



Board of County Commissioners
Planning Session
Regular Meeting
Tuesday, April 23, 2024
10:30 AM to 4:30 PM
3000 Pacific Avenue, Room 110

AGENDA

- I. **Closed Session – RCW 42.30.140(4)(a)** – Collective bargaining sessions...; or (b) that portion of a meeting during which the governing body is planning or adopting the strategy or position to be taken by the governing body during the course of any collective bargaining... *Corrections and Deputy Sheriffs Contracts – Commissioners' action may follow.*
- II. **One Water Policy** – *Discussion*
- III. **Salary Commission** – *Discussion*
- IV. **Commissioners Items** – *Discussion*

*Bring Your Own Lunch – We will take a break midday.

Disability Accommodations: Room 110 is equipped with an assistive listening system and is wheelchair accessible. To request disability accommodations, call the Reasonable Accommodation Coordinator at least 3 days prior to the meeting at 360-786-5440. Persons with speech or hearing disabilities may call via Washington Relay at 711 or 800-833-6388.



ONE WATER SUBCOMMITTEE

PURPOSE:

To assist the Board of County Commissioners (BoCC) with defining the concept of One Water for Thurston County, in partnership with neighboring jurisdictions, water purveyors and other stakeholders.

MEMBERS:

- Two Commissioners designated by the BoCC
- Assistant County Manager
- Technical Staff from Community Planning & Economic Development, Environmental Health, and Public Works

SCOPE:

With BoCC approval,

- Convene Subcommittee members.
- Review resources that will inform the Board definition of One Water.
- Draft a One Water Policy statement for Board consideration.
- Develop a list of stakeholders (jurisdictions, water purveyor, stormwater and sewer utilities, etc.)
- Assist Board with outreach to jurisdictions and stakeholders to garner feedback.
- Assist with incorporation of stakeholder input.
- Develop concept and framework for a One Water Summit with stakeholders.
- Develop recommendations for policy inclusion in county planning documents and related capital facility plans.
- Review concepts for internal coordination and implementation of the One Water Policy, make recommendations to the BoCC.
- Define a consistent system to measure/report across stakeholders.

QUESTIONS:

How does this work complement the Water Resources Advisory Board?

One Water Policy Flow

Create Board Subcommittee

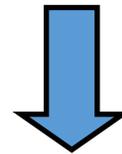
- Two Commissioners
- Assistant County Manager
- Three Technical Staff:
 - CPED
 - EH
 - PW



Stakeholder Input



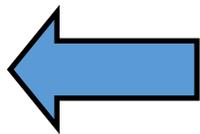
One Water Summit



Garner Stakeholder Commitment



Jurisdictional Comprehensive Plan Updates



Capital Facilities Plans

CONSTITUTIONAL PROVISIONS

Washington Constitution, article XI, section 8 provides in

part: The salary of any county, city, town, or municipal officers shall not be increased except as provided in section 1 of Article XXX or diminished after his election, or during his term of office....

Washington Constitution, article XXX, section 1 provides in relevant part:

The compensation of all elective and appointive state, county, and municipal officers who do not fix their own compensation, . . . may be increased during their terms of office to the end that such officers and judges shall each severally receive compensation for their services in accordance with the law in effect at the time the services are being rendered....

TIMELINE OF COMMISSIONER SALARY SETTING

Prior to 2001, the Thurston County Board of County Commissioners set its own salaries.

On October 20, 1986, Resolution No. 8488 was adopted with the following provisions:

1. The monthly salary of Thurston County Commissioners for the year 1989 shall be equal to the average monthly salary of County Commissioners of first and second class counties in Southwestern Washington including Clark, Kitsap, and Cowlitz Counties for the previous year adjusted by the percentage of the 1988 July Seattle/Everett Urban Wage Earners and Clerical Workers Consumer Price Index (CPI(W)).

2. In each year following 1989, the monthly salary shall be annually adjusted. The annual adjustment shall be made effective January 1 and shall be equal to the difference between the average annual salary for the previous year of Commissioners in first and second class counties in Southwestern Washington including Clark, Kitsap, and Cowlitz Counties and the annual salary of the Thurston County Commissioners for the previous year adjusted by the percentage of the July Seattle/Everett Urban Wage Earners and Clerical Workers Consumer Price Index (CPI(W)).

On May 14, 1990, Resolution 9454 was adopted with the following relevant provisions:

1. That the annual salary for members of the Board of County Commissioners shall be set on January 1 of each year and shall be the following percentage of the annual salary of judges of the Superior Court on January 1 of said year:

<u>Percent</u>	<u>Year</u>
69	1990
71	1991
73	1992
75	1993 and each year thereafter

4. That since Commissioners' salaries may not be changed during their term and because the Board wants all three Commissioners to have the same salary, the salaries as provided by this resolution for members of the Board of County Commissioners shall not be effective until January 1, 1993, the time that all three Commissioners may legally receive the new salary. In the interim the current salary system for members of the Board of County Commissioners shall remain in effect.

On October 19, 1992, Resolution 10182 was adopted with the following relevant provisions:

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THURSTON COUNTY that the annual salary for County Commissioners from Districts No. 1 and No. 2 for 1993 shall be the 1992 annual salary plus a 5 percent cost of living increase.

BE IT FURTHER RESOLVED that the annual salary for County Commissioners from Districts No. 1 and No. 2 for 1994 and each year thereafter shall be the prior year's annual salary adjusted by a cost of living increase. The cost of living increase shall be the percentage increase in the prior year's July Seattle/Everett Urban Wage Earners and Clerical Workers Consumer Price Index (CPI(W)).

On March 23, 1993, Paul Telford filed a lawsuit seeking to have the salary resolutions declared unconstitutional. He asserted that the county commissioners had given themselves mid-term salary increases. The trial court determined that the methods of establishing the salaries as a percentage of superior court judges' salaries and tying increases to increases in the CPI were both unconstitutional. The trial court's decision was not appealed.

On July 18, 1994, Resolution 10875 was adopted with the following relevant provisions:

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THURSTON COUNTY that the annual salaries for the following Thurston County Commissioners as of January 1 of each year shall be as follows:

	<u>1995</u>	<u>1996</u>	<u>1997</u>	<u>1998</u>	<u>1999</u>	<u>2000</u>
Commissioner Dist. #1	\$64,036	\$64,036	\$68,243	\$69,743	\$71,243	\$72,743
Commissioner Dist. #2	\$64,036	\$64,036	\$68,243	\$69,743	\$71,243	\$72,743
Commissioner Dist. #3	\$68,243	\$68,243	\$68,243	\$69,743	\$71,243	\$72,743

BE IT FURTHER RESOLVED, that the salaries for the county commissioners for the year 2001 and each year thereafter shall be the same as for the year 2000.

On April 20, 1998, Resolution 11674 was adopted with the following relevant provisions:

The annual salaries for the following Thurston County Commissioners as of January 1 of each year shall be as follows:

	<u>1998</u>	<u>1999</u>	<u>2000</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>
Commissioner Dist. #1	\$69,743	\$71,243	\$72,743	\$74,243	\$75,743	\$77,243	\$78,743
Commissioner Dist. #2	\$69,743	\$71,243	\$72,743	\$74,243	\$75,743	\$77,243	\$78,743
Commissioner Dist. #3	\$69,743	\$71,243	\$72,743	\$74,243	\$75,743		

The salaries for the county commissioners in District #1 and #2 for the years 2001 through 2004 shall be increased each year by \$1,500. The salary for the county commissioner in District #3 for the years 2001 through 2002 shall be increased each year by \$1,500.

In 1999, the state auditor issued Bulletin No. 1999-01 regarding whether salaries for city council members or county commissioners can be increased by tying them to an index, such as the Consumer Price Index. The Bulletin states, "we have consistently concluded over the years that this sort of salary increase is indeed a violation of the State Constitution. We have stated, and continue to advise, that unless the increase can be foreseen at the beginning of the term, salary increases connected to an index violate the constitutional restriction. This conclusion has been supported by a Superior Court decision, Telford v. Thurston County Commissioners and Thurston County, and informal opinions by the Office of the Attorney General."

On August 27, 2001, Resolution 12570 was adopted establishing the Thurston County Commission on Salaries for Elected Officials. The resolution authorized the Commission to set the salaries of the county commissioners.

OPTIONS FOR SETTING COUNTY COMMISSIONERS' SALARIES

OPTION 1: Status Quo - Continue To Have Salary Commission Set Commissioners' Salaries

Action Needed: Adopt ordinance by 11/28/2024 changing the membership of the salary commission to be consistent with 2023 revisions to RCW 36.17.024. The ordinance could continue to have the salary commission recommend salaries of the other elected officials, or could modify the salary commission's role to only set county commissioners' salaries.

Current Status: The existing salary commission, as provided in Thurston County Code ch. 2.118, consists of 6 members chosen by lot by the county auditor and 4 members selected by the BOCC. The members chosen by lot are based on having three commissioner districts. The 4 members selected by the BOCC must be residents of the county with experience in personnel management and shall be one from each of the following sectors in the county: business, professional personnel management, legal profession, and organized labor.

New Required Salary Commission Membership: By November 28, 2024, the membership of the salary commission must include at least one member living in each of the five county commissioner districts chosen by lot by the county auditor and may include additional members as determined by the BOCC. The additional members must be residents of the county who have experience in the field of personnel management or a related field. The members selected by lot must constitute a majority of the salary commission.

OTHER OPTIONS: Eliminate Salary Commission and Have BOCC Set County Commissioner And Other Elected Officials' Salaries And Establish How Salaries Will Be Determined

The Washington State Constitution prohibits the legislative authority from increasing or decreasing its own salaries during the term of office. If the board of county commissioners sets the salaries of the county commissioners, the salaries must be set prior to the beginning of the four-year term and cannot be changed during the term.

The board of county commissioners may increase, but not decrease, the other elected officials' salaries during each term.

All elected officials' salaries will remain at the current level in future years unless the BOCC adopts new salaries.

OPTION 2

Set a pay differential of *X percent* between the elected official (Assessor, Auditor, Clerk, Coroner, Treasurer and Sheriff annual pay) and the max annual pay of a chief deputy to an elected official or other benchmarked position (not all elected officials have a chief deputy). The Commissioners' salaries can be set equal to the salaries for the Assessor, Auditor, Clerk, Coroner and Treasurer or could be set at a different level than the other salaries.

OPTION 3

Set the pay for the Commissioners, Assessor, Auditor, Clerk, Coroner, Treasurer and Sheriff using the maximum salary of the appointed directors' pay range. The Commissioners' salaries can be set

equal to the salaries for the Assessor, Auditor, Clerk, Coroner and Treasurer or could be set at a different level than the other salaries.

Note: options 2 & 3 do not include the Prosecuting Attorney.

Action Needed:

1. Adopt an ordinance repealing TCC chapter 2.118 that established the salary commission.
2. To change future county commissioner salaries, prior to the term in office, adopt a resolution setting salaries to take effect for each commissioner district on the start of the next term of office and for each year of the term. To change any salaries for future years, adopt a resolution establishing salaries for Districts 1, 2, and 4 for 1/1/2025 to 12/31/2028 and beyond, and for Districts 3 and 5 for 1/1/2027 to 12/31/2030 and beyond.
3. To change the other elected officials' salaries, adopt a resolution setting the salaries.

BOCC terms are as follows:

District	Term Expires	2023	2024	2025 New Term	2026	2027	2028	2029 New Term
1	2024	\$131,904	\$139,560	TBD	TBD	TBD	TBD	TBD
2	2024	\$131,904	\$139,560	TBD	TBD	TBD	TBD	TBD
4	2024	\$131,904	\$139,560	TBD	TBD	TBD	TBD	TBD

If the BOCC will set salaries, the District 3 and 5 salaries will remain at current levels through the end of the current terms.

District	Term Expires	2023	2024	2025	2026	2027 New Term	2028	2029
3	2026	\$131,904	\$139,560	\$139,560	\$139,560	TBD	TBD	
5	2026	\$131,904	\$139,560	\$139,560	\$139,560	TBD	TBD	

Pros of Options 2 & 3

1. Eliminates pay inversion between elected officials and their chief deputies.
2. Gives the Commissioners control over the amount/percent of increases to their own salaries

Cons of Options 2 & 3

1. Increases budget
2. Salaries of chief deputies and department directors, in some cases, are leading in the market
3. Optics

Elected Official Salaries

Comparison of current elected Official Salaries in three different scenarios:

1. Elected Officials are paid at 10% above the salary of their Chief Deputy
2. Elected Officials are paid at 15% above the salary of their Chief Deputy
3. Elected Officials are paid at the same rate as Department Directors

Salaries calculated for 2025 (does not account for a COLA)

Current Elected Official Salaries

Elected Official	Salary	Benefits	Total
Assessor	139,560	25,713	165,273
Auditor	139,560	25,713	165,273
Clerk	139,560	25,713	165,273
Coroner	139,560	25,713	165,273
Sheriff	172,416	30,074	202,490
Treasurer	139,560	25,713	165,273
Total			1,028,855

Scenario 1: Salary set 10% above Chief Deputy

Elected Official	Chief Deputy	Elected Official	Benefits	Total	Increase
Assessor	148,248	163,073	29,873	192,946	27,673
Auditor	148,248	163,073	29,873	192,946	27,673
Clerk	148,248	163,073	29,873	192,946	27,673
Coroner	148,248	163,073	29,873	192,946	27,673
Sheriff	209,028	229,931	37,828	267,759	65,269
Treasurer	148,248	163,073	29,873	192,946	27,673
Total				1,232,487	203,632

Scenario 2: Salary set 15% above Chief Deputy

Elected Official	Chief Deputy	Elected Official	Benefits	Total	Increase
Assessor	148,248	170,485	31,184	201,669	36,396
Auditor	148,248	170,485	31,184	201,669	36,396
Clerk	148,248	170,485	31,184	201,669	36,396
Coroner	148,248	170,485	31,184	201,669	36,396
Sheriff	209,028	240,382	39,237	279,619	77,129
Treasurer	148,248	170,485	31,184	201,669	36,396
Total				1,287,966	259,111

Scenario 3: Salary set the same as Department Directors

Elected Official	Dept Director	Elected Official	Benefits	Total	Increase
Assessor	174,444	174,444	31,885	206,329	41,056
Auditor	174,444	174,444	31,885	206,329	41,056
Clerk	174,444	174,444	31,885	206,329	41,056
Coroner	174,444	174,444	31,885	206,329	41,056
Sheriff	174,444	174,444	30,347	204,791	2,301
Treasurer	174,444	174,444	31,885	206,329	41,056
Total				1,236,434	207,579

Counties that tie Elected Official salaries to percentage of Superior Court Judge Salary (Not Including Prosecuting Attorney)							
County	Commissioner	Auditor	Assessor	Treasurer	Clerk	Coroner	Sheriff
<i>Chelan</i>	51.00%	51.00%	51.00%	51.00%	51.00%	43.00%	2% above undersheriff
<i>Clallam</i>	50.00%	50.00%	50.00%	50.00%	50.00%	n/a	72.00%
<i>Clark</i>	Set per charter - percentage of salaries established for state legislators by WA State Salary Commission						
<i>Cowlitz</i>	Set by Salary Commission	50%	50%	50%	50%	50%	65% or 6% above the undersheriff - whichever is higher
<i>Grant</i>	53.00%	51.50%	51.50%	51.50%	51.50%	51.50%	63.00%
<i>Grays Harbor</i>	43.00%	43.00%	43.00%	43.00%	43.00%	38.00%	66.00%
<i>Island</i>	51.21%	46.09%	46.09%	46.09%	46.09%	46.09%	56.33%
<i>Jefferson</i>	47.00%	47.00%	47.00%	47.00%	47.00%	n/a	56.00%
<i>Pacific (effective 2025)</i>	40.00%	40.00%	40.00%	40.00%	40.00%	n/a	50.00%
<i>Skagit</i>	65.00%	57.00%	57.00%	57.00%	57.00%	57.00%	75.00%
<i>Skamania</i>	38.50%	38.50%	38.50%	38.50%	38.50%	n/a	48.20%

Counties that do not tie elected official salaries to Superior Court Judge

<i>Franklin</i>	Setting salaries using WA State Salary Commission						
<i>King</i>	Based on % of Elected Executive's salary						
<i>Kitsap</i>	Commissioner's set for term; other elected officials % of Chief Deputies						
<i>Lewis</i>	Salary Commission						
<i>Pierce</i>	Salary Commission						
<i>Spokane</i>	Salary Commission						
<i>Thurston</i>	Salary Commission						
<i>Whatcom</i>	Salary Commission						
<i>Yakima</i>	Set by resolution; currently provides for 3% increases per year	Set by County Commissioners					

04.22.2024 HR