

Board of Okanogan County Commissioners
Monday, March 28, 2022 AM

JD—Jim DeTro, BOCC, District 3
AH—Andy Hover, BOCC, Chair, District 1
CB—Chris Branch, BOCC, Vice Chair, District 2
CrH—Crystal Hawley, Deputy Clerk
Roni—Executive Director, Economic Alliance
Kayla—Kayla Wells-Yoakum, WSU Extension
Tom—Tom Even from the Okanogan County Veterans’ Relief Board
Jim—from the Okanogan County Veterans’ Relief Board
Michael—from the Okanogan County Veterans’ Relief Board
MG—Maurice Goodall, Emergency Management

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Summary of significant discussions:

BOCC discusses off-road vehicles and how to resume the discussion about which roads should allow them.

BOCC hears a presentation from two employees from Retail Strategies about the rules for spending ARPA (American Rescue Plan Act) funds. The Commissioners are especially interested in how to fund projects for the county’s Fire Districts. Later in the meeting, CB says he’s searched for “sub-recipients” (which included Fire Districts) in the ARPA Final Rule and says there’s a lot of information there.

BOCC hears an update from Tom Even of the Veterans’ Relief Board.

BOCC hears an update on the Memorandum of Agreement between the county and USW extension. Finally, MG tells the BOCC about his ideas for improving the process where the date of a burn ban would be declared by the county.

04:30—CB says the commissioners should discuss the Fair again in the coming days, so it should be added to the agenda. Discussion as to how the Fair Queen’s donations’ account may need a policy, how better to manage the Fair Advisory Committee (FAC) meetings by creating an agenda, how the FAC should be able to inspect the books of any non-profit that does business at the Fair, and how to avoid conflicts of interest at the Fair. AH says they need better oversight at the FAC meetings so that information is transmitted in a timely manner and so that the commissioners can report directly about meetings.

26:00—AH—The WATV (Wheeled All-Terrain Vehicles) Club will start looking at roads in my district. I haven’t heard anything about the Forest Service’s new Travel Management Plan. I asked that they look into roads in my district first.

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JD—People are riding them over there, though. I talked to John Northcott on Saturday. He said he’s licensed on-road and off-road and he’ll ride it anywhere he wants to in the Methow. He said he drove through Winthrop last week and there were two parked at the little ice-cream place.

AH—Well, they should be careful. But as far as USFS roads go, I don’t see how they changed the original Travel Management Plan without an Environmental Impact Statement (EIS) and without hearings. I’d like to start an outreach program with Josh (Thomson, Director of Public Works). The process was to look at all the roads with a speed limit of 35 mph or less and in JD & CB’s districts, but the WATV club has pared that down some. I propose we have Josh make a map of that. We get the first cut, then we go out to the agencies and then get public comment for the final set of roads.

CB—Yeah.

29:30—AH—It’s 9:30, so we have a discussion with Roni on the Economic Alliance.

Roni—I want to tell you about a training session we did with the Washington Economic Development District. The session was about how to use ARPA funds. The session was put on by Retail Strategies with Matt Tate and Jenn Gregory.

Matt—Eleven total cities have used our services for ARPA funds. Jenn is our expert on the Federal Rules. Blake Stevens of Snohomish County has used our services.

Jenn—Explains the history of ARPA and how the final rule came about. The law was signed on March 11, 2021 with four allowable uses, but there were lots of questions about reporting requirements, etc.

Jenn—In May, 2021, the Treasury Department issued the initial Final Rule. It included a website where communities could ask very specific questions. That resulted in the Final Rule.

Jenn—The money is released in two tranches. Washington has received its first tranche. States are pass-throughs and have no ability to approve or disprove what a community wants to do with its funds.

Jenn—There are four basic uses for the money:

- Infrastructure
- Replacing lost revenue
- Providing premium pay for essential workers
- Responding to negative impacts of Covid with respect to tourism, small businesses, etc.

The four uses haven’t changed, but the expanded Final Rule, released on January 6, 2022 says there will be no more information provided about the range of uses. The goal was flexibility and simplicity—provide state, local and tribal governments with even broader flexibility to pursue a wider range of uses, including public health and economic need, as well as greater simplicity so they can focus on responding to needs to help the community. (Originally, the spending was tied to Covid, but that’s no longer the case.)

Jenn—Key highlights of the final rule:

- Clarification of public health and economic impact allowable use
- Streamline options for premium pay
- Broadened water, sewer and broadband allowable uses as infrastructure
- Expansion of the lost revenue allowable use.

Treasury will ask which bucket of funds (the four uses listed above) is a program coming out of. Each allowable use has different spending and reporting requirements. Reporting lost revenue has the least restrictions even if the program fits more logically in another bucket. If a county will spend less than \$10,000,000, it’s included in this group (*Okanogan County received approximately \$8,000,000*). To keep spending and reporting simple, they created the Standard Allowance. You don’t need to justify lost revenue during the pandemic. There’s minimal reporting. Governmental services mean any service traditionally provided by local governments.

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47:05—AH—Local government means any Junior Taxing Districts, such as Fire Districts, Irrigation Districts, etc.? Or just county and city governments?

Jenn—Definitely the later.

AH—Fire District provide government services. They weren't recipients of ARPA money, but do a service. If we have to assist them, how do we do it?

Jenn—You can't just give them the money, but you can purchase things on their behalf. You're allowed to transfer funds, but only to specific entities. Roni's (The Economic Alliance) is eligible. You let her spend the money and she does the reporting. You can transfer funds to a non-profit but not to a Fire District, but you could buy them a fire truck.

CB—But Fire Districts are separate units of government, but not general purpose. Would an inter-local agreement regularly with them be a device to make that happen? We also do pass-throughs for the Okanogan County Community Action Council—agreements to provide services. I think those are connections.

Jenn—The county can give money to another entity if it's permitted, but have to follow the guidelines in the Final Rule, but that opens it up a little bit.

Jenn—There are a few restrictions on the money. You can't spend money to supplement pension funds, service debts or pay legal settlements, etc. The big message from the National League of Cities (NLC) and the National Association of Counties (NACo) is that this is a huge win for the lobbying efforts for cities and counties. The Standard Allowance makes it so much easier for rural areas. There's one question to pay attention to: (A) Have you calculated your lost revenue and are replacing it, or (B) Are you claiming the Standard Allowance. You want to answer B. You'll have to report how the money was spent, but the reporting is much easier than any other bucket.

Any questions?

CB—Last week we decided to use the Standard Allowance. How sure are you of the conclusions you've drawn?

Jenn—I haven't spoken directly with Treasury. There's no way to get approval before you spend the money. Especially with public health and economic need, Treasury says you have broad flexibility.

CB—You (Retail Strategies) are a vendor, just like the Economic Alliance. Also, you can't find hardly anything that wasn't affected by Covid.

1:03:35—Roni—Asks Jenn what she sees other counties spending their money for.

Jenn—Infrastructure is big. Repaving roads, building charging stations for electric cars. But the federal government says don't spend your money all on that because Infrastructure Bill just passed. It will trickle down to cities and counties. So now we see cities and counties spending money on quality of life amenities—parks, upgrading facilities for people to work from home, etc.

CB—Will the infrastructure money come with the same latitude or will the restriction be more onerous? Will the matching money requirements be the same?

Jenn—Good question. That remains to be seen. There will be more infrastructure for mobility—sidewalks, charging stations only two hours apart. Not as much water and sewer.

CB—We should listen to NACo and WSAC (Washington Association of Counties) to make sure the programs are really connected to rural counties.

Jenn—Plus the Infrastructure Bill funds will go to the states and not counties.

CB—Well, for me, this conversation has been very helpful.

AH—I'm happy to put the money all in one pot. We need to get the Fire District issue straightened out. Fire is spelled out in the rules as a government service.

CB—For cities, they've got a Fire Department and its budget comes from the general fund.

Jenn—Thanks for the opportunity to do this presentation. If you think of more questions, let us know.

Roni—I'll send the links to NACo documents and examples of what cities and counties are doing.

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Matt—We want to be a partner, so feel free to ask the Retail Academy. (Jenn & Matt leave the meeting.)

JD—It's worthwhile for people like that to visit the county to know what rural life is like.

Roni—Matt and Jenn have both been here numerous times, to Omak and Brewster. Talked to city councilmembers and other people. Roni leaves the meeting.

1:22:40—Update, Veterans Relief Board, Thomas Even

Tom—

- The new guy is Jim Cheek. He's enrolled in the online NVLSP (National Veterans Legal Services Program) course and well on his way to getting that done.
- Monthly count of veterans' assistance is down some. Not as many people are calling in for aid. A few have called from Ferry County, but I have to tell them they have to call over there.
- We've now got new ID cards called PID (Personal ID Device) card. It makes it easier to track veterans through the system. We're getting it hooked up.
- New computer based system from WDVA (Washington Department of Veterans Affairs), called the ETK system. Cumbersome at first but now it's pretty good. I still use our system and combine it with ETK.
- According to Eric, we're not able to compute how much money comes back to the county, but Dale tells me there are other websites to look at.
- Reached out to Brewster, Twisp and the tribe to arrange outreach visits. Got a positive response from Brewster, still waiting for the right person in Twisp to call back, and nothing at all from the reservation.
- Year to date, with the ETK system and the revamp, I've put in 75 veterans claims. 21 in this month alone. Using the old system, I put in 6.
- Approximately 105 calls this month. I served 33 veterans and assisted 35 with their paperwork. A lot of these phone calls, I feel like the operator—just telling people the right person and number to call.

AH—Knowing who to call is real important.

Michael—People know we're a reliable group to get information from.

AH—Why do you think the number of people asking for help is going down?

Tom—Don't know. Maybe it's the weather getting better so there's less illness. There's less requests for firewood.

Jim—Also, the Community Action Council is dealing with veterans' organizations so we aren't seeing those numbers.

Michael—We need to know the numbers to see that homeless vets are being helped as homeless, not that they're just getting help.

CB—Maybe if the Action Council has a box to check if the person is a veteran.

Michael—There's a guy we want to help, but he doesn't provide the paperwork

JD—He's got PTSD.

Michael—So do I, but we don't want it to get a bad rap because of it.

CB—I understand. I'll follow this up.

AH—All we can do is the best we can do.

Tom—I've learned to keep calling back because he never answered my phone message. (Everyone trades stories about phone messages without correct call-back numbers.)

Michael—I have to deal with men as adults. They have to step up to that.

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Jim—We'd like to meet with a new person who will be the head of the Community Action Council, so we have a face to place with the name. (*Lael Duncan, current Executive Director will soon be retiring.*) We'd like to have the veterans' staff there come to our Board meetings, so we know what each of us is doing.

Michael—We get surplus government clothes, etc. and when we've got enough, we've been giving it to boy scouts and girl scouts. Boots, sleeping bags, rucksacks, etc.

Michael—We've tried to contact the tribe, but they don't show up at our meetings.

Jim—With the WDVA program for all reservations. We need to meet face to face to get things done.

Tom—That's our update. (They leave.)

1:45:55—CB discusses the results of his search for the term "sub-recipients" in ARPA's Final Rule.

There's so much information there.

CrH—Do you guys want to adopt the agenda yet?

AH—We'll adopt the Monday agenda now, and Tuesday's at the beginning of the session tomorrow.

CB—We need to talk about the Water Conservancy Board some. Ester is looking into it.

AH—Tomorrow when Josh is here, I'd like to bring up the roads issue (roads that allow WATV) and he can get the roads on the GIS map and we'll talk about it

Motion to adopt Monday's agenda passes 3-0.

1:54:00—Discussion of WSU Memorandum of Agreement—Kayla Wells-Yoakum

Kayla—Here's the final copy of the Memorandum of Agreement (MOA) along with a copy of corrections and suggestions Tanya Everett and David Gecas made. Everything Tanya & David suggested was accepted. I don't know if it's able to be signed today.

AH—I want to read it first and if it's OK with everyone, we can sign it tomorrow afternoon. We'll also need the budget copy that we signed. Email it to Crystal in Word, and she can type the numbers in.

Kayla—Great. I'll leave you two clean copies to be signed. I won't be here.

Much discussion of signing process and procedures.

Finally, a discussion about ramifications of future pay raises that will make some hourly employees become exempt.

Kayla leaves.

Brief discussion about the agenda mix-up. People who wanted to see the agenda over the weekend were asked for their user name and password. The problem is now fixed.

2:14:15—MG—Discussion of the Fire Advisory Board.

MG—Tomorrow evening I'll meet with people from the USFS, DNR (Department of Natural Resources), Sheriff's Department and several Fire Chiefs in the county. It's called the Fire Advisory Board.

Established in 2005 by Ordinance 2005-2 as a board concerned with outdoor burning. It's in Okanogan County Code Section 8.32. Board was established to set up guide lines about setting up burn bans.

There's an ordinance and the code and then yearly we do a resolution. Emergency Management isn't mentioned in the ordinance or code. My personal opinion is that it should be a committee and not a board.

AH reads the code aloud. Outdoor burn ban in unincorporated areas. BOCC may declare a burn ban. It should be a committee instead of a board, but I don't want to redo the code.

MG—I understand. My second point is that Emergency Management isn't mentioned because it used to be in the Sheriff's Department. I don't want to appoint names. I want to appoint positions.

AH—I agree.

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MG—DNR did Fire Danger Rating Areas. How are we going to do it? As a whole county? As sections? Set a date? Here's what all the cities do—some follow us and some set their own dates. We can try to figure out a date but with the expectation that we can change it by resolution. It's pretty clear that if you set the date ahead of time—the same every year—then everyone knows what it is.

AH—Can you go back and see when we did the burn bans in the last ten years?

MG—Yes.

AH—Usually July 1.

MG—But the cities aren't always the same. We can try to push cities together and get one date for everybody. I'll ask the cities about this.

AH—Also, some places have more snow than others. Mazama vs. Oroville. Or do it by region.

MG—You can ask the public.

AH—I get all sorts of answers from my district.

MG—Air quality issues. If we change anything, we'll still have public burning.

CB—Standardizing burn rules so they're not so confusing for the public.

AH—Plus I get pressure to begin the ban and Cody says we don't need to.

MG—Agricultural burning. Ordinance needs to be updated. I'll get recommendations from the committee.

AH—You're talking about updating the ordinance and changing the code?

MG—Yes. Also, recreational permits can be given by the Fire Chief.

JD—It's be nice to get everybody on the same page.

AH—But I don't want everybody in the county to have the same date.

CB—And the way they name the areas is confusing.

MG—Re: the ordinance. Emergency Management—I'd like to be there, and it also needs a person to oversee the committee, to convene it. I don't care when the burn ban is set, but I want to get the process organized. I want an organizer so they can facilitate making the decision.

AH—We can add Emergency Management to convene the meeting.

MG—It's be great if we can do a time frame, but the date can be changed by resolution.

AH—Who will be the rep voice from the agencies to tell the BOCC that the ban needs to start earlier?

MG—They can come to me and I'll convene the meeting. A Fire Marshall would be good for this.

CB—Sometimes a Fire Marshall would be good.

JD—NO! The last state Fire Marshall told me we shouldn't have a county Fire Marshall. He could close down a business in an older building downtown by saying it needed rewiring and sprinklers. The county can now just call on the state Fire Marshall.

Someone brings in a list of the burn ban dates in the county for the last ten years.

MG—The Fire Marshall would enforce the ban—by telling the guy to put it out.

AH—to MG—talk to Albert Lin (County Prosecutor) and Sheriff Hawley. Discuss enforcement that keeps it out of the prosecutor's realm because he's got so much to do already.

CB—A civil infraction.

MG—Like a speeding ticket.

MG leaves.

AH discusses a road in Brewster where the residents have complained to him about speeders. In a 35 mph zone and they're going 50. He'll talk to Josh about possible solutions.

Adjourn until Tuesday morning.