

Board of Okanogan County Commissioners  
Monday, July 3, 2023 AM & PM

JN—Jon Neal, BOCC, District 3  
AH—Andy Hover, BOCC, Vice-Chair, District 1  
CB—Chris Branch, BOCC, Chair, District 2  
LJ—Lanie Johns, Clerk of the Board  
CHa—Crystal Hawley, Deputy Clerk of the Board  
MG—Maurice Goodall, Emergency Management  
SS—Susan Speiker, Clerk of the Courts  
RS—Rena Shawver, Exec. Director, Community Action Council  
NNM—Nancy Nash Mendez, Exec. Director, Housing Authority of Okanogan County  
MS—Michelle Sandoval, FYRE (Foundation for Youth Resiliency and Engagement)  
JT—Jimmer Tillman, Maintenance and Water Specialist, Elmer, WA  
CN—Craig Nelson, Exec. Director, Okanogan Conservation District  
JE—Jordana Ellis, Irrigation Planner, Okanogan Conservation District  
SL—Sarah Lane, Administrator, Methow Watershed Council

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:*

- Rena Shawver of the Community Action Council, Nancy Nash Mendez of the Housing Authority of Okanogan County and Michelle Sandoval of FYRE (Foundation for Youth Resiliency and Engagement) discuss housing for low income and the homeless in Okanogan County.
- Commissioners review the ARPA (American Rescue Plan Act) allocation they've made so far and allocate \$150,000 to Fire District 2 in Elmer City to help them build a new structure to house their vehicles.
- Commissioners discuss a new sewer system for a development at West Lake Osoyoos and how to get it built without cost to the county's taxpayers.
- Craig Nelson, Executive Director of the Okanogan Conservation District, and the commissioners discuss setting up water bank for the county.

Because of technical problems with the video and later audio, the meeting was delayed.

**25:10**—MG—Maurice Goodall, Emergency Management

MG—As the Health Department promised, Lauri (Jones, Community Health) and I delivered some air purifiers to Okanogan County offices last week. Mostly in the Court House and some in the building where the prosecutor is.

MG—Red flag warnings because of heat, temperature and humidity.

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MG—Rescue of an injured hiker up towards Cutthroat Pass yesterday. Today, there's an active rescue effort near Oroville, with a helicopter. A water search near Driscoll Island.

MG—The Cutthroat rescue was at Burnaby Cole Climbers Trail.

JN—Can you keep me updated about the Oroville search?

MG—Will do. MG leaves.

**1:11:10**—SS—Susan Spiker, Clerk of the Courts. This is my update

SS—Successful visit to Northwest Justice. We learned a lot. They have services we didn't know about. They can represent people in the county based on their income. They have programs for veterans and the elderly. They provide how-to instructions or sometimes even do legal services.

SS—Indigent defense is for criminal. Northwest Justice is civil. Throughout Washington. One full time attorney helps with the Tribe, too.

SS—They have walk in service on Thursday 9-1. The office is in Omak near the licensing place. They can be hard to reach them on the phone.

SS—We received our new vehicle. It had hornets in it, so I used the hornet spray we'd bought for defense in the office. It still says "Sheriff's Office" on it, so maybe we'll just get some magnets that say "Clerk's Office" to cover that.

SS—Also it has no AC or heater, we'll see how much that costs.

SS—I need to increase our petty cash because now we have two cash drawers.

AH—Talk to the Auditor about that.

SS—I visited FYRE (Foundation for Youth Resiliency and Engagement). They help people up to 24 years old. They also can help with money for people with legal financial obligations.

CB—Restitution?

SS—I don't think it'll help with that.

SS—They have a program for homeless youth, serving people up to Tonasket. They're working to get up to Oroville.

SS—We met with the Chief Judge and Clerk from the Tribe. We're working on facilitating them using our program Serveyou (?) so we can get form protection orders when they supposed to be transmitted to the Tribe. The meeting was amazing. They're coming to see our court system on July 18.

SS—We got a cube so now we can take many forms of payment. It was just installed this morning.

SS—I went to the Clerks' conference. We reviewed the changes in legislation that will affect the office. There are pages and pages. I've talked to the staff about them. The biggest one is 1169—legal financial obligations. It eliminates some of the financial obligation for offenders and it started July 1. It's not retroactive like the Blake decision, so thank you for that.

SS—We have a new agreement with our experts with extraordinary reimbursement issues. There should be an addendum to it that will include my office.

SS—5231—Emergency domestic violence orders. I've already talked to the sheriff and prosecutor about process for this. The law changes how we do business and it's moving along well.

CB—What about Blake?

SS—The fix didn't really affect my office. That's more down the hall. There's now a portal that will be live July 29. Strictly for Blake cases, and the state is cutting the check. This is a much better way to deal with it. If the offender had a legal financial obligation when they were convicted, but they never paid, then they don't get a refund.

SS—The dues for the Clerks' Association are increasing substantially. We'll be in line with the Auditors' Association. Increase from \$300 to \$1,200. They provide good service. I'm vice-president now. The way I see it, it's a win for the county. When you're involved, then you're in the know.

SS—That's all for me.

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CB—Thanks. It was very informative.

**1:36:40**—RS—I'm Rena Shawver of the Community Action Council. Michelle and Nancy will be here shortly. We've got three topics to discuss.

RS—First, the Okanogan County Housing Coalition (OCHC) has a five year homeless housing plan that's due to be updated by Dec. 2024. We're drafting an RFP (Request for Proposal) for a consultant. We want the plan to be more comprehensive. Talked to the Department of Commerce. We've looked at several other counties' housing plan and some counties are working with consultants. We'd like the work to include a review of the mission and goals of the OCHC. The group has changed since the last plan and we want that included in this plan.

CB—Michelle, can you introduce yourself?

MS—I'm Michelle Sandoval. I'm co-founder and co-director of FYRE. I'm also part of the OCHC.

CB—Nancy, can you introduce yourself?

NNM—I'm Nancy Nash-Mendez. I'm Executive Director of the Housing Authority of Okanogan County. Also involved in OCHC and also (*inaudible*).

RS—Our tasks:

1. Review of the mission and goals of the OCHC.
2. Assemble a project planning team.
3. Meet with design support.
4. Community event observation input
5. Community work groups.
6. Data analysis input and sorting.
7. Financial analysis and resource development. We want to walk away with a plan to show us how to achieve it financially.
8. An analysis of our social service systems, collaboration and wrap-around support. We believe there's duplication in the community and we want an analysis of that.
9. The actual written document.

RS—the whole idea is to get a consultant involved who would engage with a cross section of the community—business community, law enforcement, members of the housing coalition and other interested in solving the homeless housing situation so we move forward collaboratively. Also identify funding sources.

RS—We've been meeting with a federal interagency work group—HUD, USDA, Federal Reserve and others—about how to bring more affordable housing to the county.

RS—We're 2,000 housing units behind, according to the state's Office of Financial Management. Hoping all this work will get some homeless people housed.

RS—We've got 600 homeless people in the county if you count people in RVs not hooked up to services.

RS—The plan will help us identify what projects are attainable here in the county. It's a requirement by the state and due Dec. 2024.

RS—Today our ask is your permission to move forward, post the RFP and seek out a consultant to help us move forward.

CB—Using homeless funds?

RS—Using 2005 HB 2163 recording fees.

NNM—Will this RFP be published by the county or by the OCHC?

AH and LJ discuss who should publish.

RS—You're required to post it but I've got a list of consultants that Commerce gave us. We'll sent it to them. We've got six or seven on our list, but we'd like to find someone local. We're hoping to end up

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with a detailed plan we can implement. Also, we're working on a volunteer basis but I bet we'll need a housing coordinator.

AH—I move that the Clerk of the Board publish the RFP to satisfy the state requirement to update the 5-year homeless housing plan for Okanogan County. Motion passes 3-0.

**1:50:40**—RS—Thank you. Our second item is we've reviewed requests for funding and amendments to extend the funding to some other projects that FYRE and the OCHC have requested. That's why MS and NNM are here.

NNM requested from 2163 fund up to \$20,000 for meth remediation in the Caribou Trail Apartment building in Okanogan County that's acting as a bridge between homelessness and a more permanent voucher program or self-sufficiency. One unit had a meth user. He was evicted. The unit was "hot". We worked with the Health Department. The remediation work was done. Here's the invoice for \$16,000. Now the apartment is ready for rehab at a total estimated cost of close to \$20,000.

CB—I can't imagine how many units there are in the county where meth was used. The problem would be wide-spread.

NNM—Explains the situation but she's talking via zoom and she's hard to hear.

AH—The OCHC as discussed this ask? Everybody supported it?

RS—Yes.

AH—Great. Can we get the minutes from the meeting, just for our records?

JN—I've got a question. The abatement contractor was from Bellingham. There was no one closer?

NNM—No. There are very few companies licensed to do this job. One's in Spokane, but he was too busy. We went out for bids.

JN—Thanks.

AH—I move to authorize the expenditure of up to \$20,000 for meth, including a budget supplemental and an amendment to the contract for the Caribou Trail complex. Motion passes 3-0.

Discussion of which fund to take the money from.

Discussion of ways to reduce the number of housing units that need be remediated, including making eviction easier.

Discussion of housing being an intense issue and the need for another source of funds because the recording fees are inadequate.

**2:13:25**—MS—The third topic we want to talk about is FYRE's Independent Learning and Living Village. The state gave us a capital appropriation of 3.3 (million?). We're still pre-contract, so we can't get advanced funding. We have to pay pre-development costs on our own. FYRE began in 2020, and we don't have this money ourselves. We'd like to buy a site for the village in Omak, but we need \$15,000 for earnest money and an environmental assessment of the property.

Discussion of various funds the money could come from—the homeless housing fund or the affordable housing fund.

AH—I move we approve the FYRE homeless housing fund request of \$10,000 based on the request sheet they've provided. Motion passes 3-0.

CB—What's the location of the site?

MS—It's 11 Ash St. The old Vejraska Dental Building.

AH—At some point we may have to do a budget supplemental.

RS—Those were our three requests. Any questions?

CB—Are you happy working together?

RS—Yes!

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NNM—This is my testimonial—It’s so awesome! We had the most productive strategic planning meeting I’ve ever had. Hearing each other’s challenges and goal, it was phenomenal, a dream come through. People experiencing homelessness will benefit from it.

BOCC—glad to hear it.

AH—Can I get an abridged version of the project in Winthrop?

NNM—When the board approves any development, we assess needs in the whole county.

Wild Rose is a 22 unit affordable housing project in Winthrop. Methow Housing Trust is involved. Near the Cascade Condos and Thriftway. 22 apartments and some houses for low and middle income people to buy. For people working in the service industry. <80% of AMI.

NNM—Partnership with the Methow Housing Trust. They’re already working on infrastructure for both developments. This is saving us thousands and thousands of dollars. Looking for sources for us to pay our share.

NNM—We have zero Section 8 vouchers in the Winthrop Area.

CB—How long until you know what the additional costs will be?

NNM--\$2,000,000 to \$3,000,000. Very soon, we’ll know.

AH—Maybe bridge loan through LATCF (Local Assistance and Tribal Consistency Fund).

CB—There are a couple of funding sources-- .09 money has a deadline. It’s eligible for workforce housing. Talk to Ronni Holder-Diefenbach (Exec. Director of the Economic Alliance).

CB—Glad to hear something is being done about workforce housing.

NNM—After a hike on Sunday, we went to Sheri’s for ice cream, and the line was so long. They said they couldn’t hire people because there was no housing.

RS—Colville Tribe is also working on apartments. They’re interested in building here also. And Federal interagency-work group would like to come to Okanogan County in the fall to talk about what’s needed to bring more housing to the county. There’s so much going on. I hope it’ll all come together.

NNM—There are rumors that the people getting the 46 units in Omak are from out of county. But we have statistics about them and only two people were from out of county, and one from Bridgeport and one was working in Pateros.

CB—Send the stats to us, please.

RS—HUD stats say it costs \$40,000 to keep someone on the streets—with police, mental health, temporary housing—vs. \$15,000 to house someone.

**2:44:30**—Adjourn at 12:01 for lunch. Resume at 1:30

**2:47:00**—JN—Do we want to address the Board of Health appointee? Kelly and Denise would both do a good job. Kelly is from Pateros.

AH—Can he make it to the meetings all the time?

JN—He could be there virtually.

CB—It’s important to know the people. That’s why I go to Sea-Tac for the Health Advisory Board.

AH—That sways me a little bit. Can you ask him if he can make it in person?

AH—We meet virtually a lot with Trango. We need participants. Ask him and I can rethink maybe.

**2:56:25**—LJ—The agenda says there’s supposed to be a discussion about Fire District 2 in Elmer City.

JN—I didn’t think they figured we’d just look at our ARPA (American Rescue Plan Act) budget.

AH—Let’s go over the allocation schedule.

CB—Also, did you get the information I sent this morning on the water banking stuff?

AH—Yes, but I haven’t looked at it.

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Original ARPA Amount	\$8,200,000
Justice Building	\$1,578,240
Public Health	\$1,000,000
Food & Nutrition	\$250,000
Public Works	\$249,000
Retail Strategies	\$310,000
Small Business Asst.	\$140,000
Broadband infrastructure	\$1,000,000
Nespelem Water System	\$0
City of Okanogan Water Source Conversion	\$435,000
Mazama Hydrant	\$75,000
Winthrop FD 6	\$251,074
Winthrop Waterline Project	\$100,000
Twisp municipal well	\$75,000
Tunk Mt fire hardening	\$275,179
Court House Security cams	\$41,848
Mobile Dispatch Center	\$400,000
Morgue & Storage Bldg.	\$500,000
Retention pay	\$507,536
Food crisis	\$200,000
Total allocated	\$7,387,877
Amount left to allocate	\$812,123

AH—So we'll have enough for Fire District 2.

AH—I move to have the Clerk of the Board make a resolution and contract for Okanogan FD2 for supplemental funds for a fire unit storage construction for \$150,000.

JT—Should you do the contract with the town instead of the Fire District? The town is doing the financial stuff.

AH—We've got a templet for a Fire District, so we'll do it that way. All we have to do is use the new numbers.

Motion passes.

JT—Thanks so much.

LJ—I'll work with Kelly to make sure she's aware of all the requirements for federal money.

AH—We might want to think about county projects to utilize the rest of the ARPA money.

CB—There are a couple of asks out there.

JN—Some buildings have HVAC issues.

AH—Also look at interest we're getting from LATCF. I'm not saying we should spend it right away but the horse barn and cattle barn need a lot of renovation. We need to have the money allocated by August, 2024.

JN—We could allocate early and change our minds later on.

LJ—I've started a list.

CB—We could have a deadline by August, 2024.

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AH—And it's got to be spent by December 2026. But I don't want to get into budget season to do this. The money should be sent by October 1, 2026.

**3:24:25**—Commissioners discuss siting a new animal shelter in the county, and look at possible places on the Assessor's site.

**3:38:30**—Discussion of a new sewer system for West Lake Osoyoos.

CB—I don't know what Oroville's appetite is for this type of development. They've got the water but not a sewer system. I imagine there's a lot of effluent flowing into the lake.

JN—We met with developer, the real estate agent, two representative of Oroville and me. I tried to be clear that I've got no problem with the development, but it shouldn't burden the taxpayers.

AH—Yes. I don't want to do another bond. But this is the same thing, when we were talking with John Weis (?) who said the developers can't get loans, but the county can.

JN—Someone if the county was interested in doing a taxing district with the county to pay the bond for 30 years.

CB—Talking about making a district.

AH—Perry (Huston, former Planning Director) and I talked about this once. Basically, you could do a sewer district with a high up-front cost. It's a chicken and egg thing.

JN—Yes. How do you force people to pay for and connect to a sewer when they don't need it yet?

Discussion of the issues involved—how to pay for a sewer system before the homes are built?

CB—We could look at other counties and see how they did it.

CB—It's not like more housing for the county. It's like Veranda Beach.

CB—We could tell them our goals and let them come up with a plan.

CB—I'd love to see the system paid for and I want the development to be successful.

JN—There's a single dock, north of Veranda, and it's got to be 300' out there. I'll take pictures next week.

CB—Our Planning Department doesn't have a boat and they see a lot of stuff that there's no permit for. Maybe they should do a shoreline inventory more often. You can't enforce the permits until you check it out. I went up there with Pete once and checked the high water marks and everything. They build where they weren't supposed to.

JN—Maybe put a lien on it.

CB—We could talk to Public Health at the next meeting. I don't know if the county had a policy on East Lake. The Health Department and Building Department should be on it.

**4:06:50**—CB to CN—sent the others the notes of what you and I talked about on Friday, but we've been pretty busy to look at it.

CB—Good idea to get the agreement about the water bank in place. I think we should have a facilitated meeting with the Conservation District and the BOCC. Get policies in place to manage the system.

CB—The agreement is pretty simple and straightforward. What do you think about that?

CN—I like to have Interlocal agreements that set the foundation so we all play nicely in the sandbox. Set boundaries of where they'll work but usually don't have a lot of process or details. It's left over after the fact where the by-laws are too specific. Example, the amount for the dues are in the by-laws, so if you want to change the dues, you have to update the by-laws. Instead, you can just say—dues are set by the Board of Directors. I think the conversation that the Conservation District and the BOCC need to have is about page ? with paragraphs 2,3 and 4. (*Note taker can't see the document.*) The first three paragraphs set the conversation. But I'm totally open to what they'll say.

CB—JE wrote notes in the margins after the meeting. (*Reads quickly.*)

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CB—Water bank priorities, will there be a work group?

AH—The MWC (Methow Watershed Council) would want to be there for these discussions.

CN—Yes.

CN—Establishing priorities in as open a forum as possible is important. When it gets down to actual purchases and sales, that's where things have to have privacy.

CB—Put sideboards on any negotiations.

CN—Recommend we go slow to go fast. We can get water sold out of the bank quickly, but are they going to the highest priority in short and long term. There's a three-legged stool for priorities—location/timing/use. And we need to know how to measure all three concurrently. This is early in the conservation.

CB—Does anyone apply for a water right to build a development.

CB—Differences between watersheds.

CN—Yep. MWC sets priorities for WRIA (Water Resource Inventory Area) 48 (Methow watershed) and a group in the Okanogan Valley sets priorities for WRIA 49. Likely to be differences between the two.

CB—Have the MWC been asked about priorities.

AH—It's been done.

CN—I think we need to ask first—what can be done. Maybe something can't be done either legally or physically. Under current law, you can't bring water back upstream after it's been sold. I think it has to be a guided conversation.

AH—One problem in the Methow is that the water rights we'd buy are usually ag based—May to October. To change that, do we have to convert via storage or something?

CN—You can change water from ag use to domestic use. (Explains the procedure.)

AH—The coming out portion is where the public scrutiny happens?

CN—Yes, but the amount coming out is significantly less. You lose some in the conversion and conversion can be done at a later date. You can park the ag water in the bank.

CB—Like in Oroville, there's year-round water and seasonal water. The way it all works out is the portfolio allows you to use water outside the seasonal...

AH—It's not like that. Cities are allowed to do that—mix their portfolios. The water bank is pretty specific. It's not a portfolio of water rights.

CB—Can you sell to a development?

AH—If there's a domestic and irrigation portion. If the county wanted to allow that to happen, go to whoever holds the right—either the county or the water bank—and see what the development requires and what the water bank has and you figure out the cost. The development can use that to get a permit.

CB—Can you have partial conversion?

CN—The way it was explained to me—you take an ag right, you full-on purchase it and convert it to domestic. You can't lease it. It's a mitigation allotment. So you buy the water right outright. You could buy a part of the ag right if you've done your homework to see how much you'll need.

CB—Another policy is that everything is focused on keeping water in the basin. That brings the Pinecreek water to mind.

CN—there's about 660 acre-feet of water. 225 has to stay in WRIA 49—required by the DOE, and the rest could be moved out of the basin all the way down to the mouth of the Columbia.

CB—And if we purchase it, it isn't available to go all the way to the mouth.

CN—It's whatever you decide to do, except that the 225 has to stay in the Okanogan. It stays there in perpetuity.

AH—We'd have to buy the whole amount.

AH—The water bank isn't a cash cow—can't keep buying, buying, buying and give water away. You have to generate revenue from the water but not by selling it downstream.



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CB—The priority of purchasing the entire right—that’s our priority?

AH—Absolutely.

CB—But we’d have no interest in selling it out of the county.

AH—There’s two mindsets—Ideological (we don’t want our water to go anywhere) and then there’s the business portion. If the business part doesn’t work, the ideological part won’t work either.

CN—JE put the numbers in the chat box for you: *Pinecreek available from river mile 51. 225.7 ac/ft available to stay in Okanogan Co. 400 ac/ft available throughout secondary reach.*

CB—And the intent of income the bank would earn on the 400 ac/ft would be used to purchase more water rights.

AH—Absolutely.

CN—I understand what CB is saying. If you lease the water, you get it back when the lease is over. You can even write the lease with an emergency clause to get the water way earlier. While the lease is in effect, you’re making income.

CB—And you’re still controlling the water in the basin.

CN—That’s the other reason to do the mitigation allotment. You’re not selling the water, but allowing the use. You retain control of the water.

CN—The state water trust owns the water right, not the bank.

CB—So those policies are written somewhere else.

CN—Yes, but I’m not sure where.

CB—The next thing we talked about was code updates for us. How prioritizations go, etc.

CB—We talked a lot about the three tenets of the agreement. 1, 2 and 3. The Interlocal itself speaks for that. Is that going to be satisfactory to get us to the next stage.

AH—Do we want an RFP for writing the agreement.

CB—That’s why we should have a facilitated conversation about what we want because whoever rights it needs to know that.

CB—I’m thinking of timing. Have this completely hammered out so you guys can go out for a grant. The time from writing the RFQ to submitting the grant application is going to be several months at least. Probably six months. During that time, we could be hammering out what we want in the Interlocal agreement. And it’ll be hammered out before the grant application is submitted.

AH—Sounds good.

CB—There probably aren’t many consults out there to submit. Our next step, the agreement part of it. And the agreement tells us what we need to do but not how to go about it. Do you want to send the agreement to Esther (Milner, Chief Civil Deputy Prosecutor) at this point?

AH—OK.

CB—Another task we need to do is establish who the Watershed Council will be for the Okanogan. We had kind of a list started, leaning on who was on the watershed planning unit. Taking that and turning it into something that has good representation and folks that will go forward with it...How did they establish the group in the Methow?

AH—It was established in statute originally. Then it was lower, middle and upper Methow. Sarah—what are the positions on the MWC?

SL—There are upper, middle, lower at-large and the three governments.

CN—So if we did that, we’d have upper, middle, lower Okanogan, then Omak, County and OTID (Oroville-Tonasket Irrigation District).

Discussion of where to draw the lines between upper, middle, lower on the Okanogan River.

AH—On ours, the people just have to be interested in different aspects of water.

CB—And independent of other organizations.

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AH—The MWC doesn't have any power to do anything about power. Remember, the other day they asked us to sign that letter about Twisp. They did the meters, etc. They bring back information to the governing bodies to make decisions on. On this one the governing bodies would be the county, City of Omak and OTID.

CN—Initiating governments. Also, they invited the tribes. They've mostly declined state-wide.

CB—The initiating governments are the governing bodies. And they're on the MWC.

AH—The MWC as a whole makes recommendations. Most of the time if you're doing something with water, you're involving the county. They make recommendations to the county to take action on something. A watershed council could say—we think you should meter everyone from now on—they don't have any power to make that happen.

CB—So we take a recommendation from the MWC, but we're still the governing body, and it goes to the directors of the governing body (*inaudible*) to make a decision jointly. Right?

AH—With the actual water bank stuff? The council says—this is what we think. CN and I have talked about this. We'll have a discussion about it.

CB—If we want to buy the water right from Pinecreek. The WRIA 49 watershed council is consulted and we get a recommendation from them. It goes to the (*inaudible CDLS?*) We say—yes we want to purchase the water right with the dollars we got from a grant.

AH—Here's a real life scenario: The first list they wanted me to look at was water for agriculture. I said both cities have declared states of emergency for housing. That's a priority. The conversation ensued and maybe they agreed. Maybe see affordable housing as a very high priority. They're not making the decision for the county.

CN—The last thing I want is to get boxed in by process so we can't take advantage of a short-term opportunity—a situation that fills all the priorities, but will be gone if there's a long procedure before you can act. There needs to be a way to establish a priority ranking system.

AH—My policy is—any water you can get into the bank should go into the bank. If they're trying to sell it to the water bank, they're trying to sell it to others, too. It's being shopped.

CN—And it's not a junior water right.

CB—Another possible priority—buy water above Mile 51. Buy water high in the watershed.

CN—You want to buy it as high up in the highest tributary you can find.

CB—When the 25 ac/ft came up that Oroville declined, it was high in the watershed.

CN—Oroville is in a tough spot. Where do you go there?

CB—We thought it was a tough shot when we said you bring the water right to the table. I didn't have confidence anybody would come up with it. If you've got the money—they paid \$10,000 ac/ft for water that's pretty high up in the basin. It's a great opportunity that we missed because we didn't have it established.

CB—I'm just brainstorming scenarios we'd have to deal with. Sounds kind of easy right now.

CN—Setting the policies is a spirited conversation for sure, but you can have it again down the road. You can change the priorities.

CB—So we have to be careful what we put in the code and lock ourselves into things.

CN—This agreement has to be fleshed out—how does the county and conservation district make a decision. If you've got ideas, that's great.

AH—If you establish goals on types of water we're looking for, I'd like the Conservation District be buying. The county would tell the CD what they need and ask what's in the database. We keep track of the mitigation portion for a development.

CB—I think the flowchart leads us there.

AH—I don't think we want to get commissioners involved in the day to day purchases.

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CN—One thing that comes into play—if the county is acquiring water, we’d put in our records that Okanogan County purchased that water to be managed in a certain way. It’s documented that the right is there for a certain purpose.

AH—The only mitigation certificates we’re going to use is for domestic use. It’s the only thing we have control over. Also industrial. But not agriculture or cattle watering.

CB—So marijuana farms are not agricultural? We need to know the rules. That piece of water right that Oroville didn’t buy went to marijuana farms.

JE—via chat: the USDA doesn’t consider marijuana as agriculture.

CB—When the marijuana farm gets approved, do we have to respect the right.

AH—I don’t know federal law, but if they’ve got the water right, they can grow anything they want.

CB—It’s a hot topic.

AH—With a domestic well, it’s different. The Kim case in Seattle showed you could have a commercial garden on a half-acre lot irrigated by domestic water.

AH—There county could say you have to meter your well to show you’re not using more that 5000 gallons/day.

CB—I want everything metered.

CN—We asked the cities for the average usage and it was about 790 gallons/day. It was miniscule.

CN—If you’ve got an actual water right, you have to meter it.

CN—You can put in the water code whether metering and reporting will be required.

CN—For our irrigation efficiency program, we require a meter and reporting to the Department of Ecology.

AH—If we’re selling mitigation, we’d want metering and reporting. It’s not hard. The meter sends the data to the cell towers automatically.

CB—Next step is to adopt an agreement that outlines what we have to do after that.

CN—The document needs a few tweaks, but I’ve taken lots of notes. Termination clause should be at least 180 days instead of 30 days.

CB—Some go for a year. That doesn’t bother me. Does it serve us to have the agreement before we do the RFQ? What’s the next step?

AH—I think we’re on parallel tracks.

CB—What’s the next step?

AH—Have CN make his tweaks and send it to us. We’ll forward to EM. I’ve started the RFQ.

CB can chat with CN next week.

CN—Thanks. CN leaves.

**5:12:20**—BOCC approves minutes for June 26 & 27 as corrected.

BOCC approves consent agenda items 1-3 and 5. Item 4 will wait until Monday.

BOCC approves Resolution 75-2023—ARPA money for FD 2.

Adjourn at 4:00