

Board of Okanogan County Commissioners
Monday, May 8, 2023 AM & PM

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
EM—Chief Civil Deputy Prosecutor
NP—Naomie Peasley—Fairgrounds Manager
MG—Maurice Goodall, Emergency Management
SS—Susan Speiker, Clerk of the Courts
PP—Pete Palmer, Director of Planning
PB—Paul Budrow, County Sheriff
Stephen—Chief Corrections Deputy
DY—Dave Yarnell, Undersheriff
KJ—Katherine Jordan, applicant for the Water Conservancy Board

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

The time stamps refer to the times on the AV Capture archive of the meeting on this date at https://www.okanogancounty.org/departments/boards/live_streaming_of_meetings.php. To locate items in real time, the clock on the wall in the AV Capture screen can be helpful.

Summary of significant discussions:

- Commissioners hold two separate Executive Sessions, dealing with potential or ongoing litigation. One session involves Shelley Keitzman, Human Resources and Risk Management, and Esther Milner, Chief Civil Deputy Prosecutor. The other involves Milner and Pete Palmer, Planning Director. Both approximately 15 minutes long.
- Naomie Peasley (Fairgrounds Manager), Maurice Goodall (Emergency Management) and Susan Speiker (Chief Deputy Clerk) update the commissioners
- Pete Palmer, Planning Director, and the commissioners discuss changes to the Zoning Code's District Use Chart. After much discussion, they decide that they will concentrate on getting the stipulated forms of the code ready to be sent out for comment and put the rest of the Zone Code on hold right now.
- Sheriff Paul Budrow asks the commissioners for a raise for his Chief Civil Deputy. He also updates the commissioners on the need to hire a Designated Crisis Responder because Okanogan Behavioral Healthcare can't provide one, the need to start thinking about a new jail facility and other jail matters.
- Commissioners hear a presentation from Team Okanogan Animal Rescue about their work in the county and state-wide. They ask the commissioners for a 99 year lease on property where they will establish their shelter.
- Commissioners interview and approve Katherine Jordan for a position as an alternate on the Water Conservancy Board.

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- Adjourn at 4:30

00:45—Pledge of Allegiance

AH—I have to leave at noon today because I’ve got a grizzly bear meeting in North Bend tomorrow morning.

AH—We need to add something to the agenda for Tuesday—The Twisp contract with the Okanogan County Sheriff’s Office.

09:00—No public comments.

24:10—JN—I move to go into Executive Session under RCW 42.30.110(1)(i) to discuss potential or ongoing litigation. Inviting Shelley Keitzman, Human Resources and Risk Management, and Esther Milner, Chief Civil Deputy Prosecutor. 15 minutes. Motion passes and off they go.

40:05—AH and NP briefly discuss the contract for the Fair Queen and how to deal with reimbursement for her expenses.

NP—I’m Naomie Peasley, Fairgrounds Manager.

The fairgrounds had a wedding and a quincereña at the same time. Some guests at each event knew guests at the other, so they mingled. No one complained about noise from the other event.

NP—On-line reservations for the RV Park is now working.

NP—The Fair will announce the performer for its concert today at noon.

NP—Can you approve an amendment to extend the safety grant from the Washington Department of Agriculture until August 31—for ecology blocks and lights?

JN—I move to approve the amendment. Motion passes.

NP—I’ve asked Dave Hale to review the water system at the fairgrounds. He will update you on May 15.

NP—Have the Fair maintenance forms been reviewed by the BOCC.

AH—No. There are some small things about fixing the glass, etc. It’s in your budget.

AH—I’ll meet with the goat barn superintendent on Wednesday to look at the panels.

NP—They’re already replaced, but there aren’t extra outlets.

Discussion of goat barn repairs and what budgets they should come from.

NP—I’d like to introduce my new assistant, Bobby. I’m grateful to have him.

Bobby—I just moved here and I’m excited for the opportunity.

AH—So you’ll work with the Fair Advisory Committee (FAC) more. It’s once per month. Start going in case I can’t be there.

Bobby—Take notes?

AH—Only if they want something from the BOCC.

AH—Are the horse stalls ordered?

NP—I’ll check if the resolution you passed was OK instead of a payment. But I’ll get a budget supplemental next week.

AH—Let me know if they’re not ordered.

NP—That’s all

1:04:00—MG—I’m Maurice Goodall, Emergency Management.

MG—If you go to my V-drive, you can see pictures of problems we’ve had in the county. Shows photos of high water in Conconully flowing under the Broadway St. bridge. Also Preston Road, south of

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Carleton, where the Methow has undercut the bank and taken out the deck of a small cabin. MG says the water level today is lower than it was Sunday and things are a lot calmer.

1:17:15—SS—I'd be remiss if I didn't mention equalization in pay for my people.

SS—We've got a dedicated room for exhibits. There's no confidential stuff in there anymore. Tim and Roy from Maintenance have been very helpful in finding a solution that doesn't cost money. They're now working to install shelves.

SS—Thank you for the vehicle. I've got a fuel card and the Sheriff's Office decals are coming off this week.

SS—Clara Moscato and I took blood pathogen training. It cost \$35/person.

SS—Clara, my chief, went to Stevens County to train with their chief. She learned a lot. I'm looking to do that with other staff.

SS—My two new deputies are doing well. They're doing their training.

SS—The indexing books that have been scanned—I'm wondering what to do with the paper copies. I'd hate to destroy the originals because my staff didn't do the scanning. I'll talk to the State Archives about them.

SS—Next week, we're set up to go to Northwest Justice in groups as an exchange. They're one of our judicial partners. They're ecstatic to have us coming. I'll be good for us to see their processes.

SS—Clara will present at the Support Center's Agency Networking Conference.

SS—We want to get together with FYRE (Foundation for Youth Resiliency and Engagement) in Omak in June. Want to learn what our partners can and can't do.

SS—Most amazing thing we're working on now—we lost our e-filing system a year ago and couldn't get another one due to cost. Talked to Karen in IT about using Serv-U. We're doing beta testing. Other counties are using a much more costly system.

SS—I'm trying to swap out the Xerox copy machine for a different copier that's not a lemon.

SS—I received the 175431N. Waiting for the right BARS code from the Auditor.

SS—Working to change the process on collections to save money. People will be notified only once, by the collection agency, instead of being notified by us and the agency. We'll get a copy of the letter electronically so we'll have proof of the notification.

SS—We're thinking about getting Intelius for \$27.75. Help us find people who've received a settlement so we can send it to them. Trying to see if it would be cost effective.

SS—We're trying out a voice to text technology. Hope to try it out in Superior Court.

AH—Is it like the court recorder?

SS—It doesn't produce a verbatim transcript but the one we get now isn't verbatim. It's about \$317/month for six hours/day. It's supposed to be 94-97% accurate. If it works well, it could save a lot of money for court stenographers. Other courts in the state use it and love it. We'll compare the minutes we take to this and see how it works.

AH—How does it tell who's talking?

SS—If you're following along, you should be able to figure it out.

SS—That's all for now.

1:41:00—CB arrives. Asks if they've already had the executive session. He thinks he already has enough information about the situation.

2:03:10—AH—I'll put the draft District Use Chart (DUC) on the screen. (*Note: Click [here](#) for the County's current District Use Chart. What the commissioners are discussing is an amended version of this.*)

PP—Describes changes to which zones acid manufacturing will be allowed.

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AH—Agricultural Related Industries. They're removed from R-2, R-5 and R-20. I'm concerned about that. Commissioners and PP have a long discussion about rural zoning and agricultural related industries such as processing and packing plants, Rural Residential (RR) and Low Density Residential (LDR) zoning and the right to farm. AH and CB agree that agricultural related industries should be allowed in R-2, R-5 and R-20 at least a conditional use.

2:29:20—PP—The next one is Air cargo terminal. It was removed from R-2, R-5 and R-20.

2:33:00—PP—Auto wrecking operations. There's no Conditional Use in R-2, R-5 and R-20.

AH—Why is auto wrecking different than aircraft salvage?

AH—Some of the uses we all agree on, but in some cases we disagree. It requires more than what we can do with the DUC. This is not a quick process. It'll involve way more community involvement than just the three of us talking about it.

CB—People can propose a rezone if they don't like it.

PP—Worried that without any enforcement power there are a lot of unapproved uses. Cites wrecking yards as an example. Only a few were ever permitted.

AH—That's because it didn't start out as a wrecking yard, just a collection of old cars.

CB—It's part of the rural character of Okanogan County to have a lot of cars in the fields.

JN—I resemble that!

AH—I'm not doing that.

CB—(to AH) Hey, don't take it personally.

AH—I am taking it personally. I'm not saying that I want a lot of wrecking yards all over. What I'm trying to say is the DUC is very intricate. If we give the public 15 days to comment on it, they'd have to know where the R-2s and R-5s are. They want to pull the permitting from R-20s. Sounds OK because it's rural and you get a picture of a little house with a picket fence and a horse pasture in back. But that's not what it is.

PP—There's nothing in the definition that says it's RR. It's rural high or low density.

PP—reads the definitions of RR and LDR.

CB—Asks JN is having a lot of cars on a lot means rural to him.

JN—In my opinion, it is. I suppose there comes a point where it might be excessive.

AH—Ten.

JN—Well, I have over that. Those are my personal vehicles. Most of them, I can operate.

PP—Under state laws there are criteria that defines an end-of-life vehicle. And they're what creates your wrecking yards.

CB—Let's put it out there as being an accepted use in the rural areas. It's the public's responsibility to comment. The people in the Methow are the ones that pay attention to that. Why don't we assume that in other areas people don't care? I've heard a lot of testimony about "leave us alone" and respond to what people want.

JN shows a photo of one of his end-of-life vehicle.

AH—We have these three zones: R-2, R-5 and R-20. But we've also got RR. Why isn't it an overlay to the R-2, R-5 and R-20s?

CB—Overlays are established by petition usually.

AH asks PP about minimum sizes of RR and LDR. Five acres and twenty acres.

JN—What's the difference between R-5 and RR?

AH—The uses allowed in them.

PP—I think the LDR is only up in the Methow.

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AH—There are two places—one specific for residential development and one that’s just for rural activities. In this change we’re taking a lot of the uses of rural activities because we’re trying to pin it to rural residential.

CB—I see what you’re talking about. So we have questions like—is a motor cycle track a rural use?

AH—Is it NOT a rural use?

CB—Depends on how you allow it in the zoning.

AH—With a Conditional Use Permit (CUP), you have to go through the CUP process.

AH—And there’s a gray area—is this use going to be compatible 20 years in the future?

PP—I don’t know how fast I can get Gene to do the maps, but if I can get maps showing all the Rural designation, I think that would help with the DUC.

PP—Secondly, on the R-2, R-5 and R-20s, should I go through them better and add the uses back in or make them conditional use?

AH—I think there are things in the DUC that need to be eliminated.

CB—Talking about our approach. We’re going across the chart and maybe we should be going down the chart instead. (Instead of looking at all the zones where a particular use would be permitted, etc., we could look at each zone and see all the possible uses for that zone. And look in the code and see what the intent of the zone is.

AH—Here’s an example of inconsistency. With RR, if you take out the permitted farm activity, where’s the transition from Rural to Rural Residential, what happens to unpermitted activities like a farm that already there?

CB—They turn into pre-existing uses.

PP—And as they go away, they’re not allowed to come back.

CB—I think that’d be a better approach, and we’re not looking at the intent of the zone.

PP—We are. I think what the consultant did was look at the rule for the zone and look at the uses. Because we’re already allowed things like industry in rural areas and because of the right to farm, the way the county is laid out in the zoning code already, it’s hard to go back.

PP—I can go back and get the maps.

CB—And if we have the rural description in the Comprehensive Plan in front of us, that will help.

PP—Given how this is going, my next question to you is: do we just want to make this zone code amendment to satisfy the order and then turn right around and do another amendment where we’re actually doing a community-driven plan to get the types of uses the communities want?

AH—I would like that. Orchardists don’t want to lose orchard ground. You’re taking away one thing from them (*the ability to subdivide into RR*) to protect another (*the ability to be an orchardist*).

AH—New comers putting pressure of farmers because your old neighbors pulled out.

JN—That’s the north end of the valley. There would be no development up there except for the orchards that have been pulled out.

CB—There’s part of that with an element of planning to it. Around the lake there’s a great view of the lake and in the Methow, there’s a great view of the mountains. That the driver. I’m a firm believer in protecting agricultural lands.

AH—I know you are. I want to be sure that when we’re changing uses, we don’t make the same mistakes that were made a long time ago. Be thoughtful about planning. But if we don’t have good definitions, we put the burden on the Planning Department. AH uses chicken processing as an example.

CB—There are some situations that would have to be pretty offensive for people to complain about it. There are lots of small operations that nobody cares about until the sign comes out. Wrecking yards, another story.

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AH—I agree. But we’ve got a huge county. Are we going to be limited to the two existing, permitted wrecking yards? But then we get to the point where people don’t want to get rid of their vehicles because it’s too far to haul them? It’s a philosophical question.

PP—I see it as an environmental question. Leaking fluids, contaminated metals. There are specific requirements including an impervious surface to work over to keep the fluids from contaminating the water. A lot of guys can’t afford to do it. That’s what I see when I look at a wrecking yard. I used to manage one.

AH—I agree. Let’s not mix the illegal activities with the conditional uses we permit.

PP—A river bottom isn’t where you’d want a wrecking yard.

AH—Better to have them up out of the river bottom and that’s the rural areas.

CB—Some wrecking yards make money and some are just a nuisance. Just people with a collection of old cars. They’re not really wrecking yards.

AH—PP asked the question about just addressing the stipulation and then take a deeper dive on this. We’ve only got about four NGOs commenting on this, but a lot takes some thought before we take it to the Planning Commission.

CB—Maybe get a list of land use law suits and see what they are. See what the problem is.

AH—I appreciate all the stuff that’s gone on. But I was hoping we’d get through the stipulated stuff by June. But I could foresee problems like this coming on. Like ADUs (Accessory Dwelling Units). Are they a group use?

PP—And it makes me squirrely that we’re just reaching out to some people and not everyone in the county if we’re going to start changing the uses and designations. That’s why I think we should just do the stipulation now and look more closely, take more time, at the uses. I think it can be simplified a lot.

CB—Zoning amendments can happen over time. Do the low hanging fruit. I’m happy doing that. Address the issues right in front of us now. If we go through the changes proposed for the stipulation, we should go to the beginning and look at what the intent of the district was.

More discussion of ADUs, group use and water law.

PP—What are we going to do?

AH—I propose we try to get the stipulated forms of the zone code and send them out for public comment. Put this whole thing on hold and look at what will help the stipulation.

PP—So go back and do the stipulation now, then turn right around and doing it again but with more from the public sector of changes they’d like to see. A real Zone Code update.

AH—Take it in smaller chunks. The collision of agriculture and industry.

PP—Two more things. Can I get an executive session today about possible litigation? I need to give an update about Lloyd Logging. Also, Laura emailed back and she doesn’t want to be on the May 15 agenda. Maybe on another date.

AH—I won’t be here, but you guys go ahead and do the executive session.

AH proposes that PP explains the situation to him in her office.

Adjourn for lunch at 12:30.

(The afternoon session began about ten minutes before the AVCapture was turned on. The discussion concerned a pay raise requested by Sheriff Paul Budrow for his Chief Civil Deputy.)

3:28:20—PB—I got comparables throughout other counties. I don’t know how she was taken out of the Sheriff’s Office. Beth is being paid as an administrative assistant instead of Chief Civil Deputy. She should get the same salary as my other chiefs in appointed position. She’s paid 67,000 and their admins are paid from \$63,000 to \$65,000. Grant County pays its Chief Civil Deputy \$109,000, but I know we’re not getting that much.

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AH—So what wage to you propose.

PB--\$93,000.

AH—Is she a commissioned officer?

PB—No. No Civil Deputy that I know of is a commissioned officer.

AH—Are the other Civil Deputies attorneys?

PB—No. They're all appointed like everyone else. Not commissioned.

?—This position wasn't commissioned in the past.

PB—We've got a resolution if you'd like to see it. Job description is included in it.

CB—I'd like to look at the job description.

3:34:20—PB—My next topic—to provide a mental health provider for the jail. There's a lot of mental health stuff going on and OBHC (Okanogan Behavioral Healthcare) is not providing in-house mental health stuff that we need. We're required by law to provide it. We've got someone who's worked for OBHC previously.

AH—I'm curious because OBHC better be providing that service. They're the contractor. We pay them money for that service at the jail.

PB—They come to us in emergency only.

Stephen—I'm Stephen (*last name inaudible*) Chief Corrections Deputy. I worked in the jail since about 2006. I was appointed to this position about two weeks ago. OBHC came in twice a week generally or if we had an emergency. Eighteen months ago they stopped coming in except for emergencies. I don't know why. Plus when they do come what we really need is a DCR (Designated Crisis Responder). I know from people who work at OBHC that there are people showing up to clear people off the suicide protocol who aren't DCRs. They do their interview then call the supervisor who hasn't talked with the person and ask if they can get them cleared off of suicide watch based on their untrained, uncertified opinion. Those are big concerns.

AH—What we need to do before we hire anyone is talk to OBHC.

CB—Is OBHC in breach of contract?

AH—I can't say right at this moment.

PB—They say they don't have a contract with the jail. And we can't find anything that says we have a contract.

AH—We provide OBHC with \$800,000 or \$900,000 for mental health services in the county.

AH—If we can't come to an agreement with OBHC about what's going on, if they don't have the capacity to do it, then we need to reduce what they're paying them and let you get someone to respond in a crisis.

PB—OK. Next item. Steve Perry who used to teach evidence classes in Washington State, I had him come and do an audit of my evidence room. Learn all the goods and bads. I'm asking you to sign the agreement for \$1,500 to \$1,700. I'll get the agreement to you but it hasn't arrived yet. The product is a document that tells us how our evidence room is doing. I'll look for a line in the budget that I can plug it into.

CB—Can I go back to the DCR. You have a proposal to hire a DCR?

PB—She's the main professional to have a DCR involved.

Stephen—She's a dedicated DCR as well.

CB—No matter what's going on with OBHC, it might be good for the Sheriff's Office to have its own DCR.

PB—The only problem is OBHC have no DCRs. They all quit.

Stephen—I think they do have one DCR but the others aren't certified.

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3:44:15—PB—We're going to need a new jail. Way down the road. Just a warning. I'm going to start researching it.

CB—I just read there was some money in Congress that's dedicated to jails. Have you considered about a joint facility.

PB—I heard about a joint facility for mental health problems.

CB—The commissioners from Douglas and Chelan Counties have been talking to me about a joint facility. Still at the talking stage.

PB—Where would we put it where it would benefit us?

CB—Pateros?

PB—It's not that I want to keep a jail, but that's what I think.

PB—Jail budget. The can has been kicked down the road for so long. Here's a mattress that's just awful. I called the Washington DOC and they swap out their mattresses every six months.

Stephan—We got some mattresses from the tribal jail that were too worn for them, but a lot better than what we have.

AH—This is the first I've heard about that. Give us a list of priorities with costs. It's our job to find the money.

PB—Thanks.

PB—We have training needs. A lot of people are out of compliance. We have a \$2,000 training budget. If someone's off on training, we have to use OT to cover that shift.

AH—You have a lot of money for personnel that's not going to be spent because the positions are open. We can use that money.

PB—We're getting ready to do a Policy (*inaudible*) for the jail itself. We're running on a county ordinance from 1988. There's a resolution but it's about Rules of the Road and not about standards for the jail. I can't find the right ordinance.

CB—EM is redoing the Okanogan County Code right now. She hasn't got down to that part yet. When she sees 1988, she thinks there will be a lot of problems. If you see something in the code that needs updating, let us know.

PB—My admin staff and I are attached to the guild for our pay schedule. But the benefits package doesn't protect our families. It would have cost \$1,700/month for my family's medical insurance. How can we fix that?

AH—All non-union people don't have coverage for their families. We've tried to find a composite plan. Everyone pays the same even if the need is different. Some have three kids and some have none, but they all pay the same.

PB—Lastly, we have a bunch of grants—parks, traffic safety, etc. that we can't fill and so we're losing them. Looking for some exempt employees to work the grants on overtime. Other sheriffs are doing this stuff.

AH—Can you see how other counties are doing this? It's easier to plagiarize.

?—(*Hard to hear but someone discusses how underpaid the Chief Civil Deputy is.*)

PB—Thanks.

AH—Get the jail needs to us ASAP. Don't wait until budget season. We've got some pots of money we could use.

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4:04:35—AH—Makes a motion to sign the county’s Grizzly Bear Restoration Plan Impact Statement to be sent to the North Cascades Nation Park Superintendent, Don Striker. Motion passes, AH signs the letter and leaves for the day.

4:15:55—Discussion of Team Okanogan Animal Rescue (TOAR)

Commissioners hear a presentation from TOAR, a state-wide, newly formed 501(c)(3) dedicated to animal welfare issues. Six members of the organization—three from western Washington and three from Okanogan County discuss the organization’s work and needs. Okanogan County has many dogs and cats that are not spayed or neutered and so produce many unwanted offspring. Many of these offspring are transported to the west side and adopted there.

4:28:15—TOAR shows a short video about their work in the county.

The group asks the county for a 99 year lease on a piece of land where they could build a facility to provide animals with shelter and also room for a spay/neuter and vaccination clinic. The group would also like to update the BOCC in 4-6 weeks about their progress.

Also discussion of the lack of a county-wide dog ordinance including dog licensing.

5:57:25—JN—I move to go to Executive Session, inviting PP and EM under RCW 42.30.110(1)(i) to discuss potential or ongoing litigation for 20 minutes. Off they go.

6:10:00—CB and JN interview Katherine Jordan for an alternate position on the Water Conservancy Board.

CB—I’ve reviewed your resume.

LJ—Mentions the RCW that establishes the Water Conservancy Board.

KJ—The issue is: can someone who’s not a resident of Okanogan County serve on the Water Conservancy Board. RCW 90.80.050(2) says members must live in the county or a contiguous county.

CB—It helps to have someone who knows the law.

CB—If a water right was going to be transferred to Chelan County, would you have more of an interest in it?

KJ—I’m from Wenatchee but I have an apartment in Pateros. I don’t think there’d be a conflict. Hypothetically, if I had a client who’s involved in a transfer, that might be a conflict, but I’m not practicing water law now.

CB—We prefer that water stays in the county, but I don’t know if that’s supposed to be a consideration. You might learn in the training. Your resume speaks for itself.

JN—I was only concerned with your residency and any kind of a bias you might have, but you’ve answered that.

KJ—The last water issue I dealt with as a lawyer was about four years ago. A couple was divorcing and who got the water right was an issue.

CB—So the appointment is for an alternate.

KJ—Yes.

JN—I move to approve Katherine Jordan to the Water Conservancy Board Alternate Position #1. Motion passes.

CB—Thank you for coming. We appreciate someone with your experience being interested in the position.

Adjourn at 4:27.