



CONFLICT OF INTEREST PRESENTATION *August 22, 2022*

Philip C. Hunsucker, Chief Civil DPA

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Commissioners are assigned to serve on the boards of various governmental entities or nonprofits.

Assignments are made in an open public meeting.

Commissioners Receive No Financial Compensation from the Assigned Entity.

There is a list of assignments that can be viewed on the County web site.

Background



Post to Web	BOARD & COMMITTEE ASSIGNMENTS GROUP/ORGANIZATION	Voti ng	BOARD REP 2022	CA *as needed	SCHED / FREQ OF MTGS	PTS
BOCC	BOCC, Chair	YES	HEIDI		1 st Four Mondays, 9AM	3
PH	Behavioral Health Advisory Committee (Chair)	YES	HEIDI	X*	E/O 1 st Tues, 3:30PM	2
PH	Behavioral Health Consortium		GREG		2 nd Thurs, 3-4PM	1
AUD	Budget Committee	YES	BOARD	X	Each last Wed, 8:30PM	1
BOCC	Canvassing Board	YES	HEIDI			1
AGENCY	Chimacum Drainage District	YES	HEIDI		TBD	1
PH	Community Health Improvement Plan (CHIP) – subcommittees • Youth Advisory Board • Working age band • Senior age band		KATE GREG HEIDI			1 1 1
AGENCY	Climate Action Committee	YES	KATE		Every other Tues, 3-5PM	1
INTERNAL - Make Agenda	COVID-19 RESPONSE: County Coordination Meeting Policy Management Group	NO	KATE	X	Every other Fri, 10:30 Every Weds @ Noon	1
BOCC	Economic Development Council (EDC) Team Jefferson		KATE		Each 1 st Thur, 9-11AM	1
BOCC	Elected Official/Department Director Quarterly Meeting	NO	BOARD	X	1/4ly, 4 th Mon, Noon	1
AGENCY	Empowered Teens Coalition • Port Townsend • Chimacum • Quilcene	YES	KATE HEIDI GREG		4th Tues, 3:30 – 5 (PT) 3rd Weds, 3:30 – 5 (Ch) TBD	1
INTERNAL	Finance Committee (BOCC Chair Automatically Serves)	YES	HEIDI	X	1/4ly, 4 th Tue, 8:30AM	1
AGENCY	Fort Worden Advisory Committee (Attend if County Issue)	NO	KATE		Each 3 rd Thur, Noon - 1	1
PROJECT	Hadlock Sewer (Project Lead)	NO	HEIDI		As Scheduled	2
PH	Board of Health	YES	BOARD	X*	3 rd Thurs, 2:30-4:30PM	1
AGENCY	Hood Canal Coordinating Council (HCCC)	YES	BOARD (KATE LD)		3 rd Weds, 12:30-3:30PM	2 KO
BOCC	Housing Fund Board (County and City rotate chairing meetings)	YES	GREG KATE	X*	Each 4 th Weds, 2PM	2
PH	Intellectual/Developmental Disability Advisory Board (I/DD)	YES	GREG		Each 4 th Tues, 3 – 5PM	1
BOCC	Intergovernmental Collaborative Group (ICG)	YES	BOARD	X	1/4ly & as scheduled	1
BOCC	JC Disability Board (LEOFF 1)	YES	GREG		2 nd Tues April/October	1
AGENCY	JeffCom 911 Administrative Board	YES	GREG (CA ALT)	X	Each 4 th Thurs, 8:30AM	2
AGENCY	Jefferson Broadband Action Team and Executive Board (JBAT)	NO	GREG		Fridays at 8:30 a.m.	2
EH	Jefferson County Clean Water District	YES	GREG		Quarterly, As Sched.	1
AGENCY	Jefferson-Peninsula Regional Emergency Planning Comm. (JPREP)	NO	BOARD (GREG LD)		1/4ly, As Sch., 10-Noon	1
AGENCY	Jefferson Transit Authority Board	YES	BOARD (HEIDI VICE CHAIR)	X	E/O 3 rd Tues, 1:30-3:30P	1
AGENCY	Jefferson Transit Authority Finance Committee + Vice-Chair	YES	GREG		1 st Tuesday, 1:00PM	1
BOCC	Lodging Tax Advisory Committee (LTAC) SPECIAL (Chair)	YES	HEIDI		As Sched./Special Mtg	2
WSU	Marine Resources Committee (MRC)	NO	HEIDI		1 st Tuesday 6:00PM	1

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Post to Web	BOARD & COMMITTEE ASSIGNMENTS GROUP/ORGANIZATION	Voting	BOARD REP 2022	CA *as needed	SCHED / FREQ OF MTGS	PTS
AGENCY	Mental Health Field Response Team	NO	HEIDI		As Scheduled	1
AGENCY	National Association of Counties (NACo) Federal Issues/Funding	YES	KATE			1
AGENCY	North Olympic Development Council (NODC)	YES	KATE	X*	4 th Thurs 1:30-3:30PM	1
AGENCY	North Olympic Legislative Alliance (NOLA)	YES	KATE	X*		1
AGENCY	Olympic Area Agency on Aging (O3A)	YES	GREG		1 st Thurs, 10AM-Noon	1
AGENCY	Olympic Coast National Marine Sanctuary Advisory Board	YES	KATE		Quarterly (West End)	2
AGENCY	Olympic Community Action Program (OlyCAP) Board	YES	GREG		2 nd Weds, 5:30 p.m.	3
AGENCY	Olympic Consortium Board (OCB)	YES	KATE		As Sch 6-8x Yr, Fri, 9AM	1
AGENCY	Olympic Discovery Trail (Project Lead)	NO	HEIDI		2 nd Weds, 6:30PM	1
AGENCY	Olympic Region Clean Air Agency (ORCAA)	YES	GREG		2 nd Weds, 10AM-Noon	2
PW	Parks and Recreation Advisory Board (PRAB)	NO	GREG		1 st Weds @ 11AM-1PM	1
AGENCY	Peninsula Regional Transportation Planning Organization (PRTO)	YES	KATE		E/O 3rd Fri, 10AM	1
AGENCY	Port Ludlow Village Council (PLVC) (Guest)	NO	GREG	X*	1 st Thurs @ 3:00PM	1
BOCC	Public Infrastructure Fund Board (PIF)	YES	HEIDI	X*	As Scheduled	2
AGENCY	Puget Sound Partnership - Strait Action Area (ERIN LIO)	YES	HEIDI		4 th Fri, 10-2 quarterly	2
AGENCY	Salish Behavioral Health Administrative Services Organization	YES	GREG		E/O mo, Fri, 9AM	1
PW	Solid Waste Advisory Committee (SWAC)	NO	GREG		4 th Thursday 3-5PM	1
AGENCY	Tourism Coordinating Council (TCC)	NO	GREG		2 nd Tuesday, 10:00AM	1
BOCC/SPECIAL	WSAC Coastal Caucus Sub-Committee	YES	KATE		As Scheduled	1
BOCC/SPECIAL	WSAC Legislative Steering Committee	YES	KATE (HEIDI ALT)		1 st /3 rd Thurs, 9AM-Noon	3
BOCC/SPECIAL	WSAC Timber Counties Sub-Committee	YES	GREG		As Scheduled	1
X	Water Utility Coordinating Council (WUCC)	YES	Not Active	X	As Scheduled	1

Special Assignments:						
AGENCY	Department of Natural Resources (DNR) Trust Land Transfer Work Group	YES	HEIDI		As Scheduled	1
AGENCY	Municipal Research and Services Center MRSC	YES	KATE		Quarterly, As Sched.	1
AGENCY	Shorelines Hearing Board (WSAC REP – ALTERNATE)	YES	HEIDI		As Scheduled	1
AGENCY	Puget Sound Partnership Leadership Council	YES	KATE		Quarterly	1
AGENCY	Housing Finance Commission (WSAC REP)	YES	GREG		If Appointed	
AGENCY	Maritime WA National Heritage Area Steering Committee	YES	KATE		As Scheduled	1

Greg = 29ttl, Kate = 29ttl, Heidi = 28ttl

Updated 06.29.22



Chapter 42.23 RCW

August 22, 2022

CONFLICT OF INTEREST PRESENTATION

Three Possible Consequences of a Violation— RCW 42.23.050



“Any contract made in violation of the provisions of this chapter is void and the performance thereof, in full or in part, by a contracting party shall not be the basis of any claim against the municipality.”

“Any officer violating the provisions of this chapter is liable to the municipality of which he or she is an officer for a penalty in the amount of five hundred dollars, in addition to such other civil or criminal liability or penalty as may otherwise be imposed upon the officer by law.”

“In addition to all other penalties, civil or criminal, the violation by any officer of the provisions of this chapter may be grounds for forfeiture of his or her office.”

What is Prohibited? RCW 42.23.030



RCW [42.23.030](#)

Interest in contracts prohibited—Exceptions.

No municipal officer shall be **beneficially interested**, directly or indirectly, in any contract which may be made by, through or under the supervision of such officer, in whole or in part, or which may be made for the benefit of his or her office, or accept, directly or indirectly, **any compensation, gratuity or reward in connection with such contract from any other person beneficially interested therein.** This section shall **not** apply in the following cases:

(6)(a) The letting of any other contract **in which the total amount received** under the contract or contracts by the municipal officer or the municipal officer's business **does not exceed one thousand five hundred dollars in any calendar month.** A municipal officer may not vote in the authorization, approval, or ratification of a contract in which he or she is beneficially interested even though one of the exemptions allowing the awarding of such a contract applies. The interest of the municipal officer must be disclosed to the governing body of the municipality and noted in the official minutes or similar records of the municipality before the formation of the contract.



Three Possible Consequences of a Violation— RCW 42.23.050

[RCW 42.23.050](#)

Prohibited contracts void—Penalties for violation of chapter.

Any contract made in violation of the provisions of this chapter is void and the performance thereof, in full or in part, by a contracting party shall not be the basis of any claim against the municipality. Any officer violating the provisions of this chapter is liable to the municipality of which he or she is an officer for a penalty in the amount of five hundred dollars, in addition to such other civil or criminal liability or penalty as may otherwise be imposed upon the officer by law.

In addition to all other penalties, civil or criminal, the violation by any officer of the provisions of this chapter may be grounds for forfeiture of his or her office.

Barry v. Johns, 82 Wn. App. 865, 920 P.2d 222 (1996)



"RCW ch. 42.23 does not define beneficial interest." 82 Wn. App. at 868, 920 P.2d at 223.

"Because the exceptions to the general rule prohibiting a municipal officer from having a beneficial interest in certain municipal contracts all involve business transactions or employment matters, we conclude the Legislature intended the term beneficial interest under the general rule to encompass the same thing." *Id.*

"RCW 42.23.030 applies only to municipal contracts involving business transactions, employment matters and other financial interests and cannot be read to apply to the contract here, which conferred no financial benefit." *Id.*