

Board of Okanogan County Commissioners
Monday, Feb. 4, 2024 AM

JN—Jon Neal, BOCC, Chair, District 3
AH—Andy Hover, BOCC, District 1
CB—Chris Branch, BOCC, District 2
Cam—Cameron Burnette, Deputy Clerk of the Board
LJ—Lanie Johns, Clerk of the Board
TM—Tim Meadows, Maintenance Supervisor
DR—Dennis Rabidou, Superior Court Administrator
MG—Maurice Goodall, Emergency Management
PP—Pete Palmer, Director of Planning
SS—Susan Speiker, Clerk of the Court

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Summary of significant discussions:

- Commissioners discuss several times the upcoming Planning Commission meeting on March 25 and how to ensure it runs smoothly. Commissioners Branch points out how harmful social media can be in spreading misinformation.
- Susan Speiker, Clerk of the Courts, gives the Commissioners her quarterly update.
- Commissioner Hover reads an article critical of him at the Feb. 26 BOCC meeting, not realizing it's a satire from the Omak Republic.
- Meeting adjourns at 12:00.

00:45—Pledge of Allegiance.

AH—I'll go talk to Pete (Palmer, Director of Planning). I bet this (agenda item?) is a holdover from before the Planning Commission hearing was extended. AH leaves.

AH returns—I propose a change to the agenda. We can eliminate the 1:30 discussion about the Planning Commission meeting because we don't have any recommendation from it. If we want to discuss the meeting, we can do that at 11:30.

CB—I learned more about the disinformation that's being put out, especially about encouraging people to show up at the meeting tonight. I called Teagan Levine and asked her to clarify on Facebook. It was coming from people that I can't access. She said she would.

AH—I'd like a closed session to discuss union negotiations until 9:15. Off they go for the discussion.

13:45—They return.

AH—Tim (Meadows, Maintenance Supervisor), can we move the clock from that wall to the pillar behind Cam?

TM—(Jokingly) Am I on camera? Yes? I'd love to do that!

JN—It's 9:15. Time for public comments. Mrs. Jackson?

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Mrs. J: I'm still waiting for a response. (On Feb.27, during public comments, Mrs. Jackson has asked who she can contact about problems with her Class A water system.)

CB—I'm trying to contact the state Health engineers but I haven't been able to yet. I've been on the road most of the week.

AH—to Mrs. J—Which standards are you looking for? Drinking water? On-site septic standards?

Mrs. J—All of the above. I can't find anything on the county's Public Health website.

AH—Most of the health codes are in the RCW or the WAC.

AH—The next Public Health meeting is next Tuesday. I'll try to see that the information is posted where it's easy to find.

2100—DR comes in and gives a document to AH.

AH—You're right. You gave me the information I asked for. Let's discuss it.

AH—DR asked about seven months ago about titling court vehicles to the courts. I was opposed to having them other than our policy states. I said—show me another place where court titles their vehicles. The Administrative Offices of the Court (AOC) of the (?) court titles vehicles in their court's name.

Discussion of whether or not the Okanogan courts should have their vehicles titled to them. Discussion ends with AH saying he wants to discuss with the Auditor whether or not the county could take back a vehicle from the courts if the county had given them the money to buy it.

DR—I appreciate the discussion.

CB—To be continued.

38:00—MG distributes a document to the commissioners.

MG—I'm Maurice Goodall, Emergency Management. I've given you the dates of the Community Wildfire Protection Plan (CWPP) meetings held by the Conservation District. They're meeting every week. My hope is that one of you will be going to that.

JN—I can attend the March 12 meeting.

MG—Lauri and I attended the All Hazard Institute Management training conference for Region 7. Region 7 is Kittitas, Douglas, Grant, Chelan and Okanogan Counties. Bill Lance went, too. The goal is to have a short team in Region 7 to respond.

MG—I spoke to Pete Palmer (Planning Director) about using Everbridge (mass notification system). It's OK with me if it's OK with you and Pete.

AH—Is the budget from the Emergency Management budget?

MG—Yes, but it's to be used for the county and the cities. It's for more than just emergency notification.

AH—SNOTEL data? Could you look at it and give us an update?

JN—You don't want to know.

MG—I'll look at it.

43:30—TM—I'm Tim Meadows. Here's my update about the in-jail kitchen project. The walk-in cooler was changed out last week. The double oven has been changed. We still have the griddle and lights still to do.

TM—We're wondering about how to get rid of the old equipment. It's 483 phase which makes it pretty unusable. And we need a forklift to move them.

AH—Maybe just dispose of them. Give LJ the inventory numbers and also the inventory numbers of the new equipment.

TM—The project is going pretty good. That's all for me.

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46:10—JN—Pete?

PP—I'm Pete Palmer, Planning Director. Tonight is the Planning Commission (PC) meeting. It'll be a debriefing of last week's meeting. I hope at least one commissioner will be there to talk to the board.

PP—We now have two expired terms on the PC. They expired last week.

PP—I met with people from Western Washington University. We're hoping that people in Mazama Subunit A can provide housing. The WWU interns will help with redrafting the Subunit's Plan. Parts they can do as a team. A grant pays for the internship so there's no cost to the county, but it'll be a big help.

PP—We're preparing for the hearing continued to Monday, March 25th at the Agriplex. We'll be able to get things set up there without closing our office that day.

AH—If you need an OT budget, let us know.

PP—Two questions. We need security and we're expecting a larger crowd. How do I request maintenance staff to set up chairs? Do I use the Sheriff's deputies or private security? I think we need three people.

AH—It's a fine line between keeping everybody safe and not intimidating people.

PP—Right.

AH—I hope we could just have one deputy in the back.

CB—And make sure the rules of the hearing are well established. Have a flip chart and review it before the meeting.

JN—You'll have a written agenda?

PP—Yes. I'll be recapping the staff report and we'll take comments. Then the staff's recommendation is that the PC gives us a couple of weeks to look at comments and send it out for another 30 day comment period.

JN—You could put the rules of the meeting on the backside of the agenda.

PP—OK.

AH—The chair needs to know she has control of the room. If someone gets out of line, just say—We can't continue until you guys calm down. If they don't, (AH makes a whooshing sound).

PP—We're working on that. Hope to have Salley prepared. And after tonight, we're hoping to put the board back together so they're acting together and treating each other civilly. Trying to be proactive.

AH—Ask the Sheriff to get someone. We may need to pay OT for that.

PP—It's on my list to ask him today.

CB—The PC has to be clear that they support the chair. They can't have friends out in the audience and cater to them. I don't want the PC commissioners to do that, and if they do, I'd like to remove them from the PC.

CB—I'll go to tonight's meeting and the other one, too.

AH—Is tonight's meeting a special meeting?

PP—Yes. I have the agenda already. There's no public comment time because it's a special meeting.

AH—Strictly for discussion of ...

PP—Conduct. What happened at the last meeting, moving forward and I'd like to give them another...

AH—So no discussion of the zone code?

PP—We're going to talk about the zone code so they understand what's going on, changes under review, the red-line document and additional changes being proposed. Also Jenna and Tadas (Tadas Kisielius and Jenna Mandell-Rice, lawyers with VanNess Feldman in Seattle) are reviewing comments right now and that will generate more changes.

AH—I want to go slow to go fast. You have the red-line document that's the original?

PP—Yes.

AH—That's what they're looking at now. Where does the blue-line document come in?

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PP—Basically from the group that came about gravel pits and comments about SEPA (State Environmental Policy Act) side of it, from the PUD about special use section about energy and wind, and comments from the WDFW (Washington Department of Fish and Wildlife) about the same topic. Those are proposed changes so we're asking for another 30 day review. Also, there are more comments from Futurewise, DOE and another one.

AH—I'm curious about the process. The PC didn't need to hold this meeting. The BOCC could have held it. I hope you don't muddy the water and get too many changes. They say—they sent out something for us to comment on and now they're considering other changes.

PP—I think it would behoove everybody for us to have an executive session with Jenna and Tadas. Everything we're doing, they're guiding us to do.

AH—OK.

JN—Can I bring up another question? Since the blue-line document is out there, are they allowed to comment on it?

PP—No. That's what the next 30 day comment period would be for.

JN—People will want to comment on the blue doc.

PP—Well, I don't want to say too much.

AH—Let's have the executive session.

CB—I want to say—this version without the blue-line was the subject of the hearing and I think it should remain so. If people all allowed to comment on that version, we get our input changes. Then we could have the public hearing here.

PP—That's the plan. The second hearing should be by the BOCC and held here.

AH—So we should have an executive session soon.

CB—I was considering us forwarding a memo to the PC today. It'd be an affirmation of what the process is from our perspective. It's a draft.

1:01:15—CB reads his draft. The BOCC would like to provide clarification in its role in considering updating the building permits. Update to the code being processed under RCW 36.70.640. They were adopted several years ago.

Discussion of what "Planning Agency" means.

CB—It means the Planning Department in this section of the RCW.

CB—The BOCC can amend the code because of litigation and amendments to the state law.

Cam—There's a question on zoom. Will the March 25th meeting have video?

PP—It won't. It's in-person only. There's no AVCapture or Zoom at the Agriplex.

CB—(returning to his draft memo) The time frame was established by the previous Director with the Superior Court.

AH—Add that the BOCC and the PC established the time line

CB—"BOCC has been working in executive session to resolve the law suit for the past couple of years." The process requires a public hearing.

CB—We've got to be willing to say that the public process has been influenced by misinformation. The PC hears citizens' concerns, and determines which are valid. It makes a recommendation to the BOCC to address the concerns if necessary. With this memo, the BOCC encourages the PC to familiarize themselves with the changes proposed and develop constrictive recommendations...

AH—I'm a little bit iffy about the sentence about public perception. Everything else is very good. I know that's the case but I'd rather leave it out of the memo. I'll paraphrase: We hope to take comments from people and apply them and provide the BOCC with recommendations to the changes in the proposed draft.

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CB—We talked about training. Here's one of the things you learn in training. You do have to determine what's the perception and what isn't. People will come and say lots of different things. People will say factual stuff and say perceptions. If they say perceptions, they have to be able to deal with it.

AH—I'd like a formal recommendation. Don't make changes to the red-line, but give written recommendations of all the parts in the red-line. Example R1 to R2—what's the PC's recommendations on that? If it's on the District Use Chart (DUC), here are our recommendations for what's permitted and what's conditional.

JN—Keep it simple. Public perception would be better too. Compare apples to apples.

PP—By the time it gets to you, it'll have all the changes including comments—to keep us out of court.

AH—We need to talk to the attorney about that.

PP—I've talked about it. Get all that stuff in there and put out another document.

PP—Tomorrow I meet with Esther (Milner, Chief Civil Deputy Prosecutor) and Michael (?) and they think they've come up with a solution to the R2 change. We won't change the zone district. There would be provisions in the code to address properties under two acres having connections to community water and sewer.

CB—The blue-line is confusion people.

PP—So to not confuse things worse, we're trying to hear the rest of the comments on the red-line and hope the PC will tell staff to consider comments, include them and propose another round of hearings about the gravel pits, the R2 thing.

AH—So the blue-line stuff is something we already want to do. Can you pull it back and allow them just to work on the red-line?

PP—Hopefully it won't matter because all that hearing will do is hear comments about what we've already put forward. After that, we hope the PC will direct us to include all the stuff and create a brand new red-line and put that out for comment for 30 more days.

AH—The rest of the hearing will finish comments and then deliberate after that.

CB—If it were to go to the PC, it's only the version being considered right now?

PP—Yes. The red-line.

CB—So after the hearing, the Planning Department has recommendations to the PC, based on the hearing and other comments. The PC could forward it to us if they want.

PP—Then you guys would say—Put it out for another 30 days?

AH—Put a cap on another 30 days. I want us to get transmitted all the info—red-line and proposed changes—the PC had.

CB—No different that what comes to us. The PC would have recommendations by staff on what to do. The PC decided and adds the recommendations that they like. But we'll have to sort this out ourselves and have a meeting.

PP—And hopefully the legal team will have it sorted out, too.

AH—Then we'll look at it and maybe make changes to it.

CB—There's the staff report to the BOCC and the BOCC makes the decision. The PC will have a hearing and an opinion. We take it and make the decision.

AH—That's what I say put a lid on the 30 days. We'll have to take all the recommendations and determine what we'll put out for public comment. We look at all the information and here's what we think. We have to have a solid document for our hearing.

CB—We could say—no we don't want to do that. We want to do what we always wanted to do. We have to follow the process.

AH—If we do that, we have to follow the process.

PP—And I think once we get into executive session, all this will get straightened out, too.

CB laughs.

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AH—I want something that works for everybody and we’re not trying to press up against something. Do it timely, but if it’s a week or a month, so be it.

PP—We’ve missed the date several times, but if we’re making progress, the Yakama Nation should be gentle to us.

AH—They know process, too.

CB—So my suggested memo could be an alternative to going there and pressuring the PC into action. Don’t think you want me going there because there are certain things I have less tolerance about.

AH—I appreciate that. I don’t want it to look like we’re influencing the PC. We’ll get a chance to put on paper what we think.

PP—I don’t think it would be so much influence on a hearing but more so to address the conduct of the board.

CB—People showing up at the hearing aren’t the only people we serve.

AH—I know that well.

CB—We have to pay attention to that. The PC needs to pay attention too. You can be the most popular person in the room at that time, but are you doing your job?

PP—OK. I’ll try to get ahold of everyone and get an executive session set.

JN—Can we squeeze it in this afternoon?

PP—I’ll try, or maybe tomorrow. PP leaves.

1:25:45—CB—I’ll do the Central Valley deal for MG.

Cam asks about the PC meeting of March 25. It won’t be on AVCapture?

CB—No. Won’t be zoomed but it could. I spoke to someone who’d like to make a sound recording. I think it’s OK if everybody knows, but I’ll ask the prosecutor to be sure.

1:27:55—Update by Susan Speiker, Clerk of the Courts.

SS—Oroville High School seniors were here for a tour in December. They talked to judges and the deputy prosecuting attorney. The hot topic for them was vehicular homicide under the influence. The kids were enthusiastic about the legal system. Okanogan High School seniors are coming in three groups so the groups would be too big. I’ll continue to do this as long as there’s interest.

JN—Marcus was really impressed.

SS—We had a Criminal Justice System (CJS) gathering hosted by us. The prosecutors will host it next year. It’s good to see each other.

SS—Modus came and got 300 reels and five books.

SS—We’ve implemented passport photos. \$10 for two photos.

SS—We got the staff new chairs. They’re happy.

SS—At no cost to the county we now have a QRC in front on the office. It’s easy to use. Among other things, it gets people to the on-line payment portal.

SS—We now have three cash registers so no one is waiting in line.

SS—We sent 307 cases to collections.

SS—Shelley Keitzman, Human Resources and Risk Management, helped us to get mental health/first aid training. The cost was small.

SS—We’ve made updates to our website. We added the fee for passport photos, and rules for filing at the clerk’s office. The adoption section has a lot of new information about adoptions and breaking the seal.

SS—That’s all I’ve got for this time.

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1:37:20—Cam—Can I talk about OCTC (Okanogan County Tourism Council) and LTAC (Lodging Tax Advisory Committee) later on?

CB—Public Health has the rules about water systems are posted under “forms”. It’s not obvious to find. I think Mrs. Jackson was looking for Class A systems. They’re not easy to sift through.

PP returns—I’ve got one more thing. You need to be aware of Hearing Examiner hearing on March 28. The documents need to be sent by March 8. If we don’t have a Hearing Examiner lined up by Friday, I’ll have to move the hearing date.

Commissioners discuss the two applicants they’ve received for the Hearing Examiner position.

1:48:30—Cam and LJ discuss the OTCT, the LTAC, the contract between the county and the OTCT for kiosks and other matters related to tourism in the county.

2:26:20—TV District #1 appointment letter.

LJ—Mr. Black resigned from TV District #1, and we’ve received a resume for Patrick Baker..

AH—It’s imperative that we have a board and if somebody wants to do it, great. Unless anyone objects, I move that the clerk prepare an appointment letter.

AH—Also, Phil Dart and Salley Bull need to be reappointed to the PC.

CB—I have concerns about how everyone is operating, so they need training.

AH—I’d love to have all of us, PP and the prosecutor to show us the pathways to do subdivisions, etc.

CB—The Planning Department should develop a plan of work that need to be done. Doing planning according to state law. We’re not going to get rid of the zoning code.

AH—And we need transparency about all we’re doing.

CB—Most people aren’t interested in what we’re doing until they hear something—often misinformation—about something they don’t like.

AH—Reads Edward Gosset’s email: “Comments of Commissioners Hover on Feb. 26 suggest the PC is being pressured to approve changes that may violate core planning principles” Don’t know what I said, but that’s so far from what I imagine me saying. I’m a strong proponent of them giving information to us. And talking about mob mentality insensitive and possibly defamatory. The code is written with minor infractions as criminal. We’re trying to change them to civil infractions.

JN—This is what you’re hearing. That the PC is not able to pass the stuff they want to.

AH—I don’t pressure the PC. I don’t even go to their meetings.

CB—If we can’t have a conversation about Facebook and the spread of misinformation... I’m not belittling residents, but if someone is relaying misinformation, we need to deal with it. Social media can be helpful or detrimental.

AH—Also, dismiss citizens’ concerns as “mob mentality”. I want to be sure they’re not coercing the PC. I get a lot of calls from people who don’t like the R1 to R2 change and have good legitimate reasons. The guys running the pits say if we can’t expand, you won’t have gravel.

CB—You have a public hearing and legitimate concerns are brought up and we take note of them. If we hear the same comment over and over like—This is a west side rule—we say OK, we’ve heard that. It’s our rule and call it what you want. We have to sort through it.

JN—I keep going back to the lack of transparency and public involvement. You have to have a starting point. The Planning Department, PC and BOCC are trying to get to the starting point. That’s where public interaction starts.

CB—A lot of this started a long time before we walked into the room. Public participation started to narrow down until they feel disenfranchised.

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AH—OH MY GOD!! No wonder that guy said that! The Omak Republic! (AH reads aloud about how you can go to jail for building a doghouse.) What is that?!?

Cam—It's a satire and people are taking it as real.

CB—It's not intended to say the truth.

CB—Some people reading that stuff don't take it as satire. They take it and run. We should spend time clarifying.

AH—Edward Gosset is one of the volunteer journalists at the Omak Republic.

BOCC pass motions to reappoint Phil Dart and Salley Bull to the PC for District 3.

AH to Cam—Can I look at video of the Feb. 26 meeting yet? I can go and look at it?

Cam—Yes.

Commissioners discuss a problem with getting a Right of Way (ROW) on Cameron Way. Josh Thomson is having trouble getting the ROW. The letter that was sent (by whom?) included the standard threat of imminent domain and was sent to the Colville Tribes. Josh thinks that this threat is part of the reluctance to sell the ROW. CB would like to contact the agency that wrote the letter and explain how insensitive the letter was.

Meeting adjourns at 12:00.