have been publishing. Keeping in mind that you are their elected official, and their sole source on local politics because they believe in your integrity. It is worrisome and fascinating how many of them will come to your rescue when commenters have a differing opinion calling them trolls or telling them to open their eyes. In the four days that I have interacted with this blog it is clear you have let the koolaid be. I was gone one day and two of your commenters mistook a disabled veteran (Kevin R.) for me, Kevin. You got a dude down here saying that the literal meaning of fired was just that... fire. And another saying that that public officials upkeep a perception of stupidity because it's the only thing that keeps them from being strung up by lampposts.

I will be emailing Loni Gores so that this can be submitted into testimony. And by the way how often would you say that you use ChatGPT in the course of writing your blog?"

LIKE REPLY

"My email address has changed! The new format is Loni.Gores@clallamcountywa.gov Please update my contact card as your earliest convenience, Thank you!"

Loni Gores
Clerk of the Board
Commissioners Office
223 East 4th Street, Suite 4
Port Angeles, WA 98362
Phone: 360-417-2256

From: Verytautdrum <Verytautdrum@proton.me>
Sent: Thursday, April 3, 2025 2:24 AM
To: Gores, Loni <loni.gores@clallamcountywa.gov>
Subject: CRC - Testistmony regarding Clallam County Watchdog

You don't often get email from Verytautdrum@proton.me. [Learn why this is important.](#)

Hello,

I am writing to express my wishes that a comment I made on Clallam County Watchdog in reply to Jeff Tozzer the author of said blog, who asked, "Why shouldn't journalist be in government", be entered as testimony. To be clear his is a member of the Charter Review Committee and the author the blog, Clallam County Watchdog. Can you please forward this to all Charter Review Members, please? If my identity need be known I am willing to do so only certain circumstances. I believe that Jeff Tozzer has knowingly bred resentment in his subscribers by never interacting with the most inflammatory, or racial commenters. He prefers to only interact if it is pertinent question to the blog post or a personal compliment.

Here is the comment which I am including in full, and with typos, "

It comes to your position among elected members of the CRC and being the author of a blog that dabbles in sensationalism. It does lately seem that there is degradation of your normal tidy, but performative, reporting. Take for instance your progression in "Balancing Transparency and Sovereignty", "The Chilling Effect", and today's blog post which has this odd title appealing to your subscribers suggesting that they might be silenced when the case is that you as CRC member may have to act impartially.

In "Balancing..." you seemingly highlighted yourself as the champion of transparency -including playing on the fears of non-tribal citizens being arrested for protesting on tribal land- while Johnston was presumed to be the antagonist going as far as to suggest further allegations of impropriety, regarding the passing of the recent bond measure, as a school board member.

However in "The Chilling Effect" you, as the champion of transparency, were brought to admit in your capacity on the CRC that you had largely omitted the contents of the exchange due to Substack's limitation of publishing in only one color (A claim of technical limitations that prevented complete and transparent presentation of the exchange feels flimsy - especially when you were aware of other means to clarify).

Then you waded into a common trope of your reporting: using charge language and guided titles to give readers the impression of collusion by alleging that Johnston and others had preplanned the reconvening of the bylaws committee to censor you and including the bolded header, "a plan unfolds".

You now rail against the idea that you would have to clarify if you had to present yourself as private citizen offering commentary on your own blog or doing so as member of the CRC while seeking to reframe your mishap as an attack on free speech.

What is mostly telling fellow subscribers, is that Jeff, the sole source of information on local reporting - which a fair amount of you admit - has regressed from a paragon of public integrity to using the same schema he accuses the multiple municipal officials, tribal leaders, and executives of NGO's as using. Instead of owning up to selective reporting, he recast himself as an advocate of free speech under threat. It's a classic "when criticized, change the subject". Your strong and boisterous watchdog is now with its tail tucked between its legs. He is choosing to ignore the legitimate concerns of misrepresentation to which Fisch spoke to, that is the chilling effect that puts people's lives in danger.

Honestly a lot of these people need to support free community college. In just a few days it was plain as day that many of these commenters are "true believers" in what you have been publishing. Keeping in mind that you are their elected official, and their sole source on local politics because they believe in your integrity. It's worrisome and fascinating how many of them will come to rescue when commenters have a differing opinion calling them trolls or telling them to open their eyes. In the four days that I have interacted with this blog it is clear you have let the koolaid brew. I was gone one day and two of your commenters mistook a disabled veteran (Kevin R.) for me, Kevin. You got a dude down here saying that the literal meaning of fired was just that... fire. And another saying that that public officials upkeep a perception of stupidity because it's the only thing that keeps them from being strung up by lampposts.

Will be emailing Loni Gores so that this can be submitted into testimony. And by the way, how often would you say that you use ChatGPT in the course of writing your blog?"

]

COUNTYWIDE

Personal agenda or public interest?

JEFF TOZZER APR 5 ❤️ 28 🗨️ 111 ➡️ 1

Transparency in question as Charter Review agendas take shape

Read →

111 Comments

↑↓ Top



Write a comment...



Mark Swanson 3d

Attempts to block journalists from identifying comments and commenters in public forums have been held by the courts as wholly specious. In other words, you have no right to privacy if you speak up at public meetings, either as public official or a member of the public who offers comment. Been there, done that, been through that kind of lawsuit in my career.

❤️ LIKED (15) 🗨️ REPLY (3)

Denise Lapio 3d ✓

Succinctly stated! Sitting thru Thursday's CRC By-laws 2 hour meeting was difficult. The "anonymous" source has posted openly on CCWD many times. So, he has, of his volition, engaged in his right of free speech using electronic media with no fear of "harassment" or "intimidation". The only person who has been unfairly treated and attacked is Jeff. I saw blatant bias of the committee on Thursday. Thank you, Jeff, for being a staunch citizen of free speech!

👍 LIKE (8) 🗨️ REPLY (2)



Jeff Tozzer 3d

Author

You're welcome. The true test of my stance on Free Speech will come when the first person criticizes my hair :)

👍 LIKE (11) 🗨️ REPLY (4)

Mimi Smith-Dvorak Too Many Eggs 3d

Subject: New comment on Personal agenda or public interest?

Date: 4/5/2025 10:13:38 PM Pacific Daylight Time

From: forum@mg1.substack.com

Reply To: forum+2nmhxx&3512w2&1rcjz0&9c4c1bd11275547b82c04b55fc800b84ceb036660c3c5a3c4aad471780f66a0@mg1.substack.com

To: Dylapio@aol.com



Kevin replied to your comment on Personal agenda or public interest?.

Hey, Kevin is here. I definitely post under a pseudonym to protect my identity because Jeff does not directly incite violence, he does not temper or police the comment section for it. As evidence by my few days of posting comments here it is was evident by the action of a few commenters that they were only looking for my name to appear without reading the content of the the other Kevin's comment, I would say thats at the minimum toxic, and at the worst hostile...maybe ignorant. Anywas this commnt be ignorant as heck. You assume that I posted no fear of harassment or intimidation. Thats the primary reason I do post under a pseudonym. I have witness a few common subscribers who require that dissenting commenters make their identity known or be dismissed as less than Jeff. Your take does underestimate what could happen having one's legal name on display here, given that conspiracies theories involving NGO's, environemntal groups, and municipals officals are the scope of the reporting on this blog. I, having been an intern and volunteer for a few of them certainly makes me concerned for my physically safety if I had made my name googleable. I invite you to search your own name on google and see what is publically available information. Also, are you Jeff's surrogate mom? Do you pinch his cheeks?



Mute thread

© 2025 Jeff Tozzer
1052 Jamestown Rd, Sequim, WA 98382

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Start writing

CHARTER REVIEW COMMISSION

CORRESPONDENCES RECEIVED



COMMITTEE MEETING NOTICE CLALLAM COUNTY CHARTER REVIEW COMMISSION

The Charter Review Commission Coroner Committee has scheduled a Coroner Committee meeting to be held on Tuesday, April 1, 2025 at 1 p.m. in the Board of Commissioners Board Room at 223 East 4th Street, Room 160, Port Angeles.

The purpose of the meeting is to discuss the Coroner topic.

Zoom:

If you would like to participate in the meeting via Zoom audio only, call 253-215-8782 and use meeting ID: 836 9266 4344 and passcode: 12345 and use *9 to raise your hand.

If you would like to participate in the meeting via Zoom video conference, visit <https://us06web.zoom.us/j/83692664344> and use meeting ID: 836 9266 4344 and passcode: 12345

Citizens with comments or questions regarding the Charter Review Commission may contact the Clerk of the Charter Review Commission at loni.gores@clallamcountywa.gov or 360-417-2256.

Dated this 28th day of March, 2025

A handwritten signature in black ink that reads "Loni Gores".

Loni Gores, MMC

Clerk to the Charter Review Commission



MEETING NOTICE

CLALLAM COUNTY CHARTER REVIEW COMMISSION COMMUNITY TOWN HALL EVENT

The Charter Review Commission has scheduled a Community Town Hall Event to be held on Tuesday, April 1, 2025 from 5-7 p.m. at the Fairview Grange, 161 Lake Farm Road, Port Angeles, WA, 98362.

This event is being held to allow the Charter Review Commission to engage with the citizens of Clallam County regarding the Clallam County Charter.

Additional details regarding the Charter Review Commission can be found at this link.
<https://www.clallamcountywa.gov/210/Charter-Review-Commission-CRC>

Citizens with comments or questions regarding the Charter Review Commission may contact the Clerk of the Charter Review Commission at loni.gores@clallamcountywa.gov or 360-417-2256.

Dated this 25th day of March, 2025


Loni Gores, MMC
Clerk to the Charter Review Commission



COMMITTEE MEETING NOTICE

CLALLAM COUNTY CHARTER REVIEW COMMISSION

The Charter Review Commission Water Committee has scheduled a Water Committee meeting to be held on Wednesday, April 2, 2025 at 9:30 a.m. in the Board of Commissioners Board Room at 223 East 4th Street, Room 160, Port Angeles.

The purpose of the meeting is to discuss the water issues raised by CRC Commissioners and Citizens and consider the possibility of a Charter amendment regarding County water management.

Zoom:

If you would like to participate in the meeting via Zoom audio only, call 253-215-8782 and use meeting ID: 836 9266 4344 and passcode: 12345 and use *9 to raise your hand.

If you would like to participate in the meeting via Zoom video conference, visit <https://us06web.zoom.us/j/83692664344> and use meeting ID: 836 9266 4344 and passcode: 12345

Citizens with comments or questions regarding the Charter Review Commission may contact the Clerk of the Charter Review Commission at loni.gores@clallamcountywa.gov or 360-417-2256.

Dated this 26th day of February, 2025

A handwritten signature in black ink that reads "Loni Gores".

Loni Gores, MMC

Clerk to the Charter Review Commission



COMMITTEE MEETING NOTICE CLALLAM COUNTY CHARTER REVIEW COMMISSION

The Charter Review Commission Town Hall Outreach Committee has scheduled a Town Hall Outreach Committee meeting to be held on Thursday, April 3, 2025 at 1 p.m. in the Board of Commissioners Small Conference Room at 223 East 4th Street, Room 150, Port Angeles.

Purpose of the Meeting is to review input received from during Community Town Hall events and outreach and draft questions for a Community Survey of Positions and Priorities.

Zoom:

If you would like to participate in the meeting via Zoom audio only, call 253-215-8782 and use meeting ID: 836 9266 4344 and passcode: 12345 and use *9 to raise your hand.

If you would like to participate in the meeting via Zoom video conference, visit <https://us06web.zoom.us/j/83692664344> and use meeting ID: 836 9266 4344 and passcode: 12345

Citizens with comments or questions regarding the Charter Review Commission may contact the Clerk of the Charter Review Commission at loni.gores@clallamcountywa.gov or 360-417-2256.

Dated this 27th day of March, 2025

A handwritten signature in black ink that reads "Loni Gores".

Loni Gores, MMC

Clerk to the Charter Review Commission



COMMITTEE MEETING NOTICE

CLALLAM COUNTY CHARTER REVIEW COMMISSION

The Charter Review Commission Bylaws/Rules Committee has scheduled a Bylaws/Rules Committee meeting to be held on Thursday, April 3, 2025 at 4 p.m. in the Board of Commissioners Board Room at 223 East 4th Street, Room 160, Port Angeles.

The purpose of the meeting is to discuss the Charter Review Commission Bylaws and Rules.

Zoom:

If you would like to participate in the meeting via Zoom audio only, call 253-215-8782 and use meeting ID: 836 9266 4344 and passcode: 12345 and use *9 to raise your hand.

If you would like to participate in the meeting via Zoom video conference, visit <https://us06web.zoom.us/j/83692664344> and use meeting ID: 836 9266 4344 and passcode: 12345

Citizens with comments or questions regarding the Charter Review Commission may contact the Clerk of the Charter Review Commission at loni.gores@clallamcountywa.gov or 360-417-2256.

Dated this 26th day of February, 2025

A handwritten signature in black ink that reads "Loni Gores".

Loni Gores, MMC
Clerk to the Charter Review Commission



MEETING NOTICE

CLALLAM COUNTY CHARTER REVIEW COMMISSION COMMUNITY TOWN HALL EVENT

The Charter Review Commission has scheduled a Community Town Hall Event to be held on Monday, April 7, 2025 from 6-8 p.m. at the Crescent Grange in Joyce, 50724 Highway 112, Port Angeles, WA, 98363.

This event is being held to allow the Charter Review Commission to engage with the citizens of Clallam County regarding the Clallam County Charter.

Additional details regarding the Charter Review Commission can be found at this link.
<https://www.clallamcountywa.gov/210/Charter-Review-Commission-CRC>

Citizens with comments or questions regarding the Charter Review Commission may contact the Clerk of the Charter Review Commission at loni.gores@clallamcountywa.gov or 360-417-2256.

Dated this 25th day of March, 2025

A handwritten signature in black ink that reads "Loni Gores".

Loni Gores, MMC

Clerk to the Charter Review Commission



UPDATED CALL INFORMATION ON NOTICE
COMMITTEE MEETING NOTICE
CLALLAM COUNTY CHARTER REVIEW COMMISSION

The Charter Review Commission Coroner Committee has scheduled a Coroner Committee meeting to be held on Thursday, April 10, 2025 at 1 p.m. in the Board of Commissioners Small Conference Room at 223 East 4th Street, Room 150, Port Angeles.

The purpose of the meeting is to discuss the Coroner topic.

Zoom: UPDATED CALL INFORMATION ON NOTICE

If you would like to participate in the meeting via Zoom audio only, call 253-215-8782 and use meeting ID: 873 4384 8004 and passcode: 12345 and use *9 to raise your hand.

If you would like to participate in the meeting via Zoom video conference, visit <https://us06web.zoom.us/j/87343848004> and use meeting ID: 873 4384 8004 and passcode: 12345

Citizens with comments or questions regarding the Charter Review Commission may contact the Clerk of the Charter Review Commission at loni.gores@clallamcountywa.gov or 360-417-2256.

Dated this 1st day of April, 2025

A handwritten signature in dark ink that reads "Loni Gores".

Loni Gores, MMC
Clerk to the Charter Review Commission



COMMITTEE MEETING NOTICE

CLALLAM COUNTY CHARTER REVIEW COMMISSION

The Charter Review Commission Outreach Town Hall Committee has scheduled an Outreach Town Hall Committee meeting to be held on Thursday, April 10, 2025 at 2:30 p.m. in the Board of Commissioners Small Conference Room at 223 East 4th Street, Room 150, Port Angeles.

Purpose of the Meeting is to review input received during Community Town Hall events and outreach and draft questions for a Community Survey of Positions and Priorities.

Zoom:

If you would like to participate in the meeting via Zoom audio only, call 253-215-8782 and use meeting ID: 873 4384 8004 and passcode: 12345 and use *9 to raise your hand.

If you would like to participate in the meeting via Zoom video conference, visit <https://us06web.zoom.us/j/87343848004> and use meeting ID: 873 4384 8004 and passcode: 12345

Citizens with comments or questions regarding the Charter Review Commission may contact the Clerk of the Charter Review Commission at loni.gores@clallamcountywa.gov or 360-417-2256.

Dated this 3rd day of April, 2025

A handwritten signature in dark ink that reads "Loni Gores". The signature is written in a cursive, flowing style.

Loni Gores, MMC
Clerk to the Charter Review Commission



COMMITTEE MEETING NOTICE

CLALLAM COUNTY CHARTER REVIEW COMMISSION

The Charter Review Commission Water Committee has scheduled a Water Committee meeting to be held on Friday, April 18, 2025 at 9 a.m. in the Board of Commissioners Board Room at 223 East 4th Street, Room 160, Port Angeles.

The purpose of the meeting is to discuss the water issues raised by CRC Commissioners and Citizens and consider the possibility of a Charter amendment regarding County water management.

Zoom:

If you would like to participate in the meeting via Zoom audio only, call 253-215-8782 and use meeting ID: 836 9266 4344 and passcode: 12345 and use *9 to raise your hand.

If you would like to participate in the meeting via Zoom video conference, visit <https://us06web.zoom.us/j/83692664344> and use meeting ID: 836 9266 4344 and passcode: 12345

Citizens with comments or questions regarding the Charter Review Commission may contact the Clerk of the Charter Review Commission at loni.gores@clallamcountywa.gov or 360-417-2256.

Dated this 4th day of March, 2025

A handwritten signature in dark ink that reads "Loni Gores". The signature is written in a cursive style with a horizontal line underneath.

Loni Gores, MMC

Clerk to the Charter Review Commission

Outreach Town Hall Committee meeting notes

28 Feb 2025 – District 1 Commissioners (Stoffer, Fain, Benedict, Tozzer, & Fisch, plus Com Morris (Dist2) met at the KSQM Community Room and discussed outreach, priorities, and dates for townhalls and community outreach. Stoffer open the meeting at 5pm.

- a. Two quests were in attendance; Larry Morris and an unknown community member who did not leave her name.
- b. Com Stoffer distributed Handout was distributed re the availability of spaces in the community available at a costs or at no cost. Prairie Grange currently not available due to ongoing maintenance and remodel work. Comm Tozzer offered to check on prices with the Museum (Sequim Dungeness School House)
- c. Meeting closed at 6:30pm

5 Mar Committee Meeting [Minutes from Town Hall committee meeting - 2.5.25.docx](#)

From: noreply@civicplus.com
Sent: Monday, March 24, 2025 9:51 PM
To: Gores, Loni
Subject: Online Form Submission #6890 for Contact the Clerk of the Board

Contact the Clerk of the Board

First Name	JOHN
Last Name	WORTHINGTON
Email	WORTHINGTONJW2U@HOTMAIL.COM
Phone	425-919-3910
Subject	Improper comments not regarding agenda
Comments	Mrs. Johnston, did not make comments to the agenda items. The rest of the commission then made Mrs. Johnston's agenda regarding Mr. Tozzer an agenda item. This flouted the appearance of fairness doctrine and allowed one person to create a new public agenda for the Charter commission. It was specious to say the least. It was inappropriate for the Chair to allow non agenda items to be spoken about. It was clear if Mrs Johnston would have waited until the end, the Charter Commission would not have been able to take action on the bylaw committee. I not only call bull, I call foul on the chair. The charter commission needs a new chair.

Please Note

This form is not for emergencies. If you have an emergency, please phone 911.

Email not displaying correctly? [View it in your browser.](#)

Gores, Loni

From: Tony Corrado <tony.corrado@gmail.com>
Sent: Tuesday, March 25, 2025 9:33 AM
To: Gores, Loni
Subject: CRC
Attachments: 250325-suggested CRC Resolution.pdf

You don't often get email from tony.corrado@gmail.com. [Learn why this is important](#)

Hello Ms. Gores,

Kindly forward the attached PDF file to the CRC members. It is offered as a clarification of the basis and intent to establish the position of Water Steward to preside over the issues related to preserving an adequate water supply for the entire County.

Thank you.
Anthony Corrado

Resolution Establishing the Position of Clallam County Water Steward

WHEREAS, climate change is manifesting in both the increased severity and frequency of severe weather events, necessitating proactive planning for increased magnitude and prolonged periods of drought and loss of snowpack; and

WHEREAS, drought conditions adversely affect the Dungeness River, reducing the availability of both surface and groundwater supplies; and

WHEREAS, the effects of climate change are occurring earlier in the calendar year, resulting in earlier plant maturity, which, when coupled with insufficient irrigation water supply during critical growth stages, leads to reduced plant harvest yields; and

WHEREAS, warmer weather patterns cause significant reductions in Dungeness River flow during the late summer months, critically jeopardizing Salmon spawning due to insufficient river flow for Salmon to reach their upper river spawning grounds; and

WHEREAS, reduced surface river flow diminishes groundwater recharge, which is essential for supporting flora, fauna, and maintaining adequate water levels in the upper aquifers of the Dungeness Basin for domestic groundwater extraction; and

WHEREAS, while Clallam County possesses paper water rights in quantities sufficient to supply planned developments and water consumption, a definitive analysis of the future extent and quantities of aquifer water is lacking to ensure the adequacy of actual water resources critical for survival; and

WHEREAS, a comprehensive net water balance for the entire County has not been developed to account for the possibility of dramatically reduced precipitation patterns, thereby hindering the County's ability to adequately forecast processes for securing sufficient water resources; and

WHEREAS, the Off Channel Reservoir may not provide sufficient future storage capacity to preserve additional river flow to augment the minimum flow necessary to support agriculture and Salmon spawning; and

WHEREAS, extreme and mandatory conservation methods may be required to ensure sufficient river flow due to the increasing impacts of climate change;

THEREFORE, BE IT RESOLVED THAT Clallam County shall establish the position of Clallam County Water Steward (hereinafter referred to as "Steward").

BE IT FURTHER RESOLVED THAT the position of Water Steward will have the mission of:

1. Analyzing the interrelated and interconnectivity factors of the water system;
2. Establishing a system wide analysis of current as well as future forecasts based on planned growth and measured wet water availability;
3. Developing plans for ensuring and maximizing the availability of water;
4. Creating a list of acceptable basis of consumptive uses based on a stated/public priority order of importance;
5. Mandating measures sufficient to ensure that maximal water remains available for all consumption considered critical.
6. Recommend changes to water regulation and law that is deemed necessary to achieve the stated mission.

BE IT FURTHER RESOLVED THAT The Steward shall have the power to interview all necessary agencies, individuals, and experts to determine the factual basis for all analysis and planning. The Steward shall not have the power to regulate water usage or implement policy. The Steward will report to the Board of County Commissioners and shall recommend the actions required to fulfill the mission statement.

BE IT FURTHER RESOLVED THAT The Steward shall be elected and that the position be non partisan. The Steward shall be a volunteer position , non compensated. The Steward shall have no financial or stakeholder affiliation that represents a substantial conflict, act in total transparency and endeavor to apply fairness to all stakeholders, and operate within public oversight at all times.

BE IT FURTHER RESOLVED THAT The Steward shall be provided with sufficient operating budget and County facilities in order to conduct the stated mission. Expenditures will be permitted for out-of-pocket expenses such as travel, meeting courtesies, meeting facilities and meals. The Steward will have the ability to initiate contractual efforts only through the normal contracting expertise and requirements of the appropriate County Departments and using County personnel and services.

Gores, Loni

From: jonnsheer@wavecable.com
Sent: Tuesday, March 25, 2025 11:28 AM
To: Gores, Loni
Subject: CRC recommendations
Attachments: 2025 Charter Review Recommendations.docx

Hi Jon Purnell You don't often get email from jonnsheer@wavecable.com. [Learn why this is important](#)

Hello,

I have attached a document for the Charter Review Commission with my preferences and comments regarding some of the various amendments they are considering.

Please forward it to the Commission with my compliments.

Cordially,

Jon B. Purnell
133 Alice Road
Port Angeles, WA 98363
360-460-8565

Submitted by Jon Purnell

133 Alice Road, Port Angeles, WA 98363

jon.purnell@wavecable.com or jonnsher@wavecable.com

360.460.8565

GREEN = amendments I support

RED = amendments I oppose

Black = no opinion, or need more information

Comments are in underlined italics

Governance and ethics

Note: items with an asterisk have been identified as priorities by the CRC.

- **Coroner position***: Due to a change in state law, the elected prosecuting attorney can no longer serve as coroner. Voters may decide whether the new coroner should be elected or appointed. *Comment: Issue like this that affect the county-at-large should be decided by the county-at-large*
- **Code of Ethics with civil penalties***: Currently, there is a Code of Ethics for elected officials, but the Board of Commissioners removed penalties for violations. This amendment could establish enforceable penalties.
- **Reforming Board of Commissioner committee appointments***: This amendment could change how members are appointed to various county boards, such as the Trails Advisory Board, Animal Solutions Advisory Committee, and Board of Equalization.
- **Recusal requirement for commissioners***: Would mandate that County Commissioners recuse themselves from votes where they have a conflict of interest.
- **Restrictions on elected officials' advocacy**: Would limit commissioners' ability to endorse policies that directly benefit organizations they are involved with.
- **Government-to-Government Relations and Training***: This amendment would require county officials to undergo government-to-government training to better understand and respect local tribes as sovereign governments, improving collaboration and mutual respect.
- **Restrictions on board membership for commissioners**: This amendment would restrict commissioners from sitting on boards of organizations that receive county funding or influence county policies, addressing potential conflicts of interest.

- **Add “American governments” to Intergovernmental Relations section 1.20:** This amendment would ensure that any Clallam County partnerships with foreign nations are subject to federal oversight to prevent conflicts of interest or foreign influence.

Elections and public participation

- **Return to district voting*:** This amendment would ensure that only voters within a district vote for their county commissioner in both the primary and general elections, rather than countywide. *Comment: Government works best the closer it is to the people it serves. I reside in District 3, whose issues are very different from those affecting Districts 1 and 2. I do not want residents of Districts 1 and 2 to have a say in who my elected government representative should be; nor should I have a say in who their representative should be.*
- **Elected Director of the Department of Community Development*:** Clallam County is the only county in the U.S. with an elected DCD director, rather than appointed, which presents unique benefits and challenges. *Comment: Voters have already decided this issue. Leave it be.*
- **Ranked Choice Voting (RCV)*:** Voters would rank candidates in order of preference. Proponents say it saves money by eliminating runoffs, while opponents say it complicates voting. *Comment: RCV unnecessarily complicates and draws out the elective process.*
- **Charter Review Commission frequency*:** This would change the review cycle from every five years to ten. *The sheer number of proposed amendments being considered during this cycle indicates that the county charter has not yet achieved a stable maturity. Retaining the current 5-year cycle allows for more timely modifications to provisions that don't work.*
- **Increased public engagement*:** Could require monthly or quarterly town halls with the Board of Commissioners.
- **Public access to meetings:** Would mandate greater transparency in decision-making processes involving public funds and require that meetings be held on land governed by county policy and state law.

Financial oversight and transparency

- **Board of County Commissioners spending transparency*:** The Lower Dungeness Floodplain Restoration project was completed without a budget. This amendment would require detailed financial reporting.

- **Budget town halls***: Would ensure that budget presentations are free, public, and interactive. *Comment: No one should have to pay a fee to attend a meeting that is governed by the Open Public Meetings Act. Requiring a fee to attend a public meeting is tantamount to an illegal poll tax!*
- **Fair bidding process***: Could level the playing field for local businesses bidding against foreign corporations that avoid fees and taxes.
- **General fund reserve minimum***: This amendment would establish a fiscal reserve threshold to ensure long-term financial stability.
- **Transparency in public funds to nongovernmental organizations (NGOs)***: This amendment would require financial transparency from any NGO the county contracts with, ensuring that public funds are allocated to organizations with clear and accessible financial records.
- **Tax increases by voter approval***: Currently, the Board of Commissioners can raise property taxes and increase the sales tax without voter approval. This amendment would require voter approval for any future tax increases.

Public services and infrastructure

- **Public Defender's Office***: Clallam Public Defender's Office is currently a private nonprofit that receives funding from the county. This amendment would incorporate it into county government. *Comment: Would incorporation increase or decrease the current county funding level for this program? Voters should decide whether or incorporation should happen.*
- **Independent hearing examiner***: Would ensure that land use and zoning decisions are made impartially, free from political influence.
- **Trust land transfer program***: Affects the county's collaboration with the Department of Natural Resources in managing forestland.
- **Lower permit costs for property and business owners***: Would reduce financial barriers for development. *Comment: Also needed—reduced turn-around times for permit processing and review.*

Environmental and water management

- **Establishment of a Water Steward***: Would create a county position focused on long-term water management. Proponents cite climate change concerns, while opponents worry about expanding government costs. *Comment: Suspect this issue*

is more likely to affect and be of interest to residents of District 1. How would the rest of the county be affected?

- **Requirement to notify Bureau of Indian Affairs on adverse effects:** Would mandate the county notify the BIA when land use changes affect county interests.

Additional proposed amendments

- Increase number of County Commissioners* Not sure the county can afford more commissioners drawing six-figure salaries. One commissioner position = 2 entry level departmental employee salaries.
- Clarify vacancy language for commissioners & elected officials
- Define Auditor, Treasurer, and CFO Responsibilities
- Revise Procedures for Amending the Charter*
- Define the duties of the Clerk of the Board which are currently unclear*
- Clarify vacancy language for the charter*

Gores, Loni

From: Tree Stokan <treejstokan@gmail.com>
Sent: Tuesday, March 25, 2025 10:48 PM
To: Gores, Loni
Cc: Gores, Loni
Subject: Fwd: CRC - I am writing to endorse this proposal - regarding "Water Steward". Thanks for your review.
Attachments: 250325-suggested CRC Resolution.pdf

You don't often get email from treejstokan@gmail.com. [Learn why this is important](#)

 Important Notice

This email was sent to an address at co.clallam.wa.us, which will be deactivated at the end of this year. Please update your contact information to use our new domain clallamcountywa.gov to ensure uninterrupted communication.

Hello Ms. Gores,

Hope you are doing well! Could you please share this email with the 2025 CRC and the BOCC?

I am writing to endorse this proposal, submitted by former 2020 Charter Review Commissioner, Anthony Corrado. Mr. Corrado is an engineer with a vast amount of experience and interest in this issue, as well as other issues, which impact the health and well-being of our residents.

While there are many issues facing Clallam County and our region, no issue is more important than water security. Establishing a position of "Water Steward" to preside over the issues related to preserving an adequate water supply for the entire County, including the far West End, is a great idea to consider.

Congratulations to the members of the 2025 CRC on your election! Thank you in advance for considering this proposal!

Therese Stokan, D.O.
Neah Bay

----- Forwarded message -----

From: **Tony Corrado**

Kindly forward the attached PDF file to the CRC members. It is offered as a clarification of the basis and intent to establish the position of Water Steward to preside over the issues related to preserving an adequate water supply for the entire County.

Resolution Establishing the Position of Clallam County Water Steward

WHEREAS, climate change is manifesting in both the increased severity and frequency of severe weather events, necessitating proactive planning for increased magnitude and prolonged periods of drought and loss of snowpack; and

WHEREAS, drought conditions adversely affect the Dungeness River, reducing the availability of both surface and groundwater supplies; and

WHEREAS, the effects of climate change are occurring earlier in the calendar year, resulting in earlier plant maturity, which, when coupled with insufficient irrigation water supply during critical growth stages, leads to reduced plant harvest yields; and

WHEREAS, warmer weather patterns cause significant reductions in Dungeness River flow during the late summer months, critically jeopardizing Salmon spawning due to insufficient river flow for Salmon to reach their upper river spawning grounds; and

WHEREAS, reduced surface river flow diminishes groundwater recharge, which is essential for supporting flora, fauna, and maintaining adequate water levels in the upper aquifers of the Dungeness Basin for domestic groundwater extraction; and

WHEREAS, while Clallam County possesses paper water rights in quantities sufficient to supply planned developments and water consumption, a definitive analysis of the future extent and quantities of aquifer water is lacking to ensure the adequacy of actual water resources critical for survival; and

WHEREAS, a comprehensive net water balance for the entire County has not been developed to account for the possibility of dramatically reduced precipitation patterns, thereby hindering the County's ability to adequately forecast processes for securing sufficient water resources; and

WHEREAS, the Off Channel Reservoir may not provide sufficient future storage capacity to preserve additional river flow to augment the minimum flow necessary to support agriculture and Salmon spawning; and

WHEREAS, extreme and mandatory conservation methods may be required to ensure sufficient river flow due to the increasing impacts of climate change;

THEREFORE, BE IT RESOLVED THAT Clallam County shall establish the position of Clallam County Water Steward (hereinafter referred to as "Steward").

BE IT FURTHER RESOLVED THAT the position of Water Steward will have the mission of:

1. Analyzing the interrelated and interconnectivity factors of the water system;
2. Establishing a system wide analysis of current as well as future forecasts based on planned growth and measured wet water availability;
3. Developing plans for ensuring and maximizing the availability of water;
4. Creating a list of acceptable basis of consumptive uses based on a stated/public priority order of importance;
5. Mandating measures sufficient to ensure that maximal water remains available for all consumption considered critical.
6. Recommend changes to water regulation and law that is deemed necessary to achieve the stated mission.

BE IT FURTHER RESOLVED THAT The Steward shall have the power to interview all necessary agencies, individuals, and experts to determine the factual basis for all analysis and planning. The Steward shall not have the power to regulate water usage or implement policy. The Steward will report to the Board of County Commissioners and shall recommend the actions required to fulfill the mission statement.

BE IT FURTHER RESOLVED THAT The Steward shall be elected and that the position be non partisan. The Steward shall be a volunteer position , non compensated. The Steward shall have no financial or stakeholder affiliation that represents a substantial conflict, act in total transparency and endeavor to apply fairness to all stakeholders, and operate within public oversight at all times.

BE IT FURTHER RESOLVED THAT The Steward shall be provided with sufficient operating budget and County facilities in order to conduct the stated mission. Expenditures will be permitted for out-of-pocket expenses such as travel, meeting courtesies, meeting facilities and meals. The Steward will have the ability to initiate contractual efforts only through the normal contracting expertise and requirements of the appropriate County Departments and using County personnel and services.

From: Pepai Whipple <pepalapu@sbcglobal.net>
Sent: Tuesday, March 25, 2025 11:44 PM
To: Gores, Loni
Subject: Charter Review Commission

Loni, could you please forward to the Charter Review Commissioners, thank you.

Commissioners,

I am writing about the Charter Review Committee's actions taken regarding Ms. Johnson's 5 minute testimony on Monday, March 24, 2024. I would like to address the board in writing rather than embarrass any Commissioner who fell hook line and sinker to the hypocrisy of Ms. Johnson's testimony. We have rewatched the testimony numerous times and encourage all of you to do the same and thank those Commissioners who voted against by-laws to address this controversial & political issue.

Ms. Johnson is doing the very thing she accuses Commissioner Tozzer of doing. She is publically accusing, harassing & victimizing Mr. Tozzer in public with his peers when he has done nothing wrong.

First of all I'd like to say how quickly the board responded to Ms. Johnson's scripted unbelievable rhetoric. Including the Chair of the commission interjecting her career judicial background and how she understands what it is like to be a victim & harassed apparently to a great extent in Colorado? I find it

difficult to believe being harassed serving in Colorado as a liberal judge, where they fought to keep our current President off the ballot.

Ms. Johnson clearly portrayed herself as the victim. She read quotes to show justification when she simply doesn't like what others have to say about her, nothing constituting harassment, disliked opinions perhaps but no harassment. Then she states at the podium SHE RESPONDED TO HER SO CALLED ACCUSER, she responds to the person she claims harassed & victimized her?

Ms. Johnson is nothing more than a woman scorned. Her basis is Jeff didn't include her blue writing, he made it hard to follow & not in context, is a dishonest representation & included her copy of her voter pamphlet she used when she ran for school board which included her photo and campaign contact information. She is an elected official is she not?

Then Ms. Johnson says, "Who would want to make public comment to this body knowing this is the type of retaliation they face. What kind of place putting down will I have to look forward to for these comments this evening?"

Ms. Johnson stated to believe in the rights of citizens under the First Amendment, should be first clue.

Ms. Johnson stated this is not about politics, she stated it's about institutional integrity, should be second clue.....

then she does the victim ask....that protections should extend beyond the walls of this building and asks the commission to adopt a rule that prohibits any commissioner from using social media or other channels to harass individuals who offer public comment and/or engage in email exchanges about issues and if the commission does not act she feels it will be condoning this type of behavior.

Ms. Johnson further states she is a former attorney & she's an adult. She states she understands the rumble and tumble of politics, yet above she stated it wasn't about politics.

I'm writing because Ms. Johnson is not a victim, she is simply a woman exposed who's behavior & testimony is enough hypocrisy to prove beyond a doubt her selective motive.

Please tell me you realize what this former attorney & elected official has asked the commissioners to do. In the meantime the commissioners have much more important issues that need attention, like coroner, ECD, complete board, conflict of interest issues, etc..We all have had our careers, histories and battles but this is not one as a citizen, taxpayer and retirees (long time careers too with extensive experience) I want my Commissioners to spend time solving.

Regards,

Tom & Pepai Whipple

Sent from my iPad

Gores, Loni

From: Mike <sovereign4freedom@gmail.com>
Sent: Wednesday, March 26, 2025 4:41 AM
To: Gores, Loni
Subject: CRC - Transparency and a Constitutional government~!

We here just wanted to communicate that we will be watching the CRC for strict transparency and Constitutional behavior~! Any and ALL violations of the public trust or the American Constitution will be addressed accordingly in the appropriate court of law~!

M

<P>

Gores, Loni

From: Richards, Ron
Sent: Wednesday, March 26, 2025 9:51 PM
To: Fisch, Susan; Gores, Loni
Subject: Re: Coroner Issue Complication

Hi Susan,

Following are my observations in green regarding your initial thoughts.

Ron

1. Mr. Fobes addressed these concerns at our Charter meeting. He stated that the issue as to whether a prosecutor can also be a coroner is an issue of statewide, general concern. [I agree that Mr. Fobes, as the County Commissioner's attorney, said that. But both Mr. Fobes, the Prosecutor's attorney, and Todd Mielke have all conceded that this is an open question] This is confirmed by the AGO opinion. [I do not believe the AGO said anything about this being an issue of statewide concern. The AG's duties include "consult(ing) with and advis(ing) the several prosecuting attorneys in matters relating to the duties of their office". The fact that the AG issues an AGO does not mean the subject of the AGO is an issue of statewide concern.] He also said that a Charter County can appoint a coroner. The issue of appointing/electing a coroner is a county issue (like when to hold elections or when the cut-off date is for filing for office). I agree with him. [What we need is a determination of a court with jurisdiction to agree or disagree with Mr. Fobes. It's difficult for me to understand why a statute that merely says "the coroner shall not appear or practice as attorney in any court" can be said to address a matter of statewide concern more than a statute like RCW 36.16.030 that addresses every county in the state and then provides exceptions only for certain counties.]
2. Our Charter states that the Clerk of the Court is appointed by the BOCC. The statute you cited would require the Clerk of the Court to be elected. So either we are in violation of the statute or Charter counties do get to decide how their county officials are selected. [Your observation here did not escape me last night. I omitted mentioning it so as not add more words to an already too long letter. But, yes, if this "statewide concern" issue does enter into the question of "who does what for a county", we do have the same problem there. Please remember, however, my basic point is that the "statewide concern" issue does not apply to the "who does what for the county" issue and that Mark can continue to serve as coroner just as legally as the county commissioners can appoint a clerk and a coroner. Mark can't have it both ways. See the sixth and seventh paragraphs of my previous email.]
3. I really like your idea to take out the coroner language all together. I wish I would have thought of it. I think it is a simple and correct solution. If members of our commission disagree and want it to be an elected position, we will be able to have that debate. [This was not necessarily my idea. Mark Nichols mentioned that to me prior to my term as a member of the CRC as his preferred option.]
4. I don't think that Dee will engage with us on this issue. I would rather not spend more county funds talking to Mr. Fobes. He already gave us his legal opinion. [Mark, as he should, has conflicted his whole office out of advising us on this issue, including Dee. Mr. Fobes has the same conflict and only spoke to us on the basis of telling us what he had advised the County

Commissioners. He was not advising us. That is why I suggested the three options at the end of my email to discuss with Mark. These are things Mark can do on his own to help us answer these questions without being conflicted.]

From: Fisch, Susan <susan.fisch@clallamcountywa.gov>
Sent: Wednesday, March 26, 2025 3:01 PM
To: Richards, Ron <ron.richards@clallamcountywa.gov>; Gores, Loni <loni.gores@clallamcountywa.gov>
Subject: Re: Coroner Issue Complication

Thanks Ron. My initial thoughts are:

1. Mr. Fobes addressed these concerns at our Charter meeting. He stated that the issue as to whether a prosecutor can also be a coroner is an issue of statewide, general concern. This is confirmed by the AGO opinion. He also said that a Charter County can appoint a coroner. The issue of appointing/electing a coroner is a county issue (like when to hold elections or when the cut-off date is for filing for office). I agree with him.
2. Our Charter states that the Clerk of the Court is appointed by the BOCC. The statute you cited would require the Clerk of the Court to be elected. So either we are in violation of the statute or Charter counties do get to decide how their county officials are selected.
3. I really like your idea to take out the coroner language all together. I wish I would have thought of it. I think it is a simple and correct solution. If members of our commission disagree and want it to be an elected position, we will be able to have that debate.
4. I don't think that Dee will engage with us on this issue. I would rather not spend more county funds talking to Mr. Fobes. He already gave us his legal opinion.

Just my own personal thoughts.

Susan

From: Richards, Ron <ron.richards@clallamcountywa.gov>
Sent: Wednesday, March 26, 2025 1:48 AM
To: Gores, Loni <loni.gores@clallamcountywa.gov>; Fisch, Susan <susan.fisch@clallamcountywa.gov>
Subject: Coroner Issue Complication

Chair Susan,

I sat down tonight to draft what I thought would be a simple proposed amendment to the Clallam County Charter to address the coroner situation. The solution that I was going to propose was based on my reading of the public testimony thus far, and of the Charter Review Commissioners' comments, that the best solution was to simply remove the requirement from the Charter that "The Prosecuting Attorney will serve as ex-officio coroner without extra compensation." This would result in the coroner position not being mentioned in the Charter. I assumed, as has been addressed at several CRC meetings, that the duties of the coroner would then fall on the Board of County Commissioners pursuant to Article 11, Section 4, of the Washington State Constitution, and the Board could appoint a coroner.

A began my effort tonight by attempting to draft findings to justify the proposed amendment. In doing so I referred back to AGO 2024, No. 3, the opinion that has cast doubt on legality of our Charter's provision that the Prosecuting Attorney must serve as the coroner. Immediately I ran into serious issues that I believe need to be addressed before we can be sure that this approach to solving the coroner situation would work.

Specifically, the issues arise from the same statute that AGO 2024, No. 3 considered in reaching the conclusion that Prosecuting Attorneys could not serve as coroners - RCW 36.16.030 as it became effective on January 1, 2025. Although that AGO was limited to non-charter counties with a population of less than 40,000, our Prosecutor assumed the basis of that opinion also required him to step down as coroner here.

RCW 36.16.030 provides as follows:

RCW 36.16.030

Elective county officers enumerated. (Effective January 1, 2025.)

Except as provided elsewhere in this section, in every county there shall be elected from among the qualified voters of the county a county assessor, a county auditor, a county clerk, a county coroner, three county commissioners, a county prosecuting attorney, a county sheriff, and a county treasurer, except that in each county with a population of less than forty thousand the county legislative authority may determine that no coroner shall be elected and instead appoint a coroner. In a county with a population of two hundred fifty thousand or more, the county legislative authority may replace the office of coroner with a medical examiner system and appoint a medical examiner as specified in RCW 36.24.190. Any county may enter into an interlocal agreement under chapter 39.34 RCW with an adjoining county for the provision of coroner or medical examiner services. A noncharter county may have five county commissioners as provided in RCW 36.32.010 and 36.32.055 through 36.32.0558.

In pertinent part this statute provides that “in every county there shall be **elected**. . . a county coroner” The words “every county, along with the exception for noncharter counties to have five county commissioners, creates a very strong inference that this statute applies to all counties, both charter and non-charter.

Further complicating this issue is the question of whether “statewide interests” can allow the state legislature to pass state laws negating the provisions of Article 11, Section 4, of the state constitution that says charter counties can specify which officers “carry out and perform all county functions” and that says Article 11, Section 5, of the state constitution does not apply to charter counties. Article 11, Section 5, is the provision of the state constitution that otherwise allows the State Legislature to create county offices and prescribe their duties.

The crux of our Prosecutor's and our County Commissioners' opinions is that our charter cannot allow the prosecutor to serve as both coroner and prosecutor because there is a “statewide interest” in prohibiting that situation which allows the State Legislature to circumvent the plain language of Article 11, Section 4. As I have stated in other emails, I disagree with those opinions. If I am correct, the prosecutor can serve as coroner. If I am wrong, the problem I address in this email is very real.

This circumstance creates three obvious questions. First, does RCW 36.16.030 enunciate a “statewide interest” requiring all coroners in this state to be elected, even in charter counties, except as provided for in that statute (which exceptions do not apply to Clallam County)? Second, should we err on the side of

caution and propose an amendment to the Charter that provides for the election of the coroner, as called for by state law. Third, should we proceed in the manner I first considered and assume Article 11, Section 4, of the state constitution allows that?

If the CRC feels these questions need answers before we proceed further, I see three options. In order of preference these are:

Our Prosecutor could reconsider and bring a declaratory judgment or other action to clarify all these issues;

Our Prosecutor could request an AGO to address these issues;

Our Prosecutor could appoint a special prosecutor to advise us on these issues.

I would appreciate it if you could add a discussion of this situation to our next general meeting agenda, and/or address it with the Prosecutor before then.

Sincerely,

Ron Richards

Gores, Loni

From: Stoffer, Jim
Sent: Wednesday, March 26, 2025 1:45 PM
To: Fisch, Susan; Cameron, Ron; Richards, Ron; Morris, Patti; Holy, Christy; Walde, Cathy
Cc: Gores, Loni
Subject: KSQM Town Hall Outline Format
Attachments: CRC KSQM Town Hall Event.docx

Importance: High

Greetings & good afternoon,

Please see the attached Outline Format we will be using for tonight's Town Hall Event. I'm doing the Opening, covering some basic meeting/location protocols, and then turning it over to Chair Fisch.

Also – technically KSQM requires folks to sign in to their spaces. I will sign in for the whole event; the space is limited to 60, so we will have to manage that. I will bring a counter to count the persons attending. I will be at KSQM at 4:30 to start setting up, Ron R is joining me. Patti is bringing the Priorities Listing which we will hand out, I will bring some pads of paper for use by the public; Loni is dropping by with pens.

I will also have copies of the Format available for the Public.

Please contact me with questions, concerns.

Thank you, see you this evening.

Best!

Jim

Commissioner Stoffer

Clallam County Charter Review

Jim.stoffer@clallamcountywa.gov

360.775.9356

CRC Town Hall KSQM Community Event 26 Mar 2025

- **Welcoming and Introductions – Commissioner Stoffer**
 - a. Recognition of other Electeds Attending
 - b. Appreciation to KSQM for the use of their Community Room
 - c. Building Safety & Meeting Protocols**
 - d. Introduction of CRC Chair & Town Hall Outreach Committee

- **Format and procedures for tonight's Town Hall – Chair Fisch**
 - a. Handout listing CRC Priorities received from the Public and CRC Commissioners
 - b. Timeline/Calendar; items to the ballot or recommendations to the BOCC

- **Overview of the Charter – Commissioner Cameron & Commissioner Morris**

- Public Input – *“Public comment is limited to 3 minutes for each speaker subject to the Commissions concurrence. Speakers, generally, will be heard in the order they signed up. All comments must be made from the speaker's rostrum and any individual making comments shall first state their name and address for the official record. General comments, applause, booing from members of the audience are inappropriate and may result in removal” Thank You*

- **Closing Comments – Chair Fisch**

Gores, Loni

From: Morris, Patti
Sent: Thursday, March 27, 2025 8:54 AM
To: Gores, Loni; Fisch, Susan; Cameron, Ron; Tozzer, Jeff; Stoffer, Jim; Pickett, Paul; Walde, Cathy; Noble, Chris; Holy, Christy; Hodgson, Mark; Richards, Ron; Fane, Alex; Sarmiento, Nina; Benedict, Bill; Fleck, Rod
Cc: Morris, Patti
Subject: Town Hall District 1 Comment Sheets - 3-26-25
Attachments: Town Hall District 1 Comment Sheets - 3-27-25.pdf

Please find attached the Comment Sheets turned in from District 1 Town Hall on 3-26-25. Patti

Public Comment Town Hall Meeting, Sequim, March 26, 2025

Sue Erzen

979 New Meadows Loop, Sequim

I have served on the Charter Review Commission before and I'm here to say "hi" to all of you but especially to those I served with 5 years ago. I applaud your efforts to improve our charter.

I wholeheartedly support your work on the **Coroner issue**. I hope you write an amendment for voters to approve that will align our Charter with state law and in the best interest of Clallam County. I particularly support having the Coroner be an appointed position rather than an elected one. It seems to me that the position of coroner is about expertise and not about campaigning for office.

You also appear to be rehashing the issue of increasing the number of commissioners. I think that our population is **too small for more commissioners**. State RCWs require all counties with a population of more than 300,000 to have more commissioners. The estimated population of CC is 77,480. 35 of the 39 counties in WA currently have 3 commissioners. Also, in this time of downsizing government, I urge you to wait until our population increases before you add more commissioners.

As some of you know, I support changing the **frequency of Charter Review from 5 to 10 years**. You are the 8th CRC in the past 45 years. I can't resist urging you to once again place an amendment on the ballot that makes that change. Requiring 10 year intervals might work this year because it's in line with a smaller and more efficient government. I do realize that this is an issue that has been rehashed over many of the CRCs.

That's it. Thank you again for running for this position and for seeking input from county residents. Thank you for working for the good of our County. Good to see you all.

District 1

253 Pond Lane, Sequim

Hello, my name is Jeene Hobbs and I live in the county just north of Sequim. I moved here in July of 2023. Even before moving here, I was watching the news about the area and saw that water was a common topic. Since moving here, I have gained some understanding of the role water plays in Clallam County. Fundamental in that understanding is that there is not sufficient coordination or communication among all of the entities that have water responsibilities. As a solution to that lack, I encourage the Charter Review Commission to establish a Water Steward position. The Water Steward should be a nonpartisan professional probably a hydrologist. Their responsibilities should include compiling data from the various entities with water responsibilities to create a county wide view of water issues and management. Their work should be based on data and current best scientific practice.

Water issues will not go away for lack of attention. Having a centralized position with these responsibilities could improve everyone's understanding of our water situation.

My name is David Brehm, and I am a retired engineer. I live ~~just~~ north of the Sequim city limits, and have been following local water issues since moving here about a year & a half ago. ^{Lat 253 Pond Lane in Sequim} My topic today is the need for a county-wide water steward.

With the recurring low snowpack and subsequent issues with low river flow and groundwater levels, it is apparent that managing the available water resources in the northern Olympic Peninsula is more important than ever. The only certainty is that the severity and frequency of severe weather and drought events will impact our area with an increasing rate of change and in severity. The implication of this is that historical performance is no longer a reliable predictor of future water supplies. I call on the Charter Review Commission, in collaboration with the county, cities, and tribes, to establish a "Water Steward" position or office. Such an entity must operate free from political or vested interests, such as, for example, specialists with ^{the} WSU Extension. ^{office} It should compile data, study potential policy solutions based on data and science, and to serve in an advisory capacity to ~~all~~ water management entities within Clallam County.

To: Charter Review Commissioners

Date: March 26, 2025

RE: Appointed Coroner

My name is Bonnie Bless-Boenish and I live in the Sequim area. I would like to see a charter amendment where the coroner is an appointed position. Clallam County needs to have a qualified death investigator. When this is an appointed position, the Board of County Commissioners would create the coroner job description based on education and experience-based qualifications, and make the appointment based on those clear expectations and defined responsibilities.

Bonnie Bless-Boenish

*I appreciate all the information
on the website including correspondence.
Also think the questionnaire for
Clallam County Officials is a great idea.*

Comments for the Charter Review Commission, March 26, 2025

Good evening my name is Ann Soule and I live in District #2, in Sequim. I am here tonight to suggest that the Commission consider a proposal for a permanent water steward position.

I am recently retired from a 30 year career with Clallam County and city of Sequim as a water resources professional. I have a masters degree in water resource administration with a specialty in hydrogeology and a bachelor's in geology.

During my career with the County for 22 years I was the technical and/or administrative lead for several monitoring studies and water management plans. For City of Sequim my focus was on stormwater and sustainability programs in general.

At the current time there is no hydrologist or water resource specialist overseeing conditions in all of Clallam County. I am here to advocate that a position be created to track the many issues related to water that the County faces – including the following (by the way, all of these that I list have associated technical reports or plans on the county website):

1. Most of our mountains in Clallam County are at an elevation that is right at the threshold between being dominated by glaciers and snowpack versus melting glaciers and rainfall. Warming winter and summer temperatures will have a huge impact on all the watersheds in Clallam County. Out west the watersheds that have always relied on lots and lots of rain are actually less wet, and some small community water systems have actually run out of water.
2. The Dungeness and the Elwha both rely on snow melt for summer stream flow and have run extremely short of normal due to "snowpack drought" several years out of the last 10. In the Dungeness this has put huge pressure on the farming community to stop or slow down irrigation – and some crops don't survive. Low streamflow also strains salmon migration, and many of our salmon runs are already threatened with extinction. And low streamflow also affects recharge of aquifers in the Dungeness because about 25% of the groundwater budget comes from leakage from the river.
3. Water storage is essential to meet the needs of our communities. Aquifer storage and recovery is a proven method and could be promising if managed closely so that stored water isn't lost to the Strait. The proposed off-channel reservoir is also very promising, since large scale storage will be essential if the farming community is to survive – plus it offers a way to supplement aquifer recharge.

Ann S.

4. Comprehensive watershed planning resulted in the Elwha Dungeness watershed plan of 2005 which led to the Dungeness instream flow rule being adopted in 2012. That was an important achievement for the Dungeness – essentially establishing a water right for the River – but there are other rivers in the county that await similar attention.

5. The numerical groundwater model used by the rule's mitigation program was calibrated with data from 1995 and 96. New information about deep aquifers could be pertinent to its construction and new – and changing – water supply patterns certainly warrants a re-calibration of the model. The last comprehensive assessment of groundwater levels in the Dungeness was in 2009... a long time ago but certainly more recent than 1996.

6. There are nitrates in eastern county aquifers and the concentrations are going up in some areas but we don't know the status in most areas. The last comprehensive study was around 2011.

7. Sea level rise is occurring at a faster rate than previously expected. A higher sea level means a potentially higher vulnerability to saltwater intrusion into drinking water wells near the coastline. The last time coastline wells were checked for chloride was in 1992.

I hope this laundry list of water challenges convinces you that water is a top issue – a real issue that directly affects public health, our businesses, and our environment. The glaciers that fed our streams and aquifers for hundreds of years are either gone or almost gone, and paying closer attention to water management can't wait. That requires data, and even more importantly, someone to track it. Hiring out contractors for every small study isn't good enough since there is no continuity and no institutional memory accumulating to perceive what studies are even needed.

As I said, there is no longer a local agency hydrologist tracking conditions in all County watersheds. My recommendation is a water stewardship office – or at least one permanent, technical position with hydrology expertise. It should be funded at least partially by the state and housed with WSU Extension. It could also be partially funded by all local jurisdictions as they would serve as a local expert, advising the planning and policy-making that all jurisdictions need to do.

From: Pepai Whipple <pepalapu@sbcglobal.net>
Sent: Thursday, March 27, 2025 10:28 AM
To: Gores, Loni
Subject: Charter Review Committee

Dear Commissioners,

Thank you all for your efforts to hold & listen at the town hall type meeting last night.

I have two issues I'm writing you about today. The first is a clarification regarding our first email sent Tuesday, March 25, 2024.

To get a better understanding I spoke with several Commissioners last night & Ms. Johnston about her public comments Monday during public comment at the Charter Review Committee and I came away with this unanswered question. My question to the Commission is this, can you please provide to the public in writing form what violation occurred whether it be a statute, code, bylaw, rule, law, etc., what Commissioner Tozzer is being accused of in regards to the Clallam County Watchdog blog post regarding Ms. Johnston. It is unclear and remains unclear. Please keep in mind Ms. Johnston is an elected official as is Mr. Tozzer.

Board members Ms. Fisch is a former judge & attorney, Dee is the current Clallam County attorney, Ms.

Johnston the accuser states she is a former attorney, Mr. Stoffer's background having been an elected official many times, Mr. Richard's is an attorney. Consequently I would think this question would be a simple straight forward question to answer but for some reason we can't seem to get one.

The second item is regarding the meeting last night in which three speakers spoke about the format of the meeting. It was very difficult to hear what the speakers were saying, especially those who have hearing handicaps. I viewed people cupping their ears etc. straining to hear & then giving up. People had to turn sideways, backwards & others had the speakers back. I request that at future meetings microphones be used and speakers have a designated location to speak from preferably in the middle of the audience with comments projecting outward into the room not standing with their backs to the audience.

This town hall was basically held at a remote location with 3 minute time limits to speak and no engagement allowed between the public & our elected Commissioners. This is the same format like the regular Monday night meeting for public comment so nothing more was accomplished last night for the public, nothing.

I don't know how this town hall was decided & organized but I do not recall it being discussed at an official meeting to allow for public comment & meeting requests. My request is to please engage at future meetings with the public and be prepared to answer or at least attempt to answer or find an answer to the public's questions. Telling the public you can't answer questions is not acceptable the people elected you and you serve for the people.

I look forward to receiving a response from the Commission.

Regards, Tom and Pepai Whipple

Sent from my iPad

Gores, Loni

From: Tozzer, Jeff
Sent: Thursday, March 27, 2025 5:29 PM
To: Gores, Loni
Subject: Feedback for Future Town Halls

Hi Loni, please forward to the entire CRC. Thanks.

Dear Commissioners,

Thank you to the Town Hall Committee for organizing our first Town Hall. It was well attended, with at least 60 participants—clear evidence that our community is engaged and eager to support us in addressing county governance.

I want to share some feedback I received to help ensure future Town Halls are as impactful as possible during our time in office:

- **Sound Quality:** Some attendees had difficulty hearing. The CRC may want to consider using a sound system for future events.
- **Format Expectations:** Many expected a true Town Hall format with open dialogue. Restrictions placed by the Chair and Commissioner Stoffer on answering questions limited the discussion. Previous County Town Halls—such as the BOCC/Public Works event in September and the BOCC Budget Town Hall in October—allowed for direct Q&A, benefiting both leadership and attendees by ensuring clarity and efficiency.
- **Fairness in Speaking Time:** Some attendees felt that speaking time was not evenly enforced. For instance, Ms. Soule was allowed to exceed the three-minute limit, while others, like Mr. Day, were asked to "make it quick." Consistency is key to maintaining trust and impartiality.
- **Commissioner Expertise:** While it's true that some questions may require follow-up, our commission includes individuals with significant experience, including a former county commissioner and a long-serving county employee. I trust each of us to determine what information we can provide in the moment and what requires further research.
- **Meeting Adjournment:** Ending the meeting an hour early, just as the audience expressed interest in dialogue, was unnecessary and may have negatively impacted public perception.

Moving forward, I have a few suggestions:

- If Q&A is not allowed, these events should be renamed accordingly, with clear communication that questions will not be answered.
- An announcement should clarify that this policy is a decision of the Town Hall Committee, not necessarily the full Commission.

- We must uphold our oath to serve “faithfully and impartially,” ensuring all constituents are treated fairly, without preferential treatment.
- If the Town Hall Committee would like assistance in increasing public engagement, I am happy to support those efforts.

I appreciate the hard work that went into planning this event and look forward to collaborating to make future Town Halls even more effective.

Appreciatively,

Jeff

Gores, Loni

From: Eileencummings <eileencummings1851@gmail.com>
Sent: Thursday, March 27, 2025 8:27 PM
To: Gores, Loni
Subject: CRC Townhall meeting March 26

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Blue Category

[You don't often get email from eileencummings1851@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Hello,

I wanted to share my thoughts on last nights townhall meeting. I was amazed the room was full, nice to see so much community participation. The meeting was introduced and guidelines outlined before the meeting started. Testimony was to be limited for three minutes, however the chair allowed testimony until the citizens were done as well as allowing citizens to get a second chance to speak if they had additional comments. Please pass on my comments to the CRC commissioners, I appreciate their work for our county as well every county citizen.

Sincerely,
Eileen Cummings
360-440-2891
890 N Oxford Way
Sequim, Wa 98382
Sent from Eileen Cummings

Gores, Loni

From: Virginia Shogren <vshogren@gmail.com>
Sent: Friday, March 28, 2025 2:18 PM
To: Gores, Loni
Subject: 2025 Charter Review Commission - Proposed Charter Amendment
Attachments: Letter to Charter Review Commission FAE 3-28-25.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Blue Category

Re: 2025 Charter Review Commission
Proposed Amendment/Public Comment

Dear Ms. Gores,

Attached please find a letter containing a proposed Charter amendment for circulation to the 2025 Charter Review Commission members.

Thank you,

Virginia Shogren
961 W. Oak Court
Sequim, WA 98382
360-461-5551

Charter Review Commission
c/o Loni Gores
Clerk of the Board
223 E 4th St
Port Angeles, WA 98362-3015
Via email to: Loni.Gores@clallamcountywa.gov

March 28, 2025

PROPOSED AMENDMENT TO CLALLAM COUNTY CHARTER

Dear Ms. Gores,

On March 26, 2025, I attended the Town Hall meeting of the Charter Review Commission. We were invited to make written submissions of proposed amendments to the Commission.

Many of the questions and issues raised during public comment related to, in my view, discontent with the conduct of current elected officials (*e.g.*, ethics concerns, transparency concerns, lack of responsiveness to public input, favoritism shown to special interests, financial and leadership ties to Non-Governmental Organizations, conflicts of interest).

I believe that all roads of discontent lead back to the need for true representation. In my opinion, the political power of Clallam County must be returned to the *people* of Clallam County consistent with our State Constitution. Such a shift would help to put an end to candidates, elections, and elected officials controlled by the 'Government-Elites-Political Party Complex' that currently seemingly controls our County like a tightly wound Gordian knot.

With much appreciation for the hard work being done by the Charter Review Commission, I respectfully submit the following proposed amendments to Section 7.10 of our Charter consistent with our State Constitution, the provisions of which are mandatory (Article I, Section 29):

PROPOSED AMENDMENT TO CLALLAM COUNTY CHARTER ARTICLE VII, SECTION 7.10, ELECTION PROCEDURES:

Except as provided in this Charter all elected officials shall be nominated and elected in accordance with the mandatory provisions of Article VI of the Constitution of the State of Washington, entitled 'Elections and Elective Rights', the laws of the State. All elections shall be held at the precinct level. Each prospective voter shall be vetted as a Qualified Elector under Article VI Section 1 of the State Constitution prior to the receipt of a ballot for any election. All ballots cast shall be hand counted, said process publicly viewable and subject to public verification.

Respectfully submitted,



Virginia Shogren
961 W. Oak Court
Sequim, WA 98382
360-461-5551
vshogren@gmail.com

Encl. Article VI WA State Const.

ARTICLE VI ELECTIONS AND ELECTIVE RIGHTS

SECTION 1 QUALIFICATIONS OF ELECTORS.

All persons of the age of eighteen years or over who are citizens of the United States and who have lived in the state, county, and precinct thirty days immediately preceding the election at which they offer to vote, except those disqualified by Article VI, section 3 of this Constitution, shall be entitled to vote at all elections. [AMENDMENT 63, 1974 Senate Joint Resolution No. 143, p 807. Approved November 5, 1974.]

Amendment 5 (1910) — Art. 6 Section 1 QUALIFICATIONS OF ELECTORS — *All persons of the age of twenty-one years or over, possessing the following qualifications, shall be entitled to vote at all elections: They shall be citizens of the United States; they shall have lived in the state one year, and in the county ninety days, and in the city, town, ward or precinct thirty days immediately preceding the election at which they offer to vote; they shall be able to read and speak the English language: Provided, That Indians not taxed shall never be allowed the elective franchise: And further provided, That this amendment shall not affect the rights of franchise of any person who is now a qualified elector of this state. The legislative authority shall enact laws defining the manner of ascertaining the qualifications of voters as to their ability to read and speak the English language, and providing for punishment of persons voting or registering in violation of the provision of this section. There shall be no denial of the elective franchise at any election on account of sex.* [AMENDMENT 5, 1909 p 26 Section 1. Approved November, 1910.]

Amendment 2 (1896) — Art. 6 Section 1 QUALIFICATIONS OF VOTERS — *All male persons of the age of twenty-one years or over, possessing the following qualifications, shall be entitled to vote at all elections: They shall be citizens of the United States; they shall have lived in the state one year, and in the county ninety days, and in the city, town, ward or precinct thirty days immediately preceding the election at which they offer to vote; they shall be able to read and speak the English language: Provided, That Indians not taxed shall never be allowed the elective franchise: And further provided, That this amendment shall not effect [affect] the right of franchise of any person who is now a qualified elector of this state. The legislature shall enact laws defining the manner of ascertaining the qualifications of voters as to their ability to read and speak the English language, and providing for punishment of persons voting or registering in violation of the provisions of this section.* [AMENDMENT 2, 1895 p 60 Section 1. Approved November, 1896.]

Original text — Art. 6 Section 1 QUALIFICATIONS OF ELECTORS — *All male persons of the age of twenty-one years or over, possessing the following qualifications, shall be entitled to vote at all elections: They shall be citizens of the United States; They shall have lived in the state one year, and in the county ninety days; and in the city, town, ward or precinct thirty days immediately preceding the election at which they offer to vote; Provided, that Indians not taxed shall never be allowed the elective franchise: Provided, further; that all male persons who at the time of the adoption of this Constitution are qualified electors of the Territory, shall be electors.*

SECTION 1A VOTER QUALIFICATIONS FOR PRESIDENTIAL ELECTIONS. [Repealed by AMENDMENT 105, 2011 Senate Joint Resolution No. 8205, p 4281. Approved November 8, 2011.]

Original text — Art. 6 Section 1A VOTER QUALIFICATIONS FOR PRESIDENTIAL ELECTIONS — *In consideration of those citizens of the United States who become residents of the state of Washington during the year of a presidential election with the intention of making this state their permanent residence, this section is for the purpose of authorizing such persons who can meet all qualifications for voting as set forth in section 1 of this article, except for residence, to vote for presidential electors or for the office of President and Vice-President of the United States, as the case may be, but no other: Provided, That such persons have resided in the state at least sixty days immediately preceding the presidential election concerned.*

[WA Constitution—page 26]

The legislature shall establish the time, manner and place for such persons to cast such presidential ballots.

SECTION 2 SCHOOL ELECTIONS — FRANCHISE, HOW EXTENDED. [This section stricken by AMENDMENT 5, see Art. 6 Section 1.]

Original text — Art. 6 Section 2 SCHOOL ELECTIONS — FRANCHISE, HOW EXTENDED — *The legislature may provide that there shall be no denial of the elective franchise at any school election on account of sex.*

SECTION 3 WHO DISQUALIFIED. All persons convicted of infamous crime unless restored to their civil rights and all persons while they are judicially declared mentally incompetent are excluded from the elective franchise. [AMENDMENT 83, 1988 House Joint Resolution No. 4231, p 1553. Approved November 8, 1988.]

Original text — Art. 6 Section 3 WHO DISQUALIFIED — *All idiots, insane persons, and persons convicted of infamous crime unless restored to their civil rights are excluded from the elective franchise.*

SECTION 4 RESIDENCE, CONTINGENCIES AFFECTING. For the purpose of voting and eligibility to office no person shall be deemed to have gained a residence by reason of his presence or lost it by reason of his absence, while in the civil or military service of the state or of the United States, nor while a student at any institution of learning, nor while kept at public expense at any poor-house or other asylum, nor while confined in public prison, nor while engaged in the navigation of the waters of this state or of the United States, or of the high seas.

SECTION 5 VOTER — WHEN PRIVILEGED FROM ARREST. Voters shall in all cases except treason, felony, and breach of the peace be privileged from arrest during their attendance at elections and in going to, and returning therefrom. No elector shall be required to do military duty on the day of any election except in time of war or public danger.

SECTION 6 BALLOT. All elections shall be by ballot. The legislature shall provide for such method of voting as will secure to every elector absolute secrecy in preparing and depositing his ballot.

SECTION 7 REGISTRATION. The legislature shall enact a registration law, and shall require a compliance with such law before any elector shall be allowed to vote; *Provided*, that this provision is not compulsory upon the legislature except as to cities and towns having a population of over five hundred inhabitants. In all other cases the legislature may or may not require registration as a pre-requisite to the right to vote, and the same system of registration need not be adopted for both classes.

SECTION 8 ELECTIONS, TIME OF HOLDING. The first election of county and district officers not otherwise

(2019 Ed.)

provided for in this Constitution shall be on the Tuesday next after the first Monday in November 1890, and thereafter all elections for such officers shall be held bi-ennially on the Tuesday next succeeding the first Monday in November. The first election of all state officers not otherwise provided for in this Constitution, after the election held for the adoption of this Constitution, shall be on the Tuesday next after the first Monday in November, 1892, and the elections for such state officers shall be held in every fourth year thereafter on the Tuesday succeeding the first Monday in November.

Cf. Art. 27 Section 14.

Gores, Loni

From: Fane, Alex
Sent: Friday, March 28, 2025 3:25 PM
To: Gores, Loni; Fisch, Susan; Holy, Christy; Stoffer, Jim; Pickett, Paul
Subject: Outline of the establishment of a Water Steward elected position

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Green Category

To the Water Steward Committee,

I have tried to boil down the need for and duties of a elected, uncompensated Water Steward. There is no need to consider an appointed position as the entire concept is to create an impartial post that is data-driven and independent of developmental and other interests. The below is a proposed starting point, using criteria submitted by Tony Corrado recently. Please forward this email to other members on the committee I may have omitted.

Proposed Clallam County Charter Amendment Submission Submitted to the Charter Review Commission, March 2025

Title: Amend the Clallam County Charter to Establish the Office of County Water Steward

Text of Proposed Charter Amendment (To be inserted under Article 4: Elected Officials)

Section X: Clallam County Water Steward

1. Position Established

The Office of Clallam County Water Steward is hereby established as an elected, nonpartisan, volunteer position. The Water Steward shall serve as an independent advisor on water resource sustainability, availability, and planning, and shall act in the public interest to assess and recommend policies that ensure adequate water for agriculture, ecosystems, and residential use in the face of climate change.

2. Duties and Authority

The Water Steward shall:

- Analyze countywide water systems, including groundwater, river flow, aquifers, and usage trends;
- Forecast future water availability in light of planned growth, climate change, and ecological needs;
- Recommend a hierarchy of consumptive uses and sustainable practices;

- Propose changes to water-related regulations, laws, and conservation strategies;
- Provide regular reports and recommendations to the Board of County Commissioners (BOCC), county departments, and the public.

The Water Steward shall not have regulatory or enforcement authority and shall operate as an independent advisory office.

3. **Qualifications and Terms**

- The Water Steward shall be a qualified Clallam County voter with no substantial financial or stakeholder conflicts in water-related industries.
- The position shall be nonpartisan, elected by countywide vote to a four-year term, and shall receive no compensation other than reimbursement for approved expenses.
- The Steward shall operate with full transparency and under public oversight.

4. **Support and Resources**

The County shall provide the Water Steward with:

- Modest operating funds sufficient for public outreach, research, and travel;
- Access to County data, staff coordination, and meeting space;
- The ability to initiate studies and recommendations through existing County procedures, contracts, and departments.

Ballot Title (75-word limit):

Shall the Clallam County Charter be amended to create an elected, nonpartisan, volunteer position of Water Steward to provide independent analysis and recommendations on water availability, usage priorities, and sustainability, and to advise the County Commissioners and public on long-term water planning in response to climate change?

Explanatory Statement for Voter Pamphlet:

This amendment creates the office of Clallam County Water Steward—an elected, nonpartisan, volunteer position. The Water Steward will analyze water systems and availability, forecast future needs, and recommend sustainable water use strategies to the County Commissioners and the public. The Steward will not have enforcement powers but will operate independently with public transparency. The role is created in response to concerns about drought, river flow, aquifer levels, and climate change impacts on agriculture, ecosystems, and communities.

Respectfully submitted,

Alex Fane
Clallam County Charter Review Commissioner, District 1
alex.fane@clallamcountywa.gov
(952)393-6251

Gores, Loni

From: noreply@civicplus.com
Sent: Friday, March 28, 2025 4:12 PM
To: Gores, Loni
Subject: Online Form Submission #6927 for Contact the Clerk of the Board

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Blue Category

Contact the Clerk of the Board

First Name	Eric
Last Name	Fehrmann
Email	efehrm_3@hotmail.com
Phone	3608093716
Subject	Town Hall on 3-26-2025
Comments	Please send to CCCRC I do not think that this meeting met the criteria of a 'Town Hall' meeting. I am attaching this link as an example of what a 'Town Hall' meeting might look like in hopes that you may find useful in planning your next meeting. https://www.readwritethink.org/sites/default/files/resources/lesson-docs/Town_Hall_Meeting_Guide.pdf Thank you for your consideration.

Please Note

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Gores, Loni

From: noreply@civicplus.com
Sent: Friday, March 28, 2025 5:21 PM
To: Gores, Loni
Subject: Online Form Submission #6928 for Contact the Clerk of the Board

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Blue Category

Contact the Clerk of the Board

First Name	Eric
Last Name	Fehrmann
Email	efehrm_3@hotmail.com
Phone	3608093716
Subject	CCCRC
Comments	Please send to CCCRC CCCRC Commissioners I am a citizen of Clallam County, just another brick in the wall, not a lawyer, certified accountant, politician, or activist, concerned with the proper governance of the county. I have attended every meeting, thus far, of the Clallam County Charter Review Commission (CCCRC) in person. I watched and listened to a commentator charging harassment and retaliation by a commissioner against the commentator. I have since watched and listened several times, via archived recordings, to this same commentary. I also saw, in person and via archived video, an addition to the agenda to address the Open Public Meetings Act and First Amendment of the United States Constitution. I also witnessed an emotional response by a commissioner to the commentator. I believe there is a move by the majority of the CCCRC to censor those who do not toe the party line in their commentary at meetings. I notice commissioners tuning out and not listening to any comment not parroting their own political agenda. I observed this behavior when I have made public comment. I ask, who in the glass house should throw stones.

Please Note

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Gores, Loni

From: Renee Renninger <reneerenninger360@gmail.com>
Sent: Friday, March 28, 2025 7:14 PM
To: Gores, Loni
Subject: Fwd: Charter Review Comments

----- Forwarded message -----

From: **Renee Renninger** <reneerenninger360@gmail.com>
Date: Fri, Mar 28, 2025 at 7:10 PM
Subject: Fwd: Charter Review Comments
To: Jeff Tozzer <jeff.tozzer@gmail.com>

----- Forwarded message -----

From: **Renee Renninger** <reneerenninger360@gmail.com>
Date: Fri, Mar 28, 2025 at 7:06 PM
Subject: Charter Review Comments
To: <Lori.Gores@clallamcountywa.gov>

Hi Jeff, here are my Charter Review comments. I have not participated in something like this before and have perhaps said too much. It's all a learning experience. Anyway, I forwarded this onto Loni to be included in the comments. Best regards, Renee

Dear Loni, Please include the following in the current Charter Review Priorities comments. I am located at 114 Runnion View Way, Sequim. Also please confirm this email was received. Thank you. The topics of greatest interest to me are as follows:

Transparency with Non Governmental Organizations. While following Clallam County Commissioner meetings, what has stood out to me is emphasis related to NGOs and their agendas as they pertain to local governance. In an effort to accommodate or comply with NGO initiatives, the commissioners have perhaps been compromised or even conflicted between global goals of these organizations such as the ICLEI for example, and the primary interests and needs of Clallam County citizens. I would like to see complete documented transparency around any interactions, meetings, or the implementation of 'global' policies to assure the needs of our local population are being addressed and prioritized.

Ethics Board & Commissions. During the Towne Road debacle which cost taxpayers a substantial increase over the original estimate, I was quite surprised to learn Clallam County has no ethics board to assess whether illegal, covert or inappropriate actions and/or complicity in unethical conduct involving special interests is not a part of the governing body to safeguard public interest. My preference is to establish an ethics board that has authority to pause actions/decisions of the commissioners, until complete transparency can be established

regarding budgets, agreements with stakeholders and other pertinent factors in the decision-making process. These findings need to be accessible for public scrutiny.

Voter Approved Tax Increases or No Property Tax Increases. With the unprecedented tax increases proposed at both county and state levels this year, it is imperative that more public input is required. I hear my neighbors saying, "They're trying to tax me off my land". Elected representatives who are 'deaf' to the needs of their constituents act as if they are immune to the idea of living within a budget. One of the commissioners, Mark Ozias, has even proposed using taxpayer funds to support a failing local newspaper. Unfortunately that paper does not provide unbiased reporting which may account in part for its failure. In the face of a disastrous budget crisis, it is absurd and totally inappropriate to ask taxpayers to fund this folly. And while the arts contribute to quality of life in a community, it is also absurd in the face of the financial crisis our county is subject to, to heap more burden on to taxpayers to supplement the arts. Where are the well paying jobs to cover these proposed increases? In my opinion, Clallam County Commissioners need to adopt an attitude of 'living within your means'.

Transparent BOCC & Public Engagement. The 3 minute time allotment during commissioner meetings is simply not adequate and provides no opportunity for interaction between commissioners and constituents. Perhaps town hall meetings held in no-cost public buildings with Q & A sessions would help allay the feelings some of us have that we are divorced from and at times confused by some of the decisions our elected representatives are making-supposedly-on our behalf, and that also dramatically impact our daily lives.

Fair Bidding. In all cases where publicly funded projects are proposed, it is imperative that fair bidding practices be put in place. In a region where there are non-government entities such as the Jamestown Tribe competing with local contractors, complete transparency and fairness must be enforced.

CRC Term. In my opinion, to extend the CRC term to 10 years is completely outside the scope of practicality. With the rapid development and anticipated increase in population in our county, which is currently moving ahead at a rocket's pace, it is imperative to maintain CRC input to a maximum of 5 years. In actuality even this seems a bit unrealistic to keep pace with the rapid changes taking place in our region at this time. A 2-year term would be much more in keeping with the dramatic changes we are witnessing.

Loni, thank you for receiving my comments. If there are additional questions or clarification needed, please email or contact me at 503/673-1920.

From: noreply@civicplus.com
Sent: Saturday, March 29, 2025 7:10 PM
To: Gores, Loni
Subject: Online Form Submission #6933 for Contact the Clerk of the Board

Contact the Clerk of the Board

First Name	Marolee D
Last Name	Smith
Email	maroleedsmith@gmail.com
Phone	510759169
Subject	Ethics rules for all government bodies OPMA and free communication
Comments	I completely agree with the comments presented by Commissioner Tozzer (and others) regarding the complexity of public meetings on sovereign nation lands. According to Merriam Webster (dot com) Sovereign power means: ""Sovereign has everything to do with power. It often describes a person who has supreme power or authority, such as a king or queen. God is described as "sovereign" in a number of Bible translations. In addition to describing ones who have power, the word sovereign also often describes power: to have sovereign power is to have absolute power—that is, power that cannot be checked by anyone or anything. Nations and states are also sometimes described as "sovereign." This means that they have power over themselves; their government is under their own control, rather than under the control of an outside authority." Washington State's OPMA does not apply to a sovereign tribe. MRSC says clearly that the OPMA does not apply to meetings of sovereign tribal governments because they are considered distinct entities separate from state government. (So, yes, I am appalled that the tribes have so much influence, so many meetings, and take action shielded from the OPMA. Our elected officials cannot serve two purposes -- they are OUR elected, and a sworn oath to uphold OUR constitution. Taking a subsequent oath to a sovereign nation is conflicting. This is a concerning issue, especially locally. The OPMA, also known as "sunshine laws" were passed in

1971 (RCW 42.30) as part of a nationwide effort to make government affairs more open and transparent. I worked to get those laws put in place -- when I was in high school. In the years since there has been a lot of lip-service, as well as erosion of both the intent and the actual reality of open public meetings. Right now, there are many flaws in the reporting, the posting of minutes, and other "oops" issues -- there are meetings deemed "not subject to OPMA" but without any oversight, or ethical considerations. I keep hearing all these excuses (from some of our government reps) as to why they don't need to follow the rules.

The ONLY way that OPMA functions (well) is if there is oversight, which is why there were always codes of conduct, and ethics rules -- usually determined by an independent board. In the last 15-20 years I have watched while these ethics rules, and their consequences have been disabled by government. All the consequences have been removed. All the consequences have been removed. The state does not enforce OPMA of local/county elected, unless it is a specific "whistleblower" complaint (from a public employee).

Anyone speaking publicly to your body (including writing letters, comments) lacks Moral Rights (copyright law that gives the creator full control over their work). There is no implied copyright. And, given that the 4th estate (aka newspapers) have failed significantly, the uprising of what is termed "social media" (blogs, podcasts, substack columns) is the newest way that people can gain information. Right now the traditional media has been obliterated, and "mainstream" media is owned by SIX companies: National Amusements/Sumner Redstone; Disney/Bob Iger; Time Warner/Jeff Bewkers; Comcast/Brian L. Roberts; News Corp/Rupert Murdoch; and Sony/Kauo Hirai. 15 billionaires own all the news media companies. Michael Bloomberg; Rupert Murdoch; Cox Family; Jeff Bezos; John Henry; Sheldon Adelson; Joe Mansueto; Mortimer Zuckerman; Barbey Family; Stanley Hubbard; Patrick Soon-Shiong; Carlos Slim Helu; Warren Buffett; and Vicktor Vekselberg. These 15 do not care about local news -- and they engage in "blue journalism" (abandoning standards to work seamlessly with the progressive left against any opposition). It is as bad as the red and yellow journalism of the past (which is still alive and well). Red/Yellow is sensationalism/if it bleeds it leads.

So, we, as citizens are turning to free media: podcasts, blogs, columns -- clumped together as "social media" only because the delivery is through internet-based platforms and applications where content can be shared, and everyone can participate.

Your recent "last minute item" regarding trying to restrict this

free speech is chilling.

The Charter Review was designed to GIVE citizens a voice, not strip them of it.

Our "local media" is all owned by one CANADIAN company: Black Press LTD They own the majority of newspapers in Washington (Whidbey Press, Port Orchard Independent, King County Journal -- two weeklies, and seven bi-weeklies, King County Journal, The Enumclaw Courier-Herald, Issaquah/Sammamish Reporter, Sumner/Lake Tapps Reporter; Bellingham Business Journal; Olympic View Publishing (Sequim Gazette and Forks Forum); Peninsula Daily News, and Sequim this week -- previously Horvitz Newspapers; Seattle Weekly; The Everette Herald, The DailyWorld in Aberdeen; Montesanto Vidette, the North Coast News, and South Beach Bulletin; --- all of which have been shuttered or put behind a PAYWALL, making them NOT "free press".

The reporting and editorials are slanted, and superficial.

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Gores, Loni

From: marolee diane smith <maroleedsmith@gmail.com>
Sent: Saturday, March 29, 2025 9:51 PM
To: Gores, Loni
Subject: town hall meeting format.

You don't often get email from maroleedsmith@gmail.com. [Learn why this is important](#)

There are many types of “Town Hall Meetings”.

The idea is simply let the people weigh in on decisions that affect our community. This concept can be traced back to colonial times, mainly in New England. The rest of the country has no idea what this form of meeting is all about.

I understand, the name has been perverted by theatrical (staged) Town Hall Meetings. The first that was obvious was spearheaded by Roger Ailes (later CEO of Fox News) who created nine live televised question and answer session using a *theater-in-the-round format* with a live studio audience. The hand-picked selection of residents poised with pre-written questions (it's debated if these were questions crafted by the participants, or by the producer). Then, Nixon did what was best described as a really LONG stump-speech. (Watch: <https://www.youtube.com/watch?v=-Dg6yfOpYYY>)

It was not a town hall meeting.

Candidate for President Carter, and later Bill Clinton, really confused the issue. When Carter did a televised meeting in Clinton Michigan (March 16, 1977) it was promoted as “modeled after” a Town Hall meeting. However, it was completely staged (the original of the reality tv models). Bill Clinton made town meetings part of his campaign, but is rumored to have all hired participants, with pre-scripted questions. Since the 2000's this misnomer has been further thwarted and twisted, and are highly controlled, with a very limited scope of questions.

The Real Idea

The basics of a legitimate Town Hall Meeting is to have a moderator, and then, have a panel present a discussion – explanation of the topic. Let the floor be opened to comments, with attendees able to present ideas, voice opinions, ask questions. The idea and objective is to give as many as possible an opportunity to speak. To avoid repetition, people can group together with similar ideas (i.e. Sequim water) and summarize the main discussion points with one spokesperson.

The other aspect would be to put agenda items to a vote: to get a real read on public opinion – either with vocal “all those in favor” “Yay” and “all those against” “Neigh”. OR, to vote with a raised hand.

This would certainly cut down that ridiculous list of items for Charter Review.

Does ANYONE care about voting for an appointed DCD director, again?

Do people want to revisit some of the same old tired topics?

What isn't on that list, clearly in Sequim its about WATER. (I had no idea.)

What isn't on the list that pertains to Forks, or to Port Angeles?

Do we want a coroner or a medical examiner? Appointed or Elected.

What about strong ethics procedures and repercussions ... so, what on that list would be FIXED by strong ethics rules and an independent board to review?

If you put out your topics on an agenda, prior to a town hall meeting, then people could collect their thoughts around the topics and we could come to some real consensus.

The key elements:

- 1.) A set, published agenda, which meeting participants can alter, and add to the proposed items or business. A moderator who can facilitate between the participants and the elected body. The ability for the public to ask questions and get a response. (What thought was actually put into these items on your long list?? Was there thought or was it just blue-sky, throwing spaghetti at a wall to see what sticks?)
- 2.) An impartial moderator who is NOT part of the Committee. Someone to facilitate the meeting.
- 3.) A forum that allows citizens to directly participate in an assembly that determines governance of their community -- it's communication a direct democracy -- which is really the IDEAL sought when Clallam County first adopted the Charter Review form of governance. Don't you want to know what is important to us? (Not a 3-minute controlled speech, that most people are not prepared to deliver, anyway.)
- 4.) Soliciting votes, so that you can see the reaction of the group. This could be vocal, or it could be by a show of hands.

A Town Hall Meeting is "*empowered participation*" where thoughtful deliberation between participating individuals can coexist with a sense of shared engaged citizenship to solve larger problems. With a moderator, the microphone can be passed around the room. Solicit what people think – ask for opinions, and vote on these items so that you can narrow down your long, unfocused list, some of which has been promoted by the same tired people at every Charter Review since I moved to the area (30+ years ago).

Use the energy and the passion of the community – and let them lead the discussion.

We don't have to do it like the city governments in MA, CT, NH, etc.

The 3-minute speaking limit is nonsense. We're all sick to death of that kind of thing. Its worse now that the Port Angeles City Council makes the first public comment limited to ONLY what is on the agenda. <yawn> Talk about limited free speech! It's frustrating, and (in my opinion) lazy and stupid of the governing body.

The world is out there.... Try looking at how other places USE the Town Hall format. It is fascinating.

Examples:

Danvers: <https://www.youtube.com/watch?v=cY8JHwDOSK4>

Kingston Fall: <https://www.youtube.com/watch?v=SUtkd43yWwM>

Halifax Town: <https://www.youtube.com/watch?v=l-41RxhAV1g>

Shrewsbury: <https://www.youtube.com/watch?v=niSaU15s40E>

Madison: <https://www.youtube.com/watch?v=cIRR-qlAkP8>

You can see HOW people can ask questions and get replies from town elected. Many use Roberts Rules of Order for the format. Participants can introduce motions to be voted on. (Of course, this is probably way TOO involved for someone on the West Coast, as it's alien to us.) However, it is refreshing to watch.

We can do better than the nonsense of a theatrical "town hall meeting". FAUX democracy.

Let's be leaders.

Marolee Smith
maroleedsmith@gmail.com

Gores, Loni

From: Kathy Downer <downersarecool@gmail.com>
Sent: Sunday, March 30, 2025 12:17 PM
To: Gores, Loni
Subject: Charter review committee

You don't often get email from downersarecool@gmail.com. [Learn why this is important](#)

Last Wednesday we had the privilege of attending our first Charter Review Committee meeting. The Charter Review Committee is made up of 15 locally elected representatives. This committee gathers ideas from citizens to make our county government run better.

The facilitator of the meeting was Susan Fisch. She was very gracious and encouraged everyone to speak. From the onset of the meeting, Ms. Fisch made it clear that topics were being gathered for the first phase of prioritizing community needs. She also explained that the next phase would be to investigate and narrow down the list of issues to a manageable number.

The dialogue was varied. Many suggestions were brought forth. Citizens want to be asked; they want to be heard. There were some people present that said they wanted answers but hadn't really asked any questions.

We felt the board members were attentive and open to hearing all ideas expressed.

We are writing this letter to encourage citizens to attend one of the next two meetings being held to gather public input, or provide it by email at:
lori.gores@clallamcountywa.gov

We are very much looking forward to the results of this process, as we have never lived where they had Home Rule.

Sincerely,
Steve and Kathy Downer
Sequim

Gores, Loni

From: Stoffer, Jim
Sent: Sunday, March 30, 2025 8:20 PM
To: Morris, Patti; Cameron, Ron; Richards, Ron; Holy, Christy; Walde, Cathy
Cc: Fisch, Susan; Gores, Loni
Subject: CRC Questionnaire Draft
Attachments: CRC Questionnaire Draft.docx

Greetings Townhall Outreach Committee,

Commissioner Holy and I spent some time on Friday reviewing the proposed CRC amendments list and have drafted questions for most of the proposed amendments. Our process involved reviewing the Public Comments received at our regular CRC Meetings along with input received at the Townhall event on the 26th.

As you can see, additional work/input is needed before a survey would be ready to release to the public; but it's a great start. Please review and provide input and come prepare to continue the drafting work this Thursday for our Committee Meeting. The goal is to have this document ready for approval at the next CRC Meeting on the 14th.

I will also have Ms. Gores forward this out to the CRC Commission to seek additional clarify for language to the questions for proposed amendment recommendations. Thank you and see you either Tuesday night at our next Community Forum or on Thursday at our Committee Meeting. I can be reach by my cell phone 360.775.9356 or by my email.

For Ms. Gores, please forward out to the CRC with a request to provide input to the Townhall Outreach Committee by this Thursday, 3 Apr.

V/r

Jim

Commissioner Stoffer
Clallam County Charter Review
Jim.stoffer@clallamcountywa.gov
360.775.9356

Charter Review Commission – Questionnaire for Public Input – DRAFT – 3.28.25

1. District-based elections-

County Commissioners are currently elected by district. Prior to 2015, commissioners were nominated by district and elected county-wide.

Q. How should County Commissioners be elected? ___ by district ? ___ countywide?

2. Recusal issues

***See Question 5.**

3. Coroner

Section 4.20 of the Charter currently states that "...The Prosecuting Attorney will serve as ex-officio coroner without extra compensation." State law allows for the appointment of a coroner. A recent AG's opinion states that the Prosecutor cannot serve as the coroner. Recently, Clallam County's Prosecuting Attorney resigned from the office of coroner and the county appointed a district judge to fulfill the vacancy, per another state law. The charter language needs to be changed to allow for the current situation and future decisions about who should take on coroner responsibilities.

Q. How should the charter language be changed? ___coroner shall be elected ___coroner shall be appointed ___take coroner language out completely

4. County Clerk Enumerated Responsibilities

Currently, the charter does not enumerate responsibilities (duties) for the county clerk.

Q. Should the charter enumerate responsibilities? _____yes _____no

5. Transparency with Non-Government Organizations

Currently, County Commissioners serve a variety of state, regional, and local non-government organizations. If the work conflicts with the duties outlined in the charter for county commissioners, there could be cause for recusal.

Q. Should County Commissioners recuse themselves from participating in non-government organizations? _____yes _____no _____no opinion

6. Town Hall Budgets

Currently, there is no budget for conducting community outreach town halls by the charter review commission. Funds are often necessary to administer town halls.

Q. Should a budget be allocated in the charter for conducting outreach and town halls?

**Charter Review Commission – Questionnaire for Public Input – DRAFT –
3.28.25**

____yes ____no

7. Ethics Board and Commissions

Currently, 3 out of 7 charter counties have an amendment that covers ethics.

Q. Should the county appoint an ethics board or commission? ____yes ____no

8. General Fund Reserve Minimum

Currently, the charter does not establish a reserve minimum fund balance.

Q. Should the finance department and BOCC establish a reserve minimum fund balance? ____yes ____no

9. Elected/Appointed Positions Oversight/Over

Appointed positions allow the BOCC to recruit, hire, evaluate, and fire personnel. For an elected position, the voters can recall personnel.

? Work on this one. Need more info

10. Voter-approved tax increases or no property-tax increases

Currently the county commissioners have the ability to increase taxes by council-matic vote.

Q. Should proposals for tax increases, whether they be property tax or sales tax, etc., be a ballot measure or by vote of the county commissioners? ____ballot
____county commissioners

11. Lower permit costs for property, businesses, and owners

Do not feel this is a charter item. Need more clarification.

12. Transparent BOCC and Public Engagement

Work on this one. How do we create a yes/no question?

13. DCD appointed or elected

Clallam Director of the Department of Community Development (DCD) has been elected.. It is the only elected DCD in the nation. At times, the election of a DCD director creates conflicts between the planning division of the BOCC and the staff of the office of Community Development.

Q. Should the DCD be elected or appointed by the commissioners? ____Appointed
____Elected ____no opinion

14. Public defender's office

**Charter Review Commission – Questionnaire for Public Input – DRAFT –
3.28.25**

Currently the county does not have a public defender's office.

Q. Should the charter create a public defender's office? _____yes _____no
_____If so, should it be appointed or elected? _____elected _____appointed

15. Charter ambiguities

There are multiple ambiguities in the charter.

Based on Norma Turner's testimony, former CRC vice-chair, do we want to go down this road?

16. Environmental steward (water)

There are multiple jurisdictions that are involved in county-wide and region-wide water management. These include Cities of Sequim and P.A., Clallam County Conservation District, PUD, the tribes, Dry Creek Water Association, Joyce Water Association, and various others.

Q. Do you think the Charter should have language included to guide water management, such as a designated water steward? _____yes _____no If so, should the position be appointed or elected? _____appointed _____elected

17. Number of commissioners

Clallam County currently elects three county commissioners by district.

Q. How many county commissioners should Clallam County elect? _____3 _____5

18. Revise Procedures for Amending Charter

** Find out more information. We need clarification in order to write a question.*

19. Fair bidding

In order for us to create a question, we need more input from the authors of this item.

20. CRC Term

All other charter counties in our state meet every ten years. Clallam Charter Review Commission has met 7 times since 1976.

Q. How frequently should the Charter Review Commission meet? _____5 years _____10 years

21. Elected Officials and Charter Review Vacancy Language

*There has been a proposed amendment submitted for the charter. Currently, when there is a vacancy on the charter, there is no clear language as to how to fill the vacancy.

Q. Should the vacancy be filled by the person holding the next highest amount of votes or through an application process in the community? _____highest vote-getter
_____application

22. Independent Hearing Officer

**Charter Review Commission – Questionnaire for Public Input – DRAFT –
3.28.25**

Currently, hearing officers rotate between jurisdictions when necessary.

Q. Should the charter create an independent hearing officer position? _____yes
_____no If so, should this position be elected or appointed? _____appointed
_____elected

23. Trust Land Transfer Program

*Jim will work on this before the next committee meeting.

24. Ranked Choice Voting

Currently, the county does not have ranked choice voting options for elections.

Q. Should the charter prescribe the adoption of ranked choice voting options to the county? _____yes _____no

25. Government to Government Relationships and Training

Government-to-Government Relationship Training is required for school board directors.

Q. Should similar training be required for all other elected officials under the charter's authority? _____yes _____no

Gores, Loni

From: Pickett, Paul
Sent: Monday, March 31, 2025 10:53 AM
To: Gores, Loni; Stoffer, Jim
Subject: Re: CRC Questionnaire Draft
Attachments: CRC Questionnaire Draft Pickett_comments.docx

Jim,

Thanks to you and all who helped put this together. I can see a lot of work went into it.

A version with my suggested edits and some embedded comments is attached. A few comments on my version:

- I cleaned up a lot of formatting. It's a little longer in terms of pages, but hopefully much easier to read.
- It's very long in terms of questions. I suggest we delete some that "don't have legs". Also, I thought the purpose of our prioritization exercise was to shorten the list? Should we just go with the top 10 or 15? Or Top 10 with the most common public suggestions included?

I hope this is helpful. Let me know if you have questions.

Loni, could you cc the rest of the Commission?

Thanks,

Paul Pickett
Charter Review Commissioner, District 2

From: Gores, Loni <loni.gores@clallamcountywa.gov>
Sent: Monday, March 31, 2025 7:51 AM
To: Benedict, Bill <bill.benedict@clallamcountywa.gov>; Boughton, Dee <dee.boughton@clallamcountywa.gov>; Cameron, Ron <ron.cameron@clallamcountywa.gov>; Fane, Alex <alex.fane@clallamcountywa.gov>; Fisch, Susan <susan.fisch@clallamcountywa.gov>; Fleck, Rod <rod.fleck@clallamcountywa.gov>; Gores, Loni <loni.gores@clallamcountywa.gov>; Hodgson, Mark <mark.hodgson@clallamcountywa.gov>; Holy, Christy <christy.holy@clallamcountywa.gov>; Morris, Patti <patti.morris@clallamcountywa.gov>; Noble, Chris <chris.noble@clallamcountywa.gov>; Pickett, Paul <paul.pickett@clallamcountywa.gov>; Richards, Ron <ron.richards@clallamcountywa.gov>; Sarmiento, Nina <Nina.Sarmiento@clallamcountywa.gov>; Stoffer, Jim <jim.stoffer@clallamcountywa.gov>; Tozzer, Jeff <jeff.tozzer@clallamcountywa.gov>; Walde, Cathy <cathy.walde@clallamcountywa.gov>
Subject: FW: CRC Questionnaire Draft

See email below from Commissioner Stoffer. Please respond no later than April 3, 2025.

"My email address has changed! The new format is Loni.Gores@clallamcountywa.gov Please update my contact card as your earliest convenience, Thank you!"

*Loni Gores
Clerk of the Board
Commissioners Office
223 East 4th Street, Suite 4
Port Angeles, WA 98362
Phone: 360-417-2256*

From: Stoffer, Jim <jim.stoffer@clallamcountywa.gov>

Sent: Sunday, March 30, 2025 8:20 PM

To: Morris, Patti <patti.morris@clallamcountywa.gov>; Cameron, Ron <ron.cameron@clallamcountywa.gov>; Richards, Ron <ron.richards@clallamcountywa.gov>; Holy, Christy <christy.holy@clallamcountywa.gov>; Walde, Cathy <cathy.walde@clallamcountywa.gov>

Cc: Fisch, Susan <susan.fisch@clallamcountywa.gov>; Gores, Loni <loni.gores@clallamcountywa.gov>

Subject: CRC Questionnaire Draft

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Jim

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Q. How should County Commissioners be elected?

- by district ?
- countywide?

2. Recusal issues

*See Question 5.

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Section 4.20 of the Charter currently states that "...The Prosecuting Attorney will serve as ex-officio coroner without extra compensation." State law allows for the appointment of a coroner. However,

- A law recently came into effect that does not allow a coroner to be an attorney.
 - Therefore, a recent AG's opinion states that the Prosecutor cannot serve as the coroner.
 - Recently, Clallam County's Prosecuting Attorney resigned from the office of coroner and the county appointed a district judge to fulfill the vacancy, per another state law.
- The charter language needs to be changed to allow for the current situation and future decisions about who should take on coroner responsibilities.

Q. How should the charter language be changed?

- coroner shall be elected
- coroner shall be appointed
- take coroner language out completely

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Currently, the charter does not enumerate responsibilities (duties) for the county clerk.

Q. Should the charter enumerate County Clerk responsibilities?

- yes
- no

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Currently, County Commissioners serve a variety of state, regional, and local non-government organizations. If the work conflicts with the duties outlined in the charter for county commissioners, there could be cause for recusal.

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Commented [PP1]: Check my facts on this one.

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Charter Review Commission – Questionnaire for Public Input – DRAFT –
3.28.25

Q. Should the Charter require that County Commissioners recuse themselves from votes regarding participating in non-government organizations on whose Board they are serving?

- ☐ yes
- ☐ no

6. Town Hall Budgets

Currently, there is no budget for conducting community outreach town halls by the charter review commission. Funds are often necessary to administer town halls.

Q. Should a budget be allocated in the charter for conducting outreach and town halls?

- ☐ yes
- ☐ no

7. Ethics Board and Commissions

Currently, 3 out of 7 charter counties have an amendment that covers ethics.

Q. Should the charter require the county to appoint an ethics board or commission?

- ☐ yes
- ☐ no

8. General Fund Reserve Minimum

Currently, the charter does not establish a reserve minimum fund balance.

Q. Should Charter require the finance department and BOCC to establish a reserve minimum fund balance?

- ☐ yes
- ☐ no

9. Elected/Appointed Positions Oversight/Over

Appointed positions allow the BOCC to recruit, hire, evaluate, and fire personnel. For an elected position, the voters can recall personnel.

? Work on this one. Need more info

10. Voter-approved tax increases or no property-tax increases

Currently the county commissioners have the ability to increase taxes by a vote of the council-matic-voteCommission.

Commented [PP2]: I don't think this the right question. I thought the issue was that County Commissioners should recuse themselves from votes relating to an organization they are on the Board for. The question offered is extreme, and would hamstring Commissioners' ability to do their duties. I think all 3 Commissioners agree on this.

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Commented [PP3]: This seems relatively trivial and not related to charter amendments. Recommend deleting.

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Commented [PP4]: This is incomplete, and therefore misleading. Our charter does address ethics, but doesn't require a Ethics Commission. Do the other 3 call for commissions, or just include ethics like ours? Please provide more complete background info.

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Charter Review Commission – Questionnaire for Public Input – DRAFT –
3.28.25

Q. Should the Charter require that proposals for tax increases, whether they be property tax or sales tax, etc., be ratified by a ballot measure, or only by vote of the Board of eCounty eCommissioners (BOCC)?

- BOCC vote and ballot ratification vote
- county-commissioners BOCC vote only

11. Lower permit costs for property, businesses, and owners

Do not feel this is a charter item. Need more clarification.

12. Transparent BOCC and Public Engagement

Work on this one. How do we create a yes/no question?

13. DCD appointed or elected

Clallam Director of the Department of Community Development (DCD) has been currently is an elected position, and --it is the only elected DCD in the nation. Historically this position has alternated between elected and appointed. At times, the election of a DCD director creates conflicts between the BOCC planning division of the BOCC and the staff of the office of Community Development.

Q. Should the Charter be amended so the DCD is be elected or appointed by the commissioners, instead of elected as currently in the Charter?

- Appointed (change from current)
- Elected (no change) no opinion

14. Public defender's office

Currently the county does not have a public defender's office.

Q. Should the charter create a public defender's office?

- yes
- no

If yesso, should the Charter require the position to be appointed or elected?

- elected
- appointed

15. Charter ambiguities

There are multiple ambiguities in the charter, which could be corrected by a "housekeeping" Charter amendment.

Should the Charter be amended to clarify ambiguities?

- yes
- no

Commented [PP5]: Agree. Recommend deleting. Don't know how you control permit costs in the Charter. Perhaps require that permit costs not exceed the cost of service?

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Commented [PP6]: Covered by OPMA and Public Records Act. What more should the Charter require? I'm ok with deleting this one. But if you really want a question, how about "Should the Charter specify requirements for BOCC transparency and public engagement?"

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Commented [PP7]: True?

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Charter Review Commission – Questionnaire for Public Input – DRAFT – 3.28.25

Based on Norma Turner's testimony, former CRC vice-chair, do we want to go down this road?

16. Environmental steward (water)

There are multiple jurisdictions that are involved in county-wide and region-wide water management. These include: the Treaty Tribes; State Departments of Ecology, Health, and Fish and Wildlife; Cities of Sequim and P.A.; Clallam County Conservation District; Clallam County PUD; the tribes, and local water purveyors such as the Dry Creek Water Association, Joyce Water Association, and various others.

Q. Do you think the Charter should have language included to guide water management, such as a designated water steward?

- yes
- no

~~If so, should the position be appointed or elected? appointed elected~~

17. Number of County Commissioners

Clallam County currently elects three county commissioners by district.

Q. How many county commissioners should Clallam County elect?

- 3 (currently)
- 4 (for example, 3 Districts and 1 at-large Chair)
- 5 (for example, 5 Districts, or 3 Districts and 2 at-large)

18. Revise Procedures for Amending Charter

* Find out more information. We need clarification in order to write a question.

19. Fair bidding

In order for us to create a question, we need more input from the authors of this item.

20. CRC Term

All other charter counties in our state meet every ten years. Historically the Charter has required 5-year, 8-year, and 10-year terms. As a result, the Clallam County Charter Review Commission has met 7 times since 1976.

Q. How frequently should the Charter Review Commission meet?

- 5 years
- 10 years
- other ()

21. Elected Officials and Charter Review Vacancy Language

~~*There has been a proposed amendment submitted for the charter. Currently, when there is a vacancy on the charter, there is no clear~~ There is language in the Charter as to how to fill the

Commented [PP8]: Can't hurt to ask

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Commented [PP9]: This is way too far down the road.

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Commented [PP10]: Like Clark County

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Charter Review Commission – Questionnaire for Public Input – DRAFT –
3.28.25

vacancy, but it could be clearer or more specific. There is a proposal to make it more specific.

Q. Should the Charter require that the vacancy on the Charter Review Commission automatically be filled by the person holding the next highest amount of votes in the same District, or as currently specified by the Charter Review Commission through an application process in the community?

- next highest vote-getter automatically
- application and CRC vote (current process)

22. Independent Hearing Officer

Currently, hearing officers rotate between staff from jurisdictions, and only when necessary.

Q. Should the eCharter create an independent hearing officer position?

- yes
- no

If so yes, should this position be elected or appointed?

- appointed
- elected

23. Trust Land Transfer Program

*Jim will work on this before the next committee meeting.

24. Ranked Choice Voting

Currently, the countyCharter does not provide for have ranked choice voting options for elections.

Q. Should the charter prescribe allow or require the adoption of ranked choice voting options to the county?

- yes
- no

25. Government to Government Relationships and Training

Government-to-Government Relationship Training (relations between Tribes and other governments) is required for school board directors, and other State and County officials and staff.

Q. Should the Charter require similar government-to-government training be required for all other elected officials under the eCharter's authority?

- yes
- no

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Commented [PP11]: Correct?

Formatted: Underline

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Gores, Loni

From: Pickett, Paul
Sent: Monday, March 31, 2025 2:43 PM
To: Holy, Christy; Sarmiento, Nina; Richards, Ron
Cc: Gores, Loni
Subject: CRC Water Committee Agenda and comments
Attachments: CRC Water Committee Agenda 2April2025.docx

To the Water Committee:

Attached is a draft agenda packet. It includes the draft agenda, some comments of my own, and a compilation of the public comments on this topic that I've found in my email.

I look forward to our discussion on Wednesday!

[Loni, please send a cc to the other Commissioners.]

Thank you,

Paul Pickett
Charter Review Commissioner, District 2

AGENDA - DRAFT

- Explain zoom ground rules
 - Select a Chair
 - Review agenda
 - Public comment on agenda
 - Finalize agenda
 - Roundtable on our backgrounds and set goals
 - Review past public comments
 - Develop a work plan for the next month, and make assignments
 - Public comments on meeting and next steps
 - Set next meeting
-

A few comments based on my professional experience:

- Water issues touch on many areas, including fish and other water life, domestic use, agricultural use, drought and flooding
 - Many State agencies have authorities related to water, including the State Departments of Ecology, Health, and Fish and Wildlife.
 - Clallam County Tribes have treaty rights to fish, which are strongly dependent on water. They take water decisions that affect their treaty rights very seriously. They may only want to deal directly with State Government in a government-to-government relationship, and not with County government or utilities.
 - As a result, County authorities over water are limited. However, they touch on several areas:
 - DCD manages County development which depends on water availability. The Herst and Foster decisions provided requirement for Counties to determine water availability or limit its availability. Their website shows "Natural Resources management" and "Shoreline Master Program", which relate to water. Also Clallam Streamkeepers, who do water quality monitoring are housed under the DCD.
 - Environmental Health addresses water supply issues for small systems (individual wells or "Group B" systems). They also regulate on-site septic systems, that affect groundwater.
 - Public Works needs to address stormwater quality and impacts on salmon streams with their projects.
 - Counties are often involved with watershed planning, which I heard the County Commissioners mention. I'm not sure if there is any current activity in this area.
 - For all these reasons, we should do our research first, before moving forward with any specific proposals. Suggestions for interviews we might consider:
 - Bruce Emery, DCD
 - The County Environmental Health Director
 - Dept of Ecology Water Resources Program
 - Water staff from the local Tribes
 - Bowen Kendrick, Clallam PUD water manager (It might be useful to look into the Carlsborg water right permit situation.)
 - Others?...
-

Public Comments about Water

Craig Smith:

We represent the Peninsula Community Action Group, consisting of over 650 members residing in the Sequim, Sequim Bay, Carlsborg and the Dungeness Valley areas. Our numbers, rapidly growing, have water resource monitoring and utilization as one of our major concerns.

We understand that the Charter Review Commission (CRC) is considering which topics to pursue for recommendation to Clallam County, and we feel very strongly that the CRC should consider the establishment of a Water Coordinator/Master to oversee all water related issues involving the Clallam County water basins.

We are concerned that multiple agencies, often with conflicts of interest, tap the same aquifers without appropriate monitoring (or agency crosstalk); attempting to manage and utilize a precious resource that we can all see rapidly diminishing as our snowpack diminishes. Water "rights" do not appear to represent water presence, and we want better stewardship of this precious asset. If the CRC pursues this topic as a recommendation to the County, our group will provide strong support.

We are asking that you present this request as an addition to the agenda at the beginning of your meeting.

Thank you.

Nina Sarmiento:

My desire to create opportunities for long term water resource protection is based around a context of the global climate crisis and the current trends here in the county of both increased water need and decreased availability (during summer months). I don't want to recommend changes to the charter that are dramatic or costly but that in small parts lead to more sustainability of the resource.

Sequim is building 1000 new homes this year and I would love to hear someone brief on the sustainability of their water resource, specifically are they on track to provide water to residents even with inevitable future climate driven droughts? The new reservoir project aims to secure water resources but at a very high cost. Are there other less costly ways to begin securing water into the summer months for the long term? I believe there is. Port Angeles also facing population growth and water shortages in late August and September. Water taken out of the Elwha river directly competes with water needed for migrating salmon. By facing the reality of a diminishing water supply we can align our vision to make changes.

Two articles below show some dramatic consequences related to drought in Ecuador and Colombia. I was in Bogota this winter and in my hotel I experienced water rationing. Notices were posted for when the water would be shut off encouraging people to shower beforehand and there were buckets of water stored for washing dishes, flushing toilets, washing hands etc until the water returned. It is important to take examples from other countries or at least put ourselves in their shoes, imagining the inconvenience of having to ration water. In panama they are actively protecting forests and reforestation to maintain water levels in the panama canal.

colombia: <https://archive.ph/ZpYpN>

ecuador: <https://web.archive.org/web/20250128080302/https://www.nytimes.com/2024/12/30/world/americas/ecuador-hydropower-drought.html>

Panama: <https://www.dw.com/en/panama-helping-the-rainforest-help-the-panama-canal/a-55448184>

Some of my ideas:

Since in Sequim the new reservoir will be collectivising water storage, I would like to look into individualising water storage, and the code for rainwater collection and reusing water. Maybe there are changes that can be made that loosen the regulations for this and lead to residents, farms and business's storing more water for use in the drought months.

Another idea is changing the management of County Trust lands to better prioritize water resource sustainability. The trust lands advisory committee (TLAC) could have addressed this but this committee expired in 2016. This committee had members of diverse backgrounds, not just the financial beneficiaries, because trust lands are managed for multiple objectives. Now that we have the revenue advisory committee, only junior taxing districts are represented. So we are operating with guidance over trust lands for exclusively short term financial benefits instead of evaluating how we can balance the myriad of short and long term benefits of these lands.

As far as next steps, I am looking forward to discussing this topic with you and the group, and hearing your perspective and ideas based on your professional experience. I assume if others agree we can create a subcommittee, and I would like to explore Christy Holys idea of an environmental steward position that pursues projects that increase water resource sustainability. Another idea is recommending another board or reinstating the TLAC. If I am suggesting things that are not in the power of the CRC I apologise, I am still familiarising myself with what is possible.

Responses from Mark Lane to questions I sent him:

Let me attempt to answer each of your questions based on my knowledge:

- Could you give me a sense of where in County government planning or decisions related to water are made? I'm not 100% certain on this one—I think this is a combination of agencies—the PUD, WA State Department of Ecology which oversees the issuance of water rights, the utility districts of each city, the Departments of Community Development and Health and Human Services Environmental Health all have various roles in how water is managed in the County.
- Do impacts on water have to be determined by County Development or by Public Works? Not sure on this one—I believe it is DCD and Public Works both play roles in understanding impacts on water. For instance, the County Public Works department in conjunction with DCD are involved in the Dungeness Off Channel Reservoir project, as that project touches multiple water use areas (irrigation, salmon recovery, aquifer recharge, etc). I would recommend you touch base with Steve Gray in Public Works and Bruce Emery in DCD to gain a full understanding of their roles. And again Dept of Ecology at the state oversees water rights.
- Where in the organization is Streamkeepers located? Department of Community Development oversees—Bruce Emery is the elected Director.
- Does environmental health inspect water supplies? (I know firsthand that they do septic systems). I believe HHS Environmental Health does do water testing and monitoring but again more from a public health perspective—I would point you to Jennifer Garcelon who heads up that area.
- Any other departments where question of water supply, water quality, groundwater, stream health, or other water-related issues are dealt with? No others at the County that I can think of from those listed above.

From Tony Corrado:

Kindly forward the attached PDF file to the CRC members. It is offered as a clarification of the basis and intent to establish the position of Water Steward to preside over the issues related to preserving an adequate water supply for the entire County.

DRAFT SUBMITTED TO THE CHARTER REVIEW COMMISSION BY TONY CORRADO

3/27/25

Resolution Establishing the Position of Clallam County Water Steward

WHEREAS, climate change is manifesting in both the increased severity and frequency of severe weather events, necessitating proactive planning for increased magnitude and prolonged periods of drought and loss of snowpack; and

WHEREAS, drought conditions adversely affect the Dungeness River, reducing the availability of both surface and groundwater supplies; and

WHEREAS, the effects of climate change are occurring earlier in the calendar year, resulting in earlier plant maturity, which, when coupled with insufficient irrigation water supply during critical growth stages, leads to reduced plant harvest yields; and

WHEREAS, warmer weather patterns cause significant reductions in Dungeness River flow during the late summer months, critically jeopardizing Salmon spawning due to insufficient river flow for Salmon to reach their upper river spawning grounds; and

WHEREAS, reduced surface river flow diminishes groundwater recharge, which is essential for supporting flora, fauna, and maintaining adequate water levels in the upper aquifers of the Dungeness Basin for domestic groundwater extraction; and

WHEREAS, while Clallam County possesses paper water rights in quantities sufficient to supply planned developments and water consumption, a definitive analysis of the future extent and quantities of aquifer water is lacking to ensure the adequacy of actual water resources critical for survival; and

WHEREAS, a comprehensive net water balance for the entire County has not been developed to account for the possibility of dramatically reduced precipitation patterns, thereby hindering the County's ability to adequately forecast processes for securing sufficient water resources; and

WHEREAS, the Off Channel Reservoir may not provide sufficient future storage capacity to preserve additional river flow to augment the minimum flow necessary to support agriculture and Salmon spawning; and

WHEREAS, extreme and mandatory conservation methods may be required to ensure sufficient river flow due to the increasing impacts of climate change;

THEREFORE, BE IT RESOLVED THAT Clallam County shall establish the position of Clallam County Water Steward (hereinafter referred to as "Steward").

BE IT FURTHER RESOLVED THAT the position of Water Steward will have the mission of:

1. Analyzing the interrelated and interconnectivity factors of the water system;
2. Establishing a system wide analysis of current as well as future forecasts based on planned growth and measured wet water availability;
3. Developing plans for ensuring and maximizing the availability of water;

4. Creating a list of acceptable basis of consumptive uses based on a stated/public priority order of importance;
5. Mandating measures sufficient to ensure that maximal water remains available for all consumption considered critical.
6. Recommend changes to water regulation and law that is deemed necessary to achieve the stated mission.

BE IT FURTHER RESOLVED THAT The Steward shall have the power to interview all necessary agencies, individuals, and experts to determine the factual basis for all analysis and planning. The Steward shall not have the power to regulate water usage or implement policy. The Steward will report to the Board of County Commissioners and shall recommend the actions required to fulfill the mission statement.

BE IT FURTHER RESOLVED THAT The Steward shall be elected and that the position be non partisan. The Steward shall be a volunteer position , non compensated. The Steward shall have no financial or stakeholder affiliation that represents a substantial conflict, act in total transparency and endeavor to apply fairness to all stakeholders, and operate within public oversight at all times.

BE IT FURTHER RESOLVED THAT The Steward shall be provided with sufficient operating budget and County facilities in order to conduct the stated mission. Expenditures will be permitted for out-of-pocket expenses such as travel, meeting courtesies, meeting facilities and meals. The Steward will have the ability to initiate contractual efforts only through the normal contracting expertise and requirements of the appropriate County Departments and using County personnel and services.

From Town Hall meeting, Sequim, 3-26-2025

Jeene Hobbs
Hello, my name is Jeene Hobbs and I live in the county just north of Sequim. I moved here in July of 2023. Even before moving here, I was watching the news about the area and saw that water was a common topic. Since moving here, I have gained some understanding of the role water plays in Clallam County. Fundamental in that understanding is that there is not sufficient coordination or communication among all of the entities that have water responsibilities. As a solution to that lack, I encourage the Charter Review Commission to establish a Water Steward position. The Water Steward should be a nonpartisan professional probably a hydrologist. Their responsibilities should include compiling data from the various entities with water responsibilities to create a county wide view of water issues and management. Their work should be based on data and current best scientific practice.

Water issues will not go away for lack of attention. Having a centralized position with these responsibilities could improve everyone's understanding of our water situation.

My name is David Brehm, and I am a retired engineer. I live ~~just~~ north of the Sequim city limits, and have been following local water issues since moving here about a year & a half ago. ^{at 253 Pearl Lane} My topic today is the need for a county-wide water steward.

With the recurring low snowpack and subsequent issues with low river flow and groundwater levels, it is apparent that managing the available water resources in the northern Olympic Peninsula is more important than ever. The only certainty is that the severity and frequency of severe weather and drought events will impact our area with an increasing rate of change and in severity. The implication of this is that historical performance is no longer a reliable predictor of future water supplies. I call on the Charter Review Commission, in collaboration with the county, cities, and tribes, to establish a "Water Steward" position or office. Such an entity must operate free from political or vested interests, such as, for example, specialists with WSU Extension. It should compile data, study potential policy solutions based on data and science, and to serve in an advisory capacity to all water management entities within Clallam County.

Good evening my name is Ann Soule and I live in District #2, in Sequim. I am here tonight to suggest that the Commission consider a proposal for a permanent water steward position.

I am recently retired from a 30 year career with Clallam County and city of Sequim as a water resources professional. I have a masters degree in water resource administration with a specialty in hydrogeology and a bachelor's in geology.

During my career with the County for 22 years I was the technical and/or administrative lead for several monitoring studies and water management plans. For City of Sequim my focus was on stormwater and sustainability programs in general.

At the current time there is no hydrologist or water resource specialist overseeing conditions in all of Clallam County. I am here to advocate that a position be created to track the many issues related to water that the County faces – including the following (by the way, all of these that I list have associated technical reports or plans on the county website):

1. Most of our mountains in Clallam County are at an elevation that is right at the threshold between being dominated by glaciers and snowpack versus melting glaciers and rainfall. Warming winter and summer temperatures will have a huge impact on all the watersheds in Clallam County. Out west the watersheds that have always relied on lots and lots of rain are actually less wet, and some small community water systems have actually run out of water.
2. The Dungeness and the Elwha both rely on snow melt for summer stream flow and have run extremely short of normal due to “snowpack drought” several years out of the last 10. In the Dungeness this has put huge pressure on the farming community to stop or slow down irrigation – and some crops don’t survive. Low streamflow also strains salmon migration, and many of our salmon runs are already threatened with extinction. And low streamflow also affects recharge of aquifers in the Dungeness because about 25% of the groundwater budget comes from leakage from the river.
3. Water storage is essential to meet the needs of our communities. Aquifer storage and recovery is a proven method and could be promising if managed closely so that stored water isn’t lost to the Strait. The proposed off-channel reservoir is also very promising, since large scale storage will be essential if the farming community is to survive – plus it offers a way to supplement aquifer recharge.

Ann S.

4. Comprehensive watershed planning resulted in the Elwha Dungeness watershed plan of 2005 which led to the Dungeness instream flow rule being adopted in 2012. That was an important achievement for the Dungeness – essentially establishing a water right for the River – but there are other rivers in the county that await similar attention.

5. The numerical groundwater model used by the rule's mitigation program was calibrated with data from 1995 and 96. New information about deep aquifers could be pertinent to its construction and new – and changing – water supply patterns certainly warrants a re-calibration of the model. The last comprehensive assessment of groundwater levels in the Dungeness was in 2009... a long time ago but certainly more recent than 1996.

6. There are nitrates in eastern county aquifers and the concentrations are going up in some areas but we don't know the status in most areas. The last comprehensive study was around 2011.

7. Sea level rise is occurring at a faster rate than previously expected. A higher sea level means a potentially higher vulnerability to saltwater intrusion into drinking water wells near the coastline. The last time coastline wells were checked for chloride was in 1992.

I hope this laundry list of water challenges convinces you that water is a top issue – a real issue that directly affects public health, our businesses, and our environment. The glaciers that fed our streams and aquifers for hundreds of years are either gone or almost gone, and paying closer attention to water management can't wait. That requires data, and even more importantly, someone to track it. Hiring out contractors for every small study isn't good enough since there is no continuity and no institutional memory accumulating to perceive what studies are even needed.

As I said, there is no longer a local agency hydrologist tracking conditions in all County watersheds. My recommendation is a water stewardship office – or at least one permanent, technical position with hydrology expertise. It should be funded at least partially by the state and housed with WSU Extension. It could also be partially funded by all local jurisdictions as they would serve as a local expert, advising the planning and policy-making that all jurisdictions need to do.

From Alex Fane:

To the Water Steward Committee,

I have tried to boil down the need for and duties of a elected, uncompensated Water Steward. There is no need to consider an appointed position as the entire concept is to create an impartial post that is data-driven and independent of developmental and other interests. The below is a proposed starting point, using criteria submitted by Tony Corrado recently. Please forward this email to other members on the committee I may have omitted.

Proposed Clallam County Charter Amendment Submission *Submitted to the Charter Review Commission, March 2025*

Title: Amend the Clallam County Charter to Establish the Office of County Water Steward

Text of Proposed Charter Amendment (To be inserted under Article 4: Elected Officials)

Section X: Clallam County Water Steward

1. Position Established

The Office of Clallam County Water Steward is hereby established as an elected, nonpartisan, volunteer position. The Water Steward shall serve as an independent advisor on water resource sustainability, availability, and planning, and shall act in the public interest to assess and recommend policies that ensure adequate water for agriculture, ecosystems, and residential use in the face of climate change.

2. Duties and Authority

The Water Steward shall:

- Analyze countywide water systems, including groundwater, river flow, aquifers, and usage trends;
- Forecast future water availability in light of planned growth, climate change, and ecological needs;
- Recommend a hierarchy of consumptive uses and sustainable practices;
- Propose changes to water-related regulations, laws, and conservation strategies;
- Provide regular reports and recommendations to the Board of County Commissioners (BOCC), county departments, and the public.

The Water Steward shall not have regulatory or enforcement authority and shall operate as an independent advisory office.

3. Qualifications and Terms

- The Water Steward shall be a qualified Clallam County voter with no substantial financial or stakeholder conflicts in water-related industries.
- The position shall be nonpartisan, elected by countywide vote to a four-year term, and shall receive no compensation other than reimbursement for approved expenses.
- The Steward shall operate with full transparency and under public oversight.

4. Support and Resources

The County shall provide the Water Steward with:

- Modest operating funds sufficient for public outreach, research, and travel;
- Access to County data, staff coordination, and meeting space;
- The ability to initiate studies and recommendations through existing County procedures, contracts, and departments.

Ballot Title (75-word limit):

Shall the Clallam County Charter be amended to create an elected, nonpartisan, volunteer position of Water Steward to provide independent analysis and recommendations on water availability, usage priorities, and sustainability, and to advise the County Commissioners and public on long-term water planning in response to climate change?

Explanatory Statement for Voter Pamphlet:

This amendment creates the office of Clallam County Water Steward—an elected, nonpartisan, volunteer position. The Water Steward will analyze water systems and availability, forecast future needs, and recommend sustainable water use strategies to the County Commissioners and the public. The Steward will not have enforcement powers but will operate independently with public transparency. The role is created in response to concerns about drought, river flow, aquifer levels, and climate change impacts on agriculture, ecosystems, and communities.

Respectfully submitted,

Alex Fane

Clallam County Charter Review Commissioner, District 1

alex.fane@clallamcountywa.gov

(952)393-6251

Gores, Loni

From: Richards, Ron
Sent: Monday, March 31, 2025 10:02 PM
To: Gores, Loni; Pickett, Paul
Subject: Re: CRC Water Committee Agenda and comments

Hi Paul,

Thank you for putting all this information together in one place. It will certainly lead to a lively Water Committee meeting this week.

Since I first suggested the idea of putting a Water Master and Water Resources Department in the Clallam County Charter (02/24/25 email to CRC via Loni Gore), I'm really gratified to see all this interest and all this expertise coming to bare on this issue.

I have followed Clallam County's water issues very closely since attending a meeting that Mike Chapman conducted years and years ago in Sequim in front of a not too receptive audience addressing the need for water planning and water regulation in the Dungeness Valley when Mike, Mike Doherty, and Steve Tharinger were the County Commissioners. A lot of efforts to address the situation have been made since then, but unfortunately a lot of those efforts have not been coordinated, and we find ourselves in a very precarious position today.

My interest in water law and water resources stems from my first water law class at the University of Denver in Colorado, the leading state for the development of water law in the western United States. Since then, I have represented clients in acquiring, transferring, and enforcing water rights. In a 9th Circuit Court appeal, I wrote a brief for the Sierra Club Legal Defense Fund that led to the end of Northern Tier Pipeline Company's attempt to build an oil port at Port Angeles, a tank farm at Green Point, and an oil pipeline from Port Angeles to Wood River, Illinois. That brief addressed the applicability of the Magnuson Amendment to the Marine Mammal Protection Act that prohibited oil transshipment facilities "in, on, along, immediately adjacent to, or affecting the navigable waters of the State of Washington east of Port Angeles". When I was a member of the board of directors of Protect the Peninsula's future we brought a lawsuit against the City of Sequim under the CWA and other laws that forced Sequim to build its modern sewer treatment facility; and PPF brought a legal proceeding involving the BIA and the Jamestown S'Klallam tribe to prevent the Seven Cedars Hotel from utilizing a septic tank/drain field for its sewer facilities. That I believe resulted in the win/win solution for the tribe to use the Sequim Sewer (which had the capacity because of the previous PPF lawsuit).

With this background both in Clallam County and in water law generally, I would like to suggest two other issues that could be of major importance in our deliberations, and to suggest a way of structuring the duties of the water master and water resources department to avoid a huge number of complicating issues.

Taking the last item first, my understanding is that the water master would attempt to gather data and information for the many officials and jurisdictions that play a role in water management in Clallam County to use; and would attempt to help those officials and jurisdictions coordinate their efforts. The duty to regulate water use and take steps to provide for water availability would remain with the officials

and jurisdictions that currently have those responsibilities. This way our task would be immensely simplified compared to what it would be if the water master had additional duties and responsibilities.

Now addressing the other major issues that we would otherwise need to concern ourselves with. First, in addition to reserving water for the tribal treaty fishing rights that you mention, the federal reserved water rights doctrine reserves water rights for federal properties. Obviously in Clallam County this includes our National Forest and the Olympic National Park. For example, if salmon that migrate into the national forest and national park need more water to get there, the federal reserved water rights doctrine can give the federal government the right to that water. This is sort of a double whammy that should add impetus to everyone in Clallam County wanting to solve our water problems.

Second, if, in the Water Master context, we were to get into re-assigning existing executive powers within Clallam County, we would have to look very closely at our Charter Section 4.25 which gives broad powers to the DDCD regarding environmental policy, forest management, agriculture, watershed planning, and floodplains. While that section might need addressing for other reasons, our job would be made easier by limiting the job responsibilities of the water master as above suggested - which in my understanding is what the public seems to be suggesting.

I look forward to continuing our work on this issue through the Water Committee.

Ron

From: Gores, Loni <loni.gores@clallamcountywa.gov>

Sent: Monday, March 31, 2025 3:09 PM

To: Benedict, Bill <bill.benedict@clallamcountywa.gov>; Boughton, Dee <dee.boughton@clallamcountywa.gov>; Cameron, Ron <ron.cameron@clallamcountywa.gov>; Fane, Alex <alex.fane@clallamcountywa.gov>; Fisch, Susan <susan.fisch@clallamcountywa.gov>; Fleck, Rod <rod.fleck@clallamcountywa.gov>; Gores, Loni <loni.gores@clallamcountywa.gov>; Hodgson, Mark <mark.hodgson@clallamcountywa.gov>; Holy, Christy <christy.holy@clallamcountywa.gov>; Morris, Patti <patti.morris@clallamcountywa.gov>; Noble, Chris <chris.noble@clallamcountywa.gov>; Pickett, Paul <paul.pickett@clallamcountywa.gov>; Richards, Ron <ron.richards@clallamcountywa.gov>; Sarmiento, Nina <Nina.Sarmiento@clallamcountywa.gov>; Stoffer, Jim <jim.stoffer@clallamcountywa.gov>; Tozzer, Jeff <jeff.tozzer@clallamcountywa.gov>; Walde, Cathy <cathy.walde@clallamcountywa.gov>

Subject: FW: CRC Water Committee Agenda and comments

Correspondences from Pickett.

"My email address has changed! The new format is Loni.Gores@clallamcountywa.gov Please update my contact card as your earliest convenience, Thank you!"

*Loni Gores
Clerk of the Board*

*Commissioners Office
223 East 4th Street, Suite 4
Port Angeles, WA 98362
Phone: 360-417-2256*

From: Pickett, Paul <paul.pickett@clallamcountywa.gov>
Sent: Monday, March 31, 2025 2:43 PM
To: Holy, Christy <christy.holy@clallamcountywa.gov>; Sarmiento, Nina <Nina.Sarmiento@clallamcountywa.gov>; Richards, Ron <ron.richards@clallamcountywa.gov>
Cc: Gores, Loni <loni.gores@clallamcountywa.gov>
Subject: CRC Water Committee Agenda and comments

To the Water Committee:

Attached is a draft agenda packet. It includes the draft agenda, some comments of my own, and a compilation of the public comments on this topic that I've found in my email.

I look forward to our discussion on Wednesday!

[Loni, please send a cc to the other Commissioners.]

Thank you,

Paul Pickett
Charter Review Commissioner, District 2

Gores, Loni

From: Tozzer, Jeff
Sent: Tuesday, April 1, 2025 1:45 PM
To: Gores, Loni
Subject: Town Hall Outreach Committee (additional items and clarification)

Hi Loni,

Please forward this to all 15 of the CRC. Thanks.

Dear Town Hall Outreach Committee,

Thank you for compiling the list of priorities. I've added a few below that may have been omitted, along with my thoughts.

- **Restrictions on elected officials' advocacy:** Would limit commissioners' ability to endorse policies that directly benefit organizations with which they are involved. This could also be a broader ban on the BOCC endorsing any items, similar to the Sequim City's Council's policy of not endorsing ballot measures (a rule which it selectively suspends).
- **Add "American governments" to Intergovernmental Relations section 1.20:** This amendment would ensure that any Clallam County partnerships with foreign nations are subject to federal oversight to prevent conflicts of interest or foreign influence. This was brought to me by a constituent with growing concerns about Clallam County joining the ICLEI (German NGO), working with the Stockholm Institute (funded primarily by Sweden's government), and partnering in infrastructure projects with foreign governments, like the Jamestown Tribe. The resulting fallout of that partnership happened when the Tribe deliberately breached the Dungeness River dike early, leaving Clallam County taxpayers to pay for an estimated \$13 million response. It seems the county government is completely inept at partnering with sovereign nations and needs federal oversight in these partnerships.
- **Requirement to notify Bureau of Indian Affairs on adverse effects:** Would mandate the county notify the BIA when land use changes affect county interests.

As for clarifications:

- **#5** is about transparency from NGOs that the county contracts with. For example, the Olympic Peninsula Humane Society received a \$125,000 county contract but refused to "open their books," making fiscal accountability impossible. The agency shuttered its doors \$60,000 into last

year's contract, and there are still many unanswered questions. This amendment would mean that if they keep the books closed, CC cannot enter into a contract with them.

- **#6** I don't think this is about budgets for town halls; it's about requiring them to happen on a schedule *with mandatory Q&A*.
- **#7** Don't forget constituents are asking for civil penalties to be included in the code of ethics (much as it was before the BOCC removed them).
- **#9** Confuses me too. I think it's about the BOCC making appointments to things like the Animal Solutions Committee and Trails Advisory Committee, but I'm not sure, and I forget who brought this forward.
- **#12** This one seems like Town Halls to me. Perhaps the Charter could mandate that they be held quarterly, or every 4 months, in the 3 Districts. It's essential that the amendment stipulates that community members can ask questions *and have them addressed*.
- **#19** is to help our small businesses have a level playing field when bidding on county contracts against foreign corporations that are exempt from many taxes and fees. **Ron Richards, you may want to weigh in**, but here is language he proposed long before we were elected to the CRC: *"In determining the winning bidder for any contract to be awarded by the county, the amounts of any taxes, fees, or charges that would be paid by a bidder to the United States government or to the State of Washington or any political subdivision of the State of Washington in executing the contract shall be excluded from the amount of any bid. All bidders shall itemize such amounts to be paid in executing the contract by, for example and in no way limiting such amounts, listing labor and industries taxes; fuel taxes paid and not refunded; sales taxes on equipment to be used prorated for the expected life of the equipment; sales taxes on materials supplied; income taxes; business and occupation taxes; road use fees; real property, personal property and vehicle taxes apportioned in the amount the bidder's bid is to the bidder's gross income for the previous tax year, and etc."*

Those are my initial thoughts. Again, thanks for the hard work of pulling all these ideas into one place.

Jeff

Gores, Loni

From: Tozzer, Jeff
Sent: Tuesday, April 1, 2025 4:18 PM
To: Gores, Loni
Subject: 1 additional item for questionnaire

Hi Loni. One more today from me. Please forward it to all 15. Thanks.

Hello Town Hall Committee:

I apologize, I forgot a critical issue that continues to draw interest and discussion: **Should County meetings be held on sovereign land?** Please add it to the questionnaire.

Thanks,

Jeff

Gores, Loni

From: Tozzer, Jeff
Sent: Wednesday, April 2, 2025 6:13 AM
To: Gores, Loni
Subject: Additional item for Town Hall Outreach Committee

Good morning, Loni. Please forward to all 15. Thanks.

Dear Town Hall Outreach Committee,

Don't forget Virginia Shogren's email to the Clallam County Charter Review Commission, which proposes an amendment to Article VII, Section 7.10 of the County Charter. She raises concerns about ethics, transparency, and political influence in county governance, arguing for greater public control over elections.

Her proposed changes include:

- Aligning elections with Article VI of the Washington State Constitution.
- Holding elections at the precinct level.
- Vetting voters as "Qualified Electors" before receiving a ballot.
- Hand-counting all ballots in a publicly verifiable process.

Thanks,

Jeff

Gores, Loni

From: Tozzer, Jeff
Sent: Wednesday, April 2, 2025 8:26 AM
To: Gores, Loni
Subject: Agenda item for next CRC

Hi Loni, please forward to all 15. Thank you.

Dear Commissioners,

Please add an item to the next agenda called "OPMA clarifications."

I'd like to discuss this statement made by Commissioner Stoffer to the Sequim Gazette: *"The day after the meeting, Stoffer told the Sequim Gazette that one of the issues that prevented exchanges between the Commission and the audience was that a quorum of the Charter Review Commission was present. **Responding to questions would have been equivalent to the Commission taking action, which it could not legally do at that meeting, he said.**"*

My questions for discussion are:

- Is this an accurate description of the OPMA policy?
- What illegal action was the CRC considering taking at the Town Hall?
- Was Commissioner Stoffer speaking on behalf of the entire CRC, or was this his personal view?

It may benefit the Commission if Chairwoman Fisch requests that Dee consult with us on this topic.

Appreciatively,

Jeff

1.

Gores, Loni

From: Tom Ash <ashthomas@msn.com>
Sent: Wednesday, April 2, 2025 10:17 AM
To: Gores, Loni
Cc: Nichols, Mark
Subject: Charter Commission

Hi Loni.

The following is for the Charter Commission. Thank you. Tom

Charter Commissioners et al

A travesty has overtaken the 15-member group of the 2025 Charter Commissioner's Review Board, and it cannot stand. It is illegal, violates Clallam County policy, rules & regulations, and most likely will invalidate any work the Commission happens to accomplish this year. It appears that several Charter Commission members censured in past work in which they were engaged have sought to censor a single member of the current Clallam County Charter Commission only because this Commissioner does not support their views. This behavior is petty, inappropriate under the by-laws of the Commission and disrespectful to the vast majority of the electorate who expects the Charter Commissioners to act professionally, legally, appropriately, and certainly not partisan (it is a non-partisan commission) and petty.

James Stoffer CRC District #1 asked the commission to adopt by-laws to censor another CRC solely because he does not hold the same views on issues. James Stoffer does not have the authority to do so, and he certainly does not have a reason to do so. It is also James Stoffer CRC District #1 one who established and enforces the forbidding of CRCs to speak to and answer questions from their constituents at Town Hall meeting. What does James Stoffer not want the citizens of Clallam County to learn. Is it something from the past or from the present. Or is James Stoffer influenced inappropriately by the current Clallam County Commissions who refuse to converse openly in a public forum with or answer any questions from their constituents? Is it appropriate for the Clallam County Commissions to inappropriately influence the Charter Commissioners? I think not as that is outside the by-laws.

Susan Fisch CRC Chairwoman motioned to reconvene the by-laws committee to address how the first amendment applies to the Commissioners all in order to attempt to censor an individual Commissioner who also does not support her positions and beliefs. This is not what it is about Susan Fisch and it is not your role to censor or remove members you do not like. It does not work that way. Past tribulations should not adversely affect how you perform your duties as a current non-partisan County Charter Commissioner. Passing your gavel from commissioner to commissioner in order to manipulate an outcome you prefer is inappropriate, unprofessional, and outside your scope of authority as Chairwoman.

To the remainder of the Charter Commissioners who stand by and watch this miscarriage of justice without putting a stop to it and getting on with the duties and responsibilities you were elected to perform without resorting to sophomoric petty performances and actions. You have a job to do and it is best that you do it as designed and as instructed and veer away from childish tantrums or maybe it is best that the Charter Commission be dissolved for 2025 and reconvene when calmer more reasonable heads may prevail.

Gores, Loni

From: Janine Blaeloch <blaeloch@gmail.com>
Sent: Wednesday, April 2, 2025 10:23 AM
To: Gores, Loni
Subject: comment to be submitted to CRC

Hello, Ms. Gores:

Please forward this comment to the Charter review Commission, thank you!

Like many who spoke at the "town hall" last week, I am deeply concerned about the issue of water supply in Clallam County and the opaque manner in which it is addressed by the County and the City of Sequim. There seems to be no recent information on water supply, which raises alarms around the impact of new developments. I have read the hydrological studies commissioned by the City of Sequim, the last of which was published 17 years ago, and it is virtually impossible to glean any real information on water supply, although the most recent report does indicate a fairly dramatic decrease in groundwater at the Dungeness near Highway 101. When asked about water supply, the City's response is to cite the level to which it is using its water *right*, which of course has nothing to do with the presence or abundance of actual, physical water. I believe Clallam County needs a water steward, whose responsibility will be to determine and make public the state of water resources in our County and address the need to preserve our water supply by looking at various alternatives for significant water conservation.

Janine Blaeloch
River Road area

--

Gores, Loni

From: marthadave <marthadave@olypen.com>
Sent: Wednesday, April 2, 2025 1:20 PM
To: Gores, Loni
Subject: Comments on CRC Priorities

[You don't often get email from marthadave@olypen.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

To the CRC

I was in attendance at last night's Town Hall at Fairview Grange. Because I had been out of the country for several weeks, I felt unprepared to speak at the meeting. I appreciated the information and comments that gave me a broader understanding of the CRC Priorities.

I very much appreciate all of your work, the dedication to the job you are doing, and the way that the meeting was conducted.

After giving the topics some thought, here are my comments regarding some of the issues at hand.

-District Based Elections

I am in favor of keeping this process as is.

-Coroner

I feel the position should be appointed.

-Tax Increases

We have no income tax in our state. The federal government is slashing funding. I do not support voter approved tax increases and do

not agree with across the board elimination of property tax increases (and no, I don't love paying taxes either, but I appreciate good services).

-Environmental Steward

With the reality of climate change, I support an Environmental Steward.

-Number of Commissioners

While I have no very strong feelings about this, having 5 Commissioners doesn't necessarily mean less work, but it does mean more money.

-Rank Choice Voting

I would like to give our voters more credit than was given at the meeting last night. I participated in a mock election using rank voting and it was easy to understand.

Government to Government Relations and Training

Having been an educator for 32 years, I am in support of meaningful training and well-informed elected officials.

Thank you again for your work.

Martha Rudersdorf

262 Trailside Dr.
Sequim

Gores, Loni

From: Tozzer, Jeff
Sent: Wednesday, April 2, 2025 8:52 PM
To: Gores, Loni
Subject: Additional agenda item - Strategy

Hello Loni. Please forward to all 15. Thank you.

Dear Commissioners,

I'd like to propose an additional agenda item: **Strategy**.

As I understand it, our approach is to:

1. Complete town hall meetings.
2. Roll out the questionnaire.
3. Prioritize our items based on community feedback.

Given this process, I have some concerns about how we're proceeding. Specifically, how do we already have a "Water Steward" committee before receiving questionnaire results? "Environmental Steward" received five votes from commissioners and ranked fifth on the spreadsheet, yet there are other topics that have received more commissioner votes and been discussed more frequently at town halls.

Additionally, the Rules & Bylaws Committee has reconvened based on a single public comment to address one specific issue. I'm hearing from constituents who feel we are arriving with preconceived agendas rather than serving as neutral conduits for community priorities.

I understand why the Coroner Committee convened—state law mandates that discussion. However, forming other committees before we've fully processed community feedback seems premature. Over 30 issues have been brought before us, yet we don't have 30 committees addressing them.

With our limited time before the August deadline, we should ensure we're aligning our efforts with community input and using our resources wisely while maintaining fairness and impartiality.

Additionally, please regard my email regarding "OPMA Clarifications" as my formal request to the Executive Committee to consult Dee Boughton on this issue.

Thank you,

Jeff

Gores, Loni

From: Richards, Ron
Sent: Wednesday, April 2, 2025 10:05 PM
To: Gores, Loni
Subject: Outreach Committee Questionnaire

Loni,

This Thursday the CRC outreach committee will consider a questionnaire on what issues the public believes the CRC should address.

There is some confusion of what the trust land issue involves. On February 4, I suggested the consideration of an amendment to the charter dealing with tribal trust property. Others have suggested consideration of amendments dealing DNR trust property.

Several members of the public have recently made statements indicating they thought the trust land issue involved tribal issues. They were justified in making this assumption based on my suggestion alone. Consequently, I would like the outreach committee to consider including the question set forth below on the questionnaire to be submitted to the public.

Accordingly, please forward this email to the outreach committee so that we might discuss it at our Thursday meeting.

The question set forth below has been drafted in accordance with a document previously supplied to the CRC on how to draft questions.

Thank you,

Ron

Clallam County tribes can request the Bureau of Indian Affairs (BIA) to have property they have purchased placed in trust or reservation status. If such a request is granted, the property is removed from the county's tax rolls, state and county environmental laws no longer apply to the property, and federal laws play a more prominent role on the property.

When considering such a request, the BIA asks the county whether it has any concerns regarding the request. The county has not always responded to the BIA regarding the requests; there are no standards or guidelines in the Clallam County Code to guide the county in responding to those requests, and the cumulative effects of those requests could impact the county in a number of ways.

Under such conditions, should an amendment to the Clallam County Charter be proposed to require a county comprehensive plan section establishing standards or guidelines for the county to use in developing an opinion on whether such requests should be denied, granted, or conditioned; and requiring the county to inform the BIA of its opinion on such requests.

Gores, Loni

From: Verytautdrum <Verytautdrum@proton.me>
Sent: Thursday, April 3, 2025 2:24 AM
To: Gores, Loni
Subject: CRC - Testistmony regarding Clallam County Watchdog

You don't often get email from verytautdrum@proton.me. [Learn why this is important](#)

Hello,

I am writing to express my wishes that a comment I made on Clallam County Watchdog in reply to Jeff Tozzer the author of said blog, who asked, "Why shouldn't journalist be in government", be entered as testimony. To be clear his is a member of the Charter Review Committee and the author the blog, Clallam County Watchdog. Can you please forward this to all Charter Review Members, please? If my identity need be known I am willing to do so only certain circumstances. I believe that Jeff Tozzer has knowingly bred resentment in his subscribers by never interacting with the most inflammatory, or racial commenters. He prefers to only interact if it is pertinent question to the blog post or a personal compliment.

Here is the comment which I am including in full, and with typos, "

It comes to your position among elected members of the CRC and being the author of a blog that dabbles in sensationalism. It does lately seem that there is degradation of your normal tidy, but performative, reporting. Take for instance your progression in "Balancing Transparency and Soveignty", "The Chilling Effect", and todays blog post which has this odd title appealing to your subscribers suggesting that they might be silenced when the case is that you as CRC member may have to act impartially.

In "Balancing..." you seeming highlighted yourself as the champion of transparency -including playing on the fears of non-tribal citizens being arrested for protesting on tribal land- while Johnston was presumed to be the antagonist going as far as to suggest further allegations of impropriety, regarding the passing of the recent bond measure, as a school board member.

However in "The Chilling Effect" you, as the champion of transparency, were brought to admit in your capacity on the CRC that you had largely omitted the contents of the exchange due to Substacks limitation of publishing in only one color (A claim of technical limitations that prevented complete and transparent presentation of the exchange feels flimsy - especially when you were aware of other means to clarify). Then you wade into a common trope of your reporting: using charge language and guided titles to give readers the impression of collusion by alleging that Johnston and others had preplanned the reconvening of the bylaws commitee to censor you and including the bolded header, "a plan unfolds".

You now rail against the idea that you would have to clarify if you had to present yourself as private citizen offering commentary on your own blog or doing so as member of the CRC while seeking to reframe your mishap as an attack on free speech.

What is mostly telling fellow subscribers, is that Jeff, the sole source of information on local reporting - which a fair amount of you admit - has regressed from a paragon of public integrity to using the same schema he accuses the multiple municipal officials, tribal leaders, and executives of NGO's as using. Instead of owning up to selective reporting, he recast himself as an advocate of free speech under threat. It's a classic "when criticized, change the subject". Your strong and boisterous watchdog is now with its tail tucked between its legs. He is choosing to ignore the legitimate concerns of misrepresentation to which Fisch spoke to, that is the chilling effect that puts peoples live in danger.

Honestly a lot of these people need to support free community college. In just a few days it was plain as day that many of these commenters are "true believers" in what you have been publishing. Keeping mind that you are their elected official, and their sole source on local politics because they believe in you integrity. It worrisome and fascinating how many of them will come to rescue when commenters have a differing opinion calling them trolls or telling them to open their eyes. In the four days that I have interacted with this blog it is clear you have let the koolaid brew. I was gone one day and two of you commenters mistook a disabled veterana (Kevin R.) for me, Kevin. You got a dude down here saying that the literal meaning of fired was just that... fire. And another saying that that public officials upkeep a perception of stupidity because its the only thing that keeps them from being strung up by lampposts.

I will be emailing Loni Gores so that this can be submitted into testimony. And by they way, how often would you say that you use ChatGPT in the course of writing your blog?"

Sent with [Proton Mail](#) secure email.

Gores, Loni

From: noreply@civicplus.com
Sent: Thursday, April 3, 2025 1:30 PM
To: Gores, Loni
Subject: Online Form Submission #6968 for Contact the Clerk of the Board

Contact the Clerk of the Board

First Name	Gayle
Last Name	Baker
Email	gaylebaker7458@gmail.com
Phone	3606833816
Subject	Censoring Fellow Commisisoners
Comments	This is an open letter to all the Charter Review Commissioners: I would be very wary of censoring any of the review Commissioners. That practice is the very thing that got Donald Trump elected; censorship by the left against the right; censorship against any who didn't follow the narrative as outlined by those in charge at the time (main stream media, socialist democrats). WE, the People, elected you commissioners--you DO NOT have the right to hire or fire! If you continue on such a path you will have the wrath of the public to contend with. You lefties in this county may think you own this county, you may think your ideology is the ONLY ideology that's acceptable. You are hypocrites. You are not for Democracy-you are for Socialism. You really need to read the Constitution of the United States of America. You are pretty much guilty of not following most of it. Back of from the censoring, back off from the hatred of those who don't agree with your ideology. Differences in opinion are healthy. Debate is healthy. What you are doing or trying to do is not healthy.

Please Note

This form is not for emergencies. If you have an emergency, please phone 911.

Email not displaying correctly? [View it in your browser.](#)

Gores, Loni

From: noreply@civicplus.com
Sent: Thursday, April 3, 2025 1:51 PM
To: Gores, Loni
Subject: Online Form Submission #6970 for Contact the Clerk of the Board

Contact the Clerk of the Board

First Name	john
Last Name	worthington
Email	worthingtonjw2u@hotmail.com
Phone	425-919-3910
Subject	BYLAWS AND CHARTER LANGUAGE PROPOSAL
Comments	CLALLAM COUNTY CHARTER REVIEW COMMISSION MEMBER BYLAWS AND CLALLAM COUNTY CHARTER LANGUAGE FOR CLALLAM COUNTY PUBLIC OFFICIALS: NODC OATH: We acknowledge that we live and work on the appropriated homeland and territory of the Jamestown S'Klallam, Port Gamble Klallam, Lower Elwha Klallam, Makah, Quileute, Hoh and Quinault Tribes. We respect and honor their stewardship of these lands in the past, present and future and their Treaty Rights and status as sovereign nations. SERN OATH: We acknowledge and honor the ancestral areas of the qʷidiččaʔa·t̕x̕ (Makah), nəxʷsʰáyəm̓ (Klallam) and t̕jémqəm (Chimacum) Peoples, who have stewarded the land and waters from Cape Flattery to Point Wilson throughout hundreds of generations. We respect their sovereignty and support their Treaty rights and right to self-determination. Through disease, unfair dealings, oppression, and attempted erasure of their culture, these people have endured and continue to honor their cultural traditions. Living more sustainably requires us to think holistically and long-term – not just to look forward to the future, but to recognize our past. Colonization has shaped the reality of everyone here today. We take this opportunity to acknowledge that fact and express our desire to be part of the much-needed process of learning about our “landcestry” and repairing relationships with the original people of these lands and waters, as an investment in the generations to come. These oaths are written into the NODC and SERN, which is

operated by ICLEI Charter members and affiliated partners that work with NODC and SERN. The ICLEI Is funded by George Soros.

The NODC and SERN are international instruments for George Soros and the World Economy. The NODC and SERN are also instruments to illegally re-negotiate the Point No Point Treaty of 1855.

George Soros also funds Open Society Foundations. The Open Society Foundations fund: Troublemakers, Disruption Project, Rise & Resist, Indivisible Project and Democratic Socialists of America”

NEW LANGUAGE FOR BYLAWS AND CHARTER:

Whereas, to prevent a conflict of interest and to prevent a person from holding an incompatible public office in Clallam County, the Clallam County Charter Review Commission finds that:

1. Any person who has previously worked under the NODC and SERN oath should not be able to hold a government office in Clallam County, because they have a conflict of interest.
2. Any person who has publicly taken a similar oath to the ones used for the NODC or SERN should not be able to hold a government office in Clallam County, because they have a conflict of interest.
3. Any person affiliated with the Open Society Foundations fund, Troublemakers, Disruption Project, Rise & Resist, Indivisible Project and Democratic Socialists of America” should not be able to hold a government office in Clallam County, because they have a conflict of interest.

Please Note

This form is not for emergencies. If you have an emergency, please phone 911.

Email not displaying correctly? [View it in your browser.](#)

Gores, Loni

From: Gores, Loni
Sent: Thursday, April 3, 2025 2:36 PM
To: Benedict, Bill; Boughton, Dee; Cameron, Ron; Fane, Alex; Fisch, Susan; Fleck, Rod; Hodgson, Mark; Holy, Christy; Morris, Patti; Noble, Chris; Pickett, Paul; Richards, Ron; Sarmiento, Nina; Stoffer, Jim; Tozzer, Jeff; Walde, Cathy
Cc: Gores, Loni
Subject: BOCC Commissioners advisory board involvement resolution 2025
Attachments: g2025-005.pdf

CRC Commissioners:

During the town hall outreach committee meeting Commissioner Stoffer requested that I forward CRC the attached resolution that shows the BOCC Commissioners involvement in advisory boards for 2025.

Loni

“My email address has changed! The new format is Loni.Gores@clallamcountywa.gov Please update my contact card as your earliest convenience, Thank you!”

*Loni Gores
Clerk of the Board
Commissioners Office
223 East 4th Street, Suite 4
Port Angeles, WA 98362
Phone: 360-417-2256*



11
JAN 07 2025

RESOLUTION 5, 2025
DESIGNATING COMMISSIONER INVOLVEMENT ON ADVISORY BOARDS

THE BOARD OF CLALLAM COUNTY COMMISSIONERS finds as follows:

1. Individual Commissioners serve on, or act as a liaison to, various state and local advisory boards and commissions and wish to confirm these appointments by resolution.
2. A work session was held December 9, 2024 and the Commissioners stated their preferences.

NOW, THEREFORE, BE IT RESOLVED by the Board of Clallam County Commissioners, in consideration of the above findings of fact:

1. All three Commissioners will serve on the Board of Health, the Clallam County Finance Committee, the Olympic Area Agency on Aging (CRJ lead), the Housing Solutions Committee (CRJ lead) and as members of the Washington State Association of Counties (WSAC), and individually as follows:

MARK OZIAS

Animal Solution Advisory Committee
Behavioral Health Advisory Board
Canvassing Board (Alternate)
Clallam Transit System
Dungeness River Management Team
Housing Solutions Committee (Alternate)
Lodging Tax Advisory Committee (Alternate)
Clallam County Marine Resources Committee
North Olympic Development Council
Olympic Area Agency on Aging (Alternate)
Olympic Coast National Marine Sanctuary Advisory Council
Olympic Consortium Board (Alternate)
Salish Behavioral Health Associated Services Organization
Sequim Chamber of Commerce Ex-Officio Member
Solid Waste Advisory Committee
Tribal Liaison – Jamestown S'Klallam
Washington State Association of Counties – Legislative Steering Committee
Washington State Association of Counties – Board of Directors

RANDY JOHNSON

Clallam County Disability Board
Clallam Transit System (Alternate)
Conservation Futures Program Advisory Board
Department of Natural Resources Carbon Solutions Committee
Economic Development Council Board
Heritage Advisory Board
Homelessness Task Force
Housing Solutions Committee
Law and Justice Council
Lodging Tax Advisory Committee
North Olympic Legislative Alliance
Noxious Weed Control Board
Olympic Area Agency on Aging
Olympic Consortium Board
Olympic Region Clean Air Agency (Alternate)
Port Angeles Chamber of Commerce
Revenue Advisory Committee
Salish Behavioral Health Associated Services Organization (Alternate)

Veterans' Affairs Liaison
Washington Timber Counties Caucus
William Shore Memorial Pool District

Mike French

Canvassing Board
Clallam Bay/Seki Community Action Team
Clallam Bay/Seki Sewer Advisory Committee
Clallam Transit System
Crescent Community Advisory Council
Developmental Disability Advisory Committee
Forks Chamber of Commerce Liaison
Housing Solutions Committee (Alternate)
Law Library Board of Trustees
Neah Bay Chamber of Commerce Liaison
Olympic Area Agency on Aging (Alternate)
Olympic Community Action Programs (OlyCAP)
Olympic Region Clean Air Agency
Recompete
Peninsula Regional Transportation Planning Organization
Trails Advisory Committee
Tribal Liaison – Lower Elwha/Quileute/Makah
Veterans' Affairs Liaison (Alternate)
William Shore Memorial Pool District

PASSED AND ADOPTED this 7th day of January 2025

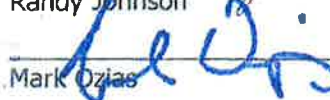
BOARD OF CLALLAM COUNTY COMMISSIONERS



Mike French

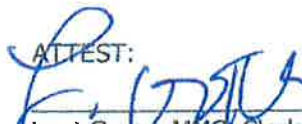


Randy Johnson



Mark Ozias

ATTEST:


Loni Gores, MMC, Clerk of the Board



Gores, Loni

From: Tozzer, Jeff
Sent: Thursday, April 3, 2025 8:33 PM
To: Gores, Loni; Fisch, Susan
Subject: Fw: 4/3/24 bylaws committee

Hi Loni, please forward this to all 15. Thanks.

Dear Commissioners,

I have two requests:

1. I formally request that Dee Boughton address whether the CRC and its subcommittees have violated the OPMA as outlined in this constituent's email.
2. I request that this item be added to the agenda for discussion so we all have a clear understanding moving forward.

Appreciatively,

Jeff

From: Concerning Citizens of Washington State <concerningcitizensWA@proton.me>
Sent: Thursday, April 3, 2025 7:27 PM
To: Fisch, Susan <susan.fisch@clallamcountywa.gov>
Cc: Tozzer, Jeff <jeff.tozzer@clallamcountywa.gov>
Subject: 4/3/24 bylaws committee

You don't often get email from concerningcitizenswa@proton.me. [Learn why this is important](#)
Commissioners,
I'm writing to give additional feedback regarding today's CRC bylaws committee meeting (4/3/24).
I am concerned that the committee violated OPMA. It is my understanding that under RCW [42.30.077](#)

Agendas of regular meetings—Online availability.

(1) Public agencies with governing bodies must make the agenda of each regular meeting of the governing body available online no later than 24 hours in advance of the published start time of the meeting.
I searched for the CRC website and cannot find any agendas since 3/24/24. Maybe these subcommittees are not "regular meetings" as defined in RCW 42.30.075 and so not subject to the requirement to put forth agendas?

...
Schedule of regular meetings—Publication in state register—Notice of change—"Regular" meetings defined.
For the purposes of this section "regular" meetings shall mean recurring meetings held in accordance with a periodic schedule declared by statute or rule.

...
However, if that is the case, I find it odd that the subcommittee takes public comment "on the agenda" at the beginning of their meeting - if there is no published agenda to make comment on.
If this violation is correct, I believe it would call into question the authority of the meetings that have taken place without publishing their agendas.

I'm not familiar with how the bylaw addition will be codified. Meaning, will it need to be presented to and voted on by the CRC as a whole? I heard talk of an "executive committee", are they the ones that will take this to a vote? If so, when/how does that proceed? Will additional discussion and public comment be presented at that time? Would appreciate any clarification you could give.

In addition, an argument in favor of not restricting a commissioner using a member of the public's name when speaking in a public capacity:

According to OPMA RCW [42.30.040](#)

Conditions to attendance not to be required.

A member of the public shall not be required, as a condition to attendance at a meeting of a governing body, to register his or her name and other information, to complete a questionnaire, or otherwise to fulfill any condition precedent to his or her attendance.

...

It is prohibited to require members of the public to give their information (name, address) to give public comment. It can be requested, for the record, but not required. So if a member of the public is concerned about their name being made public (by commissioners or otherwise), all they need to do is decline to give their name. Or give an alias instead. That would greatly reduce the "chilling effect" that the bylaws committee is concerned about, without restricting the behavior of the commissioners in the realm of free speech. It also puts the responsibility to protect oneself on the affected party, rather than putting it on the commissioner to assess whether they think the person is comfortable with their name being shared publicly.

Respectfully,

A concerned citizen from Joyce

Ps feel free to disseminate to whom it may concern either via email or during a meeting, privately or publicly.

Sent with [Proton Mail](#) secure email.



Ron Cameron, Charter Review Commissioner Dist. 2
Clallam County
223 E 4th Street
Port Angeles WA 98362
ron.cameron@clallamcountywa.gov

CORONER COMMITTEE MEETING NOTES FROM MARCH 5, 2025

Members of the Coroner Committee met on March 5, 2025 at the courthouse. The following Commissioners were in attendance:

Commissioner Ron Richards, Dist 2
Commissioner Alex Fane, Dist 1
Commissioner Ron Cameron, District 2

Commissioner Walde was excused for this meeting.

Commissioner Richards began our discussion by sharing his review of the King County Charter. While Medical examiner based, their Charter did have things that could help guide us in some direction. He also continued to discuss a declaratory judgement on having the prosecutor continue to serve as ex officio coroner. And finally, Comm. Richards was not certain that appointment was possible and that election of a coroner may be preferred.

Commissioner Fane commented on his research on coroner language from other charters not only in Washington State, but anywhere he could find some information.

We concluded by listing four or so options for one petition for amendment (or more) to present to the entire commissioner. They are:

- 1) electing the coroner
- 2) appointing the coroner
- 3) striking the sentence referencing the coroner from the charter, thereby leaving it to the county commissioners and administrator to develop the department.
- 4) leave the language as it is

Commissioner Richards also discussed separate out another amendment or explanation to assign a separate body to conduct inquests if necessary.

The committee did not commit to any of these on advice of the general Charter Commission and the results of outstanding legal questions that had been submitted to our attorney. Those answers could direct us to our choices.

Respectfully submitted

Ron Cameron



Ron Cameron, Charter Review Commissioner Dist. 2
Clallam County
223 E 4th Street
Port Angeles WA 98362
ron.cameron@clallamcountywa.gov

CORONER COMMITTEE MEETING NOTES FROM APRIL 1, 2025

Members of the Coroner Committee met on April 1, 2025 at the courthouse. The following Commissioners were in attendance:

Commissioner Ron Richards, Dist 2 via Zoom (from Europe!)

Commissioner Alex Fane, Dist 1

Commissioner Cathy Walde, Dist. 3

Commissioner Ron Cameron, District 2

Also in attendance was County Administrator Todd Mielke in person and a citizen identified as "Carrie" no last name provided on line.

The meeting convened at 1:04 pm.

Some discussion outside the committee's formal gathering (i.e. emails) made suggestions that appointing the coroner may be unavailable to us, which was counter to what had been previously presented by an attorney and the administrator. For that reason, Admin. Mielke was invited to help clear some confusion.

In his presentation, Admin Mielke did confirm that the appointment of a coroner is indeed an option per the discussions he has been involved in with the attorney. Admin Mielke also confirmed that "the county" is indeed prepared to create the new office in county government, however space is always a concern. Comm. Halde discussed physical space options with the Administrator.

Comm. Richards submitted some disagreement and reiterated his position that having the prosecutor continue as the ex officio coroner remains an option as the charter states.

Comm. Fane expressed his thoughts on which direction we should go. For me, I expressed my thoughts that the position of coroner should be an independent position

due to the complexity that death investigations have become and the fact that any existing position such as the Judge or Prosecutor, is overwhelmed with their regular duties.

This, combined with the input of citizens thus far at town halls, made the committee decide to develop a draft petition to eliminate the last sentence of Article 4.20 of the Charter to remove the last sentence; "The Prosecuting Attorney will serve as ex-officio coroner without extra compensation." This would allow the County Commissioners and the Administrator to develop qualifications and requirements to appoint a competent individual that would be accountable in the position.

All Coroner Committee Commissioners were requested to draft their thoughts for a petition to present to the entire commission soon.

The meeting was adjourned with the next meeting scheduled for April 10 at 1pm at the courthouse.

Respectfully submitted,

Ron Cameron

By-Laws Committee Report – Meeting Thursday, April 3, 2025 at 4 pm – Submitted by Commissioner Christy Holy

The By-Laws Committee met at 4 pm on Thursday, April 3rd, 2025 in the BOCC Room 160.

Attendees: Commissioner Susan Fisch, Commissioner Chris Noble, Commissioner Christy Holy, Commissioner Jeff Tozzer

There were also multiple members of the public in attendance, both in the room and online.

Commissioner Chris Noble suggested that our first order of business should be to elect a chair, since our previous chair, Commissioner Pickett had requested to leave the committee at our last commission meeting. Commissioner Holy volunteered to chair, and the committee voted her in.

Due to the fact that we had not previously had a chair, no agenda was created prior to the meeting, although the four commissioners had been communicating via email regarding requested agenda items.

Commissioner Holy put forward a verbal agenda, which included:

- 1) The Task – A majority of commissioners on the CRC voted at the last commissioner's meeting to reconvene the by-laws committee in order to create a by-law or rule that would help create an environment where those making public comment would feel safe from being publicly targeted by any of the Charter Review Commissioners. This occurred after one public commenter found herself the target of online attacks after speaking at a commissioner's meeting.
- 2) Each person on the committee would get a chance to suggest by-law changes
- 3) Discussion about Commissioner Tozzer's request to review Mr. Worthington's request to add something to the by-laws disallowing CRC commissioners from swearing an oath to any NGO, creating a dual-allegiance to the commission and the NGO
- 4) Public Comment

All four commissioners agreed to the agenda, and Commissioner Tozzer suggested that we have two public comment periods, as we do in regular commission meetings. All agreed.

Commissioner Holy opened the floor for Public Comment on the Agenda.

Public Comment

-Point No Point Treaty of 1855 - oath does not acknowledge that we have a treaty

- bylaws and charter language should be changed if there is a conflict of interest with an oath sworn to an NGO
- Johnston is a public figure, and people should be able to edit her info any way they want
- there is no agenda posted for this meeting
- there was a quick escalation of this matter
- elected officials should operate with a different standard of showing respect

Business - Commissioner Holy opened the floor for comments from each commissioner regarding their suggested By-Law Changes.

1. Chair Fisch - My suggestions are:
 - a. Commissioners must identify when they are speaking on behalf of themselves. Our by-laws currently have rules about public statements made on behalf of the commission. This is not a First Amendment issue.
 - b. If a Commissioner responds to a statement made by the public, they should refrain from identifying or personally attacking the person making the comment. This is not a First Amendment issue.
 - c. Commissioners should understand that attacks on citizens making comments or suggestions to the Commission create a "chilling" effect on citizens. This is not a First Amendment issue for the Commission but it is for the citizens of our community as it seeks to protect their First Amendment rights..
 - d. Understanding by Commissioners that our county emails are the property of the county and that there are rules related to how county resources can be used.
2. Commissioner Tozzer –
 - a. Requested that Dee Boughton be contacted regarding his concerns that the 1st Amendment was being violated
 - b. Called for evidence to be submitted that he had done something wrong
 - c. Asked what kind of penalty was being assessed
 - d. Discussed that Substack is a way that people get their news, so he is a reporter, and he should be able to say or print whatever he wants
 - e. Referred to Robert's Rules of Order
3. Commissioner Holy
 - a. Reiterated that there was no need to review evidence, because Commissioner Tozzer was not being charged with anything and that our task was to try and create bylaws that encourage a code of conduct that will encourage public comment, rather than creating a hostile environment
4. Commissioner Noble
 - a. Made a motion

Action – To encourage the public to provide comments, when speaking publicly, the CRC Commissioners shall refrain from referring to the commenters by name. Chair Fisch seconded.

Discussion ensued. Discussion closed. Discussion reopened. Commissioner Holy called for a vote. Commissioners Fisch, Noble, and Holy voted to approve the motion. Commissioner Tozzer opposed the motion. Commissioner Holy will request that the recommendation of the committee be added to the agenda of the April 14th meeting for the review of the full commission. Commissioner Tozzer also requested that the bylaw change be sent to Dee Boughton, because he was concerned that it violates the first amendment. Chair Fisch said she would send the completed wording to Dee Boughton for his review.

The motion carried.

5. Commissioner Tozzer

- a. Requested that we review John Worthington's agenda item
- b. John Worthington was asked to come up and discuss his item – he did
- c. Made a motion

Action – CRC Commissioners should refrain from swearing an oath to a non-governmental organization, as it creates a dual allegiance to the commission and the organization

There was no second. The motion failed.

Public Comment Period

- Ethics laws/ ethics for commissioners
- Governing ourselves on the commission
- Provide public disclosures of any affiliations, once you are elected, you should have to disclose and put on public record
- Someone's feelings masquerading as law -truth suppression, censorship

Adjournment

*Note – the meeting took two hours. There was a lot of public comment, and commenters were not timed.

Going Forward

After the meeting, Chair Fisch sent the following wording to Dee Boughton to review, based on the committee's consensus:

A.7 To encourage the public to provide public comments to the Charter Review Commission, when making public statements, commissioners should refrain from identifying public commenters.

A.7 To encourage the public to provide public comments to the Charter Review Commission, when making public statements, commissioners are encouraged to refrain from identifying public commenters.

These changes would be in addition to our rules, and there is no enforcement mechanism. Chair Fisch asked him to answer the question – “Does this violate the first amendment?”

Commissioner Holy will send this report to the executive committee to add an item to the agenda for the April 14th meeting.

Gores, Loni

From: Pickett, Paul
Sent: Friday, April 4, 2025 8:18 PM
To: Gores, Loni
Cc: Sarmiento, Nina; Holy, Christy; Richards, Ron
Subject: CRC Water Committee meeting notes
Attachments: Charter Review Water Committee Meeting Notes 2April2025 Draft2.pdf

Loni, our meeting notes from our Committee meeting on 2 April 2025 are attached, for distribution to the Commission.

We had a productive meeting with a variety of input from the public. We discussed the verbal comments and the written comments we've received. Commenters were generally supportive, with some differences expressed in the details.

Each Committee member shared their backgrounds and their goals for the Committee.

A wide ranging discussion followed about the range of issues faced by the Committee. Some topics touched on included:

- Reports and other resources already available, especially League of Women Voters and Dungeness River Management Team
- Scope of the water challenges facing Clallam County, including growth and climate change
- Differences between Dungeness watershed, Elwha watershed, and the many other rivers and creeks in the County.
- Would the "Environmental Steward" be a technical position (Hydrologist, Hydrogeologist, Water Resources Engineer), or something else (communication, planning, water resources professional)?
- Key players in the County regarding water management
- Current roles in the County that include elements of water management

Next steps:

- Look at LOWV and DRMT reports
- Invite leaders to meet with the Committee:
 - DCD - Bruce Emery, and hopefully staff who work on issues related to water
 - Environmental Health - Jennifer Garcelon (through Kevin LoPiccolo), and hopefully staff who work on issues related to water
 - Department of Ecology
 - Jamestown S'Klallam and Lower Elwha Klallam Tribe
 - Clallam PUD
- Research if other Counties have water management lead positions.

The next meeting is scheduled for Friday April 18th at 9:00 am in the County Commissioner meeting room.

Charter Review Water Committee Meeting Notes

Wednesday April 2, 9:30 am - 11:30 am, County Courthouse

Commissioners In attendance: Paul Pickett District 2, Nina Sarmiento District 3 (Taking notes), Christy Holy, and Ron Richards (by zoom – left early).

Public In person: Ann Soule and Tony Corado.

Public Online: Craig Smith, Jannie Hobbs, Maren Halverson, Mary Foster, Nicole Hartman, Renee and Rob, Phone ending in 5578, Virginia Shogren, Papai Whipple, and Tiermey.

Chair Election:

Paul Pickett is nominated by Nina and seconded by Holy, all said aye.

Approving the Agenda:

Holy moved to finalize agenda Sarmiento seconded. The Agenda was approved by all.

Public comment:

Tony Corado: Wants to make sure the committee is starting with enough information to be efficient. There is a water committee under The League Of Women Voters, who has talked to a lot of these entities and has already compiled relevant information. Ann Soule is the chair. Water resources technical group of the DRMT - created a technical report three years ago which has all of the data. Find the summary report online. Suggest the committee look at irregularities and changes of practices rather than the situation of water. The water steward needs to concentrate on these changes.

Craig Smith: Agree with Ann Soule and Tony. Represent block on individuals in Sequim, Sequim Bay, Miller Peninsula etc. He's a part of the North Olympic Land Trust, which has concerns for agricultural lands. There is insufficient monitoring. Useful rules in place, but there's not enough monitoring, a lack of coordination, and not enough understanding of the science of water. Information needs to be integrated. We are undergoing rapid urban development and development without knowing the amount of the resource, and there's a lack of a non-political nexus of information on development.

Ann Soule: Leading LOWV the future of water group. Focus is on outreach and education. Worked for Clallam County (CC) for 22 years as water specialist, hydrogeologist by education and title. When she started, she was doing nitrate and bacteria studies. Went from water quality to water resource planning. Went through \$0.5 million hiring consultants to do studies for the Dungeness. Helped create rule for in stream water right in 2012. Did stormwater management in 2013. Dungeness River Management Team talks about droughts to floods, in operation for 35 years and is a great resource.

Dealing with climate change plus trying to further develop the area. It's going dry out west. In a community west of Sekiu, Taxpayers are going to need to help them out because the water system has gone bankrupt. Have had to have PUD truck in water. Unclear who was paying for it. The PUD does not have them in their jurisdiction so it's ultimately up to the county. When Ann retired, they did not hire anyone else as a hydrologist. There is nobody at the county, the PUD has a hydrologist on staff, the tribes don't. There is no one that is bringing up these concerns. It should not be left to the nonprofits. We need

a water steward. Appointed, not elected, a technical position. Has a list that wants to enter into the agenda, and it was already sent in an email.

David B. (Gwen?): Supports Ann's comment. Needs to be appointed, non-partisan, non-political. No one is going to volunteer for something they were technically trained to do.

Craig Smith: From Sequim Washington, works at U of W, global health, impacts of bad water supply. Steward should be a hydrologist and connected to the community. One of the problems is the lack of prior knowledge. Need an expert that can gather information so there is an aggregation of information.

Backgrounds of the committee:

Ron Richards: came to CC in 1975, became a county commissioner, practiced law for a long time, started a natural gas company in Denver CO for 15 years, came back to CC in 2004. Has been following county issues, on a visit to CC went to a meeting led by Mike Chapman. He introduced the concept of regulating water consumption in CC. Agrees with all the commenters, there is a crying need for this position. Originally proposed this position because of such a great need for this. We need more specific language in the charter, such as how to adequately fund this position. Ballot in 2025 may be too soon.

Christy Holy: Does not have a background in water, but Father was in EPA, has a background in conservation. She sees the need for this position. Wants to help focus on what the position is, what we need it to do, and the need for communication between the different entities. She can help with research and other support.

Nina Sarmiento: Degree in ecology and worked for nonprofits in conservation, has heard a lot about the water issues. It impacts ecosystem health. It impacts the entire county. It even tourism because if there is not water in the river there won't be salmon and tourists come to see that.

Paul Pickett: Degree studying watersheds, worked at Department of Ecology doing water permits for industrial facilities, then TMDL studies for water pollutants. One project compared flow gages, including some in Elwha/Dungeness watersheds. In 2000 was elected to the Thurston Public Utility District Commission, helped bring in a new system, now they are one of the largest water purveyors. Taught at The Evergreen State College – water class and climate change class. Helped write the state's climate change response plan. Developed grass roots interagency committee and an agency science network to continue bringing in info / researchers on climate change.

Water connects to everything. There are strongly held ideas about water and we need to find balance. There is WDFW, Ecology, Dept of Health etc involved. The county plays a small part in the big picture but an important part. Retired and represented the Squaxin Island Tribe on watershed committees, where he worked with various counties: Kitsap Pierce, Thurston, Mason. Counties were mostly interested in development. They had to deal with water issues in permits, planning. Thurston has a big monitoring program. Find out what other counties are doing. Who is doing the water monitoring? Snohomish County has a water district focused on water quality.

Discussion:

Ann Soule: Look into Island County as well, they have a good plan.

Paul Pickett: What are the county authorities? Natural Resources under DCD I don't know much about. Streamkeepers is housed under DCD. Environmental Health deals with individual and group B wells (less than 15 connections), and regulates on-site septic systems. Public works can projects with permits to protect water, and they do restoration projects on their own. Watershed planning is a gap, there were some watershed planning plans vetoed. The Dungeness has been so focused on. There are a lot of other rivers in this county, with specific hydrology. The county is hydrologically diverse, with many rivers that are critical salmon habitat.

We should talk to DCD, environmental health director Jenifer Garselon (her supervisor is Kevin Picolo, Director of Health and Human Services), Dept of Ecology, Jamestown and Elwha Tribes, hear the PUD perspective. Carlsborg is a really interesting case study, we could see what is going on with that project.

Nina Sarmiento: staff are doing a lot of work with biology and other natural resources fields. Could we ask to talk to them.

Paul Pickett: We should go through the chain of command, ask Bruce to invite staff who participate in water work. [Loni agreed.] SWOT model - look at strengths, weaknesses, opportunities, and threats. We need to sell this to the Commission and to the public. What is in the charter shouldn't be too in the weeds, needs to send marching orders to the county.

Christy Holy: If we are recommending that we hire a hydrologist we need to discuss qualifications. We need to show why we need a water steward, = research into the state of the county. What's the problem(s)? What's the county's role in solving that. Get all the info on the projects = show where there are gaps. Resolutions are good to look at. Look at what's already been done.

Paul Pickett: Hydrogeologists focus more on groundwater but also trained on hydro cycle. Engineers also have the same training. Hydrologist is mostly surface water flow and the water budget. Some of the comments said we need a technical specialist. Then there's also a lot of talk on coordination. Maybe someone can do both. There is still some fuzziness on what we actually need.

What's the problem? What's the county's role in solving that? What are the legal authorities the county has? The county can comment on water rights but can't make that decision.

Nina Sarmiento: Language and naming the position is important. Master vs specialist vs steward. How does the public respond to these words?

Paul Pickett: A professional example I encountered was that "Master" sounded too controlling, but a Steward can be able to provide education. Defining terms is important.

Craig Smith: Has initiated multiple water departments around Africa. The county can't wait till 2026. There are multiple UGAs about to be approved that will impact water resources. This is somewhat urgent. Sees the position of a hydrologist with ancillary positions. A responsible individual that would be a paid position.

Holy: Follow up Q: Would need a commission?

Craig: We need a content specialist with knowledge of hydrology, also need support from individuals that understand the law, as well as someone who can communicate with farmers, different from the citizens. Core individual needs to speak from the truth of the understanding.

Pepai Whipple: Bringing up Issues from Sequim. The water issue has been going on for a number of years. We are not running out of water right now, has not seen the facts on the case. Words like "clean" and "urgent" can mean different things to different people, and "urgent" may be only one person's version. This is something that can't be rushed, otherwise we will end up with more messes, one example is Town Road.

Nina: We shouldn't rush, we should be thorough. Bring in the expertise we need.

Paul: Consider an aspirational deadline for 2025. We should be thorough, but we also need to avoid the "paralysis of analysis". Maybe use the 80:20 rule – get 80% of the answer with 20% of the work.

Next Steps:

Paul: For homework we should read LOWV reports: story of water rights, also lectures. Lecture on both water rights and treaty rights. Read Dungeness River Management Team reports. We'll hold off on meeting with LOWV Water Committee and DRMT until after we've had a chance to look at their reports.

Send invitation to agency leaders :

- DCD (Christy)
- Invite Jennifer in environmental health cc Kevin LoPiccolo (Nina).
- Dept of Ecology (Paul).
- Tribes, Jamestown and Elwha, we want to learn from you what is important to you (Paul)
- Clallam PUD (Paul).

Also, research other counties' water positions (Nina).

Final Comments from the public:

Ann Soule: interviews are important, ask what about the current status quo is not working?

Tony Corado: Avoid the word master because it has inter-jurisdiction legal authority. Think about how to get it past the voters, because they will know it will impact their taxes. There is a wealth of information already, the issue is the allocation, and implementing conservative practices. How it affects the homeowners. Just put in 4 new wells. The committee might want to interview well drillers. There are a

lot of wells being redrilled, because their wells are going dry. The committee has roughly 4-5 months to get the CRC in agreement.

Final comments:

Paul: There are also different avenues to pursue, perhaps through recommendations to the County Commissioners:

- Dept of ecology could appoint a water master.
 - Perhaps adjudication (take it to a court that looks at everyone who's out there and what their water rights are) – need to be a squeaky wheel to get that started.
- Ecology can file for relinquishment or abandonment if there is a water right can't be used at all. We might want to ask for adjudication in the Dungeness and Elwha, which would include ground truthing for individual water users. [Paul's afterthought note: Dungeness was adjudicated in 1924. We'll need to understand what that means. Most likely the Dungeness Rule takes care of everything now.]
- The water right from Ecology states that for Port Angeles is that the Elwha is big enough to handle growth for the next 50 years but is this actually feasible? Needs reevaluating. The mill shut down so the city still has the water right but the mill isn't using it anymore.

Paul will be back on the 16th of April. Next meeting tentatively scheduled for the 23rd same time.

Gores, Loni

From: John Campbell <jac960@gmail.com>
Sent: Sunday, April 6, 2025 7:44 AM
To: Gores, Loni

Please add the word American to section 1.20 of the county charter. Thank you

Gores, Loni

From: Janine Blaeloch <blaeloch@gmail.com>
Sent: Sunday, April 6, 2025 6:08 PM
To: Gores, Loni
Subject: comment for Charter Review Commission

Dear Ms. Gores: Please forward this comment to the CRC. Thank you!

Commissioners:

I am strongly opposed to a proposed change in Section 1.20 that would limit inter-governmental actions to "American" entities. I believe this is aimed at excluding the local tribes, which are integral to our history, culture, economy, and community. Please do not move this proposal forward.

Thank you

Janine Blaeloch
River Road area

Gores, Loni

From: Tom Ash <ashthomas@msn.com>
Sent: Sunday, April 6, 2025 6:52 PM
To: Gores, Loni
Cc: Boughton, Dee; Nichols, Mark
Subject: For Clallam County Charter Commissioners

Thank you, Loni,
Tom

Dear Clallam County Charter Commissioners

Amazing, After being warned this week collectively, you proceeded to take unfounded illegitimate action against a single Charter Commissioner rather than focus on your responsibility to query the voters of Clallam County about what actions they believe might improve the Clallam County Charter, review them in your individual districts to determine what suggestions might be appropriate to bring to the overall electorate, then vote on them collectively (all three districts), and then bring the ones you collectively believe have merit to the public on the November 2025 ballot. You are not doing that at all, thus you are bound for failure without corrective action.

First, Commissioner James Stoffer has unilaterally determined that the electorate cannot hear from individual Charter Commissioners during the Town Hall meetings. They are not allowed an open dialogue with the attendees. Only Commissioner James Stoffer and his chosen confidants are allowed to speak to the attendees. Does that make sense to you?

Second, Because Chairwoman's Susan Fisch's girlfriend, School Board Member Patrice Johnson, did not want her public comments to be public, Chairwoman Fisch went off the deep end of the reasonability pool and violated the Civil Rights (legal protections that guarantee equal treatment and opportunities for all people. They apply to many aspects of life, including employment, housing, education, and voting. Civil and political rights are a class of rights that protect individuals' freedom from infringement by governments, social organizations, and private individuals. They ensure one's entitlement to participate in the civil and political life of society and the state) of a single Charter Commissioner.

Third, Chairwoman's Fisch and School Board Member Patrice Johnson went on to violate the First Amendment protections of the United States Constitution of a single Clallam County Charter Commissioner on Thursday night in a mind-numbing childlike tantrum personally designed to retaliate against an individual over an issue that is not appropriate for the Charter Commission to consider for personal reasons and without a lick of Emotional Intelligence [EQ]. (The First Amendment of the United States Constitution protects freedom of speech, religion, press, and assembly. It also protects the right to petition the government). Chairwoman Fisch and School Board Member Patrice Johnson violated the First Amendment rights of a single Charter Commissioner with multiple violations: "Freedom of speech", "Freedom of press", and the "Right to petition the government."

Fourth, Chairwoman Fisch abandoned rewriting the bylaws to mandate that Charter Review Commissioners must always state they are speaking solely for themselves, and not on behalf of the entire Charter Review

Commission once it was pointed out that she and Commissioner James Stoffer had violated that very protocol last week

This is what your Chairwoman Fisch is doing today under the authority of the Clallam County Charter Review Board along with the assistance of Commissioner James Stoffer instead of performing the work and the duties for which they were charged by the electorate. If you, as the collective of the Charter Commissioners, do not end this madness you are putting my tax money and all taxpayers' money at risk to Civil Rights and First Amendment actions. You further risk the failure to complete your work and you risk the dissolution of the Charter Board for gross negligence.

None of the outlandish behavior of elected officials listed above is within the Charter of the Charter Commission or the Charter Commissioners. I urge you to protect all of Clallam County from further financial disaster by ceasing this sideshow or dissolving the Charter Commission immediately.

Thomas Ash

Gores, Loni

From: Jennifer <jenlandrews@wavecable.com>
Sent: Monday, April 7, 2025 8:41 AM
To: Gores, Loni
Subject: Removal of taxable land from the county's property roll

You don't often get email from jenlandrews@wavecable.com. [Learn why this is important](#)

Please Forward To CRC Members:

CRC Members, I request that Ron Richard's proposal to amend the Clallam County Charter addressing the topic of removal of taxable land from the county's property rolls when converted to tribal trust or reservation status be a ***top priority***.

Cost are increasing in all areas, food, insurance, rent, housing.... etc. Many residents have become basically house poor, rent poor, food poor, gas poor, making them essentially house bound (in the least) and on the verge of being homeless. There is no reason ALL people shouldn't have to pay property taxes in order to keep us (in the least) able to stay in a residence.

Many are living from hand to mouth and just a paycheck away from unsafe or unstable living conditions. The Commissioners expound on safety of its citizens, but the first safety should be to the ones who pay their property taxes, they are the ones who are the foundation who pay for the safety in our community. Your loyalty to us is your top priority, and excluding tribal trust or reservation land (which whom are not suffering) is NOT FAIR.

Gores, Loni

From: Pepai Whipple <pepalapu@sbcglobal.net>
Sent: Monday, April 7, 2025 12:02 PM
To: Gores, Loni
Subject: Please forward to Charter Review Committee Members

Dear Commissioners,

We are writing today to ask the Commission to consider leveling the playing field by entering the word "American" into the charter. We also request the Commission to limit the roles as Commissioners who serve on boards be required to recuse themselves in matters that would be a conflict of interest or give the appearance of a conflict. Below is an example of misuse of a County position to further cause harm to our county tax dollars

MORE FACTS.....WE ARE BUILDING HOUSING FOR TRIBES THROUGH OUR LOCAL NGO, HABITAT FOR HUMANITY.....why aren't Americans provided housing since the Americans are the ones paying for it and the tribe has so much \$\$\$\$ & won't build housing for their own. The JST buys land, build casinos, golf courses, pot shops, gas stations, truck stops, excavation businesses, engineering business, oyster farms, expensive fishing boats, sell salmon globally, own a MAT clinic, own a medical facility, you name it. THEY CAN BUILD THEIR OWN HOUSING!

Notice the website the information is being support by....NODC President, Mark Ozias, our Clallam County District 1 Commissioner. This is why we need our Charter Review Committee to insert "AMERICAN" & deal with conflict of interest issue NOW! If we can't recall & there are no ethics teeth, we can slow them down to help get an handle on our taxes and at least level the playing field!

https://irp.cdn-website.com/6c85e905/files/uploaded/NAH_NODC_2025.pdf

Regards,

Thomas and Pepai Whipple
Sent from my iPad

Gores, Loni

From: john worthington <worthingtonjw2u@hotmail.com>
Sent: Monday, April 7, 2025 12:19 PM
To: Gores, Loni; French, Mike; Ozias, Mark; Johnson, Randy; Mielke, Todd
Subject: ADD THE WORD AMERICAN

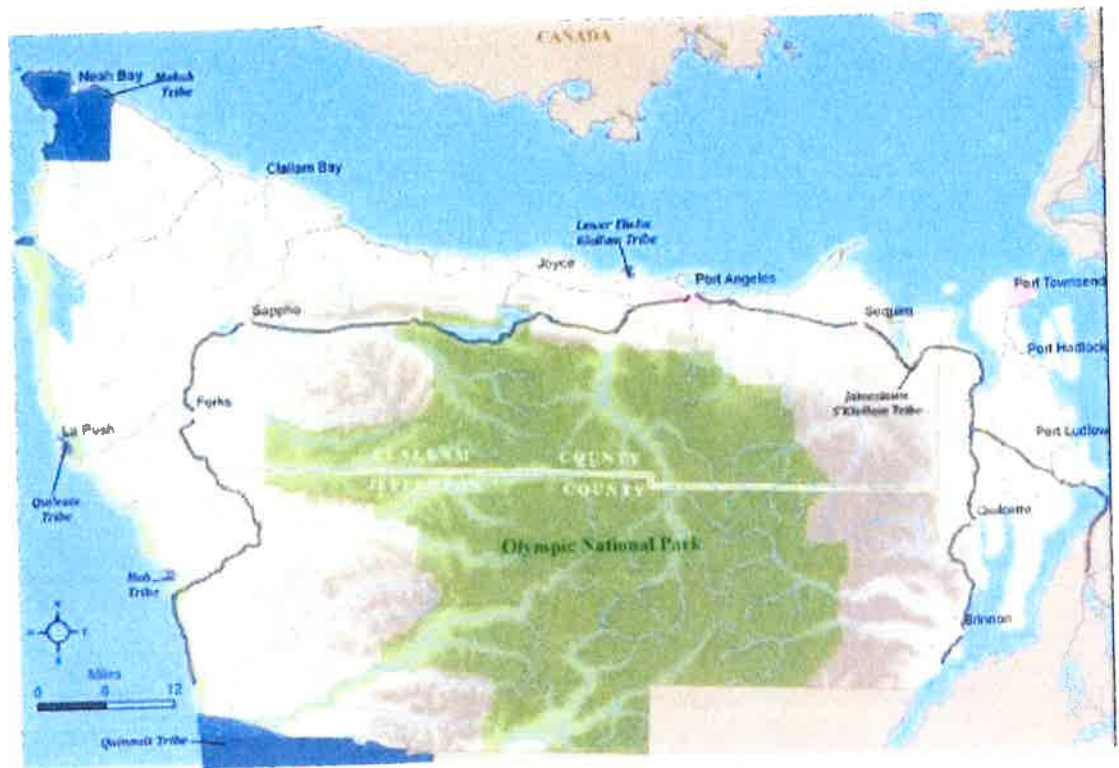
Hello Charter Review Commission,

Please add the one word American to the Clallam County Charter.

Please also add to the bylaws and Charter that there can be no verifiable conflict of interest for all County employees.

By now everyone has seen the ICLEI propaganda and the comments by Navarra Carr that we are just guests of the tribes here. She is a Soros agent that has a huge conflict of interest on paper and now verbally.

proposal would be balanced with the presence of four sovereign tribal nations in Clallam County. Carr emphasized that many county residents are living on ancestral tribal lands and should consider themselves "guests."



We acknowledge that we live and work on the appropriated homeland and territory of the Jamestown S'Klallam, Port Clallam, Lower Elwha Klallam, Makah, Quileute, and Quinault Tribes. We respect and honor their stewardship of the land in the past, present and future and their Treaty Rights and status as sovereign nations.

How many times does this body have to see the obvious conflict of interest and treaty malfeasance before it acts. A person who thinks I am a "guest" or has otherwise taken the oath or worked for George Soros should not be allowed to serve in Clallam County government.

Thanks

John Worthington

Gores, Loni

From: Riggs, Shoona
Sent: Monday, April 7, 2025 2:30 PM
To: Hillway, Ian; Stoffer, Jim; Gores, Loni
Cc: Fisch, Susan
Subject: RE: PDC F-1 Requirements for Charter Commissioners

Good afternoon,

I was out of the office last week but wanted to follow up on Ian's response and clarify that all elected Charter Commissioners are required to file an F-1 this year. Since the jurisdictions in which you ran have at least 2,000 registered voters as of the last general election, filing an F-1 is mandatory. You can find more information on the PDC's page here: [Who Files the Report](#).

Please note that F-1s must be filed no later than April 15, 2025.

Additionally, Commissioners will be required to file a final F-1 next year as well.

If you have any further questions, the PDC is always very helpful. Feel free to reach out to them at 360-753-1111 or 877-601-2828.

Thank you,

Shoona Riggs | Clallam County

Auditor

223 E 4th St, Suite 1 | Port Angeles WA 98362

360.417.2222

shoona.riggs@clallamcountywa.gov

www.ClallamCountyWA.gov



From: Hillway, Ian <Ian.Hillway@clallamcountywa.gov>

Sent: Thursday, April 3, 2025 10:13 AM

To: Stoffer, Jim <jim.stoffer@clallamcountywa.gov>; Gores, Loni <loni.gores@clallamcountywa.gov>

Cc: Fisch, Susan <susan.fisch@clallamcountywa.gov>; Riggs, Shoona <shoona.riggs@clallamcountywa.gov>

Subject: RE: PDC F1 Requirements

Good morning Jim,

I will admit, we don't have much involvement with the PDC side of things. I believe that [this page may have the dates you need](#), but if not, I would suggest reaching out to the PDC directly for confirmation.

Ian Hillway | pronouns: he/him/his

Elections Manager

223 E. 4th Street, Room 42 | Port Angeles, WA 98362

☎ 360.417.2217

Public Records Disclaimer: Pursuant to the Washington State Public Records Act (RCW 42.56), this e-mail is a public record and may be considered subject to disclosure to a third-party.

From: Stoffer, Jim <jim.stoffer@clallamcountywa.gov>
Sent: Tuesday, April 1, 2025 1:19 PM
To: Gores, Loni <loni.gores@clallamcountywa.gov>
Cc: Stoffer, Jim <jim.stoffer@clallamcountywa.gov>; Fisch, Susan <susan.fisch@clallamcountywa.gov>; Hillway, Ian <ian.hillway@clallamcountywa.gov>; Riggs, Shoona <shoona.riggs@clallamcountywa.gov>
Subject: RE: PDC F1 Requirements

Thank you

Thank You

Jim Stoffer

Clallam County Charter Review Commissioner
Jim.Stoffer@clallamcountywa.gov
360.775.9356

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: "Gores, Loni" <loni.gores@clallamcountywa.gov>
Date: 4/1/25 12:27 PM (GMT-08:00)
To: "Stoffer, Jim" <jim.stoffer@clallamcountywa.gov>
Cc: "Fisch, Susan" <susan.fisch@clallamcountywa.gov>, "Hillway, Ian" <ian.hillway@clallamcountywa.gov>, "Riggs, Shoona" <shoona.riggs@clallamcountywa.gov>
Subject: RE: PDC F1 Requirements

Jim,
I've included Ian and Shoona with the Elections Department to see if they can provide some guidance on this.
Loni

"My email address has changed! The new format is Loni.Gores@clallamcountywa.gov Please update my contact card as your earliest convenience, Thank you!"

*Loni Gores
Clerk of the Board
Commissioners Office
223 East 4th Street, Suite 4
Port Angeles, WA 98362
Phone: 360-417-2256*

From: Stoffer, Jim <jim.stoffer@clallamcountywa.gov>
Sent: Tuesday, April 1, 2025 12:25 PM
To: Gores, Loni <loni.gores@clallamcountywa.gov>
Cc: Stoffer, Jim <jim.stoffer@clallamcountywa.gov>; Fisch, Susan <susan.fisch@clallamcountywa.gov>
Subject: PDC F1 Requirements

Hi Loni,

If my memory is correct, we (CRC) Commissioners and other elected bodies need to file a F1 by 14 or 15 April to the PDC?

I've received a notice from the PDC, so I thought I would check.

Thank You

Jim Stoffer

Clallam County Charter Review Commissioner
Jim.Stoffer@clallamcountywa.gov
360.775.9356

Sent from my Verizon, Samsung Galaxy smartphone

Gores, Loni

From: Patrice Johnston <patricejohnston1953@gmail.com>
Sent: Monday, April 7, 2025 2:12 PM
To: Gores, Loni
Subject: Fwd: Transparency and sovereign land

Dear Ms. Gores,

For the sake of completeness of the record, I am forwarding the response I received from Commissioner Tozzer to my email dated March 14, 2025, as it appears that this email was not copied to the other commissioners.

Thank you.

Patrice Johnston

----- Forwarded message -----

From: **Tozzer, Jeff** <jeff.tozzer@clallamcountywa.gov>
Date: Fri, Mar 21, 2025 at 7:00 PM
Subject: Transparency and sovereign land
To: Patrice Johnston <patricejohnston1953@gmail.com>

Dear Ms. Johnston,

Thank you for your email. I appreciate your engagement and would like to clarify my position. I did not intend to suggest that I would cite case law, as I am not an attorney. However, I did some additional research:

- **Tribal Sovereignty:** Tribes are not bound by state laws such as OPMA and may engage in government-to-government consultations without public oversight. Holding a public meeting on tribal land could introduce jurisdictional and access concerns. Tribal lands have their own governance structures and laws, which could impact public access, recording, or enforcement of OPMA requirements.
- **Jurisdiction on Tribal Land:** Crimes involving non-Native persons on tribal land often fall under federal jurisdiction.

Regarding Commissioner Richard's discussion about the Sequim City Council's attendance at the closed meeting at the Jamestown S'Klallam headquarters, he raised valid concerns about whether their participation constituted a violation of OPMA. The key issue is not merely the location of the meeting, but whether holding such discussions outside the public eye undermines transparency.

I want to emphasize that my role is not to provide legal opinions, but rather to facilitate the concerns of the public and bring them before the Charter Review Commission. The issue of holding meetings on tribal land is one that has been raised multiple times. While I deeply respect tribal sovereignty and value our government-to-government relationships, I believe that as a commission, we can be creative in

finding meeting locations on county land where laws and policies are clearly understood and respected by all parties.

One of the primary concerns is accessibility. Sovereign land is not bound by ADA requirements, which can make it difficult for individuals with disabilities to participate in meetings. Ensuring public access should be a top priority. Additionally, closed-door meetings, like the one Commissioner Richards referenced, further highlight the uncertainties that arise when meetings occur on sovereign land. Whether or not this was intentional, the perception of reduced transparency is damaging to public trust. There is simply too much gray area.

Transparency in local government is paramount, and I continue to be concerned about decisions affecting taxpayer funds being made without public scrutiny. That concern extends beyond town halls and to other instances of governance, including the recent Sequim School bond proposal process under your leadership as a school board member. While I respect your service to the School Board, I believe the lack of transparency in the bond's presentation—such as omitting key financial details from ballot language and strategically timing endorsements—played a role in shaping public perception. When public officials advocate for measures while sidestepping transparency rules, it raises concerns about fairness in the democratic process.

I appreciate your suggestion that I use my platform to uplift and build our community. Fortunately, I've had role models who exemplified this. My mother, who served on the school board during the construction of Greywolf Elementary, championed transparency and community engagement. After her passing, my father continued her legacy and he urged my sister and I to support the construction of the Sequim Museum. At my dad's request, we established the Judith McInnes Tozzer Art Gallery—a space within the museum dedicated to fostering unity and creativity in our community.

I take my responsibility to the public seriously. Holding elected officials accountable is not an attack; it is a fundamental part of democracy. If I have made baseless accusations, I welcome evidence and will gladly apologize to those affected. Similarly, if you can point to specific instances where I have “stoked resentment,” “denigrated,” or “attacked,” I will take responsibility.

If you have ideas for the Charter Review Commission that serve the public good, I would be happy to support them. I look forward to open discussions that strengthen our community through transparency and accountability.

Thank you again for your service. I hope our community's youth learn that asking tough questions and demanding transparency are not signs of hostility, but essential practices for responsible civic engagement.

Sincerely,

Jeff Tozzer

From: noreply@civicplus.com
Sent: Monday, April 7, 2025 4:57 PM
To: Gores, Loni
Subject: Online Form Submission #6992 for Contact the Clerk of the Board

Contact the Clerk of the Board

First Name Eric
Last Name Fehrmann
Email efehrm_3@hotmail.com
Phone 3608093716
Subject Charter Amendment

Comments

I am reiterating Ron Richard's proposed charter amendment that would require the County's Comprehensive Plan to include a dedicated section establishing criteria and procedures for responding to trust land requests. Specifically, the amendment would:

- Require the County to develop clear standards or guidelines to evaluate whether such trust land conversions should be supported, opposed, or conditioned.
- Mandate the County submit a formal response to the BIA on each request.
- Provide a framework for assessing the cumulative impacts on local tax revenue, regulatory enforcement, and infrastructure planning.

This amendment will address a growing fiscal concern: the removal of taxable land from the county's property rolls when it is converted to tribal trust or reservation status.

Under federal law, tribes can petition the Bureau of Indian Affairs (BIA) to place purchased land into trust. When such requests are approved, the land is exempted from county property taxes, and state and local environmental laws no longer apply. Over time this process has contributed to a shrinking tax base and weakened local oversight.

Currently, when a tribe submits a trust land request to the BIA, the agency invites the county to offer feedback—support, opposition, or proposed conditions. But Clallam County hasn't responded in at least nine years. There are no standards, policies, or guidelines in the County Code directing officials on

how to evaluate such requests or whether to respond at all.
This silence is problematic.

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Gores, Loni

From: Dalton Anderson <precisionsequim@icloud.com>
Sent: Monday, April 7, 2025 5:29 PM
To: Gores, Loni
Subject: Ethics committee

[You don't often get email from precisionsequim@icloud.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Hello, Charter Review Commissioner's

This is Dalton Anderson. District 1

Jim Stoffer asked me to send an email with my idea for an ethics committee.

So after asking a few other fellow residents what they thought, this is what we thought would possibly work.

Have 3 residents from each district in the county be elected to the committee the same way the Charter Review Commissioners are elected.

That shouldn't be too many people and it gives an odd number to break a tie if necessary.

That's an idea from about 10 people.

Let us know what you think at your next meeting. Appreciate your time.

Thanks , Dalton

Sent from my iPhone

Gores, Loni

From: Maureen McElravy <beachitmo@gmail.com>
Sent: Monday, April 7, 2025 5:39 PM
To: Maureen McElravy; Gores, Loni
Subject: charter commission comments

Please provide my comments to the charter review commission.

Please oppose the creation of the water steward. There are already a number of regulatory agents systems must navigate, staffed by those with their own objectives often in conflict with the actual regulations and common sense. They come and go, leaving the next hire to wonder why they did what they did, the system owners paying the price.

Systems are best managed by their own. Regardless of all advice from his staff, systems and PUD, Ozias continues to seek control of the hundreds of drinking water systems in the county.

There is no explanation of what the steward would do, but those of us familiar with drinking water management and regulations know the potential and of failed attempts renamed.

Do not approve the hire of a water steward, whatever it may be. The public's access and health must be secured and that won't happen in this county if Ozias and the ODW create another layer of hoops, now using the charter to commit their dirty.

Sincerely,
Maureen McElravy, Sekiu, WA

Gores, Loni

From: Kathy Sloper <slowkat1@att.net>
Sent: Monday, April 7, 2025 7:21 PM
To: Gores, Loni
Subject: Ron Richard's proposal- yes!

We would like you to vote to have Ron Richard's proposal enacted.

The county commissioners have acted in ways that negate the vast will of voters in Clallam County. It's blatantly obvious you support and do the bidding of the tribe not the constituents of Clallam County. What do taxpayers have to do (or contribute) to get equal representation from you people? You should be embarrassed and ashamed at the things you legislate against the people you purport to represent.

Mr & Mrs Sloper

[Sent from AT&T Yahoo Mail on Android](#)

Gores, Loni

From: Tom Ash <ashthomas@msn.com>
Sent: Tuesday, April 8, 2025 8:51 AM
To: Gores, Loni; Boughton, Dee; Nichols, Mark
Subject: Last night's Joyce Charter Commission reveals

Hi Loni.

Please submit the following to the Charter Commissioner as well as Attprney Boughton and Attorney Nichols

Dear Charter Commissioners

Last night in Joyce, and previous nights around Clallam County, we have established the following.

Sequim School Board member Patricia Johnston (neither a Charter Commissioner nor a Charter Review member/with no standing) took offence to her public comments being public. School Board member Johnston enlisted her girlfriend Charter Commission Chairwoman Susan Fisch to assassinate a single Elected Charter Commissioner. Chairwoman Fisch enlisted Charter Review Commissioner James Stoffer, who has attempted to eliminate the same Charter Commissioner from the Grange, and their Church, Commissioner Stoffer failed on both occasions and was rebuked by both organizations. These were noit dissimilar to actions taken against School Board member James Stoffer. Commissioner Stoffer's roll under Charter Chairwoman Susan Fisch in this role was to censor a single Charter Commissioner solely at the request of Chairwoman Fisch and School Board Member Patricial Johnston.

CRC Stoffer took to this illegal task forthwith. The trio declared the Charter Commissioner a member of the press and opened up theit bylaws to write special rules for this individual in violation of the individual's First Amendment Rights, Civil Rights, and since this individual had and has done nothing wrong. they committed several acts of deformation of character in public forums and in public media.

The culmination of this illegal, self-serving, and despicable acts is scheduled to culminate on Monday evening April 14, 2025. At the end of that meeting, the illegal viscous acts perpetuated by the three non-standing individuals will culminate. A legal defense fund has been established.

The final established fact from last night's Joyce meeting is that the Charter Commission as a whole, after talking around the question and hemming and hawing, finally did confirm that despite the high states legal game they have launched and the tremendous financial risk they are taking on behalf of Clallam County, they have not and do not intend to seek a risk assessment from Clallam County Legal Council before taking this action and creating this risk.

Since I am a Clallam County Taxpayer and as was pointed out at the meeting last night, Clallam County has no money. Thus, the payment of this about to be established financial liability will fall squarely on taxpayers. I am convinced that taking that risk without legal counsel advice is stupid, so i an going to ask to protect my loss due to Commissioner Foley and as well as the most other taxpayers as I can protect.

Dear Attorney Boughton and Attorney Nichols.

Do you recommend that the Clallam County Charter Commission proceed with this action to please a few non-prudent individuals at the risk of significant personal damage to one individual and the violation of several highly coveted and prominent protections under the Bill of Rights and the US Constitution?

Do you recommend that a single Elected Charter Commissioner be subject to defamation of character solely at the whim of three misguided elected officials?

Thank you.

Thomas Ash

Gores, Loni

From: noreply@civicplus.com
Sent: Tuesday, April 8, 2025 4:18 PM
To: Gores, Loni
Subject: Online Form Submission #7002 for Contact the Clerk of the Board

Contact the Clerk of the Board

First Name	Alex
Last Name	Wilson
Email	alex.wilson.ax@gmail.com
Phone	4155170345
Subject	Recommendation for changes to the Clallam County Charter
Comments	April 8, 2025

Charter Review Commissioners
Attn: Loni Gores, Clerk of the Board

Dear Charter Review Commissioners:

I, Alex Wilson, a resident of Port Angeles, Washington, make the following recommendation for changes to the Clallam County Charter:

ARTICLE VII - ELECTIONS, Ranked choice voting in elections, including County Commissioners

The County must switch to ranked choice voting for elected officials. "A ranked-choice voting system (RCV) is an electoral system in which voters rank candidates by preference on their ballots." ([https://ballotpedia.org/Ranked-choice_voting_\(RCV\)](https://ballotpedia.org/Ranked-choice_voting_(RCV))) One major benefit is that voters have more choices when they vote, often leading to higher voter participation. It is also considered to be a more equitable way for representation, saves money by preventing run-off elections, and avoids the "spoiler effect."

(<https://campaignlegal.org/democracyu/accountability/ranked-choice-voting>) Ranked choice voting has been enacted in several counties across the country, and has proven to be popular among voters while leading to smooth elections.

SECTION 7.10: Election Procedures. All agencies and groups with elected officials shall hold elections during normal county elections and appear on standard county ballots which are distributed through normal county ballot distribution channels

Groups such as the Clallam Conservation District must hold elections in alignment with standard County elections; they must appear on the standard County ballots and be distributed as such; and, they must be received and counted by County election officials/volunteers in the same manner as other county elections. By holding separate elections on a different ballot with an unusual ballot drop-off, the County needlessly makes it more difficult for members of the public to participate in public elections, or even be informed about them. Separate elections also create the opportunity for distrust among voters. Further, they can encourage the "loudest voices" to rally for these unusual elections, essentially throwing the election because the loudest voices are often not representative of the broader electorate.

SECTION 12.20: Purchasing, Contracts and Bonds. Changes to "Awards to Lowest Responsible Bidder"

The county must be permitted to weigh additional considerations beyond "lowest bid," to better enable the county to procure quality products and services. Variances below 10% of the lowest responsible bid should be permitted without additional scrutiny; though, the county must document the variance and the reason(s) and benefit(s) for accepting the higher bid. Variances above 10% should require a public meeting, with sufficient notice, to inform the public of this financial choice, and to permit public comment. Only after a public hearing has occurred can the county enter into a contract, bond or purchase of goods or services above a 10% variance from the lowest responsible bid. The county must document the public comments and provide a written answer to the public's concern around the variance, as well as documenting the variance and the reason(s) and benefit(s) for accepting the higher bid.

SECTION 12.40: Eminent Domain. "Public use" extends to climate change, land/climate resiliency, and/or changes to the land that affect its current and/or ongoing use

"Public Use" under eminent domain must include takings

related to climate change, land/climate resiliency, or other land changes affecting the current and/or ongoing affordability and viability of the current land for private ownership/use. The County must be able to use eminent domain in areas where livability, insurance coverage, emergency response, road maintenance, utilities, and/or other major services will be considerably cost prohibitive to taxpayers to maintain for the benefit of a small number of private citizens.

Similarly, private landowners, especially those landowners who can no longer acquire affordable or reasonable private insurance, should have easy recourse to having threatened or damaged lands purchased by the County, to relieve them of these lands. Homeowners with no private insurance options should receive advance consideration for purchase under eminent domain, and the County should move at a pace to avoid lender/liens from taking ownership due to a lapse in insurance coverage.

ARTICLE XII - GENERAL PROVISIONS. Establish clear County evacuation plans and routes

The County shall be required to analyze evacuation plans and routes in preparation for natural disasters. By the year 2027, the County must have evacuation plans and routes in place for the following natural disasters: forest fires, severe ice/snow, tsunamis, earthquakes, or other severe disasters/events. Areas prone to flooding, landslides or other localized disasters should receive additional plans. By the year 2027, the County must distribute evacuation plans and routes to the public, and the county must place relevant evacuation signage on major roads, intersections or areas warranting notice because of risk(s). These plans should be integrated into already existing systems, such as audio alarms, emergency management, and so forth. Plans should be reviewed and updated in tandem with the County Comprehensive Plan, and/or after a major natural disaster.

ARTICLE XII - GENERAL PROVISIONS. Prioritize public beach access

Washington State is one of the few states that permit ownership of beaches and tidal lands. When possible, the county should prioritize opening up beaches and tidal lands to public access, either through ownership or through agreements with private landowners. When lands that have beach or tidal

ownership become available for purchase, the County should consider purchasing the lands with the intent of providing or protecting public access. Depending on the specific site, these lands (beaches and tidal lands) should be used for recreation, personal use harvesting/fishing, and/or boat launches.

ARTICLE IX - FINANCIAL ADMINISTRATION. County income & fair tax practices

The County's main income comes from: property taxes, sales taxes, real estate and excise taxes, fees/permits, investment revenue, timber sales and excise taxes, and federal payments and federal timber sales. The first four forms of income (taxes and fees) generally apply to citizens, with those who own and/or sell real property shouldering the bulk of the local taxes.

Property owners have a myriad of schemes to off-set their taxes, from acquiring "open spaces" status, to fulfilling "forestry" or "farming" thresholds. These tax-breaks, by their very nature, are only applicable to folks with several acres of land, often 20 acres or more. They do not benefit the in-town homeowner who has chosen to live on a tiny lot—they do not incentivize urban density. Further, these large landowners often don't need a tax cut, they merely qualify for one and thus pursue it. Additionally, businesses running on such a tight margin that they can only survive with a tax benefit should not be incentivized at tax-payers' expense.

The County should restructure its tax schemes to encourage urban living—where consolidated utilities and other urban facilities are cheaper to maintain than disparate neighborhoods in rural communities.

The County must also restructure its tax schemes to be a graduated tax rate, based on income as well as current, financial, tangible, and possibly intangible assets. Fixed assets should be considered, though real property used as a primary residence and/or a primary place of business should not be considered in the calculation.

For example: Property taxes charged to someone with a household income below the median income for the County—and with little to no assets—should pay substantially less in property taxes than a household with 5x the median income for the county. Individuals in the county with substantial means should shoulder the bulk of taxes. Prior year's Federal taxes should be used as the basis for assessing income/assets.

Median Household Income should be determined by the U.S. Census's most recent survey.

Sales taxes should be different rates based on the type of goods or services purchased. Items that are deemed "necessary for life" (basic food, water, clothes, medicine...) should have no additional county sales tax. Items or services that are not necessary but nice to have should have a reasonable sales tax. Items or services that are a "luxury," including high-end "necessities," should be heavily taxed. Similar graduated sales taxes have been successful elsewhere, for example, Massachusetts (See, <https://www.mass.gov/guides/sales-and-use-tax#-tax-exempt-items-&-sales->).

All future taxes must be considered with an eye towards distributing the tax burden to households with the means to afford them, and still thrive.

The County should encourage the State to consider a corporate income tax as well as an individual income tax.

Thank you kindly,

Alex Wilson
Port Angeles, WA

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Email not displaying correctly? [View it in your browser.](#)

From: noreply@civicplus.com
Sent: Tuesday, April 8, 2025 7:30 PM
To: Gores, Loni
Subject: Online Form Submission #7004 for Contact the Clerk of the Board

Contact the Clerk of the Board

First Name	Carey
Last Name	Field not completed.
Email	concerningcitizenswa@proton.me
Phone	1234567899
Subject	CRC Joyce town-hall feedback
Comments	Nina and Cathy, I just wanted to send an email since we had the chance to connect at the CRC town-hall in Joyce. If I can figure out how, I'm also going to have this email sent to Loni so that it is submitted as public comment. I was concerned by some of the commissioners dismissiveness of public input at the town-hall. I heard a lot of "that's not in our wheelhouse" and passing of the buck. I understand the charter has limitations, but when I look at what has already been accepted to put to the ballot it is not clear to me why other proposals are being rejected. Personally, I don't see what's wrong with having 20+ amendments on the ballot. Why not make the big steps necessary to get our local governance back on track? Let's take advantage of the opportunity the CRC presents, I say. I composed an email to commissioner Fisch regarding the points my husband was bringing up about building permits, and CC'd Bruce Emery at the DCD - so I'm hoping to get some clarity there if it is truly outside the purview of the CRC. I also understand that the CRC has some legal advisors at the ready to answer such questions. So, since y'all represent us out here in district 3, I thought I'd put my concerns in writing to you in hopes you can follow up with legal if necessary. Please, let me know if I need to send the email regarding building permits to y'all separately or if you will receive it if I submit it as public comment.

I also wanted to reiterate my points about a focus on ethics reform and and accountability. I truly believe that without these foundational principles governing our elected officials, all else is moot.

Of the listed proposals, the following are the utmost importance in that regard, in my opinion:

Code of Ethics with civil penalties

Reforming Board of Commissioner committee appointments

Recusal requirement for commissioners

Restrictions on elected officials' advocacy

Restrictions on board membership for commissioners

Return to district voting

Charter Review Commission frequency

Increased public engagement

Public access to meetings

Financial oversight and transparency

Board of County Commissioners spending transparency

Budget town halls

Fair bidding process

General fund reserve minimum

Transparency in public funds to nongovernmental organizations (NGOs)

Tax increases by voter approval

Independent hearing examiner

Lower permit costs for property and business owners

Requirement to notify Bureau of Indian Affairs on adverse effects

Clarify vacancy language for commissioners & elected officials

Define Auditor, Treasurer, and CFO Responsibilities

Revise Procedures for Amending the Charter

Define the duties of the Clerk of the Board which are currently unclear

Clarify vacancy language for the charter

Could either of you give any additional insight on the points regarding "clarifying vacancy language" and "revise procedures for amending the charter"?

I also really appreciated the gentleman's comment at the town-hall about the (over) use of executive sessions by the BoCC. Would it be possible to have the CRC look into to what can be discussed in executive session and proposing an amendment restricting those sessions further?

Finally, I want to reiterate my points about access to BoCC meetings. I am aware, and very thankful, for the remote participation option. And as a stay at home mom, I am usually able to work my schedule around to be able to listen and give comment during those times. However, many folks in our community are not able to do so as their meeting at 10am on a Tuesday is during regular working hours. I think the CRC recognizes the importance of public input being at a time more of the public can participate - which is why the town-halls were hosted at 6pm. I'd like to see the same requirement of the BoCC. I also recognize that public comment during the BoCC Tuesday meetings is not meant for dialogue or Q&A, and have found the BoCC generally unresponsive and evasive via email or even one on one meetings. It is absolutely critical to hold them to account both on their actions and what I perceived as evasive/dismissiveness to the public. Holding a town-hall would put them in a position where they cannot hide behind a computer screen or podium. Not only that, but it turns out the public has some good ideas, and the brainpower of many surely must be greater than the brain power of 3. So, I should think the BoCC would welcome the opportunity to hear from their constituents more readily and freely - if they truly care about public input, that is.

Looking forward to your responses and insight, as well as the continued work of the review commission in taking steps to improve our community. Thank you for your time.

Sincerely,

Carey

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Gores, Loni

From: Gayle Baker <gaylebaker7458@gmail.com>
Sent: Tuesday, April 8, 2025 11:24 PM
To: Gores, Loni
Subject: To All Charter Commissioners

I recommend that you add the word "American" to Section 1.20 of the County Charter, thus ensuring all interactions with intergovernmental agencies would be subject to oversight.

Gores, Loni

From: Linda Campbell <lcampbell@peak.org>
Sent: Wednesday, April 9, 2025 10:11 AM
To: Gores, Loni
Subject: Priorities for CRC

You don't often get email from lcampbell@peak.org. [Learn why this is important](#)

Hello Commissioners-

I would like to strenuously object to a proposed amendment to Section 1.2 of the Charter. Trying to prevent Clallam County from doing business with our local Indigenous Tribes by injecting the word "American" to define the types of governments with which the county can do business is blatantly racist. Please resist this agenda.

Thank you.

Linda Campbell
District 3

Gores, Loni

From: Stoffer, Jim
Sent: Wednesday, April 9, 2025 2:19 PM
To: Gores, Loni
Subject: Notes Minutes from 3 Apr Outreach Meeting
Attachments: Minutes from Town Hall meeting 4.3.25.docx

Hi Loni,

See attachment for the last meeting of the Outreach Committee on 3 April.

Thank you for your work, much appreciated

Best!

Jim

Commissioner Stoffer
Clallam County Charter Review
Jim.stoffer@clallamcountywa.gov
360.775.9356

Minutes from Town Hall/Outreach Meeting 4/3/25

Call to Order – 1:00 pm

Chair's Suggestion – Take three items and move forward to the Commission for consideration on the ballot, since we've had quite a bit of input on those items. These would be the coroner, the water steward, and the BIA land trust.

Discussion – Christy H. – Should we create the survey first, since we will likely get push-back on moving some items forward and not others before getting the rest of the input from the town halls?

Committee decided to move the Coroner issue off the questionnaire and forward to the Commission. There is still another Coroner meeting next week, and committees are still working on other amendments.

The remainder of the meeting was spent going through each of the questions on Draft 1 of the Questionnaire. These comments are all logged on Draft #2 of the Questionnaire. Included are comments sent via email from Commissioners Pickett, Tozzer, and Richards, as well as input at the meeting from Commissioners Walde, Cameron, Holy, and Stoffer. Commissioner Morris weighed in at a subsequent meeting where Commissioners Holy and Stoffer inserted the comments from all into a clean copy of the questions, to be reviewed at this Thursday's meeting after the Crescent Town Hall meeting.

Items to be discussed at next meeting – 1) take input from all written public comment, comments from Town Halls, and commissioners' priority list to create a questionnaire representing the top 10 priority questions, 2) clean up questions that still need work, 3) discuss distribution of the survey to be presented to the full commission at the April 14th meeting.

Commissioner Holy left at 2:20.

Meeting adjourned at 3:45

Submitted by Commissioner Holy on 4.7.25

Gores, Loni

From: Stoffer, Jim
Sent: Wednesday, April 9, 2025 2:15 PM
To: Cameron, Ron; Richards, Ron; Holy, Christy; Walde, Cathy
Cc: Fisch, Susan; Gores, Loni; Stoffer, Jim
Subject: Items for Outreach Committee Meeting 10 April
Attachments: 10 Priorities.pdf; Minutes from Town Hall meeting 4.3.25.docx; CRC Questionnaire Draft 2 - 4.4.25.docx; CRC Questionnaire Draft 3 for Committee Comments - 4.5.25.docx; Outreach Committee Meeting Agenda 10 Apr.docx

Greetings and good afternoon Outreach Townhall Committee,

As a reminder, we have a Committee Meeting on Thursday, 2:30pm in Room 150 in the BOCC Office space. Please review the attached items as we work together on these CRC and Community items.

Thank you for your service and dedication to the community and citizens of Clallam County; see you tomorrow.

V/R

Jim
Best!



Commissioner Stoffer
Clallam County Charter Review
Jim.stoffer@clallamcountywa.gov
360.775.9356

Draft Agenda for Outreach Townhall Committee

Thursday 10 April 2:30-3:30pm,

BOCC Conference Room 150

Purpose of the Meeting is to review input received during Community Town Hall events and outreach and draft questions for a Community Survey of Positions and Priorities.

<https://www.clallamcountywa.gov/DocumentCenter/View/22223/Committee-Notice-Town-Hall-Outreach-Committee-4-10-25>

Welcome Intro

Discussion items:

- See meeting notes from last meeting
- 10 items direction from Chair Fisch, received on 4 Mar
- Review survey questions, see draft attachments
- Priorities listing, see draft update
- Input from Coroner Com & Input from Water Steward Com Rep
- Input from Com Richards & Input from Com Walde
- Guest Inputs (Non-Committee CRC Members, & Public)

Outreach & Town Hall Discussions

- Consciences of input; in-person and email
- Chair Report for next CRC Meeting on 14 April?
- Possible Motions thoughts
- Guests input
- Next Steps with Survey and Priorities
- Meeting adjourned – 3:45

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Gores, Loni

From: Fisch, Susan
Sent: Tuesday, March 4, 2025 10:24 AM
To: Gores, Loni
Subject: March 10 Meeting
Attachments: Questionnaire for County Officials.docx; CRC Commissioner Suggestions and Priorities.docx

Commissioners:

Please find attached two documents for our Monday meeting. One is a compilation of the ideas forwarded by all of you and comments we have received directly from community members. The second is a proposed questionnaire (based on the 2020 CRC) for our elected officials and department heads.

Please read both documents and let me know the following:

1. **Survey:** It is my understanding that the Commission wanted to use the list of suggestions to prioritize ten issues. These ten issues would form the basis of the survey questions that will go out to the community. Just because an item does not make it into the top 10, does not mean it is off the table. Anyone can propose a charter amendment or a recommendation to the BOCC. We also have the ability to prioritize proposed amendments for the 2025 ballot and the 2026 ballot. I would also suggest that we start a list of citizen input that may not be Charter related but that should be passed on to our elected officials.

I am trying to figure out the most efficient way of doing the survey at the meeting. Loni has multiple easels and flip charts. I can write the suggestions on the charts and we can do the red dot method. Or, all of you could circle your priorities on the attachment and we can have a discussion. Let me know your thoughts.

2. **Questionnaire:** I took the 2020 CRC questionnaire and added a couple of questions. Please let me know if you have any changes.

Susan

Minutes from Town Hall/Outreach Meeting 4/3/25

Call to Order – 1:00 pm

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Discussion – Christy H. – Should we create the survey first, since we will likely get push-back on moving some items forward and not others before getting the rest of the input from the town halls?

Committee decided to move the Coroner issue off the questionnaire and forward to the Commission. There is still another Coroner meeting next week, and committees are still working on other amendments.

The remainder of the meeting was spent going through each of the questions on Draft 1 of the Questionnaire. These comments are all logged on Draft #2 of the Questionnaire. Included are comments sent via email from Commissioners Pickett, Tozzer, and Richards, as well as input at the meeting from Commissioners Walde, Cameron, Holy, and Stoffer. Commissioner Morris weighed in at a subsequent meeting where Commissioners Holy and Stoffer inserted the comments from all into a clean copy of the questions, to be reviewed at this Thursday's meeting after the Crescent Town Hall meeting.

Items to be discussed at next meeting – 1) take input from all written public comment, comments from Town Halls, and commissioners' priority list to create a questionnaire representing the top 10 priority questions, 2) clean up questions that still need work, 3) discuss distribution of the survey to be presented to the full commission at the April 14th meeting.

Commissioner Holy left at 2:20.

Meeting adjourned at 3:45

Submitted by Commissioner Holy on 4.7.25

Charter Review Commission – Questionnaire for Public Input – DRAFT – 3.28.25

** 1. District-based elections-

County Commissioners are currently elected by district. Prior to 2015, commissioners were nominated by district and elected county-wide.

Q. How should County Commissioners be elected? by district ? countywide?

2. Recusal issues- We decided by consensus to incorporate this into question 4 re: transparency with Non-Government Organizations
3. Coroner - new #2 – we'll be recommending this item to CRC. We will leave this item as is and confirm with coroner committee on Thursday.

Section 4.20 of the Charter currently states that "...The Prosecuting Attorney will serve as ex-officio coroner without extra compensation". State law allows for the appointment of a coroner. However, a law recently came into effect that does not allow a coroner to be an attorney. Therefore, a recent AG's opinion states that the Prosecutor cannot serve as the coroner. Recently, Clallam County's Prosecuting Attorney resigned the office of coroner and the county appointed a district judge to fulfill the vacancy, per another state law. The charter language needs to be changed to allow for the current situation and future decisions about who should take on coroner responsibilities.

Q. How should the charter language be changed? coroner shall be elected
 coroner shall be appointed take coroner language out completely

4. County Clerk Enumerated Responsibilities- now #3 – we are recommending removal. This is a superior court clerk item, and it is probably better addressed by the BOCC.

Currently, the charter does not enumerate responsibilities (duties) for the county clerk.

Q. Should the charter enumerate responsibilities? yes no

5. Transparency with Non-Government Organizations- now #4 – combine with #12

Transparent BOCC and Public Engagement

Currently, County Commissioners serve on a variety of state, regional, and local non-government organizations. If the work conflicts with the duties outlined in the charter for county commissioners, there could be cause for recusal. Note **review Commissioner Tozzer's input

Q. Should County Commissioners recuse themselves from participating in non-government organizations? yes no no opinion

**Charter Review Commission – Questionnaire for Public Input – DRAFT –
3.28.25**

6. Town Hall Budgets- now #5 – we get a budget, and then it's the responsibility of the commission to work within our means.*Note If we pay for an outreach building, we have to go back to Dee and create a contract.

Currently, there is no budget for conducting community outreach town halls by the charter review commission. Funds are often necessary to administer town halls.

Q. Should a budget be allocated in the charter for conducting outreach and town halls?

☐ yes ☐ no

7. Ethics Board and Commissions – Now #6- change county to charter- Add input regarding article 7 section of the county charter.

Currently, 3 out of 7 charter counties have an amendment that covers ethics.

Q. Should the county appoint an ethics board or commission? ☐ yes ☐ no

8. General Fund Reserve Minimum- now – remove. Ron C. and Ron R. recommended removing from the survey.

Currently, the charter does not establish a reserve minimum fund balance.

Q. Should the finance department and BOCC establish a reserve minimum fund balance? ☐ yes ☐ no

9. Elected/Appointed Positions Oversight/Over- Now – Recommended by consensus of the committee to remove this question, as it is redundant. These are the elected bodies. The main ones we question are DCD, Coroner, and Water steward related to this item.

Appointed positions allow the BOCC to recruit, hire, evaluate, and fire personnel. For an elected position, the voters can recall personnel.

? Work on this one. Need more info

10. Voter-approved tax increases or no property-tax increases

Currently the county commissioners have the ability to increase taxes by a vote of the BOCC and submit an increase proposal to the ballot. This has funding implications. Recommend removing, because they should keep these two options.

Q. Should proposals for tax increases, whether it be property tax or sales tax, etc., be a ballot measure or by vote of the county commissioners? ☐ ballot ☐ county commissioners

Charter Review Commission – Questionnaire for Public Input – DRAFT – 3.28.25

11. Lower permit costs for property, businesses, and owners – This is a state item, beyond county's control. Recommend for removal.

Don't feel this is a charter item. Need more clarification.

12. Transparent BOCC and Public Engagement- combine with #4

Work on this one. How do we create a yes/no question?

13. DCD appointed or elected- leave as is – renumber

Clallam Director of the Department of Community Development (DCD) is elected.. It is the only elected DCD in the nation. At times, the election of a DCD director creates conflicts between the planning division of the BOCC and the staff of the office of Community Development.

Q. Should the DCD be elected or appointed by the commissioners? ☐ Appointed
☐ Elected ☐ no opinion

14. Public defender's office

Currently the county does not have a public defender's office. *Requires a budget

Q. Should the charter create a public defender's office? ☐ yes ☐ no

15. Charter ambiguities-

There are multiple ambiguities in the charter.

Based on Norma Turner's testimony, former CRC vice-chair, do we want to go down this road? We decided no by consensus of the Town Hall committee.

16. Environmental steward (water)- keep this as is

There are multiple jurisdictions that are involved in county-wide and region-wide water management. These include Cities of Sequim and P.A., Clallam County Conservation District, PUD, the tribes, Dry Creek Water Association, Joyce Water Association, and various others.

Q. Do you think the Charter should have language included to guide water management, such as a designated water steward? ☐ yes ☐ no If so, should the position be appointed or elected? ☐ appointed ☐ elected

17. Number of commissioners – keep as is

Clallam County currently elects three county commissioners by district.

Q. How many county commissioners should Clallam County elect? ☐ 3 ☐ 5

18. Revise Procedures for Amending Charter- Recommend pulling by Ron Richards.

** Find out more information. We need clarification in order to write a question.*

Charter Review Commission – Questionnaire for Public Input – DRAFT – 3.28.25

19. Fair bidding- Consolidate Commissioner Tozzer's comments

In order for us to create a question, we need more input from the authors of this item.

20. CRC Term – leave as is

All other charter counties in our state meet every ten years. Clallam Charter Review Commission has met 7 times since 1976.

Q. How frequently should the Charter Review Commission meet? 5 years 10 years

21. Elected Officials and Charter Review Vacancy Language – this one has been tabled. Do we still want to get public opinion about it. Leave as is.

*There's been a proposed amendment submitted for the charter. Currently, when there is a vacancy on the charter, there is no clear language as to how to fill the vacancy.

Q. Should the vacancy be filled by the person holding the next highest amount of votes or through an application process in the community? highest vote-getter application

22. Independent Hearing Officer – Needs further discussion

Currently, hearing officers rotate between jurisdictions when necessary.

Q. Should the charter create an independent hearing officer position? yes
no If so, should this position be elected or appointed? appointed
elected

23. Now called State Forest Transfer Program (Commissioner Stoffer and Commissioner Sarmiento and community member Mr. Ed Bowen)

**Jim will work on this before the next committee meeting.*

Add -Tribal Trust Land Transfer - * add language recommended by Commissioner Tozzer "Requirement to notify BIA..."

24. Ranked Choice Voting

Currently, the county does not have ranked choice voting options for elections. – Leave as is

Q. Should the charter prescribe the adoption of ranked choice voting options to the county? yes no

25. Government to Government Relationships and Training – **Make changes Commissioner Pickett suggests. Use Language Commissioner Stoffer emailed.

Government-to-Government Relationship Training is required for school board directors. RCW 28a.343.100 – Government's training program

Q. Should similar training be required for all other elected officials under the charter's authority? yes no

**Charter Review Commission – Questionnaire for Public Input – DRAFT –
3.28.25**

RCW [28A.343.100](#)

Governance training program.

(1) Except as provided otherwise by this subsection (1), beginning with the 2022 calendar year, each member of a board of directors shall complete a governance training program once per term of elected office. If the director is appointed or elected to a first term of office, the director must complete a governance training required by this subsection (1) within two years of appointment or certification of the election in which they were elected.

(2) Governance training programs completed by directors in accordance with subsection (1) of this section must be aligned with the cultural competency, diversity, equity, and inclusion standards for school director governance developed under RCW [28A.345.115](#) and provided by the Washington state school directors' association.

(3) For purposes of this section, "cultural competency," "diversity," "equity," and "inclusion" have the same meaning as in RCW [28A.415.443](#).

Add this with input from Commissioner Tozzer.

**PROPOSED AMENDMENT TO CLALLAM COUNTY CHARTER ARTICLE VII,
SECTION 7.10, ELECTION PROCEDURES:**

Except as provided in this Charter all elected officials shall be nominated and elected in accordance with the mandatory provisions of Article VI of the Constitution of the State of Washington, entitled 'Elections and Elective Rights'. the laws of the State. All elections shall be held at the precinct level. Each prospective voter shall be vetted as a Qualified Elector under Article VI Section 1 of the State Constitution prior to the receipt of a ballot for any election. All ballots cast shall be hand counted, said process publicly viewable and subject to public verification.

Respectfully

Public Survey Questions – Charter Review Commission - 2025

1. County Commissioners are currently elected by district. Prior to 2015, commissioners were nominated by district and elected county-wide.

How should County Commissioners be elected? by district ? countywide?

2. Coroner - new #2 -- we'll be recommending this item to CRC. We will leave this item as is and confirm with coroner committee on Thursday.

Section 4.20 of the Charter currently states that "...The Prosecuting Attorney will serve as ex-officio coroner without extra compensation". State law allows for the appointment of a coroner. However, a law recently came into effect that does not allow a coroner to be an attorney. Therefore, a recent AG's opinion states that the Prosecutor cannot serve as the coroner. Recently, Clallam County's Prosecuting Attorney resigned the office of coroner and the county appointed a district judge to fulfill the vacancy, per another state law. The charter language needs to be changed to allow for the current situation and future decisions about who should take on coroner responsibilities.

How should the charter language be changed? coroner shall be elected
 coroner shall be appointed take coroner language out completely

3. Currently, County Commissioners serve on a variety of state, regional, and local non-government organizations. If the work conflicts with the duties outlined in the charter for county commissioners, there could be cause for recusal. This could limit commissioners' ability to endorse policies that directly benefit organizations with which they are involved.

Should County Commissioners recuse themselves from participating in non-government organizations? yes no

4. Currently, there is no budget for conducting community outreach town halls by the charter review commission. It is the responsibility of the charter to work "within our means". The CRC has to go through a process to get legal counsel and create contracts with venues. Funds are often necessary to administer town halls.

Should a budget be allocated in the charter for conducting outreach and town halls? yes no

5. Currently, 3 out of 7 charter counties have an amendment that covers ethics. The Clallam County Charter does not specifically outline a code of ethics for elected officials.

Should the charter appoint an ethics board or commission? yes no
Should there be civil penalties included for those who violate the code of ethics? yes
 no

6. Currently the county commissioners have the ability to increase taxes by a vote of the BOCC and submit an increase proposal to the ballot. This has funding implications. Recommend removing, because they should keep these two options.

Should proposals for tax increases, whether it be property tax or sales tax, etc., be a ballot measure or by vote of the county commissioners? ballot
 county commissioners

7. The county often contracts with non-government organizations.

Should the charter specify requirements for non-government organizations to be transparent with their fiscal reporting, giving citizens unlimited access to their budget information? yes no

8. Clallam Director of the Department of Community Development (DCD) is currently an elected position, and it is the only elected DCD in the nation. Historically, this position has alternated between elected and appointed. At times, the election of a DCD director creates conflicts between the BOCC planning division and the office of Community Development.

Should the DCD be elected or appointed by the commissioners? Appointed
 Elected no opinion

9. Currently the county does not have a public defender's office.

Should the charter create a public defender's office? yes no

10. There are multiple jurisdictions that are involved in county-wide and region-wide water management. These include Cities of Sequim and P.A., Clallam County Conservation District, PUD, the tribes, Dry Creek Water Association, Joyce Water Association, and various others.

Do you think the Charter should have language included to guide water management, such as a designated water steward? yes no If so, should the position be appointed or elected? appointed elected

11. Clallam County currently elects three county commissioners by district.

How many county commissioners should Clallam County elect?
 3(currently) 4 (3 districts and one at-large member) 5

12. Currently, businesses who pay taxes are bidding against businesses who are not required to pay taxes when trying to win county contracts.

??

13. All other charter counties in our state meet every ten years. Clallam Charter Review Commission has met 7 times since 1976.

How frequently should the Charter Review Commission meet? 5 years 10 years

14. There is language in the charter as to how to fill a vacancy, but it could be clearer or more specific. There is a proposal to make it more specific.

Should the charter require that the vacancy on the Charter Review Commission automatically be filled by the person holding the next highest amount of votes in the same district, or as currently specified by the Charter Review Commission through an application process in the community? highest vote-getter application

15. Currently, hearing officers rotate between staff from jurisdictions, and only when necessary.

Should the charter create an independent hearing officer position? yes no If so, should this position be elected or appointed? appointed elected

16. Now called State Forest Transfer Program (Commissioner Stoffer and Commissioner Sarmiento and community member Mr. Ed Bowen)

***Jim will work on this before the next committee meeting.**

17.

Should the county be required to respond to the Bureau of Indian Affairs when land use changes affect county interests? yes no

18. Currently, the county does not provide for ranked choice voting options for elections. –
Leave as is

Should the charter allow or require the adoption of ranked choice voting options to the county? yes no

19. Government-to-Government Relationship Training is required for school board directors.
RCW 28a.343.100 – Government's training program

Should similar training be required for all other elected officials under the charter's authority? yes no

RCW 28A.343.100

Governance training program.

(1) Except as provided otherwise by this subsection (1), beginning with the 2022 calendar year, each member of a board of directors shall complete a governance training program once per term of elected office. If the director is appointed or elected to a first term of office, the director must complete a governance training required by this subsection (1) within two years of appointment or certification of the election in which they were elected.

(2) Governance training programs completed by directors in accordance with subsection (1) of this section must be aligned with the cultural competency, diversity, equity, and inclusion standards for school director governance developed under RCW 28A.345.115 and provided by the Washington state school directors' association.

(3) For purposes of this section, "cultural competency," "diversity," "equity," and "inclusion" have the same meaning as in RCW 28A.415.443.

20. Article VI of the Constitution of the State of Washington is entitled 'Elections and Elective Rights' – the laws of the state. It states that all elections shall be held at the precinct level, each prospective voter shall be vetted as a Qualified elector under Article VI, Section I of the State Constitution prior to the receipt of a ballot for any election, and that all ballots cast shall be hand counted, publicly viewable and subject to public verification.

Should the charter require all elected officials to be nominated and elected in the same manner, except when this conflicts with prior amendments to the charter? yes
 no

21. **Should county meetings be held on sovereign land?**

Gores, Loni

From: Richards, Ron
Sent: Thursday, April 10, 2025 2:05 PM
To: Gores, Loni
Cc: Cameron, Ron; Fane, Alex; Walde, Cathy
Subject: Coroner
Attachments: Draft Coroner Proposed Amendment 2.docx

Loni,

Here is the coroner amendment the coroner committee just developed in its 4/10/25 meeting.

Ron

2025
Clallam County Charter Review Commission

Resolution Number _____

The Clallam County Charter Review Commission elected by the voters of Clallam County for the year 2025 finds that:

1. Article IV, Section 4.20, of the Clallam County Charter provides in pertinent part that "The Prosecuting Attorney will serve as ex-officio coroner without extra compensation."
2. Clallam County's Prosecuting Attorney has resigned his position as ex-officio coroner, based on his belief that state law precludes him from serving as ex-officio coroner.
3. Since the Prosecuting Attorney's resignation as ex-officio coroner, a District Court Judge has been acting as coroner under a state statute providing that if the office of coroner is vacant the duties of the coroner's office may be performed by any district judge.
4. Continuing with a District Court Judge as coroner because the coroner's position is vacant is not a viable, long-term solution to the situation that now exists because of the conflict between what the Clallam County Charter requires and what the Attorney General and the Clallam County Prosecuting Attorney believe a state statute requires.
5. Even if Clallam County's Charter would control over conflicting state law, having the Prosecuting Attorney serve as ex-officio coroner is increasingly thought of as involving conflicts of interest and is not a preferred alternative.
6. A state statute, RCW 36.16.030, only allows counties with a population exceeding two hundred fifty thousand to adopt a medical examiner system, therefore precluding that alternative from being considered for Clallam County.
7. When the Clallam County Charter is amended to remove the requirement that the Prosecuting Attorney also serve as ex-officio coroner, the responsibility for performing those duties, or having those duties performed, will fall on the Clallam County Commissioners under a provision of Article 11, Section 4, of the Washington State Constitution that provides that any duties of county officials prescribed by state law, with certain exceptions, if not assigned to specific officers by the County Charter, will fall on the Board of County Commissioners. In such a case, the County Commissioners could hire personnel with the appropriate training to serve as the coroner, much as was being done under the Prosecuting Attorney, and is now being done under a District Court Judge. That would result in a satisfactory solution to the current situation.

Therefore, the 2025 Clallam County Charter Review Commission hereby proposes that Article IV – OTHER ELECTED OFFICIALS, Section 4.20: Powers and Duties, be amended to read as follows:

All other elected officials shall exercise the powers and duties of their respective offices as provided by law. All elected officials and their departments shall utilize the personnel, budgeting, purchasing, property control and records management systems established by the Commissioners through ordinance except insofar as such utilization would be contrary to the powers and duties of the constitutional officers. ~~((The Prosecuting Attorney will serve as ex-officio coroner without extra compensation.))~~

Any language in double parentheses with a line through it is existing Clallam County Charter language and will be taken out of the Charter if this measure is approved by voters. Any underlined language does not appear in current Clallam County Charter language but will be added to the Charter if this measure is approved by voters.

Further, the 2025 Clallam County Charter Review Commission, pursuant to Article XI, Sub-Sections 11.20.10 and 11.20.20 of the Clallam County Charter, calls for this Resolution, and the Charter amendment hereby proposed, to be filed with and registered by the Auditor, and for the Charter amendment hereby proposed to be submitted to the voters at the next statewide general election occurring at least 90 days after registration of the proposed amendment by the Auditor.

This Resolution is passed and approved on this _____ day of _____, 2025, by the 2025 Clallam County Charter Review Commission.

Susan Fisch, District 1 Commissioner, Chair

Bill Benedict, District 1 Commissioner

Ron Cameron, District 2 Commissioner

Alex Fane, District 1 Commissioner

Rod Fleck, District 3 Commissioner

Mark Hodgson, District 3 Commissioner

Christy Holy, District 3 Commissioner

Patti Morris, District 2 Commissioner

Chris Noble, District 2 Commissioner

Paul Pickett, District 2 Commissioner

Ron Richards, District 2 Commissioner

Nina Sarmiento, District 3 Commissioner

Jim Stoffer, District 1 Commissioner

Jeff Tozzer, District 1 Commissioner

Cathy Walde, District 3 Commissioner

Gores, Loni

From: Richards, Ron
Sent: Thursday, April 10, 2025 2:14 PM
To: Gores, Loni
Subject: Outreach Committee Questions
Attachments: RNR changes to CRC Questionnaire Draft 3 for Committee Comments - 4.5.25.docx

Loni,

Attached are my suggested changes to the last draft of questionnaire questions.

Ron

Public Survey Questions – Charter Review Commission - 2025

1. County Commissioners are currently elected by district. Prior to 2015, commissioners were nominated by district and elected county-wide.

How should County Commissioners be elected? ☐ by district ? ☐ countywide?

For a five year period beginning in 2016, the Charter provided for nominating and electing County Commissioners by district. Before then and since then County Commissioners have been nominated by district and elected county wide. With either system, the County Commissioner that is elected must live within the district they represent.

2. Coroner - new #2 – we'll be recommending this item to CRC. We will leave this item as is and confirm with coroner committee on Thursday.

Section 4.20 of the Charter currently states that "...The Prosecuting Attorney will serve as ex-officio coroner without extra compensation". State law allows for the appointment of a coroner. However, a law recently came into effect that does not allow a coroner to be an attorney. Therefore, a recent AG's opinion states that the Prosecutor cannot serve as the coroner. Recently, Clallam County's Prosecuting Attorney resigned the office of coroner and the county appointed a district judge to fulfill the vacancy, per another state law. The charter language needs to be changed to allow for the current situation and future decisions about who should take on coroner responsibilities.

How should the charter language be changed? ☐ coroner shall be elected
☐ coroner shall be appointed ☐ take coroner language out completely

3. Currently, County Commissioners serve on a variety of state, regional, and local non-government organizations. If the work conflicts with the duties outlined in the charter for county commissioners, there could be cause for recusal. This could limit commissioners' ability to endorse policies that directly benefit organizations with which they are involved.

Should County Commissioners recuse themselves from participating in non-government organizations? ☐ yes ☐ no

4. Currently, there is no budget for conducting community outreach town halls by the charter review commission. It is the responsibility of the charter to work "within our means". The CRC has to go through a process to get legal counsel and create contracts with venues. Funds are often necessary to administer town halls.

Should a budget be allocated in the charter for conducting outreach and town halls? ☐ yes ☐ no

5. Currently, 3 out of 7 charter counties have an amendment that covers ethics. The Clallam County Charter does not specifically outline a code of ethics for elected officials.

Should the charter appoint an ethics board or commission? ☐yes ☐no
Should there be civil penalties included for those who violate the code of ethics?
☐yes ☐no

Currently, 3 out of 7 charter counties have a charter provision that covers ethics. Clallam County has a charter provision that requires the County Commissioners to adopt an ethics ordinance but does not specify any requirements of the ordinance. The ethics ordinance that does exist contains no penalties for a violation.

Should the charter create an ethics board or commission? ☐yes ☐no Should the charter mandate certain ethical standards? ☐yes ☐no Should the charter mandate civil penalties for violations of the code of ethics?

6. Currently the county commissioners have the ability to increase taxes by a vote of the BOCC and submit an increase proposal to the ballot. This has funding implications. Recommend removing, because they should keep these two options.

Should proposals for tax increases, whether it be property tax or sales tax, etc., be a ballot measure or by vote of the county commissioners? ☐ballot
☐county commissioners

I agree with 6 being removed. The issue is too complicated for a simple question like this, and is mostly mandated by state law.

7. The county often contracts with non-governmental organizations. These organizations are not always subject to the Public Records Act and obtaining information from them can be difficult.

Should the charter specify requirements for non-government organizations to be transparent with their fiscal reporting, and giving citizens unlimited access to their budget information related to their county contract? ☐yes ☐no

8. Clallam Director of the Department of Community Development (DCD) is currently an elected position, and it is the only elected DCD in the nation. Historically, this position has alternated between elected and appointed. At times, the election of a DCD director creates conflicts between the BOCC planning division and the office of Community Development.

Should the DCD be elected or appointed by the commissioners? ☐Appointed
☐Elected ☐no opinion

The Clallam Director of the Department of Community Development (DCD) has been an elected position since the charter first created this position, and it is the only elected DDCD in the nation. As such, the County Commissioner's control over the DCD is mostly legislative, rather than legislative and administrative.

Should the DCD be elected or appointed by the commissioners? ☐ **Appointed**
☐ **Elected** ☐ **no opinion**

9. Currently the county does not have a public defender's office.

Should the charter create a public defender's office? ☐ **yes** ☐ **no**

Currently the county contracts with a Non Governmental Organization to provide public defender services. Changing laws and court rules are requiring less of a disparity between deputy prosecuting attorneys' compensation and workloads and those of public defenders. Creating a public defender's office within county government could make this transition easier.

Should the charter create a public defender's office? ☐ **yes** ☐ **no**

10. There are multiple jurisdictions that are involved in county-wide and region-wide water management. These include Cities of Sequim and P.A., Clallam County Conservation District, PUD, the tribes, Dry Creek Water Association, Joyce Water Association, and various others.

Do you think the Charter should have language included to guide water management, such as a designated water steward? ☐ **yes** ☐ **no** **If so, should the position be appointed or elected?** ☐ **appointed** ☐ **elected**

There are multiple jurisdictions that are involved in county-wide water management. No one is currently proactively identifying county-wide concerns regarding water supplies, and reactive measures are more expensive to the county taxpayers. Available water resources information is inadequate and outdated.

Should the Charter create a Water Steward position to gather necessary information. It would not have regulatory or enforcement authority. It shall operate as an independent information gathering, analysis, and advisory office.

11. Clallam County currently elects three county commissioners by district.

Clallam County currently has three county commissioners. They are nominated by district and elected county wide.

How many county commissioners should Clallam County elect?
___3(currently) ___5

12. Currently, businesses who pay taxes are bidding against businesses who are not required to pay taxes when trying to win county contracts.
??

13. All other charter counties in our state meet every ten years. Clallam Charter Review Commission has met 7 times since 1976.

How frequently should the Charter Review Commission meet? ___5 years ___10 years

14. There is language in the charter as to how to fill a vacancy, but it could be clearer or more specific. There is a proposal to make it more specific.

Should the charter require that the vacancy on the Charter Review Commission automatically be filled by the person holding the next highest amount of votes in the same district, or as currently specified by the Charter Review Commission through an application process in the community? _____highest vote-getter _____application

15. Currently, hearing officers rotate between staff from jurisdictions, and only when necessary.

**Should the charter create an independent hearing officer position? _____yes
_____no If so, should this position be elected or appointed? _____appointed
_____elected**

16. Now called State Forest Transfer Program (Commissioner Stoffer and Commissioner Sarmiento and community member Mr. Ed Bowen)

***Jim will work on this before the next committee meeting.**

17.

Should the county be required to respond to the Bureau of Indian Affairs when land use changes affect county interests? _____yes _____no

18. Currently, the county does not provide for ranked choice voting options for elections. –
Leave as is

Should the charter allow or require the adoption of ranked choice voting options to the county? _____yes _____no

19. Government-to-Government Relationship Training is required for school board directors.
RCW 28a.343.100 – Government's training program

Should similar training be required for all other elected officials under the charter's authority? _____yes _____no

RCW 28A.343.100

Governance training program.

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(3) For purposes of this section, "cultural competency," "diversity," "equity," and "inclusion" have the same meaning as in RCW 28A.415.443.

20. Article VI of the Constitution of the State of Washington is entitled 'Elections and Elective Rights' – the laws of the state. It states that all elections shall be held at the precinct level, each prospective voter shall be vetted as a Qualified elector under Article VI, Section I of the State Constitution prior to the receipt of a ballot for any election, and that all ballots cast shall be hand counted, publicly viewable and subject to public verification.

Should the charter require all elected officials to be nominated and elected in the same manner, except when this conflicts with prior amendments to the charter?

____yes ____no

21. Should county meetings be held on sovereign land?

Minutes from Town Hall/Outreach Meeting 4/10/25

Submitted by Commissioner Holy on 4/11/25

Attendees: Commissioner Stoffer, Commissioner Holy, Commissioner Morris,
Commissioner Cameron, Commissioner Benedict (Guest)
Online: Jenn Puff and Bonnie Bliss-Boenish, Commissioner Richards

Call to Order – 2:30 pm

Review the agenda – Commissioner Stoffer

- 1) Look at survey questions
- 2) Prepare appropriate issues to make a motion on Monday
- 3) Morris – We should prioritize our top 10 issues first
- 4) Holy – Agreed, we should take commissioners' top 10 list and see how public input matches
- 5) Stoffer – Christy and I put together the questions, and then they went to all commissioners for their input, C. Benedict has been invited to this meeting to give comment. What can we move off this list to make a motion? We all took notes at each town hall, and we received a lot of feedback from public comment. We have enough input to go forward with the survey.
- 6) Morris – How is coroner language going to float in there?
- 7) Cameron – is going to give a petition with all the whereases to the commissioners. They will recommend pulling out the coroner language from the Charter. Most input agreed that it should be an appointed position, and this way, the commissioners would be expected to appoint a coroner. He will present at Monday's meeting.
- 8) Benedict – recommends the survey should remove references about coroner from the Charter, so BOCC can deal with this issue.
- 9) Holy – Can we pare down the list of questions to our top 10 priorities, including public input?
- 10) Morris – Can we get the priorities list first? Can Christy create a top 10 list?
- 11) Stoffer – Everyone has the questions doc. We can take questions and go down the list.
- 12) Cameron – Agreed – go down the list and go through the questions

Review of questions to see if they will stay on the survey, be removed, or be moved on as a motion to address.

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- #2- remove – Cameron will put forward on Monday
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public function. Debate ensued. Decided to leave as is for now and rewrite with Ron Richards' input.

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suggestion Richards

#18 – keep – use Morris's language – Should the Charter consider RCV

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Review of actions for Monday

1. At the April 14th meeting, Stoffer will brief everyone on the # of Townhalls, # of people that attended, and explain how we pared the list down to 7 questions
*Out of 21 questions, 7 were kept, 11 were removed because they were either not Charter-worthy, were not factually correct, or were too complicated to pare down to a single question

Of the remaining 3 questions, 1) Coroner will be addressed on Monday by Cameron, 2) DCD elected/appointed – removed and will be forwarded to commissioners to consider for the ballot, 3) the question about non-government organizations – shall be forwarded to the BOCC

Other Public Input that is not represented here?

1. Holy – Recommend to the BOCC that the public would like to participate in recurring Town Halls with commissioners
2. All – How do we get the message out that folks do not know who to call? Or do not understand the different jurisdictions handling things.

Work on remaining 7 questions

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#5 – Cameron and Morris changed language

#7 – more discussion – do not know how we can word the question

Action – Morris moved to remove this question from the survey and forward to the BOCC. Holy seconded. Motion carried.

Actions going forward

1. Holy will forward the MS Word doc with the 7 questions and rewrites that Morris and Cameron made to Morris
2. Stoffer – will prep for Monday's meeting – review the stats, make a motion to place 1 on the ballot, 2nd motion to go to the BOCC for action, get approval on all survey questions
3. Distribution – Per Morris, we need to produce our distribution plan – survey monkey, get paper copies to libraries and other venues
4. Schedule a Forks Town Hall – Holy will follow up

Adjournment – 5:03 pm

Gores, Loni

From: Gores, Loni
Sent: Monday, April 14, 2025 7:23 AM
To: Benedict, Bill; Boughton, Dee; Cameron, Ron; Fane, Alex; Fisch, Susan; Fleck, Rod; Hodgson, Mark; Holy, Christy; Morris, Patti; Noble, Chris; Pickett, Paul; Richards, Ron; Sarmiento, Nina; Stoffer, Jim; Tozzer, Jeff; Walde, Cathy
Cc: Gores, Loni
Subject: 4/3/25 Bylaws Committee Notes
Attachments: By-Law Committee Meeting Report - 4.3.25.docx

Forwarding as an FYI only – Bylaws Committee Notes from 4/3/25

“My email address has changed! The new format is Loni.Gores@clallamcountywa.gov Please update my contact card as your earliest convenience, Thank you!”

*Loni Gores
Clerk of the Board
Commissioners Office
223 East 4th Street, Suite 4
Port Angeles, WA 98362
Phone: 360-417-2256*

By-Laws Committee Report – Meeting Thursday, April 3, 2025 at 4 pm – Submitted by Commissioner Christy Holy

The By-Laws Committee met at 4 pm on Thursday, April 3rd, 2025 in the BOCC Room 160.

Attendees: Commissioner Susan Fisch, Commissioner Chris Noble, Commissioner Christy Holy, Commissioner Jeff Tozzer

There were also multiple members of the public in attendance, both in the room and online.

Commissioner Chris Noble suggested that our first order of business should be to elect a chair, since our previous chair, Commissioner Pickett had requested to leave the committee at our last commission meeting. Commissioner Holy volunteered to chair, and the committee voted her in.

Due to the fact that we had not previously had a chair, no agenda was created prior to the meeting, although the four commissioners had been communicating via email regarding requested agenda items.

Commissioner Holy put forward a verbal agenda, which included:

- 1) The Task – A majority of commissioners on the CRC voted at the last commissioner's meeting to reconvene the by-laws committee in order to create a by-law or rule that would help create an environment where those making public comment would feel safe from being publicly targeted by any of the Charter Review Commissioners. This occurred after one public commenter found herself the target of online attacks after speaking at a commissioner's meeting.
- 2) Each person on the committee would get a chance to suggest by-law changes
- 3) Discussion about Commissioner Tozzer's request to review Mr. Worthington's request to add something to the by-laws disallowing CRC commissioners from swearing an oath to any NGO, creating a dual-allegiance to the commission and the NGO
- 4) Public Comment

All four commissioners agreed to the agenda, and Commissioner Tozzer suggested that we have two public comment periods, as we do in regular commission meetings. All agreed.

Commissioner Holy opened the floor for Public Comment on the Agenda.

Public Comment

-Point No Point Treaty of 1855 - oath does not acknowledge that we have a treaty

-bylaws and charter language should be changed if there is a conflict of interest with an oath sworn to an NGO

- Johnston is a public figure, and people should be able to edit her info any way they want

- there is no agenda posted for this meeting

-there was a quick escalation of this matter

-elected officials should operate with a different standard of showing respect

Business - Commissioner Holy opened the floor for comments from each commissioner regarding their suggested By-Law Changes.

1. Chair Fisch - My suggestions are:

- a. Commissioners must identify when they are speaking on behalf of themselves. Our by-laws currently have rules about public statements made on behalf of the commission. This is not a First Amendment issue.
- b. If a Commissioner responds to a statement made by the public, they should refrain from identifying or personally attacking the person making the comment. This is not a First Amendment issue.
- c. Commissioners should understand that attacks on citizens making comments or suggestions to the Commission create a "chilling" effect on citizens. This is not a First Amendment issue for the Commission but it is for the citizens of our community as it seeks to protect their First Amendment rights..
- d. Understanding by Commissioners that our county emails are the property of the county and that there are rules related to how county resources can be used.

2. Commissioner Tozzer –

- a. Requested that Dee Boughton be contacted regarding his concerns that the 1st Amendment was being violated
- b. Called for evidence to be submitted that he had done something wrong
- c. Asked what kind of penalty was being assessed
- d. Discussed that Substack is a way that people get their news, so he is a reporter, and he should be able to say or print whatever he wants
- e. Referred to Robert's Rules of Order

3. Commissioner Holy

- a. Reiterated that there was no need to review evidence, because Commissioner Tozzer was not being charged with anything and that our task was to try and create bylaws that encourage a code of conduct that will encourage public comment, rather than creating a hostile environment

4. Commissioner Noble

- a. Made a motion

Action – To encourage the public to provide comments, when speaking publicly, the CRC Commissioners shall refrain from referring to the commenters by name. Chair Fisch seconded.

Discussion ensued. Discussion closed. Discussion reopened. Commissioner Holy called for a vote. Commissioners Fisch, Noble, and Holy voted to approve the motion. Commissioner Tozzer opposed the motion. Commissioner Holy will request that the recommendation of the committee be added to the agenda of the April 14th meeting for the review of the full commission. Commissioner Tozzer also requested that the bylaw change be sent to Dee Boughton, because he was concerned that it violates the first amendment. Chair Fisch said she would send the completed wording to Dee Boughton for his review.

The motion carried.

5. Commissioner Tozzer

- a. Requested that we review John Worthington's agenda item
- b. John Worthington was asked to come up and discuss his item – he did
- c. Made a motion

Action – CRC Commissioners should refrain from swearing an oath to a non-governmental organization, as it creates a dual allegiance to the commission and the organization

There was no second. The motion failed.

Public Comment Period

- Ethics laws/ ethics for commissioners
- Governing ourselves on the commission
- Provide public disclosures of any affiliations, once you are elected, you should have to disclose and put on public record
- Someone's feelings masquerading as law -truth suppression, censorship

Adjournment

*Note – the meeting took two hours. There was a lot of public comment, and commenters were not timed.

Going Forward

After the meeting, Chair Fisch sent the following wording to Dee Boughton to review, based on the committee's consensus:

A.7 To encourage the public to provide public comments to the Charter Review Commission, when making public statements, commissioners should refrain from identifying public commenters.

A.7 To encourage the public to provide public comments to the Charter Review Commission, when making public statements, commissioners are encouraged to refrain from identifying public commenters.

These changes would be in addition to our rules, and there is no enforcement mechanism. Chair Fisch asked him to answer the question – “Does this violate the first amendment?”

Commissioner Holy will send this report to the executive committee to add an item to the agenda for the April 14th meeting.

Gores, Loni

From: Pickett, Paul
Sent: Saturday, April 12, 2025 4:23 PM
To: Stoffer, Jim
Cc: Sarmiento, Nina; Holy, Christy; Richards, Ron; Gores, Loni
Subject: Re: Outreach Committee Questions

Allow me to clarify: although I am speaking as Committee Chair, I am not speaking for the Committee as a whole. We've had not meeting to agree on the wording of the question.

Paul

Charter Review Commissioner, District 2

From: Pickett, Paul <paul.pickett@clallamcountywa.gov>
Sent: Saturday, April 12, 2025 10:51 AM
To: Stoffer, Jim <jim.stoffer@clallamcountywa.gov>
Cc: Sarmiento, Nina <Nina.Sarmiento@clallamcountywa.gov>; Holy, Christy <christy.holy@clallamcountywa.gov>; Richards, Ron <ron.richards@clallamcountywa.gov>; Gores, Loni <loni.gores@clallamcountywa.gov>
Subject: Re: Outreach Committee Questions

Jim,

As Water Committee Chair, I would like you to use the attached version of the water steward question for the survey.

Loni, please cc the entire Commission.

Paul
Charter Review Commissioner, District 2

From: Gores, Loni <loni.gores@clallamcountywa.gov>
Sent: Friday, April 11, 2025 2:47 PM
To: Benedict, Bill <bill.benedict@clallamcountywa.gov>; Boughton, Dee <dee.boughton@clallamcountywa.gov>; Cameron, Ron <ron.cameron@clallamcountywa.gov>; Fane, Alex <alex.fane@clallamcountywa.gov>; Fisch, Susan <susan.fisch@clallamcountywa.gov>; Fleck, Rod <rod.fleck@clallamcountywa.gov>; Hodgson, Mark <mark.hodgson@clallamcountywa.gov>; Holy, Christy <christy.holy@clallamcountywa.gov>; Morris, Patti <patti.morris@clallamcountywa.gov>; Noble, Chris <chris.noble@clallamcountywa.gov>; Pickett, Paul <paul.pickett@clallamcountywa.gov>; Richards, Ron <ron.richards@clallamcountywa.gov>; Sarmiento, Nina <Nina.Sarmiento@clallamcountywa.gov>; Stoffer, Jim <jim.stoffer@clallamcountywa.gov>; Tozzer, Jeff <jeff.tozzer@clallamcountywa.gov>; Walde, Cathy <cathy.walde@clallamcountywa.gov>
Cc: Gores, Loni <loni.gores@clallamcountywa.gov>
Subject: FW: Outreach Committee Questions

Forwarding as an FYI only from the Outreach Town Hall Meeting.

"My email address has changed! The new format is Loni.Gores@clallamcountywa.gov Please update my contact card as your earliest convenience, Thank you!"

*Loni Gores
Clerk of the Board
Commissioners Office
223 East 4th Street, Suite 4
Port Angeles, WA 98362
Phone: 360-417-2256*

From: Richards, Ron <ron.richards@clallamcountywa.gov>
Sent: Thursday, April 10, 2025 2:14 PM
To: Gores, Loni <loni.gores@clallamcountywa.gov>
Subject: Outreach Committee Questions

Loni,

Attached are my suggested changes to the last draft of questionnaire questions.

Ron

10. There are multiple jurisdictions that are involved in county-wide and region-wide water management. These include: the Tribes; Cities of Sequim and P.A.; Clallam County Conservation District; water utilities such as Clallam PUD, Dry Creek Water Association, Joyce Water Association, and others; and the State Departments of Ecology, Health, and Fish and Wildlife. There is currently no specific entity proactively identifying county-wide concerns regarding water supplies, and reactive measures are more expensive to the county taxpayers. Available water resources information is inadequate and often absent or outdated.

Do you think the Charter should have language included to guide water management, such as a designated water steward? The goal is to independently gather, analyze, share, and coordinate necessary information; advise other county offices and water-related organizations throughout the county; but not exercise regulatory or enforcement authority.

_____yes _____no

Gores, Loni

From: marolee diane smith <maroleedsmith@gmail.com>
Sent: Sunday, April 13, 2025 12:42 PM
To: Gores, Loni
Subject: Comments regarding Ethics for Charter Review
Attachments: ethics omnsbuds and coroner.docx

<https://clallam.county.codes/CCC/3.01.030>

3.01.030 Code of ethics.

- (1) No public official or public employee shall, except for compensation as provided by law, use his office or any confidential information received thereby for commercial purposes, financial gain, or future employment, for himself, a member of his immediate family, or business with which he is associated.
- (2) No person shall offer or give to a public official or public employee or candidate for public office, or members of his immediate family or business with which he is associated, and no public official or public employee or candidate for public office shall solicit or accept anything of value, including a gift, loan, political contribution, award, or promise of future employment or personal benefit based on any agreement that the vote or official action of the public official or public employee or candidate for public office would be determined thereby.
- (3) No elected official shall solicit any political contribution from any public official or public employee. No elected official shall accept any political contribution greater than \$50 from any public official or public employee; provided, that this subsection shall not apply to contributions by County employees to elected officials when the County employee is a member of the immediate family of the elected official.
- (4) No public official or public employee shall use his official influence to assist any person for compensation, other than compensation as provided by law, before a governmental body.
- (5) No public official or public employee shall render or agree to render any personal, nonofficial services, in connection with the acquisition by any governmental body of an interest in real or personal property.
- (6) No public official or public employee shall share in the compensation received by another as a result of assisting in a transaction with the public official or public employee would be prohibited from rendering under this section.

(it goes on with paragraphs 7-9)

(10) No public official or public employee shall intentionally engage in any act in addition to those listed above, which is in conflict with the performance of his official duties.

(11) All public officials and public employees shall bring personal knowledge of any violation of this code of ethics to the attention of the department head, or the Prosecuting Attorney, or the Board of County Commissioners, within 10 days of acquiring such knowledge. Reports of violations shall remain confidential unless the testimony of the person reporting the violation is required in any enforcement action brought under this chapter.

Which means: The only persons who can bring "*personal knowledge of any violation*" are people who work within the government, namely "*public officials and public employees*". It is time limited "*within 10 days of acquiring such knowledge*". And, any such reports of violations will be confidential, not subject to public disclosure.

(12) All public officials and public employees may request from the Prosecuting Attorney, and the Prosecuting Attorney may issue a legal opinion on the application of this chapter whenever such application is uncertain.

NOTE: Legal definition of the word "MAY". The word "may" is **an expression of possibility, a permissive choice to act or not, and ordinarily implies some degree of discretion**. This contrasts with the word "shall" which is generally used to indicate a mandatory provision. Meaning, there is nothing in this ethics code that requires any action. Plus, it cannot be lodged by any member of the community.

The Prosecuting Attorney is the only arbiter of this – one person decision.

We have no board of ethics.

King County has an excellent code of ethics:

https://aqua.kingcounty.gov/council/clerk/code/06_Title_3.htm

Ombuds/ombudsmen:

King County has an office of ombuds – which is a general government entity. King County's office was created by the voters in the Home Rule Charter of 1968. It operates as an independent office within the legislation branch of King County government. The Office investigates complaints regarding the administrative conduct of King County agencies, and alleged violations of county codes dealing with employee ethics, whistleblower protection, and lobbyist disclosure. The Ombudsman is appointed to a renewable five-year term by the King County Council and is removable mid-term only for cause.

An ombuds is a neutral, confidential resource within an organization of institution who helps individuals resolve concerns and conflicts. They act as a third-party advocate, assisting in informal resolution and ensuring a fair and equitable process. The word "ombudsman" comes from the Swedish word "umbudsman," meaning "representative" or "proxy". It is a government employee who investigates and

tries to resolve complaints through recommendations (binding or not) or mediation, with a significant degree of independence. It is a citizen advocate. Two counties have an Office of the Ombuds: King and Snohomish. Five states have ombudsman offices (Hawaii, Nebraska, Alaska, Iowa and Nebraska) and their job is to receive complaints from the public and from persons working in government; to investigate; and where appropriate to negotiate remedial action with the agencies involved. A secondary duty is to answer questions and assist people with problems relating to government.

FURTHER

The county code should require that all townships within the county enact identical ethics code and ethics board.

Recommendation:

OMBUDSMAN/Coroner

Make the Coroner include the duties and responsibilities of an Ombudsman, independent from the Prosecutor's office. It should be under the auspices of the County Sheriff's Offices. This position should include membership in the USOA (United States Ombudsman Association)

<https://www.usombudsman.org/>

This ombudsman can be accessed by every voter in Clallam County.

A BOARD of ETHICS

A Board of Ethics, composed of five members, two appointed by the county executive, two appointed from a list of volunteers, and the fifth, the chair, to be appointed from a pool of ex-judges. The Board will only meet, as necessary, as deemed by the ombudsman. The purpose of the Board of Ethics shall be to ensure proper implementation and interpretation of the code of ethics.

I propose that we use the King County Code of Ethics (link provided above) as a guide.

Further Information:

(source MRSC)

Snohomish County

<https://snohomish.county.codes/SCC/2.50>

Concrete Town Meeting Code of Ethics...

<https://www.codepublishing.com/WA/Concrete/html/Concrete02/Concrete0256.html>

Cities of 10,000 to 50,000 Population

[Bainbridge Island Code of Ethics](#) (2022)

[Ferndale City Council Rules of Procedure and Ethics Handbook](#) (2024)

[Grandview Municipal Code Ch. 2.90](#) – Applies to all elected and appointed officials and city employees.

[Edmonds Municipal Code Ch. 3.70](#) – Provides discussion of conflicts of interest, including detailed section on conduct after leaving office.

[Lynnwood Municipal Code Ch. 2.94](#)

SeaTac Municipal Code

[Ch. 2.90](#) (elected officials)

[Ch. 2.91](#) (employees)

[Ch. 2.92](#) (boards, committees, and commissions)

[Snoqualmie Municipal Code Ch. 2.80](#)

[Tumwater Personnel & Operating Policies](#) – See Section 8, Ethics Whistle Blower, under Personnel Policies.

Gores, Loni

From: Stoffer, Jim
Sent: Monday, April 14, 2025 9:31 AM
To: Gores, Loni
Cc: Stoffer, Jim; Fisch, Susan
Subject: Outreach Townhall Committee Work Items
Attachments: Minutes from Town Hall committee meeting - 4.10.25.docx; Survey Questionnaire 4.11.25.docx; Priorities Totals.xlsx; Minutes from Town Hall committee meeting - 2.7.25.docx; CRC Outreach Committee Meeting Notes.docx

Good morning Loni,

Items from the Outreach Townhall Committee. Please distribute to the CRC, thank you.

Best!

Jim

Commissioner Stoffer
Clallam County Charter Review
Jim.stoffer@clallamcountywa.gov
360.775.9356

Minutes from Town Hall/Outreach Meeting 4/10/25

Submitted by Commissioner Holy on 4/11/25

Attendees: Commissioner Stoffer, Commissioner Holy, Commissioner Morris,
Commissioner Cameron, Commissioner Benedict (Guest)
Online: Jenn Puff and Bonnie Bliss-Boenish, Commissioner Richards

Call to Order – 2:30 pm

Review the agenda – Commissioner Stoffer

- 1) Look at survey questions
- 2) Prepare appropriate issues to make a motion on Monday
- 3) Morris – We should prioritize our top 10 issues first
- 4) Holy – Agreed, we should take commissioners' top 10 list and see how public input matches
- 5) Stoffer – Christy and I put together the questions, and then they went to all commissioners for their input, C. Benedict has been invited to this meeting to give comment. What can we move off this list to make a motion? We all took notes at each town hall, and we received a lot of feedback from public comment. We have enough input to go forward with the survey.
- 6) Morris – How is coroner language going to float in there?
- 7) Cameron – is going to give a petition with all the whereases to the commissioners. They will recommend pulling out the coroner language from the Charter. Most input agreed that it should be an appointed position, and this way, the commissioners would be expected to appoint a coroner. He will present at Monday's meeting.
- 8) Benedict – recommends the survey should remove references about coroner from the Charter, so BOCC can deal with this issue.
- 9) Holy – Can we pare down the list of questions to our top 10 priorities, including public input?
- 10) Morris – Can we get the priorities list first? Can Christy create a top 10 list?
- 11) Stoffer – Everyone has the questions doc. We can take questions and go down the list.
- 12) Cameron – Agreed – go down the list and go through the questions

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3. Distribution – Per Morris, we need to produce our distribution plan – survey monkey, get paper copies to libraries and other venues
4. Schedule a Forks Town Hall – Holy will follow up

Adjournment – 5:03 pm

Public Survey Questions – Charter Review Commission - 2025

1. County Commissioners are currently nominated by district and elected county-wide.

**How should County Commissioners be elected? ____ by the district you live in?
____ countywide?**

2. Currently, County Commissioners serve on a variety of state, regional, and local non-government organizations. If the work conflicts with the duties outlined in the charter for county commissioners, there could be cause for recusal. This could limit commissioners' ability to endorse policies that directly benefit organizations with which they are involved.

Should County Commissioners recuse themselves from participating in non-government organizations?

____yes ____no

3. Clallam County has a charter provision that requires the County Commissioners to adopt an ethics ordinance, but does not specify any requirements of the ordinance. The ethics ordinance that does exist contains no penalties for a violation.

Should the charter create an ethics board or commission? ____yes ____no Should the charter mandate certain ethical standards? ____yes ____no Should the charter mandate civil penalties for violations of the code of ethics? ____yes ____no

4. There are multiple jurisdictions that are involved in county-wide water management. No one is currently proactively identifying county-wide concerns regarding water supplies, and reactive measures are more expensive to the county taxpayers. Available water resources information is inadequate and outdated.

Should the Charter create a Water Steward position to gather necessary information? It would not have regulatory or enforcement authority. It shall operate as an independent information gathering, analysis, and advisory office.

____yes ____no

5. Clallam County currently has three county commissioners. They are nominated by district and elected county-wide.

How many county commissioners should Clallam County elect? ____3 ____5

6. All other charter counties in our state meet every ten years. Currently, the Clallam Charter Review Commission meets every 5 years.

How frequently should the Charter Review Commission meet? ____3 years ____5 years ____10 years

7. Currently, the county does not provide for ranked choice voting options for elections.

Should the charter consider the adoption of ranked choice voting options to the county? ____yes ____no

	Commissioners	Written Public Comment
Coroner	14	
Ethics Board and Commissions	9	
Elected/Appointed Positions Oversight/Over	7	
Govt to Govt Relations and Training	7	
District Based Elections	6	
DCD Elected or Appointed	6	
Charter Ambiguities	6	
County Clerk Enumerated Responsibilities	5	
Public Defender's Office	5	
Environmental Steward	5	
CRC Term	5	
Rank Choice Voting	5	
Transparent BOCC & Public Engagement	4	
Trust Land Transfer Program	4	
Townhalls Budget	3	
Number of Commissioner	3	
Fair Bidding	3	
Elected Officials & CRC Vacancy Language	3	
Independent Hearing Officer	3	
Recusal Issues	2	
Transparency w/ Non-Governmental Orgs	2	
General Fund Reserve Minimum	2	
Voter approved tax increases or no prop tax increases	2	
Lower Permit Costs for Property, Business & Owners	0	
Revise Procedures for amending charter	0	

Town Hall Public Comment

D3 D1 D2 D3

Gores, Loni

From: Patrice Johnston <patricejohnston1953@gmail.com>
Sent: Monday, April 14, 2025 10:59 AM
To: Gores, Loni
Subject: Clallam County Charter Review Commission

Hi Ms. Gores,

Please copy and send this to the commissioners at your convenience. Thank you.

I am writing regarding amending the CRC's bylaws to address commissioners personally identifying people who make public comment to the commission in social media posts.

As a brief reminder, this matter arose as a result of a public comment I made at the commission's meeting on March 10, 2025. I commented on three issues that had been discussed during the meeting, the last being the request of some citizens that the commission suggest a change to the charter prohibiting county officials from attending meetings on tribal land. I noted that OPMA requirements applied to people, not locations, and that there was no reason to make such a change to the charter.

The next day, March 11, I received an email from Commissioner Tozzer explaining his reasons for supporting the prohibition. I responded on March 14, with a point-by-point explanation of my views. On the evening of March 21, Commissioner Tozzer responded to my email, and the next morning I found myself featured in his blog, Clallam County Watchdog, which requires you to join in order to comment on its content. He misrepresented the contents of my email. He posted the page from the 2021 voters guide with my picture on it. He posted his March 21 email, to which I had not had a chance to respond. As a result of this posting I was personally attacked by a number of his blog followers.

On March 24, I attended the CRC meeting to address my concerns about this conduct. In meetings where public comment is allowed, government officials do not interact with commenters because the purpose is to hear from the public, not to engage in dialog. Please see this article which discusses this in more detail.

<https://mrsc.org/stay-informed/mrsc-insight/november-2023/don-t-get-into-back-and-forth-exchanges>

A commissioner should not be allowed to do outside the room what he cannot do inside the room. By singling me out in his blog, Mr. Tozzer created a chilling effect on others who might want to provide public comment to this body. Who wants to provide public comment on an issue of concern if the result is that a member of the public body you address will feature you in his online blog and subject you to attacks from members of his online community?

Mr. Tozzer and some of his supporters claim that changing the bylaws to limit commissioners' ability to call out individual commenters on social media violates their First Amendment rights. First Amendment rights, however, are not absolute. As a former judge, for example, Commissioner Fisch knows that a judge does not have a First Amendment right to publish his or her views about a case during the middle of a trial. To do so would compromise the judge's role as a neutral arbiter. Similarly here, when a

commissioner targets individuals who make public comment, it compromises his job of objectively receiving public comment.

There is an easy way for a commissioner to avoid the restriction proposed in the by-laws change - step down from your role as commissioner. If you want to be able to freely go after people making public comment, change seats and sit in the gallery with the other journalists. Actual journalists know that it is completely inappropriate for someone who claims to be a journalist to also seek or serve in elected office.

"No staff member may seek public office anywhere. Seeking or serving in public office plainly violates the professional detachment expected of a journalist. Similarly, staff members may not serve on government boards or commissions, paid or unpaid."

NY Times Editorial Standards, sec. 5.

Thank you for taking the time to consider this important issue.

Sincerely,

Patrice Johnston

Gores, Loni

From: Aaron Terr <aaron.terr@thefire.org>
Sent: Monday, April 14, 2025 1:56 PM
To: Gores, Loni
Subject: Letter from the Foundation for Individual Rights and Expression, April 14, 2025
Attachments: FIRE Letter to Clallam County Charter Review Commission, April 14, 2025.pdf

You don't often get email from aaron.terr@thefire.org. [Learn why this is important](#)

Dear Clallam County Charter Review Commission:

Please see the attached letter from the Foundation for Individual Rights and Expression (FIRE), concerning an item on the Commission's agenda for tonight's meeting. A copy of this letter was sent via U.S. Mail today.

Sincerely,

Aaron Terr
Director of Public Advocacy
Foundation for Individual Rights and Expression (FIRE)
510 Walnut Street | Suite 900 | Philadelphia, PA 19106
(215) 717-3473
[@aaronterr1](#)

Admitted to practice law in Pennsylvania and New York.

Free speech makes free people. Support free expression with a gift at thefire.org/donate.



April 14, 2025

Charter Review Commission
Clallam County
223 East 4th Street
Port Angeles, Washington 98362

Sent via U.S. Mail and Electronic Mail (loni.gores@clallamcountywa.gov)

Dear Commissioners:

The Foundation for Individual Rights and Expression (FIRE) urges the Clallam County Charter Review Commission (CRC) to reject a proposal that would bar commissioners—even when speaking in their personal capacities—from identifying individuals who made public comments at CRC meetings. As a nonpartisan nonprofit that defends free speech nationwide, FIRE is committed to ensuring local governments comply with their First Amendment obligations. The proposal under consideration would violate well-established First Amendment principles by restricting speech on public issues and publication of lawfully obtained information.

Our concerns arise from events beginning at the CRC's March 10, 2025, meeting.¹ Commissioner Jeff Tozzer raised concerns that holding government meetings on land under tribal jurisdiction could affect the application of transparency laws. During public comment, Clallam County resident and Sequim School Board member Patrice Johnston countered that transparency requirements apply regardless of meeting location and cautioned against suggesting that conducting government business on tribal lands is improper. After the meeting, Tozzer thanked Johnston for her comments and, at his request, she shared her email so he could follow up. They exchanged emails disputing each other's views, which Tozzer later published on his personal Substack newsletter, *Clallam County Watchdog*.²

During public comment at the CRC's March 24 meeting, Johnston accused Tozzer of misrepresenting their exchange by displaying her email as a single, continuous response,

¹ *Charter Review Commission Meeting - March 10, 2025*, CLALLAM CNTY., WASH., <https://clallamcowa.portal.civicclerk.com/event/3096/media>. The factual recitation in this letter reflects our understanding of the pertinent facts, but we invite you to share any additional information.

² *Balancing transparency and sovereignty*, CLALLAM CNTY. WATCHDOG (Mar. 22, 2025), <https://www.ccwatchdog.com/p/balancing-transparency-and-sovereignty>.

rather than interlineated replies to his original message.³ She also criticized Tozzer for including a copy of her page from a voters' pamphlet for the 2021 Sequim School Board election, and for making a "baseless accusation" about the board's lack of transparency without giving her a chance to respond before publishing it. Johnston also read aloud several comments posted under Tozzer's Substack entry that criticized her. She then urged the Commission to "adopt a rule that prohibits any commissioner from using social media or other channels to harass individuals who offer public comment and/or engage in email exchanges about issues."

Later in the meeting, the CRC moved to reconvene its Bylaws Committee to consider an amendment prohibiting commissioners, when speaking publicly, from identifying individuals who have made public comments at CRC meetings. At its April 3 meeting, the Committee approved a motion to amend the bylaws to add the following language: "To encourage the public to provide comments to the charter review commission, when making public statements (orally, in print publications, or electronically), commissioners shall refrain from identifying public commenters by name, appearance, address, employer, occupation, or affiliation with any organization." The Commission is slated to consider the proposed amendment at its meeting today.

The proposed amendment would violate the First Amendment by restricting commissioners from discussing public issues using publicly available information—even when speaking in their personal capacities and not on behalf of the Commission.

Government officials "have the right to speak about public affairs in their personal capacities."⁴ The Supreme Court has rejected the idea that the First Amendment's "policy of encouraging free debate" applies only to the "citizen-critic of his government" and not to their elected representatives.⁵ To the contrary, the "role that elected officials play in our society makes it all the more imperative that they be allowed to freely express themselves on matters of current public importance."⁶ As the Court explained:

The interest of the public in hearing all sides of a public issue is hardly advanced by extending more protection to citizen-critics than to legislators. Legislators have an obligation to take positions on controversial political questions so that their constituents can be fully informed by them, and be better able to assess their qualifications for office; also so they may be represented in

³ *Charter Review Commission Meeting - March 24, 2025*, CLALLAM CNTY., WASH., <https://clallamcowa.portal.civicclerk.com/event/3097/media>.

⁴ *Lindke v. Freed*, 601 U.S. 187, 203 (2024).

⁵ *Bond v. Floyd*, 385 U.S. 116, 136 (1966) (state legislature's refusal to seat newly elected member because of his opposition to Vietnam War violated First Amendment).

⁶ *Wood v. Georgia*, 370 U.S. 375, 394–95 (1962) (reversing sheriff's contempt conviction for statement criticizing county judge's charge to grand jury).

governmental debates by the person they have elected to represent them.⁷

The First Amendment also protects the right to publish lawfully obtained information on matters of public significance,⁸ as the “free flow of ideas and opinions on matters of public interest and concern” is “[a]t the heart of the First Amendment.”⁹ Government officials may not restrict this right “absent a need to further a state interest of the highest order.”¹⁰

The Supreme Court has invalidated restrictions more narrowly drawn and aimed at far more sensitive information than the CRC’s proposal—including restrictions on publishing the names of rape victims¹¹ and minors charged with crimes.¹² If the government cannot censor speech to protect those privacy interests, it certainly cannot prohibit individuals from identifying public commenters in the course of public debate.

The CRC’s proposed rule, which extends to speech by commissioners in their personal capacities, would violate these settled constitutional principles. The CRC may have discretion to regulate commissioners’ speech during its meetings, such as setting rules of order or limiting interaction with public commenters. But when commissioners speak outside their official roles—such as on a personal newsletter—the First Amendment protects their right to comment on matters of public concern using publicly available information, just as it does for any other citizen.

Comments made during public government meetings are, by definition, public information and matters of public interest.¹³ The identities of those making the comments are generally public as well, either because the speakers identify themselves or because their names are readily matched to their appearance through other publicly available information. The CRC cannot constitutionally restrict commissioners from referring to those names when commenting, in their personal capacities, on matters of public concern. To receive First Amendment protection, it is enough that the speech “generally, as opposed to the specific identity contained within it,” addresses a matter of public significance.¹⁴

⁷ 385 U.S. at 136–37.

⁸ *Bartnicki v. Vopper*, 532 U.S. 514, 527–28 (2001).

⁹ *Hustler Magazine, Inc. v. Falwell*, 485 U.S. 46, 50 (1988); accord *Citizens United v. Fed. Election Comm’n*, 558 U.S. 310, 339 (2010) (“The right of citizens to inquire, to hear, to speak, and to use information to reach consensus is a precondition to enlightened self-government and a necessary means to protect it.”).

¹⁰ *Smith v. Daily Mail Pub. Co.*, 443 U.S. 97, 103 (1979).

¹¹ *Fla. Star v. B. J. F.*, 491 U.S. 524 (1989); *Cox Broad. Corp. v. Cohn*, 420 U.S. 469 (1975).

¹² *Smith*, 443 U.S. at 105–06.

¹³ *Snyder v. Phelps*, 562 U.S. 443, 453 (2011) (“Speech deals with matters of public concern when it can be fairly considered as relating to any matter of political, social, or other concern to the community, or when it is a subject of legitimate news interest; that is, a subject of general interest and of value and concern to the public.”) (cleaned up).

¹⁴ *Fla. Star*, 491 U.S. at 536–37.

Moreover, the public has an interest in who said what on issues of public concern. A speaker's identity—whether they are, for example, a subject-matter expert, a government employee, or someone with a personal or financial stake in the matter—may affect how their comment is received. While the First Amendment generally bars the government from forcing anonymous speakers to reveal their identities,¹⁵ it also protects the right of individuals—including officials speaking in their personal capacities—to refer to a speaker's identity, especially if it is already public.

The First Amendment protects Tozzer's Substack post, which he published in his personal capacity, not on behalf of the CRC. The post plainly addressed matters of public concern, including government transparency and the propriety of holding public meetings on tribal lands. Johnston's comments about this issue were themselves a matter of public concern—speech to which others were free to respond.

Citizens who speak out on public matters invite scrutiny and cannot rely on the government to restrict others' speech in response. That is especially true where, as here, the speaker is herself a public official. Tozzer's commentary included criticism of Johnston in her role as a school board member. His right to identify Johnston and comment on her public role is not diminished by her decision to speak at a Commission meeting; it is affirmed by it. As the Supreme Court has warned, "[c]riticism of those responsible for government operations must be free, lest criticism of government itself be penalized."¹⁶ That the CRC's proposed policy is a direct response to core political speech only compounds the constitutional harm.

While the stated intent of the proposal is to encourage public participation, the Commission "may not restrict the speech of some elements of our society in order to enhance the relative voice of others."¹⁷ Any mention of a commenter's name—not just by commissioners; but by any person with a public platform—could lead to criticism or hostile reactions. But it is not the government's role to manage the tone of public discourse or insulate speakers from criticism.¹⁸

¹⁵ *McIntyre v. Ohio Elections Comm'n*, 514 U.S. 334 (1995).

¹⁶ *Rosenblatt v. Baer*; *N.Y. Times Co. v. Sullivan*, 376 U.S. 254, 270 (1964) (The First Amendment reflects "a profound national commitment to the principle that debate on public issues should be uninhibited, robust, and wide-open, and . . . may well include vehement, caustic, and sometimes unpleasantly sharp attacks on government and public officials.").

¹⁷ *Moody v. NetChoice, LLC*, 603 U.S. 707, 742 (2024) (cleaned up). "On the spectrum of dangers to free expression, there are few greater than allowing the government to change the speech of private actors in order to achieve its own conception of speech nirvana." *Id.* at 741–42.

¹⁸ There also is no credible argument that Tozzer's Substack post, or the negative comments under it about Johnston, constitutes unlawful harassment or falls within any of the narrow, well-defined First Amendment exceptions. Criticism, even if pointed or unpleasant, is not harassment. *See Snyder*, 562 U.S. at 448 ("As a Nation we have chosen . . . to protect even hurtful speech on public issues to ensure that we do not stifle public debate.").

The CRC has constitutionally sound ways to encourage public participation, such as making clear that commenters are not required to provide their names or other identifying information.¹⁹ But it cannot resort to censorship.

Based on the foregoing, FIRE calls on the CRC to reject any proposal that would prohibit commissioners speaking in their personal capacities from identifying public commenters.

Sincerely,

A handwritten signature in blue ink, appearing to read 'A. Terr', with a long horizontal stroke extending to the right.

Aaron Terr
Director of Public Advocacy

¹⁹ Our understanding is that while the CRC asks commenters to state their name, those who decline are still permitted to speak.

From: noreply@civicplus.com
Sent: Monday, April 14, 2025 4:07 PM
To: Gores, Loni
Subject: Online Form Submission #7037 for Contact the Clerk of the Board

Contact the Clerk of the Board

First Name	Trisha
Last Name	Lovgren
Email	trishamafia@hotmail.com
Phone	360-229-6453
Subject	CRC free speech infringement
Comments	I urge the Clallam County Charter Review Commission to vote down the ridiculous and clearly unconstitutional bylaw amendment that would remove the 1st amendment rights of charter commission members. It is wholly un American and will never hold up in court. It is embarrassing that the amendment was even seriously considered at all.

Please Note

This form is not for emergencies. If you have an emergency, please phone 911.

Email not displaying correctly? [View it in your browser.](#)

Gores, Loni

From: Kathy <whiskkerz@yahoo.com>
Sent: Monday, April 14, 2025 5:03 PM
To: Gores, Loni
Subject: CRC

Charter Review Commission:

Many of you want to silence Jeff Tozzer because you don't agree with his views, but it's not your place (or anyone else's) to take away his right to free speech. I do have to wonder - what is it you're hiding that makes you resort to changing the bylaws in order to stop him? If you have that much to hide, perhaps you shouldn't be filling that seat you're sitting in tonight.

Sincerely,

Kathy Trainor



Gores, Loni

From: Diana H <dianahender@gmail.com>
Sent: Monday, April 14, 2025 6:00 PM
To: Gores, Loni
Subject: CRC ByLaws

I am a resident of Sequim and opposed to any censorship of speech. This distraction is taking away from important work that needs to get done by looking at the extensive list of concerns. Please drop this issue and move on.

Sincerely,
Diana Henderson
Sequim

Gores, Loni

From: Jeff Henderson <jeffrhendo@gmail.com>
Sent: Monday, April 14, 2025 6:26 PM
To: Gores, Loni
Subject: CRC By-Laws

You don't often get email from jeffrhendo@gmail.com. [Learn why this is important](#)

Hello Loni,

It is ridiculous to think the CRC by laws can be changed to censor free speech from a member. It's always been an issue with what's going on in meeting, Jeff has been a breath of fresh air sharing what's actually being discussed and possible ramifications votes bringing.

Thanks,

Jeff Henderson

Jeff Henderson

CHARTER REVIEW COMMISSION

Business Items:

Consideration by the Commission of a proposed amendment regarding contract, grant, and loan management- Paul Pickett

CHARTER REVIEW COMMISSION RESOLUTIONS No. ____

DRAFT-2 – April 28, 2025

THE CLALLAM COUNTY CHARTER REVIEW COMMISSION finds as follows:

1. The current Charter provides no clear requirements for contracts, grants, and loans provided by the County to outside entities; and
2. There have been requests from the public to provide greater transparency for contracts, grants, and loans; and
3. Language in the Charter, modeled after [WAC 173-323](#), would improve transparency and accountability in County government;

NOW THEREFORE BE IT RESOLVED, the Clallam County Charter Review Commission, in consideration of the above findings of fact, transmit the following amendment to the County Auditor for inclusion on the 2025 general election ballot in a form that substantially conforms to the following:

New Section to be added to Article IX:

9.80 Contract, Grant, and Loan Management

1. All contracts, grants, and loans funded by Clallam County shall be managed through Agreements (referred to as an "Agreement" or "Agreements" hereafter) with the outside entities receiving county funds (referred to as "Recipients" hereafter).
2. Clallam County shall establish policies and ordinances that ensure that:
 - a. Agreements can be reviewed by the public as a draft for a reasonable amount of time prior to adoption of the Agreement
 - b. Agreements follow all applicable accounting and auditing laws and rules related to the Agreement
 - c. Agreements, and their activities and expenditures, can be inspected and audited in accordance with relevant laws and rules
 - d. Agreements shall require Recipients to submit on a regular basis: progress reports; and payment requests with detailed accounting of expenditures.
 - e. Projects and activities funded by Agreements are monitored, and progress reports and payment requests are reviewed, to assure compliance with conditions of the Agreement.
 - f. Recipients will provide all accounting and other records relevant to the Agreement upon request by the County.
 - g. The County has received all required documentation and ensured the project is satisfactorily completed before approving final payment.
 - h. All documents related to the Agreement are available for public review in accordance with Washington's Public Records Act (Chapter 42.86 RCW).

PASSED AND ADOPTED this ____ day of ____ 2025.

Susan Fisch, Chair
Clallam County Charter Review Commission

WAC 173-323-090 Performance standards.

General provisions

(1) Nothing in this chapter influences, affects, or modifies existing ecology programs, rules, or enforcement of applicable laws and rules relating to activities funded by a grant or loan.

(2) Ecology and the recipient must fulfill their obligations under the terms of a grant or loan agreement.

(3) Ecology, or an auditor authorized by the state of Washington, may audit or inspect a recipient's grant or loan agreements and records.

(4) New ecology grant and loan agreements signed after the effective date of this chapter must be managed using ecology's designated electronic system. A recipient who cannot access the electronic system to meet a deadline or agreement requirements must use a process approved by ecology.

(5) Ecology may perform site visits to monitor the project, evaluate performance, and document compliance or any other conditions of the agreement.

Recipient standards

(6) Recipients must:

(a) Follow all applicable accounting and auditing laws and rules related to grants and loans.

(b) Use funds according to the agreement.

(c) Use funds according to the recipient's own policies and procedures, and according to all applicable laws and rules.

(d) Comply with all applicable laws, rules, orders, and permits when carrying out activities authorized by the agreement.

(e) Obtain preapproval for equipment purchases over the amount specified in the agreement.

(7) As specified in the grant or loan agreement, the recipient must submit the following to ecology:

(a) Progress reports.

(b) Payment requests.

(c) Equipment purchase reports.

(d) Documentation.

(e) A final closeout report.

(f) Any other required information.

Ecology standards

(8) Ecology must:

(a) Follow all applicable accounting and auditing laws and rules related to grants and loans.

(b) Monitor projects and review progress reports to assure compliance with applicable laws, rules, orders, permits, and terms and conditions of the agreement.

(c) Confirm that ecology has received required documentation and the project is satisfactorily completed before approving final payment.

[Statutory Authority: RCW 70.105D.070(8). WSR 18-01-096 (Order 16-10), § 173-323-090, filed 12/18/17, effective 1/18/18.]

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PURCHASING, BIDS, CONTRACTS

.1 PURPOSE

- To convey Board of Clallam County Commissioners approval and delegation policies and procedures consistent with the Clallam County Purchasing Ordinance, CCC 3.12.
- To list necessary contractual language so those contracts are enforceable, legally sound, and contain appropriate wording.
- To achieve uniformity in the process of purchasing and preparing County contracts.
- To ensure that no person shall on the grounds of race, color, national origin, or sex, as provided by Title VI of the Civil Rights Act of 1964, and the Civil Rights Restoration Act of 1987 (P.L. 100.259) is excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any County program or activity.

.2 GENERAL PROVISIONS

2.1 Written Contracts / When Required

A written contract may be initiated by the County or by the other party to the agreement. It must be signed by at least one authorized representative from each party. Appendix A contains a table representing requirements for written contracts.

(1) Written Contract Always Required for Certain Purchases

A written contract is always required for the following types of purchases:

- a. All lease or rental agreements for real property
- b. All intergovernmental agreements
- c. All grants to Clallam County
- d. All union labor agreements
- e. All services with the exception of minor services such as repairs, etc where academic credentials or professional expertise are not required.
- f. Cooperative purchasing agreements
- g. Maintenance and licensing agreements (except licenses and/or maintenance agreements for standardized, non-customized, software or hardware)
- h. Other contracts/agreements deemed necessary by the BOCC or offices/departments

(2) Written Contract Required for Purchase of Goods Over \$25,000

A written contract is required for purchase of goods when the purchase by a department of a similar item from a single vendor exceeds \$25,000 per year; or,

when total business by a department with a single vendor for purchase of goods exceeds or is expected to exceed \$25,000 in a calendar year.

(3) Written Contract Required For Certain Purchases Over \$7,500

A written contract is required for the following purchases of more than \$7,500:

- a. Construction projects or "public works" contracts.
- b. Agreements for rental or lease of equipment.

2.2 Contract to be Fully Executed Prior to Purchase

Contracts should be completely executed prior to the start of any activity covered under the contract. Retroactive contracting is discouraged and an explanation must be included in the executive summary submitted during the approval process.

2.3 Conflicts to be avoided

No elected official, employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the elected official, employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The elected officials, officers, employees, and agents of the non-Federal entity must neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts.

Employees, elected officials, officers and agents of the County shall avoid conflicts of interests in the award and administration of all contracts. Failure to do so shall render the related contract null and void, and will result in disciplinary actions being taken by the County up to and including termination. Individuals may also be subject to other civil or criminal liability or penalty as available to the County to pursue under law;

2.4 Other Considerations for Purchase of Goods or Services

Prior to making a purchase for the acquisition of goods or services, County Officials are responsible to:

- a. Ensure that the purchase of goods or services is in accordance with the Clallam County Code, this policy, and any applicable grant requirements.
- b. Determine that funding is available in the appropriate budget and, if not submit the required budget change documents prior to the purchase.
- c. If a contract spans more than one calendar year, consider the impact on future budgets and include a non-appropriation clause. The standardized contract contains a non-appropriation clause that can be used on other contracts as well.

2.5 Sub-dividing Purchase Not Allowed

County Officials are not allowed to sub-divide purchases that otherwise would require either a bidding process and/or a written contract in order to avoid those processes. Examples might include 1) purchasing equipment in one month and the installation of the equipment in another month. 2) Purchasing a piece of equipment in one purchase then purchasing accessories or add on parts in another purchase, etc.

4 CONTRACT AWARD AND EXECUTION (SEE APPENDIX B)

4.1 Board Award and Approval Required for Certain Contracts

- a. All contracts requiring budgeted expenditures in excess of \$50,000 in the current calendar year.
- b. All contracts that span more than one calendar year and require budgeted expenditures in excess of \$25,000 per year, unless a non-appropriation clause is included in the contract.
- c. All contracts that will require a budget emergency or supplement not previously approved.
- d. All union labor agreements.
- e. All real property transactions (acquisitions and disposals).
- f. Any other contract or agreement which by statute must be approved by the governing body of the County.
- g. Any other contract not specifically authorized by the BOCC for other approval.

4.2 Administrator may Award and Approve Certain Contracts

Contracts not required to be approved by the Board may be awarded and approved by the Administrator. Contracts on the small works roster are included in these dollar limits.

4.3 Public Works Director/County Engineer may Approve Certain Purchases and Documents

The following contracts under \$35,000 may be approved by the Public Works Director or County Engineer if funds for the project are previously approved in the budget. Such contracts must be indexed and approved by the Prosecuting Attorney's Office in accordance with this policy.

- a. Contracts awarded as a result of the small works procedures contained in this policy
- b. Small construction improvement projects or consultant agreements
- c. Architectural services agreements using the County's standard form agreement

Purchase of Goods – The Public Works Director may delegate authority to approve purchase of goods from the ER&R Fund, the REET Fund, or the Capital Outlay Fund that do not require a formal bid or a formal contract. The Public Works Department may approve payment for purchase of fuel and payment for utility services. Purchase of oil products for road maintenance from the state bid or interlocal agreement may be approved by department personnel.

4.4 County Officials may Approve Certain Documents

Vendor agreements such as work orders, work requests, etc. for commonly used minor services such as repairs where academic credentials or professional expertise are not required, in an amount less than \$10,000 may be approved by the County Official. Purchase of goods less than \$10,000 may be approved by the County Official. County Officials may approve the County's personal services agreements in an amount less than \$10,000. County Officials may not approve other formal contracts that contain a liability clause or intergovernmental agreements no matter the dollar amount.

In order to be eligible for approval by the County Official, the purchase must be made within the current calendar year and funds for the purchase have been previously allocated in the budget. The County Official is responsible to comply with any applicable bidding requirements, capital budgetary restrictions, review by the Prosecuting Attorney if required, and contract indexing. Approval for any purchase that requires informal or formal bidding under this policy may not be delegated by the County Official to a subordinate other than their designated acting in their absence (charter exempt in the case of elected officials).

.5 CONTRACT AMENDMENTS

Amendments (change orders, addendum) will be in writing and signed by both parties. Amendments cannot alter the nature of the project or change its scope beyond what a reasonable bidder would consider a modification, as opposed to a different project. Specific cases should be reviewed with the Prosecuting Attorney to determine whether the proposed changes require an amendment or a new contract. Expired contracts may not be amended. In cases where the County anticipates additions to the scope of work as more funding becomes available, bid specifications (if required) and the original contract's scope of work should so state. The following rules govern the approval of amendments, and change orders:

- a. Contracts approved by the Administrator may be amended by the Administrator.
- b. Contracts approved by the Board must be amended by the BOCC, except that, the Board may authorize approval of amendments by the Administrator.
- c. Change orders and addendums on Public Works construction projects may be approved by the County Engineer, Public Works Director, or Administrator.
- d. Change orders and addendums on projects under the supervision of the Parks, Fairs, and Facilities Department may be approved by the Parks, Fairs, and Facilities Director or the Administrator.

.7 CONTRACTUAL LANGUAGE

This section is intended to ensure that a contract includes certain contract language so that the contract is enforceable, legally sound, and contains appropriate wording. It will also serve to highlight the difference between "form" and "substance."

7.1 Contract Elements

The contract elements listed below are generally required in all contracts. Exceptions may be approved by the Prosecuting Attorney's Office.

- a. Contract title
- b. Name, address, phone, and fax numbers of all parties
- c. County's authorized representative
- d. Contractor's legal entity type
- e. Purpose, scope of the contract, or scope of work
- f. Term or duration of the contract
- g. Compensation and payment terms
- h. Provisions for modifications and changes
- i. Provisions for contract termination
- j. Provisions for remedies if there is a violation or breach of contract terms
- k. Clause describing dispute resolution
- l. Non-discrimination language
- m. Insurance, liability, indemnification language

In addition to the above, for those contracts funded through Federal awards, the following additional contractual provisions are required to be included:

- a. For contracts over \$10,000, provisions to address termination for cause and for convenience by the County.
- b. Provision requiring compliance with the Equal Employment Opportunity as amended by Executive Order 11375.
- c. For prime construction contracts over \$2,000, provision requiring compliance with the Davis-Bacon Act (40 U.S.C 3141-3148) as supplemented by Department of Labor regulations, including requiring contractors to pay wages to laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination made by the Secretary of Labor and not less than once per week. Also provision requiring contractor compliance with the Copeland "Anti-Kickback" Act as supplemented by Department of Labor regulations.
- d. For contracts over \$100,000 that involve the employment of mechanics or laborers, provisions requiring compliance with the Contract Work Hours and Safety Standards Act (40 U.S.C 3701-3708).
- e. For Federal awards meeting the definition of a "funding agreement", contracts with a small business firm or nonprofit organization that allow substitution of parties, assignment or performance of experimental, developmental or research work under the funding agreement, provisions are to be included requiring compliance with the Rights to Inventions Made by Nonprofit Organizations and Small Business Firms

- under Governmental Grants, Contracts and Cooperative Agreements (37 CFR Part 4010).
- f. For Contracts in excess of \$150,000, provisions requiring compliance with the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C 1251-1387).
 - g. Provisions requiring compliance with mandatory standards and policies relating to energy efficiency outlined by the state of Washington's energy conservation plan issued in compliance with the Energy Policy and Conservation Act (42 U.S.C. 6201)
 - h. Provisions requiring contractor representation that it is compliance with Federal Debarment and Suspension requirements.
 - i. For contracts over \$100,000, provisions requiring contractor compliance with the Byrd Anti-Lobbying Amendment (31 U.S.C. 1352);

[LANGUAGE ABOVE TAKEN FROM APPENDIX II OF PART 200]

7.2 Standardized Contracts Encouraged

Standard form contracts are maintained by the County for Personal/Professional Services and for Architectural/Engineering Services. These contracts have been pre-approved as to form by the Prosecuting Attorney. The Prosecuting Attorney's Office will review standardized contracts at least biannually.

When a County department initiates a contract, a standardized contract will be used whenever possible. Standardized Contracts are maintained on the County's Intranet.

7.3 Vendor Contracts

A vendor/contractor may provide the County with a written pre-printed contract document. Common vendor supplied contracts include purchase agreements, maintenance and licensing agreements, and work orders. Vendor contracts must be reviewed by the prosecuting attorney prior to approval.

7.4 Grant Contracts

Contract language required by the conditions of a private, federal or state grant will be included. Grant contracts must be reviewed by the prosecuting attorney prior to approval.

.8 CONSULTATION WITH THE PROSECUTING ATTORNEY AND APPROVAL AS TO FORM

8.1 Standardized Contracts

Contracts using pre-approved forms are not required to be reviewed for form by the Prosecuting Attorney's Office prior to the solicitation for bids or prior to executing the contract as long as no changes have been made to the standardized language and insurance requirements have been applied at, or above, the matrix contained in Appendix C. Departments are encouraged to consult the Prosecuting Attorney's Office

for assistance on complex or unfamiliar scope of work or compensation sections. Commonly used pre-approved contract forms are located on the County's Intranet site.

8.2 Review of Non-Standard Form Contracts and Vendor Contracts

Written contracts not using an approved Standardized Form must be reviewed by the Prosecuting Attorney's Office prior to the approval of the contract, except that, contracts for repairs to be completed as part of an emergency declaration do not require Prosecutor review if the review is not able to be accomplished in a timely manner. In addition, service orders or work orders for minor services where academic credentials or professional expertise are not required in an amount under \$7,500, and purchase orders for purchase of goods less than \$25,000 do not require prosecutorial review. If these documents contain an indemnity clause or liability clause it must still be reviewed by the prosecutor.

10 FEDERAL FUNDS – SUBRECIPIENTS AND VENDORS

10.1 Sub recipients and Vendors

The County Official in the department responsible for the contract is responsible to ensure that awards and/or payments are not made to any party who is debarred or suspended or otherwise excluded from or ineligible for participation in federal assistance programs. Prior to signing a contract with a sub recipient or vendor the County Official responsible for administration of the contract is responsible to ensure that sub recipients or vendors are eligible to receive federal funds.

10.2 Contract Requirements for Sub recipients

When the County contracts with a sub recipient who distributes federal funds, the sub-recipient is subject to the Single Audit Act. Contracts with sub recipients will include the language addressing the following:

- a. The secondary recipient of the federal funds should be referred to in the contract as a "sub recipient" once it is determined that they are a sub recipient, not a vendor.
- b. Single Audit requirements should be defined for sub recipients:
 - A requirement that the sub-recipient comply with the Single Audit Act of 1984 as amended.
 - A requirement that the sub recipient permits independent auditors access to its financial records.
 - A requirement that the sub recipient maintain accounting records that will enable identification of all federal funds received and expended by catalog of federal domestic assistance number (CFDA#).
 - A requirement that if a Single Audit is required, a copy of the audit report is submitted to the County, within the time limit set forth in the Single Audit act.

- A requirement that if a Single Audit is not required, the County is allowed to perform a fiscal review of the sub recipient's financial records.
- A requirement that if a sub recipient is debarred or suspended from participation in federal programs during the contract period, the contract is voided.
- A requirement that the sub recipient check the "List of Parties Excluded From Federal Procurement and Non-procurement Programs," prior to awarding sub-grants or contracts.

10.3 Title VI Contract Requirements

- a. Appendix D shall be included in every contract subject to Title VI of the Civil Rights Act of 1964, and the Civil Rights Restoration Act of 1987 (P.L. 100.259) the Act and the applicable implementing Regulations.
- b. Appendix E shall be included, , as a covenant running with the land, in any deed from the United States effecting a transfer of real property, structures, or improvements thereon, or interest therein.
- c. The appropriate clauses set forth in Appendix F shall be included, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements entered into by the Recipient with other parties: (a) for the subsequent transfer of real property acquired or improved under a Federal Aid Program; and (b) for the construction or use of or access to space on, over or under real property acquired, or improved under a Federal Aid Program.

.15 CONTRACT ADMINISTRATION

Contract administration is the process by which the County, acting through one or more of its officials or staff, assures performance of contractual obligations. This encompasses all activity by the County and the contractor from the time the contract is awarded until the time the contract work has been completed and accepted, payment is made, all disputes resolved, and the contract has been formally closed out.

15.1 Contract Administration Responsibilities

Contract administration may include, but is not limited to, the following functions:

- a. Ensuring required insurance or other required documents are obtained and documented prior to commencement of work, and maintained throughout the term of the contract.
- b. Making payments to contractors according to the terms of the contract.
- c. Providing interpretations of terms and conditions of the contract to the contractor.
- d. Giving technical direction and assistance to contractors.
- e. Inspecting and accepting work performed by contractors.
- f. Preparing modifications to contracts.
- g. Reviewing certain proposed subcontracts if contract terms require such reviews.
- h. Terminating contracts for cause, convenience or default.

- i. Maintaining a contract file.
- j. Closing out the contract when it is completed.
- k. Providing assistance in the event of an audit.

15.2 Responsibility for Administration of Contracts

The County Official initiating the contract is responsible for the administration of the contract. Each contract will be assigned a contract officer by the initiating department who, on behalf of the County, will be responsible for coordinating the applicable contract management activities listed above for the assigned contract(s).

15.3 Index and Tracking of Contracts Required

The County maintains a contract tracking and indexing system designed to ensure that a centralized record of each contract is maintained where County Officials can monitor contract expiration, compliance and other issues. County Officials are responsible to ensure that the contract index is completed properly, accurately reflects the department's contracts, and is maintained during the life of the contract. Indexes are maintained on the County intranet.

All written contracts approved by the Board, the Administrator, or a County Official must be indexed and reflect the index number on the contract document. Amendments, change orders, or supplements that change compensation and/or the term of the contract must be indexed using the number of the original contract followed by a sequential "amendment" number in the next field. Amendments, change orders, and supplements may be indexed using a new number but must reflect a reference to the original contract number.

Unless otherwise approved by the Administrator, a unique identifying number will be assigned by the County Official responsible for the contract, to each new contract in the following form: the three digit budget identifier assigned to the budget from which the funds are allocated, followed by the two digit year of the contract execution date, followed by a sequence number of up to five characters that may include any combination of numbers and letters assigned by the department which will uniquely identify the contract within the initiating department or office. For example, the first contract written in Human Resources for 2017 could be assigned the number 461.17.01. In order to provide for proper tracking, the identifying number will be written on the upper right of each contract, amendment, or change order.

15.4 Document Retention, Official File, Public Disclosure

The official contract file including either an original signed contract or a copy of the signed contract and all documents associated with the contract will be maintained by the initiating department. Any destruction of these records will be in accordance with approved retention schedules in the appropriate department. Requests for public disclosure of contracts and related documents will be referred to the initiating department. Documents associated with a contract would include but not be limited to:

vendor list printout, written/phone quotation form, bid specifications, bid quotations, RFP's, contract proposals, activity reports, requests for reimbursement, and any other documents made or received by the County in connection with the contract or agreement.

An original contract and any approved amendments are retained by the Clerk of the Board. The Commissioners Office file does not include supporting documents and is not considered the official file.

If, due to the dollar amount, the purchasing transaction does not require a written contract in accordance with the Contracting Policy, all documents leading up to the purchase/expenditure may be attached to the original payment voucher. The original payment voucher is retained by the Auditor's office.

.20 BID PROCEDURES (EXCEPT PUBLIC WORKS PROJECTS)

20.1 Formal Bids Required for Purchase of Goods in Excess of \$25,000

In accordance with CCC 3.12, formal bids are required for purchases in excess of \$25,000. In addition, certain purchases require formal bidding in accordance with RCW. County Officials are responsible to have knowledge of those purchases required to comply with formal bid procedures.

(1) Bid Documents to be Maintained

Departments are responsible to maintain solicitations, responses, contracts, and other documents related to any purchase made using formal bid procedures and to make them available for public inspection and disclosure. The file will be retained according to the department's retention schedule.

(2) County Official Responsibilities for Formal Bids

The County Official responsible for the purchase is responsible for the following:

- a. Preparation of Specifications - Specifications should be detailed. If the County anticipates that the contract period, the quantity of items to be purchased and/or the scope of work may be modified or increased, the specifications should so state.
- b. Preparation of an independent cost or price analysis for any purchase of goods over \$150,000 to be funded with Federal awards, with such analysis to be completed prior to receiving of bids.
- c. Preparation of Call for Bids - The Call for Bids form is available on the County intranet. Bid responses must be received by the Clerk of the Board, not the department. Bids must be received by the Clerk of the Board no later than 10AM on the date of bid opening. Arrival at any other County office or location is not acceptable. Bids must arrive sealed and must be clearly marked on the outside as stated in the Call for Bid. The

bid opening date is scheduled for a regular meeting of the Board and must be a minimum of 14 days after the Call for Bids is approved by the Board. A longer period for response is acceptable.

- d. Preparation of Bid Response Form or Documents.
- e. Submission of Documents to the Board for work session and regular agenda in accordance with Policy 120.
- f. Payment for the cost of advertising and/or call for bids in the County's legal newspaper.
- g. Publication of the call for bids, other than that required in the County's legal newspaper, and payment for such.
- h. Distribution of specifications and/or response packets to prospective bidders.
- i. Pre-bid meeting if appropriate.
- j. Evaluation of bid responses after bid opening and recommendation for award to the Board or Administrator as appropriate.
- k. Notification to bidders of the award.
- l. Preparation of a written contract including any required review, recording in the County's contract index, and submittal for approval.
- m. Completion and submittal of the Bid Confirmation Form.
- n. Administration of the contract per this policy.
- o. Establishment and maintenance of official contract file including bid specifications, responses, contract, and other related documents.

(3) Clerk of the Board Responsibilities

- a. Publication of the call for bids as required by law.
- b. Accepting and securing bid responses.
- c. Ensuring full execution of the contract once approved by the County.
- d. Distribution and filing of fully executed contract.

20.2 Informal Bids/Quotes Required for Purchase of Goods between \$5,000 and \$25,000

In accordance with CCC 3.12, purchases where the purchase price is between \$5,000 and \$25,000 require that informal bids be solicited prior to the purchase.

(1) Vendor List to be Maintained

A categorized list of vendors shall be maintained in accordance with the requirements of applicable RCW's and CCC 3.12 by the Clerk of the Board. The Clerk of the Board shall advertise in January and July in the County's legal newspaper, the existence of the list and solicit vendors to be included. Vendors may submit required data to the County and be added to the list at any time. The County's vendor list shall be published on the County's Internet site. The Clerk of the Board will establish forms and procedures for maintaining the list.

(2) Solicitation of Informal Bids/Quotes

Solicitation of informal bids may be made in person or by mail, telephone, fax, or e-mail. Responses must be in writing and may be fax, e-mail, or may be pages from published catalogs, published advertisements, or other written documents. Any solicitation must include at least 3 vendors, if available, from the County's Vendor List. Vendors not on the County's Vendor list may be solicited in addition.

(3) Bid/Quote Documents to be Maintained

Departments are responsible to maintain solicitations, responses, contacts, and other documents related to any purchase made using informal bid procedures and to make them available for public inspection and disclosure. The file will be retained according to the department's retention schedule.

(4) List of Purchases Made Using Informal Bids/Quotes to be Published

The Auditor is responsible to publish and post, at least every 2 months, a listing of all purchases made using informal bidding procedures. The list will contain at a minimum, the vendor name, a brief description of the item(s) purchased, the amount of the purchase, the date, and the department that made the purchase and possesses the official file. The list may be published on the County's internet site and posted on the public bulletin board in the Courthouse.

(5) County Official Responsibilities When Using Informal Bid Procedures

The County Official responsible for the purchase is responsible for the following:

- a. Preparation of Specifications - Specifications should be detailed. If the County anticipates that the contract period, the quantity of items to be purchased, and/or the scope of work may be modified or increased, the specifications should so state.
- b. Solicitation to vendors in accordance with this policy.
- c. Evaluation of bid responses and award to the lowest bidder as defined in this policy.
- d. Preparation of a written contract if required, including any required review, recording in the County's contract index, and submittal for approval.
- e. Completion and submittal of the Bid Confirmation Form.
- f. Administration of the purchase/contract per this policy.
- g. Establishment and maintenance of official purchase/contract file including bid specifications, responses, contract, and other related documents.

20.3 Requests for Proposals/Qualifications Required for Certain Services

Except as exempted below, acquisition of services, anticipated to be in an amount exceeding \$75,000, require a formal request for proposals or qualifications (RFP/RFQ). In addition, certain services may require an RFP/RFQ by statute, grant, or other requirements. County Officials are required to have knowledge of those services requiring non-standard purchasing procedures.

20.4 Informal Proposal Process Required for Services between \$25,000 and \$75,000

Services expected to cost between \$25,000 and \$75,000 require an informal proposal process to be followed. County Officials are responsible to solicit at least 3 providers to make informal, written proposals. Section 20.2 (2) and (3) apply. If the department chooses to advertise the RFP/RFQ, costs are the responsibility of the department. Proposals shall be returned to the department requesting the informal proposal process. Proposals must be evaluated by the initiating department and the service awarded based on criteria including but not limited to, the proposal that best meets the County's needs, qualifications, and price.

Departments may use the informal proposal process to solicit proposals for services under \$25,000 when they believe the process would result in a broader response and/or better quality proposal.

20.5 Certain Services Exempt from Requirements for Proposals

Certain services are exempt from the bidding or RFP/RFQ procedures required under this section unless otherwise required by statute. They include:

- a. Attorney Services, including indigent defense
- b. Insurance Services, including bonding
- c. Tourism promotional services
- d. Services of the Economic Development Council
- e. Architects and professional engineers
- f. Registered surveyors
- g. Expert witnesses for litigations or potential litigation
- h. Medical professionals including but not limited to doctors, psychiatrists, and psychologists
- i. County fair entertainment
- j. Training for County employees

20.6 Requirements for Formal and Informal RFP/RFQ

(1) Proposals and Other Documents to be Maintained

Departments are responsible to maintain solicitations, responses, contacts, and other documents related to any services acquired using these procedures and to

make them available for public inspection and disclosure. The file will be retained according to the department's retention schedule.

(2) County Official Responsibilities for Requests for Proposals for Services

The County Official responsible for the acquisition of services is responsible for the following:

- a. Preparation of Specifications/Scope of Work/Qualification of Vendors - Specifications should be detailed. If the County anticipates that the contract period and/or the scope of work may be modified or increased, the specifications should so state.
- b. Preparation of an independent cost or price analysis for any purchase of services over \$150,000 to be funded with Federal awards, with such analysis to be completed prior to receiving of bids.
- c. Preparation of RFP/RFQ - The RFP/RFQ form is available on the County intranet. Responses must be received by the Clerk of the Board, not the department. Proposals must be received by the Clerk of the Board no later than 10AM on the date of scheduled opening. Arrival at any other County office or location is not acceptable. Proposals must arrive sealed and must be clearly marked on the outside as stated in the RFP/RFQ. The proposal opening date is scheduled for a regular meeting of the Board and must be a minimum of 14 days after the RFP/RFQ is approved by the Board. A longer period for response is acceptable.
- d. Preparation of RFP/RFQ Response Form or documents.
- e. Submission of documents to the Board for work session and regular agenda in accordance with Policy 120.
- f. Payment for the cost of advertising the RFP/RFQ in the County's legal newspaper.
- g. Publication, other than that required in the County's legal newspaper, and payment for such.
- h. Distribution of specifications and/or response packets to prospective bidders.
- i. Pre-proposal meeting if appropriate.
- j. Evaluation of responses after proposal opening and recommendation for award to the Board or Administrator as appropriate.
- k. Notification to proposers of the award.
- l. Preparation of a written contract including any required review, recording in the County's contract index, and submittal for approval.
- m. Completion and submittal of the Bid Confirmation Form.
- n. Administration of the contract per this policy.
- o. Establishment and maintenance of official contract file including proposal specifications, responses, contract, and other related documents.

- (3) Clerk of the Board Responsibilities for RFP/RFQ for Services (Formal RFP/RFQ Only)
 - a. Publication of the RFP/RFQ as required by law.
 - b. Accepting and securing responses.
 - c. Ensuring full execution of the contract once approved by the County.
 - d. Distribution and filing of fully executed contract.

20.7 Required Title VI Notices in all solicitations for bids for work or material.

In accordance with the County's Title VI Plan, all solicitations for bids for work or material shall include the following notice:

"Clallam County hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises as defined at 49 CFR Part 23 will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, national origin, or sex in consideration for an award."

.30 BID PROCEDURES FOR PUBLIC WORKS PROJECTS

30.1 Formal Bids Required for Non-Federal Award Funded Public Works Projects of \$200,000 or More and Federal Award Funded Public Works Projects over \$150,000

In accordance with CCC 3.12, formal bids are required for non-Federal award funded Public Works projects of an estimated value of \$200,000 or more. In addition, public works projects require formal bidding in accordance with RCW and the Standard Specifications for Road, Bridge, and Municipal Construction and for Federal award funded Public Works Projects of an estimated value over \$150,000. County Officials in departments requiring such services are responsible to have knowledge of those services required and comply with formal bid procedures.

(1) Bid Documents to be Maintained

Departments are responsible to maintain solicitations, responses, contacts, and other documents related to any contracted project made using formal bid procedures and to make them available for public inspection and disclosure. The file will be retained according to the department's retention schedule.

(2) Public Works Director Responsibilities for Formal Public Works Bids

The Public Works Director is responsible for the following:

- a. Preparation of Specifications - Specifications should be detailed and as per the Standard Specifications for Road, Bridge and Municipal Construction where required. If the County anticipates that the contract

- period, the quantity of items to be purchased and/or the scope of work may be modified or increased, the specifications should so state.
- b. Preparation of an independent cost or price analysis for any purchase of goods and/or services over \$150,000 to be funded with Federal awards, with such analysis to be completed prior to receiving of bids.
 - c. Preparation of Call for Bids - The Call for Bids form is available on the County intranet. Bid responses must be received by the Clerk of the Board, not the department. Bids must be received by the Clerk of the Board no later than 10 a.m., or other time as determined by the Clerk of the Board, on the date of bid opening. Delivery to or arrival at any other County office or location is not considered receipt by the Clerk of the Board. Bids must arrive sealed and must be clearly marked on the outside as stated in the Call for Bid. The bid opening date is scheduled for a regular meeting of the Board to allow for publications to occur once each week for two consecutive weeks prior to bid opening. A longer period for response is acceptable and is required by certain grant funding sources.
 - d. Preparation of Bid Response Form or Documents.
 - e. Submission of Documents to the Board for work session and regular agenda in accordance with Policy 120.
 - f. Payment for the cost of advertising and/or call for bids.
 - g. Publication of the Call for Bids in other than that required in the County's legal newspaper and payment of such publication.
 - h. Distribution of specifications and/or response packets to prospective bidders.
 - i. Pre-bid meeting if appropriate.
 - j. Evaluation of bid responses after bid opening and recommendation for award to the Board or Administrator as appropriate.
 - k. Notification to bidders of the award.
 - l. Preparation of a written contract including any required review, recording in the County's contract index, and submittal for approval.
 - m. Completion and submittal of the Bid Confirmation Form or pre-approved Bid Tabulation Form.
 - n. Administration of the contract in accordance with this policy, per the project specifications and any requirements set by a grant funding source.
 - o. Establishment and maintenance of official contract file including bid specifications, responses, contract, and other related documents.
- (3) Clerk of the Board Responsibilities
- a. Publishing of the Call for Bids as required by Statute.
 - b. Accepting and securing bid responses.
 - c. Ensuring full execution of the contract once approved by the County.
 - d. Distribution and filing of fully executed contract.

30.2 Small Works Procedures - Public Works

Procedures for Small Works Projects, including the Small Works Roster shall be in accordance with RCW 39.04 and CCC 3.12. Responses to bids for Small Works Projects may be received by the Public Works Department.

30.3 Required Title VI Notices in all Federally-Funded programs.

In accordance with the County's Title VI Plan, all solicitations for bids for work or material in all federally-funded programs shall include the following notice in all solicitations for work or material:

"Clallam County, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises as defined at 49 CFR Part 23 will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, national origin, or sex in consideration for an award."

.35 BID CONFIRMATION FORM REQUIRED/PAYMENT VERIFICATION PROCEDURES

Any purchase of goods or services, including any Public Works project, that requires a formal bid, informal quotes, small works procedures, or an RFP/RFQ requires the completion of the "Bid Confirmation Form" or other approved form. The Bid Confirmation Form is located on the County's Intranet site. The form must be completed by the department responsible for the bid process. The form must contain information from all responders to the bid process.

In any case where a written contract is required, the form must be submitted to the Board, Administrator, or Public Works Director/County Engineer as the case may be, as part of the request to award the bid/contract.

In lieu of providing an actual copy of the contract with the payment voucher as required by CCC 3.12.050, the bid confirmation form must be submitted with the first voucher for payment submitted to Auditor's accounts payable. The form is used by the Auditor's accounts payable to verify that the bid process has been accomplished and to include in reporting of contracts awarded under the informal bid process. The contract number will be noted on subsequent vouchers. In situations where a written contract is required but bidding is not required, the contract number will be noted on each voucher.

.40 SOLE SOURCE PURCHASES

Solicitation of formal bids, informal bids/quotes, and/or an RFP/RFQ may be dispensed with where the purchases are clearly and legitimately limited to a single source of supply or which involve special facilities or market conditions. Terms may be established by direct negotiation.

Sole source is not intended to limit a purchase to a particular brand or vendor unless no other brand/vendor is able to supply goods or services that meet specifications of a business nature required by the county. Used materials, supplies or equipment may be purchased using this section.

County Officials requesting approval of a purchase as sole source are required to complete and submit a "Sole Source Purchase Request" form. The form will be approved prior to the request. In the case of purchase of goods or services that otherwise would require a formal bid or request for proposals, the form must be submitted and approved by the Board of Commissioners. In the case of purchases that otherwise would require informal bid/quote, the Administrator may approve the form. The form must then be submitted, with the voucher for payment, to the Auditor's accounts payable. The approval of a purchase of goods or services as sole source does not alter contract requirements.

.42 EMERGENCIES

An emergency means unforeseen circumstances beyond the control of the County that either:

- a. Present a real, immediate threat to the proper performance of essential functions.
- b. Will likely result in material loss or damage to property, bodily injury or loss of life if immediate action is not taken.

If an emergency exists, the Board of Commissioners may declare an emergency and award all necessary contracts for purchases or public works on behalf of the County to address the emergency without complying with any of the other provisions of this chapter. In situations requiring an immediate declaration of emergency, the County Administrator may, after making a reasonable attempt to contact each available Commissioner, declare the existence of an emergency.

If the County Administrator is unavailable, the Public Works Director, Sheriff, Prosecuting Attorney, Public Health Officer, or Director of the Department of Community Development, in that order, may, after making a reasonable effort to contact each available Commissioner, declare such emergency.

All emergencies declared by other than the Board of Commissioners shall be presented to the Board of Commissioners at their next regular meeting for consideration of ratification. If a contract is awarded under the authority of this section, a written finding of the existence of the emergency shall be made by the County Official and filed in the records of that official's office or department no later than two (2) weeks following the award of the contract.

Any contract entered into under these emergency provisions shall contain provisions allowing the County to terminate the contract for convenience or because of the conclusion of the emergency. The contract termination provisions shall provide that the County shall pay to the contractor only that portion of the contract price corresponding to work completed to the

County's satisfaction prior to termination, together with costs necessarily incurred by the contractor in terminating the remaining portion of the work, less any payments previously made.

.44 COOPERATIVE PURCHASING

The County and its departments are encouraged to join with other units of local, state, or federal government in cooperative purchasing plans pursuant to RCW 39.34 or any other authorizing statute to the extent permitted by state law.

Cooperative purchasing agreements shall provide that each of the participating units of government shall be separately invoiced by the vendors or service providers for purchases made under such plans and that the County shall not be obligated for any purchases other than those required for its own use and supplied pursuant to the request of the County.

.46 INTERGOVERNMENTAL PURCHASES

Purchases or services may be obtained from local, state, or federal entities (including but not limited to the state bid contracts and GSA contracts) upon direct negotiation without complying with bidding requirements in this policy.

.50 EXTERNAL DISCRIMINATION COMPLAINT PROCEDURES

Any person who believes that he or she, individually, as a member of any specific class, or in connection with any disadvantaged business enterprise, has been subjected to discrimination prohibited by Title VI of the Civil Rights Act of 1964, the American with Disabilities Act of 1990, Section 504 of the Vocational Rehabilitation Act of 1973 and the Civil Rights Restoration Act of 1987, as amended, may file a complaint with the County. A complaint may also be filed by a representative on behalf of such a person. All complaints will be referred to the County's Title VI Specialist for review and action.

In order to have the complaint consideration under this procedure, the complainant must file the complaint no later than 180 days after:

- a. The date of alleged act of discrimination; or
- b. Where there has been a continuing course of conduct, the date on which that conduct was discontinued.

In either case, the County or his/her designee may extend the time for filing or waive the time limit in the interest of justice, specifying in writing the reason for so doing.

Complaints shall be in writing and shall be signed by the complainant and/or the complainant's representative. Complaints shall set forth as fully as possible the facts and circumstances surrounding the claimed discrimination. In the event that a person makes a verbal complaint of discrimination to an officer or employee of the County, the person shall be interviewed by the Title VI Specialist. If necessary, the Title VI Specialist will assist the person in reducing the complaint to writing and submit the written version of the complaint to the person for signature.

The complaint shall then be handled according to the County's investigative procedures set forth in Administrative Policy 235.

Within 10 days, the Title VI Specialist will acknowledge receipt of the allegation, inform the complainant of action taken or proposed action to process the allegation, and advise the complainant of other avenues of redress available, such as WSDOT and USDOT.

The County will advise WSDOT within 10 days of receipt of the allegations. Generally, the following information will be included in every notification to WSDOT:

- a. Name, address, and phone number of the complainant.
- b. Name(s) and address(es) of alleged discriminating official(s).
- c. Basis of complaint (i.e., race, color, national origin or sex)
- d. Date of alleged discriminatory act(s).
- e. Date of complaint received by the County.
- f. A statement of the complaint.
- g. Other agencies (state, local or Federal) where the complaint has been filed.
- h. An explanation of the actions the County has taken or proposed to resolve the issue raised in the complaint.
- i. Within 60 days, the Title VI Specialist will conduct an investigation of the allegation and based on the information obtained, will render a recommendation for action in a report of findings to the County Administrator. The complaint should be resolved by informal means whenever possible. Such informal attempts and their results will be summarized in the report of findings.
- j. Within 90 days of receipt of the complaint, the head of the County will notify the complainant in writing of the final decision reached, including the proposed disposition of the matter. The notification will advise the complainant of his/her appeal rights with WSDOT, or USDOT, if they are dissatisfied with the final decision rendered by the County. The Title VI Specialist will also provide WSDOT with a copy of this decision and summary of findings upon completion of the investigation.
- k. Contacts for the different Title VI administrative jurisdictions are as follows:

Washington State Department of Transportation
Office of Equal Opportunity, Title VI Program
PO Box 47314
Olympia, WA 98466
360.705.7098

Federal Highway Administration
Washington Division Office
711 Capitol Way South, Suite 501
Olympia, WA 98501
360.534.9325

.80 FREQUENTLY ASKED QUESTIONS

The questions and answers below are intended to guide employees in topics where questions are often asked. This is not intended to be an all-inclusive list of issues, topics, or answers. The information provided below is enforceable as a part of this policy.

- ***Can an Elected Official or Department Head (County Official) sign a contract?***

County Officials are authorized to sign vendor supplied documents such as work orders and work requests commonly used for minor services such as repairs in an amount less than \$10,000. In addition, purchase orders and purchase agreements for goods in an amount less than \$10,000 may be signed by the County Official. The limitations include installation, tax and shipping. To be eligible for approval by the County Official, funds for the purchase must have been previously allocated in the budget, and the purchase must be made in the current year's budget. County Officials may approve the County's personal services agreements in an amount less than \$10,000. County Officials may not approve other formal contracts that contain liability clauses or intergovernmental agreements.

Vendor documents approved by County Officials still require indexing and, if appropriate, prosecutor review. Bidding is also required, if applicable. A complete contract file with all associated documents must exist in the approving department. Approval for any purchase that requires bidding under this policy may not be delegated by the County Official to a subordinate other than their designated acting in their absence (charter exempt in the case of elected officials).

- ***Can a vendor contract form be used instead of a County contract?***

Yes, but when the contract is for the provision of services, the County standard personal services contract contains language required by the Prosecuting Attorney that may not be in a vendor's standard contract. For minor services such as repairs and for purchase of goods, many vendors use standard forms commonly called a service orders, service requests, work orders, or purchase orders.

- ***Does the Prosecuting Attorney need to approve "all" written contracts?***

No. Pre-approved contracts for various services including personal services contract, contract for training, fair vendor contracts, and others exist and do not need prosecutor's review if no changes have been made to the general or special conditions and the standardized insurance provisions have been followed (See Appendix C). For minor services such as repairs and purchase of goods, many vendors use a standard form commonly called a service order, service request, work order, or purchase order. These forms may be used and do not require prosecutorial review unless they contain an indemnity clause or liability clause. The appropriate official approving the form, should, however, read the form and if a question arises, consult the Prosecuting Attorney's Office before signing. Other vendor contracts or County contracts not previously approved require prosecutor review.

APPENDIX A
WRITTEN CONTRACTS REQUIRED

Type of Purchase	Written Contract Required
1. ALL: -Rental Agreements for Real Property -Intergovernmental Agreements -Grant Agreements -Union/Labor Agreements -Cooperative Purchase Agreements -Personal or Professional Services -Maintenance and Licensing Agreements	YES
2. Purchases of goods over \$25,000:	YES
3. Certain purchases over \$7,500: -Equipment leases or rentals -Repairs of fixed assets	YES
4. Purchase of goods less than \$25,000	NO
5. Repairs of fixed assets under \$10,000	NO

APPENDIX B

APPROVAL OF CONTRACTS

Type of Contract	Approval
1. All multi-year expenditure contracts exceeding \$25,000 unless a non-appropriation clause is included in the contract. (sec 4.1)	BOCC approves and awards
2. All union labor agreements. (sec 4.1)	BOCC approves and awards
3. Real property transactions. (sec 4.1)	BOCC approves and awards
4. Any agreement requiring a budget emergency or supplement not previously approved by the Board. (sec 4.1)	BOCC approves and awards
5. Any other contract or agreement which by statute must be approved by the governing body of the County. (sec 4.1)	BOCC approves and awards
6. All expenditure or revenue contracts more than \$50,000 per year. (sec 4.1)	BOCC approves and awards
7. Certain contracts \$50,000 or less per year. (sec 4.2)	Administrator approves and awards.
8. Small Works project contracts under \$35,000 (sec 4.3)	Public Works Director/County Engineer approves.

9. Vendor supplied work orders for services under \$10,000 or purchase orders for purchase of goods under 10,000. Certain conditions apply. (sec 4.4)	County Official Approves
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APPENDIX C

STANDARDIZED INSURANCE REQUIREMENTS

Type of Coverage	When Required	Occurrence Limit	Aggregate Limit
Professional Legal Liability	If contractor is a licensed professional including but not limited to the following: - Accountants - Architects - Attorneys - Contractors - Engineers - R/E Appraisers - R/E Brokers - Surveyors - Sanitarians	See Table Below	Not Applicable
Workers' Compensation	Statutory	Not Applicable	Not Applicable
Commercial General Liability	If there is contact with the public.	1. If less than \$25,000, the limit is \$500,000. 2. If between \$25,000 and \$1,000,000, the limit is \$1,000,000. 3. If between \$1,000,000 and \$5,000,000, the limit is \$2,000,000. 4. If greater than \$5,000,000 the limit is set by Risk Management Division.	1. If less than \$25,000, the limit is \$1,000,000. 2. If between \$25,000 and \$1,000,000, the limit is \$2,000,000. 3. If between \$1,000,000 and \$5,000,000 the limit is \$5,000,000. 5. If greater than \$5,000,000 the limit is set by Risk Management Division.

Type of Coverage	When Required	Occurrence Limit	Aggregate Limit
Automobile Liability	If driving is involved and contract is less than \$25,000.	\$100,000 each accident combined bodily injury and property damage.	\$300,000.
Business Automobile Liability	If driving is involved and contract is greater than \$25,000.	\$1,000,000 each accident combined bodily injury and property damage.	Not Applicable

Appendix C (Continued)

PROFESSIONAL LIABILITY INSURANCE LIMIT SCHEDULE	
PROFESSIONS:	PROFESSIONAL LIABILITY
Accountants	\$1,000,000
Architects	1,000,000
Attorneys	1,000,000
Contractors	1,000,000
Counselors	250,000
Dietitians	100,000
Embalmer	1,000,000
Engineers	1,000,000
Escrow Agent	1,000,000
Fire Sprinkler System Contractors	1,000,000
Landscape Architects	250,000
Nutritionists	250,000
Private Detectives	500,000
Process Servers	250,000
Psychologists	1,000,000
Real Estate Appraiser	1,000,000
Real Estate Brokers	1,000,000
Surveyors	1,000,000
Veterinarians	1,000,000
HEALTH CARE	Medical Malpractice
Dental Hygienist	1,000,000
Dentists	1,000,000
Emergency Medical Technician	1,000,000
Nurses	1,000,000
Osteopaths	2,000,000
Pharmacists	1,000,000
Physical Therapist	1,000,000
Physicians	2,000,000
Sanitarians	1,000,000
Sex Offender Treatment Providers	1,000,000
TRADES	Errors & Omissions
Auctioneers	100,000

PROFESSIONAL LIABILITY INSURANCE LIMIT SCHEDULE	
Plumbers	500,000
Security Guards	100,000
Water Well Contractor/Operator	100,000

APPENDIX D

During the performance of this contract, the contractor/consultant, for itself, its assignees and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

1. Compliance with Regulations

The contractor shall comply with the Regulations relative to non-discrimination in federally assisted programs of United States Department of Transportation (USDOT), Title 49, Code of Federal Regulations, part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.

2. Non-discrimination

The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, sex, or national origin in the selection and retention of sub-contractors, including procurement of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.

3. Solicitations for Sub-contracts, Including Procurement of Materials and Equipment

In all solicitations either by competitive bidding or negotiations made by the contractor for work to be performed under a sub-contract, including procurement of materials or leases of equipment, each potential sub-contractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to non-discrimination on the grounds of race, color, sex, or national origin.

4. Information and Reports

The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the contracting agency or the appropriate federal agency to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the contractor shall so certify to WSDOT or the USDOT as appropriate, and shall set forth what efforts it has made to obtain the information.

5. Sanctions for Non-compliance

In the event of the contractor's non-compliance with the non-discrimination provisions of this contract, the contracting agency shall impose such contract sanctions as it or the USDOT may determine to be appropriate, including, but not limited to:

- Withholding of payments to the contractor under the contract until the contractor complies, and/or;
- Cancellation, termination, or suspension of the contract, in whole or in part

6. Incorporation of Provisions

The contractor shall include the provisions of paragraphs (1) through (5) in every sub-contract, including procurement of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The contractor shall take such action with respect to any sub-contractor or procurement as the contracting agency or USDOT may direct as a means of enforcing such provisions including sanctions for non-compliance.

Provided, however, that in the event a contractor becomes involved in, or is threatened with, litigation with a sub-contractor or supplier as a result of such direction, the contractor may request WSDOT enter into such litigation to protect the interests of the state and, in addition, the contractor may request the USDOT enter into such litigation to protect the interests of the United States.

APPENDIX E

The following clauses shall be included in any and all deeds affecting or recording the transfer of real property, structures or improvements thereon, or interest therein from the United States.

1. GRANTING CLAUSE

NOW THEREFORE, Department of Transportation, as authorized by law, and upon the condition that the state of Washington will accept title to the lands and maintain the project constructed thereon, in accordance with Title 23, United States Code, the Regulations for the Administration of Federal Aid for Highways and the policies and procedures prescribed by the United States Department of Transportation and, also in accordance with an in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, the Department of Transportation WSDOT (hereinafter referred to as the Regulations) pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252: 42 USC 2000d to 2000d - 4) does hereby remise, release, quitclaim, and convey unto the state of Washington all the right, title, and interest of the Department of Transportation in and to said land described in Exhibit A attached hereto and made a part thereof.

2. HABENDUM CLAUSE

TO HAVE AND TO HOLD said lands and interests therein unto the state of Washington, and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which the federal financial assistance is extended or for another purpose involving the provisions of similar services or benefits and shall be binding on the state of Washington, its successors, and assigns.

The state of Washington, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person shall on the grounds of race, color, sex or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subject to discrimination with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed (,)(and)* (2) that the state of Washington, shall use the lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Non-discrimination of federally assisted programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended (,) and (3) that in the event of breach of any of the above mentioned non-discrimination conditions, the department shall have a right to reenter said lands and facilities on said land, and the above described land and facilities shall thereon revert to and vest in and

become the absolute property of the Department of Transportation and its assigns as such interest existed prior to this instruction.¹

¹ Reverter Clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purpose of Title VI of the Civil Rights Act of 1964.

APPENDIX F

The following clauses shall be included in all deeds, licenses, leases, permits, or similar instruments entered into by (County) pursuant to the provisions of Assurance 8.

The LESSEE, for himself or herself, his or her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree as a covenant running with the land that in the event facilities are constructed, maintained, or otherwise operated on the said property described in this lease, for a purpose of which a Department of Transportation program or activity is extended or for another purpose involving the provision of similar services or benefits, the LESSEE shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Non-discrimination in federally assisted programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964, as said Regulations may be amended.

That in the event of breach of any of the above non-discrimination covenants, the STATE shall have the right to terminate the lease, and to reenter and repossess said land and the facilities thereon, and hold the same as if said lease has never been made or issued.

The following shall be included in all deeds, licenses, leases, permits, or similar agreements entered into by the Washington State Department of Transportation pursuant to the provisions of Assurance 8.

The LESSEE, or himself or herself, his or her personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree as a covenant running with the land that (1) no person, on the grounds of race, color, sex, or national origin, shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over or under such land and furnishing of services thereon, no person on the grounds of race, color, sex, and national origin shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the LESSEE shall use the premises in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Non-discrimination in federally assisted programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

That in the event of breach of any of the above non-discrimination covenants, the STATE shall have the right to terminate the lease, and to reenter and repossess said land and the facilities thereon, and hold the same as if said lease had never been made or issued.

CHARTER REVIEW COMMISSION

Business Items:

Notice to the Commission of a proposed amendment regarding open public meetings – Paul Pickett

CHARTER REVIEW COMMISSION RESOLUTIONS No. _____

DRAFT – April 28, 2025

THE CLALLAM COUNTY CHARTER REVIEW COMMISSION finds as follows:

1. The current Charter can be improved by clearly linking its language to the Open Public Meeting Act; and
2. There have been requests from the public to clarify the requirements for public access to meeting of the Board of County Commissioners; and
3. Additional language in the Charter citing Chapter RCW 42.30 would improve transparency and accountability in County government;

NOW THEREFORE BE IT RESOLVED, the Clallam County Charter Review Commission, in consideration of the above findings of fact, transmit the following amendment to the County Auditor for inclusion on the 2025 general election ballot in a form that substantially conforms to the following:

Article II, Section 2.40 shall be amended as follows:

Section 2.40: Rules and Organization of the Board of Commissioners

The Board of Commissioners shall by ordinance adopt its own rules and organization. The Commissioners shall elect one of their members as chair who shall preside at all meetings of the Commissioners. The terms "Meetings" and "Action" as used in the Charter, are defined as specified in RCW.30.020. The Commissioners shall meet regularly, at least once a week and shall adopt, by ordinance, rules and procedures designating the time and place for the conduct of their meetings and the manner of introduction, consideration, adoption and publication of the ordinances. Meetings of the Commissioners shall be open to the public and a public record shall be kept of each meeting and the votes taken therein. Any meeting of the Commissioners shall be held in a location where all of the requirements of Chapter RCW 42.30 RCW can be met. The records shall be kept in the form prescribed and shall be accessible as provided by ordinance and law. The Commissioners may appoint staff as they deem necessary to assist them in the performance of their duties.

PASSED AND ADOPTED this ____ day of ____ 2025.

Susan Fisch, Chair
Clallam County Charter Review Commission