

Resolution 2024- 55

A Resolution of the Chelan County Commission adding
County Code Chapter 1.14

WHEREAS, certain meetings of the County are governed by the Open Public Meetings Act (RCW Chapter 42.30), which sets forth physical and remote access requirements for public meetings, and

WHEREAS, unnecessary confusion may result from interruptions in remote access during normal public meetings where physical access by the public is maintained, and

WHEREAS, the elected and appointed officials of the county have been provided an opportunity to review the code section hereby enacted, and

NOW THEREFORE, the county commission hereby resolves as follows:

IT IS HEREBY RESOLVED that the foregoing recitals are incorporated herein as findings and conclusions of the commission in addition to the findings and conclusions following, and

IT IS HEREBY FURTHER RESOLVED that the enactment of this code chapter is in the interest of good governance, and

IT IS HEREBY FURTHER RESOLVED that Exhibit A attached hereto and incorporated herein is adopted as enacting Chelan County Code Chapter 1.14, effective this date, the numbering and text of which may be changed by the code reviser as needed without disturbing its intent and meaning.

Enacted during regular public session at Wenatchee, Washington on this 15th day of July, 2024:

BOARD OF CHELAN COUNTY COMMISSIONERS

Tiffany Gering
TIFFANY GERING, COMMISSIONER

Kevin Overbay
KEVIN OVERBAY, CHAIR

Shon Smith
SHON SMITH, COMMISSIONER



ATTEST:
By: Anabel Torres
Anabel Torres, Clerk of the Board

ATTEST:
By: Sean P. Lewis
Sean P. Lewis, Deputy Prosecuting Attorney

Exhibit A

Chapter 1.14 Access to Public Meetings

1.14.010 Purpose.

Chelan County encourages transparent and efficient government and therefore also promotes increased ability for the public to attend public meetings.

The purpose of this chapter is to establish and implement an access policy for public meetings governed by the Open Public Meetings Act (RCW Chapter 42.30).

1.14.030 Definitions.

As used in this chapter:

"Governing body" means the multimember board, commission, committee, council, or other policy or rule-making body of a public agency, or any committee thereof when the committee acts on behalf of the governing body, conducts hearings, or takes testimony or public comment.

"Governing body member" means elected or appointed member of the associated Governing body.

"Public meeting" means any meeting governed by the Open Public Meeting Act. For the sake of definition, non-statutory advisory committee meetings are not governed by the Open Public Meetings Act, and therefore fall outside of the definition as used in this chapter.

1.14.050 In-Person Access

Except when an emergency has been declared under 1.14.130 below, in-person public access to public meetings at a specified physical location is mandatory and shall constitute the official public meeting for the official record.

1.14.070 Remote Access

Except when an emergency has been declared under 1.14.130 below, remote access to public meetings through online streaming or through other means is strongly encouraged, but is not mandatory and never guaranteed. Chelan County shall not incur any liability for a lack of or interruption to remote access of public meetings which may be caused by issues including but not limited to failure of technology or power source, or any interruption whatsoever.

1.14.090 Quorum

For any given public meeting, a quorum may be established through in-person attendance of governing body members, remotely attending governing body members, or a combination of both. Loss of remote access due to technology failure or other reasons when one or more members of the governing body is or was appearing remotely requires a new determination of whether a quorum exists with the remaining in-person attending governing body members, with the meeting proceeding as planned or being adjourned depending on whether a quorum continues to exist.

Exhibit A

1.14.110 Meeting Minutes

For all regular and special meetings, excluding executive sessions, minutes are required to be taken and shall be open to public inspection.

For any meeting adjourned due to a lack of quorum resulting from loss of remote access, a meeting minute note should be taken which indicates the reason for adjournment.

1.14.130 Declared Emergencies

Following the declaration of an emergency by a federal, state or local government or agency, a governing body whose meetings are subject to the OPMA may determine that, because of the emergency, it cannot hold a public meeting at a physical meeting place where members of the public can attend with reasonable safety.

In that circumstance, the governing body may hold a remote-only meeting where members of the public are provided a no-cost remote access means to listen to the proceedings. Action may be taken at such an emergency meeting as long as the public is able to at least listen to the proceedings. Should there be no means through which the public is unable to at least listen to the proceedings, the governing body shall not take any action at the meeting. However, executive sessions may be held under those circumstances.