

Board of Okanogan County Commissioners
Monday, April 15, 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
Cam—Cameron Burnette, Deputy Clerk of the Board
NB—Nick Bates, Fairgrounds Manager
TM—Tim Meadows, Maintenance Supervisor
PP—Pete Palmer, Director of Planning
MG—Maurice Goodall, Emergency Management

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Summary of significant discussions:

- Commissioners and Pete Palmer, Planning Director, discuss the issue of county email addresses for members of the Planning Commission. They also discuss the issue of procedures for interaction between the Planning Commission, the Planning Department and the County Commissioners.
- The Washington Association of Counties asks the commissioners for their priorities in next year's legislative session. Their top priority is receiving state money to help pay for indigent defense.
- The commissioners hear a presentation from the Housing Coalition about possible solutions to homelessness in the county.
- The meeting adjourned at 3:36.

02:00—Pledge of allegiance

AH—Cam just told us about a bill we got from the DMO (Direct Marketing Organizatin) for travel for a guy writing for a travel magazine. There's no documentation. We don't want to pay it until we get some.
AH and JN chat about some scary highway situations.
AH retells of multiple encounters with wildlife on the road—deer, grouse, etc.
Commissioners correct minutes for April.

28:00—Zoom-Beuntzen joins on zoom. AH seems wary of the person because it looks like s/he is trying to speak but the noise is gibberish. JN asks if the person wants to make a public comment. No reply.
Commissioners continue to correct minutes.
No public comments.

31:50—JN—It's 9:30. Nick?

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NB—I'm Nick Bates, Fairgrounds Manager. I have a request for a fee reduction from the Sports Center. I wasn't in the office when it came in and I don't know much about it.

JN—It looks like a networking conference.

Zoom-Beuntzen makes more unintelligible noise and AH tells Cam to remove the person.

NB—I've started on the Little Beef Barn. (He distributes photos of what's been done.) They'll finish up the bearing blocks and electrical today.

NB—That's all I've got.

37:21—TM—I'm Tim Meadows, Maintenance Supervisor. Laney had a resolution for the hours for the grounds person. The numbers are a little confusing. To get them both by the year, it'll be about \$3,600 more. TM and AH discuss another maintenance tech.

AH—Do you look at their background in carpentry, so they could put in a wall, for example.

TM—I want people well versed, but not well versed in doing it wrong.

AH—How's the Auditor's Office.

TM—I'm scheduling the first cabinet to go in next week. That's the hard one. The others will be easier.

TM—I'm getting quotes to do the front of the Court House, with two terraces. I've gotten a bid but it's ridiculous. \$47,000.

TM—Moving one guy to $\frac{3}{4}$ time will relieve me of some stuff. I've got a lot of outside stuff to get done.

TM—That's is.

42:15—PP—I'm Pete Palmer, Planning Director.

PP—A few easy things today. I got an email from Roni (Holder-Diefenbach, Executive Director of the Economic Alliance). She wants us to recommend Okanogan County GIS guys to participate in the Broadband meetings. I don't know if GIS is the right fit.

AH—What are they asking for? For locations? I think Karen (Beatty, Okanogan County Central Services) would be better.

PP—They're asking for GIS and County IT. Counties are the jurisdictions that have the authority to challenge any areas served or not served in the counties.

AH—Maybe clarify stuff for us?

CB—There's a GIS working group to support the challenge efforts across the state.

PP—Broadband projects would go through the permitting processing. Then it depends if it's on poles or in the right-of-way, or whatever.

AH—Maybe she should work with GIS people in Public Works. I think we need more information.

46:35—PP—The next thing is harder. Did you see the email from Salley Bull (District 3 of the Planning Commission) this morning? Would you like me to respond to Mr. Johnson or will you let him know that he'll have time during the meeting on the 22nd to make a comment, but he won't be afforded any time of the agenda?

CB—I have a draft response to him already written. I point out that he's put a lot of effort into something we're already aware of. I question his efforts but very politely. The process is getting out of whack when we have someone with a constant audience with us, when no one else does. We're aware that the state law doesn't require the zoning change and we already know that.

PP—If you'd follow the process he could figure out it's a moot issue now.

CB—And the Planning Commission (PC), I didn't want to tell him what he could or couldn't do with knowledge of what the plan was.

PP—I know you know about Salley asking for separate email addresses for PC members. Do you want me to follow up on that? I don't think it should wait.

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AH—Karen's gone this week, but Eric is here. Maybe we should Eric if he could come up.

CB—I'd like to explore the practice a little. I've never experienced the situation where Planning Commissioners have county email accounts so they can have open dialog with the public. My question is: what's the purpose of the Planning commission having emails.

AH—Because she has to send them information.

PP—We have to send them information—the agendas, etc. But what happened is that their personal emails got shared with the public. Now they're getting...

CB—I guess that's why you have to do this. If they're not answering their own emails, why would they answer county emails? If they're just receiving the information about the meetings... I've never run into this problem. I'm just thinking out loud, and not looking for argument. If it's a public records issue, the County establishes the record when they send the information to the PC members, unless there's a dialog that takes place.

AH—Maybe we should ask Esther (Milner, Chief Civil Deputy Prosecutor) what's a public record.

CB—That'd be good.

PP—I asked Esther. She said if we're using their personal email to send them the agenda, etc. then it becomes a public record.

CB—The email's not that big of a deal to me.

AH—If you get a records request for the emails a Planning Commissioner sent...

CB—I get this. If you establish a public record, I hope we have policies that say we're not communicating with the public one-on-one outside of the business that's being done. Do we believe that the PC should have information and testimony provided outside of the Planning Department? Having a direct dialog with a County Commissioner is different than having one with a Planning Commissioner because the information being shared and reviewed should be part of the planning agency. Something about this makes me concerned. If we want to talk about the reason we go into executive session to discuss practices that may cause litigation, then we should probably do that. I'm not saying if I'm against or for it, but I think we should pay attention to that.

AH—Say we've got Planning Commissioners that are sending information out to people I would want to know that. If you're on the PC and telling someone—if you do this, I'll do that. That's something we'd want to know about it. If they had an address through the county, we could search it more easily.

CB—But I don't think the Planning Director will be monitoring their emails. I just think there should be some policy about the business being done by the PC and how it works with the Planning agency.

PP—We also have to send them a hard copy of all the information we email them. We could eliminate the email and just use the snail mail.

CB—I just want to make sure we think about what we're doing.

AH—I like my stuff on email. It's searchable, etc. But if my email is a public record, I'd like some isolation from that. Maybe Karen could give out emails because they're on a commission.

CB—I guess my concern isn't really about the email address. It's more about policies about how issues are communicated to the PC and back and forth between the planning staff. Any particular group on the outside having an influence on the PC that's not necessarily open—not an open conversation that happens at the meetings. I think most of the conversation should happen at the meetings. You're out in the community and have conversations with people and that's just the way it is. A lot of information could be exchanged that's not accurate. I think that information should be presented at the meetings of the planning agency. That's more of the issues than the emails themselves.

PP—If we did go through this a year or so ago. There was a person who wanted to contact the PC directly. The prosecutor stepped in to talk about communications, directing him back to the meetings, so the discussion would be in open, public meetings where other people could see it.

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CB—It's important in these situations that the Prosecutor's Office have this discussion with us. There should be a policy and an agreement about how the communication flows through the PC.

PP—I think that's what we're trying to tell the PC is what's the role in the process of not just this code amendment, but as a PC.

JN—Two separate issues. I think they should have their own emails.

CB—I'm OK with that.

JN—and how they use it. All the committees I'm on have their own email account. It's nice to be able to go to the right account and have all the information there.

AH—And we need to make sure we're following the RCW on the paths things take. The PC could say—we're going to take up something new in the zone code. Then the Planning Department provides the background and they take it up and have a hearing. Eventually they make a recommendation to us. But this one came from us. The way I look at it is—the information in the red-line document is the only thing they should be talking to us about. They're not initiating the changes.

PP—They don't initiate change. It comes from legislation or the Planning Agency which is the department. Then we do a presentation to them. They make a recommendation to the BOCC.

AH—If the PC got together and said to you they want to look at doing something, what would you do?

PP—They'd make a recommendation to the department, we'd tell the BOCC. They'd say yes or no and we'd do the research and bring it to the PC. They'd go through it, make changes or recommendations.

AH—Have a public hearing.

PP—Then it'd move forward.

CB—If they got together to do this, they'd meet with the Planning Department. Suppose they said—we want to do away with Conditional Uses. The department would say that's a tall order. We'll consult with the BOCC and see what they say.

AH—Or do you have a particular use in mind? That's the thing about this process. We have a PC for a reason. They're part of the community, from different walks of life. If they're seeing something that's a problem, then they should ask about it at a meeting. There's the process. We should get the process spelled out. I like flow charts.

PP—We did that three times. It was years ago when I first started. You and I sat down and did them. The Jenna (Mandell-Rice, lawyer with VanNess Feldman in Seattle) and Tadis (Kisielius, lawyer with VanNess Feldman) went over them, and we went over them again after that.

AH—Can you find them for me? Perfect.

PP—I think Esther and I had in-depth talks about how the process works. Maybe it'd be helpful to bring in the team from VanNess Feldman and talk about it in another executive session. See what is and isn't working with the PC.

AH—Yep.

PP—That's all for today, but what do you want me to do about the email addresses?

CB—Talk to the IT people yourself.

PP—OK.

AH—Can they just make an offshoot of Planning or something. Board of Equalization needs them too. Even if they're just Gmail addresses we create for them.

PP—One last thing. Michael Harr (Director of Environmental Health in Public Health) talked to me this morning about how to schedule hearings with the Hearings Examiner. I said—wait. They've changed their codes to use our Hearing Examiner. I wondered if they'd changed Okanogan County Code 2.65—the regulation that gives the Hearing Examiner their authority.

AH—Public Health should do a separate contract with the Hearings Examiner. I told them this last week at the Board of Health meeting to get together with you to learn how to get a contract with him.

PP—I gave Michael the contact information about our Examiner.

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CB—Maybe ask Esther if it's better for a separate contract.

PP—That's all for me.

1:11:30—JN—Maurice?

MG—I don't have anything. I just wanted to know if you have any questions.

Discussion about how many shipping containers he now has—3—and is he happy with where there are—Yes.

1:13:10—JN brings up the issue of broadband and GIS again.

AH—We're way underserved.

CB—This was a request from Ernie Rasmussen (?). CB reads from the email. There's a challenge committee.

AH—Can you call Roni and see what's needed from the GIS person. It'd either be Josh's (Josh Thomson, County Engineer) group with the infrastructure, or the PUD and Methow.Net because they've got location of towers, etc.

CB—I'm looking to see what's the challenge process status.

JN—There's a map that shows where the serviceable areas are, where the underserved areas are.

CB—I'll call Roni and see what she wants. Counties can challenge the broadband determination areas.

CB—Back in the old days, there was no expectation of broadband way out in the sticks. They didn't want it.

JN—Now it's all changed. It's expected.

1:33:00—CB—WSAC (Washington State Association of Counties) asks us for our list of legislative priorities. Deadline is April 19.

AH—Getting the legislature to authorize more money for indigent defense.

CB—We could say we support the legislative priorities that have been set. Maybe reform the Open Records Act.

JN—Tort reform is on their list.

CB—Is that still a thing? What causes the increase to our insurance?

JN—It was estimated we'd have 22 defenders and 17 support staff for indigent defense.

CB—Then they'd have to beef up the prosecutor's office.

AH—Maybe ask Judges Short and Grimm to come to talk to us. How do they determine if a person can't pay. I heard about somebody driving a corvette who got a public defender.

CB—Will you look at this list and get back to me by tomorrow.

JN—There's all the standards—mental health, drug crisis, etc. The public defender issue is what will hit us the hardest.

1:39:45—Commissioners look at the one bid they've received for the engineering contract for the water system at the Fairgrounds. It's from TD&H Engineering.

1:49:30—CB—I move we enter into a conversation with TD&H Engineering to see what costs, etc. would be.

AH—To do contract negotiations?

CB—Maybe not right away, but if we know cost estimates, we could open negotiations.

Motion passes 3-0.

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2:01:40—I move we go into executive session for 30 minutes (later extended by 5 minutes) under RCW 42.30.110(1)(i) to discuss current litigation, inviting Esther Milner, Jenna (Mandell-Rice, lawyer with VanNess Feldman in Seattle) and Charlene Koski of VanNess Feldman.

They return at 11:35 and adjourn for lunch until 1:30.

2:16:25 Discussion—Homeless Housing Partnership and Presentation by the Housing Coalition (HC) MD—Today’s presentation is in three parts:

1. Who we are and who we represent
2. Data about housing and homelessness, especially in Okanogan County. What needs to happen in the next few years to meet the housing needs we’re seeing.
3. Systems and actions we should take in partnership with the BOCC to address the housing needs.

Introductions (from top to bottom on the AV Capture video):

--Michelle Sandoval (MS), Executive Director of the Foundation for Youth Resilience and Engagement (FYRE).

--Kat Goering, (KG), Executive Director of Room One in Twisp. Serves the Methow Valley. Eviction prevention support and letting people know what help is available.

--Nancy Nash-Mendez, (NNM), Executive Director of the Housing Authority of Okanogan County. We manage the (*inaudible*) program. We have contracts with Housing and Urban Development (HUD) and the Department of Commerce (DOC). We also acquire and develop low-income housing in the county.

--Rena Shawver (RS), Executive Director of Community Action in the county. We do public assistance programs for food, utilities and more recently rent.

--Eric Hind (?) (EH) Okanogan Community Homeless Shelters. We’ve got the only emergency shelter in the county right now. The coalition has grown from 5 entities to 9 now.

--Margot Amalong (MA) via zoom—Executive Director of the Support Center in Omak. Emergency shelter for victims of domestic violence. We were one of the original members of the HC.

--David McClay (DC) via zoom—I’m from the Okanogan Behavioral Healthcare. We’ve got 27 spots for people who need transitional housing. 100% behind housing.

MS—Not here is Ashley Grange for the Oroville Housing Authority and Dale ? from the Colville Housing Authority.

MS—Who we serve includes a majority of our community. Elderly, youth, working class people, disabled—physical and intellectual, people in recovery. People living in cars, trailers without water or electricity, couch surfers and victims of domestic violence. Lots of people who work aren’t able to get stable housing—child care workers, etc.

Discussion includes a history of the HC.

1986—the Washington State Housing Trust Fund was created.

1993—The BOCC passes Resolution 96-1993 in response to the low income housing crisis. This led to the creation of the Housing Authority of Okanogan County.

2002—The state legislature passed SB 2060. Document recording fees directed to low income housing.

2004—The HC signs a Memorandum of Agreement to work to improve housing.

NNM—Eric was the site manager of the Housing Authority. He says the general purpose of the HC was to get coordination between the entities. Make suggestions about how we spend funds we have now rather than make systematic changes or plan long term solutions.

MS—Eric is right. It’s been just putting band aids on problems.

Statistics about housing in the county:

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Demand for affordable housing is outpacing supply. Newly build affordable housing is occupied just a few months after it's built and there's a long waiting list.

Elderly need affordable housing and the percentage of elderly in the population is rising.

The county has poor housing stock. The average age of county housing is older than the national average.

Lack of affordable housing means wait lists have doubled

Community Action is housing 8 households in temporary housing, with 21 households on the waitlist.

They receive 8-10 new calls every week.

The PIT (Point in Time) count of homeless is done in January, per HUD requirements. In 2023 the count was 290 experiencing homelessness, and the HUD count doesn't include couch surfers.

Who is currently in HC units? 50% have jobs. 45% are elderly, disabled, veterans.

AH—I'm not surprised because someone with a minimum wage job can't afford rent.

KG talks about median income and median housing cost.

HC's proposed actions:

The county needs to be educated about the housing shortage, and the BOCC should play a part in the education.

HC needs local funding in addition to state funding. Local money can contribute to matching costs.

Housing advocacy should be at all levels of government—HC members, county and state.

Take Action—Housing Plan

Take Action—Zoning and CLIHP (Coordinating Low Income Housing Planning) grants. City and local engagement can reduce barriers to projects.

MS—How can we meet the needs. HB-1590 is a tool to secure local funding. The BOCC can enact a raise in the sales tax of 0.1% with the money raised going to housing.

KG—The Washington State Legislature passed it in 2022 as a tool to address housing.

RS—Here are some things to spearhead efforts to end homelessness—

Remove barriers such as NIMBY (Not In My Backyard) issues.

Increase access to emergency shelter.

Improve coordinated entry.

Create systematic support for housing. We need a solid plan so if people from the organizations in the HC leaves, new people can carry on.

Steps that can be taken—

--The BOCC could pass a resolution declaring a housing emergency. (The HC has provided such a resolution.)

--Stay informed with regular updates from the HC and WestEast (*note: On March 15, 2024, Okanogan County, in partnership with the WestEast Social Impact Studio and the Okanogan Community Action Council, was awarded a grant from the Washington State Department of Commerce's Coordinating Low-Income Housing Planning (CLIHP) program for 2023-2025. These funds will support coordination efforts for land use planning and homeless services, aiming to address the rising homelessness among various demographic groups in the county, including working families, veterans, youth, women, Hispanic, and Native populations. An estimated 1,000 people in Okanogan County lack permanent housing each night, including those living without basic amenities like water and electricity.*)

--The county should enact the HB 1590 sales tax increase.

--Remove barriers that cause problems in establishing adequate housing.

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CB—I support the idea but there are other tax proposals. The Sheriff wants an increase. What about the issue of cities vs the county sales tax. Most of the stores where the sales tax is generated are in the cities.

CB—Are there statistics about valuable effects of housing on the economy? Is crime affected? We need data behind any proposals we'll make.

RS—HUD says nationally we can spend \$45,000/person for those who lives on the street, money spent on police, mental health, etc. Or we can spend \$20,000 with case management.

CB—But that's a band aid. We can't do wrap around services.

RS—Community Action has been trying for the last two years to get wrap around service. It's hard to get.

CB—Aside from the tax, what can we do?

NNM—Pass the resolution. And thank you for giving us two hours on your agenda.

NNM—People think if we build housing, people will move here, but it didn't happen at Meadow Point. The people who are here have connections to the county.

AH discusses the issue of median income and median housing costs. The incomes and housing costs in the Methow are higher than other parts of the county. He wonders if people earning the median income would be eligible for any housing aid. Others point out that someone at the median income level would be able to receive help from Room One, FYRE and the Action Council.

AH—The 0.1% tax increase would help but it would take multiple years to build a campaign before we had people vote on it.

AH—In the Methow Valley, the only place to have apartments is Winthrop and Twisp. It's different in the Okanogan. Where do we put the apartments? That needs to be laid out more clearly. And the resolution calls for a state of emergency. I'd call it a crisis, not an emergency. If we declare a state of emergency, there are legal repercussions.

MS—I'll summarize. I think we got into the weeds with the 1590 tax increase. We should be having this conversation two or three times per year. Thanks for your commitment to planning. We all agree that waiting for all the ducks to be in a row leads to a lot of waiting.

MS—We can come back with more data and examples.

MS—The city and county leaders are the first people to approach. The HC would be negligent not to bring this issue to you.

AH—I think if there's a good chance of getting money in the reasonable time period, we could do a bridge loan. I want to see projects go through, but the county doesn't have \$1,000,000.

NNM—There was a story reported in the paper about a drug raid in an affordable housing complex. But it wasn't the tenant that was arrested. It was a visitor.

AH—Other places all over the county have the same problem.

RS—The way it was reported, it got stigmatized. That's why we need your leadership to help.

MS—Thank you so much. We'll be back.

Meeting adjourns at 3:36.