

Peter Gill

From: John Day <jday0730@gmail.com>
Sent: Monday, January 11, 2021 1:47 PM
To: PDS comments
Cc: Commissioners; Hal Hart; Michael Cerbone
Subject: Comments for Jan. 12, 2021 Planning Commission meeting
Attachments: 2020-01-11 Comments re SCPC Lundsten censure, bylaw changes.pdf

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Please find attached comments for the public remarks section of the January 12, 2021 Skagit County Planning Commission meeting. The subjects of my comments are

1. the Commission's September 22, 2020 resolution censuring Commissioner Mark Lundsten and
2. proposed changes to Planning Commission bylaws

I am a 41-year resident of Skagit County.

John Day
6368 Erwin Ln.
Sedro-Woolley, WA 98284
Email: jday0730@gmail.com
Phone: (360) 856-0644

January 11, 2021

To: Skagit County Planning Commission
Skagit County Planning and Development Services
Skagit County Board of Commissioners

From: John Day
6368 Erwin Ln
Sedro-Woolley, WA 98284
Email: jday0730@gmail.com
Phone: (360) 856-0644

Re: Mark Lundsten censure resolution and changes to Planning Commission bylaws

I am writing in support of Skagit County Planning Commission (SCPC) member Mark Lundsten's request that the SCPC revoke its September 22, 2020 resolution to censure him for alleged objectionable conduct or, failing that, that the Board of County Commissioners overturn the resolution. The resolution represents a violation of Mr. Lundsten's constitutionally protected right to free speech. Furthermore, it is contrary to basic standards of fairness and transparency in the conduct of public business.

I also strongly support changes in SCPC bylaws to create a clear mechanism for filing a minority report, one that both protects commissioners' free speech rights and ensures that the Board of County Commissioners, Planning and Development Services, and the public hear SCPC members' dissenting opinions.

January 11, 2021

Skagit County Planning Commission
1800 Continental Place
Mount Vernon, WA

RE: Planning Commission conduct and Bylaw changes (*via email*)

Dear Members of Skagit County Planning Commission:

I am writing in support of Planning Commissioner Mark Lundsten's request for the Planning Commission's (PC) to withdraw or revoke their September 2020 censure of Mr. Lundsten. I believe that the censure was inappropriate and perhaps even unlawful. Furthermore, Mr. Lundsten deserves an apology. Any commission member is entitled to express a minority opinion, and Mr. Lundsten did so properly and respectfully. In addition, his position on the changes to the Critical Areas Ordinance in relation to Great Blue Heron nesting sites represents the views of the majority of members of the public that commented to the PC on this matter. His dissenting opinion is, therefore, an even more important piece of the public record. The PC should be encouraging informed discussion and consideration of these important issues, not stifling it.

It is past time for the PC to adopt more transparent and fair procedures for conducting its business and for allowing respectful dissent; and most importantly, to start really listening to all of its constituents.

Thank you for the opportunity to comment.

Sincerely,



Martha Bray
Sedro-Woolley

Cc: Skagit County Board of County Commissioners
Skagit County Planning and Development Services staff

Peter Gill

From: Laurie Sherman <shermanpt@gmail.com>
Sent: Thursday, January 14, 2021 10:52 AM
To: Peter Gill
Subject: Planning Commissioners public remark/ Jan 26th mtg

Attention Peter Gill,
Please add to public comments to be read for Jan 26th mtg

Mark has made every effort to work within the guidelines of the law. In the course of PC discussions it is inevitable that individuals will differ in opinion. One purpose of government is to provide an orderly process to guide discussions, for all to hear and be recorded clearly for public review, in order to make the best decisions. Mark is requesting and I agree, that a protocol needs to be established for reports in the PC bylaws to accommodate dissent. I attended the meeting re (P-12) and can tell you it was loud and unruly in the lobby. While waiting to make our statements, people were yelling at the speakers shown on the monitors. It was unnerving and intimidating to speak. I hope that our commissioners will be strong enough to lead by example and create a process for its members to discuss and record dissenting opinions accurately.

I have two requests of the Planning Commission:

1. Remove the censure of Mark Lundsten.
2. Provide PC members a protocol for filing a minority report to accommodate dissent.

Laurie Sherman
4596 Ginnett Rd
Anacortes WA 98221

Peter Gill

From: Peggy Ratermann <ratermann.peggy@gmail.com>
Sent: Monday, January 18, 2021 9:49 AM
To: PDS comments
Subject: Heron Protection Ordinance

This letter is being sent as an objection to the censure of Mark Lundsten at the September 22, 2020 meeting on the Heron Protection Ordinance.

Since when is it wrong to present a different opinion to our county government? I believe, and I am sure the majority of residents would agree that a healthy exchange of ideas, and a transparent and robust discussion of issues is essential to maintaining a vibrant democracy that speaks for all. Mark Lundsten was censured in September for his thoughts on protecting the herony on Fidalgo Island. There was little or no discussion, and proper legislative procedure was not followed, in defiance of the "Sunshine Law" meant to keep the public involved in the business of our government. This is shameful!

I recommend that the Planning Commission remove the censure, and encourage and allow for opinions and ideas by all to be heard and reported.

Thank you for your time.

Sincerely,
Mary M Ratermann
Burlington, WA

Peter Gill

From: Paul Sherman <pshermanpt@gmail.com>
Sent: Monday, January 18, 2021 10:06 AM
To: PDS comments
Subject: Yes to dissenting opinions

This is in regard to the Planning Commission meeting on January 26, 2021. My name is Paul Sherman and I am a resident of Skagit County. I am commenting on the need for dissenting comments by the commission

I believe the Planning Commission (PC) would benefit from a change in its bylaws to allow and encourage dissenting opinions. It works for the US Supreme Court and it can work here. Encouraging dissenting opinion gives the public a greater understanding of the thinking behind the PC recommendations along with dissenting points of view. Transparency in government is a good thing.

Thank you.

--

Music is the magic

Paul Sherman
360-391-6078
www.cascadiagroove.com

From: [tom flanagan](#)
To: [PDS comments](#)
Subject: censure and protocol
Date: Wednesday, January 20, 2021 4:22:48 PM

Submitted for Jan. 26, 2021 Planning Commission meeting, or for whichever meeting these topics are on the agenda.

The censure of Mark Lundsten seems odious in its opposition to dissenting opinions (specifically on the issues of P4 and P12) and in the timing of publicity about it in the midst of a campaign. It is my hope that opposing views can always be heard, for expanding the knowledge of all involved. To squelch that creates frustration, distrust and ill feelings. Please remove the censure. And, for the future, please establish a protocol for minority reports, one that is standardized, clear to all, and will help citizens understand what lies behind decisions made by the Commission. Any changes that enhance the process, are welcomed! Perhaps the animosity created, especially with the timing of publicity (shame on whomever was responsible!) could have been avoided were a process in place. Thank you.

Kathleen Lorence-Flanagan
2005 10th St.
Anacortes, WA 98221

Dear Planning Commissioners,

Thank you for the opportunity to comment on an item in the upcoming agenda for January 26 (rescheduled from January 12). Our family of voting citizens of Skagit supports the request of Planning Commissioner Lundsten that the censure against him passed on September 22, 2020 be rescinded.

We are shocked that the PC would take this action. Commissioner Lundsten was perfectly within his rights to express concern to the Board of County Commissioners through the proper channels that the PC deliberative process on the heron protection proposal was flawed.

The section of the PC bylaws referenced by PC leadership in the course of the censure discussion came from this passage:

“Be respectful. Differences of opinion are inevitable. It is up to each Planning Commission member to balance the needs of his/her constituents with the needs of the community as a whole. Agree to disagree. Lose gracefully. Win honorably.”

We have bolded the part that was not referenced in that discussion. In our view the admonition to “lose gracefully” (which we have never seen in bylaws anywhere before) refers to the lines above it. In our observation at numbers of PC meetings, and in Commissioner Lundsten’s letter to the BoCC, he has never spoken or acted disrespectfully.

Also, in that section is this: **“Members with minority views have the full right to their opinions. Recognizing that diversity of thought is essential for good decision-making, our group will not use psychological pressure for conformity.”** Clearly a vote for censure is psychological pressure for conformity

It is more than puzzling to hear PC member express feeling of being “offended” by a colleague’s expression of dissent. This commission is appointed to represent the community to County Commissioners to enabled their best decision-making. How can an expression of dissent in civil language through proper channels offend them?

We therefore urge the PC to correct their action and rescind the censure.

In addition, we strongly support an addition to the PC bylaws to explicitly permit a written dissenting opinion. This practice is a bedrock democratic principle practiced at all levels of government from County boards up to the Supreme Court. Minority reports or dissenting opinions are common, and make for better decision-making in democratic government. We urge you to make this simple change to the PC bylaws.

Thank you for your consideration of our comments.

Christie Stewart Stein
16384 Donnelly Road
Mount Vernon, WA 98273

From: [jsteinwa](#)
To: [PDS comments](#)
Subject: comments for meeting rescheduled to January 26, 2021
Date: Wednesday, January 20, 2021 7:19:54 PM
Attachments: [Planning Commission comments.pdf](#)

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Please include the attached comments for the Planning Commission meeting rescheduled for January 26, 2020. Thanks you, Christie

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Marlene Finley
1410 Kellogg Place
Anacortes, WA 98221
January 17, 2021

To: Skagit County Planning Commission
Skagit County Board of Commissioners

RE: Remove Censorship of Commissioner Lundsten. Comments for Planning
Commission Meeting 1/26/2021

Dear Planning Commissioners and County Commissioners,

I am writing you regarding the censorship of Planning Commissioner Mark Lundsten. It is not clear that there are rules regarding dissenting opinions on Skagit County Boards and Commissions.

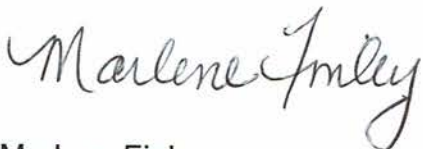
As an observer, I was sad and disturbed watching the Planning Commission meeting on September 22, 2020. Commissioner Lundsten's action to write a dissenting opinion followed by censorship by the Planning Commission reflect weaknesses in the ability of the Planning Commission to engage in effective dialogue. I fear the Planning Commission is squelching diversity of opinion and freedom of speech through this censorship.

If Commissioner Lundsten's concerns were heard, considered and fairly represented in the record, he may not have been compelled to write a dissenting opinion.

It is the responsibility of the Chair of the Commission to set the stage for open exchange of information and dialogue (which consists of listening, speaking one's voice, suspending judgement and respecting one another). Unfortunately, there seems to be a breakdown in process.

Please remove the censorship of Commissioner Mark Lundsten and adopt processes to ensure that all voices are heard and accurately reflected in the record.

Sincerely,

A handwritten signature in cursive script that reads "Marlene Finley". The signature is written in black ink and is positioned above the typed name.

Marlene Finley

From: [Marlene Finley](#)
To: [PDS comments](#)
Subject: Special Meeting Jan 26 and Withdraw Censorship of Mark Lundsten
Date: Thursday, January 21, 2021 11:04:45 AM
Attachments: [MFinley_SkaCo_Censure01202021.pdf](#)

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Dear Planning Commissioners,

Please consider my attached comment letter. The censorship of Commissioner Mark Lundsten is unfounded and should be removed. Please adopt a policy to hear and document dissenting opinions.

Respectfully,
Marlene Finley
Skagit County Resident

From: [Beverly Faxon](#)
To: [PDS comments](#)
Cc: [Commissioners](#)
Subject: Bylaw change to allow minority opinion/removal of censure of Mark Lundsten
Date: Sunday, January 24, 2021 3:13:46 PM

To Whom It May Concern,

I am writing in support of a bylaw change to Planning Commission bylaws to not just allow, but actively encourage, minority opinions. I was surprised, and frankly disturbed by the censure of Mark Lundgren over expressing to the County Commissioners his minority opinion regarding the blue heron rookery. The public has every right to know of minority opinions registered by Planning Commission members. The minority opinion is a cornerstone of transparent government (look at the Supreme Court) and it seems to me only an agency with something to hide would try to censure a member who expresses a minority opinion.

Mr. Lundgren's actions were respectful and appropriate, and they were in the service of the public. To the best of my knowledge, they were also protected by the First Amendment. Expressing minority opinions cannot possibly fall into the category of "malfeasance", "misconduct", or disloyalty. Characterizing the exercise of free speech for the common good in that way is itself inflammatory and suspect. To that end, I also urge that Mr. Lundgren's censure be removed.

I must note that the censure, and the resulting media coverage WAS fairly suspect given it occurred during a county election in which Mr. Lundgren was a candidate. We would hope this was a coincidence, but it seems highly unlikely.

I have great hopes that the County is moving toward increasingly fair and transparent government. Changing the bylaws to encourage the appropriate expression of minority opinions and revoking the censure of Mr. Lundgren is a step in the right direction.

Sincerely,

Beverly Faxon
2075 Anderson Road
Burlington, WA 98233

Sent from my iPad

From: nativegarden@fidalgo.net
To: [PDS comments](#)
Subject: Planning Commission bylaw revisions needed
Date: Sunday, January 24, 2021 3:37:15 PM

To the Planning Commission:

Your censure of Commissioner Lundsten brought the dysfunction of the current bylaws and their impact on the work of the Commission to the attention of the public. I hope that you will amend the bylaws to enable minority opinions to be expressed and shared with the public. Our county government, at all levels, exists to serve the public and can only be trusted when there is transparency behind the decisions made. Many citizens, as well as a manager from the Department of Fish and Wildlife, spoke in favor of the heronry ordinance, and yet the Commission voted against it. The explanations given during the meeting indicated the decision was based on personal observations, not on science, and revealed how the Commission had not read or listened to the public comments. To restore public faith in the Commission I ask you to amend the current bylaws to allow for minority opinions among the commissioners to be recorded and presented both to the Board of County Commissioners and to the public. The decisions and minority opinions should be posted on the website so the public may stay informed.

Removing the censure on Commissioner Lundsten would be an act of good faith on the part of the Commission. He has done a service to your board by exposing this fault in the bylaws. Also, the censure motion as presented in the meeting of September 22, 2020 really did not make sense grammatically or legally. It appears that you made a motion to pass a different motion without seeing the actual text of it. At the least you need to revisit that to clarify it for the public record. And perhaps for issues as difficult and controversial as this you should adopt a "2 meeting rule" commonly used on boards, where an issue is presented and discussed at one meeting and voted on in a second meeting after everyone has had time to research and consider it.

Thank you,

Brenda Cunningham

1218 South 13th St

Mount Vernon

Cc: Board of County Commissioners

From: [Roger](#)
To: [PDS comments](#)
Subject: Regarding the censure of PC Mark Lundsten
Date: Sunday, January 24, 2021 3:41:11 PM
Attachments: [Letter in support of Commissioner Lundsten PDF.pdf](#)

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01/24/2021

Dear Members of Skagit County Planning Commission:

I support Planning Commissioner Mark Lundsten's request for the Planning Commission (PC) to withdraw their September 2020 censure of Mr. Lundsten. The censure was punitive, unprofessional and inappropriate. Planning Commissioner Lundsten deserves an apology from the Chair and each of the guilty parties.

Any commission member is entitled to express a minority opinion. Mr. Lundsten did so properly and respectfully. When creating good public policy, any PC should be encouraging informed discussions and considerations of important issues, not stifling them. Lundsten's position on the changes to the Critical Areas Ordinance, in relation to Great Blue Heron nesting sites, represents the views of the majority of the public that commented to the PC on this matter. His dissenting opinion is an even more important piece of the public record. It is well past time for the PC to adopt a more transparent and fair procedure for conducting business and for allowing respectful dissent and to start listening to all of its constituents. The era of "the Bully" has got to end.

Since when is it wrong to present a different opinion to our county government? I am sure the majority of Skagit residents would agree that a healthy exchange of ideas, and a transparent and robust discussion of issues is essential to maintaining a vibrant democracy that speaks for all. Mr. Lundsten was censured in September for his thoughts on protecting the heron on Fidalgo Island. There was little discussion by the rest of the PC and proper legislative procedure was not followed. They spent more time discussing how they all thought he was 'so out of (their) alignment' vs "thinking and discussing" the issues and creating solid public policy. They were disgraceful and sounded like cheap, inexperienced play actors!

If put to the vote of public opinion the public would demand that the PC remove the censure, and encourage and allow for opinions and ideas by all to be heard and reported. The PC would benefit from a change in its bylaws to allow and encourage dissenting opinions. Encouraging dissenting opinion gives the public a greater understanding of the thinking behind the PC recommendations along with dissenting points of view. Transparency in government is a good thing. One would think that would be obvious by now.

Roger & Jan Robinson
Anacortes

PS: In case this email is misformatted, we have attached a PDF of it below:

From: [Paula Shafransky](#)
To: [PDS comments](#)
Subject: Remove Censure of Mark Lundsten
Date: Sunday, January 24, 2021 6:08:45 PM

I am writing to ask that the Skagit County Planning Commission remove their censure of Mark Lundsten for publicly criticizing the PC's actions on docket items P-4, regarding Great Blue Herons, in 2020, and P-12, regarding South Fidalgo zoning in 2018.

The willful exclusion of criticism from differing points of view betrays a lack of confidence by the censuring majority of the PC in the value of their own deliberations. This is especially troubling in that Mr. Lundsten remarks were based on solid scientific data. To ignore this data is reprehensible and ignorant. It also is a sign of the times we are in.



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From: [Eric Hall](#)
To: [PDS comments](#)
Cc: [Commissioners](#)
Subject: Public comment for January 26th meeting
Date: Monday, January 25, 2021 6:52:03 AM

I would like to speak about the need for the bylaws amendment of Article V, Section 12 adding a provision for dissenting processes as well as removing the censure of Planning Commissioner Lundsten.

Eric Hall
2519 River Vista Ct, Mt Vernon, WA 98273
360-770-5256 cell

From: [Catherine C](#)
To: [PDS comments](#); [Commissioners](#)
Subject: for Jan 26 meeting
Date: Monday, January 25, 2021 10:51:13 AM

Dear Planning Commission members,

I support the request of Planning Commissioner Lundsten that the censure against him passed on September 22, 2020 be rescinded.

Commissioner Lundsten was within his rights to express concern to the Board of County Commissioners through the proper channels that the Planning Commission deliberative process on the heron protection proposal was flawed.

All, too, will bear in mind this sacred principle, that though the will of the majority is in all cases to prevail, that will to be rightful must be reasonable; that the minority possess their equal rights, which equal law must protect, and to violate would be oppression.

[Thomas Jefferson](#)

Catherine Carter
5987 Farm to Market Rd
Bow WA 98232

Peter Gill

From: Bud Anderson <budathome2012@hotmail.com>
Sent: Monday, January 25, 2021 12:59 PM
To: PDS comments
Subject: Fw: Mark Lundsten Censure

Resending to be sure I meet your criteria, address, subject, etc. I hope this works.

From: Bud Anderson
Sent: Monday, January 25, 2021 12:53 PM
To: pdscomments@co.skagit.wa.us <pdscomments@co.skagit.wa.us>
Cc: budathome2012@hotmail.com <budathome2012@hotmail.com>
Subject:

Skagit County Planning Commission:

As a 50 year Skagit County resident, I am writing to support Mark Lundsten's request to remove his censure in addition to return the Bylaws Work Session item to the Agenda for the meeting of 1/26/21.

It is becoming more important than ever to give everyone a fair and honest chance to express their opinions. It is also vitally important to follow proper procedures and standard meeting practices and to give everyone a chance to speak and be heard.

Regards,
Bud Anderson
11067 Post Drive
Anacortes, WA 98221

360-293-5343

Peter Gill

From: William Gregory <wrg.ldo@gmail.com>
Sent: Monday, January 25, 2021 5:06 PM
To: PDS comments
Subject: Planning Commission Mtg 1/26/2021

Planning Commission Mtg 1/26/2021
Minority Reports
William Gregory, a resident of Skagit County

January 25, 2021
To: Skagit County Planning Commission
Re: Minority Reports on Agenda Items

Skagit County has been blessed with an abundance of resources; renewable such as timber and water; on-going such as agriculture and fishing; non-renewable such as mining, and irreplaceable - various plant and animal species and their habitat. The highest calling of each citizen of our county is to be a steward of these resources; officials overseeing these resources are accountable at a much higher level.

When making decisions that may have permanent and harmful impacts on these resources, it is incumbent on each member of the Planning Commission to be fully informed of the consequences of their decisions. No doubt each of us suffer Confirmation Bias to some degree; however, using that instead of listening to science and experts is an unacceptable response.

Recently the Planning Commission ignored the testimony of residents, scientists and even expert witnesses from the state to repudiate recommendations from the Washington State Department of Fish and Wildlife in their efforts to protect Heron nesting grounds. While stunning and sickening, even worse came from this situation.

You - members of the Skagit County Planning Commission - decided to censure a fellow member. For what? For daring to voice an alternative point of view? I thought Skagit County was a part of the U.S.A., where Free Speech is guaranteed by our Constitution! Our democracy has not only survived, but thrived because we would take the time to listen to and process ideas that may differ from ours. Your action is dangerous to the very foundation upon which our nation was founded. Right now, you may be in the majority on this commission, and be able to stifle others with whom you disagree, but make no mistake - that type of action can come back to haunt you. Some day, in the not too distant future, you may find yourself in the minority, and find you have not only been silenced, but censured.

If you still believe in democracy, I urge you to rescind your ill-advised censure, and encourage minority reports. They would be beneficial to the public for a greater understanding of reasoning behind commission recommendations and alternative viewpoints. It is all part of a greater transparency that is sorely needed in county government. I support bylaw changes to make minority opinion statements not just allowed, but encouraged as part of the documentation of decision making.

Sincerely,

William Gregory

Peter Gill

From: Timothy Manns <bctm@fidalgo.net>
Sent: Monday, January 25, 2021 10:04 PM
To: PDS comments
Subject: Comments for the Skagit County Planning Commission meeting on January 26, 2021

Planning Commission meeting, January 26, 2021

Comments concerning the Commission's by-laws and recent actions.

Submitted by: Tim Manns, 1218 S. 13th St., Mt. Vernon, WA 98274

To the Planning Commission:

A growing number of Skagit County citizens are concerned about the Planning Commission's conduct and decisions. Generally, most residents pay little attention to your work, but in the last year or two several issues have brought the Commission attention you might rather not have. The censure of one of your members was not your finest hour. The optics, if you will, are pretty poor when the public sees you punishing someone for expressing a minority opinion.

Up until then, most of us hadn't read your by-laws and had no idea there's no provision for minority opinions. Since it's your job to advise the County Commissioners, we would have thought you would, as a matter of course, not just hand them a decision but also provide the range of other opinions you've heard and reviewed. How else are they to make the best decision possible? Why would you not want the County Commissioners to see the full picture of each of the important issues on which you deliberate?

If provision for dissenting opinions is good enough for the Supreme Court of the United States, I think it's good for the Skagit County Planning Commission too.

Clearly, you need to repair the Planning Commission's public image. You need to revise the by-laws to specifically include a provision for minority, dissenting opinions. This should have been done long ago. And you need to remove the censure of Commissioner Lundsten which was done with a totally unnecessary animosity. We Skagit County citizens appreciate your volunteer service, but we also expect better of you. Thank you.