

This meeting of the Wallowa County Planning Commission convened at 7:00 p.m. on Tuesday, April 17, 2014, with the following present:

MEMBERS: Ken Wick
Chris Bullat
Ramona Phillips
Kim Tippett
Georgene Henson

STAFF: Harold Black, Planning Director
Chrystal Allen, Permit Tech

OTHERS PRESENT:

Bruce Dunn
Enterprise Resident

Rahn Hostetter
Hostetter Law Group, LLP

Katy Nezbit
Reporter for The Observer

Megan Jones
Wallowa Resident

KEN WICK, CHAIRMAN: [Introduced members and staff and read agenda.]

[Please note that draft and adopted findings, staff reports, written testimony, and the official Planning Commission meeting audio record are available for review and/or purchase in the Planning Department.]

Public Hearing Procedure

Ken Wick states that the sole purpose of tonight's meeting is to hear the Yanke appeal and explains that the record was left open and additional information has been received and further states that the only people who can testify tonight are those people with standing.

Harold Black clarifies that the record is now closed and a motion is required to reopen the hearing for further testimony if the Planning Commission so chooses.

Yanke APP#14-01

Harold Black explains his role as the County designate and the appeal process. Black states that once these applications were appealed to the Planning Commission his role changed from decision maker to staff for the Planning Commission. Black further explains that if the appellant chooses to appeal the Planning Commission's decision, the Board of Commissioners would make the final decision. Black states that the LUBA decision and rebuttal arguments provided by the appellant only apply to decision makers, which he is not and further clarifies that conversations with staff are exempt from ex-parte rules. Black states that, under advisement from Tia Lewis, he chose to remain in the role as staff and explains that at no time did he provide testimony, as suggested by the appellant. Black states that rebuttal should only address issues already raised and feels that the appellant erred

by raising new issues as there can be no rebuttal to the final rebuttal. Black states that the appellant questions why no action has been taken on Zone Permit ZP#12-64 and explains that all three applications have been appealed which is why no action has been taken.

Kim Tippett moves to deny the appeal.

Chris Bullat sections the motion.

Georgene Henson states that she does not feel qualified to make a decision on this complicated matter.

Harold Black states that the County hired Tia Lewis because this is such a complicated issue and explains that we need four votes to approve a motion.

Ken Wick calls the question. [**Motion fails 3-2-0, Ken Wick and Georgene Henson**]

The **Planning Commission** discuss the fact that this issue is complicated and feel that the current Planning Commission is relatively inexperienced and further agree that they are unqualified to make a decision on this matter.

Georgene Henson moves to send this issue to the Board of Commissioners as she does not feel qualified to make a decision on this matter.

Chris Bullat seconds the motion. [**Motion passes 5-0-0**]

Other Business

The **Planning Commission** and the audience discuss possible candidates for the Planning Commission and **Bruce Dunn** agrees to ask Lisa Mahon if she would be interested in serving. The **Planning Commission** further discuss the importance of attendance and **Ramona Phillips** agrees to discuss this issue with Sterling Shetler.

Ramona Phillips states that she will be absent for the regular April 29, 2014 Planning Commission meeting.

Harold Black clarifies that there are no items for the April 29, 2014 meeting so there will not be a meeting.

Ken Wick states that he will be absent for the June 2014 meeting.

Minutes

Georgene Henson moves to approve the March 25, 2014 minutes as written.

Ramona Phillips seconds the motion. [**Motion passes 5-0-0**]

There being no further business before the commission, the meeting was, on motion duly made and seconded, adjourned at 7:30 p.m.

Chrystal Allen
Permit Technician

Date