

Board of Okanogan County Commissioners
Monday, July 19, 2021 PM

JD—Jim DeTro, BOCC, District 3
AH—Andy Hover, BOCC, vice-chair, District 1
CB—Chris Branch, BOCC, chair, District 2
LJ—Lalena Johns-clerk to the Commissioners
PP—Pete Palmer, Director of Planning and Development
CM—Cinthya Medina, State Auditor’s Office
JM—Josiah Milner, State Auditor’s Office
LM—Leah McCormick, County Treasurer
PJ—Pam Johnson, Chief Deputy, Treasurer’s Office
CH—Cari Hall, County Auditor
LT—Lisa T, Finance Administrator, Auditor’s Office

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Summary of significant discussions:

4:30:00 Commissioners and others hear a briefing about an upcoming routine audit by the State Auditor’s Office.

5:04:40 The Planning Department had a phone call last week with the state’s Department of Commerce and the WDFW concerning the Critical Areas Ordinance.

5:26:25 Discussion of staffing GIS people in the Planning Department.

4:30:00--State Auditor Entrance Conference Cinthya Medina and Josiah Milner.

CM and JM present a PowerPoint slide show showing details of upcoming routine audits of the by the State Auditor’s Office (SAO).

CM—This meeting is to tell you the audit scope, let you know what we’ll be looking at this year, and answer your questions. Most of the audits we do are financial accountability audits, and we do about 2,600 audits per year.

For this fiscal year (FY) 2020 (Jan.1, 2020—Dec. 31, 2020), we’re going to be conducting the federal and financial audit first, and the accountability audit will be performed later in the fall or winter.

Performing fiscal statement audit for FY 2020. Describes the audit process. Also will perform Federal Grant Compliance Audit for FY 2020. Similar to Financial Statement Audit. Look at the county’s Federal Grant process. We’ll do the Corona Virus Relief Fund. \$2,900,000 so it’s a Type A fund and requires an audit. Any questions about area we’ll be auditing?

CB—Doesn’t seem to be.

CM—Shows diagram showing communications between SAO and the county and details of the audit. Share results of the audit at the exit conference.

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CM—Three levels of reporting: Exit items are not significant or material. Management Letters address issues with a formal letter to the board. Letters aren't included in the audit report, but are mentioned in it, and are subject to public records and can be requested by the public afterwards. Third level and most severe are Findings. They're included in the audit report. Could be material non-compliance or significant deficiencies in internal control. Questions?

CB—None.

4:40:05—JM—We use the Tracker module of online reporting system to promote transparency. Makes our findings public facing. Anyone can look at the report. Those being audited can report what they've done to respond to the findings. Also public facing. Management Letters are included in Tracker, but they're not public facing.

LM—Does Tracker system replace EMMA (Electronic Municipal Market Access)?

JM—No.

LM—So, the Tracker system is just for auditors?

JM—It's not replacing EMMA. It's just our on-line system.

JM—Logistical items. If we request confidential information, let us know how you want us to handle them. Costs of the audits are provided on the handout. Also on the handout are details of the dispute process. The line of communication is always open between you and us. The contact information is also on the handout. And there's a reminder about loss reporting. The current state requirement is to report any suspected losses immediately to our office.

JM—People ask who audits the auditor. There's a peer review approximately every three years. A team of 10-12, made up of other states' auditors. We're about due for a peer review. We'll publish the results on our website. Pass is the highest grade, but there are usually some recommendations and findings included in the record.

JM—Lastly, there's some reference tools that can help you with questions about audit issues.

JM—CM included recent issue of our newsletter. Lots of good information there.

JM—Any questions?

LM—About the EMMA report deadline? Your information won't be available for EMMA's deadline in September.

JM—It shouldn't be an issue. CM was talking about a different report. Our report isn't tied to EMMA.

JM—That's our presentation. Thanks.

4:50:25—JM and CM leave the meeting.

CH—We've been having weekly calls with CM. She knows us and we're glad she's on the audit.

AH, LM and CH discuss budget issues and how to represent revenue in a proposed budget if the exact amount is unknown. They decide estimated amounts will be color coded. Purple maybe.

5:00:00—PP gives the Planning Department update.

PP—Office is now fully open to the public, along with the Building Department. Masks only if they're not vaccinated.

PP—To boost morale, I've agreed to test some people working a 4/10 (working 4 days each week for 10 hours/day). Four people opted for that, with two working Monday-Thursday and two working Tuesday-Friday. The office is open 5 days per week, 8AM-5PM. Those working the 4/10 work 6AM-5PM. So there are two hours every day without phone calls or other interruptions.

AH—At first, I didn't like the idea, but then when I thought that two hours without phone calls would probably be more efficient.

PP—It's way easier to get some things done with a 4/10.

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5:04:40—PP—Last week we have a phone call with the Department of Commerce with Steve and Connie Iten from WDFW about the Critical Areas Ordinance (CAO). They felt we were weak in organization. They'd like us to format reports similar to what other counties are doing. Chelan County was an example.

AH—I don't have a problem with that.

PP—Also, with Fish and Wildlife Conservation Areas, they want us to be sure we're using the best available science. A few of the comments, but mainly from WDFW. Make sure we organize like Chelan County, it would be easier for people to follow. Referred us back to their checklist, but that caused friction with staff. They state we had to start over, but I think we should just look at the weak areas. WDFW is more than willing to help. We waiting to see what Commerce and WDFW sends us as examples.

AH—CAO is going to Planning Commission first.

PP—Yes.

AH—When state agencies start telling you what they want you to do, I'm a little opposed to that.

JD—I'm more than a little opposed.

AH—I think even CB think agencies say stuff that can be very onerous. If there are changes made, we get to see the original document before. If you just reformat, that's fine, but after that if you put in a red line version of text changes, so we know what generation we're in. A lot easier for us to go over it for our comments before it goes to the Planning Commission. I don't want it to be hung up when it comes back to us. If there's anything that gives us heartburn, the Planning Commission would know about it.

PP—One thing Scott was adamant about, was he wants it to go back through the 60 day review where it goes to Department of Commerce and they circulate it to other agencies for their review and comment before we put it out for public comment. We're basically starting the review process over once we get the document drafted again.

AH—That's what's going to need to happen. You're basically bargaining what a state agency wants you to put into a regulatory document vs what you're legally bound to put into the document.

PP—It feels like we're getting pushed into a corner with Commerce. They're the ones that came and said we needed to get the plan adopted or it will affect our funding. So we picked up the last version ready for the commissioners approval, and then the commission decided not to adopt it. Back at square one. Commerce is supporting what WDFW wants in the document. Worries me that they're pushing me.

AH—Then we need to be on those conference calls, too. I'm not going to let them bully us into something...CB originally was the one who wanted to get this thing done because of a grant....

CB—#1, It's required under the Growth Management Act. And #2, that would have been Ecology's grant loan to the housing authority. But we avoided that because the Housing Authority is within Oroville and they're compliant. I talked to Scott about it and he clarified with Ecology. CDBG grants used to be effected. Sounds like AH wants the whole board to be involved and that's fine. But primary focus is responding the WDFW's comments. What they're pushing is how the review is laid out in the Comp Plan—rules for Critical Areas—for their review purposes. Right?

PP—Yes. And want us to use some of their setbacks in habitat areas.

CB—Are they in ranges?

PP—Yes. Ranges. Other thing is that we set up a technical advisory committee. Similar to what Chelan County did. That would make review by some other agencies quicker. Suggestions of WDFW, MVCC, Futurewise, Yakama Nation, DOE, Farm Bureau—basically those who have been opposed to our plans in the past—would make up the technical advisors for Critical Areas. I'm afraid to do that. We could be stuck for years trying to get this thing to go.

CB—Any possibility a collaborative effort like this might help head off litigation?

PP—That might be their strategy.

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CB—If we did that, we'd want to make it a tight framework so it would work for us.

AH—When we did shorelines plans, it took a while. Started with a minimal plan and got comments. I think we wound up with a document everyone can live with. If we slow down on this, and do same thing and make a document that works, that'll be better for us. I'm not willing to take what they want and put it in a document. I'm not willing to take the old document and put it out because people will think we're not going to do anything after that. If we're not having to satisfy a current grant program, and we've had comments from some of those entities about why are we doing the CAO now when we're doing the Comp Plan. There are things—steep slopes, for example—what are we doing about steep slopes? Other things about critical areas are bothersome. Do the Forest Service and stage agencies go through SEPA and NEPA? New recreational trails, cross-country ski trails can go through mule deer wintering habitat, I'd like to make sure those things come before the county, and they're going through the process.

PP—Under NEPA we'd get a notice of...

AH—Have you ever seen a notice of new mountain bike trails or ski trails?

PP—Not bike or ski trails, but we just saw one for processing one for WDFW for a park bathroom, but the way they went about it, it took a while to get through our regulation and get their permit. Maybe because they're getting pushback from us, holding them to their own regulations, maybe that's why they're pushing back on this now.

AH—Maybe, or it might just be they want things a certain way.

CB—I'm fairly certain that Forest Service proposed trails are part of Recreation Plan that's been through NEPA.

AH—I'd be interested if that does happen. If we're doing our CAO, and talking setbacks they're proposing, I want to make sure our concerns are being addressed too. Wildlife biologist said to us two years about that winter trails are one of the biggest issues they have re: bothering deer.

CB—Those issues are separate from our CAO in a lot of ways, and we don't want to get them mixed up.

PP—What they're pushing for us is to use the best available science in our document.

CB—Look at fish & wildlife habitats, looking at endangered, threatened, priority species—looking at a variety of different setbacks. We have to review about how that affects us. If the set-backs are in a range, we have more latitude. That's what they're focused on—priority habitat species and those recommendations.

AH—Mule deer and upland bird habitats are critical for me. Development standards within those are important. But we want to be sure nobody's just pushing something on us to go one way or another.

PP—We started doing that. I made a public records request for WDFW, but I had to promise not to share the information. The areas are protected and it's not public knowledge where the habitat areas are.

AH—What??

CB—Some of those are plant based, and if you have a sensitive plant someone will come and destroy it. Like with cultural resources.

AH—Oh, OK.

PP—We're in the process of getting information to see exactly what they're asking.

CB—When we waded into the information, I suggest we do it objectively, and not be reactive. They did a lot of that work with committees, and put more focus on mule deer than other species.

AH—We had the largest mule deer herd in the country.

JD—And now not so much.

AH—I look for fawns and I've only seen two. Fires exacerbate things. Bears eat lots of fawns.

PP—That's the update with that call from Commerce.

CB—Looking back at history, the comments that came in recently are different from the ones that came in before, so something has changed.

PP—Yeah.

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5:26:25—PP—Next topic is the GIS department. Ted has retired and we've got Camden and Gene in GIS. Problem is Camden doesn't meet minimum qualifications to move into an analysis position. HR suggests we get a resolution to say we keep open the position Camden was supposed to fill until he becomes qualified.

AH—Review our succession plan. Do we really need three people in GIS?

PP—Yes.

AH—Was the original intent that Camden would replace Ted?

PP—My intention was that we hire a technician who could move into Ted's position when Ted retired. But we couldn't do that, and hired Camden instead as a tech.

AH—Why don't we not fill Ted's position right now? Keep paying Camden at the technician rate. When he gets qualified, then we could re-advertise the position instead of just move somebody up.

PP—If you want to keep the position open, it was suggested that we keep the position in our budget. HR says the original idea was to fund the tech position for one year and then move Camden to Ted's position.

CB—It was only funded for one year.

AH—And they really need three people?

PP—They really do.

AH—So for next year's budget, look at Camden's rate of pay, figure out if it's sustainable, because the person hired won't get much vertical movement. Maybe it could become part-time.

PP—He's already doing the analysis work from Ted's position. He just doesn't have the experience or education qualifications.

CB—Proposal I'm hearing is keep tech position and not fill Ted's position. Haven't we done that for other departments?

AH—We need to go into this budget season not thinking we have to cut that position. See what GIS is doing. Can they do the necessary tasks of planning and Sherriff's Department with two people or do they require a third? Could the third be a part-time position? Does Public Works need a part-time position in GIS?

PP—We'll still need the resolution that we're going to keep the position. And later, advertise it when the time comes, or write Camden's training plan to say he automatically moves up when he completes his training. And then either advertise the tech position or drop the position.

CB—Is the position funded with Workforce Development dollars?

PP—No. Position is funded through the county. The other two are funded through the Planning Commission but we get reimbursed for half from Sheriff's Department. Sheriff has been paying for all of Camden's training.

AH—Also check with Tanya (Everett, HR). Have we ever advertised Ted's job?

PP—No.

AH—Either we advertise for that job, or we write it in his training plan. I want to hear Tanya's thoughts on this, if we can just move Camden to Ted's job.

5:39:40—Last item I have is the agenda bill. Basically to pay an invoice for the Lake Management District.

LJ—So the board would have to adjourn and reconvene as Lake Osoyoos Lake Management District.

AH—Move to adjourn and reconvene. Passes 3-0.

CH—We'll consider the agenda bill and then we can discuss it.

AH—Annually, people can write to the Planning Department to take them off the rolls and we hold a hearing to consider it? Can you put that on the calendar to do this about the same time every year?

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CB—Are we required to reestablish the assessment annually? And that’s what opens it up for being taken off the rolls?

PP—Yes. The Assessor is the one who triggers it. (Discussion about how to get the the hearing on the calendar. November.)

CB—To be clear, we’re responding to those who protest the assessment.

PP—I’ll find out the date and tell you.

AH—If the rolls change and we’re still collecting a certain amount of money, is it an assessment or a levy?

CB—An assessment.

AH—OK, that’s fine.

Discussion of assessments vs levies.

CB—I think we set the assessment and if the rolls change, that doesn’t change the amount of an assessment.

AH—That’s what I thought. And if we’re not bringing in the right amount of money, we need to change the assessment.

PP—This money that’s collected goes to the noxious weed program to offset their costs.

LJ—There’s an amount of money that needs to be collected.

AH—Move to pay the voucher for the 2021 assessment roll certification for \$532.00.

Motion passes.

AH—And Noxious Weed department should come in. They’re here tomorrow and we can ask them about Lake Osoyoos.

5:50:05—Reconvene as BOCC.

PP—That’s all from me.

CB—Maybe check with workforce training program (for GIS position).

AH—I propose any position we hire that’s basically a training position, we try to get that.

PP—Discussion of how PP was out of the loop for Camden’s training program. Has no complaint about the program, but she was not aware of most of it.

CB—Here’s how it always works. You’re not the boss until something goes sideways. Then you’re the boss. That’s what we want to watch out for. If we look at history, one planning director came in there was established a very independent department partially because of the value and relationship with the Sheriff’s Department. We understand that you thoughts on that, again, because if something goes sideways..... We appreciate you paying attention. You need to be able to manage the department. I talked to the previous planning director once and he said “I don’t know what goes on in there and I’m not interested in asking.” Part of that was because of police interaction, and another part was that things were doing so well, but again, if things go sideways....

AH—The pieces of information that the public doesn’t know, I can get the reports I need from them. So the Sheriff’s Department needs them 50% of the time, but you need them the other 50%. They can provide maps with all the different habitats overlaid in different colors.

CB—So where does the data come from—Fish and Wildlife science. We have lots of data that’s geographical.

AH—But it’s really black and white. If you’re doing a site analysis, it shows as mule deer habitat or whatever.

CB—I had the GIS make overlays of critical habitats and it was easy to figure out that lots of it was right near the river. One regulation might take care of another habitat issue that you have to take care of. Wetlands, shorelines, etc. In our effort, might be good to make a matrix that incorporates all the regulations for habitats. Be interesting to see what changed.

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AH—Interplay I’m thinking about—maximum setbacks from shoreline is 200’. So if you went from 200’ to a critical area with setback of 200’, the setback is 400’? Doesn’t that seem silly?

CB—Depends on the habitat. If it was a wetlands habitat, it would make sense.

PP—When it comes to constructing a house and the liability it puts on the county if it’s not constructed right are things we’re trying to avoid.

AH—Well, sometimes you might want to get a little more distance, but not every time.

PP—I wasn’t here when the house fell into the Methow, but I was working for the tribe when a house fell into (*unintelligible*) and it was 200’ from the river. The river started to change directions. So I can understand the 400’ setback.

CB—Channel migration.

AH—Sure, a channel migration area, but if you’re on a straight area without oxbows...

CB—Until 40 trees block the river and then it turns into a oxbow. It’s an interesting dynamic.

PP—Back to the GIS department, I’ve recognized the importance of the work they’re doing and they don’t need a lot of supervision, but we need to have the line of communication open between the departments for accountability.

CB—Local jurisdiction—cities and towns—need the work done, too. But if everyone does that, the management needs to know about it.

PP—Priorities need to be set.

6:03:45—AH—Anymore business today?

JD—Doesn’t CB have to sign something from Naomi?

CB—We can do that tomorrow.

AH—I’d like to figure out a good way to fund the administrative work for the Watershed Council.

CB—We could fund it as a commitment through the Planning Department.

AH—Two ideas. One—if we fund it like Chelan Co does, employee has to be county employee. Two, is do a Request for Proposal (RFP) for a nonprofit to administer the minutes and tech documentation for the Watershed Council. Couple of groups could apply. MVCC and Watershed Foundation. We’d have an agreement with the Foundation and they work within the parameters.

AH—Super-tight parameters. Money is simply for information for Watershed Council.

CB—Included, if it’s legal, that they don’t do any action to oppose anything that the county (*unintelligible*).

JD—Bingo.

CB—I don’t know that they’d want to do that anyway. We would provide direction for what the Watershed Council does.

AH—We’re a member of the Council.

CB—We’re not a member of the Council. We’re a member of a stakeholder group. So we make participate in making decisions. Recommendations from that group come to the County Commissioners. Does that work?

AH—That’s the easiest way because then you don’t have more employees working for the county. And that gives the Foundation a reason to exist. They can go after other money.

CB—Shall we move down that path?

AH—Who will write the RFP. Can we find a temple?

CB—One more thing about the Council. We stakeholders aren’t voting members of it.

AH—I talked about this with the mayor of Twisp. Anything that will comes back as a recommendation for the BOCC, I abstain from, but I do vote on recommendations for Twisp or Winthrop.

Adjourn