

Board of Okanogan County Commissioners
Monday, July 10, 2023 AM

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
EM—Esther Milner, Chief Civil Deputy Prosecutor

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:

- Pete Palmer, Planning Director, updates the commissioners about
 - Extending the contract for the Watershed Foundation;
 - The intent to adopt revisions in the Shoreline Master Program and
 - Contract renewal for the Voluntary Stewardship Program and
 - The many paper files that are now scanned and stored in the cloud. It will take some practice to be able to access them easily.
- The commissioners hold five public hearing to adopt changes to several chapters of the Okanogan County Code.
- Adjourn for the day at 11:47.

01:40—Pledge of Allegiance

03:25—AH—We had a meeting the other day with James DeSalvo (Exec. Dir. of Methow Trails) I talked to Laney last week. She put in a advertisement for a budget supplemental for the money to come from current expense contingency reserve or ARPA. It's either/or where the funds come from. We can decide during the public hearing.

CB—I looked into it a little more about what might happen on Rodeo Trail. Talked to Ronni (Holder-Diefenbach, Exec. Dir. of the Economic Alliance) a bit. Anything we might do there would require all the stuff this grant would cover. Design, etc., so you'd have a shovel ready project for anything else.

AH—From .09 dollars?

CB—No. From Build America Bureau, the Dept. of Transportation program—a grant for planning and engineering. Josh would have to do this work. I talked with Omak to see where they might be with that end of it. Todd is dubious about this with the tribes. He said "I don't know if you'll get the traffic," but I

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don't know if you'll ever get the traffic if you don't create that road. You've got businesses there—pretty strong businesses and the sports complex. And potential for the fairgrounds. Then other businesses will locate along there. I can guarantee you that the railroad would be interested. I had a conversation with a group of people in Omak. The (*nutrium?*) is very interested. They've since then they've upgraded their (*inaudible*). That's where later on I got this complaint about them being able to get in there. So I don't know where Omak is.

CB—There's also talk about an inter-tie between Omak and Okanogan about water. Sean has some concerns about that.

AH—I would, too.

CB—They've got different water chemistry. Okanogan doesn't chlorinate and Omak does. Omak has a mix of wells with arsenic and without. They can mix the wells and reduce the arsenic. Sean said he doesn't want to be in the position of having to do another arsenic (*bogie?*). Those are just things he brought up.

CB—Josh has an interest in that the fairgrounds access road is a problem for him to maintain. And they just put a lift station down there at that road. Rodeo Trail and the fairgrounds access road. There's a new pump station there.

AH—That intersection—I can see it'd be a bear to maintain.

CB—That approach. It's real wide.

AH—Gravel always out in the road.

CB—That's a big issue. Next thing is to get him to talk to someone from the tribes. On the council first. Josh has got connections with someone from their roads department.

CB—So tomorrow when we talk to him, we could get him to ease into that. Also talked about that property north. He said he'd be good with that.

AH—I saw the email from Team Okanogan (Animal Rescue).

CB—I called one of their members—Rita Kessell—and told her we may progress on that. Told her not to get all excited.

AH—I wonder if they have plans for that? I don't want to donate the land and then it doesn't progress.

CB—We could look at it like the cat shelter over by the land fill. The county owns it. It was for all animals, but now it's just for cats.

CB—Then there's the cat spay clinic by Home Depot. They'd asked for ARPA dollars.

CB—I suggest it be a long lease, along to have something built. If nothing was built, the lease would expire.

CB—Josh and I also looked at the potential of the property to the north. Access road to the cannabis farm next door isn't a commercial access.

13:40—CB—As a reminder, next week I have the meeting with the Public Health Advisory at SeaTac. I'll try to be gone just one day, but I don't want to push it. Then there's the risk pool meeting in Spokane Wednesday or Thursday.

Discussion of irrigation technology and how it's changed a lot over the years.

18:15—Public comments. Emily Sisson asks when budget supplemental public hearing for the Methow Trails funding will be. It'll be in the paper on Wednesday, so maybe it'll be on Monday or Tuesday the week following next.

AH—I'm going to talk to PP about the Watershed Foundation contract.

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CB—Anymore conversation about the West Lake Developer bunch?

JN—A little. It's part of the city's UGA (Urban Growth Area). But it's all in the county so it's not in the county's growth management part. There's always a way around all that and jumping through the hoops.

CB—Since we're not under the act—they didn't even call it a UGA because there are some people helping the county commissioners and they called it a city expansion area. Then it has no relevance to the GMA (Growth Management Act) at all. I think there's more meaning in the water service area than anything else.

CB—The other thing about UGAs, you have concurrency with the GMA. You have to have the infrastructure in place or just about in place. The interesting thing is Oroville actually did, always. We didn't need a law to tell us that.

JN—I tried to tell Tyler, because of the service area with all those lake front houses, it's going to be tough to find funding.

CB—Yeah. It has to be an economic development project to find funding.

Discussion of how things would have been different if a hotel was planned instead of houses.

30:40—MG—I'm Maurice Goodall, Emergency Management.

MG—I delivered the new truck that we bought about nine months ago so it could get a radio, spotlight, flashing lights, etc.

MG—Bonaparte Road has washed out again. Public Works is dealing with that. No reports of property damage. We need to rethink how we repair the damage.

MG—Flood watch today. 70% chance of rain.

Discussion of what prediction of rain means.

MG—Douglas, Chelan, Ferry, Kittitas counties have been getting lightning strike fires, but we haven't. A few have started but they're put out quickly.

MG—Any questions?

38:50—CB—I called for an executive session for the Public Health meeting tomorrow about the reservation project. I don't know if Esther (Milner, Chief Civil Deputy Prosecutor) needs to be there but she says she'll come. It's about reservation stuff and land use agreements with respect to Health.

AH—At some time we should talk about permits or something.

42:15—CB—Is your report very lengthy, Naomie?

NP—No. There's nothing pressing at the fairgrounds this morning. The RV park is busy.

CB—I was at an event at the Beef Barn last weekend and saw a lot of water leaking. Looked like a hose fittings rather than leaky pipes.

NP—Thanks for the heads up.

NP—The new temporary person started last week and the tribal person started this week.

NP—That's all I've got.

44:25—AH—I'll talk to Michael because I believe what he's doing is correct.

CB—Any particular issue?

AH—It's the site analysis. If you're going to get a septic permit, you turn in a site analysis because the idea is that you're wanting to use water. Why tell somebody he can have a septic system...

PP—...and down the road, he finds out he can't develop the property?

PP—Another thing I tried to explain is that once we get a site analysis, we have 28 days to deem it complete. There may be people ahead of you in the queue, but most don't wait 28 days. And if you're in

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the Methow, you still have to go through the water review. And after the 28 days, there's still documents they'll need.

AH—If they want to put in a septic system and there's already a well there, all you need is the well log?

PP—Not necessarily. There can be additional information that's required if the well log isn't complete, or there's a gap between when the well was drilled and the log is submitted to Ecology. It's supposed to be submitted within 30 days.

CB—Trying to head that off is...

PP—Every single one is different. Just when you think you've got it down, boom!

PP—OK. First thing. I was asked about the Watershed Foundation. I know AH is getting emails about extending the contract for the services they're providing—grants, watershed studies, water banking, etc. The expiration date is Dec. 31, 2023. Within the document, #8 talks about changes, amendments and modifications. It allows for the time, scope of work, etc. to change. So we can extend the contract or start a whole new one.

AH—OK. We need put this issue on the agenda next month. 30 minutes.

CB—to AH and JN--Any concerns about the water banking agreement? I've got another meeting at 4:00 about it. No? Great.

PP—Next—The Shoreline Master Program. We've gone through the public process and received no comments on the revision. Now we're ready for the BOCC approve a resolution of the intent to adopt the revision and transmit the whole record to the Dept. of Ecology for their final review and approval. I sent a draft resolution to you, along with Curt's staff report, the public hearing information, SEPA checklist and the full final document along with the DOE checklist that was required.

CB—No comments.

PP—It'd be nice if they were all that easy. Curt did a really good job and Michelle had everything laid out and easy to find.

CB—Then it would have been nice for comments that said—Good job!

CB—A lot of us was just updates to the state program?

PP—Yes. And making sure ours was consistent with the legislation changes.

AH—This went through the Planning Commission public hearing and there were zero comments? That makes it easy.

AH—Did any of the set-backs change?

PP—No.

CB—A notice of intent to adopt takes another hearing?

PP—Once it was adopted originally, and the language says once Ecology approves it, it's on the books and there's no more hearings on it.

CB—In the past, I think they had a final hearing. This was for towns and cities. It was the DOE's hearing, but it was in our town. It only took about five minutes because nobody came to it.

PP—They're going to be here tomorrow, so I'll ask about it.

CB—If they wanted to come in and introduce the shoreline people from Olympia, that'd be good. And it was the adoption of a new program.

PP—I'll ask.

AH—I move to approve Resolution 79-2023 announcing the intent to adopt a revised Shoreline Master Program consistent with the periodic review requirements of the act. Motion passes 3-0.

PP—Next thing is the VSP (Voluntary Stewardship Program) contract renewal for 2023-25 biennium contract K-2421. Planning Department recommends renewal. I also included the resolution for the

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adoption. I also attached the Interlocal agreement between Okanogan County and the Conservation District for them to administer technical services for carrying out the VSP.

CB—They do the facilitation work?

PP—Yes.

Discussion of the document: the contract, the Interlocal agreement, resolution.

AH—I move to approve Resolution 80-2023 to affirm the decision of the BOCC as adopted by Resolution 126-2016 to opt into the VSP. Passes 3-0.

AH—I move to approve the Interlocal agreement between Okanogan County and the Conservation District for the administration of the VSP of Okanogan County, and authorize the chair to sign. Motion passes 3-0.

AH—I move to approve VSP contract renewal 2023 biennium contract K-2421 between Okanogan County and the Washington State Conservation Commission and authorize the chair to sign. Motion passes 3-0.

PP—Last, we finally closed out the contract with Modus. They did the file retention. All our documents are on their storage cloud. We're not going to need another pick-up for several years.

PP—We haven't had the chance to look through the vault and try to find things. I'll probably be a challenge. Documents we're not required to keep for their lifetime were scheduled to be shredded, but we've skeptical a little bit. But we don't have the storage capacity for the boxes.

AH—Can they go to the state archives?

PP—Yes, but there's a cost. I'll look into it. I'm nervous about shredding documents before we learn how to find them on the vault. It's not that they're not there.

CB—It's a safety thing to hand on to documents until you know how to find them.

PP—We got a Public Records Request for a Planned Development. When we looked in the vault, we can't find them. I searched 40 different ways. The PD was from 1988, so we're looking to see if there were any documents required then. We've looked at the Auditor's records and found only a map. We don't have CCRs, etc.

CB—Zoning changes had to be made for PDs.

AH—Look at the code section for the PD, there should be a date stamp. You can track it backwards that way.

PP—Anyway, the Modus project is done. We're just trying to learn how to find the records in the vault.

CB—On the VSP agreement, there's Appendix D that needs a signature, but it doesn't say who. Who is the billing contact? You?

PP—I'll look at the last contract and see how it was done.

PP leaves.

1:15:45—CB—At 10:30, we're in hearing mode for the rest of the morning.

JN—I have OCOG (Okanogan Council of Governments) this afternoon, if there's anything you want to throw at them.

AH—Did you get the Astrid email I just forwarded, the fairgrounds related email? We should have an executive session about that.

JN—Yes.

1:26:00—CB—Looks like the court is a little concerned with changes the architect made to the design. But they say—Don't get excited.

JN—Preliminary designs.

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1:30:20—CB to EM—These hearings are all advertised?
EM—Yes. I think we’ve got 15 minutes on each one.

CB—Public hearing for repealing Okanogan County Code (OCC) 2.96—Marketing and Special Excise Tax Board and Adding Article III Excise Tax to OCC 3.40.

EM—Chapter 2.96 is no longer in effect. Resolutions 125-2014, 13-2020 and 54-2020 also changed it so the changes all make sense.

No public comments.

AH—I move to approve Ordinance 2023-16. Motion passes 3-0.

1:45:20—CB—Time for the public hearing to amend OCC Chapters 2.04.040 and 2.04.050 repeals Resolution 39-2021 and chapter 2.04.050(B).

EM—This removes the Clerk of the Board section from the Board chapter and put it in a new chapter. No public comments.

AH—I move to approve Ordinance 2023-17. Motion passes 3-0.

2:00:20—CB—It’s 11:00 and time for a public hearing to revise OCC Chapters 2.04 and 2.04.050(B).

EM—The RCW required the county to designate an agent to receive tort claims. The County passes Resolution 39-2021, changing the agent from the clerk to the risk management person.

JN—I move to adopt Ordinance 2023-18. Motion passes 3-0.

2:15:45—CB—It’s 11:15 and we have a public hearing on OCC 2.76 Insufficient Funds and 2.76.010 Handling Fee.

EM—Our handling fee was \$10 in 1985 and there’s been a little inflation since then. We also broadened the language a little—example—insufficient funds now includes checks refused because the account was closed.

AH—I move to approve Ordinance 2023-19. Motion passes 3-0.

2:30:35—CB—It’s 11:30 and time for another hearing. Revision of OCC 2.80.040—Duties, 2.80.060—Organization and 2.80.50—NCW Law and Justice Council—Membership.

EM—This amends 2.80. It was basically put into place by the county because it was required by the RCW. Then the RCW changed and these amendments will make the OCC in agreement with current requirements with the RCW. It adds the Colville Confederated Tribes, but only if they want to participate.

AH—I move to approve Ordinance 2023-20.

CB—We have to have a Law and Justice Council?

EM—We’re required to have it, but it’s not required to do anything. Motion passes 3-0.

2:34:05—AH—I move to go into executive session under RCW 42.30.110(1)(i)—to discuss potential litigation, with EM, for 15 minutes. Motion passes and off they go.

Upon their return, they adjourn for the day at 11:47.