

Columbia River Gorge Commission Rules Committee
Meeting Summary
August 18, 2025, 10:30 am via Zoom

Attendance: Commissioners Valerie Fowler, Robert Liberty

Absent: Commissioners Laura Brennan-Bissell, Rodger Nichols, Pah-tu Pitt

Staff Present: Jeff Litwak, Counsel

Public Attendees: Nina Sackett Kronberg, Brian Nichols, Lynn Burditt, Kelly Howsley Glover

Discussion of Draft Division 14 Rules

The Rules Committee discussed the draft rules in division 14 – conflicts of interest. Jeff Litwak reviewed the rules listed in the organizing table provided to the committee and public with the draft rules. The committee had comments and questions on the following subjects and draft rules

Rule of Necessity. Commissioner Fowler noted that the rule would be unlikely to ever apply because it would require many commissioners to be conflicted but stated that the rule is important to have in the rule to frame public perception. Jeff Litwak noted that the draft rules adopt Oregon LUBA’s approach, which is for a commissioner to only vote, and not participate in making motions or deliberations. Washington’s application of the rule of necessity does not have that limitation.

Commission Fowler also noted that this rule is related to the requirement for commissioners to disclose their conflicts of interest. Jeff Litwak explained that the disclosure requirements in the draft rule come from Oregon law, which is more specific and more transparent than Washington law. Commissioners with a potential conflict can participate in a matter if they feel they can be impartial. Commissioners with an actual conflict cannot participate in a matter. Washington does not distinguish between a potential or actual conflict. In addition, the Gorge Commission must record disclosures in its meeting minutes for transparency purposes, which is another Oregon requirement.

Commissioner Liberty explained why he believes the definition of “gift” should include campaign contributions and that campaign contribution should be considered as a conflict. The current draft shows campaign contributions deleted. The deleted reference to campaign contributions is a deletion in the exceptions to the definition of “gift.” Jeff Litak said he would bring this issue back to the committee at the next meeting.

Commissioner Liberty also noted that division 14 should address when a public official is associated with an organization. Jeff Litwak said he would bring this issue back to the committee at the next meeting.

Commissioner Fowler noted that the definition of “Public Official” should be revised to remove the reference to “agent” because the Gorge Commission does not use agents.

Commissioner Fowler suggested that the Gorge Commission not try to make its own training materials because it would be too time-consuming for staff. Commissioner Liberty suggested the staff develop a training handout for commissioners who are completing their service that would advise those commissioners about state laws that apply to them as former commissioners and that they can contact the Gorge Commission's attorney for information if needed.

Public Comment

Nina Sackett-Kronberg – clarified that under the rule of necessity, commissioners who are conflicted cannot vote unless there a necessity. She also stated that the Gorge Commission should allow more time for public comment to give commenters enough time to make a meaningful comment. Commissioner Fowler noted that the current amount of three minutes and that the agenda should provide more time than it currently does for public comment.

The meeting ended at approximately 11:30 am.