

Board of Okanogan County Commissioners
Tuesday January 23rd, 2024, 9:00 a.m.

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Present:

John Neil (JN), BOCC District 3
Chris Branch (CB), BOCC District 1
Laney Johns (LJ), Clerk of the Board
Char Schumacher (CS), Natural Resources Senior Planner
Mark J. Neal (MN), Principal Architect, MJ Neal Associates
Luis Rodriguez (LR), architect, MJ Neal Associates
Justin Borst (JB), architect, MJ Neal Associates
Korrine Mouchon (KM), project designer, MJ Neal Associates
Robert Grimm (RG), Superior Court Judge
Albert Lin (AL), County Prosecuting Attorney
Susan Speiker (SS), Clerk, Courts
Paul Budrow (PB), Sheriff
Pam Johnson (PJ), Treasurer
Larry Gilman (LG), Assessor
Dennis Rabidou (DR), Juvenile/Family Services
(On Zoom) Ron Carlson, "Griffin", Rob Penel, Jeff Romans, Erlandsen Associates

Time stamps refer to the time on the wall clock. An AV Capture archive of the meeting on this date is available at:

https://okanogancounty.org/departments/boards/live_streaming_of_meetings.php

Summary of Important Discussions:

- *Public Health requirements of Lazy Lightning long plat complied with, approval by commissioners*
- (In meeting with MJ Neal Architects to discuss floor plan of proposed Justice Center)*
- *Sheriff Budrow opposes relocating courts to former Forest Service Building, security concerns cited, especially transportation of prisoners from jail to south 2nd Ave.; Court Clerk Susan Speiker and Prosecutor Albert Lin also against project*
- *BOCC willing to change course if security concerns in historic courthouse can be resolved, will re-consult department heads for consensus*
- *Symbolic aspect of courthouse, respect for the institution of the court evoked*
- *Architects, commissioners, staff agree grouping public services on new site makes sense*
- *Most of current courthouse renovation plans would be unaffected by project turn-around*

9:00 - Proposed Final Approval, Lazy Lightning Long Plat - Approved by Hearings Examiner in 2022 with conditions; commissioners approved those in September 2023. Applicant has complied with conditions. CB remembers there was some issue with

water rights. CS knows that applicant has irrigation rights, is not sure about domestic water, and what is backing the system, but says they have met Public Health requirements.

CB: A water agreement was filed with the Auditor. I was hoping to see that agreement. It seems to me it was shared with those two other plats. *CS goes to check.*

CS: They have 50% water rights. *CB asks about proper advertising. CS says as soon as it is signed she will take care of that. Motion carried to approve the long plat.*

9:34 - MJ Neal Associates, Discussion, Departmental Justice Building Design -, *As people arrive for the meeting with the architects for the Superior Court Project, JN and CB agree they should go with asphalt for the parking lot. LJ asks if she should invite the county's go-to architect, Courtner, to attend on Zoom. Yes, says CB.*

LR says the main thing they need to discuss is the floor plan, then the phasing, budget and some exterior design concepts. Pointing to the screen he shows where they would add on to the existing building on the north side, how the sally port would go along the east side, and how they would break a retaining wall along the north edge of the property to gain some space. Courtner Architects will take this into account in planning for the utilities to come in on that side. He asks about the steel building near the proposed entry on the west side.

CB - it will go the to fairgrounds; removal would not be part of their contract. Courtner Architects agrees with them that the parking lot should be paved with asphalt in the early stages of the project.

9:42 - PB: I have been approached by a couple of judges and other staff who don't want to go down there, and I'm trying to figure out why we're trying to do this, push Superior Court down there. I voiced it when I first got here. Security reasons, moving the felons out of the jail down to this location—the security risk is to great in my eyes... Either the sheriff's office can move down here or we put the other entities down here... leaving the courts into the courthouse, which then when I'm transporting major felons, we have full control of access from the jail to the Superior Court room, or District Court rooms down there, and I still don't understand why you have to do that 'cause you still have to move bodies. We don't have the manpower; I don't see that changing. People just do not want to work, especially in the fields I'm talking about now. If it was up to me, and I'm just expressing my opinion, it should be re-evaluated for who's going to move down there. Superior Court moving down there is very detrimental to this county.

JN: Mr. Grimm, your thoughts?

RB: *(inaudible)*...up to the County Commissioners?

JN: We do not want to do something that is a potential liability to the county or a threat to anybody.

RG *(Looking at the plan in his hand)*: You need a facility that is secure. This seems the most feasible option. There are ways to mitigate several of *(the concerns)* the sheriff has mentioned. *(inaudible)*

JN: If it's not going to work, now's the time to stop it.

SS: From the Clerk's perspective, I voiced it in an email to the commissioners in June, 2022. I prefer not to move. The courts should stay in the courthouse. I'd rather stay

close to where we're more protected. I do agree we can not continue to co-mingle. It's problematic. I do agree that the building was a great purchase, we do need to expand, but the wrong departments are moving, in my opinion. We can have the service departments down there altogether, we can re-vamp the courts, give a floor to each one. We just need to think outside the box. We need to stay where the jail is, and the Sheriff's office. *As someone who deals with the public she wants to be closer to where she has help quickly.* I understand there's going to be added security in the new building but there is no replacement for law enforcement, from my perspective.

JN: Other thoughts, comments?

AL: Having had the experience of trying a high-profile, serious case down there (*the building was used for trials during Covid*), the logistics were challenging, to say the least. Issues had come up with regards to transporting the offender to and from the court, and then there's the safety issue. There's a huge challenge... It could be mitigated, you've talked about using video conferencing for hearings, but for motions and trials, there's an issue. In fairness to everybody else involved, a lot of these decisions were made prior to coming back here so I didn't get a chance to weigh in... I concur with my colleagues that there's a way to change course and preserve the facility here, the jail here, where law enforcement is here. It serves the public, and also my employees. I have concerns about safety in my building but it might be cheaper to preserve my office where it is.

JN: We've just briefly touched on upgrading the IT (*information technology*) structure in the courthouse yesterday. It's a historic building. There are going to be additional challenges trying to modify that. But I think it's something we could look at.

CB: If there are any changes, this is the time to do it. If you start out on a trip and you continue to think you're going in the right direction just because you started on it, that doesn't mean you have to keep going. ...It's not just a commissioners' decision. I'm interested in hearing more from the court. *He explains that the process started when they were using the other building, as well as the fairgrounds, for the court during Covid.* I would hate to get into a position where people hate where they are. There's nothing worse than a county that's working against itself... The challenges we're having with the courthouse are safety issues. It has to do with the interface with the public. I'm not saying we can't resolve it. We do need future space as the county grows. That's another thing that's going to be a challenge with the courthouse but I'm a firm believer in there's nothing that you can't overcome... Does everybody feel the same in the courthouse crew?

LG: I just came to listen but my stance is... what's most economical for the taxpayers. *CB echoes the sentiment that they're there for the good of the public.*

CB: ...We still have the building. I expect that we're going to move somebody there. If it's just the administrative offices (*assessor, auditor...*) I think it would serve them well, they need the space.

LG: My idea for that is, from the main entrance, it works in circle so they can go into each individual—right now they're going up and down trying to figure out where they're supposed to be. *CB has seen that but it was in a county building with a rotunda.*

9:56 - JN One of the biggest concerns in the existing courthouse is a single point entry. But if

the other offices aren't there, that minimizes that issue.

CB- Since we're discussing the courthouse project this afternoon, it's a good time to be pumping the breaks. *It will be more interesting when Commissioner Hover can be there.*

LR: Throughout this we've gained a lot of information from the personnel and everybody. The building on 2nd Ave. and the courthouse. Even changing direction, that information is still good with what we have.

CB: I don't know how much the parking lot and utilities change...

LR: The building's the same overall.

CB: This is a bit of a surprise, of course. We need a bit of revision. *Talks of need to discuss at length with staff, half a day, as soon as possible. JN says solicit department heads' opinions via email; CB says a short survey. Head architect MN - need to analyze security possibilities in old courthouse before going into too much detail. JN mentions the challenge of modifying a historical building. MN speaks too far from the microphone to be understood, basically about letting them know when their minds were made up, and about limitations of the courthouse.*

CB: We should all keep an open mind, so people won't get their hopes up one way or the other. Be objective. *KM wonders if building a juvenile facility on the new site is still a possibility. CB says there will space opened up there.* There are still moving pieces. I would encourage everybody to argue their points, not feel walked on. ...We don't operate in a vacuum here.

JN: Susan spoke to me a couple of times about it but that's about it. The more communication, the better. *CB- make it the object of next quarterly department heads meeting. SS- thanks them for hearing her out. Appreciates that it may not work out.*

SS: I hope that we stay in the courthouse. In talking to the general public it is very confusing to them what we're doing. *She is concerned about people who end up going to the wrong court, it happens all the time. The courthouse is a symbol to people. In and of itself it holds respect for our county. Folks act respectful just because of the building they're in.*

CB: Maybe we should move down there! *(Laughter.)*

JB: If we went another direction, what are we looking at, and how does that affect what would be going on in this building?

JN: Planning is running out of room.

LG: Ideally, services are Building Dept., Planning Dept., Assessor, Treasurer and Auditor. If they were looking at that direction, if you're going to go to the Building Dept., you're going to go to all those departments. And the Health District, but that's already there. *CB evokes the inconvenience in other places of going all over the place to reach services. Is there not value in having Juvenile Court and detention facilities in one place separate from the regular courts and jail facility?*

DR: We're still working a conditional use permit, don't have an update on that. That's either a show-stopper or not too.

LJ: There was one public hearing for the Coroner, and another is today (*for the annexation next to the "Justice Complex", necessary to build a juvenile facility*). ...There was some indication that that was going to go through.

LR: There had been mention about keeping the juvenile (*facility*) separate from the adult. Just for the logistics. As far as transportation and all that, I'm not sure.

- CB: We're back to the dreaming stage. I'm back to thinking that the juvenile court and detention facility are down there and completely separate from the court system and if that happened, the building they're in now would now be vacant, and space-wise I don't know what the comparison is. But I do sense a little frustration.

10:13 - JN: Probably on everybody's part, to go down this road and— but I would rather stop it here than continue down it and— *CB says they must avoid dissention*.

MN: Testing the options is probably valid. Even if you don't change directions. ...Evaluation of existing building...

CB: Does that constitute a contract change?

MN: (*inaudible*) We'll be able to take what we know and plug it into the existing structure. ...We're not here to advocate one direction or another. ...There's a certain practicality to grouping certain services... There are some external issues (*parking, access*)

CB: There's a lot of discussion on what we'll do with our jail facility, given its age. ...A lot of activity on how to deal with jails across the state. ...Problems with how we deal with mental illness. Where people go. That causes us a lot of grief in this county. That's another thing to think about with the courthouse because of the jail facility. It may not always be that prisoners are right next to the court. (*MN-inaudible*) I'm just going to take it with a positive outlook.

JN: I do appreciate the candidness...

PJ: I've been here for 29 years... We need something functional, (*not only for us but*) to help the taxpayers. ...Either way I would really like to have us look at whatever in the long run is economical and also, unfortunately with the way our times are changing, being able to offer security to our staff and to our taxpayers coming into our office, to feel safe.

RG: I didn't come up here expecting to have this discussion, because I said it was the commissioners' decision, but the concerns expressed today—transportation of prisoners, confusion of the public, these opinions have all been expressed before so I'm coming into this in the later stages... (*inaudible*) When we have two judges (*inaudible*) The other one is in a glorified hallway. The administration office. It's not an actual courtroom. Currently the courthouse does not have (*inaudible*) security. A one point entry is part of the solution but currently you have two judges that when they leave their offices they're walking through the hallway carrying their robes, right along side people they're about to

see in the courtroom. *He says they need something suitable and safe. Those discussing the project probably aren't the ones who will see it completed, including the sheriff who has just three years guaranteed, not seven as he had stated. We just need to take a direction and go with it. (A good part of this was inaudible.)*

10:25 - CB: Since they started investigating this there's a lot that has changed as far as technology, in regards to what we could do to the courthouse. *He agrees with RG that action must be taken soon because the studies won't be valid if they wait too long. He supports exploring other options, even if that means changing MJ Neal's contract. From the public's perspective it's important not to have to have services too far apart.* Also, If there's an effort to keep the juvenile facility separate, let's state those reasons. Security has been one of the biggest reasons in this project. While you're busy, we'll have a special or a quarterly staff meeting to discuss objectives.

MN states that a remodel is more difficult than a new space but that security is important and judges, jury and defendants should not co-mingle. It's also important for the treasurer who receives unhappy people, and for all the services. His comment about transportation of prisoners is inaudible. CB talks about adequate space so people waiting are able to sit down.

LG speaks about holding regular meetings on security, being able to lock down the offices but not secure the hallways: We just gave someone a \$20,000 tax bill they weren't expecting. They're just as mad at us sometimes as they are at anyone else... And intermingling with the public, in a modern building, even for services, doesn't happen. I don't know if it's achievable in both things. I don't want any department to be left out of security concerns. MN and CB talk about codified standards, for example, to keep people from climbing over the counter.

LR points to the circulation challenges with the courts in the courthouse but is ready to look at this "with new eyes".

JB: ...(since some of the Granger Building services would also move to the new building) We're also looking at what's happening in the building we're sitting in now, and after you move everyone, then you have the complications of moving people out of the courthouse while changes are being made, the potential juvenile hall being kept where it is or re-located... Court admin has mentioned storage space being distributed all over the place. Parking will be a major issue. We need to know the amount of space departments need, how much for specialty spaces (plan room, print room), adding more courtroom space—a lot of logistical complications that would go into evaluation of a plan like this. It's all do-able.

CB says with services moved out there will be more court space. Thinks Virginia Grainger is a good place for the sheriff's office, emergency management, and dispatch which now is at the jail in the courthouse. Building and planning should be in the same space as the auditor and the assessor. Health is in interplay with these, and public works, so these groupings make some sense. Juvenile seems better served away from the rest of the courts. No reasons except political for planning and commissioners to be so close together.

JB: We'll be talking about asbestos removal in the District Court. Moving them "down there" (2nd Ave.?) will depend on grant requirements. Kind of makes some of that stuff easier. There are some advantages to moving some of the things down here, the

service departments rather than the courtrooms, and would probably be less expensive, but more expensive to do work in the historical (courthouse) building.

CB: For some of the courthouse projects we've already had a consultant from the DAHB (*Department of Archaeology and Historic Preservation*) do some preliminary work for us. *(We could)* bring him back. *JB says this deals more with the exterior. CB has been impressed by Pacific County's courthouse where they preserved the old decor.* To me that helps people respect where they are and what's going on in the courtroom... People act differently.

10:48 - MN asks for a current listing of department personnel to assist them in planning.

Wants to know how much space they're dealing with in the courthouse. Inaudible remarks. CB mentions reduced waiting room space since Covid and security concerns.

JN: It's unfortunate because of the times we live in you end up putting barriers up and that shrinks the space. *CB says they are understaffed in Planning so will need more space in the future.*

MN: How much growth space do we need for each of those departments? ...Some may double in size... Adding conference rooms so there's not *(inaudible)* lobby. *(Inaudible).*

LG speaks for auditor who is absent: Year round, the auditor has the most public and the least amount public space.

PJ: Mine, it depends on the time of year. My main thing is to make it ADA (*Americans with Disability Act*) compliant. You barely have room to come in with a wheelchair and they can't get into my office so sometimes I have to come out where everyone else is and talk about sensitive things. All of our counters are high... Also I must have an actual vault to lock up money and everything else. I have a vault right now. The auditor also needs a vault. She has four services. *She tells JB, who suggests they share a vault, that these must be separate, at least functionally. LG says he would like no longer to have disconnected office space. He had a vault for fire reasons but they took it out to gain office space.*

RG: I think we're doing this backwards. Instead of looking at the needs of these departments, shouldn't we be looking at if the courthouse can be used for the court? Will *(it)* meet the requirements? *MN concurs. The main question concerns the courthouse. SS offers to take the architects to her office so they can see what they are talking about. KM asks to see recent blueprints. LJ says master plan architect's plan might show details of courthouse space. JB says it would make sense to open up some of the storage space. LG was able to get drawings made for the Security Council. No changes in the last 30 years at least. MN says something about parking requirements. LG reminds them that 90% of the parking now is for service employees (who would be theoretically relocated).*

11:06 - MN: ...The problem is *(when)* you have two court dates you tend to have bigger parking needs.

SS: I'm sorry, I had a hard time hearing you, but I think you said the clerk need to be close to the court? I don't need to be on the same floor.

JB: Do District Court need to be completely separate?

SS: They are completely separate.

JB: Could they share copy space and vault space?

SS: Absolutely not. I can see sharing a courtroom, in the absence of funding. I can see maybe closing down one stairwell so that the jail and court staff is just using that, for security purposes, leaving the center one open (*with access to*) the bathrooms. I would like more private bathrooms but historical value and all that... *she has fewer AVA issues, dealing less with the public than others, and having a low window. LG informs them he doesn't have security needs as his office is always open. JN proposes the close until the afternoon. SS expresses her appreciation to the architects and BOCC. She admits that she did like the latest floor plan proposal but that she felt strongly about representing her office in opposing the move. She and LG leave.*

11:17 - JN: I can't say I'm totally surprised. It had been going through my head too—is this the right thing? This project was started prior to me being here.

JB: There's a certain logic to keeping all the building services together down there. MN questions feasibility of new plan, JB says they can do it but at what cost? *Discussion about when CB first arrived, fax machines. MN says less need for vaults now. They talk about the cost to digitalize. CB talks about odd layout of their adapted school building and all the discussion: You could see it in the newspapers. JB: Looks like we're moving into a whole new phase. CB talks about how the thinking about the justice center originated with use during Covid and "we just kept going down the same path."*

MN says to have some distance because many of those in the discussion today won't be there down the road: What about what the new clerk wants? The judges come and go. Can we meet the requirements that the next generation wants?

CB: To me it's durability. We need a goal, a touchstone. ...If you have that to follow, it may be durable. We may have our way for a day or a year. Some of the people we work with may be there a whole lot longer than the commissioners. At least if we have some sort of goal. That's efficiency. And not... skimping on public space. Having court spaces that are respectable spaces—if you diminish the value, if you take the judges' robes off... The space has to lend that certain air "this is a system we respect". It affects the respect of our own government system.

11:31 - MN: There's a balance between spending enough money to show respect, and making a palace. It is a challenge... *He talks about Chelan's marble floors. CB says there was a lot of money "in the day", less in Okanogan, but that the structure here represents the choice of a permanent county seat. The courthouse means something to people.*

LJ says the second portion of their discussion was going to be about the courthouse renovation. Partly the exterior but also the floors and halls. Part of that could change as these new proposals come up.

JB: We still have to do hazardous material assessment but it may affect what we put back in place.

LR: Most of these hallways are "set in stone". We can continue with that portion.

JB: What are your requirements on the DHCP (Department of Cultural and Historic Preservation) grant? How soon does that need to be spent?

LJ: June 30th, 2025. The four elements need to be completed by then (courthouse exterior preservation, clock tower windows and window encasements, rehabilitate interior hall floors, window replacement in annex.) *The window replacement is the most costly of the four. JB says only the hallways would be affected by today's discussion. They would remove hazardous materials, put some kind of floor covering that may be later taken out when everything is redone.*

LR: Keeping the ground to the concrete and later have a finish on it or a polish.

KM: The courtroom, does it need bullet-proof windows? *MN's comment is inaudible. CB compares that to having hotel clerks behind bullet-proof windows and asking yourself, "Should I stay here?"*

LJ: We also have the project going on to relocate the licensing office and Noxious Weeds, and bullet-proof glass going up in the auditor's office that grant funds are going to be utilized for. We'll need to use those same materials in a different location. We still need a safe place to work in while we're deciding.

JN: It's a double edged sword. You do it yourself, everybody's mad, but if you get too many people making decisions, nothing gets done.

11:44 - *Meeting adjourned until 1:30.*