

Board of Okanogan County Commissioners
Monday, January 29, 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
RA—Raven Aae, commenter
MG—Maurice Goodall, Emergency Management
MH—Michael Harr, Environmental Health Director, Public Health
PP—Pete Palmer, Director of Planning
CF—Chuck Ford, Fairgrounds Manager
JS—Jake Stevens, Team Manager, Wenatchee Branch, State Auditor’s Office
KD—Kiana Dixon, Lead Auditor
CH—Cari Hall, Okanogan County Auditor
PJ—Pam Johnson, County Treasurer
RG—Director of Power Resources & Broadband Services, Okanogan PUD
X—Another person from the PUD
RHD—Roni Holder-Defenbach, Executive Director, Economic Alliance

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

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Summary of significant discussions:

- BOCC hears comments from Raven Aae concerning National Stalking Awareness Month. She urges the commissioners to consider hiring a county manager whose duties would include investigating complaints against the Sheriff’s and Prosecutor’s Office.
- Maurice Goodall, Emergency Management and Michael Harr, Director, Environmental Health, update the BOCC on the water emergency at the River Road Mobile Home Park near Tonasket. The development’s well went dry two months ago.
- BOCC hear a summary of the State Auditor’s audit of the county.
- Okanogan PUD wants to re-write the contract for \$500,000 of ARPA (American Rescue Plan Act) funds. They would like the funds to pay for construction materials instead of planning for the Conconully broadband project. The BOCC is happy to make the change. Commissioners and the PUD also discuss electrical power supply to the county. The PUD is concerned that because power demand is growing, they may not be able to supply the county during a cold snap or heat wave next year.
- BOCC meets twice in executive session under RCW 42.30.110(1)(i)—potential litigation. The first meeting lasts 20 minutes and includes Esther Milner, Chief Civil Deputy Prosecutor, and Pete Palmer, Director of Planning. After the meeting the BOCC directs Palmer to write a letter of

Board of Okanogan County Commissioners
Monday, January 29, 2024 AM

termination to Dan Beardslee, the Hearing Examiner, and to create a request for proposal for the services of a hearing examiner. The second executive session is for 10 minutes and Esther Milner is invited.

- Adjourn at 2:21 until tomorrow.

01:00—Pledge of Allegiance

02:10—Two men from Sunrise Chevrolet are in the audience and would like to discuss the situation at the Agriplex. Sunrise had planned to hold an RV show at the Agriplex next weekend, when they have traditionally held the event, but no contract was signed. Another group reserved the Agriplex for that weekend and Sunrise is looking for a way to hold its event in February or March if possible. The commissioners want to accommodate Sunrise, will waive the rental fee and will work with Chuck Ford, Fairgrounds Manager, to find a date acceptable to Sunrise.

08:35—AH—Both CB and I testified about the two wolf bills the other day. CB said that we represent the BOCC but we hadn't formally taken a position on the two bills and I want to make sure that's true that his statement represented the whole commission.

JN—I heard on the radio this morning that 90% are for those bills.

Cam—Commissioner Branch is on his way in. He's late because he forget his laptop and had to go back to get it.

12:20—AH—House Bill 2464 deals with mobile homes. This is exactly what we were talking about (*note: possible refers to a discussion on Wednesday afternoon, January 17*).

JN—Concerns new buildings.

AH—That's what we were talking about.

JN—There's a bill out there about cross-jurisdiction, tribal and civil so they can have authority both ways. I'm not sure where it's at.

15:45—JN—It's 9:15. Public comment time.

RA—I zoomed in once before and give you an update about a bipartisan House resolution that was passed recently and there was a town proclamation. Also I'm doing work to strengthen democratic systems and want to get feedback.

RA—Two weeks ago, Reps Kretz and Davis sponsored a bill to recognize January as National Stalking Awareness Month. I helped them recognize the dangers of stalkers. The risk of being murdered is higher if a woman is being stalked. It's even higher for sex-workers, undocumented women and indigent women who are being stalked. The CDC identifies stalking as a public health epidemic. So the fact that the Okanogan County Sheriff's Office and the Prosecutor's Office have refused to treat the many years of stalking that me and my daughter have endured with the gravity it deserves is grounds for discrimination.

RA—What I want is for the BOCC is to understand the way the Sheriff's Office is reviewed. It looks like there isn't an independent review process. I suggested be some ways this could happen and wondered if you have had time to think about that.

Board of Okanogan County Commissioners
Monday, January 29, 2024 AM

RA—I was raised in a home with a disabled law enforcement officer and I have a deep respect for law enforcement. I'm not trying to denigrate law enforcement but make sure that law enforcement is subject to the same review as any other elected officer.

RA—I shared JN with two complaints I'd made to the Sheriff's Office about Sgt. Hawley and Deputy Tapia, thinking they might be investigated because they work high up in the Sheriff's Office. I didn't make formal complaints about Sheriff Budrow or Undersheriff Yarnell's behavior because there's no reasonable way that the complaints would be taken seriously. And I don't think the complaints about Hawley and Tapia will be taken seriously either. I don't think anything actually happened. I'd like to get your thought on the content of the complaints and share any information I've got about the complaints. I don't want to sully the investigation because I think it should go forward on the criminal level. The sheriff needs to make an arrest. The Prosecutor needs to prosecute.

RA—Who's presently responsible for reviewing the sheriff's conduct? I think I'm treated in a discriminatory manner because they're trying to recapitulate the validity of the protective order that's been strengthened three times by Judge Short based on the evidence I've submitted.

RA—What the stalker has done is exploit the existing biases in the Sheriff's Office about behavior of women—calling me a witch, a whore and a histrionic woman. Even if I were all of those things, the validity of the protective order is not up for debate.

RA—Another issue: What is the history of the county executive's role in Okanogan? Why did that position disappear? I think it would be a good office to investigate complaints against the Sheriff and Prosecutor's Office as well as any other office where there are complaints.

RA—Thanks and I look forward to your comments.

AH—Public comments are just that—comments. We usually don't answer questions. It's better to get on the agenda. Give us a little more time to investigate and we can have a meaningful conversation next time.

AH—For me, protective orders are black and white. The judge sees the evidence of what's going on. That's not up for debate. It's trying to figure out answers like who the Sheriff answers to, etc. A county executive usually works at the behest of the commissioners—like trying to figure out what's going on at the Fairgrounds.

CB—I don't think we've ever had a county executive.

AH—I don't either.

RA—One more comment: I had a national level politician cold call me since I went to the legislature. The county executive role is getting more attention nationally. Before I push for people to lobby for an executive, I want to make sure you guys have time to discuss what the role is and would it be a welcome change for you. There's discussion for that role that's not coming from the county budget. I want to see if that's of interest to you.

AH—I'm sure it is. Lots of counties have an executive. Douglas County does. I can ask Shelley Keitzman (Human Resources) to get a job description.

CB—At the Washington County Leaders Conference I attended with JN, there was a session specifically on that. There were several interviewed there. I think the sessions are all recorded. It was a good discussion. You'd learn that the commissioners are still the decision makers, but county managers also provide continuity when there are elected officials. What comes to mind with me is that the Prosecutor's Office should have a role in investigating things, possibly even the commissioners. I'd rather that the Prosecutor wouldn't go running off to investigate things we don't want to have investigated because he's got his role to play.

RA—The Prosecutor repeated slanderous claims—false and defamatory—about me to several elected officials. I don't think the Prosecutor's Office could provide a fair and independent assessment of the Sheriff's Office. I think they're included in framing me as the problem, not as the victim. I'm happy to

Board of Okanogan County Commissioners
Monday, January 29, 2024 AM

share body cam footage of the stalker. The way they speak to the criminal (who's got a mug shot and rap sheet) vs. the way they speak to me as if I'm a criminal being interrogated. It's like they're colluding with him, as if he's their friend, despite the "shall arrest" order that isn't being enforced.

31:00—JN—it's 9:30. Mo?

MG—Good morning. I'm Maurice Goodall, Emergency Management with Michael Harr, Public Health.

MH—I'm the Environmental Health Director in Public Health.

MH—I'll update you on the situation at the River Road Mobile Home Park. It's off Hwy 7 near Tonasket with about 47 spaces occupied out of 56 spaces total. About 100-150 people on the water system. The well went dry and they've been without water for two months.

AH—Two months!

MH—They drilled an emergency well but it yielded only 5 gallons/minute. The water system is managed by the State Department of Health.

AH—Class A?

MH—Yes. They don't have much enforcement ability. We're to the point—there's an old well across the road. High in arsenic. They'll try to sample it today to see if they can meet the arsenic level requirement. If the arsenic is just a little above the limit, maybe they can get a permit with notification. If the level is high, they can't.

MH—They'll try to pull the screen on the original well to try and go down further. But that might not work. The state may make grant money available if we declare an emergency. This might be worth considering.

CB—When we first talked about where this is, I thought it was north of town.

MH—It's south of town, about five miles as the crow flies.

CB—Served with sewer by the city?

MH—Yes. But there's no water line and it'd be a huge cost to do it.

AH—Maybe MG can draw up a declaration of emergency so it's got all the information about what they've tried to do.

MG—We're tapped out and can't provide any more services.

MG—They've been supplied with bottled water, but people steal it if it's left outside.

AH—It's an existing Class A system that's failed.

MH—We may be able to get the grant funding to provide potable water trucks.

CB—I contacted several grant sources and it always boils down to "it's a private system". I hate to encourage developments. They're close to town and eventually something goes wrong and they propose annexation. It's a bad planning situation for the town and also the county. There should be a way bigger conversation about developments like that when they're proposed. Why put that much density so close to a town. That's how the sewer system got there. It caused a lot of grief when the city had to take it over. Maybe it's time for the city to talk about providing water. There are cutouts on the bridge to take water over the bridge.

Discussion about whether it's possible or affordable to run a water line from Tonasket. Also other possible temporary fixes such as cisterns, supplying bottled water or running a fire hose from a hydrant to the development.

AH—We need the emergency declaration by tomorrow.

MH—I talked to Dr. Wallace. If it needs to be a joint deal, he's up to dropping a health office order, as long as he's informed about it.

MG and MH leave.

47:00—PP—I've just got one quick thing.

Board of Okanogan County Commissioners
Monday, January 29, 2024 AM

PP—Esther (Milner, Chief Civil Deputy Prosecutor) says the VSP (Voluntary Stewardship Program) contract is good to go.

AH—It still needs a budget supplemental to increase revenue of \$47,000, and an increase to expense of \$47,000.

48:00—CF—I'm Chuck Ford, Fairgrounds Manager. I've got a quick update.

CF—There were 24 items done by the maintenance guys this month. The focus has been the Agriplex so it'll be ready for the year's events.

CF—We've got a new truck with a plow so we can deal with snow.

CF—Marissa (?) has been crushing it. She's been updating policies and procedures for dealing with contracts. It'll make it a lot easier for new people to do the paperwork.

CF—I've been working on the well grant. We have to do a water table assessment, and I have to educate myself about it.

AH—Wednesday, we need to get together about the grant not the reconciliation, but the

CF—Yes. That.

AH—I'll be over Wednesday and we can work on that.

CF—That's the only one we've got, talking to Cari (Hall, County Auditor). I think that's the only one we've got.

CF—The contracts for February. We need to talk about the conflict between Sunrise and the other event.

Because all the weekends are booked at the Agriplex, they discuss finding an event that is willing to move to another date so Sunrise can hold its event.

JN—I'll come and see you at noon.

CF—OK. That's all I've got.

53:20—AH to CB—I was telling JN about our testimony and we didn't formally say Yes to the bills and I'd like to do that.

CB—There was a request to testify and I answered it. I didn't know anyone else would be there.

AH—I think it's OK that we were both there.

CB—I asked and nobody saw any problems with it.

AH—We weren't conducting county business. But just for the formality of it, we should say we support those two bills. So I move that we recognize the Okanogan County Commissioners support House Bills 2423 (concerning gray wolf management) and 2424 (updating cooperative agreements between the state and federally recognized tribes for the successful collaborative management of Washington's wildlife resources). Motion passes 3-0.

56:00—JN—I just got an email about potential funding for the well. I forwarded to MG.

CB—It happens with development near a city that doesn't meet the city's standard.

More discussion of potential solutions for the well failure.

1:01:00—CB—The testimony took a lot of time so the people at the end got cut off quite a bit. (To AH)—Did you hear it all?

AH—I did. Mel (?) is a very eloquent speaker. How he can iterate history. When he was talking about learning history, a lot of what he said was very good.

CB—He had the chair of the committee crying.

AH—And everybody was super quiet.

Board of Okanogan County Commissioners
Monday, January 29, 2024 AM

1:04:05—AH to CB—Can you talk to WSAC (Washington State Assoc. of Counties) about Senate Bill 5773 (concerning public defense services)? It would increase public defense spending to the counties. Up to 50% in 2028. I'm very much in favor of a bill that increases money for public defense.

JN—I know WSAC is in favor but because of the law suit, the legislators aren't in favor so much.

CB—It's been on the legislative agenda for decades.

Discussion returns to the well issue.

1:30:55—JN—It's 10:30. Time for the exit conference with the State Auditor's Office. Please introduce yourselves.

JS—I'm Jake Stevens, team manager for the Wenatchee Branch of the State Auditor's Office. Our branch included Chelan, Douglas, Okanogan and Ferry Counties and about half of Grant County. Kiana Dixon was your lead auditor this time around. Cynthia Medina was the audit supervisor, but she is unable to be here today.

JS and KD walk the commissioners through the state audit in a long, involved discussion. In the end, the auditors made two findings about Federal Controls in the county's records that were limited in scope and not systemic.

1:49:00—KD discusses the federal findings. The county was required to show they checked vendors on Sam.gov before a contract was signed to make sure the vendors weren't disbarred. The county could show that it had checked the vendors but the paperwork didn't show that the check was completed before the contract was signed. KD discussed several ways to make sure the paperwork did include the date. She also mentioned that many counties had findings on this issue.

2:19:20—Auditors leave.

2:21:25—*(Two representatives from the Okanogan PUD arrived to discuss their Okanogan PUD representatives begin to discuss the power problems they had during the recent cold snap. Five days cost about an extra \$8,000,000. They had to buy extra power on the market, but there wasn't hardly any market. This could be the cycle of things to come. We've always had cold snaps, but the difference is the market. They shut the gas and coal plants down so there's no backup generation. There didn't use to be server farms. Umatilla put 1,000 megawatts while Okanogan County uses just 75 megawatts. They aren't building any more coal or gas and the renewable power isn't consistent. Nov.20 through Dec. 31, we generated one megawatt through wind in the northwest. You guys need to know that this thing is real.*

2:24:20—AH—I had a question from a constituent that the Tonasket School District was thinking about buying electrical school buses. Being on the Trango board, I didn't want them to go electric. #1, you double the cost of the bus.

JN—They couldn't get over the loop with electric.

X—My school district, Nespelem, tried an electric bus and found it got 167 miles on a 70° day. And we all know what happens to batteries when it gets cold. They backed away from it. Plus the power demands to charge them. Swap out the batteries every few years.

RG—Omak looked at it, too. What would it cost for a charger? What kind? How many?

X—There's a video of a guy charging his car. Does the math and he's using enough as much electricity as many houses do for the one charging time. It sounds green and good but how do you make it good.

JN—And it got so cold in Michigan that Teslas couldn't charge.

X—And tow trucks won't tow them because the cells break and they might catch on fire. They talk about back-charging but if I'm a lineman and I don't want to work if there's a danger.

X—Until we're able to shut off all the rechargers to keep the lights on in the homes, I don't want them.

Board of Okanogan County Commissioners
Monday, January 29, 2024 AM

1:29:55—AH—Can I start the discussion about broadband?

AH—Lanie showed us the contract for \$500,000. It was just planning. For the Co-op, it was match money for a project. Yours is different. My concern was you guys would use the \$500,000 all for planning and if the PUD didn't budget it to be actually constructed...

X—We already did. And you know me. If we budget the money for something, we're going to do it. But listen to RG's idea.

RG—Lanie or Roni said they're more comfortable purchasing materials. We checked all the numbers and they're about the same. We plan to do the design—full bid-ready documents, permits, everything we'd need and we plan on it being done this year. Probably be ready to purchase things for the projects in the fall of 2024. I'm worried we may not receive it until the next spring.

RDH—The PUD was concerned about all the hoops there are with federal dollars. If it's just purchased, that's cleaner and faster. The contract says the money has to be spent by October, 2024. But it also says the BOCC can extend the date.

AH—The money has to be allocated by the end of this year and it has to be spent by the end of 2026.

RG—We'll have it all by 2025. And stuff is becoming more available.

AH—All I wanted to hear was—Yes, it's in our budget.

RDH—They've also applied for public works grants.

X—Some of the rural money went to King and Pierce Counties!

X—We're going to get to Conconully and all the people along the road.

AH—That's good. You'll work with Lanie to rework the contract? We just need the verbiage in the contract and if you need an extension.

RG—I'll rework the contract.

AH—And you have to get the contractors to certified they're not debarred. We just had a finding about that with the state audit.

RG—The Conconully mile—we got two estimates: \$3,550,000 and \$3,800,000. Real close to each other and that reassured us that it's the ballpark. Materials are coming in at about \$416,000+ for poles. \$616,000 for materials which should cover the \$500,000. We applied for public works grant/loan combos. 30% grant, 70% loans with .46% interest rate. Construction should be just one year.

2:42:20—AH—Can we go back to power? We talked last Aug 19 and you guys were worried you couldn't buy power the next day. What do I tell people in the Methow?

RG—The Co-op was in a little worse shape than we were. They were using 23 megawatts and they only have a 20 megawatt transformer. Thank God it was -20° or they would have fried the thing.

We can import lots of energy, but we can't buy it to import it.

RG—Our regular rate we charge is about 8¢/kilowatt. We were buying it for 93¢. It's the worst I've ever seen it in 18 years. We've got contractual relationship with Bonneville. They've sold all they can produce, so we can't buy any much. We were peaking at 190 but we've only getting 130. Now we've got a new deal with PG&E. We've got to pay a capacity charge of \$1,300,000 just to guarantee we can get the power. Then we pay market price for the power, too. It's a sunk cost. And I'm really worried about next year. I see this happening more and more.

AH—What about gas and coal facilities have gone off line in the last five years?

X—Solar and wind is great but you can't store the power.

X—If they take the Snake River Dams out that will be a hit too. And during this cold snap, water flow was at historic lows. We're in trouble for next year.

RG—Snowpack is 50-60% in headwaters of the Columbia in Canada. It's scary. Water is power for us.

X—Douglas County will have to buy power next year for the first time ever. They own dams.

Board of Okanogan County Commissioners
Monday, January 29, 2024 AM

AH—What’s the policy on rolling blackouts?

X—We don’t know.

RG—We pay the capacity charge to make sure we can get the power.

X—Next summer will be hard. If the power is out for three or four hours and there’s sunburn on Gebbers orchards, that’s billions of dollars of crops lost. That’s money lost for the county and the school districts and everything.

RG—We schedule for the worst case scenario and we pay for it. But if they can’t provide it, they’ve got to provide it, they have to curtail themselves. And it’s only getting worse. They’re shutting down the coal plants in Montana. It’s all going the wrong way to keep the lights on. Predicting is very hard now.

RDH—I sent an interagency agreement to LJ two weeks ago. Between Petrocorps (?) for Broadband. It’s an LLC to help rural communities to get broadband. Help with the applications. No cost to enter into the agreement, but the county has to be the entity that enters into this agreement to help the Co-op, PUD and the tribes. They get paid by Partners for Rural Washington.

AH—Does anybody else does it? We just got dinged on our procurement policy and I just want to be sure.

RHD—Not that I know about.

3:02:00—Discussion of getting natural gas from Canada. It would take an act of Congress.

3:08:30—Adjourn at 12:07 until 1:30.

3:12:40—AH—I move we go into executive session under RCW 42.30.110(1)(i)—potential litigation for 20 minutes, inviting Esther Milner and Pete Palmer. Off they go.

3:14:10—AH—No decisions were made during the executive session but I move to direct PP to create a letter of termination for the current Hearing Examiner, Dan Beardslee, and mail that right away.

CB—Providing for a 60 day notice.

AH—Yes. Providing for a 60 day notification. Motion passes 3-0.

AH—And I move to direct PP to create a Request for Proposals (RFP) for Hearing Examiner’s services for the Okanogan County Commissioners. Motion passes 3-0.

AH—I move we go into executive session for 10 minutes under RCW 42.30.110(1)(i)—potential litigation, inviting Esther Milner. Off they go.

3:17:25—AH to CB—Did you know that the Forest Service was taking comments about the Northwest Forest Health Plan?

CB—Yes.

AH—Do you think we should comment on that? We should have a little coordination.

CB—I’m the co-chair of the collaborative and we’re writing an op-ed. It will reflect the work on the collaborative, keeping in mind who’s on it—forest industry as well as environmentalists.

Commissioners discuss the issue of forest health, preventing catastrophic fires, preventing soil erosion on steep slopes and preventing monocultures.

Adjourn at 2:21 until tomorrow.