

Lewis County Planning Commission

Public Meeting

In-Person & Virtual Meeting via Zoom

January 14, 2025 - Meeting Notes

Planning Commissioners Present: Jason Alves, District 1; Gretchen Fritsch, Jeff Skutley, District 2; Lorie Spogen, District 1; Roger Moore, At-Large; Frank Corbin, District 3

Staff Present: Mindy Brooks, Director of Community Development; Guilherme Motta, Senior Long-Range Planner; Megan Sathre, Administrative Assistant

Materials Used:

- Agenda
- Draft Meeting Notes – December 10, 2024
- 2025 Planning Commission Docket
- Staff Report - Qualified Professional Definition
- Comprehensive Plan Memo

1. Zoom Guidelines

The clerk dispensed with the Zoom Guidelines.

2. Call to Order

A. Determination of a Quorum

6 Commissioners were present; there was a quorum. Commissioner Alves joined the meeting at 6:10.

3. Approval of Agenda

The Chair entertained a motion to approve the agenda for January 14, 2025. Commissioner Russell made the motion to approve the agenda; seconded by Commissioner Moore. The motion carried unanimously.

4. Approval of Meeting Notes

The Chair entertained a motion to approve the meeting notes for December 10, 2024.

Commissioner Russell made the motion to approve the agenda; seconded by Commissioner Spogen. The motion carried unanimously.

5. Public Comment

Chair Corbin reminded attendees that public comment is different than testimony and those wishing to provide testimony on the Definition of Qualified Professional should do so when the item is open on the agenda.

Ronald Braun gave public comments regarding the ordinance of the Definition of Qualified Professional, stating that it is punitive and it not trying to expand the pool of people doing work in the county. He also stated that a department head should not be the decision maker, it should be the Board of County Commissioners.

6. Election of Officers

Commissioner Russell nominated Commissioner Corbin for the office of Chair of the Planning Commission, seconded by Commissioner Moore. Commissioner Corbin accepted the nomination. The nomination passed unanimously.

Commissioner Russell nominated Commissioner Alves for the office of Vice Chair of the Planning Commission, seconded by Commissioner Spogen. Commissioner Alves accepted the nomination. The nomination passed unanimously.

7. Approval of 2025 Docket

Commissioner Moore made a motion to adopt the 2025 docket, seconded by Commissioner Russell. The motion passed unanimously.

8. Public Hearing – Definition of Qualified Professional

The Chair asked if there was anyone in the audience who believed that the public was not notified in a timely manner. There was no response.

The Chair asked if any of the Planning Commissioners had a disclosure to make. Commissioner Skutley asked for clarification on making disclosures. After Mindy's response, there were no responses.

Staff Presentation

Mindy Brooks, Lewis County Director of Community Development, shared a presentation on the Definition of a Qualified Professional outlining the background and recommendations from staff to the Planning Commission. Mindy stated that the Planning Commission had asked staff to research formal wetland certifications that did not require a four-year degree. Staff conducted that research and found no other certifications than those already listed in the proposed code

amendments.

Commission Questions for Staff

Commissioner Russell asked how a person who has extensive experience, but no four-year degree be considered for a qualified professional. Mindy responded that staff feel it is important for people to have a bachelor's degree in a science field that is related to wetland delineation, such as biology, hydrology, soil science, etc. Russell stated that in some fields, such as engineering, there are employees that perform work under someone who has the necessary qualifications to give stamps of approval. He asked if this would also apply to wetland delineation. Mindy responded that if someone is in a consulting firm who does have the qualifications, Community Development would still accept the report. The assumption would be that the person who does meet the minimum qualifications would be overseeing and approving the work. Commissioner Moore asked who verifies that someone meets the minimum qualifications when submitting a report. Mindy responded that those individuals self-verify, often by attaching a resume or letter to the report. Moore also asked how CEU (Continuing Education Units) are tracked. Mindy responded that individuals keep track, and the county can ask for that information if needed.

Commissioner Spogen asked if the Department of Ecology (DOE) has the final approval for wetland reports. Mindy responded that the DOE does not get final approval over most wetland reports, that is done by the County.

Commissioner Spogen asked if anyone in Washington State could submit a wetland report without a degree or certification if the county did not have its own rules in place with restrictions. Mindy responded that in Washington State there are no guidelines for qualified professionals who write wetland reports. Therefore, it is up to local jurisdictions to decide. Spogen asked if there were any counties or cities in Washington that don't require a bachelor's degree. Mindy responded that some only listed that a degree was required, but did not specify what type of degree. Spogen stated that the University of Washington does a professional certification program that requires a bachelor's degree in any subject area, not just a Bachelor of Arts (BA) or a Bachelor of Science (BS). Mindy responded that the University of Washington's program is specifically listed as one that would be accepted, in addition to two other certifications. Mindy added that staff would like qualified professionals to have basic education in a science field and a certification so they are likely to provide accurate reports.

Commissioner Spogen asked what staff would do if an individual had a 4-year degree and a certification and was still not submitting quality reports. Mindy responded that the county would use a 3rd party reviewer and do re-reviews. If this happens repeatedly, the county will disqualify them. This would be documented and provided in a letter to the individual. The decision can then be appealed to the Hearings Examiner if they feel the county is making an arbitrary decision. The Hearings Examiner decision can be appealed to the state if the appellant feels the decision was wrong. Spogen asked why this process can't be completed now without changing the ordinance. Mindy responded that staff spend a significant amount doing re-reviews and the code is not clear enough about disqualifications, which is why the amendments are being proposed.

Commissioner Skutley asked if a city must have the same wetland report. Mindy responded that the cities are an entirely different jurisdiction with their own rules. Staff are only concerned with the county.

Commissioner Skutley asked why the county doesn't already have wetland information available to the public, since there is lots of other information available on the GIS maps. Mindy responded that wetland data available through GIS is remote data and wetland assessments must be done on a case-by-case basis.

Commissioner Alves said that he does not think Lewis County should require a degree just because many other jurisdictions require one. Alves believes there should be another way to be a qualified professional without a degree program. He suggested adding qualifications based on years of experience or quality of work for an extended period. Mindy responded that the only way around the degree or certification is to require many years of experience, during which that person's work is being stamped by a qualified professional.

Commissioner Alves asked if there is anything in writing that states how many poor reports are required before resulting in disqualification. Mindy responded that no, there is no language because sometimes there will be large mistakes all at once or there could be small mistakes made over a great length of time. Alves responded that he thinks it's important that the individual is given warnings or notifications prior to escalating the issue to disqualification and that there should not be too much ambiguity.

Commissioner Skutley notes that other professions in the building industry also have pathways outside of college, such as years of experience and/or exams. He expressed interest in following this approach. Commissioner Corbin also expressed the desire to see there be the option for two approaches – one through education and one through experience.

Public Testimony

The following individuals provided testimony opposed to the proposed amendments: Ronald Braun, Nathan Rieger, Jessie Simmons, Mark Hayes, and Nate Carpenter.

Commissioner Discussion & Deliberation

Mindy provided three potential motions for consideration.

Commissioner Alves suggested adding more detail, such as timeframes for being barred from submitting work, progressive scale, a retraining approach, etc. Mindy recommended that the Planning Commissioners make a motion that includes additional information that you would like the Board of County Commissioners to consider. Then, one or two of the Planning Commissioners can write the Letter of Transmittal. Mindy added that the policy associated with the code is where the interpretation details should be captured.

Commissioner Skutley suggested following the state standards instead of creating a new

approach. Mindy responded that there are no state standards, which is why each county needs to create their own code to follow.

Commissioner Russell made a motion to approve a transmittal letter that goes to the Board of County Commissioners that does not have a four-year degree requirement but has a minimum defined competency level. The motion was seconded by Commissioner Moore. Commissioner Corbin asked for an amendment to also not require a professional certification, both Commissioner Russel and Moore accepted the amendment to the motion.

Commissioner Russell shared that although he is a qualified wetland professional with a degree, he had a delay in getting his reports approved by the Department of Ecology. Therefore, Russell doesn't believe there should be a degree requirement. If a qualified professional has to resubmit their report multiple times and can't get it approved, they should be responsible for showing competency. Commissioner Spogen agreed, but asked how a person could show competency. Russell responded that the Department of Ecology clearly defines which documents need to be included in the reports. Commissioner Alves and Fritsch also agreed that there should not be a 4-year degree requirement.

Commissioner Skutley asked who reviews the wetland reports. Mindy responded that staff review them per county code and state guidelines. If there are minor questions, staff will talk to the person who submitted the report for clarification. If there are serious issues, the report will be sent to a 3rd party review, which is currently the Department of Ecology.

Commissioner Fritsch asked if the Planning Commissioners or the Board of County Commissioners should be defining what competency is defined as. Mindy responded that it could be either. The motion could be approved as stated with no additional details or the Planning Commissioners can provide additional information in the transmittal letter. Commissioner Russell volunteered to write the transmittal letter.

Commissioner Spogen stated that professionals should not be required to be part of an affiliation, as people can pay their dues and be admitted without offering any quality control. Commissioner Corbin added that he sees the value in being part of an affiliation for training credits, networking, etc. but does not believe it should be a requirement.

Commissioner Corbin would like there to be two routes available for becoming a qualified professional – one through experience and one through education/certification.

Commissioner Russell does not believe there should be a certification requirement. Other commissioners agreed.

Commissioner Fritsch asked if there should be a clarification on a 4-year degree versus a Bachelor's of Science degree. The commissioners did not feel they needed to change the motion to take into account the type of degree.

The motion passed 6 to 1. Commissioner Russel will write the letter of transmittal and bring it to

the Commission for agreement prior to sending it to BOCC.

The Planning Commission took a 5-minute recess before beginning the workshop.

9. Workshop – Comprehensive Plan Periodic Update

Erin O’Kelley, Long Range Planner for Kimley Horn, shared a presentation on the Comprehensive Plan Periodic Update. The commissioners asked the following questions after the conclusion of the presentation.

Commissioner Skutley asked where the current goals, policies and maps are located for review. Mindy responded they are on the Community Development website at <https://lewiscountywa.gov/departments/community-development/adopted-plans/>.

Commissioner Russell asked if ordinance 17.38 on critical areas are included in the goals, policies and maps. Mindy responded 17.38 is an implementing ordinance that the goals, policies and maps lead towards. Russell added that it is important to understand the high level so we can focus on the details that come out of the goals, policies and maps.

Commissioner Skutley asked how big the total UGA in Lewis County is. Staff responded that they weren’t sure, but they would follow up. Skutley asked if that area is served by fire safety. Mindy responded that all UGAs are within a Fire District and that adequate public facilities determination is required at the time of subdivision.

10. Good of the Order:

A. Staff

Mindy Brooks reminded the Planning Commission that the April 8th meeting will be held in Packwood.

B. Planning Commissioners

There were no items from the Planning Commissioners.

11. Calendar:

The next Planning Commission meeting will be on January 28, 2025, and the agenda item will be a the Public Benefits Rating System and the Comprehensive Plan Periodic Update.

12. Adjourn

Commissioner Russell made a motion to adjourn. The meeting was adjourned at 9:04 pm.