

City of Medical Lake
124 S. Lefevre Street – City Council Chambers
Planning Commission Meeting
July 27, 2023, Minutes

NOTE: This is not a verbatim transcript. Minutes contain only a summary of the discussion. A recording of the meeting is on file and available from City Hall.

1) CALL TO ORDER, PLEDGE OF ALLEGIANCE, AND ROLL CALL

- a) Commissioner Hudson called the meeting to order at 5:32 pm, led the Pledge of Allegiance, and conducted roll call. Commissioner Mark requested an absence per Elisa Rodriguez. She will try to be present via Zoom. Commissioner Hudson suggested waiting to see if she attends before counting as absence. Commissioners Jorgenson, Mayulianos, Hudson, and Munson were present in person.

2) ADDITIONS TO AGENDA

- a) Commissioner Hudson motioned to move Section 6b City Branding Discussion to the end, seconded by commissioner Mayulianos, discussion held. Commissioner Mayulianos has not been able to work on the Education Packet (Section 6c) therefore requested to move it to the end. Amended motion to table the Education Packet to the next meeting, move the city branding discussion to end, carried 4-0.
- b) Motion to approve agenda as amended made by commissioner Mayulianos, seconded by commissioner Hudson, carried 4-0.

3) APPROVAL OF MINUTES

- a) June 22, 2023, minutes.
- b) Motion to approve made by commissioner Munson, seconded by commissioner Hudson, carried 4-0.

4) INTERESTED CITIZENS: AUDIENCE REQUESTS AND COMMENTS

- a) Tammy Roberson, resident of Medical Lake – see attachment A.
 - i) Requested additional 5 minutes due to speech impairment. Motion to allow additional 3 minutes made by commissioner Mayulianos, seconded by commissioner Jorgenson, carried 3-1 with commissioner Munson voting Nay.

5) STAFF REPORTS

- a) Elisa Rodriguez, City Planner
 - i) Martin Street Wetland Application was approved by City Council. Currently in appeal period, which will end August 17, 2023. Once the appeal period is over, the applicant can apply for a building permit. They could apply now, but the city will not review until after appeal period.
 - ii) Will be out of office for vacation August 4th – 22nd.

6) SCHEDULED ITEMS

- a) Critical Areas Ordinance-CARA (Critical Aquifer Recharge Area)
 - i) Elisa Rodriguez gave a presentation. See attachment B.
 - ii) Discussion held. Our well status and water quality are good.
- b) Planning Commission Rules of Procedure
 - i) Commissioners reviewed updates in order to approve the final draft of the Planning Commission Rules of Procedure. See attachment C.

- ii) Before proceeding, commissioner Hudson made a motion to reconsider the excused absences under Section 1 on tonight's agenda, seconded by commissioner Mayulianos, carried 4-0. Commissioner Mark was not present on Zoom, therefore a motion to excuse her absence was made by commissioner Mayulianos, seconded by commissioner Hudson, and carried 4-0.
- iii) Review of the Planning Commission Rules of Procedure commenced.
- iv) Section 5.5 addition of Motion to Rescind (from Robert's Rules of Order 12th edition) Motion to strike Section 5.5 made by commissioner Mayulianos, seconded by commissioner Hudson, carried 4-0.
- v) Section 6.3 motion to approve as amended made by commissioner Mayulianos, seconded by commissioner Hudson, carried 4-0.
- vi) Section 7.2 motion to approve as amended made by commissioner Hudson, seconded by commissioner Mayulianos, carried 4-0.
- vii) Page 7 Public Participation: Tips for Talking with the Commission, Public Comments
 - 1. Bullet point 3: motion to approve as amended made by commissioner Mayulianos, seconded by commissioner Hudson, carried 4-0.
 - 2. Bullet point 5: motion to approve as amended made by commissioner Mayulianos, seconded by commissioner Hudson, carried 4-0.
 - 3. Bullet point 6: motion to approve as amended made by commissioner Munson, seconded by commissioner Mayulianos, carried 4-0.
- viii) Page 8 Public Hearings
 - 1. Bullet point 1: motion to approve as amended made by commissioner Mayulianos, seconded by commissioner Hudson, carried 4-0.
 - 2. Bullet point 3: motion to approve as amended made by commissioner Mayulianos, seconded by commissioner Hudson, carried 4-0.
- ix) Motion to approve Planning Commission Rules of Procedure full document as amended made by commissioner Mayulianos, seconded by commissioner Hudson, carried 4-0.
- c) City Branding Discussion
 - i) Commissioner Munson – shared his ideas/proposal of a European theme with Gerri Johnson who then presented it to Re*Imagine Medical Lake. The first step is how we want Medical Lake to look. Needs to be practical and affordable.
 - ii) Discussion held.
 - 1. Commissioner Jorgenson: commented that the city has clean up to do before starting this kind of project. Where would the money come from? Suggested looking at the small, drive-through towns on Hwy 2. They are clean and attractive.
 - 2. Commissioner Hudson: asked commissioner Munson if the city of Leavenworth helped businesses financially. Not initially. Now, it is part of their zoning law, for example, a new Bed and Breakfast would have to be Bavarian-themed.
 - 3. Commissioner Munson: agrees that the city needs some cleanup first.
 - 4. Commissioner Mayulianos: agrees to clean up first, but that branding isn't an impossible dream. The nicer the city looks; the more agreeable people would be to branding.
 - 5. Commissioner Mayulianos: would like to see the city pull from it's rich history. Mentioned that one of the main stops of the Pony Express was at a cistern right outside city limits. Thinks it's worthwhile to discuss and decide a direction to move in for branding.
 - 6. Commissioner Hudson: right now, Medical Lake is not a destination,

that is the goal. Would like to see an amphitheater, a music venue, and more art.

7. Commissioner Munson: citizens have shared with him that they would like to see a high-end restaurant and lodging.
8. Commissioner Jorgenson: how do we keep young people in the community? Rec center, pool, bowling, etc.
9. Commissioner Mayulianos: in Airway Heights twice a year, every citizen gets a coupon for a trip to the dump. Wondering if this could be done in Medical Lake, to help clean up the city. Mr. Weathers replied that would be a bid scenario. Maybe could do a hybrid. Have been discussing options.
10. Commissioner Munson asked about the status of city code enforcement. Mr. Weathers shared that they are reviewing codes and making updates as needed.
11. Commissioner Hudson motioned to continue the discussion next month, seconded by commissioner Mayulianos, carried 4-0.

7) **PUBLIC WORKSHOP**

None

8) **COMMISSION MEMBERS' COMMENTS OR CONCERNS**

- a) Mr. Weathers shared that Barker between Lefevre and Stanley will be reconstructed, and sidewalks added along the north side. County crews doing crack seal repair, and another contractor will come in to do bigger repairs. Washington State is looking to make Medical Lake a pilot city for street lighting.

9) **INTERESTED CITIZENS: AUDIENCE REQUESTS AND COMMENTS**

- a) Tammy Roberson, resident of Medical Lake – continued with comments from attachment A.

10) **CONCLUSION**

- a) Motion to conclude meeting made by commissioner Mayulianos, seconded by commissioner Hudson. Motion carried 4-0 and meeting concluded at 6:54 pm.

Date: SEPTEMBER 28, 2023

Roxanne Wright

Roxanne Wright, Administrative Assistant

COMMENTS – 27 Jul 2023 (PC) Meeting

(As Of: 27 Jul 2023)

Good evening, Planning Commissioners and City Officials.

I am going to write/speak “my piece” since I have been part of this conversation regarding actions taken on the land use Notice of Application since May 2023. I will be asking “Did You Know” questions for your personal educational enrichment. I do not expect any comments back either.

Some thoughts to ponder would be: **DID YOU KNOW** ??:

- ★ This outcome probably had already been pre-determined by the City prior to the public hearing and also before the actual voting took place based on the City’s actions due to a possible taking regardless if the City had followed their own rules correctly or not?
- ★ Facts and details are important because truth does matter?

I will be writing/speaking today about the City’s recent (Final) Notice of Decision and also on six different educational topics from the May 25th Public Hearing since I was unable to attend June’s PC meeting.

1st educative topic deals with extremely puzzling (inaccurate) information from the City’s (Final) Notice of Decision. **DID YOU KNOW** ??:

- ★ This proposed site is NOT the last vacant site on the block?
- ★ Parcel # 14073.0274 is also a vacant land lot which is directly across from the wetland?
- ★ The required minimum rear yard setback of 15’ is not being met nor was it even mentioned in the City’s (Final) Notice of Decision? (MLMC Chapter 17.16.060)
- ★ Those residences referenced in the final decision report were built in 2007 and NOT in 1998 (according to SCOUT) and they were built by the same developer which was not disclosed by the City?
- ★ The *Wetland Rating System for Eastern Washington* was not properly used due to the fact the total wetland boundary was not shown on the submitted site plan dated 16 May 2023? (*Wetland Rating System for Eastern Washington*)

2nd educative topic deals with good to know information from PC’s Rules of Procedures, Robert’s Rules of Order (Newly Revised of course), and the WA State Appearance of Fairness Doctrine. **DID YOU KNOW** ??:

- ★ The PC Rules of Procedure says “Further, it will be expected that all speakers will deliver their comments in a courteous and efficient manner and will speak only to the specific subject under consideration”? Order and decorum shall be preserved also?
- ★ Roberts Rules of Order states that rude behavior is absolutely forbidden? Professional and ethical behavioral guidelines are to be enforced also?
- ★ Appearance of Fairness Doctrine states that an atmosphere of fairness and impartiality needs to be strived for? The court found that the bias of one member infects the actions of other members? **By taking no action to correct a violation confirms agreement with the violation?**

3rd educative topic deals with helpful information concerning conflict of interest situations (under the Appearance of Fairness Doctrine). **DID YOU KNOW** ??:

- ★ A correction after the fact is not grounds to change the official Minutes from a public hearing when the Minutes did, in fact, accurately record WHAT WAS SAID?
- ★ The belated disclosure does not erase the failure to disclose an actual conflict of interest at the public hearing?

4th educative topic deals with informative evidence regarding the May 25th Public Hearing. **DID YOU KNOW** ??:

- ★ The statement “elephant in the room” phrase is not on the audio recording?
- ★ The City denied me the opportunity to respond on record to the erroneous and slanderous info?
- ★ The 3rd party hired by the City (Towey Ecological Services) recognized in his July 4th report that my wetland stewardship has produced a well-established vegetation structure with higher functions and values than what was originally and erroneously stated and shown by the City?
- ★ The enhancements done by me did not require a permit and were even recommended by Ecology; therefore, the statement that the wetland is no longer natural is false?
- ★ Cured concrete is inert and does not affect the pH of water?
- ★ Uncured (newly poured) concrete is very alkaline and can change the pH of the water which will be used in this proposed project?
- ★ The developer’s 2023 tax obligation for his largest parcel (14073.0253/**18,300 sq ft**) is only **\$36.95**?
- ★ While just across N Martin St from his wetland parcel, a vacant land parcel (14073.0253 / **11, 250 sq ft**) has a 2023 tax obligation of **\$544.84** – almost 14 times higher than what the developer pays, and for a much smaller lot?

SPECIAL “CONFUSING” FACT -- DID YOU KNOW ??:

- ★ According to the Mayor during the 26 May 2022 PC Meeting, she believed that the Commissioners thought the rules were important and were to be followed? (time stamped approximately 23.34)
- ★ She had also stated it is the appointed official’s duty to make sure the rules are being followed?

In my viewpoint, it is extremely sad when the City does not even consider at all my personal property rights since it is after all one wetland versus giving all considerations to an absentee and out-state developer who more than likely knew it was a wetland to begin with when he purchased it (based on the taxes he did not have to pay for a buildable lot). And to top it all off, the City had to rely on giving out inaccurate information and to also slander/discriminate against a 100% service connected disabled veteran to seal the deal.

Did you know it’s a well-known fact that developers will buy wetlands since they are so much cheaper and then try to build on them?

A billion-dollar question to deeply think about -- So, why didn’t the developer build on this parcel at the same time as his other residences in 2007 unless he was told by the City he could not build due to it being a wetland?? BINGO!

I would like to thank the City very much for confirming I am right over the target.

I have currently lost all confidence in our extremely unprofessional and bias City (to include the Planning Commission) besides being extremely irritated and highly disappointed.

Thank you for your time.

2nd Interested Citizens Session

To the Chair – would highly recommend looking at Chapter 17.10.090, para D and then the Wetland Rating System for Eastern Washington publication, pages 15-17 and then let me know that the City did not follow their own Codes.

5th educative topic deals with SEPA comments not going back to the Planning Commission as voted on. (25 May 2023) **DID YOU KNOW** ??:

- ★ According to the City, if there were any issues it would go back before the Commission and another Public Hearing was to be held?
- ★ Ecology had recommended to the City another comment period and public notice for the Revised SEPA DNS if it was being “contentious?” (Cheney Free Press public notice appeared on 20/27 Jul 2023 after it was voted by City Council on 18 Jul 2023)
- ★ Any pollutants that reach the water during construction, will of course, be in the shared waterbody and affect all waterfowl, etc?

6th educative topic deals with missing and/or inaccurate information given by the City and/or applicant. **DID YOU KNOW** ??:

- ★ There was no consideration at all of the higher functioning habitat value I had created?
- ★ The mitigation plan accepted by the City does nothing to preserve or protect the integrity of my habitat value which should have been considered since it is one wetland?
- ★ The wetland rating was procedurally flawed and even violated the City’s Code and by extension the Growth Management Act (GMA)?
- ★ The submitted Wetland Buffer Mitigation Plan is invalid since it is based on an erroneous wetland rating form because mitigation is based on the wetland rating report?
- ★ This location is in the Spokane River TMDL for Dissolved Oxygen (DO) Plan Area according to Ecology’s Water Quality Atlas and D3.3 should have been marked “Yes” on the wetland rating form which would make it a Category II?
- ★ Question D3.3 on the wetland rating summary form is entirely objective versus subjective (meaning no professional judgement is necessary) which Ecology requires to be answered truthfully and it is NOT left up to each certified Wetland Specialist to make their own determinations and to by-pass Ecology’s regulations?

7th educative topic deals with receiving factual info in order to make a true unbiased educated recommendation. **DID YOU KNOW** ??:

- ★ If the entire wetland is not rated, the rating is not Best Available Science?
- ★ Small areas within a wetland (such as the footprint of an impact) cannot be rated separately (Ecology’s Wetland Rating System publication)?
- ★ The failure to rate the entire wetland is responsible for almost all the differences in the two ratings?

★ The CAO is required because of the GMA? (Chapter 17.10.010, para B)

Is it considered too much to even expect that the procedures in the City's own Codes are to be followed by the City?

Reiterated that the City did break their Code.

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Thank you for your time.

Tammy Roberson
424 W Brooks

LETTER ON RECORD – 27 Jul 2023 (PC) Meeting

(As Of: 27 Jul 2023)

Good evening, Planning Commissioners and City Officials.

I am going to write/speak “my piece” since I have been part of this conversation regarding actions taken on the land use Notice of Application since May 2023. I will be asking “Did You Know” questions for your personal educational enrichment. I do not expect any comments back either.

BTW – the source of all these “Did You Know” questions are either found on the Zoom recordings, on official documents submitted to the City, from witnesses who were present at the public hearing, or in applicable regulations. These are only a sampling of informative questions given for your learning enjoyment.

NOTE: I have even color coded the really interesting questions in yellow and the significant ones in blue...

Some thoughts to ponder would be: **DID YOU KNOW** ??:

- ★ This outcome probably had already been pre-determined by the City prior to the public hearing and also before the actual voting took place based on the City’s actions due to a possible taking regardless if the City had followed their own rules correctly or not?
- ★ Facts and details are important because truth does matter?

I will be writing/speaking today about the City’s recent (Final) Notice of Decision and also on six different educational topics from the May 25th Public Hearing since I was unable to attend June’s PC meeting.

1st educative topic deals with extremely puzzling (inaccurate) information from the City’s (Final) Notice of Decision. **DID YOU KNOW** ??:

- ★ This proposed site is NOT the last vacant site on the block?
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- ★ The required minimum rear yard setback of 15’ is not being met nor was it even mentioned in the City’s (Final) Notice of Decision? (MLMC Chapter 17.16.060)
- ★ Those residences referenced in the final decision report were built in 2007 and NOT in 1998 (according to SCOUT) and they were built by the same developer which was not disclosed by the City?
- ★ The *Wetland Rating System for Eastern Washington* was not properly used due to the fact the total wetland boundary was not shown on the submitted site plan dated 16 May 2023? +++ All of the required maps or figures **have to be included** for a depressional wetland with the rating form for the rating to be considered complete? (*Wetland Rating System for Eastern Washington*)
- ★ All of the four stated residences are over the 800 sq ft requirement according to SCOUT versus only one?
- ★ The proposed living area is only 864 gross sq ft since the garage is considered a structure and not a dwelling according to SCOUT (it’s a non-conditioned living space)?
- ★ On the initial Notice of Application, the proposed residence footprint was 1,248 sq ft and now it states 1,200 sq foot or just maybe the applicant is trying to fit a size 12 shoe into a size 7 based on a whole lot of different numbers going around?

2nd educative topic deals with good to know information from PC's Rules of Procedures, Robert's Rules of Order (Newly Revised of course), and the WA State Appearance of Fairness Doctrine. **DID YOU KNOW** ??:

- ★ The PC Rules of Procedure says “Further, it will be expected that all speakers will deliver their comments in a courteous and efficient manner and will speak only to the specific subject under consideration”? Order and decorum shall be preserved also?
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- ★ The enhancements done by me did not require a permit and were even recommended by Ecology; therefore, the statement that the wetland is no longer natural is false?
- ★ Cured concrete is inert and does not affect the pH of water?
- ★ Uncured (newly poured) concrete is very alkaline and can change the pH of the water which will be used in this proposed project?
- ★ To what degree did the erroneous information provided (by a trusted city staff person) influence public perception and the City's vote?
- ★ The developer's 2023 tax obligation for his largest parcel (14073.0253/18,300 sq ft) is only \$36.95?
- ★ While just across N Martin St from his wetland parcel, a vacant land parcel (14073.0253 / 11, 250 sq ft) has a 2023 tax obligation of \$544.84 – almost 14 times higher than what the developer pays, and for a much smaller lot?
- ★ The City's job is to foster public participation in land use decisions not to humiliate a member of the public by making personal statements and presenting fraudulent and incorrect information?
- ★ City Planners are to remain neutral and not to be an advocate for the applicant/developer?
- ★ Just one quart of raw honey/honeycomb sells between \$50-\$100 (based on supply/demand) which easily pays the developers 2023 taxes (\$62.03) for both parcels?
- ★ That the “No Net Loss” the City relied upon is faulty thinking based on Dr. Lefcort's professional opinion (with 34 years of wetland field experience, etc) by reducing the footprint of the wetland – by definition – results in a net loss of critical area functions and values?
- ★ The wetland is very small and a larger wetland may be able to absorb such an insult, but not a smaller one?

- ★ Adding more plants will not add value to the wetland and by adding these new species will simply result in the local extinction of other species? (Dr. Lefcort)
- ★ Adding fill negatively impacts the wetland and additional plant species will increase competition and alter the current hydrologic status? (Dr. Lefcort)

5th educative topic deals with SEPA comments not going back to the Planning Commission as voted on. (25 May 2023) **DID YOU KNOW** ??:

- ★ The Commission was to become involved again if there were any issues concerning SEPA comments received and that this was one of the conditions the Commissioners agreed to when they recommended approval with conditions?
- ★ According to the City, if there were any issues it would go back before the Commission and another Public Hearing was to be held?
- ★ Ecology had recommended to the City another comment period and public notice for the Revised SEPA DNS if it was being “contentious?” (Cheney Free Press public notice appeared on 20/27 Jul 2023 after it was voted by City Council on 18 Jul 2023)
- ★ Suggestions for conditions of construction best practices to protect the wetland and its buffer were requested during the SEPA process?
- ★ Construction noise alone has an adverse impact on wildlife?
- ★ Any pollutants that reach the water during construction, will of course, be in the shared waterbody and affect all waterfowl, etc?
- ★ By waiting to address construction issues as part of the building process risks inadequate protection and an increased likelihood of unacceptable and avoidable impacts?

6th educative topic deals with missing and/or inaccurate information given by the City and/or applicant. **DID YOU KNOW** ??:

- ★ There was no consideration at all of the higher functioning habitat value I had created?
- ★ The mitigation plan accepted by the City does nothing to preserve or protect the integrity of my habitat value which should have been considered since it is one wetland?
- ★ The wetland rating was procedurally flawed and even violated the City’s Code and by extension the Growth Management Act (GMA)?
- ★ The submitted Wetland Buffer Mitigation Plan is invalid since it is based on an erroneous wetland rating summary form because mitigation is based on the wetland rating report?
- ★ This location is in the Spokane River TMDL for Dissolved Oxygen (DO) Plan Area according to Ecology’s Water Quality Atlas and D3.3 should have been marked “Yes” on the wetland rating form which would make it a Category II?
- ★ Question D3.3 on the wetland rating summary form is entirely objective versus subjective (meaning no professional judgement is necessary) which Ecology requires to be answered truthfully and it is NOT left up to each certified Wetland Specialist to make their own determinations and to by-pass Ecology’s regulations?

7th educative topic deals with receiving factual info in order to make a true unbiased educated recommendation. **DID YOU KNOW** ??:

- ★ There is an “*At Home with Wetlands A Landowner’s Guide*” by Ecology (Pub 90-31)?
- ★ The CAO requires a wetland to be rated using Ecology’s publication *Wetland Rating System for Eastern Washington* and that the entire wetland has to be scored? (MLMC Chapter 17.10.090, section D)
- ★ If the entire wetland is not rated, the rating is not Best Available Science?

- ★ Small areas within a wetland (such as the footprint of an impact) cannot be rated separately (Ecology's Wetland Rating System publication)?
- ★ None of the rating systems and function assessment methods are rigorous enough to adequately assess the functions of only a small area within a wetland unit (Ecology's Wetland Rating System publication)?
- ★ The failure to rate the entire wetland is responsible for almost all the differences in the two ratings?
- ★ The CAO is required because of the GMA? (Chapter 17.10.010, para B) +++ Properly following the City's CAO is a requirement of the GMA (by extension)?

Is it considered too much to even expect that the procedures in the City's own Codes are to be followed by the City?

SPECIAL "CONFUSING" FACT -- DID YOU KNOW ??:

- ★ According to the Mayor during the 26 May 2022 PC Meeting, she believed that the Commissioners thought the rules were important and were to be followed? (time stamped approximately 23.34)
- ★ She had also stated it is the appointed official's duty to make sure the rules are being followed?

In my viewpoint, it is extremely sad when the City does not even consider at all my personal property rights since it is after all one wetland versus giving all considerations to an absentee and out-state developer who more than likely knew it was a wetland to begin with when he purchased it (based on the taxes he did not have to pay for a buildable lot). And to top it all off, the City had to rely on giving out inaccurate information and to also slander/discriminate against a 100% service connected disabled veteran to seal the deal.

Did you know it's a well-known fact that developers will buy wetlands since they are so much cheaper and then try to build on them?

A billion-dollar question to deeply think about -- So, why didn't the developer build on this parcel at the same time as his other residences in 2007 unless he was told by the City he could not build due to it being a wetland?? BINGO!

I would like to thank the City very much for confirming I am right over the target.

I have currently lost all confidence in our extremely unprofessional and bias City (to include the Planning Commission) besides being extremely irritated and highly disappointed.

Medical Lake is a City of Wetlands; although, these have been slowly disappearing due to development but who knows if the folks coming here to relax with Mother Nature may pack up and leave...The City may lose their tax base.

May God's grace and protection be with our wetlands and the future of Medical Lake.



Tammy M. Roberson, MBA
 SMSgt USAF Retired
 Disabled Veteran (100% service connected)
 424 W Brooks Rd

From: [Tammy Roberson](#)
To: [Roxanne Wright](#)
Subject: Re[2]: A Simple Request Please
Date: Tuesday, August 8, 2023 9:28:04 AM
Attachments: [image001.png](#)

Hi Roxanne,

Yes, please include them for the August 24th meeting.

Thank you and take care,
Tammy

----- Original Message -----

From "Roxanne Wright" <rwright@medical-lake.org>
To "Tammy Roberson" <tmroberson61@gmail.com>
Cc "Sonny Weathers" <SWeathers@medical-lake.org>
Date 08/08/2023 08:11:57
Subject RE: A Simple Request Please

Ms. Roberson,

Because these e-mails were sent after the meeting concluded, they are not part of the public record for that meeting, even though it deals with the same subject matter. Therefore, we will not add them to those minutes. They are of course considered public record in general, but if you would like to include them for the August 24th meeting, I'm happy to do so.

Thank you,

Roxanne Wright

Executive Administrative Assistant
City of Medical Lake
(509) 565-5014
Schedule
Tues 8-4, Wed 8-4 remote, Thurs 8-4
1st and 3rd Tuesdays 12-8
4th Thursday 11:30-7:30



From: Tammy Roberson <tmroberson61@gmail.com>
Sent: Sunday, July 30, 2023 6:57 AM
To: Roxanne Wright <rwright@medical-lake.org>
Subject: A Simple Request Please

Good morning Roxanne,

I do hope you had a nice weekend and stayed cool.

Please include this chain of emails as an attachment with the draft minutes for the 27 Jul 2023 Planning Commission meeting since it deals exactly with the same topic I had presented and given them.

I sent this email chain out because I wanted to ensure the Commissioner who was absent was on the same sheet of music as the other Commissioners were.

Thank you so very much.

Take care and God bless.
Tammy

----- Forwarded Message -----

From "Tammy Roberson" <tmroberson61@gmail.com>
To "Andie Mark" <amark@medical-lake.org>; "Mark Hudson" <mhudson@medical-lake.org>; "Carl Munson" <cmunson@medical-lake.org>; "Judy Mayulianos" <jmayulianos@medical-lake.org>; "Marye Jorgenson" <mjorgenson@medical-lake.org>
Cc "Roxanne Wright" <rwright@medical-lake.org>
Date 07/30/2023 05:59:30
Subject Clarification (simple terms) of Previous Email

Good morning Commissioners,

I should have been a little more clearer in my previous email... Now for the rest of the final story...

So, why is this wetland rating so important (you may be thinking)? Because the proposed mitigation plan is actually based on the wetland rating report. If the applicant (a certified wetland specialist) had correctly rated the entire wetland, then it would have received at least a Category II (versus a Category III) which requires more mitigation to protect the wetland and its buffer. This is not to much to ask for is it?

By not following the City's CAO, Ecology's publication and the GMA, then again Best Available Science was NOT used.

Oh, and by the way, in my opinion having the applicant being also the certified wetland specialist is definitely a conflict of interest for the poor wetland and its part owner ...

How would the Commissioners feel if their personal property rights were trampled on by using inaccurate and falsified information plus giving all considerations to the other

owner (not a City resident)? Would they be up "in arms"? Hopefully, so. Why is the PC and also the City being "ugly" to its own residents? What is their rationale?

When the Commissioner's own personal property rights are being trampled on, there may be no one from the City to stand up for your private rights either.

Is it ok to have this happen to one of the residents? The PC should be representing and at the bare minimum listening to and researching the story out. Or are the Commissioners thinking since it doesn't affect "me" why even be concerned about this?

Well, if this is your rationale - the PC is hugely mistaken because the disappearance of urban wetlands will affect everyone. I will not go into detail because it would seem that wetlands are definitely NOT a big priority for the City of Medical Lake based on this "ugly" situation and the current CAO having less protections than the previous one had in certain areas. Although, our beautiful natural environment is why folks do come here and it would seem that the Commissioners nor the City do not think they are interrelated but are so concerned about having more development come in.

Please note since wetlands are slowly disappearing within City limits which will eventually change the dynamics of Mother Nature, then folks will probably be disappearing also -- with less folks, businesses will go away and the City will have less monies and etc... BTW - again, all of this works together. The PC and the City of Medical Lake should think about keeping Mother Nature happy first since this is why folks come here..

Did the PC or the City even asked their residents (via official surveys, etc) if they would like to become another Airway Heights, Cheney, Spokane, or possibly like a Leavenworth since wetlands are disappearing due to development? Maybe they should get the majority's input first instead of doing the City's own agenda (my opinion). All the current dynamics of Medical Lake will change due to more folks coming here.

I hope your personal property rights will NOT be trampled on by the City like mine was. Usually, "carma" or the well known statement, "what goes around, comes around" I think will come into play here eventually...

Again, this is extremely sad when the PC (or for that matter the City of ML) does not do what is morally right regarding God's wetlands (my viewpoint).

Thank you for your time and yes, this should be my final email (hopefully) on this depressing topic.

Tammy

----- Original Message -----

From "Tammy Roberson" <tmroberston61@gmail.com>

To "Andie Mark" <amark@medical-lake.org>; "Mark Hudson" <mhudson@medical-lake.org>;

"Carl Munson" <cmunson@medical-lake.org>; "Judy Mayulianos"

<jmayulianos@medical-lake.org>; "Marye Jorgenson" <mjorgenson@medical-lake.org>

Cc "Roxanne Wright" <rwright@medical-lake.org>

Date 07/29/2023 10:54:31

Subject Fw: Enjoyable Reading Material Oops Info missing (the icing on the cake)

Good afternoon.

Oops, my apologies - didn't have enough coffee earlier...

I should have made it much easier for you besides saving you a lot of valuable time in researching so you all would be able to confirm the validity of what was stated in the PC (something to the effect that the City was following the Code and that this is only an opinion and that everyone has a right to their opinions).

Yes, I agree that everyone has a right to their opinions. This issue is not subjective (opinions) but objective (regulations). You are either following the rules or you are not. There is no opinion or professional judgment needed here. Therefore, it would seem before stating that the City is following their own codes, the PC did not do their necessary research to confirm this with the regulations.

My viewpoint: The following interesting statements (facts) are definitely the icing on the cake (the punch line) regarding the particular statement which was made during the PC meeting. The answer to that question should have been based on facts and no "opinions" were required or necessary... I have even attached the required documents for you to confirm what I have stated is valid... Please let me know if I am mistaken indeed... BTW - it doesn't get any easier than this for you all.

CAO, Chapter 17.10.010, para B: "As mandated by the Growth Management Act (RCW 36.70A), this chapter provides protection for the critical areas of wetlands, fish and wildlife habitat conservation areas, and frequently flooded areas."

NOTE: The City was notified before they voted on the recent CAO, that there were two sections missing as required by the GMA (CARA and Geologically Hazardous Areas) but they still voted to approve it... This says a lot in my opinion.

CAO, Chapter 17.10.090, para D: "Wetland Ratings. Wetlands shall be rated according to the Washington State Department of Ecology (Ecology) wetland rating system, as set forth in the Washington State Wetland System for Eastern Washington: 2014 Update (Ecology Publication #14-06-030, or as revised). The rating system document contains the definitions and methods for determining if the criteria below are met. The most recent version of the rating system form must be used..."

Washington State Wetland Rating System for Eastern Washington, 2014 Update, Publication no. 14-06-030, pages 15-17:

Page 15: "The entire wetland has to be scored."

Page 15: "Small areas within a wetland (such as the footprint of an impact) cannot be rated separately."

Page 15: "DO NOT SCORE ONLY THE PART BEING ALTERED OR MITIGATED (Figure 1)."

Page 16: "Note your lack of access on the rating form and record which questions are based on incomplete data."

Page 17: "More detailed data are needed to adequately assess functions in only a part of a wetland."

I am really having trouble in understanding why the City (to include the Planning Commission) are not following their own Codes. It would be good to know what the reasonings are behind their decisions not to follow the Growth Management Act. Again, "opinions" do not come into play here.

It is interesting to note that the City did NOT require the **certified** wetland specialist to correct his errors (to require another wetland rating to be done which would influence the submitted Mitigation Report) when notified of the issues especially since this was even requested by the part owner of this wetland (a true resident within the City limits).

This certified wetland specialist should have known all this but simply took the easy road (my viewpoint). It is strange that the City gave him blanche approval to press on regardless of all these procedural and scientific errors even when the wetland was "contentious" as noted by Ecology...

It would seem (again, my viewpoint) that the City, Planning Commission, Certified Wetland Specialist and the owner had something else in mind (possibly another agenda) than following the City's rules properly...

Thank you.
Tammy

----- Forwarded Message -----

From "Tammy Roberson" <tmroberson61@gmail.com>

To "Andie Mark" <amark@medical-lake.org>; "Mark Hudson" <mhudson@medical-lake.org>; "Judy Mayulianos" <jmayulianos@medical-lake.org>; "Carl Munson" <cmunson@medical-lake.org>; "Marye Jorgenson" <mjorgenson@medical-lake.org>
Cc "Roxanne Wright" <rwright@medical-lake.org>

Date 07/29/2023 04:59:58

Subject Enjoyable Reading Material

Good morning Commissioners,

Since a Commissioner was absent from the 27 July PC meeting, I have decided to send to everyone what I consider to be a highly interesting document (in electronic format); whereby, placing the Planning Commissioners all now on the same sheet of music.

Just didn't want to leave someone out with this good information to ponder on...

Enjoy!

May God's grace and protection be with our wetlands and the future of Medical Lake.

Tammy Roberson

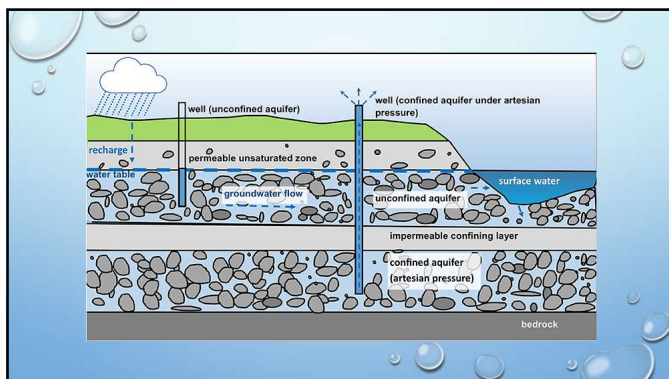
CRITICAL AQUIFER RECHARGE AREA (CARA)

1

WHAT IS AN AQUIFER?

Aquifers are created when water saturates, or fills, the soil or rock matrix underground where it is permeable enough to yield useable quantities of water to a well.

2



3

WHAT IS RECHARGE?

Recharge is water that is added to groundwater, whether from rainfall, snowmelt, or irrigation.

4

WHAT IS GROUNDWATER?

Groundwater is water that collects or flows beneath the earth's surface, percolating through and filling the porous spaces in soil, sediment, and porous rocks, as well as fractures in hard rock.

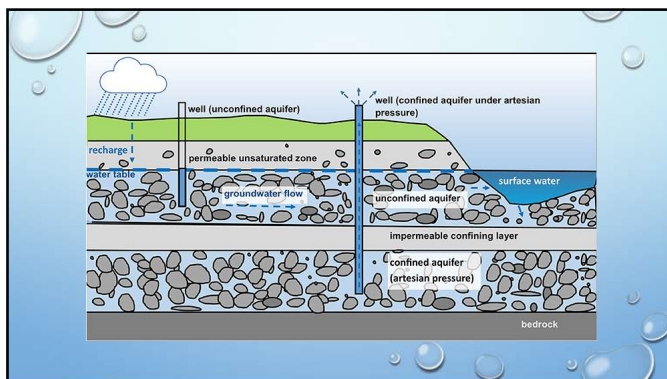
Not all groundwater gets to the aquifer.

5

WHAT IS AQUIFER RECHARGE?

Aquifer recharge is recharge that adds to the underground water that can supply a well.

6



7

WHAT IS A CRITICAL AQUIFER RECHARGE AREA?

CARA's are recharge areas that are vulnerable to contamination or susceptible to reduced recharge that effect an aquifer used for drinking water.

8

GOAL OF ESTABLISHING CARA'S:

To protect the functions and values of a community's drinking water by preventing pollution and maintaining supply.

9

WHAT ARE THE FUNCTION AND VALUE?

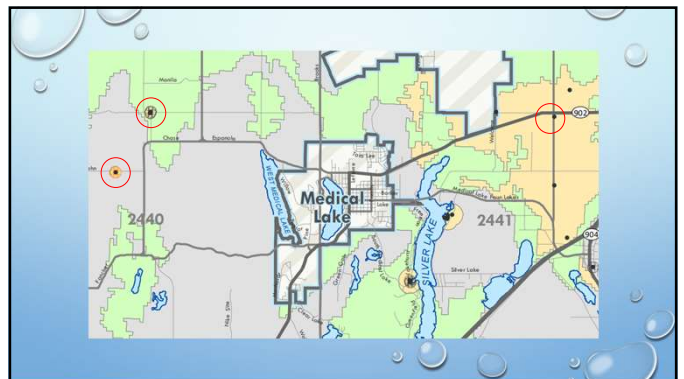
To provide the public with clean, safe, and available drinking water.

10

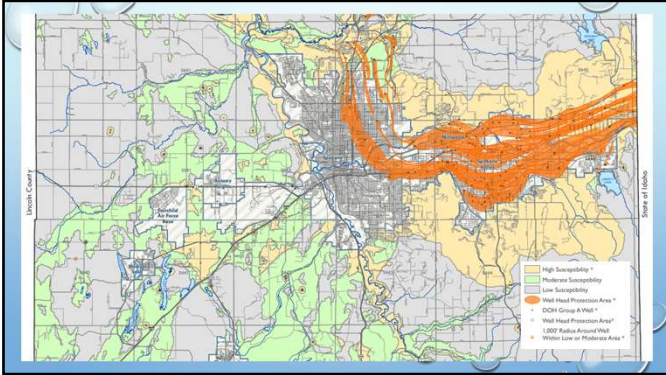
IS THERE A CARA FOR OUR DRINKING SUPPLY?

Unknown.

11



12



13

WHAT WE DO KNOW:

Groundwater supplies our aquifer.
Groundwater can get contaminated.
Groundwater is inextricably linked with all of the critical area.

14

NEXT STEP:

Gather Data
Research best practices
Follow Dept. of Ecology's guidance

15



CITY OF MEDICAL LAKE PLANNING COMMISSION

RULES OF PROCEDURE

Adopted by Resolution 499
November 17, 2015

Revised by Planning Commission
April 27, 2023

Proposed amendments yet to be adopted.

Planning Commission Rules of Procedure

1. General Rules

- 1.1 Meetings to be Public:** All official meetings of the Commission shall be open to the public. The journal of proceedings shall be open to public inspection.
- 1.2 Quorum:** A majority of the appointed membership of the Commission shall constitute a quorum for the transaction of business. Any action taken by a majority of those present when those present constitute a quorum, at any regular or special meeting of the Commission, shall be deemed and taken as the action of the Commission.
- 1.3 Attendance, Excused Absences:** Members of the Commission may be so excused by complying with this section. Members are required to attend in-person when at all possible, with exception to illness or travel. The member shall contact the City Administrator, Planning Director, or designee, or another serving Commissioner prior to the meeting and state the reason for his/her inability to attend the meeting. The contacted individual shall convey the message to the Chair. The Chair shall inform the Commission of the member's absence, state the reason for such absence, and inquire if there is a motion to excuse the member. For good cause, the Commission may excuse the absent member upon passage of such motion by a majority of Commission present, the absent member shall be considered excused and the Recorder will make an appropriate notation in the minutes. If the motion is not passed, the Recorder will note in the minutes that the absence is unexcused.
- 1.4 Journal of Proceedings:** A journal of all proceedings of the Commission shall be kept by the staff and shall be entered into an appropriate medium constituting the official record of the Commission.
- 1.5 Right of Floor:** Any member desiring to speak shall be recognized by the Chair and shall confine his/her remarks to one subject under consideration or to be considered.
- 1.6 Rules of Order:** Robert's Rules of Order Newly Revised shall be the guideline for the proceedings of the Commission. If there is a conflict, these rules shall apply.

2. Types of Meetings

- 2.1 Commission Meetings:** The Commission shall meet as needed on the fourth Thursday of each month at 5:30 p.m., additional meetings may also be scheduled when necessary. The Commission may reschedule meetings to a different date or time by motion. The location of the meetings shall be the Council Chambers at City Hall, unless specified otherwise by a majority vote of the Commission. All meetings shall be public.
- 2.2 Attendance of Media at Commission Meetings:** All official meetings of the Commission shall be open to the media, freely subject to recording by radio, television, and photographic services at any time, provided that such arrangements do not interfere with the orderly conduct of the meetings.
- 2.3 Meeting Cancellation:** The City may cancel a regularly scheduled Commission meeting provided that Commission meets at least once per month for not less than nine months in each year, as provided by RCW 35.63.040.

3. Chair and Duties

- 3.1 Chair:** A Chair shall be elected by a majority of Commissioners and shall preside as Chair at all meetings of the Commission. A Vice-Chair shall also be elected by a majority of Commissioners and shall preside in the absence of the Chair. In the absence of both the Chair and Vice-Chair, the Planning Director or designee shall preside.
- 3.2 Call to Order:** The meetings of the Commission shall be called to order by the Chair or, in his/her absence, by the Vice-Chair. In the absence of both the Chair and Vice-Chair, the meeting shall be called to order by the Planning Director or designee for the election of a temporary Chair.
- 3.3 Preservation of Order:** The Chair shall preserve order and decorum; prevent attacks on personalities or the impugning of members' motives, and confine members in debate to the question under discussion.
- 3.4 Points of Order:** The Chair shall determine all points of order, subject to the right of any member to appeal to the Commission. If any appeal is taken, the question shall be "Shall the decision of the Chair be sustained?"
- 3.5 Questions to be Stated:** The Chair shall state all questions submitted for a vote and announce the result.

4. Orders of Business and Agenda

- 4.1 Order of Business:** The order of business for all regular meetings shall be transacted as follows unless the Commission, by a majority vote of the members present, suspends the rules and changes the order:
1. Call to Order, Pledge of Allegiance and Roll Call
 - A. Excused Absences
 2. Additions to the Agenda
 3. Interested Citizens: Audience Requests and Comments
 4. Approval of Minutes
 5. Staff Reports
 6. Scheduled Items
 7. Public Workshops
 8. Commission Members' Comments or Concerns
 9. Interested Citizens: Audience Requests and Comments
 10. Conclusion
- 4.2 Commission Agenda:** Staff shall prepare the agenda for Commission meetings. Subject to the Commission's right to amend the agenda, no legislative item shall be voted upon which is not on the Commission agenda.
- 4.3 Commission Members Comments and Concerns:** The agenda shall provide a time when any Commissioner ("Commissioner Comments") may bring before the Commission any business that he/she feels should be deliberated upon by the Commission. These matters need not be specifically listed on the agenda, but formal action on such matters may be deferred until a subsequent Commission meeting, except that immediate action may be taken upon a vote of a majority of all members of the Commission. There shall be no lectures, speeches, or grandstanding.

5. Consensus and Motions

- 5.1 Consensus Votes:** When a formal motion is not required on a Commission action or opinion, a consensus voice vote will be taken. The Chair will state the action or opinion and each Commissioner will vote by saying “aye” or “nay”
- 5.2 Motions:** No motion shall be entertained or debated until duly seconded and announced by the Chair. The motion shall be recorded and, if desired by any Commissioner, the Recorder shall read it before it is debated and, by the consent of the Commission, may be withdrawn at any time before action is taken on the motion.
- 5.3 Votes on Motions:** Unless abstaining, each member present shall vote on all questions put to the Commission except on matters in which he/she has been disqualified for a conflict of interest or under the appearance of fairness doctrine. Such member shall disqualify himself/herself prior to any discussion of the matter. When disqualification of a member or members results or would result in the inability of the Commission at a subsequent meeting to act on a matter on which it is required by law to take action, any member who was absent or who had been disqualified under the appearance of fairness doctrine may subsequently participate, provided such member first shall have reviewed all materials and listened to all tapes of the proceedings in which the member did not participate.
- 5.4 Motions to Reconsider:** A motion to reconsider must be made by a person who voted with the majority on the principal question and must be made at the same meeting unless the Planning Commission is in session and then the motion can be made on the next succeeding day within the session on which a business meeting is held.

5.5 Motion to Rescind:

6. Public Hearing Procedures

- 6.1 Speaker Sign-In:** Prior to the start of a public hearing, the Chair may request that all persons wishing to be heard sign in, giving their name and whether they wish to speak as a proponent, opponent, or from a neutral position. Any person who fails to sign in shall not be permitted to speak until all those who signed in have given their testimony. The Chair, subject to the concurrence of a majority of the Commission, may establish time limits and otherwise control presentations. (Suggested time limit is three minutes per speaker or five minutes when presenting the official position of an organization or group.) The Chair may change the order of speakers so that testimony is heard in the most logical groupings (i.e. proponents, opponents, adjacent owners, etc.).
- 6.2 Conflict of Interest/Appearance of Fairness:** Prior to the start of a public hearing, any Commission member who has a conflict of interest, or an Appearance of Fairness Doctrine concern, which could prohibit the Commission member from participating in the public hearing process shall step down. The Commission member who has stepped down shall not participate in the Commission decision nor vote on the matter. Nothing herein shall be interpreted to prohibit a Commission member from stepping down in order to participate in a hearing in which the Commission member has a direct financial or other personal interest.
- 6.3 The Public Hearing Process:** The Chair introduces the agenda item, opens the public hearing, and announces the following Rules of Order:
- (1) All comments by proponents, opponents, or other members of the public shall be made from the podium; any individuals making comments shall first give their name and address if they are a resident of Medical Lake.

- (2) No comments shall be made from any other location. Anyone making “out of order” comments shall be subject to removal from the meeting.
- (3) There will be no demonstrations during or at the conclusion of anyone’s presentation.
- (4) These rules are intended to promote an orderly system of holding a public hearing, to give every person an opportunity to be heard, and to ensure that no individual is embarrassed by exercising his/her right of free speech.

* The Chair calls upon city staff to describe the matter under consideration.

* The Chair calls upon proponents, opponents, and all other individuals who wish to speak regarding the matter under consideration.

* The Chair inquires as to whether any Commission member has questions to ask the proponents, opponents, speakers, or staff. If any Commission member has questions, the appropriate individual will be recalled to the podium.

* The Chair continues the public hearing to a time specific or closes the public hearing.

7. Duties and Privileges of Citizens

7.1 Meeting Participation: Citizens are welcome at all Commission meetings and are encouraged to attend and participate prior to the deliberations of the Commission. Recognition of a speaker by the Chair is a prerequisite and necessary for an orderly and effective meeting, be the speaker a citizen, Commission member, or staff member. Further, it will be expected that all speakers will deliver their comments in a courteous and efficient manner and will speak only to the specific subject under consideration. Anyone making out-of-order comments or acting in an unruly manner shall be subject to removal from the meeting.

7.2 Under agenda item “Public Comments” citizens may address any City item they wish to discuss with the Commission. They shall first obtain recognition by the Chair, state their name, if they are a resident of Medical Lake, and subject of their comments. The Chair shall then allow the comments, subject to a five (5) minute limitation per speaker or other limitations as the Chair or Commission may deem necessary. A citizen wanting to provide an educational presentation shall be subject to a fifteen (15) minute limitation. Following such comments, if action is required or has been requested, the Chair may place the matter on the current agenda or a future agenda or refer the matter to staff or City Council for action or investigation and report at a future meeting.

Manner of Addressing the Commission – Time Limit: Each person addressing the Commission shall step up to the podium, give his/her name and address-if they are a resident of Medical Lake in an audible tone of voice for the record and, unless further time is granted by the Commission, shall limit his/her remarks to ~~three (3)~~five (5) minutes. Agenda item “Public Comments” shall be limited to a total of thirty (30) minutes unless additional time or less time is agreed upon by the Commission (dependent upon the length of the Commission agenda). All remarks shall be addressed to the Commission as a body and not to any member thereof. No person, other than the Chair, members of the Commission, and the person having the floor, shall be permitted to enter into any discussion, either directly or through the members of the Commission. No questions shall be asked of the Commission members or staff except through the Chair. The Commission will then determine the disposition of the

issue (information only, place on present agenda, workshop, a future agenda, assign to staff, assign to Council, or do not consider).

7.3 Personal and Slanderous Remarks: Any person making personal, impertinent, or slanderous remarks or who shall become boisterous while addressing the Commission may be requested to leave the meeting and may be barred from further audience before the Commission during that Commission meeting by the Chair or Presiding Officer.

7.4 “Out of Order” Comments: Any person whose comments have been ruled out of order by the Chair shall immediately cease and refrain from further improper comments. The refusal of an individual to desist from inappropriate, slanderous, or otherwise disruptive remarks after being ruled out of order by the Chair may subject the individual to removal from the meeting.

7.5 Written Communications: Interested parties, or their authorized representatives, may address the Commission by written communication in regard to any matter concerning the city’s business or over which the Commission had control at any time. The written communication may be submitted by direct mail, electronic mail by 2:00 p.m. on the day of the meeting or by addressing the communication to the staff who will distribute copies to the Commission members. The communication will be entered into the record without the necessity for reading as long as sufficient copies are distributed to members of the Commission.

These rules are intended to promote an orderly system of holding a public meeting and to give every person an opportunity to be heard.

8. Suspension and Amendment of These Rules

8.1 Suspension of These Rules: Any provision of these rules not governed by the city code may be temporarily suspended by a vote of a majority of the Commission.

8.2 Amendment of These Rules: These rules may be amended or new rules adopted by a majority vote of all members of the Commission, provided that the proposed amendments or new rules shall have been introduced into the record at a prior Commission meeting.

**Public Participation:
Tips for Talking with the Commission**

Public Comments

The following guidelines are intended to promote an orderly system of holding a public meeting and to give every person an opportunity to be heard.

- The Planning Commission welcomes participation in all public meetings. Arrangements for a sign language interpreter, hearing assistance, and other assistance can be made by calling the City at (509) 565-5000.
- When you feel strongly about a public issue or local concern, the Commission encourages you to share your information and thoughts with them. If you are unable to attend a meeting or would rather not give testimony at the meeting, you are encouraged to send/fax a letter or e-mail that would be made a part of the official record. Mail your letter to the Planning Commission c/o Planning Department at 124 S Lefevre Street, Medical Lake, WA 99022. The fax number is (509) 565-5008. E-mails may be sent to city@medical-lake.org
- To speak during the Commission meeting under Public Comments you should sign up in advance. You will be asked to speak from the podium and to state your name, [address if you are a resident of Medical Lake](#), and topic for the record. You may speak on any City item and/or concern not scheduled for a public hearing.
- If you want to speak on the topic at a public hearing scheduled for that evening, you must comment during the public hearing portion of the meeting.
- When you speak with the Commission, step up to the podium and identify yourself by stating your name, [address if you are a resident of Medical Lake](#), and topic. Be sure to speak into the microphone clearly and address your comments to the Chair.
- During the Public Comment portion of the Commission meeting, your individual comments are limited to ~~three~~[five \(5\)](#) minutes and the total time for all public comments is limited to thirty (30) minutes. These are guidelines to help Commission members hear as many different viewpoints as possible in the limited time available. If you are speaking for a group, you must tell the Commission how the group developed the position you are presenting.
- If previous speakers have already made the comments you wish to make, feel free simply to identify yourself and indicate your agreement with what has already been said.

**Suggested Presentation Model for
Precise, Well Organized Proposals**

- Point.** What is the idea you wish to present? Begin with an “I statement” outlining your idea, such as, “I am here to (support/oppose)...”
- Reason.** Why you are making this point. This is an important step so the listener does not make assumptions about your motives.
- Example.** Brief and relevant example to clarify and make your point concrete.
- Summary.** What condition will be changed or improved if your point is adopted?
- Action.** (If appropriate, depending on the situation.) What needs to be done and who will do it.

Public Hearings

A public hearing offers you a formal opportunity to give your views to the Commission on the subject of the hearing.

- To give testimony, step up to the podium and identify yourself by stating your name and address-if you are a resident of Medical Lake for the record. When you talk to the Commission during a public hearing, Commission members, staff, and the audience will remain silent. After the last person has spoken, the hearing will be closed. The Commission will then discuss and will often make a decision on the issue.
- The audience may not comment during the Commission's deliberations unless a Commission member requests more information from a citizen.
- Again, you are also encouraged to submit your written communications on the subject to the Planning Commission care of the Planning Department ~~before the~~ by 2:00 p.m. on the day of the meeting so they can be included in the record and distributed to the Commission.