

RULES OF PROCEDURE
COWLITZ COUNTY PLANNING COMMISSION

(Adopted April 21, 2010)

The Cowlitz County Planning Commission, State of Washington, created by a Resolution of the Board of Cowlitz County Commissioners, pursuant to Chapter 201, Laws of 1959, RCW 36.70, hereby adopts, publishes and declares the following rules of procedure:

I. NAME

The official name shall be **“The Cowlitz County Planning Commission.”**

II. MEETINGS

- A. All meetings will be held in the County Administration Building, Kelso, Washington, unless otherwise directed by the Chair of the Commission. Regular meetings shall be held the third Wednesday of each month and shall be open to the public.
- B. Special meetings shall be at the call of the Chair.
- C. When a regular meeting falls on a legal holiday, the Commission will convene at the call of the Chair.
- D. If no matters over which the Commission has jurisdiction are pending upon its calendar, a meeting may be cancelled at the call of the Chair.

III. ELECTION OF OFFICERS

- A. The officers of the Commission shall consist of a Chair and Vice-Chair elected from the appointed members of the Commission and such other officers as the Commission may, by majority vote, approve and appoint.
- B. The election of officers shall occur once each year during the first meeting in February. The term of office for each officer shall run until the subsequent election. However, any officer may be removed at any time by a majority vote of the full Commission.
- C. The vacancy of an office caused by the resignation of any officer of the Commission during their term of office shall be filled for the remaining term of office in the following manner: The Chair’s office shall be filled by a majority vote of the Commission. The Vice-Chair’s office shall be filled by a majority vote of the Commission.

IV. CHAIR

- A. The Chair shall preside over the Commission meetings and may exercise all the powers associated with the office. Nothing in these rules shall prevent the Chair from exercising the right to vote on the matters before the Commission, except those with which there is a conflict of interest.

- B. The Chair shall have full power to create standing or temporary committees, of one or more members, charged with duties, examinations, investigations and inquiries relative to one or more subjects of interest to the Commission. No standing or temporary committee shall have the power to commit the Commission to the endorsement of any plan or program without its submission to the Commission.
- C. The Vice-Chair shall, in the absence of the Chair, perform all duties incumbent upon the Chair. If the Chair and Vice-Chair are absent, the members present may elect for the meeting a temporary Chair who shall have full powers of the Chair during the absence of the Chair and Vice-Chair.

V. SECRETARY

The Secretary shall be the Director of the Department of Building and Planning or a designated representative. The Director shall keep a record of all meetings of the Commission and its committees when requested to do so, and these records shall remain the property of the County and be retained at the Department of Building and Planning.

VI. QUORUM

Five members of the nine Commission members shall constitute a quorum. All actions of the Commission shall be determined by a majority vote at a meeting at which a quorum is present, provided, that where State Law, County Resolution or Ordinance requires a vote larger than the majority of a quorum, such provision shall govern.

VII. ABSENCE OF MEMBERS

Each member of the Commission shall notify the Department of Building and Planning by 5:00 p.m. on the Monday preceding the next scheduled meeting regarding their attendance.

In the event of a member being absent from two (2) consecutive regular meetings, without a valid and justifiable reason, the Chair shall be directed, at the discretion of the Commission, to call upon the Board of County Commissioners for action.

VIII. APPLICATION AND PETITION

- A. The Commission will accept development applications and land use petitions only when properly filed with the Department of Building and Planning.
- B. In order that proper deliberation and consideration be given any application, the Commission reserves the right to withhold any decision on any application for a period not to exceed ninety (90) calendar days from the date of the Public Hearing.

IX. AGENDA

The secretary for each meeting shall prepare an agenda consisting of the following order of business:

- A. Roll call and call for a quorum

- B. Changes to the published agenda
- C. Approval of the minutes
- D. Correspondence and board actions
- E. Public hearings
- F. Adjournment

X. AMENDMENT

The Rules of Procedure may be amended at any regular or special Commission meeting by a majority vote of the entire membership.

XI. CONFLICT OF INTEREST/APPEARANCE OF FAIRNESS

If any Commission members have a conflict of interest with an item to be considered by the Commission, then those members shall remove themselves and retire to another room until a vote is taken on the item.

XII. CONDUCT OF MEETINGS

- A. Parliamentary Procedure shall conform to Robert's Rules of Order.
- B. At all regular and special Commission meetings, the Chair shall:
 - i. Introduce self.
 - ii. Call the meeting to order and cite the authority (RCW) for conducting the hearing.
 - iii. Remind the public and Commission members to silence their cell phones.
 - iv. Introduce the Commission, the Planning Director, and staff members.
 - v. State the purpose of the meeting.
 - vi. State where the agenda is located and where copies of the Planning Department's records and other materials to be used in the hearings are located.
 - vii. Conduct Business Matters:
 - 1. Roll call and call for a quorum.
 - 2. Changes to the published agenda.
 - 3. Approval of the minutes.
 - 4. Additional correspondence and board actions.
 - viii. Public explanation of application type (s) to be heard at the meeting.
 - 1. Quasi-Judicial vs. Legislative testimony requirements.
 - 2. Appeals.
 - 3. Describe how the Commission decisions on the application(s) are forwarded to the Board of County Commissioners.
 - ix. Ex-parté communication disclosure.
- C. Hearing Procedures:
 - i. Open the public hearing portion of the meeting.
 - ii. Call Case Number.
 - iii. Briefly explain to the public the order of presentations.
 - iv. Staff report.
 - 1. Present additional correspondence from public.
 - 2. The Commission may question staff.
 - v. Public testimony procedures.
 - 1. Request that the applicant and audience members observe the following guidelines when testifying:

- a. The Chair is responsible for establishing ground rules at the beginning of all meetings or public hearings. This may include setting time limits for all speakers for the purpose of conducting the meetings in a timely manner.
 - b. The Chair may, at the start of any public hearing, request that the Commission members, and all participants, be recognized by the Chair and be given the floor before speaking, asking questions, offering comments, and making a motion during a public hearing, except during a period of discussion.
 - c. The Chair may request that all comments to the staff be through the Commission Chair.
 - d. The Chair may determine whether supporters or opponents of the case will speak first.
 - e. All testimony shall be presented at the microphone to ensure a complete and accurate verbatim record and to allow everyone in attendance to hear the testimony.
 - f. A participant shall be sworn in and asked to state full name, spell last name, and give complete address of residence or business, and whom they represent if they represent anyone.
 - g. When a participant speaks again, the participant will state their name each time so testimony can be identified on the verbatim record.
 - h. Testimony shall be relevant to the matter being heard and should not be repetitious.
 - i. If a participant agrees with the comments of another speaker, and wishes to be entered in the record for future testimony, they may come forward to be sworn in by stating their name and address and that they agree with the previous speaker {provide name}.
2. Applicant's testimony.
 3. Public testimony.
 4. Applicant's opportunity for rebuttal.
 5. Additional or new testimony from the public.
 6. Applicant's second opportunity for rebuttal or comment.
- vi. Continue or close hearing.
1. If continued:
 - a. Announce that the hearing will be continued and why.
 - b. State that the public testimony portion of the hearing will be open or closed at the following meeting.
 - c. Announce specific time, date and place when hearing will reopen (no more than 90 days).
 2. If closed:
 - a. Chair closes the public testimony portion of the hearing.
 - b. Chair invites a motion to discuss the application.
 - c. The Commission discusses the matter under consideration.
 - d. During the period of discussion, the hearing may be re-opened by the Chair to address new evidence.
 - e. Chair asks a motion to approve or deny, which must include findings of fact.
 - f. Chair asks Secretary for a polling of the votes, and result of the vote.
 - g. Chair announces the result.

h. Chair closes that portion of the Public Hearing.

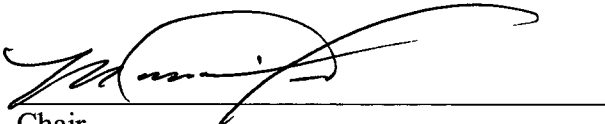
D. Comments or Requests.

E. Adjournment: Chair calls for a motion to adjourn.

XIII. AVAILABILITY TO THE PUBLIC

These rules and procedures and any amendments thereto shall be recorded in the County Auditor's Office. Copies shall be available in the Department of Building and Planning for Review.

SIGNED:



Chair