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BOARD OF COMMISSIONERS OPERATING GUIDELINES Policy & Procedure 120

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BOARD OF COMMISSIONERS OPERATING GUIDELINES

.1 PURPOSE

The purpose of this policy is to:

- Inform County Officials and employees of the requirements for submitting items to the Board for consideration;
- Establish clear and consistent processes and formats for submission of items to the Board;
- Ensure that procedures provide adequate public notice and facilitate public participation in, and knowledge of, Board deliberations and actions.

.2 SUBMITTING ITEMS FOR BOARD CONSIDERATION

2.1 Submitting Items to the Board for Work Session or Regular Meeting

Items submitted to the Board for either work session or regular meetings are due no later than 3:00 p.m. on Wednesday of the prior week. Unless required otherwise, all documentation should be submitted on 8.5" x 11" paper. Legal paper should be avoided whenever possible. Submissions must be single sided and unstapled. Submissions must include an agenda item summary and any additional documentation required in Section 2.4.

The Clerk of the Board receives agenda item packets for Board meetings. The Clerk presents proposed weekly agendas to the Administrator and Board for review at 10:00 a.m. on Thursday. The Chair of the Board provides final approval of agendas prior to their publication. Any Commissioner may propose an agenda item for final agenda approval.

Items and/or documentation not submitted by the deadlines will be retained for the next week's meeting. Items may occasionally be moved to the next week due to time constraints, conflicts with Commissioners' schedules, or other reasons. Departments will be notified by Commissioners' Office staff as soon as possible after the agenda review if items are delayed.

2.2 Submitting Documents at Time of Meeting to be Avoided

Departments should avoid waiting until the work session to submit documents. Departments that submit documents at the work session may be asked to schedule the item for the next week so Board members have the opportunity to review the documents. If documents are brought to the Board at the meeting time, six copies must

be provided. One of these copies must be single sided and unstapled, the other five copies may be double sided and stapled.

2.3 Agenda Item Summary Required

An agenda summary is required for all items submitted for work session, regular meeting, or executive session. The agenda item summary form is available on the County Forms intranet page.

2.4 Other Documentation May be Required

Certain agenda items require the submission of other documents failure to submit required documents may result in postponement of the item until documentation is received. Items requiring additional documentation include, but are not limited to:

- a. Contracts
 - Three original contracts (as required by Policy 560)
 - Bid confirmation form if the contract or purchase requires either informal quotes, formal bids, or an RFP (see Policy 560)
- b. Budget Modifications
 - Copy of completed budget change form if approval of the contract requires a budget change (see policy 505)
- c. Applying for a Grant
 - 2 original Grant application questionnaire (see policy 562)
- d. Proposed Ordinances
 - Electronic copy of proposed new or amended ordinance (see policy 110)
 - Notice of Hearing

2.5 Discussion at Work Session Required on Certain Items

Prior to consideration for final action by the Board at a regular meeting, certain items require discussion at work session. The following list of required items is not intended to be all-inclusive:

- a. Budget emergencies
- b. Contracts, grants, or purchases that require a budget change as defined in policy 505
- c. Grant applications - prior to the application submission (grant application questionnaire required)
- d. Proposed ordinances
- e. Proposed purchase or sale of real property or granting of easements
- f. Administrative Policy proposals
- g. Any item requiring a notice of public hearing
- h. Any issue that is, or the County Official believes may become, an item of high public awareness or create a high level of public opinion

- i. Interlocal agreements
- j. Call for bids
- k. Resolutions

2.6 Moving an Item from Work Session to Regular Meeting

Items that need to be discussed with the Board prior to becoming an action item on a regular meeting agenda should not be scheduled for the regular meeting during the same week they are discussed at work session.

Items are scheduled for work session discussion one week and for the regular meeting the following week. This gives the Board the opportunity to ask questions, make modifications, and request more information. Items that must be scheduled during the same week require prior approval from the County Administrator.

Items may move from work session to the regular agenda in two ways:

- a. Departments are responsible to separately schedule items for work session and/or regular meeting. Even though discussion may occur during the work session about a future date, departments are responsible to schedule the item.
- b. If an item is intended to be discussed at work session one week and at the regular meeting the next, it will only need to be submitted once if all necessary documentation is included in the work session packet submittal. The Agenda Summary Form must indicate both dates the item is to be considered. Any items that need to be modified as a result of work session or that don't meet the criteria above will still require re-submission for regular agenda.

2.7 Adding Items to Work Session or Regular Agenda after Deadline

Occasionally items are received by departments and/or the Board that are time sensitive and must be considered at the next meeting. Items will be added after the agenda deadline only if waiting until the next week causes significant impact to Clallam County citizens. Late additions to either work session or the regular meeting agenda may only be made with the permission of the Administrator or Board Chair.

2.8 Signatures on Documents

Resolutions, ordinances, and proclamations must be signed by all Board members. Documents prepared by other agencies that come to the County with all Board members' signature lines do not require the document to be revised.

For other documents, Chair's signature, is as legal and binding as if all members had affixed their names, provided the signature is authorized by the Board. Only the signature line of the Board Chair is required on these documents. If the Chair is absent

at any meeting of the Board, documents requiring the signature of the Board are signed by the Vice Chair.

2.9 Documents to be Maintained/Official File

Departments are responsible to maintain the official record and file of any documents submitted to the Board. The Commissioners' office will maintain a file containing one copy of all documents considered during each public meeting. Agenda Packets are filed by meeting date and are transferred to State Archives in compliance with applicable retention schedules.

If documents that are exempt from public disclosure are submitted to the Board, the appropriate check box on the Agenda Item Summary Form must be marked. The actual documents that are exempt from public disclosure submitted for packets should be CLEARLY and PROMINENTLY marked on the top of the front page by the department as such. In addition, the media copy of the document packet should be identified and the exempt document should not be included in the packet.

.3 PROCEDURAL MATTERS

Clallam County Code Sections 3.05.020 through 3.05.050 establish and provide for regular, special, and emergency meeting times, dates, and locations of the Board.

3.1 Agenda

A written agenda shall be produced for each work session and regular meeting using a standard format. The agenda shall be posted to the Clallam County website after final approval.

3.2 Public Comment

Public comments are heard in regular meetings – immediately after the agenda is approved as the first item of business (for comments concerning agenda items) and after finishing all specific items of Board business (for general comments pertaining to any subject); and during public hearings.

Public comment may be solicited during work sessions to inform the Board's understanding of a particular issue, but will not normally be included as an agenda item for the work session.

3.3 Rules of Conduct

As a general rule of conduct, traditional Clallam County civic traditions of respect, courtesy, and comity will guide Board discussions. The Board Chair will control the conduct of all Board meetings, and after the meeting's agenda is approved, ensure that,

in any meeting, the Board addresses its business in an orderly, businesslike, and expeditious way through adherence to the meeting agenda. Rules of procedure are informal, but for a meeting during which final action is taken on any agenda item, will include the opportunity for a motion and a second to proceed to final action, followed by an opportunity for discussion, and concluded by a vote in favor of or against the motion. Any Commissioner may raise a point of order during discussion of any agenda item if that Commissioner believes the direction of the discussion is not germane to the item under consideration. The Board chair will rule that comment in order or out of order. Any Commissioner may "call for the question" during any discussion of an agenda item, and if seconded, discussion will conclude and the Chair will proceed to the vote for final action. During meetings where no final action is contemplated, procedure will be informal and based primarily on unanimous consent of the Board to move the item forward to a meeting where final action will be taken on that agenda item.

.4 POLICY ON BOARD INVOLVEMENT IN PRIVATE ACTIONS

Members of the public or private organizations may request the Board join in an action that is being contemplated or is ongoing, undertaken by that individual or organization. As has been past practice, individual Commissioners may decide to lend their individual support for such actions, but the Board will not normally join in such private action.

.5 PUBLIC HEARINGS

Public hearings provide an opportunity for citizens to give input to the Board. The Board of Commissioners shall conduct public hearings to allow input from the maximum number of citizens.

5.1 Submission of Notice of Public Hearing Prior to Hearing Date

Public hearings are required to be held prior to certain legislative actions by the Board. Examples include consideration of proposed ordinances or amendments, adoption of the County budget, budget emergencies, and road vacations.

In order to hold a public hearing, the Board must issue a "Notice of Public Hearing" long enough before the actual hearing to comply with the requirements to advertise the hearing in the "Official County Newspaper." Notice must be adopted at a regular meeting prior to publication and must allow time to comply with applicable notice requirements for that hearing.

In addition to the required public notice, the County Official or the Board, at its discretion, may direct the public hearing to be additionally advertised. In order to maximize the opportunity for public comment, the Board encourages matters being considered at a public hearing to be posted on the County's website. However, this is to be done as a courtesy and is not intended to create any additional legal requirements.

5.2 Conducting the Public Hearing

Public hearings are conducted as regular items on the Board's published agenda. In order to ensure that the public hearing is conducted in a manner that encourages maximum public participation and respect for varying opinions, the Board will generally adhere to the following rules:

- a. A sign-up sheet will be available for the public to indicate their desire to testify. Speakers will generally be heard in the order in which they sign up, followed by an opportunity for those who did not sign up to comment.
- b. In order to maintain an accurate public record, all citizens testifying will be required to state their name and address for the permanent record.
- c. The Board, at its discretion, may limit the comment period for each speaker so that all can be heard.
- d. Disruptive behavior is not allowed and may result in removal of the individual from the public hearing.
- e. Public hearings are intended to provide information and opinions from citizens to the County Commissioners. They are not intended to be a debate between those on opposing sides of an issue, or to weigh how many on each side of an issue attend. The Chair may limit testimony that provides no new information and/or comments intended solely to debate another person's position on a particular issue while not providing new information to the Board.

The Board will also consider written comments made by citizens. Written comments directed to the Board of Commissioners submitted between the date of approval of the Notice and the close of the actual public hearing will be considered as testimony. All comments made in writing should be directed to the Clerk of the Board and shall be included in the record at the public hearing.

5.3 Testimony Directed to the Board for Hearings Conducted by Others

If the Board of Commissioners receives written comments intended for a hearing conducted by another board, committee, or agency, the Board of Commissioners will forward the written comments to the entity conducting the public hearing.

.6 PUBLIC NOTICE WHEN NO HEARING IS REQUIRED

6.1 Budget Items

Certain items related to the budget process such as supplemental appropriations require specific public notice of the meeting where the matter is to be considered. In those situations, the County Official is responsible to be aware of public notice requirements and is responsible to submit items far enough in advance for the required public notice

to be accomplished. A budget schedule that requires submission of budget changes in compliance with notice requirements is maintained by the Budget Director and is posted on the Intranet.

6.2 Requests for Proposals and Calls for Bids

County Officials are responsible for tracking notice requirements for Request for Proposals and Calls for Bids so that notice can be made in compliance with applicable state and federal law and comply with County Policy 560.

.7 RESOLUTIONS

The Clallam County Home Rule Charter requires that administrative acts of the Commissioners be accomplished by written resolution or by motion approved by a majority vote of the Board. The Board of Commissioners encourages actions items to be accompanied by a written resolution. A resolution form is available as a Word template on the Intranet under "County Forms.". Items requiring a written resolution include, but are not limited to:

- a. Appointment of members to boards and committees
- b. Adoption of the budget and any budget changes (as defined in policy 505)
- c. Adoption of new or amended Administrative Policies

.8 PROCLAMATIONS

Proclamations provide a mechanism for a group, organization, office, or department to request that the Clallam County Commissioners proclaim a date honoring achievements or promoting public awareness of issues. In addition, the County may make a local proclamation of any State or Federal proclamation for public awareness of a group or issue.

Proclamations may be submitted to the Board for consideration. A proclamation form is available from the Clerk of the Board, who will assist outside agencies with the submission of proclamations

.9 MEETING MINUTES

The Board of Commissioners maintains written minutes of all Board meetings. Preparation of minutes is the responsibility of the Clerk of the Board. Minutes for previous meetings are adopted by Board motion at their regular meeting. Minutes will also be posted by the Clerk of the Board to the County's website for access by the public. Minutes, at a minimum, will reflect the following:

- a. The date and time the meeting convened and adjourned
- b. Board members present

- c. General topics and items considered (including discussion items)
- d. If a public hearing is held, the names (and addresses if available) of persons submitting verbal or written testimony. If the individual providing testimony is providing such testimony on behalf of a group, organization, or agency, the agency shall be noted as well.
- e. Board motions, and the result of any vote taken by the Board.

The Board may occasionally meet in joint session with the board or council of another municipal jurisdiction. The Board may rely on and adopt the official minutes of the other jurisdiction at the Board's discretion.

Members of the Board of Commissioners sit as board members on boards and commissions of other agencies at a local, regional, state, and federal level. Clallam County relies on those agencies' official minutes and does not maintain separate minutes. If two or more Commissioners attend such a meeting the County's minutes may only reflect the date and time of the meeting and meeting agency's name.

.10 Executive Sessions

Executive Sessions may be held in accordance with the Washington Open Public Meetings Act, which is codified in chapter 42.30 of the RCW.

10.1 Scheduling an Executive Session

To schedule an Executive Session, contact the Clerk of Board. The Clerk will work with the Commissioners to schedule a date and time for the Executive Session. The Clerk will also confirm, in consultation with the Prosecuting Attorney's office, that the topic of the Executive Session is appropriate for an Executive Session pursuant to the Open Public Meetings Act.

10.2 Agenda Item Summary Required

An agenda item summary is required for all items submitted for Executive Session. The agenda item summary will be made available to the public and should not include confidential information.

10.3 Supporting Documentation

If supporting documentation is submitted with the Agenda Item Summary, it will be made public unless the "Documents Exempt from Public Disclosure" box is checked on the Agenda Item Summary.

10.4 Recording

The beginning of each Executive Session will be recorded and a record shall be made stating specifically why the Executive Session is being and what exemption to the Open Public Meetings Act is relevant to the topic of the Executive Session. Following the introduction of the topic, the remainder of the meeting will not be recorded. Once the Executive Session has concluded, a brief closing statement shall be recorded.