

**Skagit County Planning Commission  
Work Session: Bylaws Update  
October 6, 2020**

**Planning**

**Commissioners:** Tim Raschko, Chair  
Kathy Mitchell, Vice Chair  
Mark Knutzen  
Joseph Shea  
Mark Lundsten  
Amy Hughes  
Joe Woodmansee  
Tammy Candler (absent)  
Martha Rose (absent)

**Staff:** Hal Hart, Planning Director  
Mike Cerbone, Assistant Planning Director  
Peter Gill, Long Range Planning Manager  
Julie Nicoll, Deputy Prosecuting Attorney

Chair Tim Raschko: Okay. The October 6<sup>th</sup>, 2020, meeting of the Skagit County Planning Commission is now in order. We'll start with the roll call of members. We'll start with Tammy Candler.

(silence)

Chair Raschko: I don't see Tammy. Amy Hughes?

Commissioner Amy Hughes: Here.

Chair Raschko: I see you. Mark Lundsten?

Commissioner Mark Lundsten: Here.

Chair Raschko: Martha Rose has notified us she will not be here. Joe Woodmansee?

Commissioner Joe Woodmansee: Here.

Chair Raschko: Joe Shea?

Commissioner Joseph Shea: Aye.

Chair Raschko: And Mark Knutzen?

(silence)

Chair Raschko: Okay. Having done that, we'll go to Public Remarks. Mr. Gill, do you know of any people wishing to speak?

Mr. Gill: I did not receive any written public remarks.

Chair Raschko: Okay. With that, we'll move on to the agenda. Is – are there any changes desired in the agenda?

Vice Chair Kathy Mitchell: No.

Chair Raschko: I had one thought late today and that's about minutes. And it has been recommended that we go to a system of keeping minutes. And if we want to talk about that we can add that as an agenda item. As an alternative, we can just discuss it in the Commissioner Comments and Announcements. What's everybody's pleasure?

Commissioner Shea: I think it *is* mentioned within our bylaws and so I think it might be good just to do it through our bylaw process. Since we don't have it officially in our bylaws to do that, I think reviewing it in there would be the place.

Chair Raschko: That sounds very reasonable. I don't know when we'll get to that part of the bylaws, though, and it'd probably be prudent to decide what to do about minutes before. I mean, this could be a couple meetings down the road. Or we can discuss it in the bylaws tonight at the start of that as a first subject. So I'll take the lead and just say, Why don't we do that? Okay?

Vice Chair Mitchell: It sounds fine to me.

Commissioner Lundsten: I agree.

Chair Raschko: So we'll move to the Bylaws Work Session. I don't want to put anybody on the spot, but I think that Julie Nicoll is here. Welcome tonight. And I would ask her: Did you have anything that you wanted to lead off with, or shall we just dive into it?

Julie Nicoll: I don't. Can you guys hear me? I was having technical issues last time. Perfect. I don't have anything specific. I was just going to attend to be a resource if there were any questions. To listen in on a conversation; I can, you know, be of assistance to help draft if there's any things that you guys want help drafting. I think – I was just trying to find my copy of the bylaws – I think the bylaws mention that you guys should keep minutes, but I don't recall. I need to check. So it may not be an issue that we need to address, but I can look at that while we move forward in the discussion.

Chair Raschko: Well, why don't we go ahead then and go to number 3 in our agenda, Bylaws Work Session. To start this out \_\_\_\_\_ (sound is choppy and unintelligible here). And I thank Julie for her statement. There's a lot of feedback from somebody. Is that me?

Unidentified male voice: Yeah.

Chair Raschko: Is it?

Mr. Gill: I just cut off caller 3. I just muted them. So I'm not sure if that is –

Chair Raschko: Is it better now? Okay. Shall we start with minutes? And I was just thinking about minutes, and we are now going to get a transcript published after every meeting and we do have the recordings that we can watch at any time. It seems like to me that that might suffice in the place of minutes. Minutes basically are not a record \_\_\_ on every single thing. What they're meant

to do is record motions and, you know, business taken care of. Are there any other thoughts on that?

Commissioner Lundsten: Yes.

Chair Raschko: Commissioner Lundsten?

Commissioner Lundsten: I think the minutes are valuable because they allow people to review what has happened at a meeting with much less effort than going through the whole transcript or watching the whole video. It's a reference point that you can use to figure out, Oh yeah, that's when we talked about this or that. And it's usually in a couple of pages instead of 15 or 20, and so that's the utility of it. It makes our work more accessible to us and to the public and to the staff.

Chair Raschko: Very good point. Mr. Shea?

Commissioner Shea: Yeah, I agree with Commissioner Lundsten there. Yeah, it's really just basic, just like what \_\_\_\_ my meetings. You get your roll call, you get your motions recorded, you get your votes, everything. That's most of the minutes. And it might have a little tiny sentence or a small paragraph to explain the item that was voted on, but that's about it. And just looking at our bylaws, it seems simple to me, but if you just strike out "if requested by Chair" then the minutes shall be kept by the recording secretary. That's just kind of how I look at it. There might be something that needs to be added but –

Chair Raschko: Okay. Thank you. Ms. Mitchell?

Vice Chair Mitchell: Yeah. Aside from the fact we do have to follow RCW 42.30.035 as a requirement. I checked around with people that have been around for long time and apparently past legal counsel and staff had decided that the transcript would suffice back then. But we're using legal counsel in 2020 and I do suggest that we do follow that. I also believe that what Commissioner Shea had said is an easy fix on the minutes and the bylaws. Thank you.

Chair Raschko: Ms. Nicoll? Julie?

Ms. Nicoll: Yeah, sorry. I'm not as proficient at this as you guys are since you've been doing this much longer. Yeah, so in my memo on page 11 when I discussed the Open Public Meetings Act, that was, as Commissioner Mitchell just mentioned, it is a requirement for keeping minutes. So the Open Public Meetings Act requires that we keep minutes. So, again, I think that that's something that we should do just to have compliance with the Open Public Meetings Act.

And it can be very simple. It can just, you know, be discussion of this topic. It doesn't have to lengthy since we do have the transcripts. But at least it would be a good outline of what was discussed at each meeting and could be posted online.

Chair Raschko: Okay. I'll go along with minutes. Mr. Shea?

Commissioner Shea: Yeah, as far as the transcripts, maybe substantively they could replace the minutes, but I think the legal definition – we've got the legal here – it has to be titled as "minutes" and kept as minutes. So although you could just throw a "minutes" title on top of the transcripts and it would count, I guess, but I think the biggest thing is it has to be titled as "meeting minutes." And then that gets you kind of covered. I don't know – is it appropriate to make a motion on a change? I guess that's a point of order?

Chair Raschko: I don't know that we – well, I think we just incorporate it in the bylaws to be approved along with those. Any other thoughts on that?

Commissioner Lundsten: Are we sort of building a document as we go for the bylaws? The changes that we want to make? Or are we considering an item at a time? What's our –

Chair Raschko: \_\_\_ document as we go, but we need consensus on various parts of it as we move along, as the thing is constructed. And I don't know whether that should be a vote or – on each item – or whether we just go for consensus and then vote to approve the whole thing. Ms. Mitchell?

Vice Chair Mitchell: We'll be running into this all night long with a wide variety of things. It may be such that some things are more like housekeeping or it's a little easier than others, and those we could probably just go along with and work into the document. And we're certainly going to be looking at drafts before we get to the very end and voting on the whole thing anyway. If we do run into a subject where it seems like it's a tough one then I would suggest you take a, you know, head count on that topic.

Chair Raschko: Okay. So rather than beat this to death I would agree with Kathy that – it's a combination: if something's a real head banger, we vote on it; otherwise, we get consensus and move on. And eventually that we'll vote on the whole document.

Unless anybody else wants to continue, I suggest that we move into Article I and just go through these one at a time. Are we ready? Article I, the Name. Does anybody want to change the name?

(silence)

Chair Raschko: All right. Are we ready for Article II?

(silence)

Chair Raschko: Anybody have anything to say about –

Vice Chair Mitchell: Yes. Commissioner Mitchell.

Chair Raschko: Ms. Mitchell?

Vice Chair Mitchell: Thank you. I had called Peter today about some typos here and there and in this section there was just a teeny, tiny typo that he can take care of if you guys are okay with that. Missing spaces, wrong punctuation, graphics – things like that? We could certainly ask that they look to clean that up altogether instead of having to do those one-on-one. But while we're in Article II with Authorization and Purpose, I've got a question because one of the things that we need to look at adding into this I don't know where we would put. And so I'm going to pop it up here under Authorization. It might fit. It might not. But that is the thing of adding the language about who our legal advisor is. Because we've not had that in the past and that's a simple housekeeping-type item. I thought of suggested language for it but I really don't know where to put it. And Authorization – I don't know – Authorization might fit if we, you know, consider we have to go through that process before we can move on something. Any suggestions?

Chair Raschko: Okay, what is *your* suggestion?

Vice Chair Mitchell: Very simply put, “The Prosecuting Attorney is the sole legal advisor for the Planning Commission. The Prosecuting Attorney shall serve as legal counsel to the Planning Commission; prepares memoranda of law as requested by the Planning Commission; and reviews drafts of ordinances, resolutions, and bylaws, and their amendments.” And I found that language in an ethics chapter somewhere. We tried things in bylaws, but this is better, I think. Does that sound reasonable to you guys, and to our counselor?

Chair Raschko: Any thoughts? Any objections?

(silence)

Chair Raschko: Is this the best place to put it? I guess when it talks about Organization, Officers and Duties, that’s of the Planning Commission itself – the members – but when they’re –

Vice Chair Mitchell: Article IV for placement, Tim?

Chair Raschko: Pardon me?

Vice Chair Mitchell: So you’re suggesting Article IV for placement then?

Chair Raschko: Well, those are the organization, officers and duties of the Planning Commission itself in the sense legal counsel’s not a member. I mean, is there some place in here, as I recall, where the staff’s role was?

Mr. Gill: Yeah, that’s in Section 4 as well. So that would make the most sense to me if we’re going to put legal in there.

Vice Chair Mitchell: Would you like for me to read that back for you, Peter, or –

Mr. Gill: Yeah, or send me the language. That would probably be the best.

Vice Chair Mitchell: I will email you the language then. Does it sound okay to everybody else for first pass anyway?

Chair Raschko: Sounds fine to me. Any head-shaking? Okay, so are we done with Article II?

(silence)

Chair Raschko: Well, we’re breezing through this, aren’t we? Wait a minute – okay. Okay, Mr. Shea wants the floor.

Commissioner Shea: Yeah, I think the language that you stated sounded fine to me. I also put it up in the top section as well, the Authorization and Purpose, but I do think that maybe if we just added a new position into our Article IV, Organization, Officers and Duties, because if you could just put it into the recording secretary, I think, it might be a little confusing. So if we added another section – maybe Section 6, Legal Advisor – and then just put that in there as well, that keeps it all separated in its own little thing and we just add it to the bottom. But it sounds good.

Chair Raschko: Okay, Ms. Hughes.

Commissioner Hughes: I had moved on to the next article, so I’m in line for Article III.

Chair Raschko: All right.

Mr. Gill: I'd just like to – Chairman, would it make sense for me to share my screen so that we can all see where these things are happening and how they're happening?

Chair Raschko: That's fine.

Mr. Gill: Okay. I'll try and blow this up. And so this is the version that I sent out last Wednesday, and I have put in Section 6, Legal Advisor, under Section 4 of Article IV. Sorry – Section 6 of Article IV.

Chair Raschko: Okay. Is everybody good with – (inaudible) – can anybody hear me now?

Mr. Gill: Yes.

Chair Raschko: Oh, okay. Great. All right, I presume that's it for Article II. We'll move on to Article III, General Rules. So, Amy, would you like to go ahead?

Commissioner Hughes: I think that this might fit under General Rules, and I'm just going to throw this topic out. Follow my brain thought on this one because it's not a legalistic issue. It's more of a way to look at the Planning Commission so it's a softer approach. But we had above talked about the purpose of the Planning Commission, which that is legalistic. But I was wondering if either here or the appendix we might want to look at something that gives us a little bit of a thought process to go broader sometimes in our deliberations. So basically what I had come up with is: "The goal of the recorded motion is to come to consensus on delegated issues. When consensus is considered, members shall strive to discuss in good faith, work the problem, and realize a third way might be available that would be beneficial for Skagit County citizens."

Where I'm coming from on this is that when we look at things it's usually a one-size-fits-all and it's either an up or down, a yes or a no. Where sometimes when we're in deliberations maybe there's a way to go over the top and get a bigger solution. And I just somewhere in here was wondering if there was a way to have that conversation to keep our minds open, work a problem, and sometimes we might come out with something that works, rather than a one-size-fits-all. So it's just kind of an overview that I'm working with and I don't really know how to put it into place, but I feel it would be helpful as people come on the Planning Commission for all of us to kind of re-establish what our goals are. So you could up or down it. It's not as legalistic as the bylaws but it might be a place just under general rules or in the appendix.

Chair Raschko: Okay, thank you. Ms. Mitchell?

Vice Chair Mitchell: Yes, thank you. I was – had the similar kind of thing in mind but a very different approach for the same end goal, and that was approaching it through Ethics and Code of Conduct. And (I) found some passages and things where it talks about keeping an open mind, not making decisions until you get all the information, discuss things – that kind of thing. Would that suit what you're talking about, because it would address things more specifically? And perhaps – it does – the roundabout thing, I think, that you're asking for in different ways for different applications, that would make sense. And there's plenty of good language that other places have done that we can steal it from or massage it from or give us a jumping off point for our own, if that helps.

Commissioner Hughes: I'm good with the general discussion.

Chair Raschko: Can I ask, Amy, are what you – it seems to me I have to agree that a lot of issues we've had it's either a – you know, a yes or a no, and what I perceive you to be saying is that, you know, maybe we can modify what the proposal is or something else and have it still work out as a positive vote and something that would be beneficial to the people, rather than taking a proposal and either thumbs up or thumbs down. Am I missing the mark there or is that –

(silence)

Commissioner Hughes: I muted myself because we have Navy jets that go over the top of the house. Yeah, I think that, Tim, you hit it right on what I was saying. And I know it's kind of an evasive conversation I'm trying to have. And whether/where to put it, you know, as long as it's in there. I was just thinking of new members as they come on to realize that, you know, there is some leeway to think out of the box sometimes.

Chair Raschko: Any other comments?

Commissioner Lundsten: I have one.

Chair Raschko: Go ahead.

Commissioner Lundsten: I'd like to ask Amy or you or Kathy since you have all spoken to this, for an example of what you mean. Is there an issue in which you could state and then show how what you're talking about would be applied to it? That would be helpful for me.

Chair Raschko: But, you know, as staff has presented these things, and particularly in the docket, there's usually three options that they state there. One is to approve it as presented by the proponents or the staff's interpretation of the proponents, and the other is to modify it, and the third one is to reject it. And that's always there. It's always been there.

Commissioner Lundsten: And that's kind of why I brought it up. I mean, I would encourage everyone to be resilient in their thoughts and open-minded and creative and confident and trustworthy. You know, I think all those things could be lined up. But I'm not sure how you make it – is there a way to condense that into something that we could have, like, as a rule? And I'm not sure what that would be but I'd certainly welcome it if it could be stated that way. But right now I don't know what that would be, and so that's why I was asking for an example.

Commissioner Hughes: Well, and I'll throw out an example but it seems like every time we deliberate there could be an example. But at one point for Shoreline we were talking about maps, and it was such a big conversation that we couldn't really zero into it. And then during deliberations I brought up the point of it's hard to pinpoint a map issue because the Skagit River is a moving entity that comes through our valley and it changes all the time. And it just allowed us to have a place in deliberations to deal with that, and we ended up putting it into our deliberations. But there's been other times as well and just – Kathy, I think, came up with a good solution: that if it doesn't go into general rules, just a reminder that we could modify. I think we forget sometimes when we're in the passion of a deliberation that we can modify, and I just wanted to highlight that. So if not in General Rules, maybe we can discuss this again when we get into the area that Kathy was talking about.

Chair Raschko: Any other comments?

Commissioner Lundsten: Actually I have one more question about this section. Julie had an extensive – a very exhaustive – review of our bylaws from many different angles, and some of them seemed to apply to General Rules and I'm not sure where all of her items go or would be dealt with. So what I'd like to suggest is that we go through this once and then we review Julie's points as a separate – as another layer coming back to these things. Or if it's really obvious that it deals with one particular article, then we use it. Sometimes the things she's talking about I don't know where they go, but I kind of assumed we were going to talk about her review as part of this discussion too. So I'd just like to make that point that we reserve the right or the – we're going to reserve some time to come back if necessary – as necessary to talk about Julie's reviews.

Chair Raschko: You know, I'm sorry. I'm at a little bit of a loss here, though. Julie's got a big document. And, you know, the thing I've been struggling with – I'll admit it – coming into this meeting is – you know – what's a *reasonable* way to go through this thing? It's a tough animal. I mean, I think it's a very good idea to review all of Julie's things, but should be do that *first* then and then go through, say, the outline sent by Peter Gill? Or should we continue through Peter Gill's and then come back to Julie's? Or we could do them simultaneously as they overlap. Looking at the memorandum from Julie, it starts out with legislative versus quasi-judicial actions.

Mr. Gill: Chair, this is Peter, if I could say something.

Chair Raschko: Go ahead.

Mr. Gill: I'm not sure that that memo is available to be discussed on the air. Perhaps it would be helpful for me to describe what I sent out on Wednesday, because it may help us figure out how you want to move forward

Chair Raschko: That's a very good point on –

Vice Chair Mitchell: Point of order.

Chair Raschko: Would you repeat again what you're proposing?

Mr. Gill: So the document that I sent out Wednesday and again on Friday, I basically went through Articles I through VI using the resources that Julie prepared as well as kind of comments I've heard over the last nine months, and made those changes just to the first six articles. And when I did make a change, I provided some **notary** as to where the language came from, either from another jurisdiction's bylaws or from our Skagit County Code or state RCW. And so that's basically what I sent out. I didn't touch the Ethics or the Procedures section. And so I didn't get into any of that, which that would be better probably coming from legal or from your – straight from the commissioners. But that's what we have here. And so if you want to start from scratch, we can do that. But if you want to start from – you know, based on the conversations I've heard and the transcripts and some assessment of Julie's work, that's what this document is.

Chair Raschko: Okay, so –

Vice Chair Mitchell: A point of order, Chair. Commissioner Shea's been up for a while for a comment.

Chair Raschko: He didn't put it into the Chatbox, but I guess – okay. Commissioner Shea.

Commissioner Shea: I think I did put it in the Chatbox at 6:27, but looking as far as – I think what we're doing is good. Let's just keep going down through Peter's page. I've already transposed by comments and my changes next to his so we can keep going through them. We should have had enough time to go through Julie's memo, but I think the best plan of action right now is to keep doing what we're doing. If there's any contentious issues then we could hold off on those particular items and come back to them. But maybe after the meeting we could see where we're at and then maybe see if all the comments that Julie brought up in her memo were addressed. But I think Peter's suggested changes are pretty sound. It doesn't seem to be that contentious.

As far as going back to Article III, the removal of this section, I think that that's perfectly reasonable that it gets moved down to, I believe – yeah, Section 5, and it just seems to flow a little bit better right there and it's still in the document. We're not striking it completely. But that's what I think: one at a time all the way down through, and then we can come back to it and make sure that all Julie's comments are being addressed, and then make sure that if any other commissioners have any changes that they've made themselves that we can go through it one at a time. Yeah.

Chair Raschko: All right. So Julie Nicoll requested the floor. I'm going to go ahead and let Julie have her time and then that'll be followed by Kathy Mitchell, and then perhaps we can move on. So go ahead, Julie.

Ms. Nicoll: I just wanted to interject and apologize that I purposely *didn't* edit your bylaws. I just wanted to provide you guys with information for you guys to discuss further, because there isn't – in a lot of these topics there isn't a specific right or wrong answer of what needs to be changed, so I sort of deliberately made it by topics for you guys to work through and discuss whether a change was necessary. So I kind of did that by design, so hopefully that didn't cause a lot of confusion. But I wanted you guys to be able to have that information for further discussions.

Chair Raschko: Okay, that's helpful. Thank you. So, Kathy, you wanted the floor?

Vice Chair Mitchell: Yeah, I can just say this real fast. I prepared going through this topic-wise, incorporating everything that we've had so far, and it's going to be a little awkward sometimes. I think we're going to get into the groove here pretty soon. And there will be times where we jump back and forth because we want to move something, but if we move through this thing by topics I think we can fit the puzzle pieces together fairly well.

Chair Raschko: All right. So let's move on. Article III is generally – it just quotes the code and it is suggested that the remaining verbiage be moved, so I think we're ready to move on to Article IV. And I'm going to ask Peter to go summarize what he did in Article IV.

Mr. Gill: Sure. I tried to add a little more detail where it made sense and based on, you know, our discussions, as previously mentioned. And also make sure there's duties associated with each of these sections. This first edit, you can see the comments under Section 1 is based on the RCW as far as the roles. Just generally what the roles are. And it's also attached to the code and so I wanted to make sure that we were being consistent with the code. In 14.08.080, everything is related to what the Planning Commission reviews as plans, plan amendments, and development regulations, and so I just added that here to this first section. And then we can talk about each of these. I'm not going to go into every specific one but I will cover this section real quickly.

Section 2, under Chair, I added some language from Thurston County bylaws that I thought were appropriate and specific to the chair.

And this is Section 4. "Recording Secretary" relates back to Planning and Development roles: Keep minutes – this is what we talked about at the very beginning of the meeting, you'll remember. So I struck the "if requested by the Chair." And we will talk – we'll have to talk about how to make that happen. I'm not sure how e. exactly fits in.

g., I added. This relates back to the feedback on quasi-judicial issues and this makes it clear that quasi-judicial issues aren't really policy issues and that they're supposed to be reviewed against criteria, specific criteria, and only based on what evidence we have in front of – or the Planning Commission has in front of them, not hearsay. So that's g.

h. is in the same vein as the old h., but more specific. This is talking about making sure that PDS gets recorded motions to the Board within 14 days of the signature of the chair. So that is straight out of the Skagit County Code. And then the last section is with comments and recommendations as it deems necessary. And that's straight out of the RCWs on planning commissions and the department.

I removed j. because we're never going to change any recorded motion that the Planning Commission makes. I think that that was just a poorly worded section of the document and I think that's consistent with what I've heard before.

And k. is a little bit different, but that is about training and it's just making sure that we, as a department, make training resources available to you all no less than annually. So that seems to be important and missing from this section, the entire Section 5.

Section 6 is the legal advisor language that we just added a few minutes ago.

So that is my overview of Article IV.

Chair Raschko: Okay, thank you. The floor's open for discussion. We can start with Section 1, General. Is there consensus on Section 1?

Vice Chair Mitchell: I've got an item on Section 1, Chair.

Chair Raschko: And who is speaking?

Vice Chair Mitchell: Mitchell.

Chair Raschko: Okay. Go ahead.

Vice Chair Mitchell: Under the edit under the first main paragraph, where it says "Planning Commission assist." It should probably say "assists" or "shall assist," depending on what people prefer. But a small edit there.

Chair Raschko: Okay. Anything else?

Vice Chair Mitchell: Not in Section 1.

Chair Raschko: Okay, let's go to Section 2.

Ms. Nicoll: I have a quick comment on Section 1.

Chair Raschko: Go ahead. This is Julie Nicoll.

Ms. Nicoll: Thank you. I see the language as being duplicative of the language that's already in Article II, which cites that specific section of the RCW. It seems to be summarizing that section, RCW 36.70.040, that's already laid out in Article II under the authorization and purpose section. So I'm not sure if it adds value to reiterate that later. But that's just something for you guys to consider.

Chair Raschko: Good catch. Okay, is there an opinion on eliminating the blue print under Article IV, Section 1 General? I'd recommend we remove it as per Julie Nicoll's advice.

Commissioner Woodmansee: I would also.

Chair Raschko: Okay. Commissioner Lundsten, did you have something else?

Commissioner Lundsten: I was just going to ask Julie about redundancy and if she recommends that something like that is replicated \_\_\_\_\_. It just makes sense to me to keep it cleaner. Is that her advice too in this particular – I mean, in this kind of a situation it just seems like it's pretty obvious that we've run into it before where there's – we've already said something. Does it hurt to repeat it or is it advisable to delete it?

Ms. Nicoll: That's a good question, Commissioner Lundsten. I am always of the opinion of being clear and concise so –

Commissioner Lundsten: Good.

Ms. Nicoll: Not to repeat it. That's why I suggested it. But it's up to you guys what you want to do. I just think in drafting anything it's good to be clear and concise.

Commissioner Lundsten: Having heard you say that, I would say I would agree with that as well. I think that should be our general drift through here, is to keep it clear and concise as we can. So thank you.

Chair Raschko: Does anybody object to removing the blue print under Article IV, Section 1, General? The Planning Commission \_\_\_, et cetera.

(silence)

Chair Raschko: Well, I believe we have a consensus then that we strike the last sentence under General.

Mr. Gill: Done.

Chair Raschko: Did I hear somebody? Go to Section 2, Chair. It's open for discussion on this section. I would bring people's attention to the last bullet. Are there any thoughts on that part? I myself –

Vice Chair Mitchell: Go ahead. I'll go after you, though.

Chair Raschko: I was just going to say I myself feel that having it spelled out that if there is a problem with a particular member of the Commission it is very appropriate the chair and another

member to meet discreetly – discreetly being a big part of it – with that person and have a conversation so that, you know, we can head off problems and not end up having to go to more drastic means. I just think it's nice to have that formalized here.

Who was next? Was it Kathy – you?

Vice Chair Mitchell: Yeah, Mitchell. The only qualifier that I would put on that is when – we're in strange times right now. Maybe instead of saying leave it open for discussed (sic), and if we're ever in a strange situation like we are right now again then you won't be stopped because you can't physically meet. But you could phone-conference, for instance. But unless you guys don't think that's appropriate. It's up to you.

Chair Raschko: Maybe it'd be more appropriate to say the Chair and another member will discuss discreetly and informally with the offending member, and not state the means.

Vice Chair Mitchell: Yeah, that would allow the parties to figure out how best to do that.

Chair Raschko: Right.

Vice Chair Mitchell: You know, if that were to pass.

Chair Raschko: Are there any other thoughts on that section? Mr. Lundsten?

Commissioner Lundsten: Yeah, I agree with you, Mr. Chairman, that it's a good idea to have it spelled out. And I think we can certainly handle whether it's – I think it would be good to meet, if possible, and if we can find the language to finesse that in. With the difficulties we have with direct physical contact right now, I'm sure we can figure that out. But I agree with you that it's a good thing to have. I was glad to see Peter put it in there.

Chair Raschko: Okay, any more thoughts? Are there any thoughts on the other bullets that we haven't discussed?

(silence)

Chair Raschko: All right, then I'll ask: Have we consensus on Section 2?

(silence)

Chair Raschko: And hearing no objections, I'm going to assume that we do, and we'll move on to Section 3, Vice Chair. The floor is open.

(silence)

Chair Raschko: Nobody...

Commissioner Woodmansee: Looks good to me.

Vice Chair Mitchell: I was going to say, I think we can move on.

Chair Raschko: Okay. I'll just comment that I'm glad to see that the secretary will be part of the staff, because it looks like a lot of work to do during a meeting for somebody. Okay, so that's Section 4. 5, Chair Pro-Tem. I have a question –

Vice Chair Mitchell: I've still got something. Are we – can we still be on 4 for a minute?

Chair Raschko: We can be on 4. All right.

Vice Chair Mitchell: Thank you. So we already addressed the thing about the minutes earlier in c. Peter was questioning the e.? Was saying collect a number of exhibits, and we know why there can be all kinds of exhibits in all different kinds of situations. Would it read better for everybody else to \_\_ that \_\_ number and number exhibits by chucking it into d.? By saying “d.” and collect and number exhibits there? (NOTE: The sound kept cutting off and on throughout the preceding sentences.) Does it make any difference to anybody else?

Commissioner Woodmansee: I'm fine with that. I think that's a good idea.

Commissioner Lundsten: It works well.

Vice Chair Mitchell: Okay.

Chair Raschko: All right, so we will go ahead and change that to reflect the edit suggested by Commissioner Mitchell. Okay, is that it for Section 4?

(silence)

Chair Raschko: Section 5, Chair Pro-Tem. Does that look reasonable to everybody? No objections? All right.

Vice Chair Mitchell: No objection.

Chair Raschko: All right. So we'll assume that we have consensus on Section 5. Okay, we'll move to Article V then, Meetings. Section 1, Rules and Procedures (sic). It refers to Appendix A. I think Appendix A will be a discussion unto itself probably! My suggestion would be to take that on at a later time. Is there any desire to do otherwise?

Vice Chair Mitchell: I concur about hitting Appendix A later as a bulk item.

Chair Raschko: Okay, judging – does somebody want to talk?

Commissioner Lundsten: Yeah, I have one question while we're here. “Procedural disputes *may* be settled by Robert's Rules of Order.” (emphasis added by speaker) It seems – haven't we had this discussion before? “Procedural disputes *shall* be settled by Robert's Rules of Order”? (emphasis added) Or am I misremembering that? I think Julie brought it up that that was what we were going to use for our reference for the meeting procedure in another document.

Chair Raschko: Okay. Ms. Mitchell, did you already – have you already said what you wished? I mean, were you wanting the floor again? No. You know, I've got to apologize to you, Mark. Can you repeat what your comment was?

Commissioner Lundsten: I just thought –

Chair Raschko: Go ahead.

Commissioner Lundsten: – as Robert’s Rules of Order as being the definitive reference for procedural disputes. So “shall” would be more appropriate than “may.” Just while we were here. That’s all.

Chair Raschko: Sounds appropriate. Anybody else? Okay, Mr. Shea?

Commissioner Shea: No, I just agree with that – changing “may” to “shall.” That’s perfect.

Chair Raschko: You agree? I couldn’t hear you clearly. You *agree*?

Commissioner Shea: Yes, I agree changing “may” to “shall.”

Chair Raschko: All right, thank you. I hear no other objections to that so we’ll go ahead and make that change, and we’ll move on to Section 2, Quorum. Any comments on the quorum?

Commissioner Lundsten: I have one.

Chair Raschko: This is Mr. Lundsten?

Commissioner Lundsten: Yeah. Is this – we discussed this in last meeting. Are we going to mention the Appearance of Fairness Doctrine here? Is this where it would belong? When we’re doing the site-specific zone changes, we will be quasi-judicial, and then where we’re subject to all this conflict of interest and so on – Appearance of Fairness – and we have this weird law that says that someone’s disqualified in certain times when it isn’t a quorum they can still be in the meeting. So it said it’s like you have it both ways. And are we going to deal with that issue, the – what is it called? – the Rule of Necessity or – are we going to do that or discuss that?

Chair Raschko: I have a hunch we’re going to discuss that for probably a long period of time when we come to Ethics and that type of thing. Julie, maybe there’s an appropriate place, but I don’t think it belongs under “Quorum.” All a quorum is doing is laying out how many members you have to have present in order to be able to legally take action.

Commissioner Lundsten: Right.

Chair Raschko: But in my opinion, yes, Mark, I think that is probably going to have a very fair airing. Are there any other comments on that? I see Joe Woodmansee, please.

Commissioner Woodmansee: My comment is about the electronic participation, which I don’t have a problem with in particular when we’re in a time like this. But I was just wondering if we should address the concept that in ordinary times that we would expect people to be at the meeting and not just defer to Well, I’m just going to join electronically tonight. And so I think it’s – you know, we’re doing our best but I do think it’s a lot better to be in person at meetings unless, you know, we’re in a time like this when there’s a true conflict – not out of convenience. And so I just bring that topic up for discussion, along that line.

Chair Raschko: I think it’s a very good point. I think when it talks about attendance that that point should be made that effort should be made there to be in person. I personally \_\_\_\_ on board meetings within both companies and on public boards that there have been times when there’s an important vote go up and somebody just absolutely can’t be there, and so they do a call-in just

to get the quorum so that the action can actually happen. So it's one of expediency. But I agree with you that it shouldn't be just a convenient way to avoid going. But I think that'll be well covered under the – when we get to the part about attendance. Any other comments on that? Oh wait. Julie, I see you do.

Ms. Nicoll: Sorry – trying to look at five different things here at once to make sense of all this. To respond to Commissioner – to go one step back to respond to Commissioner Lundsten's comment: There already is existing language in our Quorum section, which references RCW 42.36.090, which we're correcting the reference – that typo there – which talks about when a quorum would be impossible. That is the Rule of Necessity doctrine that you're talking about. So the language is already in there. I guess it doesn't specifically spell out in layman's terms, you know, that that's only applicable to quasi-judicial action, but if you dig into the statute it does that. So, I mean, we could clarify that language. But with respect to the more general language about quasi-judicial and legislative roles, you know, that *is* in the Article 7 – the Ethics section – with more detail. But I just wanted to let you know that it *is* there already.

And then the other comment I had was in my memo I talked about – I gave an example that you guys can consider as another potential change if you want, that Thurston County had some language to clarify that if you're just receiving information that a quorum is not required. It's only, you know, when you're taking – you know, when you're talking about for a vote. So that's something you guys can consider, if you want.

Chair Raschko: I like Julie's suggestion, if you want to turn to that when we come back again. But in this section it says in the absence of a quorum, no action shall be taken except to adjourn the meeting to a subsequent time. I think that needs to be fleshed out that if there's an action that needs to be taken then you need to adjourn the meeting to a subsequent time in order to do that action. We should probably have it spelled out in here that we continue to receive information.

(break – long gap in recording)

Chair Raschko: It's 7:20 so we will reconvene. I believe everything was working as we finished Section 2, so we can move on again to Section 3, where we talk about Voting. The floor's open on Voting.

Vice Chair Mitchell: Looks good to me.

Chair Raschko: Wait a minute. Mr. Shea, have you something?

Commissioner Shea: Yeah. This is – I don't know if this is the best place to put it. It might not be, but – and this might be something we address later, but just for now: minority reports. I kind of combined those – the language that was presented to us before but I just wanted to know – \_\_\_ consensus – if we do add a minority report that this would be the place to put it. That's kind of where I'm at right now. I don't have any specific language but that's my thought.

Chair Raschko: Ms. Mitchell?

Vice Chair Mitchell: Yeah, if the crew decides to do that, I think it should have its own section.

Chair Raschko: Any other opinions?

Commissioner Lundsten: I have one.

Chair Raschko: Go ahead. I believe it's Commissioner Lundsten.

Commissioner Lundsten: Yes, I'm sorry. This is Commissioner Lundsten. If we're going to – we should put it – I think it should go wherever we put how we record the results of the majority opinion and the Findings of Fact to the Board of Commissioners. That's where we should put the parameters, the protocols of a minority report, it seems to me.

Chair Raschko: Anybody disagree with that?

(silence)

Chair Raschko: I think what we should do is move on and not elaborate on minority reports in the voting section. Do we have consensus?

Vice Chair Mitchell: Yes.

Chair Raschko: Hearing no disagreement, we'll move on then to Regular Meetings. Go ahead on Regular Meetings, please.

Mr. Gill: Sure. This is Peter Gill. I just added language from the City of Tacoma that was related to electronic participation. And something Commissioner Woodmansee mentioned earlier, it talks about that it is allowed, you know, for members periodically. But that isn't to say it would be allowed, you know, at all times. And it would be subject, it says further down, "electronic participation in meetings shall not be used on a regular basis. It should be used to accommodate special needs of the Commission as may be determined by the Chair, or to accommodate members whose physical presence at the meeting is prevented due to prior obligations, personal illness or disability, a family or other emergency, or unforeseen circumstances." So.

Chair Raschko: Any comments? Did you have a comment, Ms. Mitchell? No?

Commissioner Lundsten: I have a question.

Chair Raschko: This is Commissioner Lundsten.

Commissioner Lundsten: Lundsten. It seems to me they're all a clear answer to Commissioner Woodmansee's concerns and I'd like to ask Joe: Is it – does this answer what you were concerned about? Because I agree with what I understood you to say. It seems to answer it, to me.

Commissioner Woodmansee: Yeah, I think it's adequate to address my concern. It also gives the Chair the ability to question whether somebody's making a habit out of it or something, the way I read it. So I'm fine with what this says here.

Chair Raschko: Okay, thank you. Commissioner Mitchell?

Vice Chair Mitchell: Yeah. That's great. I talked with Peter earlier today. There's a little thing earlier there that we're going to need to look at. The first line at the top of that page it says "not less than one regular meeting shall be held each month unless..." It should read "no matters," instead of "110." That was a conversion problem. Right, Peter?

Mr. Gill: Yeah. Sorry about that. I have that noted but I haven't done it. Thank you for bringing that up.

Vice Chair Mitchell: You bet.

Chair Raschko: Okay, do we have consensus on Section 4?

(silence)

Chair Raschko: All right. Hearing silence we will consider that we have consensus and move on to Section 5, Special and Emergency Meetings. Has anybody any comments?

Vice Chair Mitchell: I do, Chair.

Chair Raschko: Go ahead, please, Ms. Mitchell.

Vice Chair Mitchell: Yeah. Thank you. There's another typo here that Peter knows about, so he can catch that while I'm talking. With special and emergency meetings, I think what I'm going to bring up is about the annual meeting with the Board of County Commissioners. I wouldn't know if you would call that a special meeting or if that would fit under regular meetings. I'm not – I don't understand the difference between how that's scheduled. Should that have its own section or would that come under this section? If staff could help with that.

Mr. Gill: So my take is that the special meetings have a certain meaning under state law and that, you know, RCW 42.30.080 is specific to what designates a special meeting and the protocols that are used for that. And so if it's just a meeting of the Board and the Planning Commission, perhaps it would be a separate section. But Julie may have better feedback on that.

Ms. Nicoll: If I may, Chair?

Chair Raschko: Go ahead, please.

Ms. Nicoll: This is Julie. Yeah, no, Peter is spot on. The Open Public Meetings Act, 42.30.080, that he was citing has specific requirements for special meetings, and special meetings can just be meetings that are held outside of the, you know, usual meetings. That was kind of an interesting topic to bring up because when I was looking at this, you know, we have "meet monthly" and I know you guys do have an informal schedule right now, but it isn't – I don't think there's anywhere written down that I could find that, you know, it's a certain Tuesday night of the month, or anything specific in the bylaws. It just says meet at least once monthly. So basically if you said, Okay, we're the second and fourth – or whatever it is – Tuesday of the month, then if, for some reason, there was a schedule conflict and you needed to change the dates, then that would be noticed as a special meeting. Or if you needed more sessions then that would be a special meeting and there's just different notice requirements for that. So that's something that we can consider: specifying the exact meeting date. Because some of our advisory boards have specific dates that they meet. And I don't think there's anywhere that you guys have that written down, but I could be wrong.

Chair Raschko: Thank you. Ms. Mitchell, did you have another comment?

Vice Chair Mitchell: Okay, if I'm understanding right then, proposing the annual or semi-annual meeting with the Board of County Commissioners, (the) concept would go in its own section, perhaps later. Correct?

Chair Raschko: Who are you asking? Are you asking legal?

Vice Chair Mitchell: Oh, I'm asking either legal or staff. I heard what each of them said and I'm still don't know where to stick it!

Mr. Gill: I think – so if it's something that we are going to put it on the schedule, it doesn't have to be a special meeting.

Vice Chair Mitchell: Okay.

Mr. Gill: And so that would be my take, is that if you want to have Section 6 and call that "Meetings of the Planning Commission and the Board of County Commissioners," that would be fine and that would be separate from the Special or Emergency Meetings section.

Vice Chair Mitchell: Okay. Thank you very much.

Mr. Gill: And it would follow the same noticing requirements as the regular meetings up above that are all posted on our website as part of the calendar.

Vice Chair Mitchell: in that case, let's pigeonhole that idea for the next section then.

Chair Raschko: Okay, Mr. Shea?

Commissioner Shea: I think my comment was kind of addressed, but it seems to me that at least for regular meetings either by the – before the next following fiscal year – let's say 2021 – you would say your scheduled meetings – those would be your regular meetings – or, like was said, every second Tuesday of the month, that would be our regular meetings and then anything else beyond that, that would be a special meeting that we had to do slightly different postings for or notifications. But I think it's already been addressed.

Chair Raschko: Well, is this something we want to do – have specific meeting *dates* in the bylaws?

(silence)

Chair Raschko: And if so, it seems like they should go under Section 4. Are there any opinions on that?

Vice Chair Mitchell: Chair, could you please repeat your question? Because I think there *is* a solid answer for that, if I heard you right. Go ahead.

Chair Raschko: I was asking if members of the commission feel that we should have meeting dates stipulated in the bylaws like, you know, the first and third Tuesday of every month. And if so, it seems like it should go in Section 4 under Regular Meetings. Are there any opinions?

Vice Chair Mitchell: I've got a question before we actually get to that discussion.

Chair Raschko: All right.

Vice Chair Mitchell: The question goes to staff. Because usually somewhere around November and December staff gets together with other departments, I think, and figures out what the meeting schedule's going to be for the next year and then posts it for us. So oftentimes it does end up

being the second and fourth or, you know, something like that, but they have to adjust dates with what happens in the calendar \_\_\_ ahead. And so –

Chair Raschko: Excuse me. I'm sorry to break in, Kathy, but the Internet is down. I just got a text message from Peter. They're working with IS to troubleshoot it.

Mr. Gill: Chairman? Sorry about that. That's delayed. That's delayed – sorry about that! I should have warned you. No, I'm still here.

Chair Raschko: Okay, everybody? Kathy, go ahead.

Vice Chair Mitchell: Okay. So the point was is that the way the staff looks for the next year to appoint all those dates depends on other things internal and also the pending calendar and how – you know, how dates lay out with special weekends and things like that. So I'd be hesitant to put into our bylaws saying "every second and fourth" or anything like that. I would rather leave it to the staff figuring out the schedule yearly the way they do and then that gets posted. And it has to get posted with the state, as well. People don't know that. Is that right, Peter?

Mr. Gill: Well, we have to have the schedule and we do have to post it, and so – sorry, Chair; this is Peter Gill – yes, so we do post it for the whole year and then if we do have a meeting outside of that posted schedule, that would be a special or emergency meeting. But yes, I would concur with Commissioner Mitchell that if we can not tie our hands too much with specific dates or specific days of the month, that is preferable as trying to fit everything in from different departments.

Chair Raschko: Any other opinions? Mr. Shea?

Commissioner Shea: Yeah, I agree with not doing every second Tuesday or what have you. One easy e-way to get around that would be like for us, I think it's – for my work it would be the following year – this may not be the exact language, but the following year's meeting schedule shall be posted or determined before the last meeting of the year. And so that leaves the dates for whoever is in charge of that to choose them and adjust them with other meetings rather than hold us to a specific day in the week. But then it also does give us that designation of our regular meetings, and if we need to have a special meeting it kind of clarifies it but it still leaves you some wiggle room.

Chair Raschko: Okay, anybody else?

Commissioner Woodmansee: I have a comment. Woodmansee. I think we can stay silent on it and just set the schedule each year, and then that creates the biggest ability for lack of confusion. And so if we just stay silent on it in the bylaws, then the meeting schedule gets set and then if we need to adjust it we adjust it. Sometimes we've adjusted it just because who could actually be at a meeting, you know, 30 days ahead or two weeks ahead even. So I would just stay silent on it in the bylaws.

Chair Raschko: Commissioner Lundsten? Go ahead, Mark.

Commissioner Lundsten: There we are. Sorry. I just posted I agree with Joe Woodmansee.

Chair Raschko: You know, I agree with Joe also. Okay, let's – well, Julie Nicoll would like to address the board. Go ahead, Julie, please.

Ms. Nicoll: So I was just digging into the Open Public Meetings Act – our favorite, you know, reference here – and RCW 42.30.070, Times and Places for Meetings, says that you shall provide a time for holding regular meetings by ordinance, resolution, bylaws or whatever. Other rule is required to conduct business. And then it says but it's *not* held – you know, if a regular meeting falls on a holiday, such regular meeting shall be held on the next business day. “If by reason of fire, flood, earthquake or other emergency there's a need for expedited action to meet,” then there's rules about the emergency. So I think it's fine to set a schedule and not do the second and fourth Tuesday and to have that flexibility. I would just suggest maybe including that you *will* publish a schedule at a certain time and that will be available on the website. And then it will be clear to staff that they have to notice the meetings that aren't on that schedule differently and notice them as a special meeting. But it seems to be that there's an OPMA requirement for the holding of regular meetings so I think you should perhaps formalize that process to be in compliance with this section.

Chair Raschko: Thank you. That's very helpful. Ms. Mitchell?

Vice Chair Mitchell: Yeah, a question then, tagging on to what Julie just said: So for staff, if the Planning Commission were to say something like “have posted by the first business day of the new year,” is that acceptable and gives staff enough time to deal with things, or should it be by the end of December? What usually works for what you guys have to plan for?

Mr. Gill: Chair, this is Peter Gill. My preference would be the first business day of the new year.

Chair Raschko: It'd be *by* the first business day of the new year.

Mr. Gill: That would give us December, which is always a busy month, to do – to lay things out.

Chair Raschko: All right. Does anybody have a problem with that?

Commissioner Woodmansee: This is Woodmansee. I'm good with that. I think that addresses my concern about not doing specific dates in the bylaws. So I'm good.

Chair Raschko: Okay. Anybody else?

Commissioner Shea: This is Commissioner Shea. Just a slight comment, something that might not be necessarily being thought of is I know it's important for us to have some flexibility and stuff, but some of our issues are pretty complex and going month to month to make sure that people can meet each meeting is okay but we also have to think of the public, and they have to schedule their time to be able to attend these meetings. And so if we're changing it up as we go, rather than having like what we were saying here, a set schedule with our regular meetings, then they can plan around that too. And I think it's kind of in a way our job once that schedule's posted to make sure that our calendars are as free as possible and to try not to schedule things during them. But that's why it's really important to have a set schedule, because then we're covered in an OPMA, we have a regular meeting set, but then also too the public has more time than a month in advance to get ready for a topic, because they're getting ready for a specific day and if we push it two weeks away to a different meeting date then they might not be able to attend. So it's good for us to set a schedule so that way everyone can prepare and make sure we're in line.

Chair Raschko: Okay. Well, Mr. Gill has typed in – you can see on your screen that “meeting schedule will be posted annually by the first business day of the new year.” Does that suffice to fill that need?

Commissioner Woodmansee: It does for me. Sorry. I'm sorry, Kathy. I barged in here. This is Woodmansee. I'm not – just a point of clarification. I'm not suggesting we change it every month. I'm just suggesting we don't put the schedule in the bylaw. I have no problem having a schedule.

Chair Raschko: All right. It just gets \_\_\_ in December – you know, the latter part of the year. I'd like to see if we can come to consensus on this point so we can move on.

Commissioner Lundsten: I agree.

Chair Raschko: Does anybody have any angst about the verbiage just added by Mr. Gill? It's the last sentence of the first paragraph.

Commissioner Mark Knutzen: I do. This is Mark Knutzen. I'm new.

Chair Raschko: Yes, Mark?

Commissioner Knutzen: I was with Commissioner Shea's point about knowing well ahead of time when the Commission meeting's going to be. But if it's not due until the first business day of the year, that doesn't do us any good for January. The meeting might be six days away. And I've noticed there's no pattern. I have eight months – the last eight months of this year's schedule. Three of the months it was the first Tuesday. Five of the months it was the second Tuesday. So I see no pattern in how these meetings are scheduled and I'm wondering if there *is* a pattern? So how do we know in January if it's going to be the first Tuesday or the second Tuesday? And we're not going to know until the first business day of January, so January could be messy.

Chair Raschko: What are we typing?

Commissioner Knutzen: Anybody? Anybody have an answer for that?

Mr. Gill: Yeah. This is Peter, Chairman.

Chair Raschko: Yes.

Mr. Gill: So we typically grab that two weeks, and that's why sometimes you'll see it on the first Tuesday of the month and sometimes it's the second. So, you know, we started – I don't recall this one, but I think it was the second Tuesday of January – I don't have the schedule in front of me – and then we just did two weeks. And I don't know – I think we got out of that order a little bit this year because of COVID and because of the break and all kinds of other potential issues. But there is no set first Tuesday or second Tuesday necessarily. The only thing that is set is that we would meet at least once a month. And so we have tried to make sure we were doing every – we were trying to get two in every month so we can get through the materials, and I think that is our plan: to stay consistent with that. So if I heard you right, yeah, you wouldn't want to find out the day before, you know, January 1<sup>st</sup>, at the meeting next – you know, on the second. So what if we had something about, you know, no less than two weeks prior to any public – or any meeting? You know, as far as OPMA noticing requirements, we do have to post the agenda at least 24 hours anyway, and we usually try to do it almost a week. So I added to that previous statement, and let me know if that helps.

Commissioner Knutzen: I have a comment.

Chair Raschko: Who is this?

Commissioner Knutzen: My only concern is with the month of January, because if you set the meeting schedule for the full year but we don't get that until the first business day of January, from February on that's fine. We have a whole month. But January, the first meeting in January might be three days later and that's not enough time. Is there some simple mechanism that we can use to schedule January's meeting by the middle of December and fill the rest of this schedule in on the first business day of the new year?

Mr. Gill: So I did – sorry.

Chair Raschko: I'm sorry. Is there any problem with changing that day from the first day of the year to the first day of December?

Vice Chair Mitchell: I've got a comment. I think Peter has already proposed the solution. The sound keeps breaking up so people might not have heard that.

Commissioner Knutzen: I didn't hear it.

Vice Chair Mitchell: Yeah. Let's let Peter have another go at it because I think it's going to address everybody's issues.

Mr. Gill: Chair? Yeah, we can do what you proposed. We could do December 1<sup>st</sup> for the new year or we could use this language. So what I did was "no later than the first business day of the new year and no less than two weeks prior to any meeting."

Chair Raschko: So, Commissioner Knutzen, does that satisfy you?

Commissioner Knutzen: That's fine with me. It gives us a minimum of two weeks so that's what we need. Not just for us but for people who might want to attend.

Chair Raschko: Right. Okay, do we have consensus on that point?

Commissioner Shea: We might want to add "regular meetings" to the very last word to make sure there's no confusion between special meetings if we had to get a special meeting within a week.

Chair Raschko: Okay. Anything else?

(silence)

Chair Raschko: All right, so we have consensus on that. We'll move on to Electronic Participation in the next paragraph, if anybody has any comments there.

(silence)

Chair Raschko: All right. Hearing nothing, we'll move on to Section 5, Special and Emergency Meetings. The floor is open.

Commissioner Woodmansee: I have a question. Where it says the Planning Commission chair, if the chair's not at a meeting, I guess the majority of the members can call a special meeting, but it seems like it would be the Planning Commission. It seems like that's why it said "presiding officer" because it could be the chair, the vice chair, or pro-tem – whatever. Anyways I just put that out there for the thought. Maybe that's too specific.

Chair Raschko: I apologize, but could you identify yourself? I don't know who you are.

Commissioner Woodmansee: I'm sorry. It was Woodmansee.

Chair Raschko: Okay. Thank you, Joe. Any comments on Joe's –

Vice Chair Mitchell: Yes, I do. Mitchell.

Chair Raschko: Okay, Ms. Mitchell, please.

Vice Chair Mitchell: I concur with what Commissioner Woodmansee said probably for the same reasons, because it could be three different ones or the majority of members or the director. That would make more sense because things happen.

Chair Raschko: Anybody else?

Commissioner Knutzen: Yeah, this is Mark Knutzen. I like "the presiding officer" for the reasons that two commissioners cited. I like that better than "Planning Commission chair" also.

Chair Raschko: Okay, so how should it read?

Vice Chair Mitchell: It should read "The presiding officer or a majority of members" – there we go. Thank you, Peter.

Chair Raschko: Okay. So is that acceptable to everybody? Is there a consensus?

(silence)

Chair Raschko: All right. Silence. I'm sorry?

Vice Chair Mitchell: Looks good.

Chair Raschko: Okay. So we have consensus on that. We'll move on. Is there anything more for Section 5?

(silence)

Chair Raschko: All right, Section 6, Adjournment and Continuances. That looks pretty straightforward.

Vice Chair Mitchell: Chair?

Chair Raschko: Okay, we'll consider that all right.

Vice Chair Mitchell: Wait. Hello, Chair? Point of order?

Chair Raschko: And what is that? What is your point?

Vice Chair Mitchell: I'm sorry. I don't think my communication's coming through either the Chatbox or the sound. Sorry. I had put a placeholder in earlier for possibly making Section 6 Annual

Meeting with the Board of County – Annual and/or Semiannual Meeting with the Board of County Commissioners. Would that bother anybody going in as a Section 6?

Chair Raschko: What's it got to do with Adjournments?

Vice Chair Mitchell: It doesn't. It would move Adjournments to number 7.

Chair Raschko: Oh, I see what you're saying. Okay. Just as a new section.

Vice Chair Mitchell: Right, right. Thank you.

Chair Raschko: Okay. And how would you word it?

Vice Chair Mitchell: Oh, jeez. Hang on. "The Planning Commission shall meet with the Board of County Commissioners at least once annually," and I've got – I'll read the justification for you if you'd like. "Annual or semiannual meetings should be considered to review the Planning Commission's work program, facilitate candid two-way feedback, and build understanding, trust, and mutual support." It's one of those things where it can serve two-fold purposes. I know some commissioners in the past have asked, What for? Well, some people actually haven't met all the commissioners! It happens. And this is a good way to have face-to-face, eye-to-eye contact in a good environment.

Chair Raschko: Just to play devil's advocate, what we're doing then is putting a requirement on the Board of Commissioners as well.

Vice Chair Mitchell: No, it's a request. It's a request for a meet really.

Chair Raschko: Okay, is that what you said in your –

Vice Chair Mitchell: Well, it's – let me put it this way. We would want to schedule that, but it's always – however we can best phrase that – everything that we do is at the request to the Board of County Commissioners. They could always say no, right?

Chair Raschko: Okay.

Vice Chair Mitchell: Or have – you know, something happens where they're so busy it really just doesn't work. But we can certainly as a body put the annual request in – or, you know, semiannual. It's an unusual year.

Chair Raschko: Okay, we have some verbiage emerging.

Vice Chair Mitchell: You want the other verbiage, Peter?

Mr. Gill: If you can send it over, that would be most helpful.

Vice Chair Mitchell: I will do that right now.

Commissioner Shea: Chair, if I could?

Chair Raschko: And who is this?

Commissioner Shea: Commissioner Shea.

Chair Raschko: I'm sorry. Go ahead.

Commissioner Shea: I think that sounds great, as long as you just add "should." It's not a legally binding word. If you put, like, "shall," like we discussed earlier, then we're making a requirement, but "should" is more of a friendly suggestion. And I don't think the Commissioners would mind meeting with us but it does leave us some leeway so that way it's not – enforcing "should" is more of a suggestion versus "shall" meet with the Commissioners semiannually.

Vice Chair Mitchell: Good point, Joseph.

Chair Raschko: Thank you. So are you ready to complete your typing there, Mr. Gill?

Mr. Gill: Yeah, I'm looking for a message from Chair Mitchell, or Commissioner Mitchell. I think she was drafting something up.

Chair Raschko: I think it looks good the way it is.

Vice Chair Mitchell: Okay, I just hit "send." It should be to you.

Chair Raschko: Okay, Ms. Nicoll, have you something for the board?

Ms. Nicoll: Yeah, I was just going to reiterate that the Board of County Commissioners has to *approve* the final version of these bylaws so if there was some reason they didn't have an interest in this meeting – which I wouldn't see a reason necessarily for that, but there were any issue they would be reviewing that requirement. Or it could be, as Commissioner Shea suggested, not a mandatory requirement per se. And that's also something that you could consider scheduling as part of your annual schedule too. You could put that on a schedule and put that on the Commissioners' – the County Commissioners' calendars early for a check-in.

Chair Raschko: Okay. Thank you.

Vice Chair Mitchell: Can I interject a comment again real quick here?

Chair Raschko: Who have we got?

Vice Chair Mitchell: Mitchell. So what I shot in the email to Peter said "should." That's what was taking me time, is pulling up –

Chair Raschko: \_\_\_\_ "should."

Vice Chair Mitchell: If you would put "shall" in and they object to that we can certainly put it "should"? Whatever you think's going to work best or sound best. Either/or I'm fine with.

Chair Raschko: Any more thoughts?

(silence)

Chair Raschko: All right. Do we have consensus on the current typing in blue at the end of Section 6?

(silence)

Chair Raschko: Hearing no objections, we'll just let it stand as it is then and move on to Section 7, Training. Does anybody wish to address training?

(silence)

Chair Raschko: All right. Nobody said anything so we'll just move on to Section 8, Attendance.

Vice Chair Mitchell: I have a comment.

Chair Raschko: Yes, Ms. Mitchell.

Vice Chair Mitchell: Forgive me, Commissioners, for forgetting who had an issue earlier with attendance – with one of the sections – but we need to revisit that now. Does somebody else remember what it was?

Mr. Gill: This is Peter Gill, Chair.

Chair Raschko: Yes, Peter?

Mr. Gill: I added this in, and I pulled it from the general criteria in Article IV, I believe. So the first sentence is just moved from above. I didn't change any of that. The only part that is different is this last part and that gets to the number of absences and whether they're excused or unexcused. Or, actually, I didn't put the excused or unexcused in there, but that could be in there too.

Chair Raschko: I'd ask the Commissioners how they feel about having the Board obligated to declare the position vacant. I mean that's, you know, four missed meetings and it's obligatory that person be dismissed from the board. Does anybody feel there should be a little more flexibility than that?

Vice Chair Mitchell: I've got a comment, Chair, that addresses that.

Chair Raschko: Please go ahead.

Vice Chair Mitchell: Most people are really pretty good about trying to attend meetings and things like that, and letting people know when they can or can't come. We did have a situation in the recent past within the last two or three years where because of work somebody could not come a whole lot of meetings – and I quit counting. I don't try to count who's where or anything like that, but sometimes you have to keep attendance sheets, right? And so the Board won't know if we have a vacancy of a valuable slot and we need the voice for the work, the participation, the positions, and all those kinds of things why we come together. And that one instance, although it was a shame for that person, it hurt us because they were gone so much and nobody said anything. So, you know, I don't think anybody wants to police anybody. That's not the issue. The issue's is the other side of the coin is we need help with the work. And I think that's where I would come at it.

Chair Raschko: Yes, I was – I shared the same feelings as you at that time, and I think – it was through no fault of that person. It was just the way the circumstances were. But I feel that we should have a little more flexibility, like if – God forbid – somebody came down from COVID and was gone a couple months, I'd look at that a little differently than somebody that you knew was

probably going to miss, you know, who knows how many random meetings, you know, the rest of the year.

Vice Chair Mitchell: But the language does address that though. The language right in that sentence beforehand says four absences “except in the case of sudden illness or unforeseen hardship.” So that is a saving grace when things happen.

Chair Raschko: Okay. All right, well, let’s see if we can come to consensus on this. Does anybody else – or does everybody else agree that having it obligatory to boot somebody after four missed meetings is a desirable thing?

Commissioner Lundsten: No, I – this is Commissioner Lundsten.

Chair Raschko: Do you want to elaborate?

Commissioner Lundsten: I just think there should be an intermediate step where we – instead of just having an administrative fix we have a personal contact and ask what’s going – you know, the Chairman and one other person shall talk to the person or the Chairman shall or someone designated to do so shall ask the person if there’s a problem or, you know, try to resolve it. Intermediate steps should be considered, I think.

Chair Raschko: Okay. Mr. Woodmansee?

Commissioner Woodmansee: Yeah, I don’t think it should be obligatory. I think it shouldn’t be, like, an automatic thing. It should be – I agree with Mark. There should be, at the very least, a preliminary discussion and a process, and not have it set up so that after four absences – unexcused or whatever – that it’s just an automatic thing.

Chair Raschko: Ms. Hughes?

Commissioner Hughes: Well, and along with that the wording “council” and “executive” to be notified. What’s that definition at the very end?

Vice Chair Mitchell: I think I would have the answer for that. When I’m saying the answers to this, I’m not speaking for the language. The executive in this case would be the Board of County Commissioners and the council in this case would be the Planning Commission is what I think those words mean.

Chair Raschko: Who is this speaking?

Vice Chair Mitchell: That was Mitchell. I had read the same thing in one of those 25 sets of bylaws.

Chair Raschko: Ms. Nicoll has asked for the floor, so maybe she can help us out on this.

Ms. Nicoll: Yeah, so with respect to the last sentence here about the obligatory language, I just want to call your attention to the Skagit County Code 14.02.080. And that talks about removal from office, and that says after a public hearing any appointed member of the Planning Commission may be removed by the Chairman of the *Board* – and that means the Board of County Commissioners – with the approval of the Board, for inefficiency, neglect of duty, or malfeasance in office. So I would think, you know, chronic absences would be potential cause for

neglect of duties. So we already have a process in our code to address that, so I want to make sure we're not creating anything that would create a conflict with that section in 14.02.080. You know, that's the short section that we have of general rules relating to the Planning Commission. So I'm not sure if we want any other obligatory language; otherwise, if there are chronic absences we could refer them to that process – that it could be considered for removal under 14.02.080.

Chair Raschko: Okay. Would you suggest then that the last sentence of that paragraph be removed?

Ms. Nicoll: Yeah, I mean, I think it's up to you guys whether you want a specific number that will recommend a course of action that the Board of County Commissioners have discretion to pursue. That's up to you. I just want to make clear that we don't create a separate process from the code.

Chair Raschko: All right, thank you. Ms. Mitchell?

Vice Chair Mitchell: Yeah, just to add into the thinking process here, the example that I gave for that situation that was within recent history: In my watching the Planning Commission in 15 years I've seen at least two other situations be the same thing, where there was a vacant seat for very long times without being addressed or discussed or anything like that. And just so people know, the Planning Commission has zero authority. We can't throw anybody off. When we're discussing this kind of thing, that's what everybody needs to be aware. The Planning Commission does not have authority to toss somebody off or on. What would happen is is you would be raising up the question saying, Look, we've got a situation. And I don't know how it goes. It would probably go through staff to the Board. There's been, you know, a vacancy issue here that needs to be looked at.

Chair Raschko: I wonder if it'd be a – does somebody else want to talk?

Mr. Gill: Yeah, this is Peter Gill.

Chair Raschko: Okay, Peter.

Mr. Gill: Just listening to the conversation, I had a couple of proposals that may address some of your issues. If we strike "declare the position vacant" so that it says "Four absences" – "...except in the case of sudden illness or other unforeseen hardship, in any calendar year by any member obligates the Commission to notify the Board of County Commissioners of such vacancy." So it doesn't suggest that, you know, they have to declare that position vacant. It just means we just have to notify the Board of County Commissioners of the vacancy. And then they could take action under the section that Julie cited if they so chose to.

I also think this should be four *consecutive* absences, but that's a different matter.

Chair Raschko: You just threw a whole other thing into it!

Mr. Gill: Sorry!

Chair Raschko: Thank you. Mr. Shea? Or Kathy, were you up next or did – I think you already spoke.

Vice Chair Mitchell: I'm going to let Commissioner Shea go.

Chair Raschko: Yes, Commissioner Shea and then Commissioner Woodmansee.

Commissioner Shea: Yeah, I think it's – I agree that we shouldn't just jump to declaring a position vacant, but I've seen plenty of board meetings just get completely destroyed by people that weren't showing up – consecutively especially. I think adding "consecutive" is actually really important because, you know, we have quite a bit of meetings throughout the year and it's very possible that someone might miss four and then that might come up. But I think "consecutive" actually is a good word to add in there because then that shows that they're just gone without any sort of notification or what have you. But I think we shouldn't necessarily declare it vacant promptly, but notifying the Board of Commissioners that there is a vacancy so if they so choose to refill the position they can do so.

Chair Raschko: Okay, Mr. Woodmansee.

Commissioner Woodmansee: Yeah, so I think the "consecutive" language in there fixes my issues. I don't think it's that difficult for somebody to miss four meetings in a given year, depending on the – what they have going on, and so "consecutive" helps me with that. And I'm not that keen with the word "obligate," but I don't have a suggestion to replace it with either.

Chair Raschko: Ms. Hughes?

Commissioner Hughes: Also there was one question regarding being able to talk to the member that's been missing, and as I read this it throws it back to the Board of County Commissioners to have that conversation. And since they're the ones who are (AUDIO GOES SILENT)

Chair Raschko: You just went dead.

Commissioner Hughes: Okay, I'm sorry. Okay –

Chair Raschko: There we go.

Commissioner Hughes: I like how it's written here because if someone isn't attending it just notifies the Board of County Commissioners, and I think they're the ones that should have the conversation with the individual regarding the attendance. I think that's the appropriate place for that conversation to happen.

Chair Raschko: Thank you, Amy. Anybody else?

Commissioner Lundsten: I have –

Chair Raschko: I kind of agree with Amy on that. They're representing those particular Commissioners and they should care in whether They're – in how they handle it. That's just my opinion. Did somebody else wish to speak?

Commissioner Lundsten: I did.

Chair Raschko: Yeah, Commissioner Lundsten.

Commissioner Lundsten: Commissioner Lundsten. Just a copy edit. I agree with Amy and you, Mr. Chairman. But I've just – I don't think you need "of such vacancy" included at the end. You just have "Commissioners" period, because they would determine whether or not it was a

vacancy. We would just notify them of absences and then that would be their decision, it seems to me. Maybe I'm misreading it, but that's how I see it. Just a comment.

Chair Raschko: Anybody else? Ms. Mitchell?

Vice Chair Mitchell: Yeah, I take good point with what Mr. Lundsten said. What I would say instead is something like "notify the Board of County Commissioners of concern of vacancy." Because that says they have been absent; we're concerned that this could end up being a vacancy. And that signals that yes, that this is more of an issue without declaring it's a vacancy. It's putting a question mark in there saying, Would you please look at this for us?

Chair Raschko: Any comment on that?

Vice Chair Mitchell: A potential vacancy.

Chair Raschko: Okay. I presume everybody is capable of seeing the proposed verbiage as set forth by Mr. Gill? I'd ask at this point if that is acceptable to everybody and we can have consensus, or does anybody have any objections or improvements they wish to put forth?

(silence)

Chair Raschko: All right. Oh, I'm sorry. Mr. Lundsten?

Commissioner Lundsten: Yeah, Commissioner Lundsten. I just think simpler is better, Commissioners. Period. It's not a huge issue to me, but I – either way it's okay but I think it's better to let them decide what the concern is. It's obviously about attendance and they would take it whether to be a vacancy or not. But that's my position.

Chair Raschko: I could go either way on it. How does anybody else feel?

(silence)

Chair Raschko: Everybody accepts that change proposed by Commissioner Lundsten?

Vice Chair Mitchell: I still don't but I'm not going to fall on the sword for it either.

Chair Raschko: Okay. Should we have a quick vote on this?

Ms. Nicoll: I have a –

Chair Raschko: How many people just – okay, Ms. Nicoll.

Ms. Nicoll: Sorry to interrupt. One thing to consider is if it's just a notification requirement, that the *Chair*, that the Planning Commission *Chair* would be the one to *notify* the Board of County Commissioners. But the Planning Commission as a whole wouldn't notify because then you might have to have a vote for the Planning Commission to make an action. Just to be clear of *who* would be doing the notification. That's a suggestion.

Chair Raschko: Okay. Is there any reaction to that change?

Vice Chair Mitchell: I like that point made.

Chair Raschko: Thank you. Anybody else?

Commissioner Lundsten: I agree. I think it's fine the way Peter has it written right now. It's fine.

Chair Raschko: Anybody object to the way it's now written?

(silence)

Chair Raschko: Okay, we're done with that. Thank you. Okay, move on to Section 9, Public Remarks.

Mr. Gill: Sorry about that. Chair, this is Peter Gill. Just quickly I added this in here – since public remarks came up a couple meetings ago, I thought it might be useful to have something in here about public remarks. And the last two sentences, the part that's highlighted in pink is basically straight from one of our agendas usually say about the public remarks. So with that, I'll let you discuss.

Chair Raschko: The floor is open.

Vice Chair Mitchell: Chair?

Chair Raschko: This is Ms. Mitchell?

Vice Chair Mitchell: Yeah. I do like that language, and I like the fact that we'll follow the lead that the Board of County Commissioners does with allowing people to speak as often as they possibly can, especially knowing that there's people that come from all parts of the county. They can come down and not know sometimes that a meeting is a certain kind of meeting, and if we as often as we can allow for public remarks at the beginning, they still have a chance to have their say-so. So thank you. I like this language.

Chair Raschko: Any other comments?

(silence)

Chair Raschko: Okay, I'll just ask one thing. It's not a big deal but okay, it says it *may* be added "once a month or more frequently." So that's not a requirement, so I withdraw what I was going to say. Anything else on public remarks?

(silence)

Chair Raschko: If not, we'll consider that we have consensus on that and call it good. We'll go to Article VI, Committees. Please feel free to offer your opinions.

It's pretty quiet...

Vice Chair Mitchell: Okay, I'll jump in! I think the language still works.

Chair Raschko: The language still works?

Vice Chair Mitchell: Yes.

Chair Raschko: Anybody else?

(silence)

Chair Raschko: If not, we will consider this acceptable to the group. I believe that concludes our first agenda item, if I can find my agenda. I can't, but I'd venture to guess that nobody is real anxious to jump into ethics and rules of conduct at this point in an evening. We could do it. Let's see. Did somebody wish the floor? Ms. Nicoll?

Vice Chair Mitchell: I think Amy hit before I did, Tim.

Chair Raschko: Go ahead, Amy. Please.

Commissioner Hughes: I had an idea for one that might be added: "A copy of the bylaws shall be presented to a newly appointed Planning Commission member within seven days of appointment." I've been on the Planning Commission for five years and I've never seen a copy of the bylaws, and so I think just a reminder that these need to be sent out to new ones to have in their files would be a good idea.

Chair Raschko: Would that come under Training?

Vice Chair Mitchell: I think that would come under Training. And it's a good point, Commissioner.

Chair Raschko: Wait a minute. Okay. Great.

Mr. Gill: Chair, this is Peter Gill. I have a question.

Chair Raschko: Go ahead.

Mr. Gill: Commissioner Hughes, did you say seven days, or did you say – I'm sorry. What was the time that you –

Commissioner Hughes: I threw out seven days just because I thought the first week it would be a good, appropriate time for it to be sent. And is it assumed that *staff* will do this or should we put who is responsible for this?

Mr. Gill: That would make sense. Sometimes it's not real likely that we'll get to them in seven days. We might be able to call them, but as far as setting up a meeting to go through the bylaws that is – it is a little bit difficult to negotiate schedules within seven days.

Commissioner Hughes: Okay, maybe "presented" isn't the right word. Maybe "sent"?

Mr. Gill: Okay.

Chair Raschko: Within seven days of what?

Commissioner Hughes: Appointment?

Chair Raschko: There you go. Okay. Any problem with that? Let's see, we had some other people wanting to comment. I think we had – did you get your comment in, Ms. Mitchell?

Vice Chair Mitchell: No, I didn't. I'm trying to remember what it was. This is good. I'd like to ask staff: When a member is appointed, yes, it goes in to the Board of County Commissioners and they do a resolution – correct? And that member is sent a copy of that resolution?

Mr. Gill: Yes.

Vice Chair Mitchell: Do you know if that's something that this should be married with so it happens right away with the two, or is that too much to ask?

Mr. Gill: Chair, this is Peter. Typically we send a packet of references and items along with a resolution. That said, we don't usually get that packet necessarily put together within seven days. So I guess to answer your question, yes, it would be appropriate to package it with the resolution but that won't always be possible to get everything ready within seven days.

Vice Chair Mitchell: How about this for an alternative then? It would meet what Commissioner Hughes was discussing. What if it were sent electronically? I'm trying to remember with Mr. Knutzen when he was just appointed how fast you guys set up his email box, his County mailbox. Because that could be one of the first test pieces – you know, Welcome. Here's your bylaws electronically. Would that work?

Mr. Gill: Yes, that would work.

Vice Chair Mitchell: Would that satisfy you, Commissioner Hughes?

(silence)

Chair Raschko: Okay, Commissioner Woodmansee?

Commissioner Woodmansee: Yeah, they've addressed my thoughts and comments so I'm good.

Chair Raschko: Joe Shea?

Commissioner Shea: Sorry. This is Commissioner Shea. So before we get out of this and into our next agenda item, I just want to make sure I'm following our progression here. But we did mention minority reports and then majority reports earlier, and I didn't know if we wanted to readdress this or if this is appropriate to be talking about in our appendix, Simplified Rules of Procedure. I just wanted to make sure that it's not getting left behind or some more clarification on that.

Chair Raschko: That has not been – it has not fallen through the cracks. It'll be coming in subsequent sections. So Julie Nicoll, please.

(silence)

Chair Raschko: Hello, Julie!

Ms. Nicoll: Sorry. I forgot to unmute. I just wanted to call everyone's attention that the bylaws are on the Planning Commission website at the bottom under "Resources for PC Members," if you guys aren't already aware. So maybe that's something that could be included in the onboarding letter – a link to the website for the resources that can be reviewed. And I do think that there could be – you know, that we could work as a team to determine what worked for you when you started

on the Planning Commission and what type of onboarding could be improved. Research, materials, copies of the statutes. I think it would be important to evaluate that kind of separately what services the County could provide when you guys join. Because there are a lot of complex issues here so it might be helpful to have further discussion outside of the bylaws – you know, any improvements that could be made to make the transition onto the Planning Commission easier for everyone. So I'm not sure the process has really been formalized besides sending a letter out. I think that might be evident, if you guys aren't even receiving a copy of the bylaws.

Chair Raschko: Okay, Ms. Mitchell?

Vice Chair Mitchell: Yes, thank you. Ms. Nicoll just addressed what I was getting at. Everybody's getting a good overview of what's happened with everybody over time. Depending on how much was on the County's plate and individual's plate, either somebody got help getting started or none at all. And there have been an awful lot of people that had to go on their own. So I'd like to ask staff if we could shoehorn in a discussion for onboarding somewhere in the future. If we've got one meeting coming up that's a little bit lighter, if we could have enough notice to just have the discussion for onboarding and training for the new people coming in and add it then?

Oh, and the second half was regarding what Commissioner Shea was saying. I've got a lot of – done a lot of research information about minority reports and things and I think other people will have a lot to say, so I think that will be its own big topic further down.

Chair Raschko: Okay, thank you. Ms. Nicoll?

Ms. Nicoll: I'm sorry. I just wanted to mention since we were talking about public remarks. I also mentioned, before I move on from that section too, that in my memo I talked about public statements and about who has the authority to speak on behalf of the Planning Commission. That was a suggested topic, and I didn't know if it was something you guys wanted to talk about, if it fit within public remarks. I know public remarks in the context of the \_\_\_ is different, but I just wanted to mention that topic, if anyone wanted to discuss that, if you want to discuss it there. Sorry to jump up.

Chair Raschko: I think that's an appropriate discussion to have but I infer from the heading of Section 9 is talking about remarks made by members of the public. So it seems like that should come up in a subsequent discussion point. That's my own feeling. Mr. Lundsten wants the floor.

Commissioner Lundsten: I was just going to say that I agree with the point you just made, Mr. Chairman, but my request to comment was on the new members. I would suggest that we have a new member paragraph here where we have training every four years for all members and a sort of initiation package, an introduction package that we want to say – and say we want to codify it somehow to put a sentence here. That would be fine. I'm not sure but I think it's more than bylaws. It's like, What's the Growth Management Act, and What's the – How do we – What are the other issues that are around the bylaws? So to me it would be more appropriate not to just talk about bylaws but talk about ongoing members and the training required for them and new members and training required for them. That would be the two paragraphs under Training that I would suggest, and the bylaws would definitely be part of the new members. But again, the trick here is to keep it simple. So I guess I'm going in both directions.

Chair Raschko: Okay. Mr. Shea.

Commissioner Shea: I'll play a little devil's advocate here. So when I came in I was sent a welcoming letter that had links to all the important documents and pages I needed to go to and catch up on things, and there was a video as well. I want to say it's Peter who was in it. But it gives a very low resolution kind of generic overview, but I do think there should be some sort of – maybe not a whole day, maybe, you know, an hour of session where one of the staff members can kind of walk through and answer specific questions of new people coming in. Because it is a lot to absorb. And, you know, maybe if you wanted to make a little bit more detailed short videos that they could watch, that works too if scheduling meetings is hard. But they do – they have provided a lot of the stuff we talk about to me coming in, but I do think a more personal, little class session with a staff member would be very helpful for someone coming in because a lot of the stuff is even hard to navigate for myself in the County webpages and trying to find all these documents. So that could be helpful.

Chair Raschko: I'm going to make a proposal. I don't think we're going to sit down right now and come up with a comprehensive list of the appropriate things for training. I'm thinking what we need to do is have people – we could have a committee or put ideas together on what kind of training should be done at what intervals and have that as the first part of the next session. Because I really don't think we're going to be able to craft something in the next few minutes. Kathy Mitchell, please.

(silence)

Chair Raschko: Did you request the floor, Kathy?

Vice Chair Mitchell: Now I'm muted. Yeah. Sorry. Thank you. I must be getting tired! I was headed that direction too to remind people that it doesn't have to be staff to bear all the burden. There are good Planning Commission members that might have some spare time willing to help somebody new. And the other thing that we have to keep in mind is when we discuss what somebody *should* have for training and things like that, the difficult thing with that is there are people coming in with all different levels of knowledge. And so for us to push things at them saying you have to have this because you should, well, part of that comes back to their learning pace, what they already know or are familiar with, and that'll take a little discussion and dialogue. And it's also, though, the individual's responsibility to let people know what they need. And so the same thing for anybody coming on new. One of the first things – most people don't know what they need to know yet or what to ask, and so I think a very – back to normal times, you know, letting them know that they can have coffee with somebody and, you know, say, Okay, what would you like to see – you know, okay then this might be helpful from somebody that'd be willing to do that. It's great if staff can do that formally. Staff doesn't always have time and so the other members can help probably, if they're willing.

Chair Raschko: Okay. Thank you, Kathy. I think I am going to say that we are going to table this topic on training. We'll open the next meeting with that before we get into Article VII, and people can bring their proposals for training and we can discuss them and see what we can do, but I don't think we're going to get there at this time. Does anybody have any objections to that?

Commissioner Knutzen: I have some information available to you.

Chair Raschko: Who's speaking?

Commissioner Knutzen: If I may, this is Mark Knutzen. I'm the newest member. So I'd like to share with the Commissioners the group I received from Hal Hart upon my being appointed to the

new commissioner. It's a full-page letter welcoming me to the Commission and giving me important details included below. More information about the Planning Commission include a meeting schedule and meetings material, and there's a link for that. The bylaws discussing Planning Commission meeting protocols. There's a link for that. Short course supplemental memo. This reading is required, which is the training that I'm required to do within 90 days. Short course supplement memo. There's a link for that. The short course series from the Washington Department of Commerce, and there's a link for that. And I printed off the 30-page study guide that goes with that so I could review before these video meetings. And then documentation of this training. And there's a link for the OPMA certificate that I need to authorize. So when we're talking about this training that we're going to be requiring, well, I think we might touch base with Hal Hart because this letter that I read to me covers a lot of the stuff initially that a new commissioner would need to address, and I think this letter from Hal Hart did it quite well.

Chair Raschko: Well –

Vice Chair Mitchell: That's fabulous!

Chair Raschko: It really is. I don't wish to cast aspersion on anybody but that sounds like a much more complete thing than I had a number of years ago when I came on.

Commissioner Knutzen: I mean, isn't that what we're talking about? What we need to instruct the new commissioners to do? And this is a, you know, one, two, three, four, five, six links that Hal's outlined and what I need to do and where would I need to go to get the information pulled. I thought it was very good. It's appropriate for this discussion, I think.

Chair Raschko: Well, I still go back to recommending that staff take what you had and perhaps list that as elements of this initial training and incorporate it.

Commissioner Knutzen: Certainly. We can build on this but at least this is a document that we can reference to build on.

Mr. Gill: Chair? Chair, this is Peter. In the meantime between meetings, I will go ahead and send that onboarding letter to everyone prior to the next meeting so we have that as a basis to start the conversation next time.

Chair Raschko: That'd be very helpful. Thank you.

Mr. Gill: Okay.

Chair Raschko: Okay. So with that in mind, can we move on to Committees? By the way, thank you, Mr. Knutzen. That was extremely helpful. Anybody wish to speak to Article VI?

(silence)

Chair Raschko: Article VI appears to be just fine. And that would conclude our discussions on our agenda item 3. I recommend that we, unless anybody is really hungry for more work tonight, that we dispense with 4 and 5 and go to the Director Update. Does anybody have any wishes to do otherwise? Who wants to continue?

(chuckles)

Chair Raschko: Don't everybody jump at once! Okay, with that, I really want to thank everybody for all the work they put into that. I think it was very helpful and productive. And we'll go to Director Update.

Hal Hart: Chair, can you hear me? This is Hal Hart.

Chair Raschko: I can hear you. I presume the others can as well.

Mr. Hart: Right. Great job tonight. I really appreciate listening in and watching the work. Thank you.

Director Update: There's – I think Peter will put it up there. The next PC meeting is October 20<sup>th</sup>. We wanted to make a note about our annual Capital Facilities Plan hearing being scheduled for November 10<sup>th</sup>. Peter, if you have anything you wanted to add to that, go ahead.

Mr. Gill: Sure. So, yeah, we are on schedule to get that – a public draft to the Capital Facilities Plan for 2021 through 2026 out next week for the public notice, which lines us up for a public hearing on November 10<sup>th</sup>. Brittany Dover, who is on the screen, is working with us in long range planning and she has been doing the heavy lift as far as the Capital Facilities Plan. And so we would like to present that – a short presentation – next meeting to set us up for a hearing on the 10<sup>th</sup>. That's all I had on that, Hal.

Mr. Hart: Great. Thank you, Peter. I think one of the important things, Commissioners, is to make sure that if citizens want to get into that process, how do they do that? And I think one of the issues going forward is to find ways to communicate to the citizenry of Skagit County that we do have a Capital Facilities Plan. If they have ideas about that, there is a way that they can make comment. They can work with Public Works; they can get their comments to Public Works; they can bring them to other meetings. But it will take a while. They don't automatically get onto the list. It takes a while typically, because there's a lot of competing interests in the county. I'll just leave it at that and we can talk more about that at the next meeting.

Stay tuned. I think the third item is stay tuned for the Agricultural Tourism Update. We are working with BERK and Associates and we are expecting an update to you later this fall. And we expect those to continue into winter of 2021. So please stay tuned to that. We will also be giving updates to the Ag Board as well, of course, and other groups in the county. So we'll keep you in that after we talk to BERK and Associates over the next week.

So if there're any questions on that, I can answer those questions at this point or Peter can.

Mr. Gill: I would just add that I did send out a proposed schedule for the next six months on the 29<sup>th</sup> of September, and you should have all received that in your email. It was basically an update to the schedule of topics originally presented in January, I believe. And so we're going to try and make sure we keep you posted on the upcoming meetings and the upcoming next two meetings toward the end of each of these so that you know what to start thinking about.

Chair Raschko: Thank you. Ms. Hughes, you had a question for staff.

Commissioner Hughes: We've been getting emails regarding the TIP, Transportation Program. And as I'm understanding the emails, the open hearing is going to be through the County Commissioners. Are we responsible for any of that?

Mr. Hart: Great question. I think – Peter, do you want to lay out how the TIP works in relation to the Planning Commission and to the Commissioners, please?

Mr. Gill: Sure. The Transportation Improvement Program is updated annually and it's looking at the next transportation projects that Public Works has on their schedule for the next six years. That is incorporated by reference in the Capital Facilities Plan and so it is not something you will need to have a separate hearing on. It is there for your information and it is referenced in the Capital Facilities Plan, which is part of the Comp Plan, which is why you get that. But the TIP is not your responsibility.

Commissioner Hughes: So if we want more education on that, we should probably watch the public hearing going to be to the Commissioners?

Mr. Gill: Yes, that would be a great idea. Thank you.

Chair Raschko: Okay, Ms. Mitchel.

Vice Chair Mitchell: Yes. So if I'm repeating something you already said, Peter, then go ahead and repeat it for me! So will you send us an email with that information on when that hearing is?

Mr. Gill: Yes, and I don't believe we have the date set, unless Hal or Mike knows otherwise. But, yes, I will definitely let you know when that hearing gets set.

Vice Chair Mitchell: Super. Thank you for that reminder when it comes. And the other thing is a question for Hal.

Mr. Hart: Yeah?

Vice Chair Mitchell: I'm assuming and hoping that we can get back to normal before too long with meetings, but you just spoke something intriguing about the agri-tourism tours things coming in the near future. If you have anything anywhere for us to read, I'd love to see some links or anything like that.

Mr. Hart: Oh, good point. Peter and I will try and put our collective files together and see if there's something good that we've come across that you may – you know, sometimes we get things from other planning commissioners, so we want to make sure that we're sharing everything on that. You bet.

Vice Chair Mitchell: Thank you very much.

Chair Raschko: Anything else?

Mr. Hart: No, sir.

Chair Raschko: Did I hear somebody?

Mr. Hart: Sorry if I – it was Hal. I'm just saying "No, sir." Thank you.

Chair Raschko: All right. Well, thank you for your report. We'll go to Planning Commissioner Comments and Announcements and start with Ms. Hughes.

(silence)

Chair Raschko: Nothing? Mr. Langston? Lundsten – I'm sorry.

Commissioner Lundsten: It's all right. Peter mistake me for a baseball pitcher all the time.

(laughter)

Chair Raschko: Okay. Mr. Woodmansee?

Commissioner Woodmansee: True story: I actually had people try to get my autograph at a Mariners' game once because I came out of the players' wives' holding area. Anyways, nothing else.

Chair Raschko: Okay, great! Commissioner Shea.

(silence)

Chair Raschko: Nothing? Ms. Mitchell?

Vice Chair Mitchell: Yes. Anyway that somebody can lighten up to end the evening with some humor, I love it. Thank you, guys.

Chair Raschko: Okay. And Mr. Knutzen.

Commissioner Knutzen: Nope, I'm good. Thank you.

Chair Raschko: Okay. I just want to say thank you, everybody, and thank Julie for being here tonight, and thank the staff for the hard work on the meeting. That's all I have, so I declare the meeting adjourned.