

MASON COUNTY PLANNING ADVISORY COMMISSION

Minutes September 26, 2005

(Note audio tape (#1) dated September 26, 2005
counter (#) for exact details of discussion)

(This document is not intended to be a verbatim transcript)

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1. CALL TO ORDER

The meeting was called to order by Vice-Chair Steve Clayton at 6:00 p.m.

2. ROLL CALL

Members Present: Steve Clayton, Tim Wing, Diane Edgin, and Wendy Ervin. Bill Dewey, Terri Jeffreys and Jay Hupp were excused.

Staff Present: Bob Fink, Allan Borden, TJ Martin and Susie Ellingson.

3. APPROVAL OF MINUTES

None.

4. NEW BUSINESS

(#0035) Steve Clayton: On tonight's agenda we have a public hearing on a number of rezone requests.

(#0040) Bob Fink: My name is Bob Fink and I am the Planning Manager for the Department of Community Development. I regret that I have to inform you that the county did not adequately notice the rezone hearings in that we did not send out the individual notice to adjoining property owners at least ten days prior to tonight's hearing. It was only sent out last week and should have been sent out earlier. I apologize to all the people who came, that we are unable to hold a public hearing under these circumstances. What we've decided to do is that we can hold the public hearing on Monday, the 10th of October at 6:00 pm. I hope that you can all come and attend that meeting, and if you can't, you should have time to send in written comments.

(#0072) Don Hawkins: I called today and talked to Allan Borden and I voiced my concern over this and he did not tell me there would not be a public hearing. I had other things to do this evening and I am now very angry that I have driven down here for what is going to be no public hearing. I wish you would at least make an exception and allow the people that are here to give their testimony this evening and then hold a proper public hearing.

(#0090) Bob Fink: Mr. Hawkins, regretfully we cannot legally hold a public hearing because the nature of the public hearing, when you have a rezone, is what is called a quasi-judicial, where different parties have a right

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and ...

(#0105) Don Hawkins: My point is I called today and I made that very point with Mr. Borden. He, at no time, informed me when I was talking to him, that there would not be a public hearing tonight so I am very upset.

(#0112) Bob Fink: Yes, and I certainly understand that, and I'm sorry that we couldn't inform you earlier.

(#0120) Herb Hamilton: You've stated in here and it sounds like you've already decided what you're going to do. My house is one house away from Don's and you've already decided you're going to rezone this so I can have a tavern across from me. I haven't had a chance to tell you what's wrong with your idea. I think it stinks. You're planning to kill people if you put that in.

(#0138) Bob Fink: Sir, with regard to the staff recommendation, what you have received is only the recommendation of the county staff. It isn't the decision by the county. The purpose of the hearing that was to be held tonight was to get your input and your comments on the proposal and on the staff report and present them to the PAC. The PAC's role is to listen to your comments and the other information that is brought to them and then make a recommendation that goes to the BOCC.

(#0155) Herb Hamilton: They have recommendations in here. How can they have recommendations when they don't know the story?

(#0160) Bob Fink: We, the staff, prepare the recommendations based on the information that we have. We recognize that we do that based on limited information. We know that people come to public hearings and bring information and bring points of view to be considered, but still we make a recommendation even though we may not have received all the information, to assist the planning commission with our analysis. That generally is more helpful than not. It also gives people like you a chance to know how the staff may be recommending on the issue. The applicant is the one taking the first step in applying for the rezone. The staff looks at that and decides if there's any basis for recommending or denying the request and pass that information along with a recommendation to the PAC. I acknowledge that we probably don't have all the information but you have to understand that this is the process for getting that information out. It's from that you have something to react to and come in and comment on and supplement that information. Again, I'm sorry for bringing you all here unnecessarily. Normally, in a different type of hearing, we would be able to take your testimony, but because of the nature of this particular hearing we just cannot.

(#0220) Don Hawkins: If we have written comments may be allowed to leave them?

(#0222) Bob Fink: You can absolutely leave written comments now or send them in later.

(#0230) T.J. Martin: We ask that if you do provide written comments on paper that you make it as legible as possible and include your name and address.

(#0238) Steve Clayton: Would we able, for people that came tonight to provide testimony, to have Susie record it separate from our meeting and that way she could transcribe it and have it be included as written comments at the actual hearing?

(#0245) T.J. Martin: We cannot do that at this time.

(#0260) Wendy Ervin: Herb, I just wanted to say that we are separate from the Planning Department so that the recommendation doesn't have anything to do with us. We get that recommendation the same way you do. We are the Planning Commission; we are not the Planning Department. The Planning Department looks at it first and then they come to us. We don't always follow what their recommendations are so it's by no means a decided deal.

(#0292) Steve Clayton: Prior to us adjourning, can we have an update on our upcoming schedule?

(#0295) Bob Fink: We'll have a workshop on the 3rd of October.

(#0300) Steve Clayton: So we do have something scheduled on the 3rd, and these rezones will be on the 10th,

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and possibly the 17th.

(#0305) Bob Fink: Right, and by then we'll have other things for you to consider.

(#0325) T.J. Martin: My name is T.J. Martin and I'm the Deputy County Prosecutor in the Civil Division. I know a lot of people are upset by the meeting being canceled. I apologize about the short notice. I accept full accountability for that. It was a last minute determination that I made legally in regard to this public meeting so any frustration should be directed at me, not towards the staff here at Mason County. It was my decision to move this meeting so that everybody has an equal opportunity to have their say for or against these rezones. I'm trying to be as fair to everybody as possible; those that are here and those that are not. I just want to make sure that everyone has proper notice. Thank you.

(#0370) Bob Fink: We will notify all the parties of record so please make sure you have your name and addresses. If you're not a landowner within 300 feet of the property requesting a rezone, if you give us your name and address, we'll send you a notice.

Meeting adjourned.