

PIERCE COUNTY ETHICS COMMISSION

MINUTES of the August 10, 2022 Meeting

Online open public meeting at Swasey Library & via Zoom

Call to Order: 4:32 PM

Quorum Call

Commission Members Present:

X Lisa Petorak X Mike Stewart

X Eben Gorbaty X Peter Donor

If not present, minutes shall note any unexcused absence.

Hearing Officer Present:

X Judge Ron Culpepper

Commission Legal Advisor present:

X Sarah Eaquinto

Approval of Agenda: The Commission approved the agenda as presented.

Approval of Minutes: The Commission approved the minutes of the July 13, 2022 meeting as presented with further clarification regarding the proposal to increase the hourly compensation rate for the Hearing Officer. The proposed increase is intended for future Hearing Officers and not the current Hearing Officer.

Old Business: ~ *Upcoming Commission vacancies.* The County Council is expected to vote on appointments for two Commissioners in August.

~ *Report from Hearing Officer RE: Complaint 2022-02.* The investigation is completed with a finding of no probable cause to support a claim of violation of the Ethics Code. Final report and supporting documentation has been filed with the County Executive's office. Letters have been sent to the Complainant and Respondent.

~ *Report from Hearing Officer RE: Complaint 2022-05.* Hearing Officer reports he has the appearance of or a potential for conflict of interest and has withdrawn from his role concerning this complaint. All documents relating to this complaint have been transferred to the Commission Legal Advisor and are being held until they can be provided to a replacement Hearing Officer.

~ *Proposed increase of hourly compensation rate for Hearing Officer.* The current rate is \$100/hour. A rate of \$125/hour is proposed. Information regarding current compensation rates for similar positions/services to other County Commissions, Boards and Departments was provided to Commissioners, showing \$125 below standard rate for Hearing Examiners in Pierce County. **The Commission voted unanimously to set the compensation rate for Hearing Officer at \$125/hour beginning January 1, 2023, pending approval by the County Executive.**

New Business: ~ Report from Legal Advisor RE: Hearing Officer for Complaint 2022-05. An extensive search was conducted to find a replacement for this complaint. Judge Judy Jasprica has been interviewed and vetted and meets the qualifications. **The Commission voted unanimously to appoint Judge Jasprica as Hearing Officer for this complaint and set compensation at \$100/hour.**

~ **Mail Received** - An anonymous complaint was received. Pierce County Code 3.12.080. A. states: "The Commission shall dismiss any complaint or portion of a complaint which has not been filed in accordance with these provisions. Complaints shall include, but not be limited to, the following:

1. Identity of complainant;

2. Identity of alleged Ethics Code violator;
3. Detailed description of activity constituting violation including dates and locations of violations;
4. Section of Ethics Code believed to be violated, if known;
5. Identity of other persons with knowledge regarding alleged violation, if known;
6. All available documentation or other evidence to demonstrate the reason(s) for believing that a violation has occurred.

This anonymous complaint is, therefore, dismissed for failure to meet these provisions.

~ **Informal Inquiries** – Commissioner Petorak reported receipt of a voice message from early summer indicating there may soon be an ethics complaint coming to the Commission. Commissioner Petorak returned the call and left a voice message on or about 07/20/2022 and has not heard any further response.

~ Commissioner Gorbaty reports receiving an email from a Complainant. He forwarded the email to the Legal Advisor without reading the contents.

~ Commissioner Stewart reports receiving an email from a Complainant. He forwarded the email to the Legal Advisor with reading the contents.

~ Legal Advisor Equinto reports she is receiving and collecting all materials relating to complaints for secure storage until they will be provided to the Hearing Officer assigned. Legal Advisor Equinto is not reading or reviewing any of the contents of these materials.

~ **Advisory Opinions** - None requested.

Public Input: One meeting attendee participating via ZOOM asked about three items:

1. Completeness of the Professional Services Agreement between the County and Hearing Officer Culpepper.
2. Contact information for Commissioners, including email.
3. Timely handling of a recently sent item via certified mail.

Executive Session: None

Adjournment: 5:14 PM

Next Meeting: August 10, 2022 @ 4:30PM @ **Wheelock** Branch/Tacoma Library + Online Zoom Conference Call.

The public is welcome to engage the Commission for all prescribed activities via the channels described on the web page.