



King County Board of Ethics  
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## **KING COUNTY BOARD OF ETHICS MEETING NOTICE**

**When:** Monday, August 19, 2002, at 4:30 p.m.

**Where:** Bank of California Building  
900 Fourth Avenue, 4<sup>th</sup> Avenue and Marion Street, Seattle  
5<sup>th</sup> floor conference room, northwest corner of building

### **AGENDA**

1. ***Approval of Agenda***
2. ***Discussion of Meeting Minutes.***
3. ***Approval of Meeting Minutes of April 15, 2002 and May 20, 2002.***
4. ***Ethics Legislation.*** Proposed Amendment Relating to Post Employment Provision
5. ***Statements of Financial and Other Interests--Filing Year 2002.*** Board review and approval.
6. ***Staff Report.***
  - Current Ethics Issues—August Ethics Bulletin
  - Financial Disclosure Program 2002—Update
  - Board Nominations and Appointments—Update
  - WSEC—Board Attendance

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## **Minutes of the August 19, 2002, Meeting of the King County Board of Ethics**

The August 19, 2002, meeting of the King County Board of Ethics was called to order by Chair Price Spratlen at 4:32 p.m. Board members in attendance were:

Lois Price Spratlen, Ph.D., Chair  
Margaret T. Gordon, Ph.D.  
Mr. Roland H. Carlson  
Rev. Paul F. Pruitt

Others in attendance:

Ms. Catherine A. Clemens, Administrator, King County Board of Ethics  
Ms. Cheryl Carlson, Senior Deputy Prosecuting Attorney

1. *Approval of Agenda.* Mr. Carlson moved and Dr. Gordon seconded that the board approve the proposed agenda. The board unanimously adopted the motion.

Chair Price Spratlen asked for introductions from those present.

2. *Discussion of Meeting Minutes.* Ms. Carlson distributed a confidential memo in which she provided information related to meeting minutes. The information included a review of the Open Public Meetings Act, guidelines from Robert's Rules of Order, allowable uses of executive session, and other considerations. Ms. Carlson noted that this discussion was prompted by an employee who was the subject of allegations made by another employee during the April and May board meetings. The subject employee expressed concerns to her agency attorney that allegations contained in the meeting minutes would be posted on the ethics web site and such posting would result in broad distribution. The agency attorney then contacted Ms. Carlson. Mr. Carlson asked if the board is required to tape record meetings? No, although Robert's Rules of Order suggests the practice. Ms. Carlson also stated that there is no requirement for minutes to be taken during executive session but that she would recommend using executive session sparingly. Chair Price Spratlen stated that any discussions regarding requests for advisory opinions should be made in open session. Dr. Gordon asked what 'publication' of minutes meant. Ms. Carlson stated that placing the minutes on the ethics web site would qualify. Mr. Carlson gave a brief history of past discussions on meeting minutes and, based on that history, he recommended that the board not tape meetings. Ms. Carlson then discussed the balance between privacy and reputation concerns versus the desire to make information public. Upon request, Ms. Clemens stated that it is her practice to send a copy of the agenda to a regular distribution list, as well as to anyone directly affected by the agenda items. Those making requests for advisory opinions, and affected individuals, are invited to attend; they are also informed that all board meetings are open to the public. Chair Price Spratlen suggested that these individuals should also be made aware that minutes are taken at meetings. She determined that an announcement would be made in each open meeting to that effect. Rev. Pruitt stated that when considering and discussing a request for an advisory opinion, it is good, proper and fair to state the specifics of the request in the meeting minutes. Ms. Carlson stated that her suggested changes to the April 15, 2002, meeting minutes did not represent

mentorship per se, but would balance privacy and reputation with accurate reporting. Chair Price Spratlen asked that, due to time constraints, the discussion of the proposed changes to the April 15, 2002, minutes be tabled until the next scheduled meeting. The board agreed and moved to Item #2.

2. *Approval of Meeting Minutes of May 20, 2002.* Rev. Pruitt moved and Mr. Carlson seconded that the board approve the May 20, 2002, meeting minutes. The board unanimously adopted the motion.

3. *Ethics Legislation.* Ms. Clemens briefed the board on the reason for today's review of the previously approved proposed amendment to the post employment provision under the King County Code of Ethics. Staff and counsel met for final review and noticed a discrepancy in the time periods for certain prohibited activities by former employees; they also again reviewed issues raised during the previously held public comment period. Based on these concerns, the board directed the administrator and counsel to edit the proposed amendment and to return the matter to the board for final approval. Ms. Carlson walked the board through the proposed legislation and the board voted on each section individually.

**Section A. Post Employment Policy:** Mr. Carlson moved and Dr. Gordon seconded that the board **approve** Section A; the board unanimously adopted the motion. (Three sections)

**Section B. Members of County Boards and Commissions, Section D. Prohibition Against Having Interests In Certain Contracts or Grants, and Section F. No Assistance to Others In County Actions In Which Former Employee Participated:** Mr. Carlson moved and Dr. Gordon seconded that the activities detailed in Sections B., D. and F. be prohibited for former employees for **one year following termination** of county employment; the board **unanimously adopted** the motion.

**Section C. Prohibition Against Using Former Employment to Gain Special Consideration:** Mr. Carlson moved and Rev. Pruitt seconded that the board **approve** Section C; the board unanimously adopted the motion.

**Section D. Prohibition Against Having Interests in Certain Contracts or Grants:** Mr. Carlson moved and Rev. Pruitt seconded that the board **approve the edited language** in Section D; the board unanimously adopted the motion.

**Section E. Prohibition Against Disclosure or Use of Privileged or Proprietary Information:** Dr. Gordon moved and Rev. Pruitt seconded that the board **approve** Section E; the board unanimously adopted the motion.

**Section F. No Assistance to Others in County Actions In Which Former Employee Participated:** Dr. Gordon moved and Mr. Carlson seconded that the board **approve the edited language** in Section F; the board unanimously adopted the motion.

**Section G. No Assistance to Others If Former Employee Can't Do Personally:** Rev. Pruitt moved and Mr. Carlson seconded that the board **approve** Section G; the board unanimously adopted the motion.

**Section H. Certain Assistance Not Prohibited:** Dr. Gordon moved and Rev. Pruitt seconded that the board **approve** Section H; the board unanimously adopted the motion.

**Section I. Former Employees Must Disclose County Employment for One Year:** Rev. Pruitt moved and Mr. Carlson seconded that the board **approve** Section I; the board unanimously adopted the motion.

Mr. Carlson left the meeting at 6:00 p.m.

**Section J. Allowing Former Employees to Accept Future County Employment:** Rev. Pruitt moved and Dr. Gordon seconded that Section J. **be re-drafted for clarification**; the board unanimously adopted the motion.

**Section K. Allowing Former Employees To Contract with County with Exception:** Rev. Pruitt moved and Dr. Gordon seconded that Section K. **be re-drafted for clarification**; the board unanimously adopted the motion.

**Section L. Defining "Employer."** Rev. Pruitt moved and Dr. Gordon seconded that the board **approve** Section L; the board unanimously adopted the motion.

**Section B. Members of County Boards and Commissions:** Rev. Pruitt moved and Dr. Gordon seconded that the **last clause of Section B. be re-drafted for clarification**; the board unanimously adopted the motion.

In addition, the board considered a revision to **K.C.C. 3.04017(J), Definition of Participate:** Dr. Gordon moved and Rev. Pruitt seconded that the board **approve** the Definition of Participate; the board unanimously adopted the motion. Following the vote, Chair Price Spratlen directed board counsel and the administrator to prepare the necessary changes for the next scheduled meeting at which time the board would reconvene ready to vote on the entire document.

Chair Price Spratlen stated that, due to the hour, Items 5 and 6 on the agenda would be tabled until the next scheduled meeting.

Rev. Pruitt moved and Dr. Gordon seconded a motion to adjourn the meeting. The board unanimously approved the motion and the meeting was adjourned at 6:33 p.m.

Approved this 16<sup>th</sup> day of September, 2002, by the King County Board of Ethics.

Signed for the Board: \_\_\_\_\_  
Dr. Lois Price Spratlen, Chair