

Board of Okanogan County Commissioners  
Monday, June 23, 2023 AM & PM

JN—Jon Neal, BOCC, District 3  
AH—Andy Hover, BOCC, Vice-Chair, District 1--Absent  
CB—Chris Branch, BOCC, Chair, District 2  
LJ—Lanie Johns, Clerk of the Board  
CHa—Crystal Hawley, Deputy Clerk of the Board  
MG—Maurice Goodall, Emergency Management  
NP—Naomie Peasley—Fairgrounds Manager  
PP—Pete Palmer, Director of Planning  
Cindy—Cindy Button, Board Chair of Methow Valley EMS District  
EM—Esther Milner, Chief Civil Deputy Prosecutor  
SK—Shelley Keitzman, Human Resources and Risk Management  
KB—Kurtis Bryan, Field Manager, Wenatchee Field Office of the Bureau of Land Management

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*Summary of significant discussions:*

**01:35**—Pledge of Allegiance

**06:25**—AH discusses the first cutting of his hay. He worked 44 hours in 3 days, but he got it up picked up before a threatening rain storm.

**15:25**—No public comment.

**19:20**—LJ mentions that quite a few items have sold at the on-line surplus auction, including some vehicles. The Auditor's Office is preparing the lost title documents. The BOCC will have to sign them.

**24:00**—CB is looking for attachments to the opioid agreement. He'll ask Chelan Commissioner Overbay.

**32:15**—PP—I'm Pete Palmer, Planning Director. Last week I met with Mazama Subunit A. It was very productive. All the members and one person who'll submit his letter of interest to fill the one vacancy. They want to hire a consultant. I talked about funding. I said they should start monthly meetings and get the low hanging fruit first. They're the most knowledgeable people about their area. A lot of the updates to their plan, we can handle ourselves. Maybe have a few meetings where we bring in anyone with views on the subject. Then, if they still think they need a consultant, maybe look at funding it then. I'm pretty confident we can do it.

Board of Okanogan County Commissioners  
Monday, June 23, 2023 AM & PM

PP—Next, I got a proposal from a consultant to do the Planned Developments for the county. It was from Van Ness Feldman. They're asking for \$250/hour or a flat fee arrangement. Basically arrange it so the flat fee is \$5,000. Out of six consultants I asked, they're the only ones who have answered. I want to express the need to move on this project.

CB—Have they looked at our Planned Development (PD) ordinance?

PP—Yes.

CB—Between subdivision, the rezone, and the PD itself—the timing of all those issues. And then, as the SEPA (State Environmental Policy Act) official, would you use them to review the SEPA?

PP—Yes. They would basically handle all that PD process.

CB—Deciding whether it's a mitigated Determination of Non-Significance (DNS) or a Determination of Significance (DS) or whatever—you're the official in that regard. If there's a lot of hang wringing, that's where the rubber meets the road, in that SEPA document.

PP—I agree. We've got the one that's out for comment right now. We need to get some review on that.

CB—Did you find water adequacy at this time?

PP—No. Do you want to proceed with this proposal?

CB—We have an Executive Session today about legal risks. Maybe we can discuss it.

PP—It includes SK, so I figured it's about Human Resources, but I can be there.

AH—You did a RFP (Request for Proposal)?

PP—Esther (Milner, Chief Civil Deputy Prosecutor) said I could do phone calls instead of advertising an RFP.

CB—In our initial review, I want to stay in line with that because of the implications of decisions we end up making down the road with the PD itself.

AH—We've used Van Ness Feldman before for legal advice. I move to direct PP to begin negotiations on a price structure with Van Ness Feldman for a price structure for Planned Developments.

CB—All the way to preparing the contract?

AH—Yes. Motion passes.

PP—Next—A document prepared by Scott DeTro for the Town of Twisp. There's a PD in Twisp and part of it is within Twisp but 3-4 acres are in the county. They propose to annex what's outside Twisp so that it's in Twisp to give them control over the development. It's called Mill Town and included parcel # 3322160005.

AH—So it's the one by the PUD substation, above the old mill site.

PP—It's an Interlocal agreement with Scott. I sent the agreement to annex to EM for review. If it's OK with you, I'll prepare the documents for you next week.

AH—It's a good annexation.

PP—That's all. I'll be back at 11:30.

**45:45**—CB—You're up, Naomie.

NP—I'm Naomie Peasley, Fairgrounds Manager. I've got expenditure forms from the Fair Queen for you to review and sign. For her project, she's going to do upgrades at the goat barn. She was going to do the Horticulture Hall, but that would be too extensive.

NP—The Livestock Market for the fair, pre-registration was due last Friday. I'll send you the numbers. Camping applications for the fair are soon due. There's a special meeting for the Fair Advisory Committee (FAC) tomorrow at the Fairgrounds.

NP—Windstorm damage at the fairgrounds. 24/7 is coming in to do tree clean-up for us today. Some trees aren't safe and the RV is full next week.

NP—Sheep barn electrical will happen next week. That will extend the wifi and bring it up to code.

NP—We have to replace doors on the Central Building because of winter snow load.

Board of Okanogan County Commissioners  
Monday, June 23, 2023 AM & PM

NP—I met with the person who’ll clean the annex and bathroom on Mondays. We need help because it’s a huge task. After this weekend, we had cake on the ceiling, holes in the walls that need repairs.

AH—Covered by the damage deposit?

NP—These were paid last year when the deposit was \$250. People booking now pay \$500. Hoping to review this for 2024 events.

NP—They’re getting a bill for costs above the damage deposit. I’m sending them pictures and a description.

NP—I asked the Sheriff’s Department about dance permit prices. Right now, if they pay \$50, they music can continue until 1 AM. I suggested raising the price. It’s loud and the community members are telling me about it. Sheriff has no plans to raise the price. I’d like to get a deputy to come by at 1 AM to make sure they have the music off. There are between 300 and 800 people each weekend using the annex.

NP—RV Park bathrooms are almost done. Water valves that were damaged have been replaced.

AH—Roof of the Commercial Building—are we sending it to insurance.

NP—It’s condemned, so I’m not going to send it to insurance.

AH—Need to keep the roof sheets from blowing off. Safety issue.

NP—Will do, but trees are my priority.

CB—Contingency?

AH—Yes. Contingency budget in the overall budget.

CB—We need a plan to deal with this aside from raising the damage deposit.

Discussion of accounting for the damage deposit.

CB—Also we need to do something about unsupervised rentals.

NP—They’re required to have licensed and bonded security. They’re supposed to call me if there’s an incident.

AH—Or we’ll provide the security and they’ll pay for it.

NP—I’d love that.

NP—As for loud music. If we raise the price for a permit for music after 10 PM, maybe fewer people will want to go until 1 AM. But the Sheriff’s Department doesn’t want to raise the price.

AH—We set prices for permits. Tell us what you think the price should be, and we’ll consider it.

JN—They’re expecting high winds tomorrow. 35-40 mph. Can you figure out a way to tighten the roofs down so they don’t get more damage?

AH—Can you talk to Shelley (Keitzman, Human Resources and Risk Management) about that?

CB—Is it just that trees are down or are they landing on things?

NP—Landing on things and other limbs may fall. The tree guys are coming today to take care of those.

NP—One last thing—(*inaudible*) Production came in last weekend signed up to do a gun show on Stampede Weekend. Any recommendations about special things to do?

AH—Know that the Sheriff knows about it.

CB—Gun sales? Are those gun sales happening just from (*inaudible*)?

AH—They can’t.

CB—Just wondering who’d managing it?

AH—You have to be an FFL (Federal Firearms License) to sell guns.

NP—He’s an FFL, but he’ll have tables for others to sell their guns.

AH—Can you send his contact information?

NP—Will do.

NP—That’s it for me.

CB—I was at a gun show in Spokane a long time ago, and one of our county commissioners was selling guns there.

Board of Okanogan County Commissioners  
Monday, June 23, 2023 AM & PM

**1:07:40**—JT—We have the rest of the documents for the sale of the excess property near the gravel pit to the Washington Department of Fish and Wildlife above the (*inaudible*) pit. Catalina will explain what's going on. I'll go over the settlement statement so you'll know what the fees are.

Catalina—Quickly details the fees and other details. Sales price was \$401,000 and net price will be \$399,544.49. What should I do with the proceeds?

AH—Write a check and give it to the Treasurer's Office. Josh, please make sure it gets to Public Works.

AH—I move to authorize the Chair to sign the closing documents for the transfer of the property to WDFW. Motion passes. CB signs. Thanks everyone for making the sale possible.

JT & Catalina leave.

**1:15:15**—MG—I'm Maurice Goodall, Emergency Management.

MG—I have the Fire Meeting on Wednesday at 11 AM.

MG—Things are drying out but the rain slowed it down. The burn ban starts on Thursday.

MG—There was wind damage at the Okanogan Airport. Also the sewer plant roof was damaged. Some places in the county had power outages.

MG—Still working on the South Summit signage issue. We need to know which route to take.

CB—There are a lot of roads up there that go nowhere. Concerning escape routes, others talk about how they've got it all planned out and I wonder how they do it.

MG—It's people who live up there that are going to use it. If the DOT shuts down a highway, they're not going to send people up to the South Summit. They'll turn them around. Could people get caught going the other way? It's possible, but we hope to catch it before that.

MG—The floods are mostly over except for local problems with big rains.

MG—That's all.

**1:24:40**—Commissioners discuss chainsaws. They wonder if there is one at the fairgrounds and if so, if anyone is qualified to use and maintain it correctly.

AH—to CHa—Do we have anyone who wants to serve on the Board of Health?

JN—I've got OCOG (Okanogan Council of Governments) and we sent out a notice a couple of weeks ago.

CB—There's Denise Varner. She'd be good and she's right here.

--She's interviewing for a position on the Fair Advisory Committee (FAC).

Mary—I've lived here almost all my life. I work for the Home Owners Association of Veranda Beach. My husband and I sell fireworks. I've been involved in lots of activities in Oroville—Boosters' Club and I was on the School Board.

Mary—My grandchildren have recently become interested in bringing animals to the Fair.

Mary—That's why I want to be on the FAC.

Discussion of her schedule (which is flexible). Her only questions—where are the meetings and would she serve a term?

Commissioners vote to send her an appointment letter. Mary will attend the upcoming special meeting.

**1:56:50**—AH—I move to adjourn as BOCC and convene as the Methow Valley EMS District. Motion passes.

Cindy Button introduces the other two people from the MVEMS District, John Richardson, a board member and also an accountant, and Heather, a lawyer and also on the board. Heather and John are both on the Finance Committee.

Cindy—Thanks for getting the levy to run a little earlier. It helps us.

Board of Okanogan County Commissioners  
Monday, June 23, 2023 AM & PM

Cindy—We're here to renew our ten year contract.

AH—Twisp and Winthrop run their own separate levies. Cindy gets what the district gets from the Assessor's Office, along with what it gets from Winthrop and Twisp. Put it all together.

AH—Do you get the PILT?

AH—Your contract is for 100% of the levy amount. Any extra gets paid out in June.

Cindy—it gets diverted to the reserve fund.

Cindy—Historically, there was more money in the account than what was spent.

AH—The EMS fund doesn't have a reserve fund, and we need to decide how big the reserve fund needs to be.

Discussion about establishing the reserve fund. Also discussion about what might happen if AeroMethow ceases to exist.

John—AeroMethow is a non-profit, so assets would be distributed to another non-profit or the government. If it was a bankruptcy, the courts would decide where the assets would go.

AH—We need to figure out how much the county needs to keep in reserve because if you went away, the county would have to find a replacement. And you guys have an operational reserve already.

John—Yes. We have reserves for six months of operation, as well as money put aside to buy new equipment if necessary.

AH—You have reserves, but we don't. The EMS Board needs to know that somewhere there's a reserve of money. If AeroMethow has a six month reserve and something catastrophic happens, it needs to be written somewhere that its reserve reverts to the county to get new EMS service.

John—The levy money is only about 60% of our annual budget. The rest comes from ambulance service, grants and donation. Most of our assets are purchased by fund-raising. Our labor budget is roughly the same as the revenue from the county. And we raise about \$80,000 per year for operations.

CB—We don't think about it going away because you've done it for so long. With Oroville and Tonasket districts because after Tonasket went away, different people operated it in a different way. Nobody really understood the arrangements. And when we had to get a new contract, everybody was looking at assets, etc.

Cindy—For Commissioner Neal, this has basically been my life's work. I've been Director of Service since 1984 and my dad got the whole thing going. The biggest threat is something happening with the EMS money. If the levy failed, we'd be about three paid employees and almost all volunteers.

CB—Volunteers work for you because you have someone coordinating volunteers. Now I think what if Cindy Button went away?

Cindy—Thanks for the honor!

AH—We've been through big changes in EMS districts.

Cindy—Our building is paid by a USDA loan. We've also received loans from the Electrical Co-op.

AH—The other problem is—if it's all volunteer, then we commissioners are the head of it, and we've got enough to do.

Heather—Your concern is if there's a catastrophic fail, what will the county need to bridge services until there's a replacement service, correct? Would you like a number for the county budget?

AH—I understand John's concern because any money taken out of the budget is taken away from a non-fully funded budget you guys have. What we need is the assurance of continued medical service in the Methow. If we put in the contract that you've got six months of reserve and we say that we'll provide six months of service and during that time the county will find some other contractor, I'd be happy with that.

JN—But if it's a bankruptcy, all the assets will go away.

AH—That's what's scary on our part.

Cindy—But don't the assets have to go back to the county?

Board of Okanogan County Commissioners  
Monday, June 23, 2023 AM & PM

John—They don't have to. They could go to another non-profit. But right now, we've got \$2,000,000 in assets and only liability is about \$400,000 in loans. Liability insurance is about \$20,000,000.

CB—You can't count on us being commissioners, and you don't know what other commissioners would do. If we develop a plan to continue service if something would happen. It might be better if we look beyond just the numbers.

Cindy—Losing the EMS tax money would be the big things. If we don't have the EMS tax money, you didn't have it either. And if you lose the money, you also lose the responsibility.

CB—I don't *think* that the community would allow that to happen.

JN—My understanding is that if the city can't supply the EMS service, the county has to, and if the county can't, it goes to the state.

Cindy—There's no law saying a city has to have EMS services. Cities have to provide fire and police, but not EMS.

AH—Yeah. There are places in the county that aren't in any EMS district.

AH—Since we're responsible for the financials of the district, we need to make sure we're covering all the bases we can. There's a safety net, and I think it'd work as long as it says in the contract that you'd carry that much reserve money. Let's say the levy doesn't work, and it doesn't work again. Then you've got at least six months before the levy can be run again.

AH—CB is right that the levy won't fail in the Methow, but if it does fail, as long as there are reserves to run the service until there can be another levy. I'd be comfortable with adequate reserves.

CB—I need to think about it to be comfortable.

AH—It needs to go to the attorneys, etc.

CB—There's so much difference between the EMS districts.

John—One difference is AeroMethow's business is providing EMS service with a side-line of providing safety information. Wasn't the Fire Department running it in Tonasket?

AH—No. It was just a volunteer service.

CB—They were so dependent on volunteers. AeroMethow has a whole structure. Volunteer structures in the Methow are well managed. And with a ten year contract, it's unique in the state.

AH—This doesn't fix a catastrophic failure, but it does fix a levy failure. There's enough money probably to get another contract right away.

Heather—I'll say this. In bankruptcy, most likely the assets wouldn't be sold. It's not a business making things, but it's providing a service. But I'm not a bankruptcy lawyer, but they'd transfer the assets to the next provider.

John—Another potential risk to AeroMethow is that the county doesn't renew the contract. Twenty years from now, with assessments and revenue going up, some other organization could see the assets of AeroMethow could go to us if we convince the commissioners to give the contract to us.

AH—That's a valid point. But my main concern is continuation of the service because we just dealt with that and we ran our reserves down.

John—The last time we were here, we talked about raising our reserve to \$200,000. That would be a little bit and we could put it in the contract. We don't know how much the revenue will go up next year, and it doesn't matter that much whether you keep the reserves or we do.

AH—We need the reserves to pay you \$X. If the levy fails, we have to keep paying or you pay yourself.

John—Our contract is for ten years and coincides with the contract. If it fails right when the contract comes up for renewal, the EMS wouldn't renew the contract until the levy passes. I think the risk to the county would be some liability judgement for more than \$20,000,000. Or Cindy retires.

Cindy—the contract ends Dec. 31, so there's time to talk about it.

AH—Can you draft a contract with our concerns in it?

Cindy—So you want us to do it, and send it to your attorney.

Board of Okanogan County Commissioners  
Monday, June 23, 2023 AM & PM

John—We sent you that amendment. Under our amendment, it says you'd keep the overage and keep it as a reserve. Without the amendment, you pay us the reserve.

AH—After signing this, you won't ask for any of this money?

Cindy—As long as we knew you're holding it.

AH—We'll create a budget line and there will be a reserve of \$200,000.

John—Do you know how much the assessment will be next year?

AH—Ask Larry (Gilman, County Assessor).

John—Because after I got my property tax statement last week, I thought that maybe \$200,000 wouldn't be enough.

AH—If we had a reserve of \$300,000 to \$500,000, I'd be comfortable that we'd have enough to get the EMS going again.

AH—We can meet yearly to discuss the contingency reserve amount.

AH—I'll ask EM and SK to look at this amendment.

Cindy—Thank you for taking the time and paying attention to the details.

AH—I move to adjourn as MVEMS and reconvene as the BOCC. Motion passes.

**2:49:20**—I move to go into Executive Session for RCW42.30.110(I)(iii)—legal risks—inviting EM and SK. Until 12:20 (30 minutes). Motion passes and off they go.

**2:52:40**—They're back after lunch.

CB—You're Kurtis Bryan?

KB—That's me.

KB—Good Afternoon. I'm the Field Manager for the BLM for the Wenatchee Field Office. That's in the Spokane District. It has two Field Offices, in Spokane and Wenatchee.

KB—Okanogan County has quite a bit of BLM land. My goal is to introduce myself and tell you what I've been doing over the last couple of years. Please ask questions as I go.

KB—Fire staffing is pretty good this year. Things are starting to dry out. We haven't had too many fire calls this year, but we know it's coming.

KB—Lots of things we've been doing is post-fire restoration. We've done salvage at Palmer Mountain—almost 1,000,000 board feet. Burned the slash piles. Grazing is an issue. Building fences—15 to 20 miles replaced.

KB—Muck-a-muck fire near Conconully. BLM is rebuilding fences, supplying crews and materials and also grass seeds. Got additional funds from NRCS (Natural Resources Conservation Service). We're planning to do hazard tree removal.

CB—Is BLM land in Mineral Mt. area?

KB—Yes, and it runs right up to the edge of town.

KB—Doing a little bit of prescribed fire in (*inaudible*) area. Started last year in coordination with DNR and WDFW.

KB—In the (*inaudible*) Valley, we were about to harvest about 1,000,000 board feet from smaller parcels. Successfully burned the slash piles.

CB—Do you have a prescribed burn unit here or Spokane?

KB—We have only one unit for the District.

KB—Other things—Trout Unlimited and the Colville Tribe is working with the PUD about the Enloe Dam. Did a feasibility study about removing the dam. The board (of the PUD?) accepted the study. BLM land is adjacent to the dam. Jurisdiction of the dam itself is a little bit squishier, but we're participating as a neutral party to help provide information to contractors, etc. It's still early days. Our role is one of

Board of Okanogan County Commissioners  
Monday, June 23, 2023 AM & PM

support and we're fact finding. There's a recreation portion involved. Also sediments—where to put them? Answer depends on environmental reasons as well as recreation.

KB—We also have some problems with homeless people camping on BLM land. One person is camped right on the property line, so we're getting it surveyed.

JN—He's only been there a couple of years.

KB—Yes. We know some of the locals are getting frustrated. We're working on it.

KB—That's all I've got. Any questions?

JN—The squatter was my only question and you've answered it.

KB—There was a miner, but he's gone.

KB—I'll leave you my card. Are these updates helpful? How often would you like to hear them?

CB—Forest Service does it quarterly.

KB—I don't think I have that much stuff.

AH—How about annually, but we'll call you if something comes up.

CB—How many boat launches do you have?

KB—Official or unofficial? Official—just one. Oh, wait. There are two.

KB leaves.

**3:48:30**—NP updates the commissioners about the proposed rental agreement with the DNR if they need to set up a fire camp at the fairgrounds this summer.

NP—The prices listed are just the prices on our fee list. I made minimal changes and sent them new maps. I eliminated facilities that are booked a lot. I included charges for garbage disposal and wifi in the buildings they'd be in. Also phones and wifi in the Arts and Crafts building, plus portable air conditioning.

NP—I added the north end to be a helipad.

NP—I left out the RV park. They haven't rented it in the past, but sometimes they've rented a space or two for their RVs and they pay the regular rate.

NP—There's no extra charge for the bathrooms and cleaning supplies. They usually bring in their own supplies and their own showers.

NP—The partitions in the south RV bathroom are being put in and we hope to have them done by Thursday.

NP—That's the contract. It needs to get put into their format. I hope to move forward with it.

CB—Have you looked into area-wide internet?

NP—Central Services is looking at that. We'd need some new equipment.

NP—A different topic—has there been any follow up on the Colville Tribal Business Council agreement?

AH—You and I need to discuss it more.

AH—I think if you put it in their form, we can send it to EM for her to look at.

NP—I'll get the DNR to put it into their format. Is that OK? And then you and I will meet?

AH—Yes.

**4:11:05**—NP and AH leave.

**4:26:45**—EM discusses revisions to the county code.