

Board of Okanogan County Commissioners

Tuesday, May 7th, 2024, 1:30 p.m.

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Present:

Andy Hover (AH), BOCC District 2
Chris Branch (CB), BOCC District 1 (*via Zoom*)
Jon Neal (JN), BOCC District 3
Laney Johns (LJ), Clerk of the Board
Mike Worden (MW), Dispatch Center
Roni Holder-Diefenbach (RH), Economic Alliance
Luis Rodriguez (LR), architectural firm MJ Neil & Associates (*via Zoom*)
Justin Borst (JB), architectural firm MJ Neil & Associates (*via Zoom*)

Time stamps refer to the time on the wall clock. An AV Capture archive of the meeting on this date is available at:

<https://okanogancounty.org/departments/boards/livestreamingofmeetings.php>

Summary of Important Discussions:

- *Bid for demolition of morgue and sheriff's equipment shelter on Railroad Ave. awarded to Groat Bros., \$148,432 tag includes clean-up and disposal of tanks, new structures' environmental footprint should be smaller*
- *Economic Alliance director needs challenges to internet providers' promised coverage to bolster argument for broadband grants, funds already secured by Electric Co-op for 222 Methow residents and PUD for "middle mile" up to Conconully; need to prove lines of credit preventing some applications but director and USDA rep confident about continued funding; isolated areas need dependable land line infrastructure since internet vulnerable to power outages*
- *Commissioners and clerk struggle to make federal Rescue Plan (ARPA) spending figures add up, time frame of reports compared to annual budgets complicates calculations, clerk is reassuring; total two-year allocation: \$8.2M*

1:29 - Demolition of Morgue/Sheriff's office equipment shelter, 269 Railroad Ave. - MW:

There's been a lot of activity since (*county architect*) MJ Neil and (*Coroner*) David Rodriguez opened up the bids. One bid was significantly lower, and we wanted to make sure it was solid, so MJ Neil has done a fair amount of engagement with that bidder... In that process the bidder realized they had missed the environmental clean-up and disposal of the tanks. (*After consulting with their legal counsel*) we got a withdrawal of that bid and are moving on with the next lowest bid which is with your packet and recommendation. That is for the Groat Brothers \$148,432 for the demolition of the three structures.

JN: Justin, Luis, do you have anything to add?

LR: I talked to Dennis of the Groat Bros. He was able to give us a list of references; we were wanting to check some of those, but yeah, pretty confident on his bid, I go along with Mike's recommendation.

MW: We didn't find any objection to Groat Brothers. *A motion is approved to designate this company for the demolition. A person arrives with a "problema" for the sheriff's office. MW leaves to take him there, returns.*

While we work to get the actual contract for demolition together, we don't actually have the building permit yet. Is there any hesitancy about proceeding with the demolition?

CB: Do you have the demo permit?

MW: I believe it's waiting for the vendor's name. *Asks LR if he's waiting for anything else.*

LR: The name and the bid amount.

CB: If you've got the demo permit, I'd say go. *AH wants to see where they are with the building permit.*

MW: Correct me if I get off track, Luis. We had some follow-up with the city which had some concerns about the footprint. They had some confusion about the building itself vs. some of the information we sent them which showed them some driveways. So instead of showing a reduction of shoreline impact, which was appealing to the Tribe, now it appeared we had a dramatic increase in impact. Primarily, the city didn't assess the curtilage area (*land immediately surrounding the building*) that was previously sent to them for the new building. MJ Neil is working on clarifying (*existing and new footprint and area*). It's approximately a 10% reduction in footprint. That's consistent with what we and the city have communicated with the Tribe. *LR confirms this*. We haven't seen the electric and sub-system designs yet but I wouldn't anticipate issues there...

AH: The matter of fact is the thing is fairly dangerous.

MW: Pretty ugly. We do have temporary facilities for the Coroner... We have a couple vehicles we'd like to have under cover but if push comes to shove we can deal with it. I don't see a terrible risk in proceeding.

AH: Thanks for all the work you do. *The commissioners thank him and the Zoom guests for coming. They leave. BOCC tries to figure out what "curtilage" means. They look over some past meeting minutes, taken by the deputy clerk. Take out that sentence and put in "Commissioner Hover discussed putting the water availability statement for exempt segregations on the application for that land use". AH asks to "clean up" a statement CB said about setbacks for shorelines in the April 29th meeting. In minutes for the 30th, p.m., JN asks to change "commercial license" to "commercial applicator's license to do weed control" in describing what the the high school rodeo association lacked the last time they applied to use the fairgrounds.*

JN: The average person looks at their phone 144 times a day. *Laughter.*

1:55 - RH (*who has just arrived for Economic Alliance briefing*): Only 144 times? *More*

laughter. They tease her about being rich; at some auction event her table won the most bids maybe? They praise the abilities of the auctioneer, Tucker something, who does the fair and stock auctions.

2:00 - RH: So I'm here to talk about broadband. *AH wonders if she wanted help from GIS (geographic information systems), RH says they're beyond that now.* The challenge process is done next week. I've been working with PUD and OCEC (Okanogan Electric Co-op) and other entities that have the ability. So, providers can challenge the process, the ISPs can challenge the process. A lot of entities are claiming that they're providing broadband infrastructure in certain areas of the county at certain speeds. So we, the residents and the providers know that they're not providing that speed. So if it's not challenged, then we cannot get funding for those areas so that's why it was so pertinent to have the mapping. Ernie Rasmussen from the Tribe had contacted me to say we needed GIS for Okanogan and Ferry Counties. I said I'd try to get someone from GIS to join the conversation and find out whether they had missing layers or a mapping data base for our providers (*to look at*). But now it's a moot point. Because we're meeting on Monday and going over the map to see if there's areas that haven't been challenged. I've been looking at what has been challenged and by who. PUD and OCEC have been doing an awesome job... That process is due by the 15th. I don't think the state would take any additional mapping at this time. We've got the information that we need. *AH said when it first got going these entities were hesitant to share their maps. RH says now they have a good working relationship and they've been able to get funding.* Actually, today, I think OCEC was awarded \$5M to be able to provide services to an additional 222 residents up in the Methow, and the Okanogan PUD got their money for the "middle mile" up to Conconully from Public Works, just under \$2M. I also spoke to the state USDA (*US Dept. of Agriculture*) director about some of the PUD's challenge in accepting that grant. Because of the way they're structured, they had to provide some kind of line of credit or bonding that USDA was requiring and it's held up either PUD accepting the funding. She had to contact Washington DC. She said if it's held up, a lot of these areas, if this doesn't go through it will set a precedent of all these other areas not applying. Why would we have to do this?

AH: It's a public entity.

RH: And it's 100% grant. ...That information was not up front in any of the documents. (The USDA director) is 100% confident we've got this to move forward. ...That was a lot of work and a lot of effort. They just had the next round of Reconnect that came out and I don't think we had any applicants from Okanogan County just because of the fact that everybody was leery of ...jumping through all the additional hoops. I've also been working with the Tribe. We're one of the counties that have "shovel ready" projects so that when the money comes out we'll be able to move forward with those applications. I'd emailed Pete (*Palmer, Planning Director*) who knows exactly what is that they're looking for... We've been having monthly meetings just talking about this project. We're working with Petricorps which is the one we had to have the MOU (*motion of understanding*) with, who is helping some of the rural areas with the challenge process. But it's really interesting because there's \$1.3B coming out for (broadband) and everybody's going to be jumping through all these hoops. That money is all going to go so fast.

AH: Is that for the state?

RH: Yes. ...and they've added making sure that we have the appropriate speed, and when it comes we have to make sure we can get the project done in two years to get the funding. That's why we've got several consultants. We've had feasibility studies but the costs are changing.

CB: Do providers have service areas that are established? The service areas of the providers that could be challenged? I was thinking that if they're not serving a particular area, they might have a service boundary.

RH: Anybody can come in and provide a service in our area. We have a lot of the big corporations that don't want to share. ...But we've been really successful. Charter has been coming to our meetings, and they have not come before. At our meeting Monday *(we'll)* also discuss priority areas. We don't want to have three projects coming out of the same area for the same service territory. That doesn't look good for anybody. If we can have *(projects in both valleys and with the Tribe)* and we all back that up... then we can move forward with that. We've been trying to bring all the partners to the table and be transparent. That's it.

2:12 - *JN asks if they're doing emergency broadband "tag-ons" on any of this.* RH: We don't use the same infrastructure *(as Dispatch)*. I've been working with Maurice *(Goodhall, Emergency Manager)*. Social media is a great way to communicate, but in some instances it's not. I'm part of the Aeneas Valley group. All of a sudden Ziple was doing a lot of upgrades in that area. Part of what's happening is they're not replacing the *(inaudible)* infrastructure. A lot of people are upset because they depend on their land line. Maurice had called me because there was power outages and people didn't have access to internet or wireless. You have to have power, unless you have a land line. So there was a lot of complaining on social media and Maurice—we were having a ground-breaking in Tonasket on the funding they got up there—he was saying “Why are you supporting these guys?” I said “You're talking to different infrastructure than I'm talking about. This is broad band. But you have to develop a relationship with the people who provide these services so that they know. So provided Maurice with Ziple's local manager's information ...for emergencies. When I talked to that manager, he didn't realize that there was no other form of communication in some of these areas... *She told him a lot of people were poor and only had that land line or had to go to the community store and use the pay phone.* ...And if we have fire or flooding, they have to have some kind of connectivity. We really rely on Mike *(Worden)* to share what his needs are and if we can work together. *She leaves.*

2:16 - *AH tells LJ to get ARPA (American Rescue Plan) spending on the consent agenda. LJ shows them on the screen: cash on hand - \$3,747,955 as of the end of April. AH asks about interest.* LJ: It's going to be hard to know for sure... The request that we have paid up until April 30th...

AH: The weird thing is, the total overall is quite a bit more than what our award was. I thought we only got awarded \$8.2M.

LJ: This is what we've spent. –

AH: How is this actually possible: Did we actually spend \$400,000 even on the mobile

command unit?

CB: How convenient.

JN: If I remember right, he was over what he used (*inaudible*) other phones,

CB: He used the entire thing. *AH is satisfied with this explanation.*

(Note-taker couldn't see screen; there are probably more zeros in these sums.) AH: \$310,000 (*and*) \$140,000 to Economic Alliance., We know that's right. \$250,150. \$276 was budget for the "Slopes Table Division", \$500 for fiber in Conconully, \$500 for Methow valley, \$75,000 for Twisp's well, \$100,000 for the town of Winthrop, 435 for Okanogan, 75 for fire district, 252 for the fire hall, 150 for Elmer City, 55 for the extraction tools, 100 for Room One, Courthouse security cameras, that was the real number there, \$44,836.046. So Tunk Mt. Fire Dept. 475, 1M for Public Health, Justice Building - 145,078, 500 for the morgue, 122 for the sheriff stuff, \$139,500 for the Public Defender, Emergency Management: 61,84; 249 for Public Works, 478,25 is the real number, and 37,379. Can you click in that "Total Overall" box? With that we're way over.

CB: I thought we backed out of that Justice Center.

AH: No, that got paid for with ARPA funds.

CB: It shows on that first report as (*inaudible*) canceled. I thought we'd got to the point where we backed away from the use of ARPA funds for that and went to a bond.

AH: No, because that was the actual purchase of the building. ...So I can't understand why we have more cash now than what the remaining balance is. But yet we've overspent in the total amount. So if we were to reconcile the yellow numbers with what we actually got from the federal government, that number is higher. Now if you go over to the remaining balance, if that number is up to date, you just said cash on hand was more.

LJ: These are the real numbers, based on the A-19s that you've approved. This cash-on-hand is only to the end of April.

AH: Between now and then did we approve any ARPA stuff?

LJ: The \$15,500, that's on the consent agenda, ...I included that. And Public Defender, \$31,000. ...This is the exact amount spent as of end of April. *AH asks her to add up the figures.* \$140,076.054 has been paid out.

AH: ...That makes more sense now. *But he can't wrap his head around the other figure. LJ says it's hard to come up with the figure of retention bonuses and payroll taxes.*

LJ: We had to hand-calculate those sections.

AH: The point is that we can't allocate any more money. *He says they've over-allocated about \$70,000 but have a \$1.2M cushion* "because we've got Public Health and that deal down there". By the middle of 2025 it's going to have to be allocated to things that are shovel-ready. ...We cushioned ourself with a year because we knew that basically you

come down to having six months left of even an extension of a contract that you're going to have to say, "Nope, sorry, we're cutting off". So that you have 12 months to re-allocate into a project and give yourself four or five months to get the paperwork done.

LJ: The contracts, we'll have to keep an eye on those. Some of those are coming up October 2024. So if those agencies don't have all the costs—

AH: —filled out, they'll have to ask for an extension. *He asks her to add up "spent" and "remaining balance". ... If you take that 8.323 number, and subtract \$70,000, I bet you'd come up with what we have for an allocation, 'cause I think it was \$8,260,000 or something. So "spent" and "remaining" are okay but you're going to have to go through those to see where there's an issue at. So it's \$,205,208. They work with the figures on the big screen. ... So Economic Alliance has never spent any of those \$140,000?*

LJ: It's in the "spent" column. *AH mentions agencies whose allocations haven't been spent: PUD, Electric Co-op, town of Nespelem, Elmer City, Tunk Mt.,... They continue to pour over figures. At one point AH says, "great, now we're \$400,000 over-allocated."*

AH: We gotta reduce the Coroner's allocation to \$100,000... The bond money, because we don't know what we're doing with our justice center, we'll take money out of that. There are a million dollars we can take out of utilities for there. The morgue is going to be pretty pricey. So we basically do a re-do of this resolution, make it a \$100,000 allocation, taking money out of there and putting it into those line items. In the last year and a half now, Public Health has only spent \$60,000 and they're getting a lot of money from grants.

JN: Do you want to hold off with the resolution until we talk with them?

CB (to LJ) : What projects did you change that affect that report? That report didn't have that building in it. So if you put that in... We came up on that \$10M thing and then there was some uncertainty—

AH: We may have to go back and say "hey, this has been overlooked". Now we're going through, re-allocating money.

CB: The expenditures are the same. *Talk about cumulative sums, reporting period ending March 31st, a \$1.5 figure that was missing. He says they're "only" a few hundred thousand dollars off. ... Now we have to amend another report. Which could take awhile, but that's okay.*

AH: If Laney finds a way to amend the report.

3:03 - CB: That previous report needs some of the stuff we're doing put into it. ... We just need to move some of those expenditures into the previous year's report. *He notes the December 21st deadline for allocating ARPA funds. The commissioners hover over CB's computer screen for several minutes. CB and AH re-tally the obligated funds: town of Twisp, town of Winthrop, Community Action roof, Sheriff's office, Room One, Public Defender... They see one that had been missed. \$5,609,000 is the figure CB comes up with. CB asks LJ about things that should have been in the previous report. LJ replies that the report covers 2023 and 2024, a different time span than Public Health's*

expenditure report. CB says tallying total obligations is different from expenditures. At the bottom of the previous report we reported what was happening and gave some figures. LJ doesn't think she has to re-do a report.

3:22 - AH: Laney, do you have anything else?

LJ: The EMS Districts' state audits require a data sharing agreement. And the city of Okanogan is getting ready to finalize the paperwork for the annexation of the "justice building" (or service center) property (on 2nd Ave. S.) and wants to know if the information is correct, if there's anything to add. ...The DNR asked if anyone was planning to attend their retreat June 4th and 5th, touring the Loup Loup area, studying fire fuel breaks and management activities and visiting Loomis State Forest. *AH will go the first day. JN will be out of the country. AH asks LJ to clear the schedule for the afternoon.*

CB: Laney's designated for everthing I'm designated for... *(They work it out inaudibly.)*

3:40 - *Minutes from April 22nd, 23rd and 30th approved, along with consent agenda. AH moves to approve resolution 66-2024 amending resolution 49-2024, the fairgrounds rental rate fee, adding the reduction for school-affiliated organizations. Motion carried. Data sharing agreement for Orville EMS approved. Vouchers approved.*

3:43 - *Meeting adjourned.*