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, Peggy Paradise, Liz Lyman, Tom Cole
Members Absent: Barbara Frost, Brian Fagernes and Mark Lovrien
Staff Present: Jennifer Hayes, Fred Knostman and Sandy Norton
Guests: Elizabeth Petrich, Thurston County Prosecuting Attorney’s Office and Dave Burns, City of Olympia

b. Approval of Agenda

The agenda was approved.

c. Approval of Minutes: September 4, 2002

Commissioner Lyman requested that the last paragraph under item #6, page 4, be changed to read “Commissioner Lyman requested literature on clustering of houses to look at the effects of clustering and impacts to a density bonus in a rural area.”

Commissioner Cole moved seconded by Commissioner Lyman to approve the minutes of September 4, 2002 as amended. Motion carried.

2. Public Communications

None.

3. Training/Discussion: Appearance of Fairness, Conflict of Interest, and Handling Conflicts

Elizabeth Petrich, Thurston County Deputy Prosecuting Attorney provided a Powerpoint presentation on the elements/principles of the Appearance of Fairness Doctrine in Washington (Chapter 42.36 RCW). Ms. Petrich handed out a copy of her presentation, which included questions and answers to various situations. Ms. Petrich stated that the material of her presentation came from Municipal Research Services, an organization that provides legal and policy support to County and cities. They can be accessed on the Internet at www.mrsc.org. A copy of the Powerpoint presentation is available upon request.

Ms Petrich and the Commission discussed the following items:
1. When a Commissioner should recuse him/herself from engaging into conversation about a pending matter.
2. Ex Parte communications when a matter is pending and curing the violation
3. Decision makers and staff contacts
4. Difference between Legislative and Quasi-judicial matters
5. Planner Commissioner testifying not as a member of the Planning Commission but as a private citizen

Chair Bower requested that the Appearance of Fairness Doctrine be made part of the Commission notebook.

Chair Bower inquired about the Chairman’s responsibilities. Chair Bower stated that he was directed by the Chief Administrative Officer that Commission conflicts/issues/corrections, etc., are to be discussed on record. Chair Bower also stated that the Commission has concern about liability issues and future Commissioner interactions. Ms. Petrich stated that she did not have an answer now but would work with Jeff Fancher and Don Krupp and get back to the Commission.

Commissioner Bower stated that the Chairman’s responsibilities would need to be added to the Commissions Rules of Procedures.

The Commission agreed that there needs to be a proper venue outlined for bringing up issues/complaints between Commission members.

Commissioners Lyman and Cole asked if a Planning Commissioner could testify during a public hearing before the County Commissioners as a private citizen and not as a member of the Planning Commission. Ms. Petrich said you are not barred from participation in a public hearing before the County Commissioners as a citizen. However, case law may prohibit you from speaking to the Planning Commission even as a citizen. Ms. Petrich stated she would look at the case referenced in the handout and provide further explanation.

4. Briefing/Worksession: Natural Resource Lands Update – Prioritizing Action Items

Ms. Hayes stated that the Commission was mailed a brief summary and analysis of all of the suggested policy changes raised during the public outreach period for the Natural Resource Lands update for Farmlands and Forest Lands.

Chair Bower suggested that the Commission read the issues carefully and e-mail questions in advance to Ms. Hayes so that most of the questions can be answered at the next meeting. The Commission agreed. Commissioner Bower requested that Ms. Hayes send a reminder e-mails to the Commission members prior to the next meeting.

5. Briefing: Lacey Joint Plan Update

Dave Burns, City of Lacey Principal Planner, provided a Powerpoint presentation on the update to the Lacey/Thurston County Joint Comprehensive Land Use Plan. Mr. Burns handed out a copy of his Powerpoint presentation along with the following handouts: 1)Questionnaire for the Tanglewilde/Thompson Place and Meadows Planning Area Open House, which was held March 19, 2002; 2) Summarization of the answers to the questionnaire as noted in #1; 3) Article from The Olympian titled “Lacey seeks ways to accommodate growth.”
During the presentation Mr. Burns spoke briefly on the following items: 1) Time Lines and Required Steps 2) Lacey Planning Commission Tasks and Status 3) Public Participation 4) Early and Continuous Public Participation 5) Planning Area Open House Format 6) State Checklist of New GMA Requirements – Land Use 7) Environmental Clearance 8) Expectations of County 9) Issues Specific to Individual Planning Areas and 10) Identified General Issues Effecting All Planning Areas

Mr. Burns stated that he could be emailed at dburns@ci.lacey.wa.us if anyone has questions or comments regarding the Lacey Joint Plan. He hopes to get Planning Commission participation in the review.

Mr. Knostman stated that the County may or may not provide for City of Lacey’s Joint Plan to be considered by the County Planning Commission in 2003 due to budget cutbacks and current staffing levels. Mr. Knostman stated that the issue on how staff will manage all of the mandated Comprehensive Plan Amendments would be discussed with the Board soon.

The Commission discussed the design of roundabouts and the concern of semi trucks using them. Mr. Burns stated that the Public Works Department is addressing this issue.

6. Planning Commission and Staff Updates

CFP Draft Recommendation Letter to the Board
Commissioner Bower handed out the draft letter. The Commissioner agreed to strike a portion of the last sentence under transportation and funding. The sentence is to read as follows: “We encourage the Commissioners to take another look at this issue.” The Commission agreed with the change and recommended the letter to be forwarded to the Board as amended.

Resignation
Janet Reiner has resigned effective immediately. Commissioner Reiner represented District 3.

Junk Vehicle Definition
Mr. Knostman stated that the Board of County Commissioners adopted the junk vehicle definition on September 9, 2002.

7. Calendar
The next Planning Commission meeting/public hearing is scheduled for October 2, 2002.

8. Adjourn
The meeting adjourned at 9:20 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>
</tr>
</thead>
<tbody>
<tr>
<td>06/06/01</td>
<td>Is a Planning Commissioner prohibited to testify as a member of the public on issues before the Commission if they are not acting as a member of the Planning Commission</td>
<td>Lyman</td>
</tr>
<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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