

Board of Okanogan County Commissioners
Monday, July 24, 2023 AM

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
CHa—Crystal Hawley, Deputy Clerk of the Board
SK—Steve Kelly, Commenter
MG—Maurice Goodall, Emergency Management
PP—Pete Palmer, Director of Planning
NP—Naomie Peasley—Fairgrounds Manager
JP—Joe Poulin, Maintenance Supervisor

These notes were taken by an Okanogan County Watch volunteer. Every attempt is made to be accurate. Notes are verbatim when possible, and otherwise summarized or paraphrased. Note takers comments or clarifications are in italics. These notes are published at <https://www.countywatch.org/> and are not the official county record of the meeting. For officially approved minutes, which are normally published at a later time, see https://okanogancounty.org/offices/commissioners/commissioners_proceedings.php

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Summary of significant discussions:

- Steve Kelly gives comments concerning inmates in the jail. People who use the ATM to put money in the inmate's commissary account pay a 10% fee, which Mr. Kelly thinks is too high. Also, his friend for whom the money was intended didn't receive the money in his account due to being charged for a hospital bill. Finally, Mr. Kelly would like to see face-to-face visits resume because Covid restrictions are over. Commissioner Branch will look into the situation.
- Naomie Peasley, Fairgrounds Manager, says the 40 horse stalls will arrive on Tuesday but they may not get erected until after the Fair. She and the commissioners also discuss the possibility of moving a metal building from the Justice Center site to the Fairgrounds to replace the condemned Commercial Building.
- Joe Poulin, Maintenance Supervisor says he's received a quote to replace the HVAC units on the Granger and Administration Buildings totals \$416,766.
- Commissioners discuss who has jurisdiction for public health regulations for a trailer park on fee land on the reservation. Commissioner Branch suggest the county enter into a memorandum of understand with the tribal council about this issue.
- Meeting adjourns at 10:46

00:45--Pledge of Allegiance

Discussion of errors in the Consent Agenda. #5 should refer to Fire District 2, and not Fire District 6. CB had a complaint about Jake brakes being used in or near Okanogan. He doesn't know if there's a county ordinance concerning Jake brakes. He explained to the person who complained how fun much Jakes are to use.

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AH—Crystal, go to the section in the minutes. Would like to change what he said to Sheriff Budrow last week about the problem of paying wages to deputies with a sales tax increase that would expire in eight years.

AH also discussed county employees campaigning and would like to re-work those comments, but later decided that instead of re-wording the minutes, he would rephrase his comment in a later meeting.

CB—I think county employees can't work on a campaign during work hours or in a county facility. But otherwise it's OK. I'll look it up in MRSC (Municipal Services and Research Center). They've got a lot about that.

14:20—AH—It's 9:15 and time for comments.

SK—I have several issues about money and the jail. There's an ATM you can use to put money in an inmate's account in the jail. It charges a 10% transaction fee. That's outrageous. Sheriff Budrow says this is under your jurisdiction. The jail is not running the ATM. The county contracts with a provider to do so.

CB—I've heard about this once before. There's an ATM in the jail.

SK—You put your card in—debit or credit—and tell it how much you want transferred to the inmate's account and it goes directly to the inmate. A couple of months ago a friend left \$100 and was charged \$10 extra. That seems unfair and taking advantage of people.

CB—We can take note of that and ask more about it.

SK—The other part is that the person who was to receive the money never saw any of it. He'd been assaulted last year in jail and had to be taken to the hospital. So they're deducting his hospital bill from whatever is donated to him. From what he understands, it's the person who assaulted him is the one who's held responsible. Also, right away they take 40% out, then five minutes later, take another 40% out and pretty soon, he doesn't even have enough money for a cup of coffee. I don't know how accurate this is, but this is what he said.

SK—If he's not getting his money, it's going to make the rest of us not want to give money to any inmate. I know someone who'd like to donate, but what's the point if he's not getting any.

SK—The next point, when I talked to Sheriff Budrow, he said they were trying to institute face-to-face visits in the jail because Covid is over. Has there been any discussion about that?

AH—We've left it up to the elected officials to decide how to implement safety. For Covid, anyway. So that would be something we're interested in, but the Sheriff could make that decision his own.

SK—He didn't say that, but he said he was working on it.

AH—Probably Public Health, too.

SK—OK. I've tried the closed circuit TV but it doesn't work badly. The image and voice can go away.

CB—I think the sheriff is learning about all the systems he's got.

SK—The issue with the money may not be in your jurisdiction.

CB—I'd like to follow up on the fee for using the system.

AK—If someone in jail comes from a low income home, it can make a real difference to someone in the jail.

JN—Most ATMs charge a fee, but \$10 seems too much.

CB—Well, we'll look into this and ask some questions.

23:00—Comment from Emily Sisson. She asks about Jake brakes. CB explains they are an engine brake. AH imitates the sound of the brakes in a loud voice.

29:15—MG—I'm Maurice Goodall, Emergency Management. Is there a corrected version of the overtime resolution? No? I'll check with Human Resources.

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MG—What about the budget supplemental? Did that get sent out? The one where my numbers didn't match.

AH—I thought Cari (Hall, County Auditor) sent back a corrected version, but I don't know if a hearing has been scheduled yet.

MG—I'll check on that.

MG—Things look good in the fire world. We have a fire in an apartment in Omak last night. I called the Red Cross for it. Displaced a mother and two children.

AH—Maurice? I've got the corrected supplemental. You got \$14,205 from a grant, spent \$13,502 on tools and \$703 is the ending fund balance.

MG—OK, I'll check on it being on the consent agenda.

MG—It's drying out. Something will happen one of these days. Fire season is getting pushed out farther into the fall every year.

33:50—CB—Pete's up next.

AH—LJ has a contract from Van Ness Feldman for consulting. Has Esther (Milner, Chief Civil Deputy Prosecutor) looked at it?

PP—There's an email from Esther saying she looked at it this morning and it's good. We'd like to get it signed today. And Shelley (Keitzman, Human Resources) looked at it too.

PP—I'll be real quick today. There's no Planning Commission meeting tonight because there was nothing to put on its agenda, but it's still on the county's agenda.

PP—We've got a good process going in the Methow with Sub-Unit A's Comp Plan. I've got meeting scheduled through the fall.

PP—Monday night I went to Okanogan's Board of Adjustment meeting. The conditional use permit and all the subsequent permits were approved for the sheriff's storage and morgue. I hope that will continue to move forward.

PP—I want to let you know that finalization of the permit software that's coming up. We'll schedule a week long training for all staff. The office will close for two hours/day for a week. As soon as we have the dates I'll put the closure on our website, plus a sign on the door.

CB—Has anything changed since we talked about Okanogan and that permit as far as its being re-run through the tribes.

PP—I heard not heard back from Chris Johnson. I said he was kind of going outside of the process and protocols by sending it back to the tribes after it was approved. Hopefully there are no hold-ups about getting the permits issued. I said if there were any problems to let us know so we can keep this process moving forward.

CB—I still haven't heard back, and I'll follow up on it.

PP—I think that's a good idea.

AH—As soon as (*inaudible*) get the building design done and get the corners redesigned.

CB—As soon as we get the permits.

38:20—CB—Joe.

JP—I'm Joe Poulin, Maintenance Supervisor.

JP—We got the irrigation fixed at the Justice Center. We dug up a sewer and electrical line while looking for the irrigation line. It doesn't show that. We hadn't known where the two sewer lines were, but now we know where one is. The electrical was in the same ditch. The irrigation goes north and south through the parking lot, not east and west. I'll show the pictures to MJ Neal because they didn't know where the sewers were.

AH—How big was the electrical conduit?

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JP—2". Maybe goes to the parking lot lights.

JP—Any questions?

41:35—CB—You're on, Naomie.

NP—I'm Naomie Peasley, Okanogan Fairgrounds Manager. Good morning.

NP—The Fairgrounds Office has no water or air-conditioning this morning. Kruse Electrical is there working on it.

NP—Major water issues. I've talked to six different well people and water experts. They say the water table is dry. There's not enough water for the Fairgrounds' needs. So I scheduled on August 3 for someone to come and measure the water levels. Then we can move forward with either a new well or I don't know what. We can't run more than a few sprinklers at a time, so there may be brown grass during the fair.

NP—At the office, it's just that the pump is done for and the AC heat pump is done for. Last year someone said that equipment was on its last legs and gave us a quote for new stuff, but it wasn't approved for the budget.

NP—The horse stalls are being delivered tomorrow. Plywood is coming tomorrow and other stalls are will come soon. Are they going to be built by Fair time?

AH—I'll try to get ahold of Clarissa (?). They were going to present what they were going to do at the committee this week. It's on their end but if we get any back and forth it'll be (*inaudible*).

NP—In the meantime, where should we store the stalls, etc.? It's a lot.

Discuss on storage sites.

AH—If they're not built by Fair time, put it in the far corner at the north end of the main road. We can cordon it off and I'll put a tarp over it. Plywood can sit out forever.

NP—Was there any discussion about the plumbing bill?

AH—No. I'll call about it.

CB—That was in the executive session. But we're responding.

NP—There's a new WSDA safety grant for 2024. I know what the Fair folks are talking about what they'd like.

CB—I'd like to look at the most recent priority list and take it from there.

NP—I can't complete the priority list until I hear back about what's going to happen with the horse barns and the insurance.

NP—My priority is the tripping hazards and the Quonset huts that have been there for years.

NP—Also water issues. But that may not be safety.

NP—I've been working with the Department of Ecology and Douglas Hale, the cross-connections specialist and Public Health. We've found there was a big difference between what we thought the situation was and what it really is. That's good. Hoping to get through Fair time once again.

NP—We need 200 gallons/minute, but the wells can only supply 150, but now that's down to 50 because the wells are dry.

CB—But there's a public safety issue to it?

NP—Yes.

CB—Next update, can you bring us an update about this?

NP—Yes. I've been waiting for recommendations from the state Health Department and it just arrived last Tuesday. The grant is due in October.

CB—So we've got some time.

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AH—Naomie, there are some concrete guys in the small works roster. You might get some general cost estimates for the slabs. Demo, pour new concrete over the old, whatever?

NP—We met with them a couple of years ago and the estimate was about \$60,000 per Quonset hut. I'll try to get a new estimate for today's cost. Should I get estimates for every safety recommendation.

AH—What are the others?

NP—Trying to remember the list I sent you. Lighting in the parking lots, tripping hazards, Commercial Building being condemned, a cover for the grandstand area for the elderly. That's all I can remember right now.

AH—It might be good to get a price for moving the metal building at the Justice Center and move it to the Fairgrounds.

CB—We could see who's doing that.

NP—Two buildings were moved by Jones Construction.

AH—Can you call and ask about cost to relocate it.

NP—Size?

JP—It ought to be about 60'x120, maybe. That's pretty close.

CB—What do we want to replace? The Commercial Building is about the same size and it's shot.

AH—Use it as the beef barn at the Fair and use it for other things during the rest of the year. First step is to see moving costs?

NP—I've got an Okanogan Fire District that will help with the demo. They'll burn it for a training exercise.

CB—The Commercial Building would be a good option because it'd be good for multiple purposes.

NP—There are drawings done and I've discussed with the Byrd Brothers and the trust fund to replace the Commercial Building with a covered arena. Could use for a vending site, training for horses in the winter time, etc. It'd be called the Cunningham Palace after Kevin Cunningham. That was an idea I discussed with them.

CB—Can you draw a conceptual layout plan and that would be a heck of a selling point.

NP—I've emailed them but haven't heard back.

NP—I've got lots of ideas for the Fairgrounds, but there's no money for them. An outdoor music venue. I've talked to Rotary about it. Trying to construct one in the shaded area to have a permanent outdoor stage.

AH—I have to get onto another zoom meeting, so I'm leaving.

NP—That's all I've got anyway.

JN—Can you resend me your priority list?

NP—Absolutely. NP leaves.

1:05:30—CB—Joe?

JP has returned.

JP—I'm Joe Poulin again. I got a couple of quotes from Divco for replacing the remaining HVAC units on the Administration Building and this building (the Granger Building). JP distributes the quotes to CB and JN.

CB—Man, there's a bunch of equipment up there. It's amazing that the roof doesn't fall in.

CB—For the Virginia Granger it's *only* \$311,000. Given the number of units that need replacing, I'd expect it to be more.

JN—Three-ton units are readily available. So that's part of it. I was surprised at the price. "The more you buy, the more you save."

Discussion of the units and their locations.

JP—The total is \$416,766.

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CB—We'll have the Finance Committee in here next week and we'll talk about it. See if we can take advantage of the offer.

JP—OK. JP leaves.

JN—Do we need multiple bids?

CB—I don't think we're at single source so it's a good question. Touch base with the others on the small works roster.

1:17:50—CB—I went to the Risk Pool training. It was more of the guy telling us his thoughts on settling up. What I got out of it was that all the way through at every little opportunity, you should be looking for a way to settle. Showing how much more it'll cost you if you wait. He used a car accident as an example. The accident was similar to the one I was in at a conference. (CB describes the accident.) We just had that recent settlement for that case last year.

JN—If you look at it monetarily, it may irritate you buy it's the right choice.

CB—If they're asking for a jury trial....

CB—It was all good stuff. The training was going through case studies. What to watch out for.

CB—The cost is going up but I don't know that we have much options.

CB—They've just elected a new executive board. I think they're doing well.

1:29:25—CB—I was thinking about the situation with the tribes and the trailer park. What's the next move? I talked with Pete. Michael said what he'd do if weren't on the reservation. There are plenty of agreements between counties and tribes out there. Thinking about what we might possibly come up with—something that holds each other harmless but gives them an element of waiver for sovereign immunity. Maybe you don't even have the waiver. Maybe we just say—look, if it's not working for us, we just won't do it. Case law in that area is very complex and it gets the Feds involved.

JN—My biggest question is if the entire trailer park is on tribal lands, I guess if we get involved and the owner's not happy who does the sue?

CB—And what court do they sue in? That's what's going through my mind. Discussion of what an agreement would be.

1:33:20—AH rejoins the meeting.

CB—We were just talking about the trailer park issue on the reservation and how we might deal with it. Michael says—this is how I'd deal with it if it wasn't on the reservation. We were just talking about how that might work out. I think tribal council members are important to be in it, but we still have to have one of their attorneys be a part of it and holding all of us harmless, in essence, if the land owner decided we don't have jurisdiction. I don't think we'd have a problem with that part.

JN—Another question I have—If we have some jurisdiction and make a determination, who enforces it? Us or them?

CB—That's a question going through my mind, too. Now, on the reservation, there's cross-deputization, and they've got a legal agreement laid out for (*inaudible*), but I'd prefer it like this (I think): we enforce health laws like we would on fee land anyway, but our backup is the tribal law enforcement. That would have a better effect. See if that's what they want to do. Would they be willing to have a memorandum of understanding (MOU) and the law enforcement side of it would be backed up by the tribal police. They'd have to acknowledge that our health laws were legitimate and important to them. That's what's been going through my mind. Anything you have on that, Andy?

AH—I think in context with what we've been trying to do at the Fairgrounds. We need a very site specific instance of what we're trying to do. This is one time only.

CB—We'd be doing this because it's because the tribe asked us to be a part of it. Then the attorneys

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have to write a MOU that reflects the will of the people involved. They've done some of those environmental issues on the reservation on fee lands. They were environmental and this one is too. I'll move forward with having a discussion on this.

CB—We approved the contract for Pete with Van Ness Feldman.

AH—Good.

JN—I just got a reply to a text. My contractor friends say they might be interested in moving the building if it gets to that.

CB—That's one where we'd just go get more quotes.

Discusses the Divco quotes. AH thinks they're almost a sole source provider.

AH—Maybe we can pay for some of the work with the interest on the LATCF (Local Assistance and Tribal Consistency Fund) account.

CB—We can put in on the agenda for next week. I can tell Joe to see if he can get more quotes. I've seen a few HVAC contractors who came from other places.

CB—Any more business?

AH—You know the contract for the Easton Corbin concert? They sent it back last week, saying they want the red-line copy rather than the clean one. We need to get that done tomorrow.

CB—August 1 is the Finance meeting. I've got a doctor's appointment, so I might be late. I'm hoping I won't miss it all.

AH—There's a forwarded email from Brock. There's a red-line contract that I think looks pretty good.

CB—We'll have that tomorrow. Also, I'm going to be out the week after Labor Day. Going to go see my kids and grandchildren.

No other business.

Adjourn at 10:46