

**Clallam County Charter Review Commission
Ethics Committee
Meeting Notes July 24, 2025**

Present in person: Commissioners Cameron, Noble, Tozzer, and Walde

Absent: Commissioners Benedict and Fleck

Dee Boughton was also present for a portion of the meeting

Meeting convened at 1:05

Commissioner Tozzer reported on Clark County's creation of an Ethics Review Commission in 2021-22, and his conversation with Clark County Charter Review Commissioner Chuck Green.

The Ethics Review Commission (ERC) has reviewed several complaints

It is modeled after Pierce County

Complaints are submitted to the County Manager

Complaints must be based on first-hand knowledge of the alleged violation

Any finding of a violation must be confirmed to not contradict any collective bargaining agreements

The ERC meets quarterly

Dee Boughton reported on his conversation with the Chief Civil Deputy in the Clark County Prosecutor's Office:

The ERC uses a document titled "business rules" to describe the process for its operations. This document is the equivalent of bylaws, guidelines, or procedures and had to be written by county staff after the passage of the charter amendment establishing the ERC.

Clark County's ethics rules are in a county policy that is referenced in the charter

The ERC is comprised of three members who must be "qualified in the area of ethical conduct in government"

The ERC is administered through the office of the county manager

The Civil Deputy's thoughts about problems Clark County has faced include:

Insufficient staff to get the ERC up and running

The right of appeal, for both the accused and the accuser, is not addressed

Provisions for due process are not addressed

The ERC's process includes a review of the complaint to determine if it warrants a hearing. Several cases have been rejected without a hearing and only one case has gone to a full hearing. That case took over a year to resolve.

Dee also expounded on the situation here in Clallam County where Title 5 of the County Code requires the county to indemnify staff (both appointed and elected). He indicated that research would be required to determine if the county would need to provide legal counsel to the accused even if the process could result in no penalties beyond admonition. He suggested that we should consider provisions for due process and for appeals.

Public comment was received from John Worthington.

The committee then took up the question remanded to it by the CRC of whether County Commissioners should be forbidden from holding a board membership or other position as officer in a non-profit organization that receives any form of funding from the county. There was general agreement in the committee that it may be appropriate to require in the Code of Ethics that County Commissioners recuse themselves from any decisions affecting non-profits on which the Commissioner serves. Commissioners Tozzer and Walde expressed support for a prohibition on serving on such non-profit organizations while Commissioners Cameron and Noble expressed serious concerns about such a prohibition. A final decision was not reached, but the sense was that the committee would move forward only with a requirement to recuse from decisions.

Homework for committee members is to look at how “indirect conflicts of interest” are treated in the county Code of Ethics and in the RCW, and to consider drafting language for a proposed amendment.

Meeting adjourned.