

Okanogan County Board of County Commissioners meeting Monday, January 22th PM session

CB – Chris Branch, BOCC Vice-chair District 1
AH – Andy Hover, BOCC member, District 2
JN – Jon Neal, BOCC Chair, District 3
LJ – Lanie Johns, Clerk of the Board
EM – Esther Milner, County Civil Attorney
DH – Dan Higbee, County Building Dept Official
JT – Josh Thompson, Public Works Dept manager, county engineer
SK – Shelley Keitzman, Human Resources Risk Manager
PP – Pete Palmer, Planning Director

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/bocc-boh-notes> and are not the official county record of the meeting. For officially approved minutes, which are normally published at a later time, click [here](#).

Summary of Significant Discussion:

- *Discussion of County Code regarding manufactured homes*
- *Code enforcement*
- *Public Works Dept update (proposed legislation on transitioning from gas-powered to electric equipment, tax reform, storm water, etc.)*
- *Discussion on LTAC application process*
- *Discussion on Homeless Housing Coalition and grant application*
- *Different ID cards for Superior Court Employees*

The time notations refer to the clock on the wall in video that is published on the county's AV Capture site. To watch the video for this meeting, click [here](#).

1:30 pm – EM talks about mobile home section of code. Started on square 1 on the manufactured home section. It utilizes things that are set by other provisions. We wanted the BOCC to look at some of the snow load issues with manufactured homes. There are pros and cons that are worth discussing.

DH – some other counties require a roof to be built over a manufactured home that doesn't meet snow load rules. I think that it would impact low income population.

AH – It's basically just a pole structure, but I don't anyone who builds pole barns any more.

DH – for some of these older manufactured homes it could cost double what the place is worth.

DH – we don't have a lot of these in the Methow, which is where the higher snow loads are.

AH – so in the rest of the county it's not too bad?

DH – yes.

AH – we could talk about whether they need a metal roof.

DH – the problem with that is that it's a complicate process to retrofit. With the new WUI code, the new ones are going to meet the code.

AH – are we talking about existing manufactured homes?

EM – only if they are moved and relocated.

DH – we don't have a whole lot, except for a few years ago when we got flooded with them.

Other counties changed their rules to make them (*the older non-compliant manufactured homes*) illegal, so they all came here and to Ferry county.

CB – I remember that there were some rules about not letting pre 1976 mobile homes come in.

DH – Our rules are that if they are pre- 1976 they are required to get a permit from L & I.

PP – when the Tribe did this, there was a map that you could look at for snow loads. Some were in the 35 lb load but the Tribe went with 40 lbs. Gave example of the engineering concerns that are not just about upgrading the roofs, but whether the wall would be strong enough to hold a roof with snow.

AH – asks if the county a searchable database of how many mobile homes are in the county.

DH – says they don't have any kind of list like that.

AH – reconfirms that the main snow load issue is in the Methow where there are not a lot of older mobile homes.

CB – We know that there is a disconnect between the L & I and the county rules around permitting.

DH – the Methow area covers the whole watershed down to Pateros. Discussion about specific snow loads in the various locations. Basically it was lowered by about 10 lbs about 15 years ago.

CB – since L & I does not consider park models as year round why would we need to do this?

DH – they are recreational vehicles. No different than an RV or 5th wheel.

CB – If we allow them as residence, why would we use that rule?

DH – good question!

AH – say you have one that you live in, are you just considered to be living in an RV?

CB – we have allowed it for years. We may want to look at where the differences are between these park model manufactured home and tiny homes. Discussion about allowing park models, but restricting the RVs.

DH – at one point we use to police the RVs for planning and health dept. We had nothing to do with them from a building inspection point of view but we did it anyway.

AH – can I go and put a park model on my property? What is the problem we are trying to address?

DH – as long as it has the proper permit it can be on private land, and no permit required if it is in an approved mobile home park.

CB – Discusses issues around using various types of manufactured homes (including tiny homes). A couple years ago they adopted rules that said that a private individual has to get the same certification as a mobile home installer.

AH – That is definitely a problem. That is the issue. Where is that coming from?

DH – L & I.

AH – how can we change that, then?

CB – we can change our rule that is in the 1983 ordinance.

Discussion about how they can change our ordinance to make it less onerous for homeowners to install a manufactured home.

CB - I don't know that we should be allowing RVs to be used as permanent residences. Park models have egress windows, for example. So between those and the tiny homes, have you permitted any of those? (to DH)

DH – only 1 so far. They have to meet building code standards.

AH – getting back to requiring covers – I think CB brings up a good point. It's a simple policy change.

CB – asks DH if he has seen many problems due to snow load?

DH – not many.

CB - asks if that is because it was not blocked under the walls, but rather under the framing.

AH – I don't think that we should require roofs because it is a regressive policy. It would require the people with the least amount of money to pay for something they probably can't afford.

EM – clarifies that they want a provision that carves out park models.

AH – no pre-1976 models should be brought into the county or moved.

CB – I would say that if they are already here they're here.

EM – the standards already say that if they are moved within the county they have to be updated. So back to the drawing board on this one. Discussion about enforcement.

CB – asks if there is anything in the State code that would prohibit us from moving away from misdemeanor?

EM – no, lots of counties are moving to civil infractions for this.

EM – that brings us to title 19 – proposed code enforcement. This is a draft for us to discuss as a starting point. We haven't had any real enforcement up to now. The part that PP and I liked about this approach is that it really tries to get voluntary compliance before you move to the punitive stage. It has a provision to waive penalties if compliance is achieved in a certain time. Our goal is to achieve compliance, not to engage in punitive measures. But you do have to have something with teeth behind the rules for the occasional person who pushes it to the limit.

CB – I was reading the section that outlines the 7 steps of enforcement. Courtesy notice, voluntary compliance, notice of stop order, etc. and last is criminal enforcement.

EM – seems like it works best with a hearing examiner system. The challenge we have is that the cost for someone to appeal the hearing examiner is pretty high. Some of the counties I looked at are charging about \$250 for that, whereas our cost is more like \$1000. We need to make sure we have a code that provides due process, and I'm concerned that if we charge too much we would not survive a due process challenge.

CB – asks about what district court costs.

EM – maybe if there is enough volume the costs would come down.

Discussion about past efforts to have a code enforcement officer and how things are different now.

EM – There is some overlap with the garbage section of the code that falls under public health.

AH – asks about how solid waste department is involved with this.

Some examples provided.

EM – I didn't put much in about abatement.

AH – I guess if we wanted to pay for it out of current expense it might work.

Discussion about how to handle county abatement of excess garbage.

CB – mentions that some nuisance properties not only have a problem that remains static, but it continues to grow, sometimes onto adjacent properties. Having some enforcement provisions in our code is a start.

EM – where do we go from here? Do you want some time to look at it? The big thing we would need direction on is the hearing process. District court, or hearing examiner? We need to make sure we have solid due process.

AH – asks about why the criminal penalty is still mentioned.

EM – relates incident she was told about where a wealthy landowner violated a county code and simply paid the civil fine over and over because he could afford to and refused to correct the problem. He just considered it a cost of having what he wanted. As soon as they went to a misdemeanor (criminal penalty) he quickly took care of his violation. It is a last resort that we may want to keep.

AH – discusses a stop work order and how it works. Need to make sure people know how it works.

PP – I want to be clear for the people watching us that this isn't going to change how we currently handle enforcement. I mean that we will still be complaint driven. We will not be going out looking for things to write up. This will allow the process to be more transparent and people will be able to see the steps that have been taken.

EM – if we can get this back on the agenda in a week or two so that it keeps moving along.

BOCC agrees to put it on agenda in two weeks.

EM will do some research on some of the things like stop work orders and creating the necessary forms.

2:37pm – Josh Thompson. Public works report. Things are starting to soften up. Not a lot of change with shops. Finishing drywall, some stuff back ordered in Tonasket. On the Legislative side, the Association of County Engineers tracks bills. One that we are watching is about reducing emissions from small off-road engines. They want everything that is 25hp or less to be battery operated. We knew it was going to be back – didn't pass last year. There are some good things in there such as exemptions for things like chainsaws, generators, and we requested water pumps to be added. Want to be more clear about how DOE can delay the rule if parts are not available. One of the incentives is waiving sales tax on these items, which impacts local governments. Talking about grants for agencies to replace gas powered equipment with battery. Would have to be not end of life replacement.

CB – if they are going to do a tax credit that it be on the state portion, not the local portion. It bothered me that a lot of this parallels the CA code standards and if that code changes we have to follow along.

AH – asks what we use that would be impacted?

JT – chainsaws, water pumps, etc.

AH – a lot of those things are easier to use if they are battery. I'm not an electric car person, but the ease of maintenance on battery powered equipment is so good. Once you use one, you realize it's so much easier. They make big batteries.

CB – we talk about equity, but some low income people use this equipment and it would impact them. It's worth looking at how it affects the private sector.

AH – you look at Milwaukee tools and how many of them are now battery powered. You can get almost any tool with battery now. And most of the companies are going to battery. You don't have gas spilling all over. It's way better.

CB – some tools don't warranty unless you use the special gas. And there is no cord hanging out.

AH – And I want to have a battery chainsaw for my truck to deal with down trees. I don't like having gas spill all over my truck. I'm not a fan of electric cars, but I like the electric tools. Discussion about the special fuels needed for the small two stroke tools and what a pain they are.

CB – thinks the bill will pass, need to make sure the provisions accommodate the rural counties. In fact, King County has a lot of rural areas and they need to make it work there, too.

JT – yes, we all think it will pass eventually.

AH – the thing I don't like is that instead of using incentive programs to help people make the switch, they impose these heavy rules right off the bat. They should use the carrot first, then the stick.

JT – they need to educate folks first and it would be a lot easier to get folks to support it.

JN – gives example of the battery powered jaws of life fire department extraction tool. They like it.

JT – other bills we are watching – a bill about qualified bidders, one about automated traffic safety cameras. Doesn't affect us. State and local property tax reforms. Senate bill about prompt payment for public works. HB 1705 – storm water control. Some of these bills are written for one particular jurisdiction, but they haven't looked at how it might affect others.

JT – next week we have a meeting with WDFW to discuss WATVs.

JT – asks for Friday off to take his son to look at a college. BOCC agrees. Says he has training for the next two days (bridge inspections).

CB – asks about Riverside bridge and said he heard there was some kind of problem.

JT – it was a frozen water line. There are 3 houses that were affected. There was a section of the line missing insulation.

JT – says he is taking 4 people from his office to training next week. (HR, rights of way, etc.)

Discussion of rights of way details. Mentions a right of way they are negotiating with the Tribe.

3:05 – Casual talk about road details of some particular areas.

JT leaves at 3:06.

AH – asks if Lanie can come early for her LTAC discussion.

3:07 – LJ arrives. Asks if EM can join her to discuss a contract.

3:12 – updates on meeting with Don Linnertz (LTAC member). Met with him on Friday. Talked about consolidating the applications into a single application that would cover everything.

AH – asks isn't that how it used to be?

LJ – it was very similar. When I took over it became a bigger requirement, so we developed a way of doing that and it worked best to have 3 different applications. Now it has become onerous to have 3. It could be one form with different sections for the different types of applications. People could simply answer the questions that apply to them.

AH – asks what Don thought.

LJ – he suggested it.

Conversation about the logistics of how to rank the applications. Scoring system, should it be weighted? How well do the organizations meet the criteria? Do they bring “heads in beds?”
CB – gives example of in the past they had different way of doing it that worked fairly well, although it was complicated. Discussion about objectivity within the committee members when they are looking at their own applications.

LJ – OK so that’s applications. Now contracts.

AH – reviews his statements on the applications and scoring.

LJ – goes back to talking about contracts. Asks her helper about an issue they had with a contract. It had to do with the DMO (designated marketing organization) and how often they meet.

AH – gives example of how to account for the larger and small DMOs and make it fair for everyone. Talks about town of Winthrop as an example. The town of Winthrop does not give out LTAC money so the orgs come to us instead.

LJ – says that all the VICs (visitor information centers) are getting new kiosks and the county will be involved.

CB – asks if this is separate from the DMO project requests.

AH – yes.

LJ – reviews the scope of work for the kiosk installations.

AH – says he doesn’t remember the same thing.

3:37 LJ – I asked EM to talk about the county and West/East Designs contract that involves the Homeless housing coalition. In doing the research I found that there are a number of concerns. I’m not sure if the updated plan in the West/East contract is going to meet the requirements that Dept of Commerce requires for grants.

I sent an email on Friday outlining my concerns listing the RCWs that I flagged.

AH – asks some questions about the process.

LJ – says that the county will be the one that pays. The proposed amount is about \$170K.

Nothing has been signed yet. I am asking for some changes so that we comply with the RCWs.

Reads some of the language from the RCWs.

CB – asks if West/East was given the RCW information before they made their proposal?

LJ – I don’t think so.

CB – It might be easier to give West/East the RCW requirements and tell them that their proposal needs to meet all of them.

LJ – I am feeling that this is a much bigger job than I have time for. This is a big job – hundreds of hours. I need direction from the BOCC about what they want to do. Do you want the money to come through the county and have a county employee manage it, or do you want the money to go through the Housing Coalition?

AH – we need to clarify this.

LJ – this is a much bigger scenario.

AH – help me understand what the scenario is?

LJ – that we have to meet the RCWs.

Long and confusing discussion about why this is a problem.

4:04 – AH – suggests tabling the discussion for now and come back to it later after it’s been clarified.

Continuing discussion about the issue, including requests from the Housing Coalition about things they want to add to the contract.

4:29 – LJ – presents resolution to BOCC to provide funding. They will vote on it after they have had time to read it.

4:31 – SK - Dennis (Rabidou) came to her about ID cards for certain court employees who have different authority from other county employees. They are asking for different ID cards from other county employees.

AH – asks exactly which employees would get these cards.

SK – Superior Court judges and employees, Juvenile court employees. They have different authority than others.

AH – says he agrees and asks for a list of the job descriptions of the people who will have the different IDs.

CB – says he has to go to a meeting.

SK – says they need to go to Exec session to discuss union negotiations.

4:34 – BOCC goes into executive session.

4:37 – BOCC returns from executive session and adjourns for the day.