1. **Call to Order**

Chair Bower, followed by introductions of Planning Commission members, called the meeting to order at 7:00 p.m.

   a. **Attendance**

   Members Present: Bob Bower, Liz Lyman, Tom Cole, Peggy Paradise and MarkLovrien

   Members Absent: Thomas Smith, Janet Reiner, Brian Fagernes and Barbara Frost

   Staff Present: Jennifer Hayes, Fred Knostman and Sandy Norton

   Guests: Mark Swartout, Office of Program and Budget Development; Jim Bachmeier, Water and Waste Management; Dale Rancour, Roads and Transportation Services; Dick Blinn, Water and Waste Management; Michael Welter, Thurston County Parks and Recreation; Jim Wilcox, Central Services

   b. **Approval of Agenda**

   The agenda was approved.

   c. **Approval of August 7, 2002 Minutes**

   Commissioner Cole moved seconded by Commissioner Paradise to approve the minutes for August 7, 2002. Motion carried.

2. **Public Communications**

None.

3. **Briefing: Capital Facilities Plan 2003 - 2008**

Mark Swartout, Natural Resource Program Manager, provided a Powerpoint presentation on the 2003 – 2008 Capital Facilities Plan (CFP). Mr. Swartout stated that the CFP briefing draft was mailed to each Commissioner. Mr. Swartout handed out a copy of his Powerpoint presentation and provided a brief
background/overview of the following:

- Annual CFP Schedule – Mr. Swartout stated that he CFP hearing is scheduled for September 4, 2002.
- Key GMA Requirements for CFP
- GMA Planning Goals
- CFP Required Content
- CFP Consistent with Budget
- GMA Sanctions for Non-Compliance
- GMA and State Grants and Loans
- Changes from Last Year
- Levels of Service

Mr. Swartout provided a brief overview of the new and expanded projects, dropped projects, projects completed in 2002 and the six-year totals for each of the capital facilities that are owned or managed by Thurston County. Those facilities are as follows:

**Parks Facilities**

Michael Welter, Director of Thurston County Parks and Recreation was available for questions.

Commissioner Bower asked about the status with the County providing additional funding to the City of Olympia Parks Plan. Mr. Welter stated that nothing has transpired but there have been ongoing discussions at the Commissioner level. The Board has decided that two things need to occur: 1) some consistent application across the board of formulas to determine park needs, and 2) take a look at how city residents and growth impact County and regional facilities.

Mr. Welter addressed the question asked by Commissioner Bower as to how much transportation dollars are diverted to trails. The money used for trails is coming out of a special fund used for enhancement dollars only. It is not usable for roads. It is set up for trails and other alternative forms of transportation elements. Over the course of the trails constructed today, we have committed to about $448,000 worth of federal transportation money in one fashion or another. Under this enhancement, it is not a diversion from road funds or taking away from a road project. It is about a half a million dollars for what we have been able to come up with. The Washington State Interagency Committee matches monies for Outdoor Recreation.

**Solid Waste**

Dick Blinn, Director of Water and Waste Management was available for questions.

Commissioner Cole asked about the new transfer station proposed in 2006-07. Mr. Blinn stated that the new transfer station is a placeholder for now. There has been an increase in customers at the Waste Recovery Center and that the County is concerned with the increase. To determine why the increase in customers, a firm will be hired to do a survey of customers. If we keep increasing the number of customers at the rate we are increasing now, we may need a modification to the existing building, an extension, or a new building.
Commissioner Bower asked Mr. Blinn if Solid Waste is on the same pattern as before with the landfill lawsuit. Mr. Blinn stated that we were on the same pattern. We are proposing to go through a rate adjustment at the end of next year because we do not have the final bills on the closure. We think we are better off if we wait until next year, then pull the cycle four years after that. We will have a better handle on actual costs so they can be better reflected for a rate increase.

Commissioner Bower asked about a rate comparison to other counties. Mr. Blinn stated he is not able to answer that question right now.

**Stormwater Facilities**
Jim Bachmeier, Water Resources Program Manager, Water and Waste Management was available to answer questions.

Commissioner Bower asked about the history or future of the second culvert under Mud Bay Road. Mr. Bachmeier stated that he was not able to distinguish between culverts one and two. He also stated that the interlocal agreement for Mud Bay/Kaiser Road is one of the joint projects in that area that we are doing with the City of Olympia to handle the stormwater in that area. We frequently have joint agreements to do a single project with one group being the lead agency. We are contributing towards capital improvement.

Commissioner Bower expressed concern on how the stormwater is going to be handled in that area because of the efforts to save Green Cove Creek. If some of the water is not drained it will divert back into Green Cove.

Mr. Bachmeier stated that he would have Kevin Dragon email Jennifer Hayes with more information on the stormwater plan. Ms. Hayes will then forward the email to the Commissioner members.

Commissioner Bower inquired about the stormwater plan for Hickman Ditch, within the Salmon Creek Basin. Mr. Bachmeier stated that the basin plan is in the final stages of completion. The consultant has completed his options review. There is a local stakeholders group of about 17 members. There are some solutions, which are costly. It does not provide solutions for all of the high water areas. It provides for solutions in limited areas. There will still be flooding in high groundwater events. We expect to have the draft plan completed by the end of the year and adoption of the plan in 2003.

Commissioner Lyman inquired about Mallard Pond. Mr. Bachmeier stated that Mallard Pond is a wetland and it is being used for some stormwater treatment. Because of the new Army Corps of Engineer regulations regarding wetlands, it will be more challenging to do improvements to that area.

Commissioner Lyman asked where the improvements are going to be made to Mallard Pond. Mr. Bachmeier stated that he would have Kevin Dragon respond to the question via email to Ms. Hayes. Ms. Hayes would then forward the email to the Commission.

Commissioner Lyman also asked how the County distinguishes or determines which subdivisions the
County will spend money on to make corrections to detention facilities within subdivisions. Mr. Bachmeier states that staff have put together a series of projects based upon several criteria: flood events, roadways in subdivisions or ponds have failed because of water quantity, facilities based on water quality, treatment devices or systems, and subdivision affected by water flows from surrounding areas. We develop a list of projects and estimated cost of the projects. This then goes to a stormwater advisory committee to establish a priority list.

Commissioner Bower asked if money was being spent on private facilities. Mr. Bachmeier stated that we spend money on improving stormwater facilities, which may include private facilities. Even though the subdivision may have private facilities (the pond itself) the roads within the subdivision are public. The improvements that we may do within the subdivision are in the public roadway so those are public facilities within that roadway.

Mr. Blinn stated that he recalls the Mallard stormwater project rating very high with the advisory board because the area is a direct contributor to McAllister Creek. We are proposing to improve a series of ponds. Our objective is to drop peak flows into a gully that goes into McAllister Creek thereby eliminating a lot of erosion and transportation of pollutants that are attached to erosion materials.

Commissioner Bower inquired about the survey of private facilities prepared by staff. Mr. Blinn stated that they have entered into a grant project with the city of Olympia, Lacey, and Tumwater where they are initiating a homeowners education improvement program that will help communities take care of projects on their own and to minimize public cost for this kind of support. This program will last through 2004.

Commissioner Lyman inquired about an ordinance passed by the County that would allow the County enforcement ability when ponds are not maintained. Mr. Bachmeier stated that we prefer to use enforcement as a lower priority. There are a high number of ponds and the County has set priorities on our target ponds. We are targeting the ponds with the greatest need through the grant project. We think we would be more successful with a program that encourages and educates homeowners to obtain compliance.

**Transportation Facilities**
Dale Rancour from Roads and Transportation Services was available for questions.

Commissioner Cole inquired about the intersection of Marvin Road/Steilacoom Road being a dropped project. Mr. Rancour stated that the intersection on Marvin Road is a state route. The state is taking the lead and is currently under construction. At one time, the state asked for County monies to be contributed toward the intersections because we have traffic contributing toward the intersection on the side streets (Steilacoom Road/Pacific Avenue Road). Mr. Rancour stated that the state has not followed up on the request so he has dropped it off the budget.

Commissioner Bower asked if there was any chance of improvements to Kaiser Road/Mud Bay Road. Mr. Rancour stated that the City of Olympia would be the lead agency and he believes that it is currently on their six year CFP plan. Mr. Rancour stated he would research it further.
Commissioner Cole expressed concern about 18-wheelers not being able to turn onto Meridian Road from Martin Way without blocking the entire intersection.

Commissioner Bower expressed concern with Madrona Beach Road/Mud Bay Road and the lower LOS. Mr. Rancour stated that the intersection seems to be within capacity of what we currently have out there but we will take another survey during peak hours when school starts.

Commissioner Lovrien commended the Roads and Transportation Services Department for the job done on Johnson Point Road.

In response to an earlier question from Commissioner Bower, Mr. Rancour stated that the Department of Fisheries did an inventory on culverts in approx. 1995. Mr. Rancour handed out a chart that identifies the location, ownership, type of culvert, and status of all barrier culverts needing repair in Thurston County.

Commissioner Bower asked when Thurston County would have all the salmon culverts fixed. Mr. Rancour stated that there is no exact date but we are hoping to obtain grants to help with some of the projects.

**County Buildings**

Jim Wilcox from Central Services was available for questions.

Commissioner Cole stated he did not understand Table 6-14 and asked if there was a master plan for county building projects listed on that table. Mr. Wilcox stated that opportunities present themselves to us and we act on them. It is tough to cause them all to proceed independently.

Commissioner Cole expressed concern with not having a master plan and with monies being spent on a project one year and then finding out the following year that the project may not have been necessary. Mr. Wilcox stated that he does not think that is occurring. All projects are listed in the CFP so that they may be pursued when the time comes. All the zero dollar projects are placeholders that might be possible for the year based on what pieces go where.

Commissioner Bower asked about the status of the Law and Justice Center. Mr. Wilcox stated that Bill Phillips from Department of Corrections is the project manager and has lots of experience on big projects. There is a group of people working on the space planning and we expect to hire an engineer by the end of September. We need a good cost estimate before we can ask the voters. We are currently moving through the siting process on two sites. One is the Tumwater site adjacent to the current Juvenile Detention Center. The other one is the existing courthouse campus. No dates have been set.

4. **Planning Commission and Staff Updates**

**Secure Community Transition Facilities**
Mr. Knostman stated that the Board has approved the “Secure Community Transition Facilities” on August 19th. A few regulation changes had to be made. John Sonnen made the changes and the changes are acceptable by the state.

Definition of Junk Vehicles

Mr. Knostman stated that the Board might adopt the definition of junk vehicles on August 26th.

Critical Areas Ordinance

Mr. Knostman stated that changes to the Critical Area Ordinance would be coming before the Commission this Fall, outside of the larger Best Available Science review. In January 2002, the Board adopted an interim ordinance to clarify in the high groundwater area regulations. We hope the Board will adopt the ordinance by January 14, 2003 or we will need to ask for an extension.

Mr. Knostman stated that on August 29th the Board might adopt another interim ordinance. It has come to our attention that the way the Critical Area Ordinance and Zoning Codes are written, as it relates to wireless communication facility towers, you can read it to mean that cell towers are not permitted in any aquifer recharge area. The entire County is in an aquifer recharge area which means cell towers would be prohibited. The Federal Government says you cannot prohibit, so the regulations must be revised. Mr. Knostman also stated that there are sections of the Critical Areas Ordinance that are missing from the 1996 amendments. It was never our intent to delete those sections. Based upon the advice of the Prosecuting Attorney’s Office, we need to put the missing sections back into the code.

Mr. Knostman stated that we will be briefing the Commission in October, hopefully a hearing in November, then present it to the Commissioners for adoption.

Role of Chair of Planning Commission

Mr. Knostman handed out a memorandum responding to Chair Bower’s request for clarification on the duties of the Chairman of the Planning Commission as well as staff’s role during meetings. Mr. Knostman stated that the handout would be mailed to absent members and the topic would be discussed at a future meeting.

Commissioner Bower requested that a summary of the memorandum be included in the minutes. The memorandum dated August 20, 2002, from Fred Knostman highlights the following items: Robert’s Rules of Order, 10th Edition (Chairman or President); Duties of the Presiding Officer or an Assembly; The Planning Commission Rules of Procedure Section IV; and The Planning Commission Rules of Procedure Section X.

Commissioner Bower stated that in the past some personnel issues have been resolved outside of the official meetings. Our adopted rules of the Planning Commission, other than Robert’s Rules of Order, do not specify what the job of the chairman is. He said that senior staff (the Chief Administrative Officer) suggested to him that issues should not be resolved outside of the official meeting. Until the
Planning Commission adopts something different in their Rules of Procedure, if we have an issue between Planning Commissioners, conduct of a Planning Commissioner or questions, Commissioners should call staff and ask that a time to discuss the issue be allotted on the agenda to be discussed at a future meeting. The item will then be discussed on the record at the scheduled meeting.

Commissioner Bower encouraged the Commission to read the memorandum from Mr. Knostman and stated that sometime between now and next year we need to adopt and decide how we want conflicts between members, questionable conduct by members, etc., handled.

The Commission agreed that this topic should be discussed and resolved before the end of the year. Commissioner Bower requested that the prosecuting attorney participate in the discussion.

Mr. Knostman stated that staff would contact other jurisdictions to see how they handle these types of issues.

*Development Services Director*

Mr. Knostman stated that Michael Welter, current Director of Thurston County Parks and Recreation is now Acting Director for the Development Services Department.

5. **Calendar (Tentative)**
The next regular scheduled public meeting/hearing is scheduled for September 4, 2002.

6. **Adjourn**
The meeting adjourned at 9:00 p.m.

_________________________________________________________
Bob Bower, Chair
Peggy Paradise, Vice Chair
### REQUEST FOR INFORMATION
**SUMMARY SHEET**

<table>
<thead>
<tr>
<th>DATE OF REQUEST</th>
<th>ISSUE/REQUEST</th>
<th>AUTHOR</th>
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<tbody>
<tr>
<td>06/05/02</td>
<td>Legal position of the Commission relating to inviting private interest groups to a Commission meeting to provide a presentation on their point of views on a topic when inviting a governmental agency to speak on a topic. Chair Bower also wanted to know the number of private interest groups the Commission would need to invite.</td>
<td>BOWER</td>
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