

# Board of Okanogan County Commissioners

Monday, September 20, 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

DG—David Gecas, Attorney for the county

MW—Mike Worden, Dispatch Center

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:

*Commissioners & Pete Palmer, Director of Planning, discuss negotiating a contract with the Methow Watershed Foundation so the county will be able to fund administrative work for the Watershed Council.*

*Commissioners discuss partnering with the Conservation District to deal with water banking.*

*Executive session with Dave Gecas, attorney, and PP, to discuss a stay in the lawsuit involving the Yakama Nation and the Comprehensive Plan, a proposed resolution to the French Creek Road settlement and potential legal ramifications of evicting a marijuana grower. After the session it is announced that the county and Yakama Nation agreed to a stay, with the new deadline of 3-31-2022 for the Comprehensive Plan.*

*Dave Worden, of the Dispatch Center, presents three possible uses for American Rescue Plan Act (ARPA) funding for the commissioners to consider: a new command vehicle, upgrades to the jail and upgrades to the Coroner's facility.*

*Cari Hall, Auditor, discusses a situation in which the county's policy for paying benefits to part-time non-bargaining employees hasn't followed the procedures in the personnel manual since at least 2002. The commissioners think that the current policy is what the county should be following and instruct HR to create new language in the personnel manual and write a resolution for the Commissioners to amend the manual.*

**3:39:05**— Planning Department Update—PP—Several weeks ago we sent out a request for qualifications for administrative services for Watershed Planning and today I've got the results. We received only one reply and it's from the Methow Watershed Foundation (MWF). What do you want me to do?

AH—We need to review them and if we determine they're qualified, we can go into negotiations with them for a contract for services.

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CB—MWF submitted this and they employ Sarah Lane?

AH—Yes. We'd be contracting with MWF which is a non-profit.

PP—I went through what was submitted. They did a really good job of covering everything we asked for.

AH—With only one applicant, and that applicant is qualified to do the job we want done, I move to select the MWF as the qualified applicant and to begin negotiations for administrative work.

CB—Discussion. Do we have a sample contract to use?

AH—Our contract with Department of Ecology?

CB—How about our contract with the Conservation District?

PP—That would be a good one.

Motion passes.

PP—Will you contact them to set up a meeting? Who do we want involved in negotiations?

CB—You (meaning AH).

AH—OK. And we want Pete.

PP—And there will be money put into our budget to cover the contract?

CB—And then Planning would administer the contract?

AH—We need to discuss this. Reimbursable? There are a couple of ways to do it.

PP—The Conservation contract was reimbursable. They billed us for their services. And because we were reimbursed by Ecology, we had to go through the expenses with a fine-toothed comb.

AH—We're not getting reimbursed for this, so the work load will be different.

CB—And no sub-contractors.

AH—Because it's ongoing, we could pay X amount of dollars per month, and meet quarterly to make sure they're meeting our expectations about the scope of work.

CB—Planning is a good department to do this because it's connected to planning in the long term.

AH—We could pay monthly and be able to terminate the contract at any point.

AH—To PP--Also, will you notify them they're the qualified applicant and get dates they can come and meet with you and me, preferably Monday, Tuesday or Friday to negotiate?

CB—There are provisions we can put to in make sure they're boxed in properly.

**3:50:10** AH—Have you heard anything about water banking from the Conservation District?

PP—No.

AH—Could you invite them up here to talk about that?

PP—I'll have them next Monday if he's available.

CB—At a recent meeting, I didn't see that a lot of progress has been made but there was no conversation about who would do it. Begs the question—can anybody do it?

AH—The Conservation District could do it, and they've got money specifically to do it. It needs to get going because we've only got two years to spend \$2,000,000. I want it established.

CB—Whether it should be the Conservation District or the county is an important question. Remember that 30% of the banked water goes to fish. And we need a water bank for domestic use and agricultural use. The 30% should achieve the goals of environmental groups.

AH—I think we need somebody set up to do it. Isn't it established than a bank can be set up as a partnership? It just needs to be a public-private partnership. If we're the public entity that vouches for whoever is running it, then we have a memorandum of understanding (MOU) about how it's going to work, priorities, etc.

AH—The Conservation District has been allocated approximately \$186,000 to start a water bank.

CB—So our effort should go in that direction?

AH—Yes. To partner with the Conservation District.

JD—I agree, too.

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AH—After discussion with several people, that’s the way I think it should go. But with an MOU about what the county sees as the important factors in having a water bank.

CB—That’s the goals & objectives we have in mind. I agree with that.

AH—There’s some apprehension in the Methow but if we set it up with clear goals and policies that everyone can see, we’ll have a pretty clear understanding of where we’re headed.

CB—I agree.

PP—That’s all from me.

CB—There are already sideboards that will deal with the fish. We can go from there.

**4:01:10**—DG lists three topics he wants to discuss in the executive session that’s about to begin.

- The agreed stay with the Yakama Nation.
- The proposed resolution to the French Creek Road settlement. He’s changed the wording in one of the whereas clauses and wants the Commissioners to be aware of that.
- A case the county wasn’t a party to, but we followed Judge Rossman’s order and evicted a marijuana grower. DG considers what this might mean in the future.

AH—I move to approve Resolution 120-2021, repealing Resolution 143-2009 and affirming that French Creek Road is a county road. Motion passes.

DG—No discussion about the gates yet, but now I can give their attorney a call and see if there’s a problem.

AH—They should be able to do cattle guards there.

BOCC goes into Executive Session for 30 minutes under RCW 42.30.110 (1)(i)—To discuss with legal counsel representing the agency matters relating to agency enforcement actions, or to discuss with legal counsel representing the agency litigation or potential litigation to which the agency, the governing body, or a member acting in an official capacity is, or is likely to become, a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the agency.

After the Executive Session, LJ forgot to reactivate the AV Capture and so several minutes of BOCC meeting was not recorded.

AH—Because of the information we heard in the Executive Session, I move to approve attorney Darryl Little to sign the stay with the Yakama Nation. The county and Yakama Nation agreed to a stay, with an additional new deadline of 3-31-2022. Motion passed 3-0.

Chief of Communications, Mike Worden, discusses potential uses for American Rescue Plan Act (ARPA) funds. The AV Capture begins again at **4:13:30**, partway through this discussion.

MW—There are three projects that would fulfill the requirements of ARPA that I think the county should consider.

1. A mobile command vehicle. It could be used by non-symptomatic staffers to quarantine themselves and still be able to work. That way the county wouldn’t have to pay another staffer overtime to cover the shift of the staffer in quarantine. When it wasn’t being used for quarantine, there are many other uses for it.
2. Aggregated housing, i.e. the jail. It’s hard to manage new people coming into the population and monitor them for Covid symptoms. This makes it hard for law enforcement to arrest people they would normally arrest. We could make some changes to the jail where we have a general facility need to specific to managing the facility through Covid.

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3. The Coroner's facility. It has a role in Covid response. If there's a surge in cases that the Coroner has to deal with, what's the facility's capacity? I received a state-wide email from the Washington military department asking about this issue—when one county's system is full, where does the overflow go? So this is an opportunity to address a need the county has due to Coroner facilities.

MW—So I ask you to keep these projects in mind as APRA plans go forward.

AH & CB—Thanks for putting this all together.

MW—I can forward emails from the military department if you'd like. And another county used their command vehicle to quarantine someone.

CB—What else can the command vehicle be used for?

MW—It has phone, radio, wifi connectivity in remote places. We could use it at major crime scenes, prolonged search and rescue, fires. We've had difficulties in establishing command posts. It would reduce the need to drive from the fire back to where there is phone coverage. Also during a flood. Or something like the Stampede if it's real hot, 100°, and lastly, you can show it to the public, especially children. It's a good way to engage the public.

CB—Or if a building gets put out of commission.

AH—Would it be a truck or a trailer?

MW—Don't know yet. The Sheriff and Undersheriff will look at their vehicles and also talk to other counties. Then we'll decide.

**4:25:20**—Discussion of Employee Benefits for Part-Time Employees. Cari Hall, Auditor, Tanya Everett, Human Resources and Shelly.

CH—We discovered a can of worms and we need some direction about what we should do. Long story short—Tanya, Shelly & I were talking about a situation and realized there's a difference in what the personnel manual says and what is being done in practice with respect to part-time, non-bargaining employees and their benefits. Since at least 2002, the % was applied to the cap, because the cap was the benefit. There's a chart produced every year that shows the cap amount we'll pay for your medical and a cap amount for dental. The personnel manual says 50% of the premiums, not 50% of the cap.

CH—Some think it's not a big deal but it is. The total premium for an employee and spouse is \$1465. If you apply 50% to a 50% part-timer, you're paying \$732 towards their benefits.

CH—If you do the 50% cap, where we pay \$768, you pay \$384 towards their benefits.

AH—We were paying 50% of the whole thing?

CH—In payroll we've been applying their percentages to the cap amount. Tanya and Shelly pointed out the personnel manual says 50% of the premiums.

AH—The premium is what they really pay?

Shelly—The premium is the total cost of your benefit. So the medical, if it's \$1400, that's the premium.

AH—So we've been paying 50% of the premium or the cap?

CH—Of the cap. So it was a shock when we started talking and said that's why you have a cap amount: to say you'll pay up to a certain amount. You have a cap. It's standard practice.

AH—But our policy manual says we're supposed to be paying 50% of the premium?

CH—Yes. But this section of the manual hasn't been updated since 1999. It's a clean-up item that needs to be fixed. I checked with payroll, and there are three employees this will affect. More money will come out of their pockets now if we go by the manual. I'd rather come and talk about this and see if the Commissioners want to address this before I go forward.

Shelly—so the ask is—do the Commissioners want us to go by the language that's currently in our personnel manual, or do they want to adjust that to be 50% of the cap?

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AH—Right now, we're paying 100% for dental for part-time employees, which is \$77, so it would cost \$35 more for dental, and \$5 more for life insurance. For me, that's not worth it, because it's hard to get part-time people here.

CH—There's a reason why you have a cap, and for full time to be based on cap and part-time based on premium makes no sense. So that's why they apply it to the benefit, which is the cap amount. You're treating everybody the same.

AH—I say we offer full coverage on dental and life insurance, and 50% of the cap the county sets for medical insurance.

CH—Pro-rated benefit, so if there's a 60% employee...

AH—Yes. Pro-rated according to the cap.

AH—So I'd move to have HR make the changes to the personnel manual for our review.

Shelly—And draft a resolution?

AH—So I'll amend my motion to include drafting a resolution.

CB—OK, Vote on the amendment to address the issue and draft a resolution. Passes 3-0

CH—Thank you!

Adjourn for the day.

AH leaves.

CB—I'll go talk to Dave (Gecas?) about the purchase of the building.

CB and JD talk about this purchase a bit and then decide to revisit the issue tomorrow.