

**WHITMAN COUNTY  
PLANNING COMMISSION  
ZOOM MEETING  
February 16, 2022**

**MEMBERS:**

**Chad Whetzel – Chair  
Dave Gibney  
Matt Webb  
Fred Wexler**

**Brian Davies – Vice-Chair  
Weston Kane  
Rusty Jamison**

**Staff:** Alan Thomson, WC Planner; Grace Di Biase, WC Assistant Planner; Brandon Johnson, Public Works; Elinor Huber, Clerk.

**Others:** Ken Duft; Shelley Fox

**7:02 p.m.** – Chad Whetzel called the meeting to order. Introductions were held.

**MOTION** by Brian Davies and seconded by Rusty Jamison to approve the minutes from February 2, 2022. Motion passed.

Alan Thomson – Reports.

- a. Board of Adjustment forthcoming hearings – There is going to be a BOA forthcoming hearing with Panhandle Trucking. Panhandle was an administrative use but we are now aware that needs to be a conditional use in front of the BOA. I’m going to let Grace talk about that one.

Grace Di Biase – We actually thought it was a home-based business and it turns out there was not a residence on the parcel. It needs to be a conditional use permit so I will draft up the Findings of Fact and eventually we will have a hearing.

- b. Forthcoming Administrative Use Permits –

Grace Di Biase - We actually just issued the administrative use permit for Whitman County Emergency Management for their cell tower replacement on the Almota site. That was issued today.

I will be working on the administrative use permit for Tully Gunsmithing, LLC. They are a gun repair shop. They will be a home-based business and we already submitted their SEPA check-list and I am working on the Findings.

Alan Thomson – So, Grace, can you tell us what Panhandle Trucking are about? What are they doing?

Grace Di Biase – They are a farm and equipment repair shop.

Alan Thomson – Are there any questions from the Planning Commission?

- c. Forthcoming Variances - None.

- d. Update on previous conditional use permits and variances – None.
- e. Update on previous administrative use permits – You just got the skinny on one that we have pretty much completed.
- f. Board of County Commissioner’s action – None.
- g. Update on previous Board of County Commissioner’s action – None.
- h. Forthcoming Shoreline of the State Substantial Development Permits – We are still working on the Helena Agri-Enterprises barge line pipe installation at Central Ferry. That one is not complete. We can’t do anything until February 28<sup>th</sup> which is the comment period for the Department of Ecology. Once we get feedback from Ecology then we can move ahead and issue that permit.
- i. Update on previous Shoreline of the State Substantial Development permits – None.
- j. Planning Commission forthcoming hearings – We will talk about that tonight. But nothing set right now.

Chad Whetzel – We have unfinished business on updating the Comp Plan and updating the By-Laws. We probably should get the Comp Plan done first and if we have time we can move on to the By-Laws.

**Adjourned – 7:07 p.m.**

**WHITMAN COUNTY  
PLANNING COMMISSION  
ZOOM WORKSHOP  
February 16, 2022**

**MEMBERS:**

**Chad Whetzel – Chair  
Dave Gibney  
Matt Webb  
Fred Wexler**

**Brian Davies – Vice-Chair  
Weston Kane  
Rusty Jamison**

**Staff:** Alan Thomson, WC Planner; Grace Di Biase, WC Assistant Planner; Brandon Johnson, Public Works; Elinor Huber, Clerk.

**Others:** Ken Duft; Shelley Fox

**7:08 p.m.–** Chad Whetzel opened up the workshop.

Alan Thomson – The consultant sent the final format for the comp plan. He has put in the photos that we asked of him and tidied everything up so there are a couple of changes that I noticed need to be made. Mark Storey helped us with the Transportation part. We can hopefully go through this as quickly as possible because this language is everything you have already agreed upon. This is the final format that it is in.

There are some changes here on page 36, with the *“Palouse Regional Transportation Planning Organization.”* This wasn’t making sense to me so I handed it off to Mark Storey.

Alan Thomson – It just didn’t sound good so he just corrected a few things to make it actually accurate to what the Regional Transportation organization does.

Brian Davies – It reads better.

Weston Kane – The middle of that paragraph of the Palouse Regional Transportation, we are missing one of the letters out of the acronym. It says *“RTPO”* instead of *“PRTPO.”* It is in three places. *“The RTPO is funded by Washington State whose goals are as follows:*

*“representatives to serve on **the** Palouse **RTPO** Transportation Policy Board.”*

Also, down at the bottom it says, *“The Palouse **RTPO** also acts as a regional ....”*

Dave Gibney – After the changes are accepted it seems to have an extra space in them.

Alan Thomson – Go to page 13. Look at the words, *“Public Engagement,”* in the second column. Should that be in italics?

Chad Whetzel – It looks different.

Alan Thomson – Is the font the same? I don't see any difference. They look the same to me. Okay, can you move to Page 35? It says, "*The PCC Rail Authority – an*". Should the "**an**" be capitalized? That would make it consistent with everything else.

Dave Gibney – Yes.

Alan Thomson – That is all I had. There may be some other stuff in here that I haven't found. We can scroll through the pages to see if there are any inconsistencies. We can go back to the beginning because there are some things in the beginning to address.

Okay, I asked the consultant to do something about this and he has. So that blank page, I have a version that he just sent today I didn't want to send out to you because I have sent you a lot already. The maps go up a page so the gaps are gone.

Weston Kane – So, on this one, on Page 49, the meeting that the State Parks had a couple of weeks ago about Palouse Falls, they changed the name to read, "**Heritage Site**," at the end, like, "*Steptoe Butte State Park Heritage Site*."

Alan Thomson – Is that official?

Weston Kane – I believe it is. I was reading the article on Pullman Radio News. They voted on it in their last commission meeting.

Alan Thomson – Okay.

Chad Whetzel – I don't know about changing the name, but they closed the whole thing down.

Weston Kane – You can still look at it.

Dave Gibney – I always want to go out there and get a picture of it in the ice but I'm afraid of going there in those conditions and not making it back.

Alan Thomson – I will send this one and have him fix the mapping.

Dave Gibney – There is some unbalanced parenthesis here on page 56. "*(RCW 36.70A.070(7))*"

Alan Thomson – Unbalanced how?

Grace Di Biase – Is it the "A" where it says, "*36.70A*."

Dave Gibney – There should either be two at the end or not this one at the beginning. Should the whole thing be in parenthesis?

Alan Thomson - There shouldn't have been a parenthesis at the beginning.

Chad Whetzel – Could you go back to the map on page 75, the map of the Critical Areas and Natural Resources. Is there a reason why that map only shows the square portion of the County and not the portion along the Snake River and the Palouse River?

Alan Thomson – Is something cut off the bottom?

Chad Whetzel – It should follow along the Snake River and then up the Palouse River up to the Adams County border.

Dave Gibney – The border line is missing.

Chad Whetzel – Yes. Otherwise, we have no southern border.

Alan Thomson – The border is the river.

Dave Gibney – It is not as obvious as it is in the WC Hazard Mitigation Plan map on the next page.

Alan Thomson – I will talk with the consultant about that.

Chad Whetzel – It is not a huge deal but it just stuck out to me.

Dave Gibney – So, here we are at the Appendix A. I need to switch windows.

Alan Thomson – Before you switch, Dave, can we go back to the beginning? On page 7, we changed the colors of the graph of Race and Ethnicity. Does that look okay to everyone?

Dave Gibney – The pictures of Schweitzer on page 10 and 11. Is that the same building?

Brian Davies – The picture of SEL is obviously a drone shot looking at Kamiak Butte. It does not show the new high density apartment complex that is built up against the industrial park in the back. It does show the new 2454 Anders Court building, so as far as the Port goes, it is up to date.

Dave Gibney - The other photo on page 11 is the same.

Brian Davies – No, that photo is of,

Dave Gibney – It is a slightly different angle and a different time.

Matt Webb – It is before that second building was put in. It is pretty close to the same.

Dave Gibney – It might be nice to have a little greater variety. I don't care one way or the other.

Alan Thomson – I'll look through the other photos and see if there is something else we could put in there. Okay, the font here in the Framework Goals on page 12 is different.

Dave Gibney – I think that is intentional because this is the summary of area and each of these places is a different place to go.

Brian Davies – Maybe it is to set the goals and frameworks aside from just the regular text. It talks about the County. This is more noteworthy as far as part of a plan.

Alan Thomson – The picture on page 14, Brian, is that your building?

Brian Davies – That is the original 2440, the big factory building that we started in 2000 and we’ve added onto twice. So, there are three buildings there. That is the biggest square footage that manufacturing has in Pullman. My building is behind it to the west. That would be looking north at Kamiak Butte. Off in the foreground there you can see the building the Port put up.

Dave Gibney - On page 32, under *State Route 26* in the second paragraph it says, “...one of which is scheduled for 2021 (westward climbing lanes from Colfax to Dusty.)” That is a date in the past now.

Chad Whetzel – Now it is scheduled for 2022, right?

Dave Gibney – Yes, I saw it in the announcements.

Chad Whetzel – So, we can put 2022 in there.

Alan Thomson – I will confirm that.

Dave Gibney – The State wants to do all kinds of work in all of my travel times.

Alan Thomson – Okay, we are finished with the draft.

Rusty Jamison – So, now the next step is to put it in front of the BOCC and then make the final draft. Is that correct?

Alan Thomson – We are going to go over Appendix B quickly and once we are done with that and we need to talk about the date for the public hearing for the PC.

Dave Gibney – Appendix A is just the maps again. Appendix B is the public comments.

Alan Thomson – So, this is the survey and all the responses to the survey. That is what appendix B is.

Chad Whetzel – Is there something we need to go over with these two documents?

Alan Thomson – No. This is exactly what was presented to the public and the results. That has all been on-line right from the get-go. This is just summarizing all and putting it all together. We don’t really need to go over it. We had over 300 responses and these are the responses. We don’t need to go over any of that. So, what do you think?

Chad Whetzel – I think the couple little changes that we had, we are good to go, personally.

Dave Gibney – Is the SEPA comment over?

Alan Thomson – No, it hasn’t started. That will go in next week, so we need to talk about the date for the PC public hearing. I have it for March 16<sup>th</sup>. The comment period for the SEPA starts next Thursday. So, today is the 16<sup>th</sup>, the 24<sup>th</sup> and then it is over 14 days later and then we can have the public hearing. So, the first opportunity is March 16<sup>th</sup> which is not the first Wednesday of the month. How do you feel about having the public hearing in front of the PC on March 16<sup>th</sup>?

Dave Gibney – We will still be doing the Zoom format?

Alan Thomson – Yes.

Chad Whetzel – I'm good with the 16<sup>th</sup>.

Weston Kane – Okay for me.

Matt Webb – I don't know that I can make it.

Dave Gibney – I prefer to do it on the first Wednesday, but that delays it 3 more weeks. It is because most of the public is used to us meeting on the first.

Alan Thomson – If we advertise it properly then we can do it on an off normal day. The advertising will be the Gazette and then it will be on the WC webpage. I have an extensive email list of people that we notify of these PC meetings for the comp plan update. I will send an email out to everybody about the public hearing on March 16<sup>th</sup>.

Dave Gibney – Do you have the people who responded to the survey?

Alan Thomson – Not all of them. But I do have a lot of them that were on there. That gives us a wide range of people. That is not typical. Our usual public notice doesn't necessarily cover that many people personally. I think we are covered as far as advertising for being an off day, not the first Wednesday of the month. If we do the first Wednesday, then we are into April, a couple of weeks behind. We still have to get through the PC with the BOCC public hearing.

Chad Whetzel – The further we go into April we get into spring work.

Alan Thomson – Everyone who is present tonight, who can meet on March 16<sup>th</sup>?

Rusty Jamison – I can.

Brian Davies – Yes.

Weston Kane – I can be available.

Rusty Jamison – Do you need a motion to change this to the 16<sup>th</sup>?

Alan Thomson – No. This gets us to the By-Laws now. Since this is your recommendation to the BOCC we absolutely have to have five yeses at the public hearing. I need a full body if possible. I don't anticipate anybody voting "no," but we have to have at least five people to pass it on to the BOCC.

Rusty Jamison – Do you want a straw vote right now or do you want to wait?

Alan Thomson – I want to know who is available and make sure we have at least five people.

Matt Webb – I see in my calendar there is a play at the school and I don't know if my kid is in it or not. They haven't had the try-outs yet so, I don't know. If the kid has a leading role, I had better be there.

Brian Davies – I'd say so, too.

Alan Thomson – It does sound like we have six at the moment so, I want to make sure everybody understands this is important to be there that night. If we don't have five, we can't do business. Okay, if we are in agreement to March 16<sup>th</sup>, then I can move forward to advertise this and make the SEPA decision next week and we are on for March 16<sup>th</sup>.

Rusty Jamison – Do you need a motion.

Alan Thomson – No.

Chad Whetzel – No. Let's go ahead and do it.

Brian Davies – We have looked at this for a long time and no one has any more comments about it. Let's do it.

Alan Thomson – So, we can take care of the By-Laws now.

Chad Whetzel – Let's move on to the By-Laws.

Dave Gibney – Okay, this is what you wanted to change.

Article V Meetings

A. Regularly scheduled Commission meetings are held on the first Wednesday of each month at 7:00 p.m. **The primary location shall be in the auditorium of the Public Service Building in Colfax, Washington. An alternate location may be used with advanced notice in accordance with the Open Public Meetings Act. On-line/virtual meetings and hybrid on-line/in-person meetings are acceptable.** When a regular meeting day falls on a legal holiday, the Commission will convene at the call of the Chair. Meetings may be canceled by the Chair, provided notice is given to Commission members.

Alan Thomson - This is what we talked about last time and these are the changes. So, Chad is that okay?

Chad Whetzel – Looks good to me.

Rusty Jamison – Looks good to me.

Alan Thomson – That was the only part, right Chad?

Dave Gibney – What about the parenthesis around the RCW in Article VI, B.? *“...a part of the hearing record (RCW 42.36.060).*

Alan Thomson – I don't think they are necessary.

Brian Davies – There aren't any parenthesis anywhere else.

Dave Gibney – I'm going to take them out so we can have some consistency.

Weston Kane – Wouldn't that technically be there (inaudible) for the citation of the RCW?

Brian Davies – Maybe we should ask Denis Tracy.

Alan Thomson – I don't think it is that important.

Weston Kane – Maybe we need to find us a good high school student in English class right now.

Chad Whetzel – Are they still teaching English?

Dave Gibney – I put them back. If you look at real English, the others are part of the sentence. This is a citation rather than part of the sentence.

Rusty Jamison – Alan, if you ever have anyone on the Board who gets upset with all these parentheses, you are really in trouble.

Alan Thomson - I think that's it as far the suggested changes. So, down at the bottom it reads:

Article VIII Amendment to By-laws

*The Commission, by a majority vote of its members, may make, alter, amend or rescind these By-laws at any regular meeting, following 14 days written or electronically sent notice of the changes to the membership.*

Alan Thomson – So, when can we have that vote?

Dave Gibney – You sent it out on February 9<sup>th</sup>. We could vote on March 16<sup>th</sup>.

Alan Thomson – Do you want to do that? We do have to wait the 14 days?

Dave Gibney – In a lot of ways we discussed this at our last meeting and we knew what we were going to do.

Alan Thomson – That is where I am leaning.

Dave Gibney – But it is less than 14 days from the 9<sup>th</sup> when you actually sent it to us.

Alan Thomson – On the last meeting that is what you decided you wanted. Technically then we are still not past the 14 days. So that means we have to wait until the 16<sup>th</sup>. Are we going to meet again the first Wednesday of March? Do we need to?

Dave Gibney – If it is just to pass these we don't have to. Do you have anything else for us?

Alan Thomson – Not at this moment. So, we could wait until March 16<sup>th</sup>. Right?

Chad Whetzel – Yes. Alan, when you are doing the agenda, could you put By-Laws at the beginning to get them out of the way and we can move on to the public hearing?

Alan Thomson – Okay, so now on the Rules of Procedure. I could not find anything that said the PC officially adopted anything. So, we can do that on the 16<sup>th</sup> as well.

Dave Gibney – There is no evidence that we adopted any of them.

Alan Thomson – So, we are good for Legislative but the quasi-judicial one,

Dave Gibney – But you said we never adopted them either.

Alan Thomson – But we have been using that procedure anyway.

Chad Whetzel – Let's go over it quick so we can make sure we all agree. I just happen to read the very first sentence. What are we doing if it is an online virtual meeting? We don't have a speaker's table and no place for people to register.

Dave Gibney – What we do in Pullman is asking people to identify themselves at the time they first speak, give their name and address.

Rusty Jamison – I have a question, Dave. If you had a person at a virtual meeting that just wanted to be a heckler or not follow procedures, how would the chairman be able to block that person so that no one would hear him? Or would they be able to?

Dave Gibney – The Chair, the way we do things right now, the guy behind the public works, Brandon, would do that. Like we did with our spam bomber.

Alan Thomson – The County controls that Rusty. If anybody gets out of control, we can cut them off.

Dave Gibney – In doing the Pullman ones, I've asked them to make me a host during the meeting and that does give me control of their microphones.

Rusty Jamison – Okay, so there is a way we can do that. If it is a public meeting, you could just have someone escort them out.

Dave Gibney – It is possible to do.

Brian Davies – The administrator could mute someone on that end so they couldn't unmute themselves or just disconnect them.

Rusty Jamison – Chad, as the Chair, would you like to see something in there for the future that should be put in here? Or would you rather just leave it at the discretion of the Chair, the way it is right now?

Chad Whetzel – You are asking if I would like to have the ability to mute people if necessary?

Rusty Jamison – Basically yes, so it gives someone the authority to do that. You already have the authority but do you think it should be written in here?

Chad Whetzel – I think we probably have something written down because these on-line and virtual meetings are becoming more common. So, we probably need to add in for virtual.

Dave Gibney – If we are going to do that, and I'm not about to make a statement as somebody who cares one way or the other, although I do about people's gender, I just find "his/her" quite awkward

when “they or “their” is just as appropriate for that particular spot. So, this is the change I would suggest. It does bypass upcoming controversy.

Chad Whetzel – Right. If we just put “their” that includes everybody. Like you say, he/she is a mouthful when you are trying to read things.

Alan Thomson – These were Pullman’s rules,

Dave Gibney – Actually in Pullman we have changed that his/her already.

Alan Thomson – This is my question. How has this changed for Pullman now? What we are looking at here. Did you address what Chad was just talking about as far as having some changes made here? Did Pullman do that?

Dave Gibney – No, because we are actually back to physical in the council chambers so we didn’t and we haven’t revised our By-Laws or our procedures to the hybrid version. For what it’s worth, my appointment to the Pullman Planning Commission ran out at the end of the year and as of yet, the mayor has not renewed it.

Alan Thomson - Really.

Dave Gibney – We failed to have a quorum at our January meeting and they have canceled the February meeting, so.

Alan Thomson – Okay, so what changes need to be done here?

Chad Whetzel – The first thing is to change “his/her” to “their.” Then, I don’t know what the best way to go about it is. Do we leave it as it is, basically and then at the end add in some stuff for our virtual meetings?

Dave Gibney – I think the only part that matters is the signing at the speaker’s table. You could do that with a 1a. or just another sentence. “Online meetings shall begin by stating their name and address.”

Chad Whetzel – Right, so like #4 it says, “*The first time an individual speaks...*” that is pretty much in an online meeting that is where things begin. I think instead of having,

Dave Gibney – When we are in the chambers, there has been a habit of passing around the attendance sheet and always making sure we know everybody that is there, whether they will speak or not.

Chad Whetzel – So maybe #1 should say, “Each person who speaks at this hearing shall register their name and address on the roster.” Just not say where it will be located because it gets passed around.

Alan Thomson – So strike, “that is located at the speaker’s table.”

Chad Whetzel – I think that is more accurate.

Dave Gibney – Nobody is supposed to speak until the Chair recognized them. In the virtual world, #3 doesn’t really make a difference, but that is also when we are in that room, it is so everybody can talk

with a microphone. We've had the habit of passing the microphone around the room instead of having them come to the speaker's table.

Chad Whetzel – So, for the in-person meeting, should #3 read something like, “No person shall address the Commission except at the speaker's table or microphone as available.”

Dave Gibney – Or maybe, “No person shall address the Commission without using the microphone.”

Chad Whetzel – I like that. On #4 it says, “*The first time an individual speaks....*” We should say they need to state their full name each time they speak.

Alan Thomson – How about each time an individual speaks.

Chad Whetzel – But you don't need to give your address each time they speak. If you say, “The first time an individual speaks they shall identify themselves giving their address and nature of their interest in the matter.” Then, when they speak after, they need,

Dave Gibney – How about, “each additional time a speaker speaks they shall identify themselves.”

Rusty Jamison – Do you need to have a new paragraph that would explain how you are going to handle a speaker who is out of order especially at a virtual meeting is what I am getting at.

Alan Thomson – They will get cut off. The Chair can just ask the County to shut off the microphone.

Dave Gibney – Just like they would ask the sergeant-at-arms to remove the disruptive person. I think that is covered under Robert's Rules.

Brian Davies – Do we need some code language?

Alan Thomson – No.

Rusty Jamison – Okay, if you can just use Robert's Rules, I understand that and I hope that everybody that is in the audience would understand that.

Alan Thomson – The Chair controls the meeting.

Chad Whetzel – So, maybe what we need to do is put a section in here that says, “On-line virtual meetings will be handled as needed.”

Dave Gibney – But you would do the same thing if I was being disruptive in a physical meeting.

Chad Whetzel – Right, but I'm talking about the phrase would cover things like recognizing people because if we have a large group, in our smaller group, we just speak up and say I've got a question. If we have a larger planning meeting it would be handy if people were using the chat box so that way, we would know who wanted to speak next. Instead of writing all that out, use our discretion.

Dave Gibney – In a larger on-line meeting you could establish that up front for that meeting.

Rusty Jamison – I think that too, using Robert’s Rules as your guideline, it was in our By-Laws that we were going to use Robert’s Rules. Isn’t that correct? I think that the By-Laws along with this gives you the authority to do everything you want to do without writing any more.

Alan Thomson – I agree with Rusty. Otherwise, you would have too much detail in here that is not necessary. You have the ability to control the meeting Chad, and if someone is being disruptive, you can cut them off.

Rusty Jamison – That is all I was worried about. Is that we totally understand how you would handle someone in a virtual meeting that is just there to disrupt.

Chad Whetzel – Aside from that, the only other one is #9, unless someone has other questions. So, #9 it says:

*9. Public hearings shall be continued to a later date at 11:00 p.m. unless a majority of the quorum present accept an extension of a finite period of time.*

Chad Whetzel – We have cut them way shorter before for time. Do we want to leave 11:00 p.m.?

Dave Gibney – Have we ever cut one off when we had speakers who wanted to speak?

Chad Whetzel – We did. We cut it at 10:00 p.m. I believe it was during the comp plan update.

Alan Thomson – Not the comp plan.

Dave Gibney – But those are not public hearings. This has all been workshop.

Chad Whetzel – That’s true. I’m trying to remember if we did that with the marijuana ordinance. It seems like there was something that we cut short.

Dave Gibney – We did it at workshops. By the time we were at the hearings it was pretty much going to happen, too. Back to the Dusty thing. Everybody had their chance to speak and we chose not to come to a decision but I don’t think we cut it off. On the other hand, what this says, we are not going to go past 11:00 p.m. Without that there, we are going to go forever and 10:00 is fine with me, too.

Chad Whetzel -Right. I just wanted to make sure everyone was good with 11:00 and if they wanted to shorten it up or 11:00 was good.

Weston Kane – For me, I would be for shortening it up to 10:00. That would be meeting for 3 hours already.

Alan Thomson – We typically try to end at 9:00 p.m., but if we are not done by then we extend it but I don’t ever remember going as long as 11:00 p.m. Maybe 10 is better.

Weston Kane – That would still be giving an extra hour and then going to a later date we can all come back with fresh heads.

Chad Whetzel – If we feel if we want to and we are close to being done, we can continue until 10:15-10:30.

Rusty Jamison – I'm for changing it to 10.

Brian Davies – I agree.

Dave Gibney – I agree.

Weston Kane – I second that.

Chad Whetzel – That sounds good to me.

Alan Thomson – Are we done with this one? Okay, so on the Quasi-Judicial one, there are a few items you need to address.

Dave Gibney – Can we just say we are going to do the "his/her" to "they?"

Alan Thomson – Yes.

Weston Kane – So, on #11, do we want to change the "11:00 p.m." to "10:00 p.m.?"

Alan Thomson - Yes.

Dave Gibney – I am absolutely positive that this #5 was created in Pullman after someone, it has been there before my time, but it is there because somebody who got turned down complained that they were not treated fairly and that their opponents got more time than they did. That is why this got put here. This is again, this is only in the quasi-judicial where it is trying to make everything fair and due process and all that.

Alan Thomson – Talking about the Dusty one Dave, that was done by an attorney and I need to go back and check what his recommendations were for the amount of time that people were allowed to speak. The Hearing Examiner set the rules there.

Dave Gibney – They elected to take it away from us. We did not come to a decision and then they elected to the Hearing Examiner. We had scheduled another hearing.

Alan Thomson – What I am saying is that the Hearing Examiner would have set the time frame for the proponents and opponents to set that number. I don't know if it was 30 minutes. That seems like a long time to let somebody go on and on.

Dave Gibney – I guess grab the times that the Hearing Examiner used.

Alan Thomson – I will look that up and let you guys know.

Dave Gibney – I'm okay with it. But it leaves a potential appearance of bias on the Chair and the Board by not being consistent.

Alan Thomson – Both parties should have the same amount of time.

Chad Whetzel – I think the difference is the existing one is great if you have two sides that are fairly well organized and have a speaker, versus, typically when we are dealing with the County is yes, we have proponents and opponents but they are not all the same, not, an organized group.

Dave Gibney – That is the way it is. The developer is always well organized because they do it lots and for a living and the community members against it are never organized because this is the only time in their life they will do this. This is an attempt to make it fair for them.

Chad Whetzel – I think, in my experience for the most part, we typically give the opponents more time than the proponents because they are not as organized and there are usually more of them.

Dave Gibney – The other thing that is not immediately obvious is that the proponents get the last word.

Alan Thomson – Okay, any suggested changes here? Or shall we leave that as is and I will check what the Hearing Examiner's time frame was?

Brian Davies – Sounds good.

Rusty Jamison – That's fine with me.

Chad Whetzel – Yes, just change the time and I think everything else is good for me.

Dave Gibney – Do you guys like this long appearance of fairness stuff? It can get tedious. I'm not saying one way or another. It works for us but it does take a moment to run through and ask everybody the questions.

Alan Thomson – In the history of WC, with the Board of Adjustment, they do ask a couple of these questions, but not every single one. In the BOA, they ask if the Board members, if they have any conflicts of interest and then they ask the audience if they think anybody on the Board has a conflict of interest. But it doesn't go into the rest of the detail here.

Dave Gibney – This undoubtedly got put in place in Pullman after someone either failed, or there could have been a community uproar about something that got passed.

Alan Thomson – I guess you guys have a choice to make here. Do you want all of this in here, or some of it?

Weston Kane – Can we get a copy of what the BOA has on that, because it is a little more condensed down.

Alan Thomson – Yes, but there are no rules written for them. It is just that the Chair always has that worked out through time. The two other Chairs on the BOA were there for 20 years each. They had it down pat.

Weston Kane – Okay, so there were no written rules.

Alan Thomson – No, they were just following Robert's Rules again.

Dave Gibney – Could you pull it out of a transcript or two of theirs?

Alan Thomson – Yes, I can do that. That has worked for the last 40 years for WC.

Chad Whetzel – It would be nice if we could get all this stuff condensed down into a couple of sentences. I think it is important to have any quasi-judicial meetings for proceedings.

Alan Thomson – I'll look into that and get some language sent to you. And then for the 16<sup>th</sup> you can make a decision on this. Unless there is anything else you want to change here.

Dave Gibney – Right now we don't have anything quasi-judicial on the table.

Alan Thomson – The only thing the PC deals with quasi-judicial are zone changes and I am avoiding them like the plague. There is nothing in the immediate future for a zone change.

Dave Gibney – So, you can give us a draft of this for next time and we don't have to vote on it and we can do this legislative public hearing and see how they work.

Alan Thomson – So, I will get the legislative one to you tomorrow and you can vote on that on the 16<sup>th</sup> and I will get the changes to the quasi-judicial one to you as soon as possible.

Dave Gibney – Just because we haven't fully adopted it doesn't mean we can't run the 16<sup>th</sup> by it.

Chad Whetzel – Right. Any other business?

Alan Thomson – Okay, so you all know that March 16<sup>th</sup> is important. I need at least five of you for the public hearing that night for the comp plan update.

Dave Gibney – As far as I know, I will be there.

Brian Davies – I have it on my calendar.

Chad Whetzel – Yes.

Weston Kane – Yes.

Alan Thomson – I will be sending out the details as soon as I have it put together. The SEPA needs to run first and that goes in a week from tomorrow in the Gazette. Thank you.

**MOTION** by Dave Gibney and seconded by Brian Davies to adjourn the workshop. Motion passed.

**Adjourned – 8:47 p.m.**