

Board of Okanogan County Commissioners  
Monday, March 13, 2023 AM

JN—Jon Neal, BOCC, District 3  
AH—Andy Hover, BOCC, Vice-Chair, District 1  
CB—Chris Branch, BOCC, Chair, District 2, absent  
CHa—Crystal Hawley, Deputy Clerk of the Board  
SK—Shelley Keitzman, Human Resources and Risk Management  
ZK—Zak Kennedy, Lobbyist for Okanogan County  
PP—Pete Palmer, Director of Planning  
MG—Maurice Goodall, Emergency Management  
NP—Naomie Peasley, Fairgrounds Manager

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Summary of significant discussions:

- County employees will undergo training for emergency situations such as an active shooter or a narcotics overdose.
- Commissioners hear an update from county lobbyist about the current legislative session in Olympia.
- Pete Palmer, Director of Planning, met via zoom with Sandra Floyd of the Washington Dept. of Ecology. Floyd toured the county last fall and is now requesting that the county audit a number of the county's Floodplain Development Permits (FDPs) issued since 2018 and has also suggested changes to the county's FDP code. Palmer told Floyd that the audits wouldn't begin until at least November and that they would be driven by a directive from the Commissioners.
- Naomie Peasley, Fairgrounds Manager and the Commissioners discuss potential sources of funding for the horse barns. They also discuss a potential gun show at the Annex in August.
- Commissioners adjourn at 10:36 for the day.

**03:20**—Pledge of Allegiance

JN—I move to pay voucher for Public Works for \$43,294. Motion passes.  
JN—I move to convene as the Oroville EMS and approve its voucher for \$9,680. Motion passes  
JN—I move to convene as the Tonasket EMS and approve its voucher for \$16,200. Motion passes.  
JN—I move to reconvene as the BOCC.

**09:20**—JN—Who's a good contact in the Tourism Council? They're supposed to put in a kiosk in Oroville.

AH—They just hired a new woman to do outreach. It's probably Carolyn Davis you want.

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AH—The RCW exists that says the land owner isn't civically liable for it. If you get a project put in, you can't be sued for it. It was amended to add that people putting in the project can't be as long as it was engineered to the 100 year flood standard and stuff like that. That's tough because we had a project that blew out the county road and we were trying to get money from somebody to fix the road, even though I think it was designed to the 100 year flood standard and then the standard changed. It kind of bothers me in that if you're near a road, I think the county should be involved in the road standards.

JN—County, state or whoever.

AH—Right. If a project is backing up water and it starts flooding, who's going to take on the brunt of doing things—the county. Emergency Management, Public Works, we're going to be the ones cleaning up the mess. That bill is in the Senate. (*Commissioners don't mention which bill they are discussing.*)

JN—If a person wanted to comment on it, today is the day.

AH—The legislative update with Zak is today.

JN—I see 1333 died. To set up a council to decide who was a potential terrorist by your speech. The AG was promoting it.

AH—That's the one where if the AG thought the Sheriff wasn't doing his job, he could...

JN—No. This one was about speech. If you said something they didn't agree with, they could basically censor you and on and on.

AH—Are you taking over WSAC (Washington State Association of Counties) for Chris?

JN—I've been on the meetings, but I didn't get a link to the last one. But while he's incapacitated, I've been trying to do it.

AH—I appreciate that.

JN—Sounded like the per mile fuel tax died, but it'll be back.

AH—This is the 7<sup>th</sup> time they've brought the assault weapons ban into the legislature.

JN—It appears to be going down.

AH—So does the "license to purchase" bill. It's so dumb that they'll waste our money fighting something they know will be overturned.

JN—And it's completely unconstitutional.

AH—And then that Bruen case. The verbiage they use now that the case has been through the Supreme Court. It changes a lot of ways that other court systems have to look at 2<sup>nd</sup> Amendment issues. My cousin owns a gun shop. He says they banned high-capacity magazines and now Benetiz down in California is probably going to overturn the California magazine ban. It'll go to the 9<sup>th</sup> District Court and probably be upheld. They'll be able to sell them again.

JN—Yup. It's ridiculous.

JN—Just heard this morning they're going to amend some stuff so that hard drugs will just be a gross misdemeanor.

AH—Oh, good. A couple of years of this free-for-all disgusting stuff and they're finally going to go—Oh, gee, that's not good.

JN—It's like the pursuit laws. They're going to—it went out of the House. They pretty much had to have a rally on the steps of the Capitol to get it out of the House.

AH—To get it repealed or modified?

JN—Modified. There will be limitations to it. There will be four things that will allow it, but vehicle theft isn't one of them. But they unanimously passed Maycumber's vehicle theft bill. I don't get it.

No public comments.

**17:40**—AH—I don't think the Draft Emergency Employee Instructions will take very long. Why don't we do that before Zak?

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SK—I'm Shelley Keitzman, Human Resources and Risk Management. I've given you a draft document developed 5 years ago. We'd like to use portions of this document for training employees in emergency procedures. It looks like a good starting point. We have a subcommittee for Court House security dealing with employee training for the different procedures outlined in the document. There will be a lot more to follow. I want you to take a look at this draft and see if you think we're going in the right direction.

AH—Tornados?

SK—Well, we can call it high winds around here.

AH—In the event of a snow storm/blizzard, staff and clients will be released if the storm is significant. It looks like a great place to start, but let's set some parameters. Also, make sure that the offices are having safety meetings, maybe monthly, making sure everyone keeps refreshed on the procedures.

SK—That's a conversation we're going to have this week—to establish contacts—to get this rolling.

AH—Some places have just one door. Make sure people know how to get out.

SK—I'm working on getting maps showing emergency exits.

AH—Also, active shooter training. Knowing what you're going to do if someone comes in.

SK—And that would be part of training for a new employee.

JN—Have you talked to the Sheriff's department?

SK—They're involved. The Sheriff is participating and gives input. Maurice Goodall, Emergency Management, is the chair of our sub-committee to train our employees.

SK—One other thing—I followed up with Lauri Jones (Community Health) on Narcan. She can get it for the county—any department that wants it, and she can do training. It takes about five minutes for any employee that wants it.

AH—I suggest that it not be just interest. If we're going to have it around, we should know how to use it. Like CPR and the AED defibrillators.

SK—Will do.

**25:45**—JN—I got an email of concern about a local (*inaudible*) and I'll forward it to you.

AH—Isn't this the one with a lot of controversy with it?

JN—Yes, and it was about the entrance to the property. They addressed that. Now I think it's just that the conditions are not what they should be.

AH—It's under a Conditional Use Permit (CUP).

JN—Can Pete (Palmer, Director of Planning) take care of it?

AH—Yes. They issued the CUP, so maybe it's Rocky (Robbins, Planning Department). I'm not sure what the conditions of use were.

JN—I don't know if there are limitations to the numbers.

AH—Or if it had to be kept up.

JN—I've got OCOG (Okanogan Council of Governments) tonight if there's anything you want me to say.

AH—Yes. See if you can get Lauri (Jones) on the agenda. We need an elected official from one of the cities to be on the Board of Health. Also, the jail fees.

JN—Missy is usually on top of that.

**32:50**—ZK—Good morning.

JN—Good morning, Zak.

Chit-chat until AH returns.

ZK—We've got a million bills coming up for hearings. The governor and Attorney General are working in concert. They'll want to pass controversial bills this year, before the governor would be up for re-election in 2024.

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ZK—One of the big things is the Governor and AG are working together, and they won't negotiate, we could see some fireworks at the end of the session for their bills. The governor's office was being tight-lipped but they're unhappy that a lot of their stuff didn't more.

1445—Investigations of local law enforcement didn't make it out of rules.

1720—Riparian Areas. Rework of an older bill. Also didn't make it out of its committee.

1333—Domestic Violence Extremism didn't make it out.

1670—Bill to give you the ability to raise property tax from 1% to 3%. Necessary for the budget but probably won't move. Local tax options not popular. Probably won't move.

1240—Fire arms. Bans all kinds of assault weapons. That bill passed without amendments. If the Senate passes it without fixing, it'll go directly to court. If they do fix it, House won't repass it. We're not too terribly worried about this bill.

AH—What about the "permit to purchase" bill?

ZK—And the training. 1143. It passed out of the House and referred to Law and Justice in the Senate. It's kind of nasty. Probably be found illegal.

JN—Hard to follow logic if criminals use a hand gun but don't pull the trigger, you get a lesser sentence.

AH—It's decriminalizing people and criminalizing guns.

ZK—Which has always worked.

Laughter.

ZK—Really busy week. Maybe towards the end of next week and week after we'll get some amendments. All the bills we've talked about have hearings.

ZK—I expect things will be more conservative next year. And I hope they'll be in their offices and the Legislative Aides will come to work. Unless something changes, we'll lose a lot of seasoned LAs. That won't help our cause at all.

ZK—Any questions?

AH & JN—We're good.

ZK leaves the meeting.

**50:35**—AH—Pete?

JN to PP—I just forwarded you an email I received.

PP—Great.

PP—Last week we interviewed four potential people and hired two of them. Filled the Planner 1 position and the Administrative Secretary. We're fully staffed again.

PP—We had Highland and Associates giving us data to the Planning Commission last month on the SMP (Shoreline Management Plan). We've got the Public Participation Plan completed and it's on the website. They launched a survey for the public but they've had only one participant. I drafted a public notice—who, what, when and why. Tell the public we're started to code amendments for the SMP review and one for the zone code. Explanation about why we're doing it. Where to find the meeting videos, how to participated, link to survey and website information. Get the word out. Because of the feedback we got about the Tunk.

PP—I received a letter from Guy Mora, the Tribal Historic Preservation Officer. They were concerned they weren't getting projects to review in the confluence of Wolf Creek and the Methow River. He mentioned Wolf Creek Rd and Arrowhead Rd that there are burial sites and villages there. He noticed construction going on sites they hadn't reviewed. I responded by telling him our process. If anything is going on that would trigger a SEPA (State Environmental Policy Act), he'd be notified along with the State Historic Preservation Office and the Yakama Nation. Told him information we've given the Yakamas under the stipulation order and showed him how to view building permits on our website. I asked him for parcel numbers or areas of concern so we can let them know.

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AH—They should go and talk to the land owners. People aren't going to purposely go and build...

PP—A lot of times, they'll work with us there. I asked them if they ask for a cultural survey. That doesn't give us any teeth to make it a requirement. We asked them to start requiring the survey. It gives us more teeth to get the survey done. We've also asked the History and Preservation Office to do the same.

PP—Week before last, Rocky and I had a zoom meeting with Sandra Floyd, the Central Regional Floodplain Management Planner at the Washington Department of Ecology. She handles FEMA stuff for DOE. A community advisory visit. She did a field inspection late last year and looked at different sites in the floodplain. She identified twelve sites, eight were for discussion and four she was requesting permit information on. All twelve were unpermitted developments. They want us to take enforcement action. Asked her to send us something in writing. Explained how the enforcement goes—don't be surprised if it looks like nothing has happened in a year. We're still waiting for the letter.

PP—The meeting was uncomfortable once I found out they'd requested a list of our permits from 2018, our FDP (Floodplain Development Permit) permits. Out of that she'll pull 12-15 of the permits for us to send. Auditing our floodplain program. The end result of this is that they've gone through our FDP code and made suggested changes. I emailed that to you with the red marks. Backed us into a corner about when could we start. I told her we had some things in queue mandated through court orders. Soonest would be starting in November, and that would be driven by a directive from the Commissioners.

PP—I felt uneasy about the things sprung on us.

PP—The other thing is they have new FIRM (Flood Insurance Rate Maps) maps coming out. They're going to be out in June and the public can comment on them and appeal if they feel it's necessary.

PP—The county has been a member of the FEMA insurance program since 2006. Currently—

- We have 174 national flood insurance policies in the county.
- Premiums average \$781 annually.
- Total for the county is \$135,978.
- Total amount insured is \$43,383,000 and
- The average coverage is \$250,000.
- There have been 53 claims in the county totaling \$452,255.
- Three sustained substantial damage.

PP—People are using it.

AH—They have comments on the floodplain management portion of our code, and they want to know when we can get to it.

PP—I'm a little worried about the enforcement side of what they're asking us to do.

JN—I've talked with Brian Forbis, the Building Official in Okanogan. In Okanogan, they're doing the same thing. Not looking at Oroville yet.

PP—I'm sure they're heading that way. From what they've sent us, they're as far as Tonasket.

AH—Can you put this as a discussion item outside of the staff meeting?

PP—Will do.

**1:03:40**—AH—Time for Maurice.

MG—Just a few things. Looking at emergency action plan for some of our dams. Zosel Dam (*near Lake Osoyoos*) Miles Lake up on Frost Road, and another dam near Conconully.

MG—We had one little mud slide in the Tunk Valley.

MG—Snow packs looking about the same.

MG—That's it.

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**1:05:15**—NP—Naomie Peasley, Fairgrounds Manager. I have a lot on my list.

NP—Waiting to hear back from the insurance adjuster about the horse barn.

NP—I forwarded you the request for when we hear from him.

AH—We'll wait until we hear back. NP looked at different kinds of stalls. Modular ones that make a lean-to barn or better looking but more expensive barns. We can use the (*inaudible*) Trust and the Boots and Saddles money. There's about \$150,000 there.

NP—That would cover the stalls like at Emerald Downs. Everyone agreed to them and it wouldn't cost as much.

AH—On the ones from Noble, what's the site prep like? Bring in gravel?

NP—We won't use gravel.

AH—If you've got mats and the horses pee, does it drain through? Some pavers have holes in them. Permeable.

NP—The mats are covered with shavings and they're cleaned twice a day to keep them from being wet.

AH—That's what they've got at the race track?

NP—Yes.

NP—I'm going to hire someone to spray weeds so we're not the hub of noxious weeds. I've got three on our small works roster and I'll call them.

NP—We're prepping for the surplus sale. That's in May.

NP—I still don't have office help yet.

NP—We'll advertise in April for a maintenance crew so they can start May 1. We've got a lot of projects including the RV Park bathrooms and 120 trees to plant.

AH and NP discuss where the trees will be planted.

NP—Washington Fair Association has a fair grant we received. There's a grant report on what we spent the money on due March 31.

AH—It would have been stuff we did last year.

NP—Meeting on Thursday with Falcon Gun Shows. They want to use the Agriplex for a gun show in the second weekend in August. Is that OK?

AH—They've asked us before...

NP—But then Covid happened.

JN—It's Stampede weekend but that's irrelevant.

AH—I don't see an issue. Find out what the indemnification is. At a gun show, they've got to follow all the laws about transferring gun ownership.

NP—They did a show several years ago that was a big success.

AH—Just get all the indemnification stuff.

NP—I can get a list of all the fairs he's been to.

AH—That's be great. Just make sure all the ducks in a row and talk to Shelley (Keitzman).

NP—We're putting another coat of epoxy on the annex floor. Hoping it warms up so they can paint the RV park bathroom floors.

NP—I'll meet with the treasurer soon about on-line fair ticket sales.

AH—The auditor needs to be there, too. Can you set up a meeting for a week from Wednesday?

AH—And when is information due for the safety grant? You're taking care of all that?

NP—We don't know all the costs yet. Public Works is doing the racehorse gates and we need to transport the ecology blocks. We don't have costs for those things.

AH—We've met our 50%?

NP—Yes. Then we can work on the next safety grant.

AH—We can get preliminary costs on doing the barns. Discussion of application process for a grant.

NP—Would you guys like to schedule a walk around the fairgrounds to see the conditions?

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NP—That's all I have.

**1:32:10**—JN—I move we go into Executive Session for 15 minutes 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. Inviting Shelley Keitzman. Motion passes and off they go.

They return after 5 minutes.

Meeting adjourned for the day at 10:36.