

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
PACIFIC COUNTY, WASHINGTON**

ORDINANCE NO. 190

**AN ORDINANCE REGARDING THE SALARIES OF PACIFIC COUNTY'S
ELECTED OFFICIALS AND THE PROPORTION OF FULL-TIME WORK
AUTHORIZED FOR ITS DISTRICT COURT JUDGES**

WHEREAS, by enacting Ordinance No. 190, the Board of County Commissioners (BOCC) finds that:

- 1) RCW 36.17.020 authorizes the BOCC as the county legislative authority to establish the salaries of the elected officials of the county; and
- 2) Amendment 57 to the Washington State Constitution prohibits a legislative authority member from increasing his/her salary during his/her term of office; and
- 3) RCW 36.40.205 requires an approved pre-election salary adjustment for a county legislative authority office to be ratified and validated by properly adopting it as part of the county budget(s) for the year(s) following such election; and
- 4) Pursuant to section 1 of Article XXVIII of the Washington State Constitution and RCW 3.58.020 and 43.03.012(3), the salary for a part-time district court judge shall be determined by the citizens' commission on salaries for elected officials and said citizens' commission has determined that the salary for a part-time district court judge shall be the proportion of full-time work for which the position is authorized, multiplied by the salary for a full-time district court judge; and
- 5) The salaries of county elected officials should be determined following a public hearing with proper legal notice thereof; and
- 6) The salaries of county elected officials should be fair and representative of the responsibilities of the office and should be in proper relation among elected officials; and
- 7) The salary for a member of the county legislative authority for each year of the term must be set in advance of the member taking office; and
- 8) The members of the county legislative authority should have identical salaries for the same periods of service; and

WHEREAS, with the adoption of the Fiscal Year 2016 budget, the part-time North District Court Judge salary proportion of full-time work was adjusted from 0.45 FTE to 0.50 FTE effective January 1, 2016; and

WHEREAS, the Board of County Commissioners deems it necessary to rescind the previous Ordinance No. 189 (passed by the BOCC on November 12, 2019) and replace it with this new Ordinance No. 190 in order to establish the salaries of elected officials through the conclusion of Fiscal Year 2026; and

WHEREAS, the current four-year terms of office for the County Commissioners expire on December 31, 2024 (for Commissioner District Nos. 1 and 2) and December 31, 2022 (for Commissioner District No. 3); and

WHEREAS, in accordance with Amendment 57 to the Washington State Constitution, the salaries listed within this Ordinance No. 190 for the Pacific County Commissioners for the period beginning January 1, 2022 and lasting until December 31, 2024 shall **not** be amended in comparison to the Pacific County Commissioners' salaries listed in Ordinance No. 189, which ensures that no legislative authority member of Pacific County shall use this ordinance to increase his/her salary during his/her current term of office; and

WHEREAS, beginning on January 1, 2025, the monthly salaries for the Pacific County Commissioners will be matched to the monthly salaries of the Pacific County Assessor, Auditor, Clerk, and Treasurer.

NOW THEREFORE, IT IS HEREBY ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS, COUNTY OF PACIFIC, STATE OF WASHINGTON, that Pacific County Ordinance No. 190 read as follows:

SECTION 1. Beginning on January 1, 2022 and lasting through December 31, 2026 the **maximum monthly salaries** for the Pacific County Assessor, Pacific County Auditor, Pacific County Clerk (of the Superior Court), and Pacific County Treasurer shall be established at **forty percent (40.0%)** of the monthly wage of a Superior Court Judge as determined by the Washington Citizens' Commission on Salaries for Elected Officials (WCCSEO) for the calendar year in question.

While Section 1 of this Ordinance No. 190 establishes the maximum monthly salaries for the Pacific County Assessor, Pacific County Auditor, Pacific County Clerk (of the Superior Court), and Pacific County Treasurer, the **actual** monthly salaries paid to the aforementioned elected officials shall be the **lesser** of (a) the amount authorized for that fiscal year within Section 1 of this Ordinance No. 190 or (b) the amount adopted as part of that year's final county budget.

SECTION 2. Amendment 57 to the Washington State Constitution prohibits a legislative authority member from increasing his/her salary during his/her term of office. Since the current four-year terms of office for the Pacific County Commissioners expire on December 31, 2024 (for Commissioner District Nos. 1 and 2) and December 31, 2022 (for Commissioner District No. 3), the Pacific County Commissioners may not increase their salaries for the period spanning January 1, 2022 through December 31, 2024, as those monthly amounts were established via Ordinance No. 189, and are hereby listed and reaffirmed without amendment in Ordinance No. 190:

- Fiscal Year 2022: \$5,742.00
- Fiscal Year 2023: \$6,001.00
- Fiscal Year 2024: \$6,122.00

Beginning on January 1, 2025 and lasting through December 31, 2026 the **maximum monthly salaries** for the Pacific County Commissioners shall be reestablished at **forty percent (40.0%)** of the monthly wage of a Superior Court Judge as determined by the WCCSEO for the calendar year in question.

Therefore, beginning in Fiscal Year 2025, the maximum monthly salaries of the Pacific County Commissioners, as established by this Ordinance No. 190, shall be equal to the maximum monthly salaries of the Pacific County Assessor, Pacific County Auditor, Pacific County Clerk (of the Superior Court), and Pacific County Treasurer.

While Section 2 of this Ordinance No. 190 establishes the maximum monthly salaries for the Pacific County Commissioners, the **actual** monthly salaries paid to the Pacific County Commissioners shall be the **lesser** of (a) the amount authorized for that fiscal year within Section 2 of this Ordinance No. 190 or (b) the amount adopted as part of that year's final county budget.

SECTION 3. Beginning on January 1, 2022 and lasting through December 31, 2026 the **maximum monthly salary** for the Pacific County Prosecuting Attorney/Coroner shall be established as follows:

- i. **Fifty percent (50.0%)** of the monthly wage of a Superior Court Judge as determined by the WCCSEO for the calendar year in question and **paid by the State of Washington** in accordance with RCW 36.17.020
 - o *This percentage may not be further amended by the Board of County Commissioners.*
- ii. An additional **thirty percent (30.0%)** of the monthly wage of a Superior Court Judge as determined by the WCCSEO for the calendar year in question and **paid by Pacific County** in accordance with RCW 36.17.020
 - o *While Section 3.ii. of this Ordinance No. 190 establishes the maximum monthly contribution from Pacific County for the Pacific County Prosecuting Attorney/Coroner, the **actual** monthly contribution paid to the Pacific County Prosecuting Attorney/Coroner shall be the **lesser** of (a) the amount authorized for that fiscal year within Section 3.ii. of this Ordinance No. 190 or (b) the amount adopted as part of that year's final county budget.*

SECTION 4. Beginning on January 1, 2022 and lasting through December 31, 2026 the **maximum monthly salary** for the Pacific County Sheriff shall be established at **fifty percent (50.0%)** of the monthly wage of a Superior Court Judge as determined by the WCCSEO for the calendar year in question.

While Section 4 of this Ordinance No. 190 establishes the maximum monthly salaries for the Pacific County Sheriff, the **actual** monthly salary paid to the Pacific County Sheriff shall be the **lesser** of (a) the amount authorized for that fiscal year within Section 4 of this Ordinance No. 190 or (b) the amount adopted as part of that year's final county budget.

SECTION 5. The salaries listed within the preceding sections of this ordinance shall not be further modified unless this ordinance is amended after a public hearing is conducted upon such proposal, and with proper legal notice thereof.

SECTION 6. The salary schedule for the Judicial Branch of county government is established by the WCCSEO. The Judicial Branch of Pacific County includes one Superior Court Judge and two District Court Judges (one for each electoral district of Pacific County).

SECTION 7. The actual dollars paid to the Pacific County Superior Court Judge are not addressed within this ordinance.

SECTION 8. The authorized proportions of full-time work (the basis for determining actual salaries) of Pacific County's District Court Judges are:

- Electoral District #1: North Pacific County at fifty percent (50.0%); and
- Electoral District #2: South Pacific County at sixty percent (60.0%).

SECTION 9. If any provision of this ordinance, or its application to any person or circumstance, is held invalid, the remainder of the ordinance, or the application of it to other persons or circumstances, shall not be affected.

SECTION 10. Ordinance No. 189 regarding the salaries of Pacific County's elected officials and the proportion of full-time work authorized for its district court judges shall be rescinded on January 1, 2022 at 12:00:01 AM and concurrently replaced with this Ordinance No. 190, which shall remain in full force and effect until duly and lawfully amended or repealed.


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PASSED by the Board of Pacific County Commissioners meeting in Special session at South Bend, Washington, the 10th day of December, 2021, by the following vote, then signed by its membership and attested to by its Clerk in authorization of such passage:

3 YEA; 0 NAY; 0 ABSTAIN; and 0 ABSENT.


APPROVED AS TO FORM

BOARD OF COUNTY COMMISSIONERS
PACIFIC COUNTY, WASHINGTON



Prosecutor's Office

33048
WSBA #



Lisa Olsen, Chair

ATTEST:



Frank Wolfe, Commissioner



Amanda Bennett, Deputy Clerk of the Board



Mike Runyon, Commissioner