

# LEWIS COUNTY SALARY COMMISSION MEETING MINUTES

TUESDAY, OCTOBER 5, 2020  
5:30 P.M.

County Courthouse Commissioner Meeting Room | Chehalis, WA 98532

## I. Call to Order

Robert Berg called the meeting to order at 5:31 p.m., Tuesday, October 5, 2021. Those in attendance were:

Salary Commission Members:

Robert Berg (in person)	Martha Hunt
Rick Kuykendall (in person)	<del>Matt Brock (via Zoom)</del>
Eric Carlson (in person)	Kelly Bell (via Zoom)
<del>Sheri Belenski</del>	<del>Kelly Doege</del>
<del>Brandon Campbell</del>	<del>Cindy Tahl</del>
Donna Moody (via Zoom)	

Other attendees:

Becky Butler	
Lara McRea	
Andrew Logerwell	

## II. Verification of a Quorum

There is a quorum of six (6) salary commission members.

## III. Introductions

Mr. Logerwell introduced himself as the Chief Civil Deputy Prosecuting Attorney. He represents the Lewis County Prosecutor's Office.

## IV. Approval of Meeting Agenda

Mr. Berg called for a motion to approve the meeting agenda. Kelly Bell made a motion to approve the meeting agenda for October 5, 2021. Martha Hunt seconded the motion. The motion passed unanimously, 6 to 0.

## V. Approval of Minutes for August 4, 2020

Mr. Berg called for a motion to approve the minutes, as submitted, for the meeting on August 4, 2020.

**Discussion.** Martha Hunt remarked she did **not** vote "yes" on August 4, 2020 on the Motion to Approve the Draft Memo *Lewis County Citizens' Commission on Salaries for Elected Officials Compensation Report*. As such, Ms. Hunt asked the minutes from August 4, 2020 be amended to reflect the fact her vote was in fact "no." Mr. Berg called for a new motion to approve the minutes from August 4, 2020 with the

stipulation that they be amended to reflect Ms. Hunt's no vote. There was general agreement that Ms. Hunt, who appeared via Zoom on August 4, 2020, had trouble hearing during the meeting and that the amendment to the minutes should be made.

Donna Moody made the motion to approve the minutes from August 4, 2020 with said amendment. Kelly Bell seconded the motion. **Motion approved 6 to 0.** See Amended Meeting Minutes August 4, 2020.

**VI. Public Comment - Limit of 3 minutes**

Mr. Berg called for any public comments; there were no public comments.

**VII. Review of Agenda Packet Materials**

Mr. Berg reviewed the agenda packet for the meeting: (1) the meeting agenda; (2) meeting minutes for August 7, 2020 meeting; (3) Resolution No. 21-296; (4) Commissioner Compensation for 2022.

**VIII. Discussion / Decisions**

The commission members engaged in a discussion about Resolution No. 21-296 and the Commissioner Compensation for 2002.

Mr. Berg presented an overview of Resolution No 21-296. He explained the Lewis County Commissioners removed the offices of Auditor, Assessor, Clerk, Coroner, Prosecuting Attorney, and Treasurer from the LC Salary Commission's review.

Mr. Carlson responded with a detailed analysis of why he does not believe the Lewis County Commissioners have the statutory authority to remove any of the offices from the LC Salary Commission's review.

Mr. Carlson registered his dismay that the Lewis County Commissioners would "tie the annual salary for certain Lewis County elected positions to a percentage of the salary for a Superior Court Judge." He went on to point out that on top of a salary increase of 10% that this citizens' commission gave to Lewis County elected officials in August, 2020, that now the Lewis County Commissioners have given 8.75% more to the elected officials of the county. That means that in two years, the elected officials have received an 18.75%. Mr. Carlson remarked that he believes this to be an outrageous amount of increase.

In addition, Mr. Carlson pointed out that it was in fact incorrect for this citizen salary commission to be led to believe (by the Lewis County Prosecutor's Office) that it only had an *advisory* role for the elected officials (Auditor, Assessor, Clerk, Coroner, Prosecuting Attorney, and Treasurer).

In fact, RCW 36.17.020 provides "[t]he county legislative authority of each county **or** a county commissioner **or** councilmember **salary commission** which conforms with RCW 36.17.024 **is authorized** to establish the salaries of the **elected officials of the county.**" Emphasis added.

Further, RCW 36.17.024(2)(d) provides “[n]o member of the commission **may be removed** by the county commissioner or executive, or county legislative authority if there is no singled county commissioner or executive, during his or her term of office unless for cause of incapacity, incompetence, neglect of duty, or malfeasance in office, or for a disqualifying change of residence.”

Mr. Carlson went on to reason that once the Lewis County Commissioners decided to establish the Lewis County Citizens’ Salary Commission, the salary commission cannot be “rescinded.” Moreover, the salary commission has plenary authority over **setting** all elected officials’ salaries as provided in RCW 36.17.020.

Therefore, Resolution No. 21-296 is unlawful and the elected officials’ salary increases of 8.75% on top of the citizens’ salary commission increase of 10% - for a whopping 18.75% is unreasonable.

Ms. Bell said she agreed with Mr. Carlson that an 18.75% increase in salaries for the elected officials in the space of less than two years is incredible. She also commented that Resolution 21-296 is “a *fundamental* question about everything we have done here.”

Ms. Hunt commented that the group has been apart for a long time. As such, she is not prepared to do anything until we are able to take a careful look at where things are at. She did not want to make any final decisions at this meeting and needs more information.

Mr. Berg commented that he thought there are now questions about where and how this group gets its advice – namely from the prosecutor’s office since the prosecutor’s office only provided RCW 36.17.024 in the initial folders it prepared for the citizens’ salary commission members – and did not include RCW 36.17.020 which Mr. Carlson referenced.

Mr. Kuykendall commented that it is clear he needs more information at this point and we should not be afraid to seek out that information – especially given the fact the Lewis County Commissioners may have exceeded their statutory authority with Resolution 21-296.

Ms. Moody echoed the sentiments of the group. She too wants to have more clear information and direction about the authority of this commission related to RCW 36.17.020.

Mr. Berg, chairperson, suggested this commission put forth a motion to draft a letter – to be approved by a separate motion at the next meeting – where this commission seeks out additional clarification from the Attorney General’s office and/or puts the Lewis County Commissioners on notice of the fact they may have exceeded their statutory authority when they passed Resolution 21-296.

Mr. Carlson made a motion to direct Mr. Carlson to draft a *draft* letter for the commission to consider at its next meeting. The letter will spell out the statutory authority this commission believes it may have and that the Lewis County

Commissioners may have exceeded their authority when it passed Resolution No. 21-296.

Ms. Bell seconded the motion. **Motion passed 6 to 0.**

**IX. Next Meeting, Thursday, January 6, 2022 @ 5:30 PM**

*\*\*\* Note \*\*\* The salary commission originally scheduled its next meeting for November 9, 2021. However, due to conflicts and illness, the meeting was ultimately rescheduled to January 6, 2022.*

**X. Adjournment**

Mr. Berg asked for a motion to adjourn. Kelly Bell made a motion to adjourn. Rick Kuykendall seconded the motion. The salary commission approved the motion 6 to 0. The Meeting ended at 6:31 p.m.

Respectfully submitted,



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Eric Carlson, Attorney at Law  
Clerk, Lewis County Salary Commission