

# Board of Okanogan County Commissioners

## Monday, January 27, 2025 AM

JN—Jon Neal, BOCC, District 3  
AH—Andy Hover, BOCC, District 1  
NT—Nick Timm BOCC, District 2  
LJ—Lanie Johns, Clerk of the Board  
SM—Stacy McClennan, Deputy Clerk of the Board  
IS—Isabelle Spohn, commenting  
PP—Pete Palmer, Director of Planning  
NB—Nick Bates, Fairgrounds Manager  
TM—Tim Meadows, Maintenance Supervisor  
MG—Maurice Goodall, Emergency Management  
MW—Mike Worden, County Dispatch Center  
Chad—DIVCO (HVAC contractor)

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)

The time stamps refer to the times on the AV Capture archive of the meeting on this date at [https://www.okanogancounty.org/departments/boards/live\\_streaming\\_of\\_meetings.php](https://www.okanogancounty.org/departments/boards/live_streaming_of_meetings.php). To locate items in real time, the clock on the wall in the AV Capture screen can be helpful.

### Summary of significant discussions:

- Commissioner Neal tells the others about his trip to Olympia last week. The state has just sworn in new state-wide officials, and the state legislature opened its 2025 session.
- Commissioners go into executive session for 20 minutes under RCW 42.30.110(i)—potential litigation, inviting Albert Lin, Prosecuting Attorney and Esther Milner, Chief Civil Deputy Prosecutor.
- Pete Palmer, Planning Director, distributes the first draft of the revised Flood Plain Management Ordinance containing edits suggested by the state Department of Ecology. The commissioners will hold study sessions and hear suggestions from the Planning Commission before voting on the proposed changes.
- Tim Meadows, Maintenance Supervisor, tells the commissioners that the county has been overbilled for a Sunbelt temporary heat pump in the jail. They've been paying for a full year when the original agreement was to pay only for the months it was being used.
- The commissioners have a long discussion with Chad from DIVCO, an HVAC contractor, about the cooling system in the county jail. It doesn't work property and there is no clear idea about how to fix it.
- Meeting adjourned at 11:42.

**-2:38:11**—Commissioners chat about JN's trip to Olympia before the meeting begins.

JN—"He (?) had lots of excuses and answers but no true answers."

AH—"Probably not a plan in Hell".

JN—We can discuss that in a couple of minutes.

Commissioners open their computers to discover they've been updated.

JN—The internet was bad at the hotel, and I couldn't access anything. I had to use my phone.

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**-2:36:05** Pledge of Allegiance.

JN—Back to Mr. Upthegrove (Commissioner of Public Lands) His excuse for the freeze—it'll give him 6 months to inventory what timber is out there. I understand to a point. So... He didn't really answer my questions. Plan is to LIDAR (Light Detection and Ranging, a remote sensing technology) the forests to give him a computerized map of what's out there and give him an inventory of trees, and on and on and on. What's that cost and what's the long-term plan?

AH—And what's the prescription that's going to be based on what you have? It's like "we've got a bunch of trees so we're not going to cut them?"

JN—His excuse if they don't have an accurate inventory and they don't know what to allow.

AH—Take some cues from Matt (?).

JN—He's doing DNR and not Forest Service. I get that. But I said don't do what the Okanogan-Wenatchee Forest is doing. Look at what the Covilles are doing with forest management. It was interesting but not very hopeful.

AH—They're going to do the same thing. It's his legal responsibility to generate money for schools.

JN—One thing that irritated me at LIC (? *Legislative Information Center*) was that they had a list of 13 different tax exemptions proposed for this year. Some make sense. Some are bizarre.

JN—One is taking the state and local tax off of unleaded fuel for airplanes. I get the mindset—the tax is a road use tax. But fuel for aircraft is used for privately owned recreational flyers.

AH—Agriculture doesn't pay road tax.

JN—But how to you differentiate. As a private person, I can buy airplane fuel and put it in my car.

AH—But you'll be paying \$6.00/gallon!

JN—But if you have a hot-rod, it's high-test fuel.

JN—Another one exempts 20,000 gallons of wine each year from being taxed from any winery.

AH—Before you say no to that—the problem we have—my friend has a winery. California can control most of our wine production by their contracts. We need to look into that one more. If the winery is buying grapes out of state...

JN—There aren't guardrails on it. WASAC (Washington State Assoc. of Counties) says that their norm is to oppose anything that could adversely affect a county. It was decided by a 33-3 vote to say it's OK.

They're not going to oppose anything. Commissioner Overbey (Chelan County), myself and one other said no. If you don't oppose it, you're saying it's OK, and I didn't agree with all of them.

**-2:26:21**—JN to AH—Have you ever heard of Swimply? (*Swimply, per its website, is an online marketplace for hourly rentals of pools, courts, entire homes, and many other amenities.*) On short term rentals, you can rent a hot tub for an hour.

AH—Does that get around the lodging tax?

JN—I think Public Health will have to get back into this at some time. I don't know if the rentals are happening over here, but they're happening over there.

NT—Jon and I were discussing the simple majority in the state house, and how much of a pain that's going to be.

AH—It's going to require discussion.

JN—Is anybody going to be able to testify anymore?

AH—No.

NT—They don't need the "legally required" anymore. (*Sigh*) Lord have mercy.

AH—Hope they'll get what's coming to them at some time.

NT—It'd be nice to see what happened on the national level happen on the state level.

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AH—Yeah. You know what they say—Wish in one hand...

NT—Something fills up the other.

JN—I've never heard that.

AH—My mom used to say it a lot.

**-2:21:25**—JN—It's 9:15. Isabelle, any comments?

IS—I'm asking if you'd made any progress on the legal notices in the Chronicle and how the public can access them more easily.

JN—I was gone all week, so I don't know. If you just google it, you can hit each individual notice, but it's a little tedious.

IS—I'm aware of it, but it's hard to see which notices came out this week.

IS—Were you able to get into it, AH?

IS—I'll see what we can do with that. We'd like to get a button (*linking to legal notices*) on the County Watch website.

**-2:08:30**—JN—Nick, if you want to go real quick. We've got an executive session at 9:30.

NB—I've got a few things. Couple of requests for fee waivers.

NB—One is the Rocky Mountain Elk Foundation.

AH—Nope, they don't get one.

NB—What about Mule Deer?

AH—No. I love what they do, but they bring in money to do things. Does everybody ask for a waiver?

NB—The request form is on the website.

NB—Special Olympics Planning session in December? They got a waiver last year.

NB—The annex is just about to be done. We need more stain.

NB shows a picture of lights being considered. The light can be aimed up or down. Four-year warranty. \$85. I bought it as a test light.

NB—There's a state application fund. Who signs it? I need it signed by 2:00 today.

AH—JN can sign then.

NB—I sent out portable toilet bid, weed spray bid, and janitorial bid. NT was supposed to be there the other day, and you didn't show up. (*Turns out they weren't talking about the same day when they made the appointment.*) Can NT bid on the weed spraying?

AH—I'd be careful doing that stuff. It could look like insider information.

NB—Talk to the prosecuting attorney about what he thinks.

NB—That's all.

NT—I'll see you Thursday at 10:00.

**02:00:02**—AH—I move we go into executive session for RCW 42.30.110(i)—potential litigation for 10 minutes or until 10:47, inviting Albert Lin, Prosecuting Attorney and Esther Milner, Civil Chief Deputy Prosecutor. (Extended for another 10 minutes to 10:57.)

**-1:45:05**—JN—Who's first (for staff updates)?

PP—I wanted to distribute this working draft of the Floor Plain Ordinance.

PP—I'm Director Palmer from the Planning Department. I just gave you the first draft of the Flood Plain Management Ordinance, Chapter 15.08. It's the red line version with suggestions for changes that the Department of Ecology handed down after our Community Assistance Visit. It's just a start.

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PP—How do you want to proceed? Schedule some work sessions to start going through it? I'll share a copy with the Planning Commission (PC) this evening, but I think you wanted this to be a legislative amendment that started with you, and a recommendation from the PC back to you for a public hearing.

NT—It's a lot of edits.

PP—I'll try to get on next week's agenda to start our work sessions.

JN—I'm good with that. I want the PC's feedback on this. There's a lot of red.

PP—Yes, there is.

PP—Another thing that's part of this is the status of the Compliance Assistance Visit that they had us doing. We started with 15 sites where they felt that development had happened in the flood plain. We found that none had been issued permits through the county, so we sent letters to start compliance actions with the property owners. It's now down to 2 sites, but they're minor. If we can get the owners to sign off on it. One site is in Mallot, but all they did was reroof the house. It was a worse threat to the flood plain before they did the improvements. The DOE said if that's what we think, and we can get them to sign off on a letter that they didn't do any structural changes, it's OK. That'll get these two off the list. Then it will be all done with the exception of the Flood Plain code update.

PP—I want to alert you we'll need a budget supplemental for only one of the workstations. The sheriff's office donated some of the equipment we needed.

PP—Wednesday from 9:00 to 11:00, we'll be closed for all staff training for the new Water Availability section of the zone code. It'll be done by VanNess Feldman (Land Use Law firm) via zoom, if any of you would like to come.

JN—Thanks, Pete.

**-1:38:55**—TM—Good morning. I'm Tim with Maintenance.

TM—We'd tabled projects and renovations in the Ringhoffer Building, but I just noticed that the Washington Fish & Wildlife lease is up on April 30. Do we want to renew?

AH—The state asked us a long time ago. Ask Lanie if we said we would renew or not.

TM—I think the daycare's lease runs out this year, too.

NT—Tim, who manages all the leases and keeps track of it?

AH—Lanie does.

TM—I talked to Sunbelt about the temporary unit in the jail. I found out we'd been paying year round for it for 2 ½ years. The original agreement was that we wouldn't get bill for Oct through May or June, but we've been paying January to December. It's about \$50,00. We won't get a bill this year for hand back. Otherwise I'd tell them to come and get it.

AH—Keep us updated. We spend \$72,000/year?

TM—We've spent \$171,000 since we got it.

NT—What is it?

TM—It's a portable heat pump basically.

TM—It was going to be just for one season.

NT—Nothing more permanent than a temporary fix.

TM—Maybe if they just give it to us, it'd work good for the Agriplex. It keeps the jail cool.

TM—That's all I've got.

**-1:34:40**—MG—I'm Maurice Goodall, Emergency Management. I have nothing this week. Any questions? Did you get the photos from the UPS building that burned? It's on the drive.

MG discusses the UPS fire. The loading dock is a total loss, but the building isn't.

NT—Will you be in the office Wednesday? I'd like to pop by.

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MG—I'll send you my schedule.

NT—That's a lot of money for a heater.

**-1:31:32**—JN—Mike Worden?

MW (via zoom)—County Dispatch. The building on Railroad Ave, not much is happening. It needs separate permits for construction and plumbing.

MW—I texted JN last week and got no response, so maybe there's a connection problem.

MW—Everything else is normal.

JN—I changed phones, so maybe that's the problem. I'll see.

MW—That's all.

**-1:30:08**—LJ—Can I give you guys a brief update on the courthouse project?

LJ—There are a few things the contractor has to do.

LJ—They'll meet with Pella on Feb. 6 to look at issues we have with the windows to see if it was an instillation problem or a problem with the windows. MJ Neal (architectural firm) may be there too.

LJ—We're holding back the payments for some of the prior work that was supposed to be included didn't get done, so we're holding the money back. Between \$45,000 and \$50,000. We signed off on the "substantially complete" but we're doing this.

LJ—The architect seems to be on track.

NT—Do either of you two want to go? If not, I'd like to.

LJ—I'll let you know the time.

LJ—Are you going to the jail to look at the HVAC project?

NT—We're staying here.

LJ—Did you discuss the WDFW leases? Do you want to renew?

AH—I think the state asked us about the renewal maybe a year ago. Can you look in the minutes to see if we ever agreed to renew?

LJ—Maybe it was two years ago. I'll look.

**-1:22:15**—JN—NT gets to be on the canvassing board.

NT—I just did the training. It was great. Very thorough. Signature training. Thank you for letting me do that. It's a civic honor.

JN—As chair, I can delegate it to either one of you. It should be an easy year to learn on.

NT—I met with some guys from Douglas County. I met with Commissioner Agnew and he's shopping an idea around. What qualifies for an executive session?

AH—If you're unsure, ask the Prosecuting Attorney. He'll know.

NT—It was just cursory talks, and he thinks it's best handled privately. I'll talk to Albert.

**-1:09:49**—NT—Thanks for coming in, Chad.

NT—I wanted some history about this project before we sign off on improvements—to learn what's the best way to go forward with this project.

Chad—I'm Chad. I've been with DIVCO since 2013.

Long discussion about problems with the jail's HVAC system and possible fixes. The AC portion doesn't work correctly. It's dependent on water cooling. Water is taken from a well, cools the coils and then is returned via a return well. However, the return well can't accept enough water quickly enough. If the well provides enough water, the parking lot will flood. If the water supply is curtailed, the AC doesn't work properly.

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Possible causes of the problem are silt buildups or a collapse in the return well.

Chad knows about HVAC units, but not about wells. If the well is the problem, the county should talk to a well expert.

AH suggests they install a flow meter on the return well and see how much water it can take. Then they can look for a cooling unit that doesn't require more water than the well can accommodate.

After much discussion, AH says that the general consensus seems to be to work with Sunbelt about getting a new unit and find out how much money Sunbelt owes them. Also determine the capacity of the return well.

-1:21—Chad leaves.

JN—Anything else today?

AH—We need to have a conversation about (*inaudible*) with Lanie. We should think about an executive session.

JN—It's almost under RCW 42.30.110(1)(g) (*To evaluate the qualifications of an applicant for public employment or to review the performance of a public employee.*)

AH—I don't know if we can do it, so maybe we want to talk to Albert.

Adjourned for the day at 11:42.