

Board of Okanogan County Commissioners  
Monday, January 9, 2023 AM

JN—Jon Neal, BOCC, District 3  
AH—Andy Hover, BOCC, Vice-Chair, District 1  
CB—Chris Branch, BOCC, Chair, District 2—via Zoom  
CHa—Crystal Hawley, Deputy Clerk of the Board  
LJ—Lanie Johns, Clerk of the Board  
IS—Isabelle Spohn, citizen  
ZK—Zak Kennedy, Okanogan County lobbyist  
MG—Maurice Goodall, Emergency Management  
NP—Naomie Peasley

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Summary of significant discussions:

- *Commissioner Branch discusses the Forest Health Collaborative's approval of the Forest Service's proposal for the Twisp Project. He'd like to sign an amicus brief written by the American Forest Research Council opposing a challenge to the Twisp Project filed by the North Cascades Conservation Council. The commissioners will discuss the amicus in an executive session with Ester Milner, Chief Civil Deputy Prosecutor and an official from Chelan County as soon as the meeting can be arranged.*
- *Isabelle Spohn, of County Watch, makes a public comment, asking the commissioners make sure that legal notices are accurate. She cites examples of notices being inaccurate and problems the inaccuracy may have caused.*
- *Zak Kennedy, lobbyist for Okanogan County, updates the Commissioners about the opening of the legislative session. He notes that many of the bills that have been refiled include the compromises worked out in the last session.*
- *Maurice Goodall, Emergency Management, updates the Commissioners about the recent ammonia leak in Brewster.*
- *Naomie Peasley, Fairgrounds Manager, updates the Commissioners about her goals for 2023. She's also created a list of upgrades for the facilities. Commissioner Branch asks her to rate the upgrades with safety concerns as the highest priority and note which year she hopes to complete the upgrade, so that the county would have a capital facilities plan with dates.*
- *Recess at 11:50.*

**03:05**—Pledge of Allegiance.

CHa—I added the staff meeting at 9:45 to the agenda.

CB—I'd like to have a discussion about the Forest Health Collaborative. They're considering how they'd respond to the Twisp Project. North Cascade Conservation Council has challenged it. Different parts of

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the Collaborative filed amicus briefs. So we should talk about my signing an amicus. The last time I signed one, I was co-chair of the Collaborative. Wanted to make sure you agree with it, though I don't doubt you will be. Maybe we'll need an executive session to discuss it.

AH—Does the Collaborative have its own attorney?

CB—No. Members have their own attorneys. The amicus is from the AFRC (American Forest Research Council), an industry group. They have a really good attorney. A couple of the conservation organizations made their own amicus—from a more refined perspective. They weren't in conflict with each other.

AH—When you sign, are you signing the amicus brief the AFRC wrote?

CB—Yes.

AH—Did they write it on behalf on the Collaborative as a whole?

CB—Yes. All of the brief statements are supportive of the Collaborative's position of approving the project before it was put out for NEPA.

AH—Does everyone sign that as members?

CB—Not necessarily. Some will want to make their own statement. They put their reputations on the line with their membership by collectively approving the project at the time the Forest Service made the decision. Because sometimes the Collaborative backfills voids where they want the work done quickly—offering to pay for some part of a study, for example. Increases the goal of the Collaborative to treat the forest relating to wildfire. The members can make their own statements, but don't oppose the Collaborative's decision from the beginning. They achieve consensus and then tell that to the Forest Service. If someone challenges the decision, the Collaborative is united in moving the process forward. It increases the pace and scale of treatment of the Okanogan-Wenatchee National Forest with respect to fire.

CB—To me, it's the best deal. Otherwise, we could write an amicus with the AFRC with opposition from the environmental groups, but we're a collaborative, so that makes it different.

CB—The last one we filed, I made a statement within their amicus and signed it. So did Mike Anderson with the Wilderness Society.

JN—Are you making the statement for the county or as a member of that board?

CB—It's not a board, but I'm making it on behalf of the collaborative as a whole. As a member, I represent Okanogan County's interest. But when it comes to decisions like this amicus, we made a decision collectively as a Collaborative. It would be like WSAC (Washington State Association of Counties). It's a nonprofit, so if I vote in WSAC, I'm voting as a member of that nonprofit. It's like if the BOCC takes an opinion, but one is opposed and says, "in my opinion..."

JN—OK.

CB—I have a lot of material about voting on councils, etc. as a commissioner. I can send it to you if you'd like.

JN—You were going to forward me information for possibly ARPA (American Rescue Plan Act) funds for senior centers.

CB—OK.

JN—I mentioned last meeting that the Oroville Senior Center is struggling. All of the senior centers are, but Oroville is really struggling.

CB—There's discretionary funds for stuff. Ex—the refrigerator is going out. We can give them money to buy a new one.

JN—I know they just did that for about \$4,000. It's their operating budget. Donations are down probably due to minimal usage because of Covid. I suggested they put together a proposal—itemized, so we can have a better understanding of the issues.

CB—That's good. Then we'd know specifically what they need.

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JN—OK. I'll get the information from them.

**16:30**—CB—It's 9:15. Comment period.

IS—First, welcome to Mr. Neal, willing to serve the public.

IS—Second, I want to make a comment about legal notices and emphasize that the county needs to be accurate in them. Just so Mr. Neal knows, I'm involved in County Watch and we try to involve the public more in the public process and encourage transparency in the county. The last time I brought this topic up was with the Stoneywilde Development. Legal notice said it was in Twisp, but I couldn't locate it. Turns out the county had advertised it, so it couldn't be in Twisp. I contacted the Planning Department, and refused to republish. People should have been able to tell by the Assessor's map, but I couldn't. I do think that should have been better handled.

IS—Recently there was an advertisement about the Tunk hearing on January 19. As I read it, I saw a reference to a mistake in the zoning ordinance. I followed that issue through the Planning Commission meeting and never was there an error in the zoning ordinance mentioned. So I contacted the Planning department. I requested the materials, but when I received them, there was no map included. I recontacted the department and requested the map. Reminded them there was a deadline to respond. I did receive a not-very-friendly email saying I ought to allow the department to do their work, implying that I was making too many requests for information. I'm just repeating my request that the Commissioners attempt to emphasize that accuracy is friendly to the public and that the public can request information without being criticized. Thanks.

JN—Duly noted. Thank you for the welcome.

CB—Thank you again, Isabelle, for your comment. We commissioners don't take those things lightly, either. Hope we can make our system work better or the people.

No other comments.

**22:00**—CB—OK, let's move on?

AH—I don't think we came to a resolution about the Collaborative. They're writing an amicus brief? Is it not public because it's about legal matters?

CB—I assume so.

AH—So I think our course of action should be that Ester (Milner, Chief Civil Deputy Prosecutor) gets the brief, we go into Executive Session for legal actions because the County is part of the Forest Health Collaborative. We look it over to see if we all agree we want to sign on.

CB—That's great. I notified Ester already, although she hasn't read it. The Collaborative is preparing for a meeting on the 19<sup>th</sup> with at least 3 or 4 of the leadership of the Collaborative and maybe the Yakamas. The Yakama Nation is also part of the Collaborative and supported its position on the Twisp Project. And the Forest Service was always going to do NEPA (National Environmental Policy Act) all along. I'm trying to get a time for a phone meeting with Ester and the PA from Chelan County as well. We could do it today or tomorrow, whenever it's convenient for Ester. But maybe not today because I have a doctor's appointment in Wenatchee. You're OK with that?

AH—At some point we'll see the amicus in Executive Session?

CB—We'll see the challenges and decide who's doing what on the amicus and go with that. We'll see the amicus later on.

AH—I'm in agreement in theory, but I need to see what they wrote before I say go ahead and sign.

CB—There's a complaint issued by Northwest Conservation (?)...

AH—And the Forest Service has to respond to the complaint. And then the Collaborative is writing an amicus brief in support of the response from the Forest Service?

AH—Yes. The attorneys have to look at the complaint first.

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CB—I think we can move on. Zak should be here soon. And it looks like we have a whole hour for fairgrounds.

JN—Fun times.

**29:30**—Commissioners discuss the ammonia leak in Brewster that happened over the weekend.

CB—When we discuss the court house project, I'd like to tie a discussion of court house security in with that.

CB—While we wait for Zak, I'll ask the other Commissioners to share what your legislative priorities would be.

**34:20**—AH—Here's Zak.

ZK—I made a mistake. Thought my 9:30 meeting was with Pend Oreille County, not you guys. Sorry.

ZK—It's the first day. I sent you a breakdown of the pre-filed bills. Lots of them. It sounds like both sides of the aisle are going to work on housing. Top priority of the governor. Doesn't mean any group will approach the issue the same way. We'll just have to wait and see what direction they're going to take.

ZK—So far, with the bills from the last biennium, they're keeping the compromises from the last session.

AH—What's SB5067? Concerning meetings of county legislative authorities?

ZK—It's a carry-over from last year. It's for (maybe) Benton County, so they can meet occasionally outside of the county seat. Allows that but doesn't require it.

CB—Flexibility in meetings isn't a priority for us.

ZK—Something that could affect you is climate resiliency stuff. In water systems, etc. Language says the climate crisis is affecting x, y and z. Bringing in this language into water systems planning will be problematic for us. A lot of these bills are sponsored by west-side legislators. Target the dairy industry on the west-side due to runoff. Ground water issues because of salt-water encroachment of wells even 20 miles inland. They are west-side bills and could catch us in a negative way depending on how you do water planning.

CB—Emergency management protocols may need to pay attention. Watching for resources we can use in emergency situations. Environmental issues, whether climate change or not, will affect us. Water is a long term land use issue.

ZK—The sneaky things related to land use with respect to climate change. It's a big issue. Another issue is the 988 behavioral health crisis response line. It's required to have the line, but there are lots of unknowns—Who staffs it? What credentials are required? They may try to clarify this. It'll cost some money.

CB—Who's paying for what will be a key piece in this.

ZK—But we're just beginning this year. And like I said, a lot of compromises from the last session are included. Lots of the legislators and LAs (Legislative Assistants?) are new to in-person session so they've got a lot to learn. If any of you want to come over, I can introduce you to people.

CB—I'll be over there on the 19<sup>th</sup>. Maybe Commissioner Hover, too. When are capital budget items introduced?

ZK—In the next couple of weeks is the time to introduce capital and operating budgets.

CB—Let us know. We've got projects we could pitch.

ZK—Let me know if you've got any questions.

CB—Please send me your cell number.

ZK—Will do. Zak leaves the meeting.

**52:05**—CB—Regarding the legislature, what issues do we need to talk about outside of WSAC priorities.

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AH—Reintroduction of the grizzlies.

CB—There's no convincing necessary for our own legislators. We need to think of our conversations with those who support grizzlies. Thinking about the audience we might have is important. The more we learn about that, the better off we'll be.

JN—I don't think anybody understands the territory that a predatory animal needs. And you get them in there, the territories just keep expanding.

CB—Let's say I've studied endangered species. What's my objective? Establish all the species that ever were, or what? They have beliefs. Their attorneys say they're working for their stakeholders. If you know what they want, you can have a discussion. Ask them why they support something that looks ridiculous to us.

AH—At the fairgrounds, NP says she got three bids for the epoxy flooring in the annex. The least expensive is \$10,300. That's \$300 over our budget. I move to authorize NP to spend \$10,300 for the epoxy-resin for the floor.

AH—The maintenance guy has worked with it before. They've done the prep work. It's all ready to go.

JN—Is it anti-skid?

AH—NP says yes, but I'll email her to make sure. I amend the motion to make sure it's anti-skid.

CB—Motion passes. I hope this fix is long lasting.

**1:02:40**—CB—I have a doctor appointment in Wenatchee and have to leave at 1:30. I'll listen in to the meeting, but I may not be able to hear everything. Can Commissioner Hover take the chair for the afternoon session?

AH—Yes.

CB—Either of you looked at the inter-local agreement about the opioid settlement? I think we need to talk to Ester. Can someone follow up with her? We signed an agreement to get the money. Had provisions for joint effort to get the funds, with Chelan County as the leader, I think. Do you remember, AH?

AH—We signed three documents that we'd be involved in the class action law suit. But it wasn't spelled out about what we had to do. What's the meeting today about? Another commissioner?

CB—I think there would be several people involved in it, including attorneys.

JN—The Interlocal shows it's between Grant, Chelan, Douglas and Okanogan Counties and Northcentral Washington Behavioral Health.

CB—I think the ACH (Accountable Communities of Health) was named in that.

AH—All I want to make sure that our Behavioral Health is involved in this. Maybe Dennis (Rabidou) as a board member, and Dave (McClay, CEO of Okanogan Behavioral Health Care) should be there. I want to make sure that our money goes to our county to fight opioid addiction.

CB—We want the right players at the meeting. I'd like to schedule a meeting, but it's challenging, depending on who wants to be involved. Our attorney should be there. It's OK if I'm not.

AH—Make sure David and one of the Board members. I want to make sure they'll be comfortable with the money distribution.

CB—We want equal access to resources, and that the administrative fee is reasonable.

JN—The administrative fee is 10%.

CB—That's OK if they're doing something for it.

AH—If you could set that up with David and Dennis.

AH—Another question. I think we can now apply for the other \$6,000,000 since it's 2023. Can you do that?

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CB—When I get my new computer synced with my documents, I can do it. Karen (Beatty, Director of Central Services) is working on it.

CB—We need a conversation about the Justice Center projects. Looking forward to it.

AH—Are those projects outside the scope of the bond?

CB—That’s what we need to talk about. Talked about the infrastructure project. Engineering services. Do we need a project management? Can we get someone to do it? If we do an RFQ (Request for Qualifications) for design services for the infrastructure around the South Justice Center, that engineering could be responsible for the project management.

AH—Depending on where they’re from. That’s my concern. It’ll cost more from a firm farther away.

CB—I see the distribution of our RFQ is limited. For the utilities part, cities and towns do that a lot. Talk to locals for recommendations or suggestions.

AH—I could ask LJ to call Public Works in Okanogan. Ask Sean who he’s using for their projects.

Discussion of different local engineering firms.

CB—I had a conversation with the Clerk (Susan Speiker, Clerk of the Courts) about camera issues. They’re addressing the issue. There’s a camera, but they’re not pointing in the right direction. Let’s get the low hanging fruit right now. I talked to Karen to address the camera issue. I talked to MG for his opinion of what could be easily implemented. Talked to Dennis, too, about security.

JN—Sounds like progress is being made. I asked Susan if there was a monitor, but I didn’t mean her office would have to be the ones that monitored the cameras. I don’t know if she understood.

CB—If it were me, I’d want the monitor. There may be some time when you do want to monitor it.

CB—I think us moving around together would be useful. Talk to the people looking at the monitors. Talk to people who work in the clerk’s office and talk to them, so show they’d know we were listening to them. Maybe do it weekly.

JN—It’d be good to get familiarized with the facility.

CB—When I went around the Court House, there’s a lot of amazing stuff, some being chewed on by mice. So much stuff, so fire hazards everywhere. And looking at the building itself and looking at the work we’re doing now. See where the water is seeping in.

AH—I had the Fair Advisory Committee (FAC) meeting last week. Brought up the Fair Grounds manager question about Fair Manager. She’d oversee the FAC. Some were not too keen on that. But, whether we do that or not, we need to move forward. Brought up having a secretary for the Fair. They were kind of OK with that. Also asked if Naomie could attend the meetings, but I don’t know if they can do that or not. Overall, the FAC is going good. I think we need NP to come back in now. I’ll be there every time. The FAC knows there are timelines where things have to be done. Having a meeting soon just so we can read all the rules. That will get all the information to the printer by March 8 to get the Fair booklet printed.

CB—Decisions should be separate from the people who hold the positions. Don’t want to adjust the position because of the people themselves.

AH—Need to make sure the FAC knows about the deadlines.

CB—I’d like to include the Auditor and Treasurer. They can make things be done correctly. And we don’t want to modify the position to fit the capabilities of just one person.

**1:38:25**—AH—MG is here.

MG discusses the ammonia leak that happened in Brewster over the weekend. People were notified to shelter in place. The north end of Brewster was the area affected. Six people went to the hospital with minor eye and throat irritation, but were soon discharged. The leak was caused by a broken pipe, but it

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had only a residual amount of ammonia in it because it's in winter mode. People with phones attached to a particular tower were notified without regard from where the person lived. People in the affected areas were notified again by text at 2AM after the alert had been called off. Caused by a problem with the phone company. The owner of the building with the leak told the state immediately.

AH—I'd like us to start thinking about flood mitigation. Fire scars, lots of snow.

MG—We're thinking about it. I've talked to Josh (Thomson, Public Works) and we'll talk about Public Works before we make plans.

AH—If it gets hot, we'll get a lot of water real quick.

MG—It's on our radar.

Discussion of sandbags. How to determine the right amount of bags, how to get them filled efficiently.

AH finds a portable bagging machine online for a \$40,000 and send the url to MG.

MG to JN—If you want to stop by, I can explain the notification system to you.

MG leaves.

**2:03:05**—CB—We're reconvened after our break. Next up is Fairgrounds Manager, Naomie Peasley.

NP—A few quick things.

- We're advertising for a new office staff person. It's in the paper already.
- We've booked four more events for the fair grounds. We're starting to fill the week days, maybe because of the lower fee.
- The starting gates have arrived.
- Our pickup truck is still working.

AH—You got it from Public Works a long time ago.

NP—And the blade doesn't work right.

AH—Maybe talk to Dan (Higbee, Building Department), Larry (Gilman, County Assessor) and Josh. They've got trucks.

NP—I'll ask the sheriff, too.

AH—I hope we can limp through with the truck.

NP—A new blade costs about \$8,000.

NP—Working with Central Services, I have a new tablet so people can use DocuSign during walk-throughs and check-list of facilities. We can also do on-line reservations for the RV park.

AH—Did the electrical stuff for the RV pedestals get fixed?

NP—Yes.

AH—So just the underground sprinklers are left?

NP—And the bathrooms.

NP—With the user friendly tablet for the RV park, people can pay on-line and avoid cash and checks. This will appease the auditor and solve theft problem at the pay box. There were five thefts last year.

NP—I've given you a list of goals and objectives based on public input at the fair.

- Increase public perception.
- Partnerships with county businesses.
- Social media presence and media updating.
- Promote media events
- Be more user friendly.

AH—Being more user friendly for people who want to rent a space?

NP—Rent a space in the RV park. They're supposed to clean up their space, but there's nothing there for them to clean it up with.

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- Increase revenue at the RV park.
- Promote Grounds usage by thinking outside the box—changing the fee schedule for weekdays. Every weekend but three is booked for next year.
- Upgrade facilities. I put a timeline for our goals based on a meeting with maintenance.

AH—The floor outlets, they were all broken. Are they fixed yet? They're in the cement floor?

NP—They're in boxes. We've purchased what we need to replace them.

AH—RV park bathrooms and showers. How are we funding that?

NP—\$20,000 grant from LTAC (Lodging Tax Advisory Committee). And the rest was supposed to be paid by the county.

AH—North end bathrooms and showers all need to be redone?

NP—Yes. Slated for it.

AH—The old bathroom in the court yard?

NP—Nothing is planned for those. The pipes are all broken.

AH—The new bathrooms are good?

NP—Yes. We blew them out in the fall and put RV antifreeze in the bowls.

NP—The Men and Women's bathrooms and showers are slated for new partitions, new sinks and faucets, showerheads and bring it up to be ADA compliant.

NP—I gave you a folder with prices for all of this. I've ordered partitions because they will take the longest to arrive.

AH—I move to accept the recommendation for the resin flooring for \$10,300 plus tax. Motion passes.

AH—We'll need a budget supplemental for the LTAC grant and another supplemental for the partitions, \$23,972 plus tax and shipping.

NP—That's the upgraded facilities goals and objectives. Any questions?

AH—Safety at the barns. Cracking in the roofs, Quonset huts concrete, new rabbit cages—we've talked about those things. Anything more that's a high priority? It'll be about \$35,000+ to do these projects.

AH—I need to talk to the finance committee. A quarter of a million, but I don't know what it'll look like after this winter.

AH—How long will it take to get the barns after they're ordered? A lot of other stuff will be on hold.

NP—I've got a draft of a master plan, but it keeps changing.

AH—Are any barns on the historical list? If so, maybe we could get some money from the state to fix them.

NP—The solar lights in the safety grant. There are trees that need to be watered. Maybe the Fair Queen could take it on as a project.

AH—Are people OK with NP attending the FAC meetings?

JN—OK with me.

AH—Next Thursday is a special meeting to read the rules. It should take only about 10 minutes.

CB—I'd like to see the projects lined up. It's good to assign years to the projects, but that can change.

AH—We need a strategy to look at the Agriplex walls with the ice dams, etc.

CB—We need to look at the options to fix it. Even if it costs a lot, it still needs to be fixed.

CB—Yes. And plows. We need to plow. If we can get a beater truck, let's get two of them, so one is a backup.

NP—We've got a snow blower to help move snow and the new lawn mower has a bucket we've been using. Our new maintenance guy is amazing and I think the truck will last the winter.

CB—If there's an old loader, that can move snow, too.

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NP—We're thinking about potential floods. We've moving snow in the Agriplex parking lot. City of Okanogan will be using our south parking lot for their snow. We then can use their bleachers for during the fair.

CB—That's a good arrangement. Maybe they can help us with snow management.

NP—You'd like me to rank my list based on safety issues, also on what's already on the capital improvement project list. Then return the list to you guys and you can look at the safety issues.

AH—Yes, and put proposed years on it, too.

NP—I did a report of ice and winter damage and turned it into Risk Management for evaluation for all the damage that's happened so far. Another light fell down by the Beef Barn. I'm taking pictures. Maybe we can get some funding for this.

CB—Develop the list into a tool we can use—a capital facilities plan with dates.

NP—Will do. That's all I've got for today.

AH—You'll close out the grant in May?

NP—Yes. And we also need more ecology blocks to prevent erosion by the race track where we took out the railroad ties.

AH—Voucher run for payment for the Assessor's vehicle. It was \$553.78 more than he had estimated. If we approve this voucher today, we'll have to approve the amendment later on. So I move to approve the special voucher run for \$40,553.78 coming out of vehicle reserve. Motion passes.

Recess at 11:49 until 1:30.