

ORDINANCE NO. 65-17

AMENDING ORDINANCE 21-16 AND COUNTY CODE CHAPTER 2.88 – MEETINGS OF BOARD OF COUNTY COMMISSIONERS PERTAINING TO USE OF ELECTRONIC DEVICES DURING COMMISSION MEETINGS

WHEREAS, meetings of the Board of County Commissioners are subject to the Open Public Meetings Act (OPMA), RCW 42.30, and to minimize potential violations of the OPMA, it is recommended that rules be established regarding the use of electronic devices during Commission meetings;

WHEREAS, Rules of the Board are established in Mason County Code Chapter 2.88;

WHEREAS, these rules are designed to provide guidance to the Commission and do not amend statutory or other regulatory requirements;

NOW, THEREFORE BE IT RESOLVED, the Board of Mason County Commissioners hereby amends the Rules of the Board (Attachment A) adding Chpt. 2.88.095 pertaining to the use of electronic devices during Commission meetings. These rules shall be in effect upon adoption by ordinance of the Commission and until such time as new rules are adopted by ordinance.


DATED this 7th day of November, 2017.

ATTEST:



Melissa Drewry, Clerk of the Board

APPROVED AS TO FORM:



Tim Whitehead, Chief DPA

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON



Kevin Shutty, Chair



Terri Drexler, Commissioner



Randy Neatherlin, Commissioner

Mason County Board of Commissioners
Rules of the Board

2.88.010 Regular Meetings.

Regular meetings of the Board of Mason County Commissioners are held at 9:00 a.m. each Tuesday, except for the fifth Tuesday (in those months that have five Tuesdays) in the Commission Chamber, 411 North 5th Street, Shelton, Washington to transact regular business, (RCW 36.32.080) provided that:

- 1) If a holiday recognized and observed by the county falls on a Tuesday, such regular meeting shall be held on the next business day, per RCW 42.30.070;
- 2) If, due to an emergency, it is unsafe to meet in the Commission Chambers, meetings may be held for the duration of the emergency at such place as is designated by the chairperson of the board;
- 3) The regular meeting of the board on the fourth Tuesday of the month shall commence at 6 p.m. in the Commission Chambers;
- 4) The regular working session (briefings) may be held on Mondays from 8:00 a.m. to 5:00 p.m., on Tuesdays following the regular Commission meeting until 5:00 p.m. and on Wednesdays from 8:00 a.m. to 5:00 p.m. At these meetings, the Board is briefed by staff and discussion may occur with other agencies. These are generally not decision-making meetings, however, occasionally an action is taken;
- 5) The Board may hold continued meetings in accordance with requirements of the law and may conduct continued meetings in the evening;
- 6) As an alternative option, regular meetings may be held at a location outside of the county seat but within the county if the county legislative authority determines that holding a meeting at an alternate location would be in the interest of supporting greater citizen engagement in local government. This alternative option may be exercised no more than once per calendar quarter and may be held on the fifth Tuesday. Notice must be given at least 30 days before the time of the meeting. The notice must be a) posted on the county's website; b) published in a newspaper of general circulation in the county; and c) sent via electronic transmission to any resident of the county who has chosen to receive the notice required under this section at an electronic mail (email) address.
- 7) Any two or more county legislative authorities may hold a joint regular or special meeting solely in the county seat of a participating county if the agenda item or items relate to actions or considerations of mutual interest or concern to the participating legislative authorities. A legislative authority participating in a joint regular meeting held in accordance with this subsection must, for purposes of the meeting, comply with notice requirements for special meetings provided in RCW 42.30.080 and Mason County's policy is to strive to provide a 14 day notice. This notice requirement does not apply to the legislative authority of the county in which the meeting will be held.

Board members may participate in meetings via conference call or videoconference. It is recommended that participation in regular Board meetings via conference call or videoconference be limited to no more than four times per calendar year per Commissioner. Additional participation via conference call or videoconference is subject to approval by majority of the Board. All Board meetings shall be open to the public. However, the Board may retire to executive session by majority vote and in compliance with the law (RCW 42.23 and RCW 42.30.110).

Nothing in this section shall prohibit the Board of County Commissioners from adjourning Tuesday meetings from time to time, or from calling special meetings in accordance with notice requirements of law (RCW 42.30), or from cancelling a Commission meeting.

2.88.020 Special meetings.

Special meetings (RCW 42.30.080) may be called at any time by a majority of the members of the Board by providing written notice personally, by mail, by fax, or by e-mail at least 24 hours before the time of the special meeting to each member of the Board, to each local newspaper of general circulation, and to each local radio or television station that has a written request on file with the governing body to be notified of special meetings.

Notice shall be posted at the entrance to the meeting room and posted on the County's web site. The notice shall specify the time and place of the special meeting and the business to be transacted. Final action shall not be taken on any other matter at such meeting.

Written notice to a member of the governing body is not required when a member files at or prior to the meeting a written waiver of notice or provides a waiver by telegram, fax or e-mail or the member is present at the meeting at the time it convenes.

2.88.030 Emergency meetings.

The notice required for special meetings may be waived in the event it is called to deal with an emergency involving injury or damage to persons or property or the likelihood of such injury or damage, when time requirements would make it impractical and increase the likelihood of injury or damage. An emergency meeting must be open to the public.

2.88.040 Quorum.

A quorum of the Board of Mason County Commissioners shall consist of two elected or appointed County Commissioners. In order for business to be conducted at any Commission meeting, two elected or appointed County Commissioners shall be physically present at the meeting location.

The Board shall not adopt nor discuss with each other any ordinance, rule, regulation, order or directive except in a meeting open to the public and attended by a quorum; except for executive sessions (RCW 42.30.110) and those proceedings exempted by RCW 42.30.140.

2.88.045 Meetings outside the regular meeting place.

The Board may schedule regular, continued, or special meetings at locations outside the regular meeting place, as authorized by RCW 36.32.080 and subject to provisions of the Open Public Meetings Act (Chapter 42.30 RCW).

2.88.050 Officers of the Board.

The elected officers of the Board are the Chair and Vice Chair. At their first regular meeting of the calendar year, the Board of Mason County Commissioners shall select one of its members to preside at its meetings as Chair of the Board and Vice Chair. In the event of a vacancy in the office of the Chair for any reason, including succession, the position shall be filled by the Vice Chair and the election of a replacement for the Vice Chair shall be held to serve the unexpired portion of the term. The Vice Chair will serve as Chair when the Chair is unable to serve.

The Chair shall sign all documents requiring the signature of the Board, and the Chair's signature shall be as legal and binding as if all members had affixed their names, provided the signature is authorized by the Board. In case the Chair is absent at any meeting of the Board, all documents requiring the signature of the Board shall be signed by the Vice Chair.

2.88.060 Clerk of the Board.

The Board of Mason County Commissioners shall appoint, by resolution, a Clerk who shall attend its meetings and keep a record of its proceedings. The Board may appoint an alternate person to act as Clerk when the appointed Clerk is unable to attend meetings.

2.88.070 Motions, seconds, and voting.

Any member of the Board, including the Chair and Vice Chair may make motions and/or second the motions of other members and vote on matters before the Board. Any member may disqualify themselves if they have a conflict of interest or believe participation in a Board action may raise issues of appearance of fairness.

2.88.080 Postponement of action.

When only two members of the Board are present at a meeting of the Board, and a division takes place on any question, the matter under consideration shall be postponed until the next regular meeting.

2.88.090 Agendas.

Agendas for regular meetings of the Board of County Commissioners shall be available to the public and online no later than twenty-four hours in advance of the published start time of the meeting . Nothing in this section prohibits subsequent modifications to agendas nor

invalidates any otherwise legal action taken at a meeting where the agenda was not posted in accordance with this section. (RCW 42.30.077)

Written notice for adjourned or continued meetings of the Board of County Commissioners shall be made in the same manner as provided in 2.88.020.

Additions or modifications to the agenda may be made by majority vote of the Board at any time during the regular meeting.

2.88.095 Use of Electronic Devices during Commission Meetings.

Commissioners shall not use electronic communication devices to review or access information regarding matters not in consideration before the Board during all Commission meetings. This includes briefing, regular and special meetings.

To ensure focus on the discussions during meetings, Board members should use the internet during meetings to access only Board agenda packet information, resource documents, or other research relevant to the discussion.

Commissioners should make every effort to refrain from sending or receiving electronic communications concerning any matter during a Board meeting except for emergency family or businesses matters.

2.88.100 Records of the Board.

All records of the Board, except those which are not public records within the terms of RCW 42.56, as enacted or hereafter amended, shall be available for public inspection at the office of the Commissioners during regular working hours.

2.88.110 Applicability.

Nothing in this resolution or in Chapter 42.30 RCW prohibits Board members from travelling together or from gathering for purposes other than county business nor from individually discussing county business with other than Board members.