
BOARDS AND COMMITTEES

Policy and Procedure 952

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BOARDS AND COMMITTEES

.1 PURPOSE

Advisory Boards, Commissions, and Committees exist for the primary purpose of gathering information and presenting options and recommendations for legislative consideration to the Clallam County Board of Commissioners. Advisory Boards, Commissions, and Committees are created under the authority of county ordinances or by resolution of the Board of Commissioners. Regulatory Boards exist for the primary purpose of providing regulatory, permitting or enforcement of state laws and regulations at the local level. Appeals Boards exist for the primary purpose of providing an impartial, quasi-judicial body to hear appeals, where provided by law, of the County's exercise of its taxing and police power authorities.

Individual advisory boards and committees, regulatory boards, and appellate boards possess neither independent official responsibility nor independent authority beyond that bestowed by law, and serve only in such capacity as provided by ordinance or resolution of the Board of Commissioners or as expressly provided at law.

.2 AUTHORITY

This policy applies to all appointed advisory, regulatory, and appellate boards and committees, Clallam County offices/departments and to all County Officials and their employees.

.3 WHO APPOINTS

Members are appointed to various County boards and committees by resolution of the Clallam County Board of Commissioners, or as expressly provided at law. Members are appointed for a specific term of office.

.4 APPOINTMENT PROCEDURES FOR BOARDS AND COMMITTEES

Many boards and committees contain a combination of members chosen by the Board of Commissioners and members recommended by other jurisdictions and/or organizations. Appointment of members representing other agencies or jurisdictions will be confirmed by resolution of the Board. For members chosen by the Board of Commissioners, the following appointment processes apply.

4.1 Methods of Appointment

Except where expressly provided for by state law or regulation, when a vacancy on a board or committee occurs, an interested party shall request an application from Human Resources. Applications are available on the County's website (www.clallam.net) on the Boards & Committees page.

If the Board or Committee is assigned to a County Department other than BOCC for administrative support, that Department shall conduct an initial review of the applications received and make a recommendation for appointment to the BOCC. A list of Department Assignments can be found in Appendix A. The Department should provide the BOCC with information relating to why the individual applicant was chosen for appointment. Upon receipt of the recommendation from the Department, the BOCC may accept the recommendation or may utilize the methods of appointment described below.

The Board of Commissioners has several options for appointing members to boards and committees or for replacing a member when a vacancy occurs. Any of these methods may be used at the discretion of the Board of Commissioners, as vacancies occur.

- Appointment by Interview – The Board of Commissioners may review the applications for a vacancy and request interviews with the applicants in order to confirm qualifications and suitability for a specific appointment. This is the BOCC's preferred method of selection of candidates for the Planning Commission, for quasi-judicial bodies, and for all Boards and Committees handling funding determinations, including the Board of Equalization, the Lodging Tax Advisory Committee, the Heritage Advisory Board, and the Conservation Futures Program Advisory Board.
- Appointment by Application Review – The Board of Commissioners may review the applications for a vacancy and make an appointment from the available applicants.
- Review and Recommendation by Others - The Board of Commissioners may request that a County Official or another board or committee review applications and/or interview candidates and make a recommendation to the Board for appointment.

Applicants who are chosen to serve on a Board or Committee will undergo a criminal history search prior to being appointed by the BOCC.

4.2 Members Representing Other Jurisdictions or Organizations

Members representing other jurisdictions or organizations must submit an application to Human Resources that contains basic information such as emergency contact information. The County will not run a criminal history check on members who have been selected by other jurisdictions or organizations as these individuals have already

been vetted by the jurisdictions or organizations that they represent. The BOCC will confirm the appointment of these members by Resolution.

The County is not required to advertise for vacancies which must be filled by a representative of another jurisdiction or organization. These vacancies should be filled by direct contact with the other jurisdiction or organization. The Assigned Department is responsible for making contact with the other jurisdiction or organization. A list of Assigned Departments is available in Appendix A.

4.3 Filling Mid-Term Vacancies

Should a mid-term vacancy occur on a board or committee for any reason, written notice of the vacancy must be provided to the BOCC. The Board of Commissioners may appoint a replacement member to complete the remainder of the term. If applications for the original appointment are less than one year old, the Board of Commissioners may appoint a replacement from the original pool of applicants without advertising or soliciting new applications.

If there is no existing applicant pool available or if the Commissioners wish to seek additional applications, the mid-term vacancy should be advertised.

If less than one year remains for the term of the vacant position, the Commissioners may appoint the replacement to fill the remaining time left on the term or to appoint the replacement to fill both the remaining time left on the term and also the entirety of the next full term.

4.4 Vacancies to Be Advertised

BOCC will advertise quarterly for vacancies for expiring terms. The advertisement will run for at least three weeks before the application deadline for expiring terms.

The advertisement shall be published in the Official County Newspaper by means of a press release naming the type of vacancy, where to pick up an application, and the closing date for accepting applications. Commissioners, existing board and committee members, the assigned department, and others are encouraged to solicit citizens, who they believe would serve the County well, to apply for vacancies. The Assigned Department may also run additional advertisements and conduct additional recruitment activities. If no applications are received by the expiration of the application period, or if applicants fail to receive majority support of the Board, the Commissioners may solicit individuals to serve and may appoint members without another open application period.

4.5 Incumbent Must Reapply

Incumbent members of boards and committees desiring to serve another term must so indicate by submitting a written request confirming their desire for reappointment. No reappointments will be made automatically. When an incumbent's term expires, they will be notified by the Assigned Department and given the opportunity to indicate their desire to be re-appointed.

4.6 Terms/Appointments to be Staggered by Dates

Unless otherwise specified by ordinance or resolution, the term of appointment for all boards and committees shall be approximately three years with terms limits set by initiating ordinance or resolution. When possible, terms will be set to expire at year-end. In order to preserve continuity, terms may be set for varying lengths so that vacancies occur in staggered years. Terms may be adjusted as necessary to maintain staggered expiration dates.

.5 REMOVAL OF MEMBERS

The Board of Commissioners may, by majority vote, remove any member of a County board, commission, or committee without cause. Members removed by the Board shall be notified. If the member represents another organization or government jurisdiction, that agency will also be notified of the member's removal.

Boards and Committees may also remove members as set forth in their own bylaws. Such removals must be approved by the BOCC.

.6 ASSIGNMENT OF STAFF SUPPORT FOR ESTABLISHED BOARDS AND COMMITTEES

Clallam County has a number of established boards and committees assigned to departments. When boards or committees deal primarily with issues of a single department, they are typically assigned to that department. These boards and committees are listed in Appendix A.

County Officials are responsible to provide liaison, leadership, facilitation, records management, and/or administrative support to the boards and committees assigned to them. In addition, departments will keep a current roster of members, their contact information, and their terms, and will keep the Board of Commissioners advised of changes or vacancies. Assigned Departments will also ensure that their Boards and Committees have received training on the Public Records Act and the Open Public Meetings Act.

.7 OPERATIONAL PROCEDURES AND COMMITTEE MEMBER RESPONSIBILITIES

To promote transparency and to ensure compliance with the Open Public Meetings Act, Boards and Committees are encouraged to use the BOCC meeting room and to live stream meetings on the internet whenever possible. When meetings are held offsite or cannot be live streamed, Boards and Committees are encouraged to record the meeting using Soniclear.

The role of committee members, operation responsibilities and procedures, and policies regarding laws affecting committee activities and transactions are contained in Appendix B.

.8 PROCEDURE FOR ESTABLISHING OR DISSOLVING AN ADVISORY BOARD OR COMMITTEE

New Advisory boards or committees may be established in two ways.

8.1 Establishment By Proposal of Citizens or County Departments

Proposals for establishing new boards or committees will be submitted to the Board of Commissioners for consideration. If approved, the originating department will work with the Commissioners' office to prepare a resolution or ordinance establishing the new board or committee and submit it to the Board of Commissioners for approval. Upon approval, the Commissioners' office will advertise for applicants for the new board or committee.

8.2 Establishment By Board of Commissioners' Action

The Board may propose the formation a new board or committee and assign it to a department for further development. Staff in the Commissioners' office will prepare a resolution establishing the new board or committee and advertise for applicants.

8.3 Dissolution

The Board may dissolve any advisory committee by resolution so long as the existence of the Board or Committee is not otherwise required by law.

APPENDIX A

DEPARTMENT ASSIGNMENTS

The following Departments and Offices are responsible for assisting and maintaining the advisory, appellate, or regulatory boards and committees listed below:

(A) **PARKS, FAIR, AND FACILITIES**

Fair Advisory Board
Park and Recreation Advisory Board

(B) **DEPARTMENT OF COMMUNITY DEVELOPMENT**

Building Code Board of Appeals [governed by Ch. 19.27 RCW]
Carlsborg Community Advisory Council
Marine Resources Committee
North Pacific Coast Marine Resources Committee
Permit Advisory Board
Planning Commission [governed by Ch. 36.70 RCW]

(C) **DEPARTMENT OF HEALTH AND HUMAN SERVICES**

Board of Health [governed by Ch. 70.95 RCW]
Behavioral Health Advisory Board
Developmental Disabilities Advisory Committee
Homelessness Task Force

(D) **SHERIFF'S DEPARTMENT**

Sheriff's Citizens Advisory Committee

(E) **HUMAN RESOURCES**

Civil Service Commission [governed by Ch. 41.14 RCW]

(F) **ASSESSOR'S OFFICE**

Agricultural Commission [governed by Ch. 84.34 RCW]

(G) BOARD OF COMMISSIONERS

Boundary Review Board [governed by Ch. 36.93 RCW]
Board of Equalization [governed by Ch. 84.48 RCW]
Clallam Bay/Sekiu Community Action Team
Conservation Futures Program Advisory Board
Crescent Community Advisory Council
Heritage Advisory Board
Law Library Board
Lodging Tax Advisory Committee
North Olympic Library System Board of Trustees
Olympic Area Agency on Aging
Opportunity Fund Board
Peninsula Housing Authority [governed by Ch. 35.82 RCW]
Port Crescent Pioneer Cemetery Board
Clallam County Veterans' Association [governed by Ch. 73.08 RCW]

(H) PUBLIC WORKS

Clallam Bay/Sekiu Sewer Community Advisory Board
Solid Waste Advisory Committee
Trails Advisory Committee

(I) WSU Extension

Lake Sutherland Steering Committee
Noxious Weed Control Board [governed by Ch. 17.10 RCW]

APPENDIX B

THE ROLE OF A BOARD MEMBER AND RESOURCES AVAILABLE

CITIZEN PARTICIPATION THROUGH BOARDS AND COMMITTEES

The citizens of Clallam County have enjoyed a long tradition of participation in County government. Through representation on boards and committees, Washington residents are offered an important avenue to help create effective and equitable laws and policies. Citizen involvement contributes to the success of government and to the overall quality of life.

Citizen participation works at all levels of County government and covers a broad range of issues, such as education, the environment, growth management, health care, social services, economic development, and transportation. Some committees appointed by the Board of Commissioners shape policy for County agencies and departments, others prepare regulations governing specific program areas, and some serve solely in an advisory capacity.

In selecting members, the Board of Commissioners strives to bring a balance of experience and education as well as geographic, gender, and ethnic diversity. This helps ensure that decisions reached and services rendered more adequately reflect the wants and needs of all populations being served.

Clallam County's system of boards and committees is fundamental to encouraging the use of citizen talent and interest in affairs of the county, keeping government innovative and responsive, and improving the overall performance of county government.

TYPES OF BOARDS AND COMMITTEES

Boards and committees are created by state laws and rules, the Clallam County Charter, ordinance, or by resolution of the Board of Commissioners.

Each committee or board is unique in its purpose, mission, authority, and role. It is especially important that members be familiar with the governing statutes or other authorizing documents so they understand the legal framework within which the committee or board will operate. Copies of governing statutes or authority may be obtained from the staff assigned to your committee or board. There are three main classes of local boards and committees:

Advisory Boards and Committees

The Board of Commissioners or County Officials may create these. The members serve as advisors on policy and/or operational matters to a department or to the Board of Commissioners. Advisory boards may study existing policy and/or operational procedures and make recommendations for changes or implementation. Advisory boards do not have authority to enforce policy or create rules, but their analysis and recommendations can play an important role in furthering the effective operation of County government. If specifically

authorized by the creating document, advisory committees may also be responsible for internal rule making in the area of their function. An example is the Fair Board which makes rules regarding fair operation and hears and decides appeals of vendors with grievances.

Regulatory Boards

These are statutory entities, whose boards are appointed by the Board of Commissioners, and perform rule-making and regulatory functions. In fulfilling these functions, the board may also operate as a permitting or enforcement agency. Examples of regulatory boards include the Board of Health and the Noxious Weed Control Board.

Appellate Boards

These are also statutory entities, whose boards are appointed by the Board of Commissioners, and perform appellate or review actions involving County decisions under its taxing, public employment, and the police power authority. As an appeals body, these boards hear individual cases or controversies, and rule upon them. Such rulings may be subject to further local appeal to the Board of Commissioner and appeal to the state courts. Examples of appellate boards include the Building Code Board of Appeals, the Civil Service Commission, and the Board of Equalization.

THE ADVISORY ROLE

Members of advisory boards and committees provide an important link between the public and County departments, the County Administrator, and the Board of Commissioners. The information that members provide about community needs and opinions can have a profound effect on County policies and lead to improved service. Advisory committee members play a very special role in creating recommendations on important societal and governmental issues.

If you are appointed as a member of an advisory committee, you will be expected to:

- Interpret community opinions, attitudes, and needs to departments, the County Administrator, and the Board of Commissioners.
- Study programs and services, and analyze problems and needs. Offer new proposals and recommend changes in programs, policies, and standards.
- Provide the public with information and interpretation of department and County policies, programs, and budgets.
- Advisory committees' support and counsel department and commissioner staff. They make important recommendations about policy. Most advisory committees, however, do not create or administer policy, programs, or services, unless this power is granted to them by their authorizing document.

- When presenting recommendations to any department, the County Administrator, or the Board of Commissioners, it is essential that committee members keep the following in mind:
 - All recommendations should be in written form.
 - All ideas should be expressed in clear and concise language.
 - Proposed solutions should be viable and cost-effective.
 - Recommendations should identify the reasons for the changes suggested.
 - The advice should reflect a consensus or a majority of the committee members.

ABOUT POLICY-MAKING

As a committee member, it is your responsibility to be knowledgeable about committee policies and changes. It is important that you understand the fundamental meaning and characteristics of policy.

Policy is a written statement intended to be a guiding principle defining an organization's intent and direction. Policy should be set forth in broad terms so that it may remain applicable and usable for a long time. It should not be so detailed that it dictates how, when, or where things must be done. Policy may be amended, rewritten, or abolished. Policy should be reviewed periodically to ensure that it remains appropriate. Policy should be stated clearly, timely and concisely.

Committee interpretative policy statements should be made available to the public in compliance with the Administrative Procedure Act, RCW 34.05.230, Clallam County administrative policies, or the statutes authorizing your committee or board. Policy-making and legal interpretations of regulations are most applicable to regulatory and appellate bodies.
Rule Making

Advisory committees may engage in rule making *only* if the Board of Commissioners has specifically delegated that authority in the committee's enabling document. Regulatory and appellate bodies may have authority to engage in rule making under the statutes authorizing the committee or board. Local rules are generally created to provide interpretative support for a County ordinance or to implement state regulations at the County level. A committee or board may not pass rules that go beyond the scope of its authority.

A rule is any agency order, directive, or regulation of general applicability. It may set forth standards and expectations in general terms or may deal specifically with day-to-day objectives. A rule, rather than a policy, is adopted when the subject matter affects the public or another agency of government, or when an ordinance directs that a rule be adopted.

Once adopted, a rule has the force of law, and all people or entities to which the rule applies must adhere to it. Failure to adhere to the rule may subject a person to a penalty or administrative sanction.

LEGAL GUIDELINES

In developing rules, the board or committee should keep the following guidelines in mind:

- The board or committee must have authority by statute or ordinance to adopt the rules and may adopt only those rules supported by that authority.
- The board or committee may not adopt a rule that conflicts with law or the constitution.
- Legal counsel from the Prosecuting Attorney's Office (or legal counsel as provided by state law) should approve all proposed rules.
- The committee must give notice to the public regarding the intent to adopt the proposed rule and adopt rules at a public meeting.
- Rules must reflect a consensus or a majority of members of the committee.
- The committee may be required to take into account the economic impact of the proposed rule on consumers, businesses, industries, occupations, and others who may be affected.

BEING AN EFFECTIVE COMMITTEE MEMBER

Clallam County's boards and committees vary in size and complexity. Because committee members are in a critical position to shape and influence County decisions and actions, it is important that each member keeps informed and up-to-date on issues, legislative activity, resolutions, and laws affecting their committee.

ATTENDANCE

A board or committee member may forfeit their position due to poor attendance. Regular attendance is essential so that decisions may more truly represent the opinions of the committee as a whole. In addition, regular attendance enables board and committee members to keep abreast of committee concerns and helps ensure that issues are examined from a variety of perspectives. The bylaws of your committee should define attendance requirements.

PREPARATION

Adequate preparation is another requisite for effective membership on the committee. Your committee's staff members will provide reports, proposals, and other information to help you make informed decisions. Do not hesitate to request any additional information you need in order to make thoughtful and appropriate decisions.

EFFECTIVE COMMITTEE MEMBERS:

- Attend all committee meetings.
- Are well prepared for meetings.
- Recognize that serving the public interest is the top priority.
- Recognize that the committee must operate in an open and public manner.
- Are knowledgeable about the legislative process and issues affecting the committee.
- Are respectful of differing opinions.
- Examine all available evidence before making a judgment.
- Communicate well, and actively participate in group discussions.
- Are aware that authority to act is granted to the committee as a whole, not to individual members.
- Possess a willingness to work with the group in making decisions.
- Recognize that compromise may be necessary in order to reach group consensus.
- Do not let personal feelings toward other committee members or staff interfere with their judgment.

BOARD AND COMMITTEE STAFF MEMBERS

Some committees have dedicated employees to perform administrative tasks. There are, however, a number of County committees that work within a department or have access for advice from the department. If a committee works within a specific department, certain central support services are available to the committee, consistent with staffing capacity.

STAFF FUNCTIONS

The primary function of County staff assigned to a board or committee is to provide administrative support. In addition, staff members may notify board or committee members of pertinent issues and legislative activity by the Board of Commissioners, the state, or the federal government. They may assist in arranging meetings, preparing meeting materials, compiling background information, and conducting research. Department staff members serve as an

important link and coordinator with other committees and departments, the Prosecuting Attorney, the Board of Commissioners, and the public.

County staff members are a valuable resource for committee members. Staff support can enhance the productivity and effectiveness of a committee. Committee members should not hesitate to ask for help in carrying out their responsibilities in accordance with guidance set forth in bylaws and policy.

OFFICE OF THE PROSECUTING ATTORNEY

The Prosecuting Attorney is the chief legal officer for the County, elected for a term of four years. The Prosecuting Attorney is statutorily responsible for providing a broad range of legal services to County officials and others. Depending upon the statutes authorizing your committee or board, the Prosecuting Attorney may provide you with legal advice.

LEGAL COUNSEL

The Prosecuting Attorney serves as legal counsel to the Board of Commissioners, County Officials, staff, and advisory boards and committees. Depending upon the statutes authorizing your committee or board, the Prosecuting Attorney may serve as legal counsel to your committee or board. The Prosecuting Attorney advises and represents County departments and their employees as they fulfill their official duties, issues legal opinions, and defends County Officials and employees for actions performed in their official capacities and in good faith.

WHEN TO INVOLVE THE PROSECUTING ATTORNEY

The Prosecuting Attorney can provide valuable information and advice regarding statutes, ordinances, and legal issues. A committee or board that follows the advice of the Prosecuting Attorney reduces the risk of liability and is far less likely to find itself involved in legal problems. Committee members may request the following kinds of information from the Prosecuting Attorney:

- Assurance that committee decisions and actions generally fall within statutory authority.
- Questions about conflict of interest.
- Review of proposed regulations and revisions, and the drafting of such documents in legally correct language.
- General legal advice about committee actions and activities, and rule making and interpretations.

COMMITTEE BUDGETS

Committee members should be aware that, for most boards and committees, the cost of doing committee business is funded through the County department providing administrative support. County budgets are limited and expenditures must be coordinated with the County staff assigned to the board or committee.

Laws Affecting Board and Committee Activities

RESTRICTIONS AND REQUIREMENTS

As a Board of Commissioners' appointee, you should be aware of certain restrictions and requirements that may affect you during your tenure as a committee member.

- Committee members must be familiar with and operate within the governing statutes and bylaws; and County, state and federal laws at all times.
- To ensure accountability, all applicable policies and procedures adopted by the committee should be in written form.
- No committee member may make unilateral decisions or take action without the consent of the committee as a whole.
- At professional gatherings, individual committee members must use discretion to avoid the appearance of speaking for the committee, unless specifically authorized to do so.
- Committee members must keep in mind that their mission is to serve the public, and that it is inappropriate to use committee membership to create a personal platform.
- Members are restricted by RCW 42.52.130, 140, 150, and 42.18.230 from accepting or soliciting anything of economic value as a gift, gratuity, or favor if it is given only because the member holds a responsible position with the County.
- Questions about committee issues should be directed to the chair of the board or committee or the County staff who support it. They will see that all board or committee members receive full information by the next regular meeting.
- Details of committee investigations, personnel files, or business discussed at closed executive sessions should not be disclosed unless they are part of the public record.

OPEN PUBLIC MEETINGS ACT

NOTIFICATION OF MEETINGS

The Open Public Meetings Act requires that all meetings of the governing body of a public agency, as well as other meetings regarding policies affecting the public, be open to the public. In addition, the public must be notified of such meetings in a timely manner.

CONFIDENTIAL TRANSACTIONS

Exceptions to the Open Public Meetings Act include confidential subjects such as personnel matters and real estate transactions, which may be dealt with in "executive sessions." For most boards and committees, executive sessions should be rare.

PUBLIC DISCLOSURE

The minutes of all regular meetings must be recorded and made available for public inspection. The Open Public Meetings Act applies to most all boards and committees of the county. Regardless of whether the Act applies; all committees should be in compliance with open meeting requirements.

ACCESSIBILITY REQUIREMENTS

To afford members of the public who have disabilities an equal opportunity to participate, meetings subject to the Open Public Meetings Act shall be held in facilities that are wheelchair accessible.

REASONABLE ACCOMMODATION OF PERSONS WITH DISABILITIES

In addition to the Open Public Meetings Act, the Americans with Disabilities Act (ADA) sets criteria for accessibility and accommodation. Under the ADA, people who have disabilities have a right to an equal opportunity for effective participation in the activities of boards and committees, whether as appointed members or as members of the public. In the Courthouse, the Commissioners' Meeting Room, the Health and Human Services Conference Room, the Emergency Operations Center, and the courtrooms are among the wheelchair accessible locations.

ACCESSIBLE LOCATIONS AND COMMUNICATIONS

Meetings and other board or committee-sponsored activities should be held in wheelchair accessible locations. Auxiliary aids for effective communications should be provided upon request and are available in the Commissioners' Meeting Room.

Whenever possible, meetings, particularly those held after regular business hours, should be held in the Commissioners' Meeting Room in the Courthouse. The Commissioners' Meeting Room has direct after hours accessibility to the room without opening the entire Courthouse. The room has ADA-accessible restrooms. It is also equipped with a public address system, recording equipment, and equipment to assist the hearing impaired. The room is scheduled by Commissioner Staff at 360.417.2233 and must be pre-scheduled for use. The commissioner's staff can also answer questions regarding equipment use and assist if necessary.

MINUTES AND EVIDENCE

RCW 42.32.030 requires that minutes be taken at all regular and special business meetings, except executive sessions, of County boards, commissions, agencies, or authorities, which shall then be open to public inspection. Appellate boards must also provide for the recording appeal hearings, and for the indexing and preservation of exhibits and evidence offered at hearing.

ADMINISTRATIVE POLICIES

The county has adopted administrative policies, which may apply to boards and committees. Committee members should be familiar with the administrative policies of the County.

ETHICS AND THE APPEARANCE OF FAIRNESS

As a committee member, you are expected to uphold a high standard of ethics. It is *extremely* important that committee members avoid conflicts of interest, or even the *appearance* of conflicts of interest.

Clallam County Code Chapter 3.01 addresses ethics and provides that no county employee may use their position for personal services rendered during their term of county employment.

The code also prohibits committee members from engaging in actions that result in personal gain or benefit close relatives. The code allows dismissal as well as civil and criminal penalties when provisions of the code are violated. Members of regulatory and appellate boards are also subject to state laws regarding the conduct of public officials, and, more particularly, boards which render land use decisions are subject to the Appearance of Fairness Doctrine under Ch. 42.36 RCW.

All committee members should familiarize themselves with the Clallam County Code, Ethics, Chapter 3.01, and Title 42 RCW (Public officers and agencies). The Prosecuting Attorney can offer additional information or guidance.

Using a public position for private gain is improper and illegal. Similarly, actions benefiting close relatives are prohibited. The following are examples of conflicts of interest:

- Directing County contracts to a business in which one has a financial interest.
- Using confidential information for private investments.
- Accepting gifts or favors in exchange for certain regulatory rulings.
- Accepting gifts or favors in exchange for making certain purchases.
- Accepting favors for disclosure of confidential information.
- Engaging in outside employment, which assists non-governmental entities in their quests for county business.

Committee members can avoid conflict of interest problems by being aware of restrictions, adhering to such restrictions, using good judgment, and being fair and equitable in decision-making.

Board and Committee Transactions

BYLAWS

Every Advisory board and committee should have a set of bylaws to direct and clarify its actions, procedures, and organization. Bylaws are the guidelines by which a committee functions. Each board or committee may either develop its own set of bylaws or choose to adopt the meeting guidelines outlined below as their bylaws. [By contrast, every regulatory and appellate board should have a set of published policies and procedures, developed by that board or incorporated from state laws or regulations, which set forth its functions, processes, and actions.]

For advisory committees and boards, and according to *Robert's Rules of Order*, bylaws define the primary characteristics of an organization, prescribe how it should function, and include rules that are so important that they may not be changed without prior notice to members and formal vote and agreement by a majority of members. Ordinarily, bylaws may only be changed by a two-thirds majority.

If an advisory committee or board chooses to adopt its own meetings bylaws, they will generally include a number of articles, such as the following:

- Name of committee
- Mission statement
- Membership
- Officers
- Meetings
- Committees, subcommittees
- Parliamentary procedure - often including the name of the manual of parliamentary procedure the committee will follow.
- Amendment procedures for making changes in the bylaws.

Bylaws should include expectations as well as guidelines for members. Issues such as attendance, responsibilities, and discipline should be addressed in the bylaws. Committee members are expected to adhere to bylaws and all relevant statutes.

ADVISORY COMMITTEE AND BOARD MEETING GUIDELINES

QUORUM REQUIRED

If a quorum consisting of at least 50 percent of the committee's members is not present, any business transaction is null and void. The quorum protects against unrepresentative actions by a small number of individuals. In some cases, the governing law or document will establish what the quorum will be.

At meetings where a quorum is not present, the only actions that may be legally taken are to fix a time for adjournment, adjourn, recess, or take measures to obtain a quorum (such as contacting absent members).

OFFICERS AND MINUTES

At the first meeting of each calendar year, the committee shall elect a chair who shall preside at meetings. The committee may choose to either elect a vice-chair or the elected chair may appoint a vice-chair. The vice-chair shall preside in the absence of the chair and shall be responsible for, or cause the recording and distributing the minutes. Minutes of all meetings shall be forwarded to the assigned County department and/or the Board of Commissioners.

MEETINGS AND ORDER OF BUSINESS

For committees that meet on a regular basis, the chair shall set regular meeting dates as far ahead as practical. For committees that meet as needed or on an ad hoc basis, the chair shall notify all committee members of any meeting called to conduct business.

After the presiding officer has called the meeting to order, the committee will generally follow the order of business specified below:

- Reading and approving of minutes of previous meeting(s).
- Reports of officers and standing (permanent) committees.
- Reports of special (select or ad hoc) committees.
- Special orders (matters previously assigned a special priority).
- Unfinished business and general orders (matters introduced in previous meetings).
- New business (matters initiated in present meeting).

Roberts Rules of Order (simplified) will generally be followed for conducting business.

THE CHAIR AND VOTING

The chair may vote just as any other member. A chair has only one vote; the chair may not vote as a member of the committee and also a presiding officer. Voting by secret ballot is prohibited by the open meetings law.

Voting will generally be by a show of hands. Votes will be recorded by number of yeas and nays. Any member may, prior to the vote being conducted on any issue, request the recording of a roll call vote. Such vote shall be recorded in the minutes.

SUBCOMMITTEES

Sub-committees may be appointed by the chair. Reports, findings, and recommendations of sub-committees will be returned to and approved by the full committee prior to adoption as an official report or action of the committee.

PUBLIC DISCLOSURE

All County boards and committees, whether advisory, regulatory, or appellate in nature, are required to have available for public inspection and copying, public records such as procedural rules and statements of general policy, and other records, written or electronic, pertaining to the business of the committee. Exemptions to disclosure are very limited and are specifically identified in statute.

For additional information regarding disclosure requirements and exemptions from disclosure, refer to RCW 42.56 and consult with the Prosecuting Attorney.

INFLUENCING BALLOT MEASURES

RCW 42.17.130 strictly forbids the use of public facilities for the purpose of assisting a campaign for election of any person to any office or for the promotion or opposition to any ballot proposition unless they are activities which are a part of the normal and regular conduct of the office or agency.

TESTIFYING AT HEARINGS

Committee members often have an opportunity to testify at Board of Commissioners', or community committee hearings. When providing testimony on behalf of the board or committee, members should refrain from expressing personal opinions. It is helpful if the Clerk of the Board of Commissioners receives copies of written testimony prior to the hearing.

EFFECTIVE TESTIMONY

To provide effective testimony, members should keep the following guidelines in mind:

- All testimony should be brief, concise, and honest.
- Avoid reading lengthy written testimony; instead, orally highlight important points in the written report.
- If others are offering similar testimony, try to coordinate information to avoid repetition.
- Avoid being too technical.
- Be prepared to answer questions and comments by committee members. If you are unable to answer a question, offer to provide a written response later and always follow through.
- If you absolutely must give a personal opinion, make sure that the Board of Commissioners understands that you are not speaking for the committee, but for yourself.

THE NEWS MEDIA

The news media has the important function of informing the public about County government operations. In doing so, it provides a valuable communications link with the community. It is important to maintain a cooperative and open relationship with the media without violating privacy and other citizen rights. The following are suggested guidelines for working with the media:

- Designate a spokesperson that will speak for the committee as a whole.
- Be as open as possible and keep your focus on the business of the committee. Personal opinions, especially those regarding other people, are inappropriate. The news media is not the place to air dissatisfactions or carry on conflicts among committee members or County employees.
- If you do not know the answer to a question or are unsure about an issue, refer the matter to a knowledgeable person on your board or committee, to a County employee, or to the County Administrator's Office.
- A "wise" committee anticipates when an event in the community will stir the interest of the media. It provides materials that are responsive and informative, but do not violate individual privacy or undermine the dignity and authority of the committee or County staff.
- Keep in mind that the comments you make in public may also have to be made in a court of law. Do not risk your personal integrity or that of another by thoughtless or unwarranted remarks.