

Ordinance No. 101-02

An ordinance providing for bylaws of the Planning Advisory Commission.

Be it ordained by the Board of County Commissioners of Mason County, Washington,
As follows:

Whereas, the Mason County Board of Commissioners previously reconstituted the
Planning Commission and Shoreline Advisory Board,

Whereas, RCW 36.70.030 provides for the establishment of planning commissions by the
Board of County Commissioners,

Whereas, bylaws would provide guidance in the operation of the Planning Advisory
Commission and Shoreline Advisory Board,

Now, therefore be it resolved by the Board of County Commissioners of Mason County
as follows:

Attachment A, the Planning Advisory Commission and Shoreline Advisory Board
bylaws, is incorporated and adopted herein by reference.

Adopted and passed this ^{23rd} 25th day of July, 2002.

absent
Herb Baze, Commissioner

Wesley Johnson
Wesley Johnson, Chair

Robert Holter
Robert Holter, Commissioner

Clerk of the Board:

Rebecca Rogers
Rebecca Rogers

Approved as to form:

Dore U. [Signature] DPA
Deputy Prosecutor

BY-LAWS OF THE MASON COUNTY PLANNING ADVISORY COMMISSION

PREAMBLE

Members of the Planning Advisory Commission shall strive to respect and honor their position so as to enhance and maintain public confidence in the Planning Advisory Commission. Members shall avoid personally disparaging remarks and offensive conduct which creates an atmosphere hostile to the freedom of speech of all members of the public, even those of opposing viewpoints. Members should be unswayed by partisan interests, public clamor, or fear of criticism. Members should be patient, dignified, and courteous to all parties. By eliminating conflicts of interest and providing a guide for conduct in County matters, the Board of Commissioners hopes to promote the faith and confidence of the citizens of the County in their government.

SECTION I: SCOPE AND APPLICABILITY

These by-laws shall govern the conduct of the Planning Advisory Commission. When the membership of the Planning Advisory Commission assumes the function of the Shoreline Advisory Board, these rules shall also apply. The Planning Advisory Commission and the Shoreline Advisory Board shall have only those duties set forth in the Revised Code of Washington, the Mason County Code, and in these bylaws. The Planning Advisory Commission may set forth supplementary rules, so long as there is no conflict with these rules, any future rules adopted by the Commissioners or the County Executive, or any applicable laws.

SECTION II: MEETINGS

Meetings of the Mason County Planning Advisory Commission shall be held monthly in the County Commissioner Chambers, Shelton Washington, or such other place as the Chairperson shall designate, on the third Monday of each month of each calendar year. At least three (3) days written notice of such meetings and the meeting agenda shall be given to each member of the Planning Advisory Commission. Special meetings may be called by the Secretary.

SECTION III: OFFICERS

Except when designated by the Board of County Commissioners, the elected officers of the Planning Advisory Commission shall be the Chairperson and Vice Chairperson. The Secretary shall be the Director of Community Development or designee. The officers shall be elected at the regular meeting in January of each calendar year and shall hold office until their successors have been elected and qualified. The officers shall qualify as regularly appointed members of the Mason County Planning Advisory Commission. The duties of the officers shall be those usually pertaining to their respective office.

The Secretary shall keep a written record of all meetings, resolutions, transactions, findings, and determinations of the Planning Advisory Commission. Said written records shall be public record and shall be available for inspection during normal meeting hours.

SECTION IV: ABSENCE OF MEMBERS

In the event of a member being absent for three (3) consecutive regular meetings, or being absent from twenty-five percent (25%) of all meetings in any twelve (12) month period without being excused by the Planning Advisory Commission, the Chairperson shall, at the discretion of the Commission, request the Board of County Commissioners ask for their resignation.

SECTION V: QUORUM

At least the presence of four voting members shall constitute a quorum for the transaction of any business that may come before any monthly or special meeting of the Planning Advisory Commission. If there is less than a quorum, then no official decisions may be made.

SECTION VI: VOTING AND ACTION

Each member shall be entitled to one vote on any matter that may come before the Planning Advisory Commission. The vote of the majority of the quorum present of the membership of the Planning Advisory Commission shall be necessary to decide any question or issue. Board decisions shall be initiated by motion. In order for an action to proceed, another member must "second" the motion. The chair may then open up the motion for discussion amongst the members. When it appears to the chair that meaningful discussion has been completed, the chair shall call for a vote: "all in favor" and "all opposed." Where there is confusion as to decision of the majority, the chair may call votes from members individually. No decision shall be made by secret ballot.

When written comments are submitted to the Planning Advisory Commission or Shoreline Advisory Board, those comments shall be read prior to a decision being made. When necessary, members may request that they be located in a separate room in order for them to read the written comments with out distraction. The chair of the Planning Advisory Commission should poll the members as to whether they have read all written materials prior to a decision being made.

SECTION VII: STANDARDS OF CONDUCT

No member shall use such position to secure special privileges, or exemptions for themselves or others.

No member shall vote on any project or permit application when the member has some special financial interest in the outcome of the decision, unless 1) the member's presence is necessary for a quorum, 2) that person discloses on the record such interest

prior to any discussion or vote, and 3) makes a genuine good faith statement that their vote would not be affected by any special financial interest.

No member shall act as an agent or attorney for another in any matter before the council or any board or commission in which a conflict of interest exists or may exist.

No member shall directly or indirectly receive, or agree to receive, any compensation, gift or reward or gratuity in any matter or proceeding connected with, or related to, the duties of such member's position except as may be provided by law.

No member shall enter into any contract with the County, except as specifically authorized by law. Any member who has a proprietary interest in any agency doing business with the County shall make known that interest in writing on the record and to the Commissioners.

When making a recommendation on a development proposal or application, members shall apply any applicable law to the facts.

Members shall not advocate for willful noncompliance with the law and shall to their abilities faithfully attempt to follow the law. However, members may issue a comment of approval or disapproval of the law. Members may also recommend as part of either a proposed project or proposed legislation that elected officials seek to change the law.

Members shall not discuss pending applications that will come to the Planning Advisory Commission with project opponents or proponents.

Members having actual knowledge of a conflict of interest or an ex parte contact of a personal nature or affecting another member should notify the chair of the Planning Advisory Commission.

Members should disqualify themselves when their impartiality might reasonably be questioned when: 1) the member has a personal bias or prejudice against an applicant or proposal, 2) an applicant is a close friend, family member, or work associate, or 3) the member or a member of the family shares any economic interest with the applicant.

A majority of the quorum may and should strike a member's voting ability where a reasonable person would believe there is a potential for a violation of a conflict of interest rule, ex parte rule or appearance of fairness rule.

SECTION VIII: ENFORCEMENT

Any member who 1) intentionally (and not by accident and not by reasonable mistake of law) votes on a project application where that member has an actual conflict of interest and may materially financially benefit from their own vote or 2) intentionally (and not by accident or reasonable mistake of law) discusses a project application with a project proponent or opponent prior to public debate and fails to announce on the record the nature of that discussion, shall be removed from the Planning Commission after a hearing in front of the County Commissioners pursuant to RCW 36.70.110. Any other violation of these bylaws may also result in removal where there is an allegation of a member's neglect, inefficiency or malfeasance pursuant to RCW 36.70.110.