

Board of Okanogan County Commissioners
Monday, Dec. 18, 2023 AM & PM

JN—Jon Neal, BOCC, District 3
AH—Andy Hover, BOCC, Vice-Chair, District 1—via Zoom
CB—Chris Branch, BOCC, Chair, District 2
LJ—Lanie Johns, Clerk of the Board
PP—Pete Palmer, Director of Planning
SK—Shelley Keitzman, Human Resources and Risk Management
EM—Esther Milner, Chief Civil Deputy Prosecutor
JT—Josh Thomas, County Engineer
DY—Dave Yarnell, Undersheriff
MH—Maria Hinds, Executive Director of Blue Sky Minds

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Summary of significant discussions:

- Commissioners discuss the recent US Fish & Wildlife listing of the lynx as endangered. Commissioner Hover would like the board to make a comment on the proposed plan, noting that wildfire is the biggest threat to lynx habitat.
- Marie Hines, of Blue Sky Mind, presents her plan to produce a food system assessment of Okanogan County and the Colville Reservation and create a 10-year Food Action Plan. She asks the commissioners for \$9,500 to go with the \$9,500 she hopes to get from Public Health, but the commissioners think that one allocation of \$20,000 from the \$1,000,000 ARPA (American Rescue Plan Act) money that Public Health has received makes more sense.
- Commissioners hold three executive sessions, each 30 minutes long. Two are under RCW 42.30.110(1)(iii) and one is under RCW 42.30.110(1)(i).
- Adjourn at 3:13.

01:10—AH says he’s Zoomed in because “you don’t want to get what I’ve got”.

06:00—Pledge of Allegiance.

CB—I’d like to change the agenda because we’ll have a third executive session today.

AH—I want to discuss real quickly the US Fish & Wildlife Service’s proposal to list lynx as endangered. They have a recovery plan and will be taking comments until the end of January. I’d like to base our input on the 1990 spotted owl reserves put into place in Okanogan. Then we had wildfires and they’re the biggest threat to lynx habitat. They need to look at management of the forest for habitat and also for fire reduction. We have to do something to keep the wildfires from burning everything to a crisp and it’s hard on all the wildlife populations.

CB—I haven’t looked at lynx habitat for a long time, but I think it included lots of downed timber.

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AH—Their main prey is snowshoe hare. I want to make sure they aren't trying to manage animals in silos. You'd think in 1990, with the spotted owls, that management strategy would be good for small animals.

CB—I think the main element of spotted owl habitat is old growth.

AH—They took a hands-off approach and didn't manage it. Then we had these fires. The tribe thought the fire was one of the biggest reductions of lynx habitat in the state.

AH—I'd like to give them a historical perspective. Look at Virginia Ridge, but historically, the ridge was a lot less dense 30 or 40 years ago.

Discusses forest management differences between east and west Washington.

CB—I'll be interesting to see where the USDFW says where the primary habitat is.

AH—I read that grizzly bears eat about the same things lynx do, and the prime habitat for lynx is just where the grizzlies will go. The recovery plan is posted on line.

JN—In theory, proper forest management benefits all the species.

AH—Also the WDFW is proposing new rules on bear and cougar harvest. Cougars have quotas and I don't know what they're thinking about. But the bears over here have been so bad all the way up to the end of November—getting into garbage, etc.

JN—That's hard to judge because we keep encroaching on their habitat.

AH—On both those things we should write comments.

CB—Well, we'll have to see what the proposals are.

JN—The tribe was going to plant a bunch of lynx pairs. Do you know where they did it?

AH—Maybe the north half of the reservation.

CB—The northern part of the reservation probably has the best habitat.

AH—Lynx don't bring on the same issues grizzlies do.

JN—They're quite reclusive, too.

22:00—No public comments.

JN—What about tomorrow's agenda? It just says 10:00 AM—Discussion.

LJ—The Finance Committee cancelled. The budget is right before that.

22:30—CB—Did you get the email from Ted Reinbold, Andy?

AH—Yes. We should think about that, and soon.

JN—I agree we have to look at it.

(Commissioners seem to be talking about bringing the Public Defenders' Office into the county government.)

JN—It would be interesting to hear about their expectations.

AH—to CB—Did you ever talk to anyone in Douglas County about bringing it in-house.

CB—Mark Straub (County Commissioner in Douglas County) is the one I usually see. He hangs out with (Kevin) Overbey (County Commissioner in Chelan County) and has some pretty meaningful conversations. Be interesting to hear what he has to say. I don't know fully about the advantages are when you talk about liability. It'd be interesting to talk to Risk Pool about that.

CB—Shall I talk to Reinbold to see if he'd like some of the *(inaudible)* members come up here, and Shelley (Keitzman, County Risk Manager) contact the Risk Pool, too. That's an emerging liability we're looking at. Be interesting to hear what any judges say about it, too.

AH—I don't know which has more risk.

CB—The office could be similar to the Prosecutor's Office but not an elected official.

AH—I see three attorneys with the head with a salary similar to the Civil Deputy Prosecutor.

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CB to EM—We were talking about public defenders. We received an email from Ted Reinbold about an emerging lack of public defense. I sent the email to you.

EM—I think the understanding is that because of body cams and other tech devices. It takes hours and hours to watch the tapes and prepare the case.

CB—We were talking about a meeting with the local Bar.

35:15—CB—we have an executive session planned for 9:30.

JN—I move we go into executive session under RCW 42.30.110(1)(iii) (*Litigation or legal risks of a proposed action or current practice that the agency has identified when public discussion of the litigation or legal risks is likely to result in an adverse legal or financial consequence to the agency*) inviting Shelley Keitzman (Human Resources and Risk Management, Esther Milner (Chief Civil Deputy Prosecutor) and Sheriff Paul Budrow. For 30 minutes. Off they go.

38:00—CB—A couple minutes late, but we're back. Any staff people here for meetings?

LJ—Chuck (Ford, Fairgrounds Manager) and Tim (Meadows, Maintenance) were here for just a minute, but they didn't really have anything urgent. They'll come back in the new year or they can come during public comments.

CB—to EM—would you like to stay for the Water Banking agreement discussion?

EM—I'll stay.

AH—In the second Whereas clause—it says water resources are managed by WAC 173-548 and 549. Actually, there are six or seven chapters under 173. Change it to say water resources are governed by 173, to look at the whole chapter to see what goes on with water governance.

CB—That's fine. It's just a recital anyway.

JN—Maybe use "defined" instead of managed.

CB—Or controlled.

CB—We can change "managed" to "defined" and refer to all of Chapter 173. Anything else?

CB—One change EM brought up was about the Okanogan County Water Code.

AH—It reads better now than how it read in the strike-out.

CB—I wrote that part because we were going to develop the guidance anyway.

CB—If this language works for us, we can send it back to the Conservation District and they can sign first. Then they'll have another look at it. A lot of the details have to be worked out with Ecology. Water banking has been available for a long time, but nobody's had the dollars to start it up. For the Okanogan, there's Mine (?) Creek and Sullivan Lake. Aspect is writing the grant to secure the (*inaudible*). And there's two in the Methow. The challenge is establishing the price. The water we'd get for the Okanogan is OCR water—Office of the Columbia River—those are private (*inaudible*). That's all I can say about it. I think we're done with this topic.

EM leaves.

54:20—CB—I've been learning that the potential for development of an animal shelter at the north end of the property is a challenge.

Short discussion of the property along Highway 98 near Omak.

1:03:55—CB—We have a public hearing scheduled for 10:30 about a supplemental appropriation for the Auditor's Office, but the appropriation was made earlier so the hearing is no longer necessary. We'll wait until 10:35 for the next hearing.

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1:07:55—CB—We have a public hearing for a budget supplemental appropriation for the Solid Waste Fund, Budget 405. For the purchase of a horizontal chipper using an air quality grant from the Department of Ecology.

JT—I'm Josh Thomas, County Engineer. We're changing the request. We won't pay for the chipper until 2024, but we still need an increase in the 405 budget to get to the end of the year. I propose we increase the Central Landfill Improvements line by \$500,000.

AH—And we have to move the chipper money into the 2024 budget.

JT—I've got an email drafted to send to the auditor to do the changes.

JN—I move to approve resolution 203-2023 to authorize the budget supplement for the Solid Waste Fund for \$500,000. Motion passes 3-0.

1:13:50—CB—It's 10:40 and time for another hearing—a budget supplemental for the Sheriff's Vehicles budget.

DY—Under the Tonasket contract for new vehicles, we had to cancel our first vehicle order through the state bid process. We switched for the three-bid process to buy a vehicle in Washington State. We got three bids—from \$63,000 to \$52,000. The best was \$55,000 for a vehicle in Seattle. A 2022 Ford Explorer with 16,000 miles and it meets our needs.

JN—I move to approve Resolution 204-2023 for the Vehicle Reserve Fund for \$55,000. Motion passes 3-0.

DY—Thanks.

1:18:00—CB—It's 10:45 and time for the public hearing about the budget supplemental for the Law Library Fund, budget 108, for \$671.

JN—I move to approve Resolution 205-2023 for the Law Library Fund for \$671. Motion passes 3-0.

1:35:15—Discussion—Food System Delivery Support Request by Maria Hinds of Blue Sky Minds.

MH—I want to talk about Blue Sky Minds, a non-profit located in Mazama, to be in support of our food system. We want an equitable food system and increase the economic viability and sustainability of agriculture, and access to local food.

MH—Right now I'm working on trying to get the very first food system assessment of Okanogan County and the Colville Reservation into one document. Haven't been able to find one that already exists. Through the Okanogan Food System Roundtable I've put together, no one had seen one. Federal dollars would be useful to make a comprehensive assessment and write a 10-year Food Action Plan.

MH—I've worked on a Seattle Food Action Plan and a Puget Sound Food Action Plan. To do the same for Okanogan County and the Reservation, I've been working with WSU and the stakeholders that attend the meetings. Also I've partnered with people in a technical writing course. When the assessment is done, we'll write the 10-year plan.

MH—My ask of the Commissioners to get the assessment and action plan is \$9,500. We hope to do the work in 2024-25 and finish it up in the spring of 2025. Also I'm requesting a match from Public Health. Any questions?

JN—How many members are in Blue Sky Minds?

MH—It's a team of one. I've got a board—a president, secretary and treasurer. Lots of my time is volunteered. The roundtable—there are now 100 stakeholders taking part. It's basically the food council for our community. I'm trying to get as much engagement as possible. Over a year, I've collected 100 people who want to be engaged—including Rena (Shawver, Okanogan Community Action Council) Lauri Jones of Public Health, people from the USDA and WSU. I'm great at getting the right people to the table.

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MH—When we get to the Action Plan, there will be implementers attached to each item.

AH—The ask is \$9,500. What's the ask for Public Health?

MH--\$9,500.

CB—We heard a little about this at last week's Board of Health meeting. We're members of that board and there's a new board member who was interested in this, too.

MH—That's great to hear.

CB—And I'm also on the board for the Community Action Council, too.

AH—We put \$1,000,000 ARPA into Public Health and it's pretty unrestricted. Maybe funding only out of Public Health would be a better option. We'd need to discuss with Lauri, but I don't know much has been spent out of the ARPA allocation.

CB—That's a good idea. Andy, you'll talk to Lauri?

AH—Yes. Sometimes it's hard to utilize ARPA money instead of grant money because it has to be spent by the end of 2026. We'd re-allocate the ARPA money maybe.

CB—Especially if we have to fix the roof at the Community Action Council. It makes a lot of sense. \$20,000 out of \$1,000,000 is a drop in the bucket. Either way, I think the food assessment is a good idea. With ARPA, you'd have to have a contract.

MH—No problem.

AH—I think it's a really good opportunity.

JN—I agree. And you're including school districts in your roundtable. Have you looked at religious groups? They've got a lot of hands out in the community.

MH—I've talked with Salley Bull on the Planning Commission and she mentioned the same thing. Especially in Oroville the churches have been helping with food security.

CB—Have you been on Open Line—a radio talk show?

AH—There are individual food banks, too, that would be good to talk to.

CB—You can get that contact from Rena.

MH—Thanks for all this other information.

JN—Include all local governments. I'm the chair of OCOG (Okanogan Council of Governments) and you can do a brief session at our monthly meeting.

CB—There are 13 cities and towns in the county, but they might not all come to the meetings.

JN—You can email your stuff out to them and get it out to all the members.

CB—The food assessment—I look forward to seeing it. There are estimates about how much food is wasted in the US—a lot of waste happens because there isn't any system to prevent it. In school, we got out of class to pick up apples off the ground in an orchard. Maybe we could produce more food if people knew that they could make it as a truck farmer.

Discussion about food production in the county.

MH—One person from WSU said we import 90% of the food we eat in the county.

CB—Fruit bars made in Canada—they tried to make them here but they were told they had to go to Yakima to get the apples they needed. Turns out it wasn't true but they had to find that out. I think we could do a lot better with the food chain.

CB—Also, Second Harvest failed our food banks, and we used some ARPA funds to supply the local food banks. We'd like to know what the food system could deliver. Learning the sensitivity of our food supply industry—that's what I'm interested in.

MH—And learn about the whole system. What are the policies creating barriers?

CB—And our landfill. We can't put the compostables in the landfill because it emits gasses.

MH—It's not easy to do all of this stuff, but if everyone is in on it, it increases our chances.

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MH—Thanks so much for listening to me. Lauri reduced the \$10,000 ask to \$9,500 because of procurement issues. Other counties that did food assessments—Kittitas did. Spokane rolled theirs out a few years ago.

CB—It's helpful to know someone who's done it before and see what the plans look like.

CB—I listen to the emergency management information and the big earthquake is not a question of if, but when. And it'll upset the food distribution system. Plus a lot of west-side people will come over here and we'll need a lot more food.

JN—Look through history, they've had numerous lahars come off Mt. Rainier. My sister lives in Kent and there's evidence of that there.

CB—Sooner or later, something will happen, and we're going to need food.

MH—That's an interesting lens to look at that through. What happens if the passes all close down, etc.

CB—So, Andy, you'll check with Lauri. I think we should round the numbers up a little.

MH—Lauri understood the vision and asked how she could help. She asked how much it would cost and would \$10,000 help.

CB—We hope it'd help the organization.

MH—Thank you for recognizing that. I feel called to do this work and I'm tenacious.

2:22:05—LJ—Before you adjourn, the Auditor asks that you approve the vouchers.

MH—Thanks everyone.

MH—I'd love to talk to OCOG.

JN—Just let me know and you could do a ~15 minute talk.

MH—Thanks again. MH leaves.

JN—I move to approve the special vouchers in the amount of \$3,000.

JN—It's for Juvenile Court. Looks like it's for housing for someone who's a juvenile guardian.

Motion passes 3-0.

JN—I move to approve the regular vouchers for \$1,651,318.72. Motion passes 3-0.

CB—We've got two executive sessions starting at 1:30.

Adjourn for lunch until 1:30.

2:29:50—CB—We've got an executive session under RCW 42.30.110(1)(i) (*Litigation that has been specifically threatened to which the agency, the governing body, or a member acting in an official capacity is, or is likely to become, a party.*) inviting EM, and two attorneys—Jenna Mandell-Rice and Charlene Koski, both from the Van Ness Feldman law firm in Seattle. Albert Lin may attend if he gets out of court in time. 30 minutes. Off they go.

2:42:30—CB—We may go into another executive session.

JN—I move we go to executive session inviting EM, Albert Lin, Shelley Keitzman (Human Resources and Risk Management) and Teddy Chou (Prosecutor's Office), under RCW 42.30.110(1)(i) (*Litigation that has been specifically threatened to which the agency, the governing body, or a member acting in an official capacity is, or is likely to become, a party.*) for 30 minutes. Motion passes and off they go. Is this a threat or is this an actual? EM's answer is inaudible.

2:57:55—CB—Any other business?

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There is none.

Adjourn at 3:13 until tomorrow.