

**BOARD OF COUNTY  
COUNCIL FOR  
CLARK COUNTY**

**RULES OF PRACTICE**



***Revised  
August, 2015***

## **I. COUNTY BOARD**

- A. Clark County shall be governed by the Board of County Councilors. The Council recognizes that the public frequently refers to Councilors as Commissioners; the Council approves of this practice. The number of Councilors is currently three (3) and will be increased to five (5) in 2016, and how they are elected shall be determined in accordance with Washington law and the Clark County Charter. The Board of County Councilors shall comply with the Washington Open Public Meetings Act.

## **II. CHAIR AND VICE-CHAIR**

- A. The County Board of Councilors Chair and Vice-Chair shall be elected by the Councilors at the Board's first meeting in January of each year for terms of one year each.
- B. The chair shall preside over council meetings and ensure the orderly and efficient conduct of council meetings. The chair, or his or her designee, will be the county's spokesperson to articulate council policies, vision, strategies and plans; represent the county before the governor, state legislature and other state and federal agencies; meet and greet important visitors; supervise constituent response processes for the council as a whole; and serve as the county's lead representative at dedications, ceremonial activities and other public events. In case of the absence of the Board Chair, the Board Vice-Chair shall preside at meetings of the Board.
- C. If a vacancy occurs in the office of the County Board of Councilors Chair or Vice-Chair, the remaining Councilors shall elect one of their own to serve for the balance of the unexpired term.

## **III. REGULAR MEETINGS**

- A. The Council regular meeting days are set forth in Clark County Code Chapter 2.04.
- B. The Board of Councilors hearings shall formally convene every Tuesday at 10:00 a.m., except for the first Tuesday of each month, in which instance the Board shall convene at 6:00 p.m. All such meetings shall be held in the sixth floor Hearing Room of the Public Service Center in Vancouver, Washington, unless otherwise noted. During 2014, such sessions of the Board of Councilors shall be held on the dates listed below.

### **Regular Hearings:**

Tuesday, January 6, 2015 (6:00 p.m.)	Tuesday, January 13, 2015
Tuesday, January 20, 2015	Tuesday, January 27, 2015
Tuesday, February 3, 2015 (6:00 p.m.)	Tuesday, February 10, 2015
Tuesday, February 17, 2015	Tuesday, February 24, 2015
Tuesday, March 3, 2015 (6:00 p.m.)	Tuesday, March 10, 2015
Tuesday, March 17, 2015	Tuesday, March 24, 2015
Tuesday, March 31, 2015	Tuesday, April 7, 2015 (6:00 p.m.)

Tuesday, April 14, 2015  
Tuesday, April 28, 2015  
Tuesday, May 12, 2015  
Tuesday, May 26, 2016  
Tuesday, June 9, 2015  
Tuesday, June 23, 2015  
Tuesday, July 7, 2015 (6:00 p.m.)  
Tuesday, July 21, 2015  
Tuesday, August 4, 2015 (6:00 p.m.)  
Tuesday, August 18, 2015  
Tuesday, September 1, 2015 (6:00 p.m.)  
Tuesday, September 15, 2015  
Tuesday, September 29, 2015  
Tuesday, October 13, 2015  
Tuesday, October 27, 2015  
Tuesday, November 10, 2015  
Tuesday, November 24, 2015  
Tuesday, December 8, 2015  
Tuesday, December 22, 2015

Tuesday, April 21, 2015  
Tuesday, May 5, 2015 (6:00 p.m.)  
Tuesday, May 19, 2015  
Tuesday, June 2, 2015 (6:00 p.m.)  
Tuesday, June 16, 2015  
Tuesday, June 30, 2015  
Tuesday, July 14, 2015  
Tuesday, July 28, 2015  
Tuesday, August 11, 2015  
Tuesday, August 25, 2015  
Tuesday, September 8, 2015  
Tuesday, September 22, 2015  
Tuesday, October 6, 2015 (6:00 p.m.)  
Tuesday, October 20, 2015  
Tuesday, November 3, 2015 (6:00 p.m.)  
Tuesday, November 17, 2015  
Tuesday, December 1, 2015 (6:00 p.m.)  
Tuesday, December 15, 2015  
Tuesday, December 29, 2015

- C. Board of Councilors shall meet in Board Time. Board Time sessions are held to allow Councilors to interact with staff to discuss pending matters of county business in a less formal setting. These sessions are held at 1:30 p.m. on Wednesday afternoons. Minutes for Board Time sessions shall be taken by the County Manager or his designee via audio recording and uploaded to The Grid at the conclusion of the session. Executive Sessions, if needed, will generally be scheduled near the end of these meetings. Executive Sessions may also be scheduled at any other time during these meetings, including the beginning.

#### **IV. SPECIAL MEETINGS**

Special meetings of the Board of Councilors may be requested by any Councilor. Said request shall be in writing, addressed to the Clerk of the Board and shall specify the time, place and reason for such meeting. Upon receipt of which, the Clerk shall immediately, but no later than 24 hours prior to the meeting, transmit notice, in writing, of such meeting, to each of the Councilors. The Clerk shall also cause notice of such meetings to be disseminated in the County, placed on the County's web page ([www.clark.wa.gov](http://www.clark.wa.gov)) and emailed upon request in accordance with RCW 42.30.080.

#### **V. QUORUM**

A quorum shall be necessary for the transaction of business. A majority of the board members (2) shall constitute a quorum for the transaction of business. All questions which arise at the meetings shall be determined by the votes of the majority of the members present.

## **VI. AGENDA AND CONDUCT OF REGULAR MEETINGS AND SPECIAL COUNCIL HEARINGS**

- A. All County Board hearing agendas shall provide for the following:
- a. Special recognition (if applicable)
  - b. Pledge of Allegiance
  - c. Invocation
  - d. Bid awards (if applicable)
  - e. Consent Agenda
  - f. Public Comment
  - g. Public hearing matters (if applicable)
  - h. Councilor's Communications
  - i. Adjourn
- B. The County Manager, or his or her designee, shall be responsible for reviewing the County Board hearing agenda prior to posting. Any Councilor or member of the public may request that an item be removed from the Consent Agenda for discussion. An item removed from the Consent Agenda will be considered as a separate item of business by the Board. Approval of the Consent Agenda will be by a simple majority voice vote of the Board of Councilors.
- C. The hearing agenda for regular and special board meetings shall be posted in the Board of Councilors Hearing Room, placed on the County Councilors web page ([www.clark.wa.gov](http://www.clark.wa.gov)), and e-mailed upon request at least 4 calendars days in advance of the meeting.
- D. Ordinances, resolutions, and/or staff reports may be placed on the consent agenda upon review by the County Manager and the budget director as part of the weekly pre-consent review process on the Wednesday preceding the next regular meeting. Ordinances requiring a public hearing will not be placed on the consent agenda. All ordinances shall be reviewed by the prosecuting attorney prior to action by the Board of Councilors.
- E. All matters coming before the Board of Councilors involving county funds shall be presented in compliance with the biennial budget and current budget guidelines, and shall include fiscal impact analysis.
- F. In matters approved by the Board of Councilors authorizing the execution of a contract or other document by the Board Chair or the County Manager, said execution shall be made within thirty (30) days. In the event that such execution is not made in said timeframe, the County Manager shall place said item on the consent agenda for the next regular board meeting.
- G. No motion shall be debated unless first seconded. When a motion is seconded, it shall be so stated by the Chair of the Board, and the Board shall then proceed to act thereon.
- H. Any Councilor proposing an amendment shall have the right to open debate.

- I. County appointed officials, elected officials or staff may address the Board upon the request of any Councilor or recognition by the Chair of the Board.
- J. Any individual or the spokesperson for a group are welcome to address the Board of Councilors on any matter germane to the business of county government that is not specifically on the hearing agenda, during the “public comment” portion by signing in on sheets provided at the rear of the hearing room. Any individual or spokesperson wishing to speak on a matter specifically on the hearing agenda may do so by signing in on sheets provided at the rear of the hearing room. The chair of the Board will call on each person signed in to speak at the appropriate time in the order in which they have signed in.
- K. Persons addressing the Board shall not be permitted to make statement or remarks that concern only the private activities, lifestyles, or beliefs of others, including individual employees of the County or its elected officials, unrelated to the business of the County Board of Councilors or the professional duties and performance of its employees or the employees of its elected officials. Persons addressing the board shall refrain from statements, remarks, or conduct that is uncivil, rude, vulgar, profane or otherwise disruptive to the conducting of the Board’s business. Any person making such prohibited statements or remarks or engaging in such conduct shall be requested to leave the meeting by the chair.
- L. Parliamentary courtesy and decorum shall be maintained at all times during meetings of the Board of Councilors.
- M. The rules of the Board of Councilors may be suspended by a motion for a particular purpose by a two-thirds (2) vote of the Board.

## ***VII. MOTIONS TO RECONSIDER***

If a motion to reconsider is made, it must be made at the same meeting as the original vote. A motion to reconsider must be made by a member who voted on the prevailing side. A motion to reconsider must be seconded and approved by a majority of the members present. The vote on the matter to be reconsidered shall be taken only at the next regular succeeding meeting. No motion may be twice reconsidered.

## ***VIII. WORK SESSIONS***

The Board of Councilors shall meet in weekly work sessions. Work sessions are held at the request of at least two Councilors. The County Manager will manage the scheduling of Councilor approved work sessions. Work sessions are scheduled for the purpose of providing the Board of Councilors information on topics of interest that will update the Board on pending issues, provide pertinent policy making information, and/or provide for a final review of matters to come before the board at a regular meeting or public hearing. Work sessions may be held at any time, but are normally scheduled on Wednesday mornings between 9:00 a.m. and 12:00 noon. Minutes for work sessions shall be taken by the County Manager or his designee via audio recording and uploaded to The Grid at the conclusion of the session.

## ***IX. EXECUTIVE SESSIONS***

The Board of Councilors may meet in executive session to discuss matters set forth in RCW 42.30.110 including, but not limited to pending litigation, site acquisition of real estate and the price thereof, and certain personnel matters.

## ***X. MINUTES***

Minutes shall be kept for all regular and special meetings of the Board. Audio recording shall be kept for all work sessions and Board Time. Minutes shall be open and available to public inspection. Audio recordings shall be uploaded to The Grid. Minutes are not required for executive sessions.

## ***XI. LEGAL OPINIONS***

Requests for formal legal opinions from the prosecuting attorney relating to the County Board of Councilors shall be presented in writing and approved by the County Manager, County Board Chair, or a majority of the of the County Board of Councilors.

## ***XII. AD HOC, SPECIAL COMMITTEES, AND TASK FORCES***

Ad hoc, special committees, and/or task forces may be established as determined and recommended by the Board of Councilors. They will cease to function when they have completed their duties and have made their final reports. Appointments to said groups shall be made by the Board of Councilors.

## ***XIII. APPOINTMENTS OF BOARD AND COMMISSIONS***

- A. Appointments to all other boards, commissions, districts and all other authorities subject to appointment or approval, by statute or ordinance, by the County Board of Councilors, will be presented to the Councilors by the chair. The Councilors' recommendations and appointments shall be approved by the majority of the Councilors present at any regular meeting.
- B. The County Board chair shall notify board members of vacancies on other boards and commissions and seek their input in advance of the appointment.
- C. Any recommendation for an appointment must be made with written resume of the appointee's qualifications, which will be included with the agenda for the board meeting. Resumes are not required for re-appointments.
- D. Vacancies in any of the committees, boards, commissions, and district authorities will be reported on a monthly basis to the Board of Councilors.

#### ***XIV. COUNTY OPERATIONS***

- A. Opening and closing hours of the Public Service Center (PSC) (except those offices where the opening and closing hours are otherwise fixed by law) shall be 8:00 a.m. to 5:00 p.m., Monday through Friday, and extra hours for selected departments as determined by the Board of Councilors. Only authorized personnel (including County employees) may remain in the PSC during other than normal working hours. Public meetings or hearings to be held in the PSC at other than regular hours require advance notice to the Board of Councilors office.
- B. The policies and rules relating to the purchase of goods and services for the County shall be in accordance with Washington law and the Clark County Purchasing Ordinance.
- C. There shall be an annual independent audit for all funds and accounts of the County accomplished by the Washington State Auditor in compliance with the County Auditing Law.
- D. Pertinent policies and procedures relating to salaries; employee benefits; general, sick and various other types of leave; holidays; hours of work; physical examinations; retirement; and all such matters of personnel and employee relations are cited in the Clark County Human Resources Policy Manual. All reference pertaining to such matters should be made thereto and inquiries made to the Director of Human Resources.
- E. The Board of Councilors will discuss and take final action on salaries, wages, and other conditions of employment in an open public meeting in accordance with the Washington open public meetings act. The exception to this requirement will be Board discussions relating to collective bargaining, including discussions concerning contract negotiations grievance meetings and planning or adopting strategies or positions to be taken during the course of labor or professional negotiations or grievance or mediation proceedings (RCW 42.30.140.(4)).
- F. A Councilor's use of staff time for work assignments should first be discussed with the Board and approved with two votes. Consultation with the County Manager is requested.
- G. A Councilor's concerns regarding county employees shall be referred to the County Manager for investigation and follow up.

#### ***XV. COUNTY BUDGET***

- A. The County Manager, in conjunction with the Budget Manager, shall present a Biennial Budget Policies Resolution to the Board of Councilors. Such resolution shall be presented and considered no later than the June meeting each year. Such resolution shall outline policy guidelines for the setting of the County's biennial budget for the succeeding fiscal year (and for the readoption of the mid-biennial budget).
- B. Said resolution shall be in compliance with the Board of Councilors directives and shall take into consideration goals as set forth by the Board and all potential and known legal and/or economic constraints at the time of consideration.

- C. The County Manager in conjunction with the Budget Manager, shall recommend the annual budget, Levy Ordinance and Appropriation Ordinance for approval by the County Board of Councilors no later than the first Monday in December.
- D. Effective each October 1<sup>st</sup> and thereafter, the Budget manager and the Auditor or their designees shall be authorized to make intra-fund line item transfers within the same account class deemed necessary for the timely and orderly close-out of the end of year or fiscal year.
- E. Monthly reports from the County Auditor detailing a year-to-date expenditure and revenue analysis shall be presented to the Board of Councilors.

#### ***XVI. APPOINTMENT, REVIEW AND REMOVAL OF DEPARTMENT HEADS***

- A. Appointment and removal of all non-elected County department heads shall be made by the County Manager with the advice and consent of the County Board of Councilors.
- B. The County Manager shall supervise and appraise all appointed department heads under the jurisdiction of the County Board of Councilors.
- C. When a department head position is vacant, the County Manager, or his or her designee, shall be authorized to perform those duties and execute those documents for the department or function which are not otherwise provided by law.
- D. In accordance with County Board policy, all appointed department heads shall report to the Board of Councilors through the County Manager.
- E. The County Manager, with the approval of the County Board chair, may designate a person to fulfill his or her duties during an absence.
- F. When the County Manager position is vacant, the County Board chair shall appoint an interim County Manager subject to ratification by the Board of Councilors at a regular meeting.

#### ***XVII. COUNTY BOARD MEMBER EXPENSES***

The Clark County Councilors may be reimbursed for long distance travel expenses when incurred in the course of official county business. Such reimbursable expenses include:

- Mileage for use of personal automobile
- Parking, toll fees
- Business meals
- Special events
- Lodging
- Air, bus, train, taxi travel
- Car rental
- Phone calls, fax transmissions
- Registration fees

- A. Mileage will be reimbursed at the rate established by the Internal Revenue Service each year. Mileage will be calculated from the employee's official work station to the business destination.
- B. Local meal reimbursements will be made on an actual cost basis to include the cost of meal, beverages, and gratuities up to 15% (excluding alcohol). Long distance reimbursements for meals will be paid at a per diem rate established by the Clark County Auditor. Meal expenses associated with special events, such as departmental retreats are reimbursable.
- C. Advance travel funds are available to be used for advancing money for non-local travel. These funds are limited to such expenses as lodging, meals, ground transportation and are limited to a maximum of \$100 per full or part day for non-local travel.
- D. Requests for reimbursement of such expenses will be submitted with all relevant receipts and turned in to the appropriate BOCC staff person for processing on a quarterly basis.
- E. In accordance with RCW 36.32.310 staff will obtain approval of requested expense reimbursement by a majority of the board of county Councilors, clerk of the superior court, and a judge of the superior court.

#### ***XVIII. COUNCILORS CONDUCT***

- A. Each Councilors is obligated to follow the Code of Ethical Conduct for a Clark County Councilors approved March 27, 2001, attached herewith as Exhibit 1
- B. In the course of responding to citizen inquiries, Councilors shall weigh all relevant points of view. If a meeting of the parties is necessary, Councilors are responsible for setting a non-threatening atmosphere and for setting an appropriate time frame.
- C. Amendments to the county code that will enhance service to the citizens are encouraged by the Board of Councilors. In reviewing such code changes, the Board shall first seek input from the department(s) being impacted by said amendment. Suggested code language shall be submitted to relevant staff at least one week in advance of any action by the Board (or the Planning Commission, if applicable).

#### ***XIX. RULES OF PROCEDURE***

- A. These rules of procedure are subject to the RCW. In the event of any inconsistency between these rules and the RCW, the RCW shall govern.
- B. All business of the County Board of Councilors and its members shall be in conformity with these rules. In the absence of special rules covering the needs of the board, or if an existing rule does not adequately cover the needs of the board, "Roberts Rules of Order" (latest issue) if not inconsistent with these rules, shall govern.

- C. The rules of the County Board of Councilors may be suspended by motion for a particular purpose by a vote of two-thirds (2) of the members of the board present.
- D. Amendments to these rules may be initiated by any Councilors. Any proposed amendment to these rules shall be distributed to each board member at least five days before the meeting at which it is to be presented. Amendments to these rules may be adopted only by a majority vote of the board of Councilors.
- E. The rules of the County Board of Councilors shall be reviewed annually by the Board and shall be adopted initially (and thereafter as amended) by a majority vote of the Board.

ADOPTED this 8<sup>th</sup> day of ~~August~~ Sept., 2015.

BOARD OF COUNTY COUNCILORS  
CLARK COUNTY, WASHINGTON

Attest:

Rebecca Jiton  
Clerk to the Board  
Approved as to form only: modified to the extent  
ANTHONY F. GOLIK  
Prosecuting Attorney

By: Christopher Horne  
Christopher Horne  
Deputy Prosecuting Attorney

By: David Madore  
David Madore, Chair

By: \_\_\_\_\_  
Jeanne E. Stewart, Councilor

By: Tom Mielke  
Tom Mielke, Councilor

## EXHIBIT 1

### CODE OF ETHICAL CONDUCT FOR A CLARK COUNTY COUNCILORS

#### **PREAMBLE**

The opportunity to serve the public as county Councilor confers a sacred trust to the office holder. Stewardship of the public trust requires that the Councilor upholds the law and acts in ways consistent with the highest standards of ethical conduct. The Clark County Board of Councilors has adopted this code of ethics to promote the vitality of the democratic process in county government. In fulfilling the duties of public office, every county Councilor will be confronted with ethical dilemmas. The following principles are offered to encourage Councilors to reflect in advance of decision making. Ultimately, the ethical course of action for a county Councilor must be discerned by the dictates of individual conscience and commitment to the public interest.

#### **PRINCIPLES**

**Principle 1: A county Councilor should be vigorously dedicated to the democratic ideals of honesty, openness and accountability in all public matters involving the county government.**

A Councilor should exert a good faith effort to communicate the full truth about county matters and avoid misleading others or gaining personal advantage. Accountability requires a Councilor to accept responsibility for his or her public conduct as well as the actions of the county commission. A commitment to the spirit of open government is characterized by the broadest possible provisions for public access and information sharing, and qualified only by those instances when meetings and/or certain public records are shielded by state law. A Councilor has an obligation to report suspected illegal misconduct by another elected official to the proper legal authorities.

**Principle 2: A county Councilor should promote decorum, respect for others and civility in all public relationships.**

The honor of holding public office necessitates that a Councilor behave with courtesy and respect for the dignity of others in all public relationships, including elected officials; employees; citizens; media; and representatives of other units of government. A Councilor should affirm the value of services provided by government and maintain a constructive attitude about governmental affairs. Meetings of the county commission should afford a prime opportunity for Councilors to promote and enhance respectful civic discourse.

**Principle 3: A county Councilor should actively practice stewardship of the county's human, fiscal and material resources.**

A Councilor should conserve public resources and support the wisest and best use of those resources consistent with the public interest and community need. Merit principles should guide human resource management decisions made by the Councilor. A Councilor should advocate for, and encourage county employees to adopt practices that promote the most efficient, effective and ethical conduct in the delivery of county services.

**Principle 4: A county Councilor should strive for excellence and continuous learning relative to personal development and in all operations of county government.**

A Councilor, regardless of the length of tenure in office, should actively seek opportunities to develop skills and acquire knowledge in order to effectively perform the duties of public office. A Councilor should dedicate the time necessary to adequately perform the duties of the office of county Councilor. As a member of the governing body, a Councilor should advocate and appropriate resources that promote a county work environment in which employees are given opportunities to enhance and expand their performance capabilities.

**Principle 5: A county Councilor should perform the duties of public office with fairness and impartiality so as to enhance public confidence in county government.**

A Councilor should engage in conduct that promotes county processes and practices that contribute to the perception of equality and impartiality. A Councilor should support equal employment opportunity and vigorously oppose discrimination of any kind in the conduct of county affairs.

**Principle 6: A county Councilor should neither seek nor accept any favor from any source that may be offered to influence his or her official decision-making.**

A Councilor should decline to accept anything of value that could be construed by a reasonable and informed person as intended to influence any action by the Councilor. Avoiding the appearance of impropriety sustains public trust in democracy and is a necessary standard for a Councilor to consider in determining an ethical course of action.

**APPROVED: March 27, 2001**