

**GRANT COUNTY  
PLANNING COMMISSION**

Chairman: Bill Bailey  
Vice Chairman: Ollie Click  
Board Members: Dale Anderson, Carol Dawson, Terry Dorsing, Jim Fleming, Blair Fuglie, Lee Graham,  
and Kevin Richards  
Secretary: Doris Long

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**COMMISSIONERS' HEARING ROOM - GRANT COUNTY COURTHOUSE, EPHRATA, WASHINGTON**

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**AUGUST 7, 2013 @ 7:00 P.M.  
PLANNING COMMISSION MEETING MINUTES  
RECONSIDERATION OF PROJECT #13-5780**

Members Present: Bill Bailey, Ollie Click, Carol Dawson, Jim Fleming, Blair Fuglie, Lee Graham  
and Kevin Richards

Members Absent: Dale Anderson & Terry Dorsing

**BOARD ACTION:**

Chairman, Bill Bailey, opens the meeting.

Mr. Bailey reports that the Planning Commission will be reconsidering File #13-5780 (Favero Comprehensive Plan Amendment and Zone Change). The item will be reopened for the Planning Commission to discuss, but there will be no further public testimony.

Mr. Richards requests to be recused from the meeting.

Mr. Bailey grants the request, but states that Mr. Richards may want to hear the initial portion of the meeting.

Mr. Bailey speaks on ex-parte communication. He explains that on occasion, prior to a meeting, an acquaintance may contact a Commissioner to tell them their side of an issue. In a situation such as this, the Planning Commission member may feel an obligation to listen out of courtesy. Although, they should in return inform this person that they appreciate the information, but this is not a Planning Commission meeting. Advise them that there can be no opinion given as to what action the Planning Commission may take. That you can not take this information into account until an actual Planning Commission meeting is taking place, at which time the item is being discussed. If the acquaintance is not the proponent, the Commissioner should suggest that they provide a written comment to the Planning Commission. This would allow for the comment to be provided to each of the Planning Commission members and it becoming a formal part of the record.

Mr. Bailey reiterates that it is very important for the Planning Commission members to be courteous and civil to the public that they represent, but they also need to let the public know that they can not discuss the item until they are attending a Planning Commission meeting.

Mr. Bailey reports that something did happen with at least one of the Planning Commission members requiring this project to be reconsidered. The normal process is that if a Planning Commission member has gone beyond the bounds of common courtesy, then that member must recuse themselves from any proceedings.

Ms. Dawson reports that on numerous occasions she has been approached by members of the public concerning the shorelines issue. Regarding the subject project; she was in the situation of a person initiating a conversation

with an acquaintance, while attempting to draw her in. She states for the record, that she did tell the person she could not be a part of the conversation. That she is on the Planning Commission and that there would be a public hearing held. Ms. Dawson explains that the person was an interested party, and the only comment made was that they could not foresee someone developing the property for residential use.

Mr. Bailey asks Ms. Dawson if she feels that she can give an impartial objective opinion, and make a decision based upon the information that has been presented.

Ms. Dawson states yes, she does not feel that there was any wrong doing. She does appreciate having more information to help her to know how to address this type of situation.

Mr. Graham adds that when the Planning Commission members are attending a meeting, that is when the decisions are to be made. Any discussion containing information that may cloud a decision is a discussion to step away from.

Mr. Fuglie states, in an event such as this, it is to their benefit that Grant County has a larger Planning Commission. This allows for members to recuse themselves, and yet still have enough members available to make up a quorum.

Mr. Fleming has no comment.

Mr. Click has no comment.

Planning Director, Damien Hooper, clarifies for the record, that Planning Commission member, Kevin Richards, recused himself tonight, just as he did at the previous meeting, because his firm represents the applicant. The ex-parte communication actually took place between Commissioner Anderson and the applicant.

Mr. Graham points out that Staff needs to be allowed to do their job first, and then the projects are brought to the Planning Commission.

Mr. Hooper explains that Staff is going to make sure that the appearance of the fairness requirement is maintained. The decisions made are the decisions of the Planning Commission, but Staff is going to protect the record and protect the process that exists.

Mr. Bailey adds that as far as the Shoreline Master Program is concerned; any comments given by the public should be listened to. It is a totally different situation than this.

Mr. Hooper agrees with this statement. He explains that the SMP is a legislative process, and those meetings have been public workshops.

Mr. Bailey addresses the Commissioners regarding the project. He reports that the testimony has not changed. There is one Commissioner not in attendance who attended the prior meeting, that being Mr. Anderson. The Commissioners have had the opportunity to think about the situation, and there are some additional Findings of Fact that are important. He asks each of the Commissioners if they have any additional comments to make.

Carol Dawson does not have any additional comments.

Lee Graham does not have any additional comments unless the information that was discussed would have changed their opinion.

Mr. Fleming states that his decision is still the same. He has not seen any other information that would change his mind.

Mr. Fuglie states there is no change in his position.

Mr. Click states there is no change in his position.

Mr. Bailey asks for an additional motion that reiterates the Planning Commission's recommendation of approval of Project #13-5780 with the six additional Findings of Fact.

Mr. Hooper points out that one of the six proposed Findings of Fact is going to be difficult to make with the Planning Commissioner who was involved with the communication being absent. He explains it would be Finding #5 which reads: *The Planning Commission does/does not find that the Planning Commission member who engaged in the ex-parte communication with the applicant for file number 13-5780 has acknowledged such communication and recused themselves from these reconsideration proceedings.*

Mr. Bailey reports that he would like a motion that would recommend approval with the original Findings of Fact and including the five additional Findings.

Mr. Click states that he made the original motion, and so moves that a recommendation is made to the Board of County Commissioners for approval based on the original Findings of Fact and of additional Findings 1, 2, 3, 4 & 6 in the affirmative.

Mr. Fleming seconds the motion.

**ACTION: OLLIE CLICK MAKES A MOTION TO APPROVE FILE #13-5780, TONY FAVERO (CENTRAL WASHINGTON LIVESTOCK) PROPONENT, WITH THE ORIGINAL NINE (9) FINDINGS OF FACT AND WITH AN ADDITIONAL FIVE (5) FINDINGS OF FACT. JIM FLEMING SECONDS THE MOTION.**

**VOTED ON AND PASSES UNANIMOUSLY.**

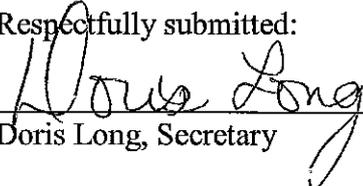
**FINDINGS OF FACT IN THE AFFIRMATIVE AS DIRECTED BY THE PLANNING COMMISSION**

Approval of June 26, 2013 Planning Commission Comprehensive Plan Amendment and Zone Change Minutes. Mr. Click motions to approve the meeting minutes as presented. Mr. Fuglie seconds the motion. Voted on and passes unanimously.

Approval of June 5, 2013 Planning Commission, Shoreline Master Program Workshop, Minutes. Mr. Fleming motions to approve the meeting minutes as presented. Mr. Click seconds the motion. Voted on and passes unanimously.

**Meeting adjourned at 7:17 PM.**

Respectfully submitted:

  
Doris Long, Secretary

Approved by:

  
Bill Bailey, Chairman

