

Board of Okanogan County Commissioners  
Monday, April 8, 2024 AM & PM

JN—Jon Neal, BOCC, Chair, District 3-absent  
AH—Andy Hover, BOCC, District 1  
CB—Chris Branch, BOCC, District 2  
LJ—Lanie Johns, Clerk of the Board  
KJ—Kirk Johnson of Oroville, commenter  
DE—Dick Ewing of Winthrop, commenter  
ES—Emily Sisson of Winthrop, commenter  
NB—Nick Bates, Fairgrounds Manager  
PP—Pete Palmer, Director of Planning  
TM—Tim Meadows, Maintenance Supervisor  
MG—Maurice Goodall, Emergency Management  
Col—Colin Baker, CGI Video Production  
SK—Shelley Keitzman, Human Resources and Risk Management

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](https://okanogancounty.org/offices/commissioners/commissioners_proceedings.php)

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Summary of significant discussions:

- The Omak Chronicle's bid to print legal notices was accepted last week. The new contract will begin July 1. In addition to the Chronicle, the county will continue to print legal notices in the Methow Valley News and the Okanogan Gazette for items that concern only those areas of the county.
- Kirk Johnson and Dick Ewing make comments concerning the county's proposed re-zone and legal requirement for lot sizes.
- Pete Palmer, Director of Planning updates the commissioners on the proposed re-zone.
- Maurice Goodall, Emergency Management will buy a used 9½ foot cargo container to use in storing his sand bags and other equipment.
- Commissioners discuss the script and filming dates with CGI Productions for the updated video introduction to the county. Filming is tentatively scheduled for July 9-12.
- Commissioners review a proposal from MJ Neal & Associates architectural firm about courthouse renovations. They discuss a proposed land swap or purchase of the church between the courthouse and the Grainger Building. Commissioner Hover says the courthouse is just on the cusp of being too small.
- Commissioners adjourn for the day at 2:37.

**00:08**—Pledge of Allegiance

LJ notes changes on the Agenda. No update from the Auditor tomorrow. Also, she has a call about the scope of work for the planning grant with the West-East contract with the Department of Commerce.

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AH asks LJ about the MJ Neal & Associates discussion at 1:30. LJ says they'll be here in person and they'll meet with Mike Worden about the equipment storage shed in the morning.

LJ—There's also a voucher basket today.

AH to CB—Just to make sure we're on the same page: The zone code change is not quasi-judicial? Any of us can talk to anyone prior to the decision?

CB—Right. Three Devils was a legislative matter. The road vacation affected everyone.

AH—We hardly ever do quasi-judicial. Most of the time it's the Hearing Examiner who decides those matters.

CB—The thing we do that's quasi-judicial is subdivisions. That's because they didn't change the rules for subdivisions. If we see something coming about subdivision, we should probably avoid it. If it's a rezone for a particular property, then it's quasi-judicial.

CB—I sent a draft of the Interlocal agreement with Chelan County to Esther (Milner, Chief Civil Deputy Prosecutor). It's got the intercept in it. (*Perhaps a reference to the Intercept Model, which is concerned with how people with mental and substance abuse issues contact and move through the criminal justice system.*)

**13:50**—AH—It's 9:15. Time for public comment.

KJ—I'm Kirk Johnson of Oroville. Thank you for your time today. I realize I may be jumping the gun because the Planning Commission hasn't made any recommendation to you yet. But I want to address an issue so you can have it in your mind as you go forward. Also there may be some items you want to take action on now or soon.

KJ—It involves the R1 to R2 change. There are some saying R2 is required by state law. (He distributes a document to the commissioners.) Reference to a WAC (Washington Administrative Code) and my response to it. Local Health Officer may permit systems of septic tank and gravity system with soil type 1 if the other criteria are met. So the actual WAC says it's only relevant with soil type 1.

KJ—The next item...

AH—Can you hold on just a minute? Emily may have a comment.

ES—I do have a comment. When does the contract for legal notices begin with the Omak Chronicle?

AH—July 1.

ES—But will things that concern just the Methow, will those notices still be in the Methow Valley News, too?

AH—Yes. We looked at what we spent with each paper and we've spent more in the Chronicle this year. So we'll still be posting legal notices in the News and the Gazette if the notices concern those areas.

ES—Thanks.

KJ—Here's another planning document. It's a PowerPoint slide show.

KJ—Page 4 says four of the six soil types are acceptable on one acre lots.

KJ—Page 5 shows minimum setbacks between water and sewage and buildings. I'm a contractor and I deal with this a lot. I don't think the setbacks have changed from the R1 setbacks. That was formed by Mike Harr, (Environmental Health Director, Department of Public Health). He's going with the setbacks to show that R2 is only the minimum requirement under certain situations.

KJ—Page 7 and 8 show real life one acre lots with wells and septic systems that comply with the setbacks. If I understand this correctly, Mike is showing circumstances where R1 can apply.

AH—This shows two well heads. Does that matter?

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KJ—My understanding is that it doesn't. KJ asks PP if his understanding is correct.

PP—I don't want to speak on Mike's behalf.

KJ—Page 9 is an example of a one acre subdivision where it doesn't work. So the data is showing R1s are possible.

KJ—Page 12, section B. That was Mike's contribution of recommended language. He says one acre lots are permissible if the setbacks and conditions are met. We allow that now. That's contrary to the idea that R1s have to be removed because they're not allowed.

KJ—The last page shows incoherent language. I request of you that you let people know if it's a requirement to omit R1.

KJ—The last document I'd like to show you is from the Department of Health. It's what Mike's PowerPoint was about. On the 2<sup>nd</sup> page, there's a note to minimum land requirements refers to a WAC. I've included the WAC. It refers to one acre lots being permissible with proper setbacks. It also refers to proper soil types necessary for one acre lots.

KJ—And I'd like to allow Mr. Ewing to comment.

**27:35**—DE—I'm Dick Ewing from Winthrop. I thought I'd present some visuals to see how the setbacks work.

One is a single lot development and the other is a small development. I created it. DE shows a square one acre lot with a house with 1,800 sq. ft. He shows how it fits the setbacks. The second example is a four acre piece subdivided. According to Campbell-Gwinn decision, it only gets one well.

AH—The limit is 5000 gallons, but you can have more than one well. You're talking about an approved Group B well.

DE—Yes. You can see how you can fit four houses on this lot.

DE discusses Conditional Use Permits (CUPs) and lot size.

AH—You also have to consider irrigation water for the lawn.

DE—If you think through the situation, you can see how one acre lots can be used for houses.

KJ—I ask you to make sure the promulgations in the PowerPoint are accurate with regard to R1 lots.

Also, I ask you to beware that there's an elimination of multi-family housing units. If that's what's happening, you should either change the language or address what the language was intended to mean.

AH—To reiterate what CB, JN and I discussed in a public meeting—after thinking about it, if there are R1 lots near an urban growth area, if they can be served by city water, we can see what the law says the low size can go down to.

CB—And you're aware in the Oroville area the infrastructure covers much of the area near the lake.

AH—Thank you for your comments.

**37:05**—AH—Staff meetings now. Nick?

NB—I'm Nick Bates from the Fairgrounds.

NB discusses his proposed meeting regarding repairs to the small beef barn.

NB—The RV park is getting people.

NB—I'm advertising for a maintenance person.

NB—I'm dealing with the insurance for the damage to the horse barn.

NB—I've got people starting to work on cleaning the outsides of buildings.

NB—I'd like to introduce a new drug policy for new hires. I talked to Shelley (Keitzman, Human Resources and Risk Management) about it. Drug tests if equipment or buildings are damaged.

CB—I wonder what's the policy now.

LJ—Mandatory drug tests in certain situations.

NB—That's all I've got.

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**43:25**—PP—I'm Pete Palmer, Planning Director

PP—I'm doing the next round of updates for the draft zone code. Update the SEPA (State Environmental Policy Act) checklist.

PP—I didn't want to get into the discussion this morning.

AH—Nor should you. There's a process for comments.

PP—In Mike's defense, the most common soil type in Okanogan County is type 5, which requires the two acre lots. I know that Mike is working with Esther and there probably won't be a zone change proposed for R1. There will be provisions for options for smaller lots if there are community water and sewer hookups available.

CB—You read my email this morning? This will be part of the report that comes to us? You don't have any problem with the way I described how the process works for you?

PP—No problem at all with the process.

AH—The Planning Commission will give us a recommendation, I hope they mention why they made the decisions they did. If we're challenged on what we did, we can point to the path we took and here's the findings.

PP—We are hearing what people are saying and trying to do what we can to accommodate their concerns. Some are statutory requirements we can't go around. I'll have my door closed some of this week. I can get all the stuff completed without interruptions.

CB—What about multi-family?

PP—I think throughout the code, multi-family wasn't eliminated. It was put on to the Health Department to decide where multi-family would be allowed based on the availability of water and sewer.

CB—Personally, I think multi-family makes sense in some areas and not others.

AH—If you look at where the R1s are, they're in the basic travel corridors. I love multi-family dwellings. They're cheaper. And with the housing issue, just outside of the urban growth areas are good places for them. But the industry may dictate the issue.

CB—Who they're building it for is an issue. A lot of people won't want it because they're addressing low income people. It happens in the city, too. The farther out you get it becomes a density issue.

AH—The industry will regulate itself to some extent.

CB—With CUPs?

AH—I want to make sure we don't take something off the tables. With the CUPs, it depends on the conditions. In the Methow, you can't do it. It's a group use and it's not happening. There are two different worlds right now with water and building. Two sets of conditions in the county.

PP—There's not a one-size-fits-all.

CB—And on the reservation...

AH—We don't have any jurisdiction there, so I don't talk about it. It's a whole other thing.

AH—We had Oneza come in and do scoping a long time ago. If we'd read a comment that said "Don't change a thing in the Methow", we would have read it. All of your comments are being heard.

PP—About Oneza—their big part was going through the code and making sure it conformed to development laws in the state. There were some things that happened in the District Use Chart (DUC) that slipped by but I think we've got that hammered out now. Agencies played a bigger roll with the changes that the consultant (Oneza) did.

AH—But agencies aren't driving our regulations. We're going to comply with regulations but we'll decide how to do it. You've got a lot of heat, but you're taking it and doing a good job. I hope the Planning Commission gives us a good document. Thanks.

PP leaves.

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**54:35**—AH—Tim?

TM—I'm Tim with Maintenance. I'd like to change my part time grounds keeper from 20 hours/week in the summer to 32 hours/week in the summer. Keep him at 20 hours/week in the winter. See it as a pilot program.

TM—Right now there are 3 FTs (including me) and 2 part-time people, plus two janitors.

AH—Maybe we can just get one more FT person.

TM—And broaden the scope so it's not just grounds.

Discussion of costs and how to accomplish this.

TM leaves.

**1:01:00**—MG—I'm Maurice Goodall, Emergency Management

MG—I'm thinking about where to store the sand bags. Maybe a 9½ foot shipping container. A small fork lift fits inside. I checked the prices at three places and at Randy's, there's one for \$5,700 that's only been used once. It's nice and clean.

AH—Is it in your budget?

MG—I have to check. What should I do if it doesn't?

CB—How much is left there? (*Unclear where.*)

AH—About \$200,000.

CB—Hoping to have to use it for opioid funds for the Chelan County agreement.

AH—That's only \$16,000?

CB—Yes.

AH—The interesting thing is—if the county pays for it and let's Emergency Management uses it, you're an individual fund that the county pays into. We're the ones that do your budget. You bill cities and towns for some of it. If we bought it, we'd have to rent it to Emergency Management.

MG—I think it's like my office. It's just there and it'd be county property.

MG—I'll look into this. I'll see if I've got any money.

CB—One way or another, we should get the thing for you.

CB—Maybe just use ARPA (American Rescue Plan Act) funds and just get the thing.

AH—Yes. There're rodent proof and you can store other things in it.

MG—I've talked to Josh about it and I can put it near Public Works.

AH—Make sure to work with Laney and get all the paper work done.

LJ—Do a resolution like we did with all the ARPA money.

CB—I move to direct the purchase of the shipping container for Emergency Management, using ARPA funds.

LJ explains the process. Motion passes 2-0.

MG—One more thing: the last Community Wildfire Protection Plan (CWPP) meeting is in Pateros on Tuesday at 5:00 PM at the fire hall.

MG—Any more questions?

AH—Make sure you turn in the other two bids you received.

MG leaves.

**1:14:00**—CB—We were expected to write a dialogue ourselves for the CGI video?

AH—No. We didn't last time. We just Okayed the script they wrote.

CB—I wasn't looking at some other introduction to the county that's not just tourism.

AH—Working class housing.

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CB—And my district has the central hub for commerce, but a lot of my district is the reservation. So people would know what the district is. And I thought what you'd do with your district.

AH—My district comes all the way over to the (*Okanogan?*) high school. The potential Pateros and Brewster have for growth is pretty good. They're not in the Methow watershed. The one interesting thing is—I was thinking about Douglas County. There are all those houses they've put in along the river. And we don't have any on our side. The railroad tracks are on our side of the river, so you're bisected by the tracks.

AH—Pateros is kind of industrial. Wasn't that the last place the ferry could get to?

CB—No. It used to get to Okanogan, and with high waters, it'd get all the way up to Oroville. That was a risky business.

They talk about the ferry service in the old days, and how AH's district is varied.

**1:21:20**—CB—I think we'll have to explore it's good to take all those R1 districts and see if multifamily is appropriate for them. There are some with CUPs. I can only imagine some people won't like it, but if you're just talking about 4-unit buildings that are pretty good. They work best on lots downtown.

AH—The buyers have to be able to deal with a neighbor in the same building.

CB—A lot of people come from places with that kind of density and it's OK. It depends on what their situation is. Not much trouble with the high end ones.

AH—There are one acre lots near me and I would never want to live there. There's a development near my house and they were able to go down to three acres a long time ago because they did a huge ingress/egress. Each has a well and a septic. But they look close together to me. It's your perspective.

CB—A one acre lot can be a lot to take care. I sold a bit of my one acre lot and cut down the mowing and watering chores a lot. Veranda Beach houses are really close together. Lots of people say—How can they live like that? And I say—I don't know, but they do.

**1:28:30**—Col (Colin Baker) of CGI zooms in. He will discuss the updated video introduction to Okanogan County the commissioners are planning.

Col—Would you guys like to review the timeline? We should aim for July and it depends on how much you want to refilm. Maybe it'll be four days of filming. How much do you want to refilm?

CB—I think we want new footage. And I think I'd like to emphasize business in the central valley. We've got a lot of big businesses in my district. I've got two locations in mind—a vantage point overlooking Omak and another that shows down valley with Okanogan, Omak and the reservation. Just to get a feel for what's here. And I also want Wenatchee Valley North College here. It's got a nursing program and people from the reservation enroll in it. I want to make sure people are aware of the opportunities. It's a beautiful place, but I don't want to get so hung up on tourism that I miss the business part.

Discussion of available dates. Commissioners tentatively accept July 9-12, starting at 10:00 each morning.

Discussion of previous script and updates to it.

CB would also like the new clinic being built on the reservation to be included. In late June, they can decide who will do what on which day.

Col leaves the meeting.

**2:27:30**—SK—I'm Shelley Keitzman, Human Resources and Risk Management. I'm here on behalf of Judge Grimm and Judge Burke. We'd like to split one current position of the Juvenile Court and Superior Court clerk into two positions. I've prepared a resolution. We've got new job descriptions for the new positions. If we can transfer some funds from Juvenile to Superior Court we can cover it without a budget supplement.

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Discussion of steps to get the change accomplished.

CB—I move to approve Resolution 54-2024 to separate the Juvenile Services Director Superior Court Administrator position into two positions. Motion approved 2-0.

LJ—That item is in the consent agenda for tomorrow, so I'll remove it.

CB—I sent the contract to...

CB—I contacted the firm that manages the money from the lawsuit. It's for the use of treatment of opioid use, but it's got a list that's pretty comprehensive. But they suggested I talk to the AG's Office. If you look at all the recitals I put in there, so maybe I'll ask the AGs office about it.

AH—Ask them if it can be covered with our part of the settlement.

Discussion of the contract and opioid treatment options.

**2:46-35**—AH—Adjourn for lunch at 11:47 until 1:30.

**2:46:50**—We join the afternoon session at 1:40, after it's already started. Luis Rodriguez and Justin Borst of MJ Neal and Associates architectural firm discuss proposed renovations of the county courthouse.

Discussion of a possible a land swap (using the former Forest Service building now owned by the county) or the county could buy the church between the courthouse and the Granger Building. The land could be used for parking and the building could be used for offices.

Also discussion about providing for growth in court facilities that the county will need in the future. Commissioner Hover says providing for growth will cost a lot of money, but he doesn't think the county can get by for very long with just one Superior Court courtroom and one District Court courtroom. Right now the courthouse is just on the cusp on being too small. AH doesn't want the architects to draw up any more plans until the commissioners have a chance to discuss the land swap and/or sale with the church.

**3:30:55**—Discussion with MJ Neal & Associates ends.

CB—All the thoughts I had this morning took a side trip when I saw who was going to make comments. I started thinking about that. I talked to the KJ before. He asked who would know about planning and I referred him to PP.

AH—I didn't know there was a minimum acreage. I thought it was always due to the size of a one acre lot with the well-head and septic system.

CB—Lot size changes with soil type, as PP brought up. Plus, you put pieces together and there are other reasons, too. You want to explore that. We're not affecting what they have. The zone change won't affect what they could or couldn't do today. That's important. With the subdivision part, if you want to break off one acre...

AH—That's a valid issue.

CB—There's also consideration. Where are the R1s? They aren't appropriate in some places.

AH—It's interesting to see what we get from the Planning Commission. Some of the comments I read were things I never thought of. The staff report needs to be detailed.

CB—I'd like to get all the comments assembled, but we need to step away from it and look at the codes. What we're doing now is a process, we take them all into account and look at the code. See if we can address the comments.

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AH—Some comments are—hey, this is what you actually said and this is what we think you should change the language to in order to clarify what you mean. It might take some time to sift through some of them.

AH—Some comments want us to be more exact when we cite the RCW. Instead of saying RCW title 90, etc. They want us to specify all we're talking about and there's a lot. But sometimes suggested verbiage changes make sense. What we'd had might be ambiguous.

AH—I listened to people talking about rock quarries. If they didn't have CUPs, they'd be permitted without any restraints. They could run 24 hours/day. They could run without dust control. Etc.

CB—The intent isn't to deny. It's to put conditions on it to make it palatable to the neighbors.

AH—We weren't playing SimCity in 1980.

CB—And you've got to go where the rock you need is.

AH—I'm sure glad we bought that pit we did. I went to look at it the other day.

AH—If there's nothing else, we'll adjourn at 2:37 until tomorrow morning.