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IN THE MATTER OF ELECTING FREEHOLDERS
AT THE NOVEMBER 5, 2013 GENERAL ELECTION
TO DRAFT A HOME RULE CHARTER FOR
CLARK COUNTY GOVERNMENT

AMENDED
RESOLUTION

NO. 2013-06-17

AMENDED
RESOLUTION

WHEREAS, the issue of establishing a Home Rule Charter for Clark County has been under discussion by the community for more than thirty years and members of the community have shown an interest in the flexibility to modernize county government that might be possible under a Home Rule Charter; and

WHEREAS, Article XI, Section 4 of the Washington State Constitution authorizes the Board of County Commissioners to initiate a home rule process; and

WHEREAS, the Board of Clark County Commissioners believes that the residents of Clark County should engage in an effort to study ways to improve county government and have the right to have their recommendations submitted to the voters of Clark County for their consideration in a countywide election.

NOW, THEREFORE, BE IT RESOLVED by the Board of Clark County Commissioners as follows:

1. Pursuant to the terms of the Washington State Constitution, Article XI, Section 4, the Clark County Auditor is hereby instructed to conduct an election of 15 freeholders during the general election of 2013 as indicated below.

2. Freeholder positions shall be allocated to commissioner districts based on population as follows:
   District 1: Five Freeholder positions
   District 2: Five Freeholder positions
   District 3: Five Freeholder positions

3. Freeholders shall be elected to a term of office commencing the day following the certification of the general election and ending December 31, 2014, or upon submission of a draft charter for a public vote, whichever comes first.

4. Candidates for election as a Freeholder may file with the Clark County Auditor between 8:00 a.m. on August 5 and 5:00 p.m. on August 9, 2013 and shall declare which of the fifteen positions they are pursuing. No person shall file for more than one Freeholder position. All fifteen Freeholder positions shall be ~~partisan~~ nonpartisan elected positions. ~~and placed on the ballot in accordance with their declaration of partisan affiliation. Any candidate who files a declaration of candidacy as an independent for a Freeholder position shall be placed on the ballot under the title "Independent."~~ There shall be no filing fee for Freeholder candidates.

5. Candidates for Freeholder shall be qualified electors, be a resident of the commissioner district from which they are seeking election, and shall have resided within Clark County for a period of not less than five years prior to election. All Freeholder candidates must be registered voters of Clark County.

6. Electors will only be allowed to vote for the Freeholder positions representing the commissioner district area within which they reside.

7. Freeholder candidate names will appear on the ballot in an order determined by lot, drawing to be held at 5:00 p.m. on August 9, 2013, and shall not be subject to rotation. The candidate receiving a majority vote for each Freeholder position shall be certified as having been elected to that position. Candidate photos and statements will be included in the general election voters' pamphlet in a method prescribed for candidates to other offices in that election by the County Auditor. Candidate photos and statements must be submitted to the Clark County elections office no later than 5:00 p.m. on August 15, 2013.

8. The candidate receiving the most votes in the election shall serve as the Chair of the Board of Freeholders until such time as the Board of Freeholders shall determine the

procedures under which it shall operate. No member of the Board of Freeholders shall receive any compensation for their service as a Freeholder. The Board of Freeholders may propose a policy for reimbursement of their personal expenses for official activities during their time in office in a manner consistent with countywide policy and state law for consideration by the Board of Clark County Commissioners.

9. The Board of Freeholders will schedule and hold a public meeting within thirty days following the certification of election. The meeting will be open to the public, but need not be opened for public testimony. At its initial meeting, the Board of Freeholders shall receive a briefing on their authority, rights, and responsibilities as public officials by the Clark County Prosecuting Attorney's Office. This briefing shall include requirements of open meetings laws, freedom of public information, conflict of interest, and such other matters as the Prosecuting Attorney's Office deems relevant and necessary for the legal performance of their office.

10. At the first meeting, the Board of Freeholders will make provisions to accomplish the following within the subsequent sixty days:
    a. Establish dates, times, and a place for regularly scheduled meetings;
    b. Submit an initial proposal for the use and assistance of county staff and resources for consideration by the County Administrator;
    c. Submit a report to the Board of Clark County Commissioners outlining the Board of Freeholder's expected plans for development and submittal of a home rule charter;
    d. Submit a budget request to the County Administrator for consideration by the Board of Clark County Commissioners.

11. Thenceforth, and for so long as the Board of Freeholders shall meet, it shall:
    a. Ensure that all Board of Freeholders meetings are open to the public and are noticed in accordance with RCW 42.30;
    b. Encourage and allow for public testimony and inclusion in the Freeholder process and make available draft minutes of meetings to the Board of Clark County Commissioners for posting on the Clark County website.

12. While the Board of Freeholders is in existence, the County Administrator shall:

a. Provide all reasonable county support as it shall request and the Board of Clark County Commissioners shall direct. This may include purchasing, financial processing, legal advice, and such other services as is generally provided by the county to other county departments;

b. Recommend budgets from General Fund allocations as available and as requested by the Board of Freeholders. The Board of Freeholders shall not be granted treatment in excess of that afforded to any other elected official within the county process for assigning budgetary priority.

13. No county employee shall engage in any activity while on public time or at public expense to promote the adoption of any Home Rule Charter proposal. The Board of Freeholders shall not use public employees, resources, or facilities to promote the adoption of a Home Rule Charter.

ADOPTED this 18 day of June, 2013, by the Board of Clark County Commissioners.

Attest:

Tina Redline

Deputy ~~Rebecca Tilton,~~ Clerk to the Board
Tina Redline

Approved as to Form Only
ANTHONY GOLIK
Prosecuting Attorney

By _____
Darryl Walker, Deputy Prosecuting Attorney

BOARD OF COUNTY COMMISSIONERS
FOR CLARK COUNTY, WASHINGTON

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