



# **Kittitas County Board, Committee and Commission Member Handbook**

Kittitas County Board of Commissioners  
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Dear Board Member,

Congratulations on your appointment to serve on one of the Kittitas County's citizen advisory Boards, Committees & Commissions. You are a member of a very distinct group. The Kittitas County Board of Commissioners is pleased that you are willing to serve in this important capacity. We have confidence in your ability to study all sides of the issues and make recommendations using your insight and experience as a concerned member of our community.

You are about to begin a challenging and rewarding experience and we'd like to thank you for all the time, thought and effort you undoubtedly will devote to this job. Kittitas County is a professional organization that relies both on paid professional staff and volunteers that advise the Board of Commissioners on a wide range of important issues. We all share a common bond as citizens who support the success of our County, with a role to play in shaping its future.

Membership on advisory Boards, Committees and Commissions is a satisfying and challenging experience that comes with a high level of responsibility. Members are responsible for regularly attending meetings, understanding the duties of their positions, following the Open Public Meeting Act guidelines and consistently working with other committee members and County Staff in a collaborative and productive manner that will contribute to the betterment of the community as a whole.

As a committee member, you are part of a team. Many of the groups are advisory in nature, and will advise the Board of County Commissioners and staff on the needs, obligations, and responsibilities of the County as seen by the committee. The Board of County Commissioners, however, with few exceptions, has the ultimate authority and responsibility for final policy decisions. Committee members serve as a vital link in providing citizen input toward decisions. Thank you for taking on this responsibility.

You are probably eager to get to work immediately. This handbook has been prepared to make your new assignment easier and we hope you will find it helpful.

# A Little History About Kittitas County

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by [Jennifer Ochran](#) (Reprinted with permission)

To this day, there exist numerous explanations as to the origin and derivation of Kittitas County's name. The term "Kittitas" has been said to mean everything from white chalk to shale rock to shoal people to land of plenty. Most anthropologists and historians concede that each interpretation has some validity depending upon the particular dialect spoken.

Whatever the case, the county was organized in November of 1883 by the Washington Territorial Legislature and signed into law by Territorial Governor W.A. Newell. It was partitioned from what was then the northern part of Yakima County.

Though fragmented, evidence of Native American inhabitants in the Kittitas Valley dates back almost three-hundred years. It is known for certain that as early as the 1700s, the Psch-wan-wap-pams-- early forerunners of the contemporary Yakama Nation--occupied the entire stretch of land along the Yakima River, including the Kittitas Valley. The Indians who inhabited the valley were known as the Kittitas or Upper Yakama Indians, both being part of the larger Yakama Nation.

During the spring, the Kittitas Valley was one of only a handful of valleys in the state where tribes could dig for roots such as camas (also known as kamas or quamash) and kouse, both of which were staples in the Indian diet. For this reason, the Kittitas Valley was a traditional gathering place for tribes east of the Cascades. During the fall, local tribes supplemented their diet by gathering wild berries, as well as hunting and fishing.

With the advent of white settlement, the once formidable Native American tribes of the Kittitas Valley were dislocated and began to disperse. The tribes initially relocated to both the Yakama Valley and lower valleys. Eventually, they were moved onto the Yakima Indian Reservation. By the early 1860s, the first white settlers began arriving in the Kittitas Valley. They brought with them the seeds of many fledgling industries. These included livestock raising, crop farming, dairying, logging, lumber processing, and mining.

Not surprisingly, the abundant bunchgrass and clear streams of the Kittitas Valley gave rise to a prosperous cattle industry. Much of this success was foretold by local Indians who, before the advent of white settlement, grazed horses in the valley and sold them to neighboring tribes and white explorers and traders who passed through. As early as 1861, white ranchers from the Yakima Valley grazed their cattle in the Kittitas Valley before continuing on to booming mine districts in the north-central region and British Columbia. The mining towns eventually began raising their own cattle, but Puget Sound demand filled the vacuum (the cattle were herded to the Sound through Snoqualmie or Naches Pass).

By the late 1860s, cattle ranchers established land claims in Kittitas itself. Over the next ten years, especially in the late 1870s, new ranches flourished and large herds of cattle (though not all local) grazed everywhere. The resulting overproduction led to declining beef prices. Prices,

however, rose to earlier levels after the severe winter of 1880-81 killed more than half the herds. Although the number of cattle eventually returned to early levels, overgrazing was beginning to take its toll on the range. As a result, the federal government began to regulate grazing in 1897. This led to a gradual shift from open grazing to fenced pastures and hay feeding (the ravaging effects of the 1889-90 winter laid to rest whatever protests there were to the shift).

Two events--better rail transportation around the turn of the century and irrigation projects in the 1930s--helped expand the county's cattle industry. The railroads provided more effective transport of cattle to the nation's eastern markets. Irrigation projects enhanced the quality of pastures and spurred the growth of row crops, whose by-products were converted into inexpensive cattle feed. By the 1960s, the number of Kittitas County cattle had more than doubled, to approximately 70,000 head. However, price controls and rising feed costs in the early 1970s prompted many ranchers to change from cattle to hay and grain production.

The early pioneers who began farming did so primarily to sustain their families. Among the first crops they planted were grains such as wheat, vegetables such as corn and peas, and fruits such as apples, cherries, pears, plums, prunes, and peaches. Notable growth in the farm sector came in the wake of railroad expansion and the Homestead Act of 1862, both of which prompted heavy migration into the county.

The first wheat crop in Kittitas Valley was planted in 1868. At that time, wheat was harvested entirely by hand using homemade scythes and flails to cut and thresh the stalks. Production increased more rapidly after 1877, as the horse-pulled thresher was introduced into the valley. Earlier that decade, the county's first flour mill was established near Ellensburg. It was quickly followed by four others. Although the county's yellowish flour was deemed suitable only for local consumption and for trade with the Orient, wheat production grew annually until the turn of the century. At its peak, county farmers harvested approximately 600,000 bushels of wheat from 20,000 acres. In fact, farming success prompted representatives of the cattle industry to ask Governor Eugene Semple to seek federal intervention as they felt the cattle industry was being unfairly displaced.

The Kittitas Valley is also known for its hay production. Early settlers harvested hay to sustain domestic livestock through the winter. As with other grains, they used hand-held scythes and, later, horse-drawn mowers to cut the hay and pitchforks to stack it. As cities and industries employed horses as the principle source of draft-work, the demand for hay soared. Seattle, Tacoma, and other Puget Sound cities needed thousands of tons of hay to feed work-horses, as did the state's lumber and mining companies. Hay production was becoming a big business. As a result, county hay farmers constantly modified and upgraded the harvesting and baling machinery and processes to increase their productivity. By the 1920s, however, cities and industries had largely evolved from horses to combustible engines, and Kittitas County and other central and eastern Washington producers felt the adverse effects of the transition. Only the return of horse-racing in the 1930s and pleasure horses in the 1950s have helped to sustain the county's hay industry. Today, Kittitas County hay is marketed to numerous states across the country, including Kentucky, as well as Pacific Rim and European nations.

The county's logging and lumber industries were established in the early 1870s, fueled primarily by two factors: in-migration of settlers who needed lumber to build homes and railroads that needed wooden ties to expand their spurs. Most of the logging was concentrated in the western end of the county. Logging camps sprang up along the shores of the county's three large lakes-- Cle Elum, Kachess, and Keechelus. Most of the year, harvested timber was hauled from the forest to the riverbank on greased skids or by wagons with horse-teams. During the winter, sleds were substituted for wagons. The spring thaw and subsequent rising river level saw logs floated downriver to mills in Ellensburg and Yakima. Sawmills sprang up wherever access to timber existed. The first sawmill in Kittitas County was established in the early 1870s near Ellensburg. Others followed, and by 1889 there were seven mills operating in the valley (more were started through the turn of the century). Like the logging companies, the sawmills prospered as settlers built homes and as the railroads expanded their lines.

By the turn of the century, major logging companies such as the Cascade Company had overtaken many smaller independent groups of loggers (though they eventually phased out their crews in order to contract work to gyppo loggers). The steam-donkey had taken the place of the horse-team and skids. And the downriver log drives had been phased out in favor of logging railroads which, in addition to being safer, extended far beyond the river and up to the logging sites. After World War II, the logging railroads were themselves decommissioned as pneumatic tires made logging trucks and logging road construction more practical.

In the early 1880s, coal and mineral activities got underway in the Cle Elum River Valley and the surrounding mountains. Coal was first discovered by homesteaders in 1883. Early miners extracted the fossil fuel with picks, hoisted it from shafts by basket and rope, and shoveled it onto wagons by hand. Mules and mule skinnners were later introduced to replace ropes and baskets. These methods were suitable as the coal was primarily for local use. In 1886, however, the Northern Pacific Company began to actively develop the region's coal deposits. By year's end, a rail had been laid to Cle Elum and Roslyn and the first shipment of coal (1,500 tons) soon made its way to markets of the west. At the turn of the century, several large coal concerns were mining in excess of a million tons of coal annually. Production peaked in the 1920s as companies introduced modern extractors, loaders and conveyors, and electric locomotives. Mining subsided in the face of competition from oil in the 1930s.

Even before the discovery of coal, prospectors flocked to the region searching for precious metals and ores. Efforts centered around gold, but silver, copper, lead, iron, chromium, mercury, manganese, molybdenum, nickel, and antimony were also present. Local prospectors first discovered gold around Swauk Creek in 1867, but their find was greeted with skepticism by townsfolk. The party found more gold in 1873 and proceeded to establish the Swauk Mining District and mining laws. News of the activity leaked, precipitating a gold rush into the county. Although the original boom fizzled after a year or two, new and rediscovered finds in the late 1870s initiated another rush. By 1884, the pace of activity was such that miners opted to reorganize the mining district, administering it under federal as opposed to local laws (the miners would revert back to local laws in 1905). Mining activity continued at this accelerated pace until peaking during the 1930s.

Interest in reopening mines has surfaced periodically since that time. Some gravel surface mining is operational today on private lands and permits are being issued by the National Forest Service for exploratory precious metal mining. The Swauk Mining District remains organized (under federal and state laws) to this day.

## Form of County Government

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The Kittitas County Board of Commissioners is comprised of three members who have 4 year terms and each represent a different district within the County. RCW 36.32 defines their duties and legislative authority. The Chairman and Vice-Chairman are elected at the first Agenda Session in January. The Chairman of the Board of County Commissioners presides at all meetings unless they are unable to attend a meeting at which time the Vice-Chairman will preside.

## County Departments

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**Assessor:** The Kittitas County Assessor's office administers the assessment and levy of property taxes in Kittitas County.

**Auditor:** The Kittitas County Auditor's Office provides services in Elections, Finance, Recording, Vehicle Licensing and Voter Registration.

**Board of Commissioners:** The Kittitas County Board of Commissioners is empowered to set County policy, adopt laws, implement them, and, except for the responsibilities of other elected officials, carry out the day-to-day operations of the County.

**Clerk:** The Superior Court Clerk's Office primary responsibility is to file and index all records filed for Kittitas County Superior Court and Family Court.

**Community Development Services:** The Community Development Services Department assists the citizens of Kittitas County in planning for the use and development of land and buildings while protecting public health and safety, sustaining a vibrant economy, promoting the conservation of natural resources, and protecting the environment.

**Coroner:** The coroner has the responsibility to investigate all deaths that are considered unattended, this means when a person dies and has not been under a doctor's care. Other deaths that fall under the jurisdiction of the coroner are accidents, suspicious deaths and crimes that resulted in a death of a person.

**Courts:** The Kittitas County Court system consists of 3 Courts, and the Clerk's office: Lower District Court; Upper District Court; Superior Court Administration/Jury Service and the Superior Court Clerk.

**Extension:** WSU Extension is a partnership of USDA, WSU, and Kittitas County. Our mission is to engage people, organizations and communities to advance knowledge, economic well-being and quality of life by fostering inquiry, learning, and the application of research.

**Fair/Event Center:** The Kittitas County Fair is one of the oldest fairs in the State of Washington which started in 1886. The Kittitas Valley Event Center offers a unique venue that can accommodate everything from a small private meeting to a large wedding, a public exhibition, or an equestrian or livestock event. The Ellensburg Rodeo is one of the top rodeo's in the nation and is held with the Kittitas County Fair every Labor Day Weekend.

**Human Resource:** The Kittitas County Human Resource Department provides services and support in employment, training, employee relations, benefits, compensation and safety.

**Information Technology:** The Kittitas County Information Technology Department provides user support for the County's hardware, software, and Internet needs.

**Juvenile Court Services:** The Kittitas County Juvenile Court Services Department serves the Superior Court of Kittitas County in a manner that ensures the safety of our citizens, promotes offender accountability and competency development and provides opportunity for community involvement.

**Misdemeanant Probation:** The Kittitas County Misdemeanant Department provides the Kittitas County Courts and adult misdemeanor and gross misdemeanor probation services that promote public safety, ensure offender accountability, reduce recidivism and enhance offender competency.

**Maintenance:** The Kittitas County Maintenance Department maintains the physical structures of the County and supports Staff with all facility based issues.

**Noxious Weed Control Board:** The Kittitas County Noxious Weed Control Board protects and preserves the agricultural lands and natural resources of the County from the degrading effects of exotic and invasive noxious weeds.

**Prosecutor:** The Kittitas County Prosecuting Attorney's Office responsibilities include being a legal advisor, a prosecutor of criminal matters, and a representative of the County in civil cases.

**Public Health:** The Kittitas County Public Health Department protects and promotes the health and environment of the people of Kittitas County.

**Public Works:** The Kittitas County Public Works Department is responsible for the engineering, construction, maintenance and administration of the Kittitas County Road System including all County roads but none of the State Routes or the Incorporated City Streets.

**Sheriff:** The Kittitas County Sheriff's Department is responsible for law enforcement, corrections, civil division, emergency management, search and rescue and marine patrol.

**Solid Waste:** The Kittitas County Solid Waste Department provides for necessary and economically efficient waste management services that minimize environmental impacts and protect human health.

**Treasurer:** The Kittitas County Treasurer is responsible for receipting of funds, collection of taxes, disbursement of funds, investment of funds, bond sales, and County surplus.

## Recruiting & Application Process

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Applications to be considered for appointment to a County Board, Committee and Commission can be accepted at any time. An official notice to fill vacancies on various Boards, Committees and Commissions will be provided by the Kittitas County Commissioner's office twice a year to the Official County newspaper, posted onto the Kittitas County website, and other means as available.

To be considered for an appointment individuals must complete an application and submit it to the Kittitas County Commissioners office. Applications are available on the Kittitas County website or can be picked up in the County Commissioners office. The applications for appointment are subject to public disclosure. Once an application has been received it will be forwarded to the appropriate Clerk whereupon the Board, Committee or Commission will submit a letter with their recommendation back to the County Commissioners office. Upon receipt of their recommendation the Kittitas County Board of Commissioners staff may process it on a future Agenda for their consideration and possible action.

A member's term does not begin until the Kittitas County Board of Commissioners has approved the appointment and the applicant has been notified in writing. All appointments will be notified in writing by the Board of County Commissioners office and will include the person's term in office and the Clerk's contact information. The Clerk for that specific Board will notify new members with information including meeting dates, times and locations.

### **Qualifications for Appointments**

- Members must be eighteen (18) years of age or older, unless a seat is designated by the Kittitas County Board of Commissioners for youth representation.
- Members must be a resident of Kittitas County. However the Board of County Commissioners can waive residency at their discretion.

### **Terms, Vacancies, and Removal**

A member's term will be provided by the Board of County Commissioners office and included in a letter of appointment. Some appointments are to fulfill a prior member's term and therefore they will not be appointed for a full term. However, towards the end of their term the member can request to seek reappointment in accordance with the adopted Bylaws specific to the specific

Board, Committee, or Commission.

A vacancy is deemed to have occurred upon the following unless separate Bylaws further defining a vacancy have been adopted for the specific Board, Committee, or Commission, in which case the adopted Bylaws will govern:

- Death of a member.
- Written notification has been provided to the Kittitas County Commissioners office.
- Three consecutive unexcused absences by a member.
- A member ceases to be a resident of Kittitas County and a waiver has not been granted by the Board of County Commissioners.
- Any member may be removed upon a vote of not less than two members of the Kittitas County Board of Commissioners for any reasonable cause as determined.

A member may request a leave of absence for up to 90 days in writing and will be considered by the Board of County Commissioners, preferably prior to the absence.

### **Reappointment**

Members will be notified in writing by the Kittitas County Board of Commissioners office prior to their term expiring. If a member would like to be considered for reappointment they shall submit a request in writing to the Board of County Commissioners office.

### **Resignations**

If for some reason a member is unable to complete their term, it is extremely important for them to inform the Board of County Commissioners office as well as the Clerk for the Board, Committee or Commission. The resignation shall be in writing, include an effective date, and note if they would be able to continue to serve until a replacement is named.

### **County Boards, Committees, and Commissions**

A list of County Boards, Committees, and Commissions along with a list of membership and other information may be found online at <http://www.co.kittitas.wa.us/boc/boards/>.

## **Board Clerk & Staff Members**

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Most of the Boards, Committees & Commissions have a County employee who serves as the Clerk to perform daily administrative tasks. Board members must keep in mind that staff has other job responsibilities outside of their Board duties. The Clerk is responsible for creating meeting agendas, minutes and routing information to Board members. If you are unable to attend a meeting please notify your Clerk as soon as possible to ensure there will be a quorum and/or advance notification can be sent out to the public if the meeting needs to be cancelled.

# Meeting Agendas

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According to RCW 42.30.077 Agendas of Regular Meetings and RCW 42.30.080 Special Meetings, a meeting Agenda must be created including the date, time, location and items to be considered. The Agenda must be available online and notice provided to each member no later than 24 hours in advance of the published start time of the meeting. It must also be prominently displayed at the main entrance of the agency's principal location and the meeting site if it is not held at the agency's principal location. Members cannot take action on items that are not listed on the Agenda. The Clerk/Staff will be responsible for creating an Agenda for meetings.

## Minutes

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It shall be the responsibility of the Clerk/Staff assigned to the Board, Committee or Commission to record and maintain minutes for all meetings. The minutes shall be a "summary" and not "verbatim" which briefly describes the issues and actions taken. Comments by all members on every Agenda item cannot practicably be included in the minutes. Members abstaining for legal conflict of interest requirements are to state their reasoning and be reflected in the minutes. Once meeting minutes have been approved the Clerk/Staff member should post them onto the County website.

## Tips on Being an Effective Board Member

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Being a member of a County Board, Committee or Commission is a critical position and can help shape and influence the Kittitas County Board of Commissioners decisions and actions. It's extremely important that each member be kept informed and up-to-date on issues.

Regular attendance is important so that decisions that are being made represent the opinions of the group as a whole. In addition, regular attendance at meetings helps ensure that issues are examined from a variety of perspectives. A person may forfeit his or her position on the Board as a result of poor attendance.

Being prepared is another requirement for being an effective Board member. The Board Clerk or County staff will provide information to help make informed decisions by providing materials for review in advance of meetings.

Effective Board members:

- Attend all meetings.
- Are prepared for meetings.
- Recognize that serving the public interest is the top priority.
- Operate in an open and public manner.

- Examine all evidence before making a judgment.
- Are aware that the authority to act is granted to the Board as a whole, and not to individual members.
- Are willing to work with the group in making decisions.
- Recognize a compromise may be necessary to reach consensus.
- Should not let personal feelings towards other Board members or Staff interfere with their judgment.

### **General Character**

Honesty and integrity shall be the primary values in all issues. All citizens and issues must be handled with fairness, impartiality and respect. Each group will undoubtedly consist of diverse personalities; it is important that everyone work together to accomplish common goals.

### **Role of the Chairman and the Vice Chairman**

In many cases, an elected County Commissioner may be assigned the role of Chairman, in other cases Boards, Committees & Commissions may rotate the position of Chair and Vice Chair each year. The willingness and ability of an individual to serve as the Chair or Vice Chair should be taken into consideration. The additional responsibilities of serving as Chair and Vice Chair may take extra time. The Chair must make certain that discussions do not get sidetracked on minor issues and must have the ability to see the whole picture. The most important part of being the Chair lies in the ability to find a common ground and in achieving a compromise, if appropriate.

Responsibilities of the Chair:

- Preside at all official meetings.
- Consult with the Clerk in drafting the meeting agenda.
- Make the public feel welcome at meetings.
- Keep discussions orderly, focused, efficient, impersonal, and fair.

Responsibilities of the Vice Chair are to substitute for the Chair as needed.

### **Ethics and the Appearance of Fairness**

As a Board member, you are expected to hold a high ethical standard. It's extremely important that members avoid conflicts of interest or even the appearance of conflicts of interest. Using a public position for private gain is improper and illegal. Similarly, actions benefiting close relatives are prohibited.

A Board member shall disqualify himself or herself from a proceeding in which the member's impartiality might reasonably be questioned. The fact that a Board member has considered the same or a similar proposal in another proceeding, has made a recommendation adverse to the interests of a party in this or another proceeding, or has previously considered and made recommendations upon the same or a similar issue, is not a basis for disqualification.

A request for disqualification shall be granted whenever a Board member:

- Has a personal bias or prejudice concerning the applicant;
- Has served in a professional or business relationship with respect to the matter in issue, or is currently associated with a person who is or was so engaged; or
- Has directly, or through a family member or fiduciary relationship, a financial or personal interest in the outcome of the matter or issue.

All quasi-judicial proceedings are subject to the appearance of fairness doctrine. No person shall contact a Board member off the record for the purpose of influencing the Board member's decision. Ex parte contacts limited strictly to the clarification of procedural matters and not to the merits of an application are permitted. A deliberate ex parte contact in violation may be deemed an attempt to interfere with the Board's duties. If a substantive ex parte communication is made to or by the Board member, the Board member shall publicly disclose it.

### **Public Appearance of Members**

When a member appears in a non-official, non-representative capacity before any public or private body, the member shall not identify or disclose his/her membership and if a question of membership arises, the member shall indicate they are speaking only as an individual. Members shall be permitted to retain membership while seeking an elective office; however they shall not use the meetings, functions, or activities of such bodies for purposes of campaigning for elective office.

### **Public Meetings vs Public Hearings**

All meetings of governmental bodies in the State of Washington are subject to the Open Public Meetings Act. At a public meeting, any and all persons may attend the meeting and observe. There is, however, no right to the public to participate in the course of a public meeting nor to comment on the subject matter being considered by the governmental body. The public body, if it so chooses, may permit such participation but it is not required to do so.

At a Public Hearing as distinguished from a Public Meeting, any member of the public in attendance has a right to speak and a right to be heard. The governing body holding the Public Hearing may establish rules of procedure for the orderly conduct of the hearing. These rules may include limiting the time allowed for public presentation, so long as they are reasonable and fair in operation. The Board of County Commissioners asks that those individuals recognized by the Chairman to participate in a Public Hearing limit his/her comments to three (3) minutes and to first state their name and if they are a resident of Kittitas County.

### **Legal Assistance**

There may be times when the County Prosecutor or designee is called upon to advise members as to the legality of a proposed action. In some cases, litigation is required and all records of the proceedings should be carefully kept. When in doubt about the legality of a procedure, wait until the legal opinion is rendered.

# Open Public Meetings Act (OPMA)

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## Purpose:

- To keep the public **INFORMED** and in **CONTROL** of the agencies that serve them.
- RCW 42.30.010 declares that all public commissions, boards, councils, committees, subcommittees, departments, divisions, offices and all other public agencies of this state and subdivisions thereof exist to aid in the conduct of the people's business. It is the intent of this chapter that their actions be taken openly and that their deliberations be conducted openly.

## Training:

- State law requires that all members of a governing body of a public agency complete Open Public Meetings Act training which includes: elected officials, members of a "sub-agency" created pursuant to statute or ordinance, (such as Planning Commission) and members of Boards, Committees or Commissions or other policy or rule making bodies of a public agency if the body acts on behalf of the governing body, conducts hearings, or takes testimony or public comment. In addition to these State law requirements, Kittitas County also requires that any member of the Kittitas County Board, Committee, and/or Commission operating under the direction of the Board of County Commissioners must complete Open Public Meetings Act training.

## Cornerstone:

- Meetings of the governing bodies of public agencies must be open to the public. RCW 42.30.030.
  - Few exceptions apply
  - Actions taken in the contrary are null and void

## Meetings:

- Meeting" means meetings at which action is taken. RCW 42.30.020(4)  
-"Action" means the transaction of the official business of a public agency by a governing body including but not limited to receipt of public testimony, deliberations, discussions, considerations, reviews, evaluations, and final actions. "Final action" means a collective positive or negative decision, or an actual vote by a majority of the members of a governing body when sitting as a body or entity, upon a motion, proposal, resolution, order, or ordinance. RCW 42.30.020(3)
- A "meeting" occurs when, with a collective intent to meet, a majority of the members of a governing body collectively transact the governing body's official business. *Citizens Alliance v. San Juan County* (2015).

- Typically a quorum must be present to transact business.
- Physical presence is not required.
- Email exchanges can constitute “meetings” *Wood v. Battle Ground School Dist.* (2001).
- “Final action” is not required to constitute a “meeting”.
- Phone calls and Voice Messages: If the majority of members of the governing body take action on behalf of the agency through phone calls or voice mail exchange that constitutes a meeting.
- Minutes of regular and special meetings must be promptly recorded and open to public inspection. RCW 42.32.030.
- Minutes are not required for executive sessions. If they are recorded, they will be subject to inspection under the PRA.

#### Violations:

- Actions taken in illegal meetings (those violating OPMA requirements) are invalid.
- Standing to challenge an action based on a violation of OPMA is very broad: Any person may challenge an action based on OPMA non-compliance in Superior Court.
- Costs and attorney fees will be awarded to prevailing party.
- Members of governing bodies who knowingly participate in violating the OPMA Act are subject to a \$500 civil penalty, increased to \$1000 for subsequent offenses.

#### Resources:

- Washington State Sunshine Laws 2016: An Open Government Resource Manual <http://www.atg.wa.gov/open-government-resource-manual>
- Knowing the Territory: Basic Legal Guidelines for Washington City, County and Special Purpose District Officials <http://mrsc.org/Home/Publications.aspx>
- MRSC: OPMA and PRA Practice Tips and Checklists <http://mrsc.org/Home/Explore-Topics/Legal/Open-Government/OPMA-and-PRA-Practice-Tips-and-Checklists.aspx>

# Administrative Matters

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Boards, Committees & Commissions should not become involved in the administrative or operations matters of the County departments unless specifically provided in their prescribed powers and duties. Members may not direct Staff to initiate major programs, conduct large studies, or establish department policy without approval of the Board of County Commissioners. County Staff members are assigned to provide general administrative assistance, such as preparation of agenda materials and general review of department programs and activities, and to perform limited studies, program reviews and other services of a general Staff nature. The responsibility for setting policy and allocating scarce County resources properly rests with the Kittitas County Board of Commissioners and cannot be delegated to an outside group.

# Americans with Disabilities Act

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Kittitas County strives to make its services, programs, and activities readily accessible and usable by individuals with disabilities. Reasonable accommodations will be made upon request. Please furnish the ADA Coordinator with your request in sufficient time for the County to provide a reasonable accommodation. Requests can be made to the Kittitas County Human Resource Office located at 205 West 5<sup>th</sup> Avenue, Ste. #107 Ellensburg, WA or by calling 509-962-7082. Emails may be sent to [lisa.young@co.kittitas.wa.us](mailto:lisa.young@co.kittitas.wa.us)

# Records Management

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Records management is the preservation and disposal of electronic and paper information.

Public records are those created or received by the county, regardless of physical form or characteristic (e.g., paper records, email, text message, voicemail, CD/DVD, USB-drive, photographs, etc.)

Each public record has a state requirement for how long it must be kept and what must be done with it at the end of that time.

The Clerk is the Records Officer for the Board. They have received the appropriate training necessary to perform this function. It is their responsibility to preserve and dispose of the primary copy of all records that relate to the conduct of government.

Guidelines for managing your records:

- Member's copies of agendas, meeting packets, minutes, etc. along with any notes members make for or during meetings should be disposed of as soon as they are no longer needed for Board business (GS2016-007).

- Voicemail and text messages are records; do not leave voicemail messages or send text messages to Board member or the Clerk other than those about scheduling and availability, and delete the messages as soon as you no longer need them for Board business (GS50-02-05).

If you have any question about managing records you might have, ask your Clerk.

## Email Policy

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Electronic communications between board members can implicate the Open Public Meetings Act (OPMA), therefore it is important to observe the following County procedures to avoid potential violations of the Act:

1. Only passive receipt of information via email is permitted.
2. Discussion of issues via email is strictly prohibited.
3. Materials, even those solely for informational purposes, may not be disseminated between the members. Instead, materials should be directed to the Clerk of the board and the Clerk can distribute them to the Board members via email.
4. Emails from the Clerk should Bcc the members and the first line of the email should read “For informational purposes only, Do NOT reply.”
5. Emails between Board members shall be limited to those emails which contain subject material that is of minimal retention value, e.g., about scheduling and availability.

## Roberts Rules of Order in a Nutshell

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### **What is Parliamentary Law?**

Parliamentary law is a system of rules that are designed to protect the rights of the individuals attending and running a meeting.

The basic provisions of parliamentary law are quite simple.

- Ensure the rights of the majority
- Protect the rights of the majority
- Defend the rights of individual members
- Safeguard those people absent from the meeting
- Guard all these together

To guarantee these prerogatives, parliamentary law requires participants in a meeting to do the following:

- Treat one item at a time
- Extend courtesy and fairness to all
- Let the majority rule
- Guarantee the rights of the minority

### **Rights and Responsibilities of Members**

Parliamentary law protects the rights of members to be dealt with fairly and equitably. This encourages and requires everyone's cooperation and the timely order of business. The following member rights are guaranteed under parliamentary law:

- Receive notice of meetings
- Attend meetings
- Make motions
- Second motions (when they need a second)
- Debate motions (when they can be debated)
- Vote on motions (except those on which the person has a conflict of interest)
- Know the meaning of the question people are debating
- Object when rules are being violated
- Not have to suffer personal abuse and attack
- Have access to minutes of all meetings
- Obtain a copy of the body's bylaws

Along with the rights come the responsibilities. For a meeting to function smoothly under parliamentary law, members must have specific obligations. When all members understand their duties as part of the team, business will be accomplished with greater ease. The following are the responsibilities of the members under parliamentary law:

- Attend meetings
- Be on time
- Stay until the end of the meeting
- Be ready to talk/speak knowledgeably and intelligently on a topic
- Be attentive
- Be open-minded
- Treat everyone with courtesy
- Speak openly, but also let others have their turn to speak
- Follow the rules of debate
- Attack issues, not people
- Insist on law and order at meetings
- Work to create dignity and decorum
- Participate actively in the meetings

- Be familiar with the basic rules of parliamentary law
- Respect the rights of others
- Abide by the final decision of the majority
- Respect the Chair’s opinion and rulings

### **How to Obtain the Floor**

Before a member can make a motion, address the board in debate, or bring a matter before people in a meeting, it is necessary that they *obtain the floor* – that is, be recognized by the Chair as having the right to be the only person speaking at that time. The presiding officer shall be addressed by his/her official title, “Mr. Chairman,” or “Madam Chairperson.” If the member is entitled to the floor, the Chairperson “recognizes” him/her, or assigns him the floor, by announcing his/her name.

### **What Precedes Debate**

Debate is discussion (by the Board) of the merits of a specific question. Before any subject is open to debate, it is first necessary that a motion be made by a member who has obtained the floor; second, that it be seconded; and third, that it be stated by the Chair.

### **Motions**

A motion is a proposal that the Board takes certain action, or that it expresses itself as holding certain views. In order to make a motion, a member must first obtain the floor as described above and saying, “I move that” (which is equivalent to saying, “I propose that”), and then stating the action he/she proposes to have taken.

### **Seconding Motions**

As a general rule, every motion should be seconded. This is to prevent time being consumed in considering a question that only one person favors. A motion is seconded by a member’s saying, “I second the motion,” or “I second it,” which is done without obtaining the floor, and without waiting for recognition, “Mr. Chairman, I second the motion.”

The fact that a motion is made and seconded does not put it before the Board, as the Chair alone can do that. He/she must either rule it out of order, or state the question on it so that the Board may know what is before it for consideration and action, that is, what is the *immediately pending question*.

### **Stating the Question**

When a motion has been made and seconded, it is the duty of the Chair, unless he/she rules it out of order, to immediately *state the question* – that is, state the exact question that is before the Board for its consideration and action. This may be done as follows, “It is moved and seconded to adopt etc.”

## **Debate**

After a question has been stated by the Chair, it is before the Board for consideration and action. All motions may be debated before final action is taken on them, unless the Board decides to dispose of them without debate.

Debate must be limited to the merits of the immediately pending question – that is, the last question stated by the Chair that is still pending.

Speakers/Board members must address their remarks to the chair (presiding officer), be courteous in their language and avoid all personalities.

## **Putting the Question and Announcing the Vote**

When the debate appears to have closed, the Chair asks again, “Are you ready for the question?” If no one answers he/she proceeds to *put the question* – that is, to take the vote on the question, first calling for the affirmative and then for the negative vote. In putting the question the Chair should make perfectly clear what the question is that the Board is to decide.

The vote should always be announced, as it is a necessary part of putting the question. The Board is assumed not to know the result of the vote until announced by the Chair, and the vote does not go into effect until announced. As soon as the result of the vote is announced the Chair should state the next business in order.

## **Calling for the Question**

A member of the group can call for the question but they must have a second to the call for the question. That is voted on by the group and if the call passes then the chair will call for the question.

## **Casting a Vote**

A. In acting upon every motion, the vote shall be taken by casting an aye/nay vote by voice, roll call or any other method as determined by the presiding officer from which the vote of each member can be clearly ascertained.

B. The vote on each motion shall be entered into the record by the number of members casting votes for or against along with the maker of the motion and who seconded.

C. If a member has declared a conflict of interest and is absent during the roll call vote, such vote shall read “Absent for the Vote due to declared Conflict of Interest” in the official minutes as part of the results of the vote.

D. If the roll call method of voting is used, the board’s secretary or staff liaison shall call the names of all members with the presiding officer called last. Members shall respond "Aye" or "Nay". It shall be out of order for members to explain their vote during the roll call. Comments

should be made during the discussion. There shall be no additional debate or speaking on the subject after the vote is taken.

### **Failure to Vote**

All members in attendance at a duly called meeting are required to vote unless the member has declared a conflict of interest. In all other cases, a failure to vote shall be entered in the Minutes as an affirmative vote.

### **Reconsideration**

Any member who voted with the majority may move for reconsideration of any action at the same or the next board meeting. After a motion for reconsideration has once been acted upon, no other motion for reconsideration thereof shall be made without the unanimous consent of the Board.