

Board of Okanogan County Commissioners  
Monday, April 14, 2022 AM

JD—Jim DeTro, BOCC, District 3  
AH—Andy Hover, BOCC, Chair, District 1  
CB—Chris Branch, BOCC, Vice Chair, District 2  
CHa—Crystal Hawley, Deputy Clerk of the Board  
MF—Mike Fort—Position #5, Okanogan County Water Conservancy Board  
NP—Naomie Peasley, Fairgrounds Manager

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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).

Summary of significant discussions:

*Commissioner Branch discusses the Forest Collaborative and how it tries to find consensus on issues. Even though consensus building takes time, it saves money and time in the long run by avoiding litigation.*

*Mike Fort of the Water Conservancy Board asks the BOCC for several thousand dollars per year to cover costs not covered by the application fees the Board charges. He'd also like the Board to meet annually with the BOCC to discuss costs for each upcoming year.*

*Naomie Peasley updates the BOCC on work being done at the Fairgrounds.*

**02:10**—Pledge of Allegiance. CB via zoom. JD has not arrived yet.

AH and CB decide that they can conduct business telephonically.

AH—Last week, I talked about submitting a Request for Proposal (RFP) for auction services for the Fair. But I want to go ahead and get the Premium Book sent to the printers, just saying there will be some fees associated. We can do that without the RFP for the auctioneer. Another person expressed an interest in being an auctioneer, so we need to select the person with a good RFP. I'll email what I've got so far.

CB—I've got another subject to address. Court House facility. A reporter contacted me to learn if the plan for the (inaudible) was public.

AH—Well, I was going to wait until we spoke with the architect. We've said Superior Court is going in there, but I don't know about the clerk. So I'm reluctant to put that in the newspaper without talking to the architect.

CB—You're saying it's a working document, and not ready to release? If they did a Public Information Request it would actually be a public document.

AH—Still working documents because we haven't signed any contracts.

CB—And we haven't adopted it. We better review it. I released just where I thought we were going with it. I was talking to Dennis Rabidou (Juvenile/Family Court) and he thought it was an absolute—that it had to be that way. (The clerk being in the new Court Complex?)

AH—I think it does kind of have to be that way. We paid for a 20 year planning document, to outline what we could do.

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CB—So we just need to look at it and make a decision.

AH—Next week or the week after we can get a good sense of the boundaries of what we're going to do with it.

**12:45**—JD arrives.

AH—Reminds CHa that the Upper Columbia Salmon Recovery Board will be meeting later in the week in the Commissioners' room so she can make sure the zoom meeting will work.

AH—to CB—The Salmon Recovery Board will be here Wednesday and Thursday and in the Methow to see the DFW prescribed burn and tour Virginia Ridge. What's the message to legislators that the Forest Collaborative has been using?

CB—Generally our focus is on pace and scale of forest treatment in the Okanogan-Wenatchee National Forest. Message to legislators and leaders of the agencies—Fish & Wildlife, National Fisheries—we're not moving fast enough and the Forest Collaborative is making every effort to work any resources available to move through National Environmental Policy Act (NEPA) requirements. That includes studies that need to be updated. Twisp focus and the upper Wenatchee, we're frustrated in the lack of movement forward.

AH—Did you see that the Okanogan-Wenatchee was being challenged on the Twisp project? They want them to start all over.

CB—I saw that. It's not a legal challenge, but they made a point in the paper. I'm working on a draft for a press release or a letter to the editor for the Collaborative right now to explain our roll. The NEPA process needs to go forward. The Collaborative has many members and we try to avoid litigation and come to agreement within the organization. What I read in the article is possibly a misconception of what's going on. The need for NEPA isn't negated by what the Collaborative is doing. Lots of the Twisp project burned so those parts are being taken out of the plan. Ask the USFS if they can do fire restoration at the same time as they do (inaudible). And I think they're working on that.

CB—The Forest Collaborative doesn't have an inside track where we control how NEPA works. We try to provide the information needed to move forward. Especially landscape assessments and updates to the SLRRs (?) where spotted owl habitat exists. If NEPA takes too long, the studies are only good for a certain time.

AH—Any discussion about salvage sales? I know they're all different. But we over here in the Okanogan-Wenatchee National Forest, we don't seem to have any.

CB—Lots of discussion—guidance policies the Collaborative would agree on and submit to the Forest Service. I can't remember if we reached consensus or not. I agree salvages are all different. Logs can lie on hillside and prevent erosion, and it takes special management to get it out without problems.

CB—The Collaborative is about consensus based stuff, but not everybody is in it. I think it's amazing we have so many groups—Wilderness Society, Northwest Conservation, Trout Unlimited, Nature Conservancy, alongside with members represent the timber industry, American Forest Research Council (AFRC), lumber companies. And a county commissioner. It's an objective group. DNR is a member. Consensus is important because when there are losers, they take other actions. We try to reach a consensus like the Salmon Recovery Board. We decide about supporting a moving policy and sometimes it's a long process. But collaboration is better than going to court.

CB—Sometimes we don't move forward until the group is satisfied. Takes a lot of patience. Sometimes we worry if we're not moving forward, what's holding us up?

CB continues to discuss how the Collaborative reaches a consensus.

**39:10**—AH—I got a call yesterday from Bruce Rawley of Fire District 1 in Oroville. To buy a brush truck, the Fire District needs a letter from us on our letterhead sent to the federal Department of Enterprise Services saying FD1 is a legitimate fire entity. I called the program specialist and was told it just needs to

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be on our letterhead and that FD1 is legit. It's to make sure they're not going to sell the brush truck to make money or something like that.

Commissioners discuss snowfall in Montana, correcting minutes from last week and how to get the afternoon session with Undersheriff Culp moved to Tuesday.

**1:29:17**—Discussion of a funding request from the Water Conservancy Board, Mike Fort  
*(Note: From the Okanogan County website [Okanogan County Water Conservancy](#): In 1997 the Legislature authorized creation of water conservancy boards under [Chapter 90.80 RCW \(Water Conservancy Boards\)](#) to enable the processing of water-right transfer and change applications at the local level. This legislation allows counties to establish water conservancy boards as independent units of local government through resolution of the county or counties that it serves and approval by the Department of Ecology. All water conservancy board decisions are ultimately reviewed and affirmed, reversed, or modified by Ecology.)*

MF—We currently have 15 active applications. That means they've applied but not that they show up every month to show us something. The process takes a long time. *(Sound is garbles, but MF lists the number of applications received in past years and the number of Reports of Examination (ROE) the board has processed.)*

MF—Our work load is going up a little bit. We are running out of funds from the \$1,000 we charge per application. We're allowed to charge extra if the application is complicated. The secretary is the only one who's paid, but board members are paid for their mileage if they're required to travel to visit a site. We meet once a month.

MF—We'd also like to have a meeting with the county once per year to review the applications on hand and talk about projected expenses for the next year.

AH—Are the majority of the applications for a change of place of use, like the same applicant wants to move the use downstream? Change the type of use?

MF—It varies. Putting water to instream flow. Put it in a water bank. Also do changes at the point of diversion, point of withdrawals. It's a big county and we never know how much work we're going to have to do until it comes in.

MF—We're spending about \$7,200 to \$8,000 per year. Includes payment to members for travel time to visit the sites.

AH—Have you looked at the budget to see any changes that can be made to change the trajectory of the funds?

MF—We looked at the charges and looked at what other boards in the state do. We're kind of in the middle of what the other boards charge. We charge more for the ones that will require more work.

AH—Does the Water Conservancy Board deal with the sales of water rights?

MF—We have not. If somebody needs an ROE because of change in stream flow, that comes before the Board.

AH—So people using your services aren't making money off of the water. It's just moving it around, right?

MF—In my limited time, a year and a half, we've had no applications where the client was being paid money for the application. But that's not required in the ROE, so maybe we don't know.

AH—I want to make sure the service is out there, but get antsy if people are making money on it, but the county has to pay because the applications don't cover the cost.

AH—asked CB—did you find more information on this?

CB—I found legally, it's justified for us to subsidize the Conservancy Board. As for making money, I see it as like the Planning Department. People make money transferring and dividing real estate. They need a

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permit from Planning and we charge for that. Planning doesn't have 100% cost recovery. I don't know how the Water Board decides if it's a complex application. I need to see the justification by the Municipal Services and Research Center (MRSC) attorney—it benefits people in the county to be able to move water around.

AH—And it benefits us too, not to have to go through the bureaucratic Department of Ecology (DOE), but use the Water Conservancy Board instead.

JD—The Water Board is our buffer with the DOE. I'd rather have local jurisdiction.

MF—Plus the DOE has a long waiting list. We provide the service to people in Okanogan County. Being on the Board takes the most time of all my volunteer activities. Water law is complicated.

CB—From my perspective, the law was passed to expedite the work. Conservancy Board is trained by DOE and the decisions are reviewed by them, too. Biggest asset is that it expedites the process. Also expedited land transactions, because water and land are used together.

MF—I agree.

MF—We started with \$8,000 in seed money, but now it's all gone.

CB—Our decision should include that DOE would pay some of this because we're expediting their process. Make this effort in the legislature.

MF—I don't think we can raise the rates here to cover our expenses. I don't want to raise taxes.

CB—But it's a fee, and not a tax. And not everyone is moving water. But understanding the Board and the service it provides, I support supplementing it. And I'm sorry but I can't remember if you laid out a budget and the specifics of your ask.

MF—Two things. We'd like that inter-local agreement done to get some money up-front and also an annual meeting with you to let you know what's coming up in the next year and what we might need.

AH—An idea I had: if it's taking about \$8,000 per year to operate, then we give them \$8,000 but then we get reimbursed with the fees it collects up to \$8,000. Or, we fund it until the Board gets a cushion of whatever amount we agree on, and then stop. We just need to work out the agreement.

MF—I'd like to take it slowly and not take the whole \$8,000.

CB—to AH—So you're trying to create a level of predictability for the budgeting process?

AH—Yes.

MF—\$8,000 is a good number for us. That's why we'd like to have a meeting in Nov. or Dec. to say what we might need in the next year.

CB—Could you send us your fee policy and strategy? I'm interested in how you decide to charge extra.

AH—Can we just see your budget for the last couple of years.

MF---Sure.

CB—For instance, is the Board the lead agency for the State Environmental Policy Act (SEPA) as well for these transfers? Or is it DOE

MF—We can choose to be the lead agency, or the DOE can be. The applicant makes the choice.

AH—Can we get the info from Mike ASAP and start to get an Memorandum of Agreement (MOA) next week.

MF—Majority of our agreements don't require SEPA.

AH—Can we get 3 or 4 years of budgets and the criteria for charging extra fees.

MF—I'll have that in a couple of days.

**2:02:00**—Public Hearing for Budget Supplemental for the Sheriff's Department.

AH—There's no staff here to do the staff report, but it's a Health Care Authority Opioid Use Disorder grant. The supplemental is to utilize the increase in revenue of \$174,184 for supplies, drugs, medicine and professional services.

No public testimony.

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JD—Move to approve resolution 55-2022 for \$174,184. Motion passes 3-0.  
Public Hearing is closed.

**2:24:30**—CB wonders if the commissioners should have an executive session to discuss the content of a recent court case. JD says the suit looks frivolous, but doesn't know what property it pertains to. When AH returns, he agrees there should be an executive session. He thinks Ester (Milner, Civil Chief Deputy Prosecutor) may have some updates for them.

**2:29:50**—Fairgrounds Update—Naomie Peasley

NP—This AM booked two more events. Baseball tournament lists the Fairgrounds as the recommended camp site, and a Vacation Bible School is coming back in June. Total of 17 rentals and events in May.

NP—Moving forward with the WSDA grant work. Working on outer rail and gates. PUD and Public Works moved a transformer. Worried about fencing and security because the chain-link fence was removed to do the outer rail. Haven't got any quotes from the small works roster about replacing the fence.

AH—Was replacing part of the grant.

NP—No, but we didn't originally know we'd have to take it down to do the track.

AH—Thinking do we really need a chain-link fence? There wasn't one before, was there?

NP—Yes, there was. NP & JD discuss location on the fence. NP shows location on the map—where the fence was before it was taken down. We some kind of fence to create a barrier for the horses.

NP—Also concerned about security. People can just drive in without the fence. Maybe I can find something less expensive. Maybe landscaping.

AH—Little shrubs, like those little cedar trees.

NP—Fencing is the next thing to do with regards to this grant.

AH—Call Theresa to see if you can shift money? What was the next thing? Lighting?

NP—Going to do lighting if there's money. So far I've spent \$186,433 for the outer rail and starting gates.

AH—Out of \$613,000...discuss costs of lights, landscaping, panels and stalls. Buy stalls and panels that will be used outside, but eventually moved into the barn?

NP—Yes.

AH—Any idea of costs?

NP—I got quotes last year but I didn't bring it with me today. But I'll need to get new quotes because steel and freight have gone up.

AH—Lighting and that are the only other two things on the list? Can you get prices for them? We've still got \$175,000 left.

NP—To replace the chain-link fence it'll be about \$45,000.

AH—Leaves us with \$130,000.

NP—Yes. Includes pedestrian fencing. Ecology blocks maybe. \$10,000. Public Works for March was \$30,000.

AH—Where are we with lighting? Replacing old incandescent bulbs with LEDs?

NP—Yes. And adding lighting to the stock pen and roping chutes. Currently, we have to get portable lighting from the PUD. And there are lots of shadows so it's not safe for barrel races.

AH—Horses have a hard time seeing then.

AH—PUD is going to do the lights.

NP—Other people might do it, in kind. We purchase the lights and someone puts them up for us. Lights for each LED for the rodeo arena are \$750 each pole. But that was last year's price. AH says maybe they're \$1,000 now. Six poles were there and we'd like to add three more.

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NP—So about \$9,000. I think we need to see how much we can get done with the fencing for now. We can put the lights on hold because there are no night rodeos scheduled.

NP—Meeting tomorrow with potential electricians and the PUD for the RV park project. Get electricity to the RV pedestals that will go in.

NP—Hired a cross connection specialist. He had nine pages of notes. Maintenance is working on a new map for water.

NP—Not projected to be opening RV park on May 1, because of water problems, including damage to the new bathrooms that occurred over the winter.

NP—RV park bathrooms. Looking at remedies so there's no damage to the bathrooms in the future.

NP—Zoomed last week about grants and quotes. Suggest we reject all the quotes. New specs drawn up with Public Works and contracting consultant so we can put in gravel. It'll be a finished project when the grandstands are taken out. All we'll have to do is replace them with aluminum stands, rented or not. Sloping for drainage included.

NP—That's all I've got. Any questions?

AH—Can't find anyone to do cyclone fencing?

NP—Not on the small works roster. I mentioned it to several not on the roster and urged them to sign up. Tribe is encouraging tribal contractors to sign up.

AH—Maybe branch out to look outside the county.

NP—Interviewing someone on Wednesday to be office help. Today's the last day for temp maintenance to turn in applications. I have five already. I'll be looking at them and moving forward with interviews.

CB—So there are some change proposal with budget implications. Can you put this all on paper, Naomie?

AH—If you're going to put the fence on the grant, then we'll know what's left. Discusses all the fencing that's needed and its costs. We just got \$80,000. Fence building is real easy to do. I could teach the maintenance guys how to do it.

NP—I'll get the numbers for you on a spreadsheet.

CB—Thanks.

AH—The Undersheriff will be here tomorrow at 11:15 and an executive session at 2:30.

Adjourn.