

**Board of Okanogan County Commissioners
(BOCC)
March 6, 2018**

Jim Detro – JD (BOCC)
Chris Branch – CB (BOCC)
Andy Hover – AH (BOCC)
Josh Thomson – JT (Public Works)
Debi Hilts – DH (HR)
Joe Poulin – JP (Maintenance)

Perry Huston – PH (Planning)
Lanie Johns – LJ (BOCC Clerk)
Ben Rough – BR (Public Works)
David Gechas – DG (Civil Att.)
Tanya Craig – TC (Risk Manager)

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SUMMARY: Civil Attorney Report (HIPPA issues, French Creek Hearing on Summary Judgment, Executive Session, Discussing a potential litigation), Planning (Fair Grounds budget discussion), Risk Manager report, Admin update (Possible Website Update), PWorks – BR Admin report (SWMP Prelim. Draft, Apple Maggot outbreak), Draft Comprehensive Plan review

9:00 AH & CB present for Staff Updates.

GT (George Thornton) passed on to AH & CB that two food banks in Okanogan County may be closing and might be looked into to verify in that is accurate. This was an overheard conversation that needs to be followed up on.

DG & PH discuss Burkholder short plat application. PH feels application is not “ripe” and still in process.

Civil Attorney Report: Dave Gechas

- After reviewing status of a firm that will maintain the installation of the new geothermal HVAC system DG feels that the firm (ATS) qualifies as a sole source. He has prepared a resolution to accept them as such for the BOCC to address. DG has included supporting documentation for review by the BOCC. AH moves to approve declaration of ATS as a sole source provider, passed.
- Looking at JP agreement on renting eqpt for use on grounds, primarily at Fair.
- Looking at Sheriff using private information in 911 calls or other calls and need to be circumspect over radio communication. Public overhearing on radio of personal info (scanners). Might violate HIPPA laws. They will need a means of talking to Dispatch & OCBH for non-public wireless.
- When billing for treatment at jail need to be careful on **HIPPA issues** in specificity on bills. Jail transmittal of info involved, people providing health care have need to protect personal information. Info disclosed in billing is on a need to know basis, a reasonable belief that the recipient will not disclose the information – particularly

STDs as an example. Extra care must be taken if the subject objects to disclosure at any level, there is an obligation that such a concern follows the information (billing) so that all people in the information chain are behaving responsibly. There is a difference when the standards apply – at the time of custody or at the time of booking. A complicating factor is that a transfer to another facility often done for expediency (ER) and not at entry into the system. AH – all need clarify and know general procedure.

9:24 JP arrives.

- Public records request – an inmate looking into an appeal has contacted DG and he has contact the attorney;
- **French Creek Hearing on Summary Judgment** has been reset to 3/20
- Appeal on a Conditional Use permit. A co-defendant with the County has joined the case

9:26 PH wants an **Executive Session – JP, LJ, DG & BOCC. Discussing a potential litigation**, returns at 9:35

- PH indicates that JP is finding a variety of problems at the main Fair restroom. PH asks DG to draft a letter to contractor about shortcomings. BOCC agrees.
- Still problems at Agriplex restrooms, still an issue with adequate flushing & excess venting of fumes. JP is concerned about the long run to the septic system and possibility of lack of slope and/or swale in line that creates the problem. AH – maybe there is a need to get professional to investigate this ongoing problem

9:40 TC arrives.

- There will be a **Fair Grounds budget discussion** next week, about \$10,000 left in account at this time. AH – is income “working” out, PH – not bad.
- AH to TC: there is a grant that might apply to Fair infield and track. Also a concern over a possible club rental of the facility and by paying in work in kind. Who is liable for an incident? Desire to keep access to the facilities as open and easy as possible; requirements, procedures, etc. AH – was there ever an official qualified inspection of the Fair racetrack bleachers? TC & PH - not really, no formal review. An insurance review saw a few risk issues. Haven’t even had County building inspector review the bleachers. Current bleachers and the cover an integral unit.
- AH – what of cultural resource concerns? Generally there aren’t concerns for minor projects on the Fair Grounds but need to keep tribe informed. In the past there was an extensive review that found no issues.
- PH – study session this afternoon on new Comprehensive Plan and will start going over section by section. AH asks about sub-area plans and how that works with the overall Comp. Plan. PH – they are subsets and County “overseas” but co-operates with the local plan. More completely planned areas are supported by the County with a possible issue being the level of support among the people in the sub-area. 2/3 of local owners may apply but the power of the BOCC is to decide and the BOCC

needs to consult with DG or whoever is the current Chief Civil Attorney. A sub-area is by petition of the locals to the BOCC, no matter on numbers or % on the petition the BOCC decides on the merits of the petition. DG will look further into the law.

TC – Risk Manager report:

- Loss pool review came up for the County. They will pass on their finding for BOCC's consideration.
- VSO contract with Douglas Co., DG will review when the document is farther along.
- TC found out that the old RFQ for the Jail ceiling will use for a re-write for a new RFQ. Funding is in place.
- The contract is signed for the new MD for Jail, will start on May 1
- SB 6015 that would have defined more broadly wrongful death did not make it out of the state House. Could have been a huge liability
- A murder trial that was in process will not go to court avoiding a big expense
- Hawker licenses?
- There was a burglary at the SW landfill complex. TC is waiting on the list of loss.
- She is working with DG on a variety of issues – jail, possible court case over an inmate assaulting another inmate. A public record request is in process.
- A large bill for loss at the jail, a helicopter evac. of an inmate for \$22,102. (Turns out to be a Douglas Co. inmate and they are responsible for the bill). Maybe County needs to look into a contract with Lifeflite? AH – TC to look into a group contract and its cost to the County.

10:16 TC, PH & DG leave.

LJ – Admin update

- Randy Clough wants to show an example of **possible update for County website**. There needs to be a more accessible ways of showing inter-local agreements, contracts, amendments for public and other searches. LJ shows a Skagit County example compared to current Okanogan County ability. County does not have the expertise to replicate the Skagit example. LJ wants something very use friendly, not just a minimal to satisfy the law.
- LJ has a concern on the unprofessional, minimal look of the present County site and that it reflects poorly on the County.
- Need to make sure that a clean search and look is part of any update
- Public Hearing on Mar. 20 @ 2 pm for Public Services grant for the County Administration project. Current requirements for bilingual are in the grant to provide availability are based on the percentage of bilingual people in the County.

10:30 AH

- AH is reviewing the Affordable Housing/Homeless proposal. Possible use of Housing Trust monies and the usage of facilities paid for by the Trust.
- LTAC might be a model for possible disbursement of Housing funds – this is an open ended question. LTAC has a BOCC member involved in process of allocating distribution. Currently the BOCC has minimal influence. A LTAC model would allow

a more neutral atmosphere for open discussion of allocations of funds. LJ – always need to focus on needs of those who need housing and the homeless.

- A discussion of demographic trends in the County, forecast is minimal growth for the future.

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10:55 BR arrives for PWorks. JT is part of a jury selection process at this time.

- Economic growth is occurring without population growth – absentee and 2nd home owners?
- There is a need to consider GMA but not bound by it until County reaches 50,000.

PWorks – BR Admin report. JD arrives during PWorks report.

- Open position status – Engineering Tech is still open, another person probably leaving and there will be a need to have an overlap for training of any replacement
- Summer temps in Road Crew & Solid Waste: 7 truck drivers, 3 flaggers, 2 SW general, 1 SW truck driver and 1 transfer station clerk. 14 total seasonal temps.
- CDL MOU – still out there but BR did meet with Union. Union wants 4 year faze out of training costs not 5.
- BOCC Grant Authorization – As this is not a “grant” but just a pre-approval for cost reimbursement BOCC does not need to authorize.
- SW Scale/ Finance Software Upgrade – looking at options but proposed replacement is \$8000 vs. \$20,000 from old company. There is a 2 year upfront payment, \$16,000, There is not a requirement for a formal bid process in the SW. they want to do this now. All transfer stations would be live for updates and changes compared for a need to virtually shut down for any changes at this time. On the new proposed software there is online training, 24/7 costumer service and could be installed by Central Services.
- **SWMP Prelim. Draft.** – a comment period begins 3/7, Wednesday for a 30 day period, followed by a 120 day DoE review. At end of public comment period closes comments and issue intent to adopt if acceptable at that time. There is a need for a Public Hearing the 2nd week in April, 4/17 @ 3:30. DoE could approve.
- Central Landfill Appliance/Salvage – need to move the pile to build new leachate pond. New location will require some work and installing a retaining wall. Will use precast ecology blocks. Roughly \$2000
- Central Landfill Transfer Station break-in status – minimal damage, a safe was damaged, security cameras are being checked - some damaged, a few items are missing, investigation is ongoing
- DOE & Ellisforde Landfill – if could get a clean well test in the general area DoE would allow closing of the site. DoE currently not ready to close, they want more testing. Looking at testing some old SW wells in the area. BR thinks this will be adequate for testing purposes. But can’t predict the outcome at t his time. Seems DoE just want a stronger case for closure – no assurance on the outcome.
- **Apple Maggot** – a reproducing population has shown up in the Methow up valley from Gold Creek. Signs designation a quarantine area will be installed. No transport of any Ag material will be allowed without adequate treatment or inspection. There is also a preliminary finding in the Palmer Lake area that needs to be carefully

looked at. Possible need to find some treatment of movement of SW containers to central landfill – one proposal to seal and set in the sun until temp rises high enough to kill any eggs, flies or larva..

- Need communication with Tribe about increase in tipping fees

11:45 JD

- Dealt with public concern over erratic snowfall and road usability consequences and timely PWorks work.
- Foresees localized flooding issues as we get into melt season
- BR – SW Comp. Plan is gearing up for SEPA review. Specific exemption for SW but needs to add statement to that effect in intro of SW Comp. Plan.
- AH will reply to Isabelle about Dave Schulz need to re-apply for Planning Commission position. Expiring terms require members to re-apply if interested. The expiring person will continue to serve until another appointment is made.
- A discussion of PHealth Charter and the appointment of PHealth board members.

12:03 Lunch

1:30 Reconvene, JD,AH & CB present

1:30 Public comment – none

2:00 Public Hearing

- Supplemental appropriation for Superior Court at \$5250 – unforeseen revenue. Passed.

2:10 **Draft Comprehensive Plan review** – PH

- Remove all of Authority on P. 117 – 129 (page 4).
- Discussion between PH, CB & AH over Vision Statement
 - o Is more of a an objectives & goals, not a vision statement. CB recommends writing a visionary one that describes what the view of what they want the County to be. As is not even a mission statement. AH relates 1/12/09 Comp. Plan had a Vision Statement that was dropped. PH will look for the Statement
- There is a strong belief that constitutional protection of property rights be honored
- 3:10 Section by section review of Comp. Plan.
 - o Criteria used for designating areas – Ag, Range, resource are examples.
- PH wants to have BOCC review Public Health & Safety Section on lines 1354 + of Draft Plan. This is a new section.
- Next review set for 2 hours, 3/12 @ 1:30 and extent to Tuesday 3/13 if necessary.

4:20 Payroll approved, Consent agenda approved

4:30 Adjourn