

**LEWIS COUNTY BOARD OF COMMISSIONER**  
**GUIDELINES FOR PLANNING COMMISSION RULES OF PROCEDURE AND BY-LAWS**

The Lewis County Planning Commission conforms to Chapter 2.50, Advisory Group, requirements, except as otherwise stated below.

**SECTION I: MEETINGS**

1.1 Planning Commission meetings shall be open to the public and will be held in the Lewis County Community Development & Environmental Health Building, Lewis, Washington, unless otherwise scheduled and noticed in advance.

1.2 Regular meetings shall be held the second and fourth Tuesday of each month and will begin at 6:00 p.m., or as soon thereafter as practical.

1.3 When it appears to the Clerk that the amount of business to be transacted at an upcoming regular meeting is in excess of that which could be completed, the Clerk may, in consultation with the Chair, prearrange a scheduled date, time and place for a continuation of the meeting. If a continuation is scheduled in advance, the Clerk shall prepare a joint agenda which clearly indicates the time, place and dates of both the regular and continued meetings and which enumerates the items of business to be held each day. No item of business set for the continued meeting date shall be heard prior to the date and time set for the continued meeting. Prior to the start of the regular meeting, a copy of the agenda shall be conspicuously posted near the entrance to the meeting place. Any regular meeting scheduled for continuance by the Clerk under this section shall be automatically continued to the date, time and place so scheduled.

1.4 When a regular meeting day falls on a legal holiday, the Commission shall reschedule the meeting. Meetings scheduled in this manner will be considered special meetings. All special meetings shall be scheduled in conformance with Ch. 42.30 RCW.

1.5 The Commission may recess any matter at any meeting to carry over to the next regular meeting or may designate a specific day, time and place for a special meeting, all by a majority vote of the quorum; except, that published hearings may require re-publication of notice of hearing, and the hearing shall be rescheduled to allow for re-publication of notice of hearing.

1.6 Special meetings shall be at the call of the Chair, by the Clerk in consultation with the Chair or at the written request of at least four voting members of the Commission; provided that written notice of such special meeting so called shall be delivered personally, by facsimile, by e-mail or by the US Postal Service at least twenty-four hours before the time of such meeting as specified in the notice to each member and to each local newspaper of general circulation which has on file with the governing body a

written request to be notified of such special meeting or of all special meetings. Each local radio or television station which has on file with the governing body a written request to be notified of such special meeting or of any special meetings shall also be notified. The call and notice shall specify the time and place of the special meeting and the business to be transacted. Such written notice is not required to any member who has on file with the Secretary a written waiver of notice of all special meetings or who, prior to or at the time of any special meeting, files a written waiver of notice, or who is actually in attendance at any special meeting.

1.7 Whenever any Commission agenda item is continued to the next regular meeting or to a special meeting, a notice of such continuance shall be conspicuously posted on the next business day immediately after the time of continuance on or near the door of the place where the meeting was held.

1.8 If no matters over which the Commission has jurisdiction are pending upon its calendar, a regular meeting may be canceled at the call of the Chair or Clerk.

1.9 Should a quorum of the Commission not be present, the members may discuss any item on the agenda that is not official business of the Commission or may adjourn to the next regular meeting, unless a special meeting is called as provided in these guidelines. In the case that no members are present, the Chair shall adjourn to the next regular meeting unless a special meeting is called as provided in these guidelines.

1.10 All meetings of the Commission shall be recorded. The Clerk shall cause minutes of the meetings to be prepared in a timely manner. The Clerk shall provide draft minutes to the Commission, and the Commission shall accept the minutes during a regular meeting where a quorum is present.

1.11 Except as modified by these mandatory Procedural Guidelines, the Chair will use Robert's Rules of Order in the conduct of meetings.

1.12 At least one public hearing shall be held each year to address changes in the Lewis County Comprehensive Plan.

## **SECTION II: OFFICERS**

2.1 The Officers of the Commission shall consist of a Chair and Vice-Chair elected from the members of the Commission, and such other officers as the Commission may, by majority vote, approve and appoint. The Director of the Department of Community Development, or designee shall serve ex-officio, without vote as the Clerk.

2.2 After its initial organization, pursuant to Ch. 2.11 and Ch. 2.50 LCC, the election of officers shall take place once a year on the first regular meeting in January of each

calendar year. The term of office of each officer shall run until the subsequent election; provided however, that any officer may be removed at any time by majority vote of the Commission. If, for any reason, Planning Commission officers are not elected at the first January meeting, the existing officers shall continue to serve until an election is held.

2.3 The vacancy of an office caused by the resignation or removal of any officer of the Commission during the term of office shall be filled from the remaining membership for the remaining term of office by the vote of a majority of the Planning Commission.

### **SECTION III: CHAIR & VICE-CHAIR**

3.1 The Chair shall preside over the meetings of the Commission and may exercise all the powers usually incident to the office. The Chair shall retain the full right to vote in all deliberations of the Commission.

3.2 The Chair, in consultation with the members and the planning section, may create temporary committees of one or more members. Temporary committees may be charged with such duties, examinations, investigations and inquiries relative to subjects of interest to the Commission. No standing or temporary committee shall have the power to commit the Commission or the County to the endorsement of any plan or program without the approval of the Commission and planning section. No committee shall constitute a quorum of the Commission.

3.3 The Vice-Chair shall, in the absence of the Chair, perform all the duties incumbent upon the Chair.

3.4 In the absence of both the Chair and Vice-Chair, the members present shall choose a temporary Chair for the meeting.

### **SECTION IV: CLERK**

4.1 The Clerk shall keep a record of all meetings of the Commission and, when requested to do so, of its committees; these records shall be retained in the office of the Lewis County Department of Community Development.

4.2 The Chair, or the Vice-Chair per Subsection 3.3, is authorized to sign recommendations, findings of fact and other documents for the Planning Commission subsequent to action on and ratification of such matters by the Commission in accordance with RCW 36.70.400 and 36.70.600.

4.3 The Clerk shall cause Commission travel expenses (including mileage and meal expenses) related to County business to be reimbursed at rates established by the Board

for employee business. The Commission shall provide sufficient documentation of such expenses to the Clerk.

## **SECTION V: AGENDA**

5.1 An agenda shall be prepared by the Clerk for each meeting, in consultation with the Chair, which shall substantially conform to the following outline for the order of business:

- I. Meeting Guidelines
- II. Call to Order
  - a. Determination of Quorum
- III. Approval of business agenda
- IV. Acceptance of minutes
- V. Public Comment
- VI. Workshop (if applicable)
- VII. Public Hearing\* (if applicable)
- VIII. Good of the Order
  
- VI. Date of next regular or special meeting
  
- VII. Adjournment or continuance to a date, time and place certain

\* Action items expected.

5.2 Any Planning Commission member may request the Chair to include an item of business on the agenda.

## **SECTION VI: QUORUM**

6.1 A simple majority of the currently appointed members shall constitute a quorum for the transaction of business, except as provided in Subsection 8.2. The Commission can receive reports or petitions whenever a quorum is present.

6.2 If there is a desire of any Commission member to abstain from voting because of a potential conflict of interest this view should be expressed as soon as the potential conflict becomes apparent and before any discussion is held on the business before the Commission. The member shall then step down and leave the hearing room. When a member has stepped down because of a possible conflict of interest, the member shall not be counted as present for the purposes of establishing a quorum during consideration of business while the member is not sitting with the Commission.

## **SECTION VII: ABSENCE OF MEMBERS**

7.1 Members are expected to contact the Chair and Clerk prior to a meeting that they will not be able to attend. This information will be reported to the Commission at the meeting.

7.2 In the event of a member incurring three unexcused absences at regular meetings in any six-month period, the Clerk shall forward the member's attendance record to the Board of County Commissioners as a *prima facie* case of neglect of duty.

7.3 The Planning Commission, at its discretion, may request the Board of County Commissioners to review the attendance record or conduct of any member.

## **SECTION VIII: VOTING**

8.1 All Commission members present, including the presiding officer, shall vote when any action is taken.

8.2 A majority vote of the quorum shall decide questions; provided, that any recommendation to the Board of County Commissioners of any official control or Comprehensive Plan or any amendments thereto shall be by the affirmative vote of not less than a majority of the total members of the Commission.

8.3 The decision on any question may be reconsidered if, before such action is transmitted to the planning section for transmission to the Board of County Commissioners, any member who voted with the majority moves for reconsideration and the motion is approved by the Planning Commission. The motion for reconsideration shall take precedence of all other motions, except a motion to adjourn. If reconsideration involves an official control or comprehensive plan (or amendment thereto), reconsideration shall be undertaken in accordance with the procedural requirements of RCW 36.70, 36.70A, 36.70B and, if applicable, Chapter 2.11 LCC. No question shall be reconsidered more than once.

## **SECTION IX: PUBLIC MEETING RULES OF PROCEDURE**

The following guidelines are intended to create a fair and supportive environment for testifying before the Planning Commission.

9.1 All persons speaking to the Commission shall approach the microphone and identify themselves by name, location of residence and who they represent (if other than themselves). If a speaker represents a number of people who are not themselves testifying, a show of hands will be allowed to indicate support for that particular testimony.

9.2 All testimony comments shall be directed to the Chair. Testimony shall be kept factual and on the subject. The Chair will stop irrelevant, repetitive or abusive testimony, and may require written statements to be submitted in writing rather than read into the record. A member may request the Chair to take action.

9.3 All persons providing comments to the Commission shall be afforded equal time to address the Commission. The typical time per person shall be three minutes unless the Chair chooses to set a different time period that shall apply to all people providing comment on that topic. If time remains after all persons have had an opportunity to comment, the Chair may, in consultation with the members, allow opportunity for additional comments; however, no person who has already provided verbal testimony to the Commission during the hearing on an item shall be allowed additional time unless all persons are allowed equal time. A timing system may be used to advise speakers of their time.

9.4 The audience shall not interrupt testimony. All cellular telephones must be turned off. Applause, loud side conversations among audience members, shouting and other reactions are disruptive to civil discourse on issues before the Commission and are not permitted. The Planning Commission may ask individuals exhibiting disruptive behavior to leave the meeting room, and the Planning Commission may choose to recess or adjourn the meeting if the disruption continues.

9.5 Speakers shall not question or cross-examine one another or staff or Commission members. Speakers may submit a question to the Chair. The Chair, in consultation with the members and the Clerk, may allow direct questioning of staff, an applicant or an expert witness.

9.6 Exhibits, including written materials, maps or other information, shall be presented for the public record of a meeting or hearing to the Clerk. The Clerk shall retain original exhibits for the record of a hearing. Additional exhibits shall not be accepted once the record of a public meeting or hearing has been closed by the Commission.

9.7 Once the record of a public meeting, study session, or hearing has been closed by the Commission, no additional testimony or comments are allowed including during the public comment period of an agenda, except for clarification as allowed by the Chair, in consultation with the members.

## **SECTION X: ELIGIBILITY FOR COMMISSION & RECUSAL**

10.1 Appointed members of the Planning Commissions have been selected without respect to political affiliations and shall be expected to make recommendations reflecting the broad interests of the community.

10.2 Because Lewis County is a regional planning body with coextensive jurisdiction under Ch. 36.70A RCW to other municipalities and quasi-municipalities, Commission members shall be free of incompatibility of association with another municipal and quasi-municipal entity within Lewis County for purposes of participation in comprehensive plan and development regulations recommendations. For purposes of this section, "incompatibility of association" is not simply a physical impossibility to discharge member duties as a consequence of being associated with both the County and another municipal or quasi-municipal entity, at the same time, it is also an inconsistency in the function and role of the two municipal entities, as where one is subordinate to the other, or where a contrariety and antagonism would result in the attempt by a member to respectively advance or discharge, faithfully and impartially, the interests of and duties to both. Two associations are said to be incompatible when the member cannot in every instance advance the interests of and discharge duties to each without question of possible conflict of interests, bias or impartiality. For purposes of this section, "association with another municipal and quasi-municipal entity" means that a member is an officer or an employee, or is an advisor, consultant or agent of another municipal or quasi-municipal entity. For purposes of this section, "an officer or an employee" and "an advisor, consultant or agent" means a member who is a full or a part time officer or employee, or who provides current or on-going advice, consultation or agency representation to any municipality or quasi-municipality at the behest of that entity, with or without remuneration.

10.3 Pursuant to RCW 42.23, Commissioners shall disclose to the public all pecuniary interests they may have regarding any matter before the Commission. Commissioners shall recuse themselves from quasi-judicial matters before the Commission for which the Commissioner may experience more than a de minimus financial gain or loss based on the outcome of the decision.

10.34 No current Commission member, nor any former Commission member within two years of expiration of their term of office, shall knowingly act as an advisor, consultant or agent, or attorney for anyone other than Lewis County in connection with any particular matter in which the County is a party, if the member participated personally and substantially in that particular matter while on the Commission.

10.5 No current Commission member, nor any former Commission member, may knowingly discuss in a public forum a quasi-jurisdictional matter that is currently being heard by the Planning Commission or the Board of County Commissioners through close of the appeal period once the matter has been decided. Commissioners shall disclose to the public any inadvertent ex-parte communications at the earliest opportunity.

## **SECTION XI: FILLING VACANT POSITIONS**

- 11.1 New members shall be appointed pursuant to Chapter 2.50, LCC.
- 11.2 Applications to fill a vacancy shall be and distributed by the Clerk to the members in advance of a regular meeting where nomination(s) shall be considered.
- 11.3 At a regular meeting where a quorum is present, the Commission shall review the applications against the relevant criteria of Chapter 2.11, Planning Commission, and 2.50, Advisory Groups, LCC, and these bylaws.
- 11.4 The Commission may choose to hold interviews prior to making a recommendation. Interviews shall be held during a regular meeting.
- 11.5 Following review and discussion, the Commission shall make a nomination(s) by simple majority vote, and the Chair shall transmit the nominations to the BOCC. The Planning Commission may make a first and second recommendation.

## **SECTION XII: CODE OF CONDUCT**

- 11.1 Commissioners shall continuously pursue and faithfully serve the public interest. Commissioners shall be conscious of the rights of others and shall pay attention to the interrelatedness of their decisions and the unintended consequences.
- 11.2 Commissioners shall deal fairly with all participants in the process and shall exercise fair, honest, informed and independent professional judgment.
- 11.3 Pursuant to RCW 42.23.070, Commissioners may not use their positions to secure special privileges or special exemptions for themselves or others. Commissioners shall not use their seat on the Commission to advocate for any personal and pecuniary interests. Commissioners shall not accept any compensation, rebate, or other advantages that may be perceived as related to our position on the Commission, except as provided by Lewis County for training, travel or meals associated with regular Commission activities.
- 11.5 Commissioners shall not deliberately commit any wrongful act, whether or not specified in the Code of Conduct, that reflects adversely on Lewis County or the Department of Community Development.

**11.6 The Planning Commission, at its discretion, may request the Board of County Commissioners to review the conduct of any member as potential for removal from the Planning Commission.**

### **SECTION XIII: AMENDMENT OR SUSPENSION OF RULES**

12.1 These guidelines may be amended at any regular meeting of the Board; provided that the proposed amendment is immediately presented to the Commission and prior to its next preceding regular meeting.

12.2 No guideline may be suspended by the Commission without the concurrence of the Board.

12.3 No guideline which reflects a requirement of state law may be suspended.

#### **AS AMENDED**

Chair Signature	Clerk Signature	Date