

1 **Historic Preservation Commission**

2 **February 16, 2023**

3
4 Pete Hammer calls meeting to order at 5:30pm. Roll call is taken. Present: Pete Hammer, Jo Ann
5 Kuehner, Kathy Smith, Jill McNaught, John Six, Mitch Moberg, Casey Forsman.

6 #3 Approval of the meeting minutes for January 19, 2023. Pete Hammer entertains a motion to approve.
7 Kathy Smith motions to approve, Jo Ann Kuehner seconds the motion. Minutes approved. Pete Hammer
8 moves to item #4 on the agenda Special Meeting. No public comment.

9 Tammy Baraconi introduces new commissioners Mitch Moberg and John Six. Pete welcomes the new
10 commissioners then moves to item #4 a. training for Open Public Meetings Act.

11 Tammy asks Kevin Nelson, City Attorney to talk with group about more training beyond what they have
12 already had with the Open Public Meeting Act. She has concerns regarding the last meeting and has asked
13 Mr. Nelson to come speak regarding the potential repercussions. Committees can not be created outside
14 of this meeting or assign members to those committees outside this meeting. Information can not be
15 shared with the whole group outside of this meeting. There are severe consequences for that which is
16 why she has asked Mr. Nelson to explain that to everyone. She explains how serious the Open Public
17 Meetings Act is and provides an example.

18 5:34pm Kevin Nelson introduces himself as the City Attorney explains his goal to provide an overview of
19 the Open Public Meetings Act. He provides a presentation for the group going over what the Open Public
20 Meetings Act is, what the RCW is and how there is an entire chapter on what is allowed and what is not
21 allowed and how that process works. He provides history on how it came to be. All meetings shall be
22 open to the public and essentially all documents are open to the public. He provides definition on
23 meetings. Handout provided to commissioners providing detail on delegated authority, which has a list
24 of delegated powers. Education is provided in more depth on Open Public Meetings Act.

25 5:39pm Tammy provides examples of duties to review historic properties from her experience.

26 Kevin continues with educating, instruction, and explaining in more detail. Discussing emails, electronic
27 documents, conference calls. Reviews non compliance of Open Public Meetings Act and potential
28 repercussions as well as the variations in meeting types and agendas with those requirements. Provides
29 pamphlet to commissioners on Open Public Meetings Act, powers and duties, and a section from MRSC
30 with dos and don'ts. Instructs on emergency situations.

31 5:48pm Jo Ann asks about the rules they are going by from 1999 and reads a section out loud to the group.
32 She asks Kevin how. Kevin replies at an open public meeting. When you create a committee it has to be

33 done at an open public meeting. He continues to explain committees and subcommittees requirements
34 and the guidelines the group has to follow. Describes what is expected within official capacity and how a
35 public record is created.

36 Tammy explains how and why she handles emails that are sent with everyone cc'd on them.

37 Kevin adds recommendations and caution regarding personal email and potential public disclosure.

38 5:58pm Jill asks Kevin about 2 members of the commission discussing rules with no decisions made, then
39 bring it to the group. Kevin explains this is not creating a meeting, but it still is creating documents which
40 is subject to a public records disclosure.

41 5:59pm John asks for further clarification in which Kevin explains if there is no documentation (anything
42 in writing) it is not subject to public records disclosure. If 4 members are talking that becomes an open
43 public meeting. 4 is a quorum if there are 7 total members on the commission.

44 John shares that with the last meeting in the recording he watched there was discussion of changing the
45 rules so that the number was 5 total members instead of 7. Jill responds that previously Tammy had
46 proposed that the rules be changed from 7 members to 5 so that they wouldn't need as many people to
47 make quorum. Pete thanks Kevin for coming to talk with the commission.

48 6:03pm Kevin Nelson City Attorney exits the meeting.

49 Pete moves to next item on the agenda 4c. Announcement of change in meeting date.

50 Tammy explains that the meeting date set has conflicted with meetings for Experience Chehalis and
51 downtown business owners not able to attend. She asks the group if they are willing to change to the
52 second Thursday of every month.

53 Jo Ann responds that the group has voted on this already. She is unable to because of previous
54 arrangements made. She might be able to do it next year.

55 Tammy explains that it is not just the Experience Chehalis, it is also some of the downtown businesses
56 who would like to attend. She proposes the groups votes again. There is also the option of participating
57 via Zoom.

58 6:07pm Pete entertains a motion to vote for the change of date. Mitch moves to vote on changing the
59 meeting date from the third Thursday of the month to the second. John would prefer to change it due to
60 conflicts with he and his wife's participation in committees at the same time and the challenges that occur
61 with childcare. Vote is taken with 3 in favor and 4 nays.

62 Casey shares that she has a business out of state and it is very difficult to attend. She asks to get a phone
63 number she can call so that if she is having trouble with Zoom she can at least call.

64 6:10pm Tammy talks about procedures. She explains the process for setting the agenda. Let the Chair,
65 Pete know if you have an item that you would like to add to the agenda. Pete and Tammy will go over
66 these items every month and will work through it. She asks that everyone update their contact
67 information on the roster provided .

68 6:12pm Jill asks about last months meeting when they asked to approve the rules, if that should be carried
69 over this month. Pete thinks it should be carried forward.

70 Tammy explains that it needs to be on the agenda before you do it. Committees must form at a meeting.
71 Appointing people for the committee must be at a meeting. The agenda was not amended to add more
72 items. Pete recommends putting them on the agenda for next month. Jill talks about how this was
73 discussed in March of last year.

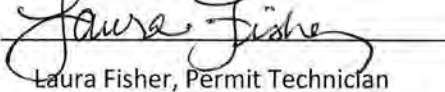
74 John asks how quickly do they need to have topics brought to the chairman in order to have them added
75 to the agenda?

76 Tammy recommends talking to Pete at least a week before the meeting. John asks how soon they can
77 amend an agenda. Tammy answers that it is amended at the meeting.

78 6:17pm Pete proposes the items be added to next months agenda. He then entertains a motion to adjourn
79 the meeting. Kathy moves to motion to adjourn. Casey seconds the motion. Meeting adjourned.

80
81 Approved by: 

82 Pete Hammer, Chair

83 Recorded by: 
84 Laura Fisher, Permit Technician