

Board of Okanogan County Commissioners
Tuesday, January 10th, 2023, 9 a.m.

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Present:

Jon Neal (JN), BOCC District 3
Andy Hover (AH), BOCC District 2
Chris Branch (CB), BOCC District 1 (via Zoom)
Lanie Johns (LJ), County Clerk
Pete Palmer (PP), Planning Director
Cari Hall (CH), Auditor

Time stamps refer to the time on the wall clock. An AV Capture archive of the meeting on this date is available at: https://okanogancounty.org/departments/boards/live_streaming_of_meetings.php

Summary of Important Discussions:

- Commissioners Neal and Branch chat about Neal chairing Okanogan Council of Governments, failed and un-permitted septic systems, flooding and Canada's snowpack
- Public Hearing on Tunk/Tamarack Springs subdivision moratorium - approved for 60 day extension.
- Planning Director to recommend new county zoning designation (R160) for minimum lot size of 160 Acres in County Zoning Code, along with addition of permitted uses for this category on District Use Chart.
- January 23rd public hearing before Planning Commission on County Zone Code change (above) and Tunk Valley/Tamarack Springs change to R160.
- Short discussion on ATV/ORV rule inconsistencies
- Alta Vista Irrigation District prepares to close
- Auditor to coordinate voting in jails, new accounting system being prepped, federal laws if passed would complicate voter registration and expense reporting
- Cash Road being cleaned up after landslides in burn area
- Commissioners Hover and Branch discuss criteria for choosing advisory group members for Methow sub-area B
- Commissioners convene in afternoon to approve Northwest Forest Plan Advisory Committee and letter supporting committee candidate Michael Anderson

9:04 - **JN** (*talking to CB about continuing as chair of OCOG (Okanogan Council of Governments)*): We're figuring out how to spend our money. There are some insurance issues with hiring so we may hire temporary in-house, get caught up. ...We have to have an MOU (motion of understanding) with each municipality of insurance. *CB talks about the afternoon Public Health meeting. JN mentions "getting everybody on the same page", "a patch out there somewhere to make the two programs talk to each other. CB points to the risk that an applicant might be refused for septic, having a re-existing system that wasn't permitted.* JN: I had to redo mine. In the end it was cheaper to put in a grinder and connect to the city than redo my septic. CB: It's a predicament for the land owner. (*Inaudible. The acoustics where he is tuning in from on Zoom make many of his comments incomprehensible.*) CB: What happened with your system? JN: The drainfield collapsed. It would have to be a pressurized system and would have cost \$25,000. Just a few inches from being able to use a gravity system.

9:17 - **CB** (*about flooding*): In Okanogan when it happens, you know most of the places you're

going to have troubles. JN: I was going to contact Jay O'Brian in Canada, see how the snow pack is or what they're expecting.

9:27 - Referring to the proposed Letter of Disapproval for The Tiny Dancer Cannabis Operation - CB complains that their report uses a font that's too small to read easily. JN talks about fighting a fire after Monday's OCOG meeting. CB talks about impatient drivers between Wenatchee and Chelan, where he is recovering from surgery. JN discusses accidents. AH and PP arrives.

9:30 - PP: The Public Hearing is about the prolonged (*Tunk*) Moratorium. On November 29th the ordinance 2022-10 was extended for another 60 days to accommodate a decision on the proposed rezone of Tunk and Tamarack Spring Basin. Our recommendation is that we continue with the moratorium as noted in the ordinance 2022-19. We have a Public Hearing scheduled for January 23rd with the Planning Commission. We've got SEPA (*State Environmental Policy Act*) and DNS (*Determination of Non-Significance*) out now for public comment to propose the rezone to the R160 (acres) which would be a new designation under our zoning code and the accommodating use map with that. AH asks what month of the moratorium they're in. PP says it was extended 30 days to January 29th. CB: Statute requires if we do a moratorium that within 60 days, we have the opportunity for the public to comment on it. PP: The ordinance was already adopted; this is just the follow-up public hearing to that. I did update the findings of fact. Do you want to re-adopt those as part of this ordinance to re-include what's happened from 2020 to the present? Basically, a two-year moratorium with a work plan to do the water availability study. CB makes a motion to approve the extension of ordinance 2022-10 including the adoption of findings of facts, AH asks if they need to sign these findings; PP says these were already adopted in 2020. AH moves to "affirm 2022-10 and adopt updated findings of fact as attachment A."

CB tells PP they plan to send a disapproval letter to Tiny Dancer Cannabis. PP: We've been sending this form letter when they're not meeting our regulations or emergency addresses are not valid. ...When we met with them in the fall they agreed that when their license came up for renewal with the state they would correct the address on their license. Evidently they overlooked that when they renewed the license.

JN is concerned with road use rules for ATVs: In Oroville, highway 7 and 47 you can't and on Loomis highway you can. CB: You can raise this with Josh (*Thomson, County Engineer*) when he comes in. That's a process we've been through road by road. ...Don't know if you're familiar with that classification of vehicles. The state blessed us with a definition of the licensed ATVs. There are existing rules about ORVs. Let's check with Josh. One thing that's always bothered me is (*inaudible*) motorcycles are still allowed. When it comes down to it, with ATVs what is invoked is now you have big ATV groups, which changes the language of ATV use. ...Sometimes you have 50 of them. (*Inaudible*). The Forest Service treats things differently. Plenty of (*things*) that play into it. Hence then this statement that having the authorization to do that just opens the door for lots of people to express their dislike for ATVs in general. It's a little complicated...Highway & Oroville to Loomis Junction is not ATV access but all the way from Tonasket to Loomis it is. AH: Probably because it's 40 mph. JN: There's 50 mph stretches.

9:45 - AH: Things were done according to old ORV ordinances. Way back when you could assign an ORV route to 50mh. Since then we've made 35 mph WATV roads and grandfathered in 50 mph roads. You cant get from one to the other any more, no more ORVs. JN: Second question- Any way the county can do service and maintenance on rural fire trucks? They're technically county-owned vehicles. AH: No. JN: We don't have certified diesel mechanic in our community. We just had to haul one to Spokane. AH: You have to talk to Josh about the Road Fund. CB: Districts are a government of their own. AH: But if they paid for it, it wouldn't be one fund benefiting another. AH is surprised there's no diesel mechanic.

AH: Chris, we received a letter from the Alta Vista Irrigation District and they're talking about dissolving the district. We actually get water from them for the yards and stuff here. So I think we should reach out to Brian Kirchner (*interim manager, who sent the letter*). He said to contact him to know when the meeting will be. CB: My suggestion would be to do some research about what (inaudible). ...We're customers of district 2. I would be interested in that full process for dissolution before it goes (inaudible).

9:52 - AH: I know cemetery districts come back to the Commissioners. LJ: Some cemetery districts were created by the governor, others by the County. The irrigation district was created by the County. CB: I'd like to have the answers before the meeting. ...Knowing what the basis for our discussion is important to me. *JN asks which area the district serves.* AH: The yards and stuff all through here. LJ: It goes all the way north to the PUD.

9:54 - Auditor's report - I would like to answer any questions Commissioner Neal might have. Whatever goes on in my office I want you to know about it. I'm open, and would like to have better minds and brains than mine making sure I'm making the right decisions. *She says her chief deputy wanted to come but has an elections test.* We always run them three or four times before (the state officers come). Of course it's legislation time. We had our (auditors' association) meeting. Nothing major at this point. Seven new bills just for elections, and one for County Auditor. Since I came in 2018 it's the least amount of bills that there have been. HR1174 has to do with voter outreach to people in local jails. ...A large amount of money—some were small but ours was \$30,000. With the Chief Jailer we discussed ways we could use these funds and there's no way we could utilize them. It was the same for about half the counties. We said "let a county that really needs them have them." Now there's a bill introduced that requires the auditor to be the jail-voter coordinator, requires the jail to appoint a voter coordinator, the auditor to come up with a plan and the jail to allow the plan.

9:59 - AH: When do you lose your voting rights? CH: You don't. Only if you're in federal custody. It used to be the Department of Corrections. Not just in Federal Custody. If you're in a local jail you can (vote). ...There are two instances where an inmate reached out through the (inaudible) system saying they really wanted to vote. I had no problems and their vote was returned and counted. I think this is being generated by larger communities. I was going to talk to the Sheriff about it because it doesn't affect just my office. It affects the jail tremendously. There's the secrecy of ballot, even them being allowed to use a pen was a thing. It come down to talking with the Sheriff about it. And it's another unfunded mandate. *AH wonders if I-pads can be used.* CH: You can pull up your printed ballot but you still have to mail it in. ...We do have a touch writer. It's a ballot marking machine. It's an option. But where do you put it, and there's a staffing issue. There's a Bill the secretary of State has introduced. If you renew your driver's license the department proposes to register you to vote. There have been some glitches in the system in the fact that right now they were supposed to opt in on it. In some instances they've been told they have to say yes in order to move forward. In an election it triggers a new ballot. Like if your address shortened "road" to the abbreviation you'd automatically get a new ballot—an administration's nightmare. But there is no possible way you can vote on two ballots. The new bill makes it so you have to opt out, not in, on any government transaction, up to and including proving citizenship. Unlike other voter registrations, with these we have to respond within five days, send them a packet, wait 21 days, and if they haven't responded they're automatically enrolled and if not we have to take them off the rolls. ...Since this bill came from the Secretary of State (it looks like it's going to be implemented).

JN: I do know a couple of people who got two ballots because of the spelling of their street address. CH: 99.9% of the time those people call us. On the rare occasion someone tries to use two ballots, we catch it.

CH: A little bit about my office. ...There are four very distinct areas in my office and they don't intertwine: the recording of all property documents, marriage licenses, vehicle tabs—for this we have to be certified, and our office is in charge of the expenditure side of County business as well as the general ledger and the annual reporting. ...We're in the process of transitioning to a new accounting system. The goal is to go live January 1st, 2024. This is my fourth transition and I hope it will be my last. *The old system dates from 2002. Her offices issues checks for all departments and junior districts (fire, cemeteries)*. ...I have 12 employees. ...I'm very active. By law I'm supposed to be on the finance committee but I'm also involved in all the supplementals and all the budget adjustments. I also work with Lanie (*Johns, clerk*) to make sure everything checks out. Any questions?

JN: Through the defense bill that the federal government just passed there's a little caviat that by 2027 you'll have to report everything federally... CH: I would say that as far as I know that has not passed. That is something that the federal government has pushed for a long time. Right now counties are allowed to do (either) cash-based reporting or "gap", i.e. accrual-based reporting. We can still report as a cash-based system. If it's the bill I'm thinking of it's a push to make all counties report from a gap level. I come from a "gap" world... but as far as I've heard the state hasn't told us we have to change. I'm going to do some research because (that would involve "serious restructuring"). JN: I heard they tucked it into the last defense bill. I understood it did pass but maybe not. *CH explains how the decentralized system here is not adapted to the accrual-based system*. CH: It would take lots of meetings. Each department is responsible for its grants. Under the accrual you record when you bill it, and for the month that you're billing. This would affect how receipts are booked, expenditures and depreciation. With the cash system we don't book it as the revenue until we get the check. There are all kinds of stuff in a "gap" world that I don't want to do... I appreciate you mentioning that...

CH has a question about reporting: since she is helping a department with a budget supplemental, she is worried about reporting it twice, once in current expenses and again in the department's budget. LJ mentions Fairgrounds doing something similar in 2014, something double-reported which they discovered much later. CH will look at the Fairgrounds reporting and also consider transferring funds into Current Expenses through the Treasurer.

Landslide - LJ: Josh just sent an email. He won't be able to make it in at 11. He plans to look at the fire area on Cash Road before he comes back. He has equipment headed to (the slide area) and should have the lanes cleared by the end of the day. They will do more clean-up tomorrow. They'll have to wait for the ground to dry out before they can finish repairs. H did not see much potential for a more serious slide than the ones they're currently cleaning up. They are keeping in touch with emergency management and are getting information out to schools and the tribes.

10:27 - AH: The application for the Northwest Forest Plan is due next Tuesday the 17th. I should be able to have all the information and a letter generated that we can look at this afternoon so we can authorize the letter to be sent.

10:37 - LJ: About the appointment letters—Letters of interest, resumes and applications for Methow Valley Sub-area B were received December 13th by the Planning Director. I just asking for direction on whether appointment letters should be created for these. I don't know how many positions— AH: That's what we need to find out from Pete. Then we'll have to look at people and

choose. *CB wonders about criteria.* AH: We'll just look at the resume, try to get a diverse group of people. Do they live on a ranch? Or in one of the towns? *CB says they should look at the person's interest in and commitment to the planning process.* AH asks when *CB* will be back in the office for signing documents. *CB: I have a doctor's appointment Monday and we'll see how it goes. When people say "hip surgery's a breeze" it depends on who your are.* AH talks about a friend who had complications with his hip surgery.

10:45 - Meeting recessed until 3:05 p.m

3:12 - Approval of Northwest Forest Plan Advisory Committee and letter of support for Michael Anderson to serve on the same board.

CB talks about rescinding a process. He's referring to the dissolution of the Alta Vista Irrigation District. AH: We have to take action but there's also the possibility for the city to absorb that water. *CB*: The city's looking at it. I have a suspicion that they will do what they can to do that because certainly (*inaudible*) the cost of irrigation.

3:16 - Meeting adjourned. (*AH has another meeting.*)

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