

**BLACK DIAMOND  
PLANNING COMMISSION  
MINUTES OF DECEMBER 6, 2011 MEETING**

**CALL TO ORDER**

Chairman Bob Kaye called the meeting to order at 6:59 p.m. with the introduction of the role and duties of the Planning Commission.

**ROLL CALL**

Present: Commissioners Bob Kaye, Ron Taylor, Greg Thesenvitz, Darryl Buss, Keith Watson and Sheri Roth  
Absent: Pam Thurmond (excused)  
Staff: Community Development Director Steve Pilcher, Associate Planner Stacey Welsh and Natural Resources/Parks Director Aaron Nix

**PUBLIC COMMENTS**

Colin Lund spoke on behalf of Yarrow Bay and discussed their recent public information meeting concerning new MPD applications. He indicated they wished to present that information to the Commission during this public comment period. Ryan Kohlmann of Yarrow Bay distributed a packet of information to the Commission.

Commissioner Thesenvitz stated this does not qualify as anything that would satisfy the code requirement for their MPD application.

Commissioner Kaye discussed comments made by the audience including those from Bob Edelman and spoke to the audience about speaking time.

Commissioner Taylor stated that the Planning Commission has control over the agenda.

Megan Nelson, Yarrow Bay Director of Legal Affairs, stated that they are asking to use the time to discuss their MPD applications.

Bob Edelman stated this was not a legal Planning Commission meeting and discussed state law and uncertainty regarding the terms of the Commission members. He spoke about the history of appointments and the status of terms of the Planning Commission members. He discussed his request for information from the City on the matter. He encouraged the Planning Commission to ask the City to resolve the issue. He provided a written statement to the Commission.

Commissioner Thesenvitz requested the Commission go into executive session. Mr. Pilcher stated that there was no legal counsel present and reminded the Commission that they needed to cite a provision of state law when calling an executive session. Commissioner Thesenvitz stated it was due to the threat of litigation.

The Commission went into executive session at 7:11pm.

The meeting resumed at 7:19pm.

Moved by Commissioner Thesenvitz, seconded by Commissioner Roth, to cancel the meeting until January 10<sup>th</sup>. Passed 6-0. **The meeting adjourned at 7:21 p.m.**

Chair Kaye apologized to those who came regarding the Shoreline Workshop.

Minutes prepared by: Stacey Welsh, Associate Planner *Stacey Welsh*

ATTEST:

*Kath Watson*  
KATH WATSON Chairman

*Bob Adams*  
Planning Commission Secretary