

11/20/20

## **Comments and Questions About Bylaws of the Planning Commission, Skagit County, WA**

Comments presented by Commissioner Rose

- Article IV, Section 1 - Should there be term limits? Say 8, 10 or 12 years?
- Article IV, Section 2, 4<sup>th</sup> bullet point: “Formal disciplinary procedures should be reserved for serious or potentially serious situations and should be handled properly and tactfully.....” I’m still trying to wrap my head around the censoring of Commissioner Lundsten for writing a minority opinion letter. That offense(?) did not seem serious at all. My mind is still blown that most took such grave offense. What am I missing here? This wording seems like it’s trying to address these types of situations (transgressions?) but supports my premise that a formal censoring was too harsh. Later on, in the Bylaws I have more comments.
- Article IV, Section 5: “The Prosecuting Attorney is the sole legal advisor for the Planning Commission.” Is Julie Nichol a prosecuting attorney? Why must it be a prosecuting attorney? And should it read “for Skagit County”? Are there more than one ? What if she’s unavailable?
- Article V, Section 5: Emergency meetings might not allow for the proper notice to the public. Think “real emergency” such as earthquake and there is No Time for Proper Notice!
- Article V, Section 12: It says a minority opinion must be included in the documentation going to the Board of County Commissioners. Taken literally, there could be a difficulty with timing. When a decision is voted upon, that could trigger a minority opinion to form and it might take a few days or a week to articulate in writing and may not be able to be bundled with the majority opinion. I can’t see why this provision needs to be worded this way.
- Article VII, Sections 1 & 2: I need clarification about an action that occurred over a year ago. Commissioner Candler stepped down from her seat as a commissioner while we were listening to public testimony and testified at the public hearing against a 40 acre rezone to allow more housing to be built near Hwys 9 and 20 in Sedro-Woolley. She then voted against the rezone (if my memory serves me correctly). I think that was an example where she should have recused herself from the vote, because her mind was made up ahead of time that she was against the rezone. Her testimony included photos and other arguments why it should be denied. If I understand the process correctly, we are supposed to go into these situations with an open mind and clearly she didn’t. Later, it was pointed out (don’t remember by whom) that Commissioner Candler lives near the area of the proposed rezone. She may have had a personal interest in seeing the rezone

denied. Now I am using this real live example to look for clarification of this proposed section in the bylaws. This example seems more egregious than Commissioner Lundsten writing a minority opinion. This was a site-specific rezone therefore quasi-judicial. Please clarify!!

- Article VII, Section 3, m: This section says no employment opportunity can be accepted by a Commission member that would induce the member to disclose confidential information, yet all of the meetings are open and recorded so this provision makes no sense to me. What would be an example of something confidential?
- Article VII, Section o, c: “Communicating with the entire group outside of a meeting even one-way sharing, in an attempt to influence the opinions of other members.” Isn’t this why Commissioner Lundsten didn’t send his letter to “All”? How is the line drawn between just informing and trying to influence? It could be in the eye of the beholder.