

WASHINGTON MUNICIPAL CLERKS ASSOCIATION EXECUTIVE COMMITTEE MONTHLY REPORT

MARCH 2009

By Kammy Hill, Board Member

MESSAGE FROM ALI SPIETZ, WMCA PRESIDENT

Hello WMCA Members,

I hope you all survived the holidays and that the New Year has been a chance for renewal and rejuvenation. WMCA is hard at work to prepare for our Annual Conference in March. Our committees have been working diligently to make sure all of the logistics are covered and our education sessions are all in order. I would like to recognize those of you who serve on committees (many of whom serve on more than one). You truly are the heart and backbone of this organization and I thank you for your service. To the committee chairs, your time and effort to lead your committees does not go unnoticed, and I am so grateful and lucky to have you leading with me.

We also awarded a record number of scholarships for our conference this year, 20! We all have felt the crunch due to the recent changes in the economy, and because of our member's support of education through the raffles and auctions, we will be able to cover the \$300 registration cost for 20 of our members as well as up to \$300 of lodging costs for nine of those members who are first-time attendees! I am very proud of our organization, which continues to show the value of continuing education and helping others.

Only two weeks until we meet for the 39th Annual WMCA Conference! It has been such an honor serving you in this capacity. I cannot believe that my year as president is almost over...time has sure flown by. The things I have learned, the places I have visited, the people I have met and the moments I have experienced have truly made my life richer. At our conference, I am excited to see old friends, to meet our new members and hand off the reins to your very competent and amazing President-Elect Bob Baker. You are all in for a wonderful year with him at the helm.

Thank you for letting me enjoy this amazing ride with all of you...

See you in Ocean Shores!
Ali Spietz
WMCA President

WELCOME NEW WMCA BOARD MEMBER

Debbie Clark, City of Pasco, was appointed by the Executive Committee to fill the vacancy left by the resignation of Board Member JoAnne Giesbrecht. Debbie has served as the City Clerk of Pasco since July 2006. She obtained her CMC designation in August 2008 and is working towards her MMC. Debbie is a member of the NCI Education Committee and is also a member of the WMCA Education Committee. Welcome Debbie!

ANNUAL CONFERENCE – TWO WEEKS AND COUNTING!

The countdown is on to the annual conference in Ocean Shores! The education program is set, vendors confirmed, and final preparations are being made by our extremely capable and dedicated committees. Remember to bring your silent auction and raffle items (along with your checkbook). A camera is also a necessity to help capture the beauty of the area and your new and old friends!

EARNING IIMC CMC, MMC AND/OR RECERTIFICATION POINTS FOR ATTENDING THE ACADEMY AND/OR WMCA CONFERENCE!

For attending the Academy on March 17, you can earn 3 MMC advanced education points, 3 CMC experience points or 3 recertification points. For attending the conference, you can earn 2 CMC experience points or 1 MMC social/professional point. Only advanced education points may be used for recertification so no recertification points are accrued for attending the conference.

SPRING ACADEMY

BY PAM KOLACY, WMCA EDUCATION COORDINATOR/IIMC REGION IX DIRECTOR

Get ready for a great Academy session at the WMCA annual conference. This unusual class is a combination of two separate but related topics. Our presenter, Deb Sofield, is president of her own executive speech and presentation coaching company in Greenville, South Carolina. Along with the many other accomplishments on her resume, she has taught programs at Harvard, Yale, the University of South Carolina, and Clemson. She is also a former member of the Greenville City Council and from that perspective, understands the vital role of the municipal clerk. The program begins with “Public Speaking Skills for the Professional” – an entertaining and information packed session which will give you all kinds of tips for those heart stopping moments when you find yourself “on stage” representing your department or your municipality. Don’t worry, with at least 80 people in the class chances are you will not have to get up and talk – you can take this information home and use it to improve your own speaking skills. There will be no desire to nap after lunch when Deb will introduce a new program titled “Everyone Deserves a Second Chance – Even You!” If you have some “baggage” that is holding you back in your professional (and personal) life, here’s your chance to figure out what that is and how to let go so that you can be your best, both professionally and personally. The session, Tuesday, March 17, has been approved by IIMC for 3 MMC advanced education points, 3 CMC experience points, and 3 recertification points.

UPCOMING VOTE ON BYLAWS AMENDMENT

BY WOODY EDVALSON, BYLAWS COMMITTEE CHAIR

The Bylaws Committee had a single topic to address this year. The suggested topic came from committee member Tes Ongoco. She questioned whether WMCA might have an obligation to maintain the same records as a private non-profit corporation under the Revised Code of Washington. She inquired of legal advisor Pat Mason of MRSC, who responded he felt the Association was indeed subject to those requirements. The Bylaws Committee recommended the issue for a possible bylaws amendment to the Executive Committee. The Executive Committee responded with a request to prepare specific language for the proposed amendment. Language was developed, reviewed by the Executive Committee and sent back

to the Bylaws Committee to present to the membership for a vote at the Association's March Annual business meeting. Notification of the Bylaws amendment was sent to the membership via mail on February 17th along with the official notification of the Association Business Meeting.

The amendment adds language to the bylaws requiring the Association to maintain the corporate records identified by RCW 24.03.135, and to audit those records and report the results of that audit to the membership on an annual basis. While there is no specific retention period designated for these corporate records, the Bylaws committee recommended the annual records be retained for at least six years to allow for membership verification of 'Clerk of the Year' candidates.

In addition to the proposed amendment of the bylaws, the Bylaws Committee also recommended a change to the duties of the Association Secretary. The duties of the Association officers, other than those specifically identified in the bylaws, are governed by the Executive Committee. The recommendation of the Bylaws Committee is to add specific responsibility to the Association Secretary to maintain the Association's corporate records as identified by RCW and make them available for the annual audit.

This bylaw amendment will be before the membership for a vote at the Annual Business Meeting on Thursday, March 19, 2009 at 9:00 am during the annual conference.

A NOTE FROM THE FUNDRAISING COMMITTEE

BY DEBBY BARHAM, FUNDRAISING COMMITTEE CO-CHAIR

Thanks goes out to 49 WMCA members who agreed to sell the \$5.00 raffle tickets! Over 900 tickets are out and about! ***So, our goal of selling all 1,000 \$5.00 raffle tickets before the WMCA Conference scheduled in March 2009 is getting close!*** As of February 20th, nine members have returned ticket stubs and proceeds totaling \$800.00. We are encouraging members to consider selling one more book of tickets in order to reach our goal!

The \$1.00 raffle tickets will be available again this year during the conference; however, our window of selling these tickets is shorter this year. So remember to bring plenty of one-dollar bills to buy these tickets because there will be lots of fun and valuable prizes to win!

At the January 16, 2009, Executive Committee meeting, it was decided to purchase new WMCA tee shirts and place a majority of older merchandise on clearance. The new WMCA tee-shirts are long sleeved and come in two colors: light pink with a black WMCA logo, and black with a white logo over the left chest. A total of 150 shirts, ranging from small to 2X large, will be available for sale at the Conference for \$15.00 per shirt.

The merchandise that will be included for sale on the \$5.00 clearance rack will include: shorts, denim shirts, sweat pants, fleece vests, and gym bags. Lunch bags will be sold for \$2.50, clipboards for \$1.00, and laptop bags for \$15.00.



Remember to bring all your auction items, baskets, and weekend trips to the Conference. Please email a discription of your auction items to Valerie Loffler by Friday March 6, 2009. However, keep asking for donations up until you come to the Conference! We are looking forward to working with the Scholarship and Conference Planning Committees to coordinate the new Silent and Live Auction schedules, the raffle drawings and merchandise sales during the conference! It will be rewarding on so many levels!

COMMITTEE SIGN-UPS

WMCA needs you! We are an all volunteer organization and rely on our members to pitch in and help make us great. We know that you have special talents and are counting on you to sign up for one (or more) of the following committees:

- Audit Committee
- Awards Committee
- Bylaws Committee
- Communications Committee
- Conference Planning Committee
- Education Committee
- Elections Committee
- Fundraising & Special Projects Committee
- Historical Committee
- Legislative Committee
- Membership Committee
- Scholarship Committee

Sign-up sheets will be available at the conference or just e-mail President-Elect Bob Baker at bobb@ci.newcastle.wa.us and he will get you on the committee(s) of your choice.

NORTHWEST CLERKS INSTITUTE

PD 1: May 31 to June 5, 2009
PD 2: June 7-12, 2009
PD 3: June 14-19, 2009
Master Academy: June 10-13, 2009
University of Puget Sound - Tacoma, WA

Don't delay ... Register today for this unique training opportunity. You'll enjoy a combination of state-of-the-art classroom training, high impact networking and best practices, and one-on-one mentoring with municipal leaders and instructors. Sessions will provide both overviews and in-depth examinations of issues in public administration, interpersonal communications, and special topics related to Clerk operations.

For additional conference details, visit the conference Web site at:
<http://capps.wsu.edu/NCI>

CONFERENCE SCHOLARSHIP RECIPIENTS

The scholarship committee had their work cut out for them with the largest group of conference scholarship applicants in “remembered” history. Fortunately, WMCA was able to award scholarships to all eligible applicants. Congratulations to the following recipients of conference scholarships:

- Holly Pfenniger (Wahkiakun County) \$300 registration and \$300 lodging
- Katie Marcelia (Pierce Transit) \$300 registration
- Rose Courneya (City of Connell) \$300 registration and \$300 lodging
- Julie Minsker (City of Ocean Shores) \$300 registration and \$300 lodging
- Treva Percival (Pierce Transit) \$300 registration
- Barbara Vasquez (Grant County) \$300 registration
- Terri Berry (City of Sumner) \$300 registration
- Dee Roberts (City of South Bend) \$300 registration and \$300 lodging
- Rick Harwood (City of Sprague) \$300 registration and \$300 lodging
- Kay Kammer (City of Ridgefield) \$300 registration
- Debbie Boyd (Town of Lyman) \$300 registration
- Antoinette Early (City of Normandy Park) \$300 registration and \$300 lodging
- Rosemary Murphy (City of Sultan) \$300 registration and \$300 lodging
- Lalena Johns (Okanogan County) \$300 registration
- Marla Nevill (Town of South Prairie) \$300 registration
- Brandi Clark (City of Okanogan) \$300 registration and \$300 lodging
- Craig Attwood (City of Okanogan) \$300 registration
- Sharon Bounds (City of Zillah) \$300 registration
- Jonathan Hartman (City of Soap Lake) \$300 registration and \$300 lodging
- Susie Oppedal (City of North Bend) \$300 registration
- Michelle Gaines (Town of Winthrop) \$300 registration
- Tracy Woods (City of Hoquiam) \$300 registration

MARGE PRICE SCHOLARSHIP RECIPIENT

Congratulations to Roberta (Bobbie) Usselman, Deputy City Clerk, City of Sequim, on her \$500 Marge Price Scholarship award to attend PDIV in June.

LEGISLATIVE UPDATE (AS OF 2/18/09)

BY SANDY PAUL, LEGISLATIVE COMMITTEE CO-CHAIR

Clerks can rejoice. Yes, there is a lot to celebrate. We’ve made a difference and the legislature is listening to us. The bills, below, are not approved yet, but the electeds are talking about them. Stay tuned.

HB 1316, would provide a court procedure to enjoin (definition: for a court to order that someone either do a specific act, cease a course of conduct or be prohibited from committing a certain act) the production of public records the court deems were made for the purpose of harassment.

The examination and disclosure of any public record may be enjoined upon the motion by an agency or its representative or by a person named in the record or to whom the request specifically pertains. The court must find that the request, or series of requests, was made for the purpose of harassing the agency, its employees, the person named in the record or to whom the request specifically pertains. Harassment means requesting public documents with the intent to cause an interruption or impairment of government service or with the intent of annoying, tormenting, or terrorizing any current or former government employee.

In deciding whether to grant an injunction, the court may consider all relevant factors. These factors include, but are not limited to: any prior requests by the same requestor; the types of record being sought by the requestor; any statements by the requestor concerning the purpose of the request or series of requests; whether the request or series of requests would substantially damage any person or would substantially damage vital governmental functions; and whether the request or series of requests seeks the production of a significant and burdensome number of documents, except that the repetitious nature of a request, without more, is not a sufficient basis for an injunction.

The motion must be filed with the superior court for the county the record is maintained or in Thurston County Superior Court. The motion proceeding may be a summary proceeding based upon affidavits or declarations, unless the court orders otherwise. The court may enjoin all or any part of the request or requests. The court may retain jurisdiction for future requests by the same requestor for such period of time as the court deems reasonable.

The time period between a request to enjoin access to a public record for harassment and the court's ruling on that request is exempt from penalties, attorneys' fees or the calculation of a daily fine.

HB 5249, provides that agencies may deny a public records request if the requesting party has an outstanding balance with an agency for unpaid charges for records previously provided.

This bill provides reasonable access to public records while ensuring that public agencies provide public records without taking on burdensome costs or unreasonably impacting the business of government. It costs school districts and other local government agencies a tremendous amount of staff time and resources to actually provide public records. We need to make sure record requests are not frivolous or overly burdensome.

HB 5250 increases the maximum per page copying charge under the public records act from fifteen cents to twenty-five cents. HB 5250 defines "per page cost" with regard to copying costs under the public records act.

This bill is not about limiting public access to records. Rather, it is about providing reasonable access. It gets to the issue of when taxpayers should be forced to bear the burden of open government. This bill deals with the situation where a requestor asks for copies of documents but does not bother to pick them up. Taxpayers should not bear the burden of paying these costs.

HB 1676 authorizes (does not mandate!) a governing body of a public agency to record its closed executive session meetings. Those recordings are exempt from public disclosure, inspection, or copying, unless disclosure of specific recordings is explicitly authorized by resolution of the governing body.

Also included in the bill is the requirement by the attorney general's office to publish, and update when appropriate, a pamphlet explaining chapter 42.30 RCW (the open public meetings act) written in plain language. The bill would require the attorney general, with assistance from a committee of stakeholders, to adopt advisory model rules for agencies, governmental entities, and advisory committees subject to the open public meetings act.

HB 1676 directs the attorney general and the state auditor to appoint an advisory committee of public and governmental entity representatives to make recommendations on the adoption of the advisory model rules.

In lay terms, recording executive sessions would be optional unless a court found a board, Council or commission doing the public's business to be in violation of the open public meetings act exemptions. Only a court could order the taping of executive sessions following a proven violation. No model rules exist for this procedure yet and those rules would be drafted and adopted. In addition, every elected/appointed official would be mandated to attend training on the Open Public Meetings Act. How that would be carried out is yet to be determined but training by video, webinar or some other on-line function were options. Also in question was who would be pay for the training.

HOW WOULD YOU SPEND \$1,000?

Wouldn't you like to dream about the possibilities of having an extra \$1,000 to do with as you wish? Like taking a trip, buying a new big-screen TV, or guilt-free shopping!

Purchase raffle tickets for \$5 per ticket for a chance to win one of two **\$1,000 cash prizes** and you may get the opportunity to make your dream a reality. Tickets are almost sold out (less than 100 left) so contact Valerie Loffler (Valerie.Loffler@ci.kennewick.wa.us) or Debby Barham (dbarham@ci.richland.wa.us) to make sure you don't miss out. The drawing will be held during the 2009 WMCA conference in Ocean Shores. With a maximum of 1,000 tickets being sold, your chances of winning are pretty good and each \$5 raffle ticket is worth two chances at the \$1,000 cash prizes. All proceeds benefit the WMCA Scholarship fund to help Clerks pay for training vital to our jobs.

PARLIAMENTARY PETE

BY BOB BAKER, PRESIDENT-ELECT

Dear Parliamentary Pete:

I'm Mayor Makeumup for the town of Padooka, WA. At last night's Council meetin', someone made a motion, and like any good judge presidin' over his court, I denied the motion. Boy dang, if that didn't cause a ruckus. If there's rules, and I know about 'em, I follow 'em. If there ain't, I make 'em up just like my name - Makeumup. Here's what went down:

We had a huge agenda last night – 3 items. Item 3 was to discuss purchasin' a paint gun so we could paint Town Hall by our lonesome and save some cash. The whippersnapper who wants to sell us this here paintin' gun got to the meetin' early to discuss his matter with us – outta order from the set agenda.

We were about ready to begin discussin' item b, when Councilmember Corker said, "**I MOVE TO SUSPEND THE RULES AND CONSIDER ITEM C BEFORE ITEM B – ALLOWING MR. GUN-SELLER TO LEAVE TOWN HALL BEFORE IT GETS TOO LATE.**" Councilmember Numskull said, "**SECOND.**" This here is when I said, "Denied. We cain't do that."

That's when some ya-hoo councilmember tried "appealing the decision of the chair." I told him to zip it and let us get on with that meetin'." Well, after we adjourned, I got mobbed on my way to my tractor outside town hall. Some feel I made an error in my ruling. Whatta ya say?

Signed,

Mayor Max Makeumup

Dear Mayor Makeumup:

Um. Wow!?! Thanks for the inquiry. As a disinterested, impartial party, I must state the obvious - you are not a judge when you sit as Mayor at a Council meeting. You were elected – either by community members – or from among your fellow elected officials to preside over the meeting as Mayor – not to make rulings or conduct sentencing as in a courtroom.

Now, to the matter at hand. Your fellow councilmembers are correct. An item of business may be considered out of order; and just like almost other motion, there is a process. This one is quite simple.

Consider the following example – based on your own situation – and decide for yourself if the meeting could have been run differently and if the subsequent mobbing could have been prevented.

COUNCILMEMBER CHANGER:	I MOVE TO SUSPEND THE RULES AND CONSIDER ITEM C OUT OF ORDER – JUST AHEAD OF ITEM B.
COUNCILMEMBER FINE:	SECOND
MAYOR MAKEUMUP:	IT HAS BEEN MOVED AND SECONDED THAT WE SUSPEND THE RULES AND CONSIDER ITEM C AHEAD OF ITEM B. IS THERE ANY DISCUSSION? HEARING NO DISCUSSION, THIS MOTION REQUIRES A TWO-THIRDS VOTE FOR ADOPTION. ALL THOSE IN FAVOR OF THE MOTION, SAY AYE.
All Councilmembers:	AYE
MAYOR MAKEUMUP:	THOSE OPPOSED SAY NO. (Zero no responses) THE AYES HAVE IT AND THE MOTION CARRIES. ITEM C WILL BE CONSIDERED AHEAD OF ITEM B.

	WE WILL NOW PROCEED WITH CONSIDERATION OF ITEM C.
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Now that you are more informed on the issue, your Honor, you may want to make a formal apology to your Councilmembers. Perhaps you can tell them you've seen "the light" and acted in haste or error. Given time and patience, they may understand.

Contact me again if the need arises and might I suggest you purchase a copy of Robert's Rules of Order, Newly Revised, 10th edition, to answer some of the easier questions?

Believe me, you'll save time, energy and trouble if you use **Robert's Rules** – and eliminating the desire to "**makeumup**" as you go along.

Parliamentary Pete!

BASIC TRAINING FOR CITY CLERK/TREASURERS OF SMALL CITIES

Co-sponsored by WA State Auditor's Office, Municipal Research & Services Center and Washington Municipal Clerks Association

This workshop serves as a great starting point for new small city clerk/treasurers and those who know the basics but might want to brush-up. Come hear the latest information from seasoned professionals on public records, open meetings, conflicts of interest and ways your city can reduce its liability exposure. You'll also hear how to stay compliant with budgeting, financial reporting, internal controls, and much more.

This workshop is for small city municipal clerks and clerk/treasurers with less than three years experience, clerk/treasurers who have never had the opportunity to attend basic training, or those clerks who would like to refresh their skills.

Date and Location

April 8, 2009 - Spokane
8:00 am to 4:30 pm

Holiday Inn Spokane Airport
1616 S. Windsor Drive
Spokane, WA 99224

Agenda

Go to: <http://www.awcnet.org/clerkbasictraining/2009/Agenda.pdf>

Registration and Fees

The cost is \$75 per person. Go to: <http://www.awcnet.org/Apps/AppLogin.asp> to register.

Cancellations made on or before April 1 will be charged a \$10 cancellation fee. Full payment is expected for cancellations made after April 1.

Scholarships

AWC's Small Cities Scholarship Program provides a limited number of free registrations for small cities and towns under 5,000 population. Please apply only if you truly need financial assistance. Due to limited funds, scholarships for this workshop will be awarded on a first come, first served basis, with only one scholarship per jurisdiction.

Cities or towns are eligible for a total of four scholarships per year for AWC events and workshops sponsored by AWC affiliates. This scholarship does not cover travel, meals or lodging. If you do not attend and don't cancel your registration prior to the date of the workshop, you will be charged the cancellation fee.

Note: For this workshop only, WCMA will be giving four free registrations for cities and towns with a population of 5,000 or more. Please apply only if you truly need financial assistance. Scholarships will be awarded on a first come, first served basis, with only one scholarship per jurisdiction.

Questions?

Workshop information: Karen Tanner, karent@awcnet.org

Registration or cancellation questions: Eunice Gonzalez, euniceg@awcnet.org

Special accommodations: DeAnn Hartman, deannah@awcnet.org

BOASTS AND BRAGS

Congratulations to:

- Michelle Murphy, Deputy City Clerk, City of Bellevue, for receiving her MMC in January 2009!
- Julie Richardson, City Clerk, City of West Richland, for receiving her CMC in December 2008!
- Dana Barnard, City Clerk, City of East Wenatchee, for receiving her CMC in January 2009!
- Debbie Burke, City Clerk, City of Normandy Park, for receiving her CMC in January 2009!
- Connie Wheeler, City Clerk, City of Oak Harbor, for receiving her CMC in February 2009!
- Sandy Kenworthy, Deputy City Clerk, City of Pasco, for receiving her CMC in February 2009!



Grandmotherly-bliss!
Board Member Karen
Kuznek-Reese proudly
shows off her
granddaughter, Averi (4.5
months) and grandson,
Brody, (3.5 months).

Do you have any good news to share about yourself or another WMCA member? If so, please e-mail Kammy Hill at khill@ci.walla-walla.wa.us and she will see that it gets submitted for the next e-blast. We all need that “pat on the back” or recognition of a special event in our lives, so please share the good news.