

MOSES LAKE PLANNING COMMISSION
 Special Meeting
 December 3, 2015

Commissioners Present: Vicki Heimark, Charles Hepburn, Nathan Nofziger, Gary Mann, Tim Adams, Don Schmig, and Todd Lengenfelder Absent: Rick Penhallurick, and David Eck

Name	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec										
Eck	E	C	P	P	P	E	A	P	P	P	E	P	E	P	P	P	P	A	P	A		
Starcher Schmig	P	C	A	P	A	P	A							P	P	P	P	P	P	A	P	
Lengenfelder	A	C	P	P	P	P	P	P	P	P	P	A	P	P	P	A	P	A	P	A	P	
Adams																						
Heimark	P	C	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Penhallurick	P	C	P	P	A	A	P	P	A	P	P	P	P	E	E	P	A	A	A	P	A	A
Hepburn	P	C	P	P	P	P	P	P	P	P	P	P	P	E	P	P	P	P	P	P	P	P
Nofziger	P	C	P	P	E	P	P	P	P	P	P	E	P	P	P	P	P	P	P	P	P	P
Mann	P	C	P	E	P	P	P	P	E	P	E	P	P	P	P	P	P	P	P	P	P	P

P - Present E = Excused A = Absent C = Canceled

The special meeting was called in order to discuss with the Commission the appeal process for appeals to the Commission, for the Commission to consider and adopt rules of procedure for contested appeals, and pre-hearing matters related to the appeal of the Big Bend Binding Site Plan Amendment and WinCo Foods MDNS.

Staff Present: Anne Henning, Daniel Leavitt, Billie Jo Muñoz, Katherine Kenison, and Sue Mahaney

Katherine Kenison, City Attorney, informed the Commission that appeals of a binding site plan and a threshold determination on a SEPA review have been filed with the City. An appeal has been filed on a Mitigated Determination of Non-Significance and a binding site plan approval and state law requires that the appeals be consolidated into one open record hearing. Both appeals will be heard by the Planning Commission. She pointed out that the decision of the Commission on the MDNS will be final but the decision on the appeal of the binding site plan approval will be a recommendation to the City Council. She explained the proposed rules of procedure that will address the key components of an appeal. She also mentioned that the RCW citation missing from the draft was 35.63.

There was some discussion and the following changes were requested:

1. Change the title to - Rules and Procedure for Contested Appeals
2. In sections 4 and 5, change the language so that it reflects the chair person with legal counsel's guidance may conduct . . .

Action Taken: Mr. Adams moved that the Rules of Procedure for Contested Appeals be approved as amended, seconded by Mr. Nofziger, and passed with Mr. Mann opposed.

Mrs. Kenison mentioned that the City has received some motions from the applicant's attorney, which will be made available to the Commission. A hearing will need be scheduled to consider the motions.

There was some discussion on the schedule for the hearings and it was the consensus to set hearing dates of December 21 and January 6, 7, and 8 if needed.

The special meeting was adjourned at 8 p.m.



 Vicki Heimark, Planning Commission Chair