

Okanogan Board of County Commissioners
04/02/2018

JD—Jim DeTro--absent
AH—Andy Hover
CB—Chris Branch
PH—Perry Huston—County Planner
Angie—Angie Hubbard—Planner
DR—Dave Rodriguez, Coroner
BP—Branden Platter, Prosecutor
Josh—Josh P (?) Sherriff's Task Force Commander
DH—Dan Higbee, Building Dept.

This is a paraphrasing of conversations by one of several volunteer citizen note takers and published on the website of Okanogan County Watch (countywatch.org) Any writer's comments or explanations are in italics. For officially approved minutes of Board of Commissioner meetings, normally published at a later date, see www.okanogancounty.org.

Update from the Coroner's Office *The Coroner discusses budget issues and his plans to save money spent on transportation and refrigeration of bodies. He also alerts the Commissioners to the fact that increasing numbers of opioid deaths will lead to an increase in spending for autopsies.*

Nightly Rentals—Review Ordinances *Commissioners discuss establishing procedures for licensing nightly rentals.*

Commissioners discuss *the agenda for meeting concerning Initiating Governments, the interim control of cannabis operations, financing a sewer project at Champerty Shores and regrading a service road at the Fairgrounds.*

Comprehensive Plan discussion *includes the plan's vision statement, population growth estimates, zoning in and near airports, city expansion areas, resource land maps and critical aquifer recharge areas.*

Update from the Coroner's Office

DR—First, I want to talk about how funeral homes bill the county. Then, at 11:30, the prosecutor and detective will discuss opioid deaths and how they affect the Coroner's budget.

DR—How the billing works—

1. Someone calls dispatch to report a death.
2. Dispatch assesses the situation and decides who to call—Law enforcement, EMS, etc.
3. The coroner goes to the location.
4. The coroner does an assessment and the paperwork and gets the body transported to one of the for funeral homes. The county doesn't have a morgue.
5. The coroner releases/doesn't release the body to the family, depending on the circumstances.

AH—There was a climbing death & Aero Methow responded. The coroner did his assessment. Does the funeral home go up the mountain?

DR—Aero transported the body to Twisp. The charge is ~\$200-\$250. I didn't call Aero Metro. They were already on the scene.

DR—Since our last meeting, there was a situation where a caretaker found a body that had been dead three days. I called Prech Funeral Home and they got the body. (Most ambulances won't transport a body.)

DR—I call the family to learn about final arrangements. Suppose it's with a funeral home in Spokane. We call a local funeral home to hold the body until the people from Spokane arrive. I can't call anyone until I know the family's wishes. If the family doesn't pay to have the body transported, we get the bill.

AH—That's convenient.

DR—There can be transportation and storage costs for the funeral home that doesn't actually perform the services. We end up being responsible because we have no morgue.

AH—How much does this all cost?

DR—distributes a spread sheet with costs. Notetaker was unable to see it.

AH—We can't contract with them so we're at the mercy of the families.

DR—Refrigeration is a big item. One man drowned and was too far decomposed to identify. We've had to store the body in Wenatchee for 6 months.

DR—There are going to be more deaths from over-doses and I'll have to store the bodies. I've paid \$23,000 for storage. And with opioids, there will be more autopsies, transport for autopsies, storage, etc.

AH—With a mini-morgue (cooler) the costs will be more predictable.

DR—There's a location near Josh's office. It's secured and the inner room is secured & alarmed. It just needs refrigeration. It's even got an outside wall if we need a vent. For \$7,000, I can buy a cooler that holds three bodies. I can buy another if three is not enough. There are boxes stored in that room now, but they are easily moved.

DR—Also, I think I could trade the vehicle I currently use, an Explorer, for a truck with a canopy that can be fitted to transport bodies.

AH—There's not a lot in the budget, but \$7,000 isn't much.

DR—The savings comes in not paying the funeral home for transport and storage. It might not pay for itself the first year, but probably would in three years. Also, I'll know on April 12 if I pass the first cut for a grant that can help fund this.

DR—Can I trade my Explorer for a pick-up truck that would be appropriate to transport bodies?

AH, CB & DR all discuss procedures for trading one vehicle for another.

11:30 Josh & BP join the discussion.

DR—Concerning opioids, the sky is not falling, but here is what might happen. I met with Josh & BP to discuss how the Coroner's Office might be affected. There's been an increase in over-dose deaths in the county. Last year there were six. In the first quarter of 2018, we've had six.

DR—If I get called to what looks like an OD, what I've done in the past is draw blood and send it to the toxicology lab. It takes 8-10 weeks to get the results. I can't hold a body for 8 weeks before I decide to do an autopsy.

DR—People can be prosecuted for homicide by controlled substance. So BP wants everybody autopsied.

CB—How does a prosecution for homicide by controlled substance work?

BP—We have to prove delivery of a controlled substances to the victim. The victim took the controlled substance and that caused the death. So we have to have an autopsy.

BP—When a body shows up, we can call Josh to see if we know who the supplier might be. We'll charge it if we have a good chance of success and that requires an autopsy. The decision to do an autopsy could be made at the scene.

DR—It's an exclusionary autopsy. If I don't find any good cause of death, then I wait for the tox screen.

AH—So that's why there's extra storage costs?

BP—No. We don't need to store the body after the autopsy. It's the autopsy that creates the extra cost.

BP—Do we autopsy everyone, which depletes the budget pretty quickly? We'd be lucky to charge 50%, but we don't know for a while if we've got a case. But we can sometimes quickly know that we can't charge.

AH—What about the District Attorney's budget taking these cases to trial.

BP—My budget isn't effected very much.

AH—Why do murder trials cost more?

BP—Expert fees, etc. Most comes from the defense side, for investigation.

Josh—We use confidential informants, direct buys, so we have an idea what's going on. The coroner can't autopsy everyone, but if I come to the scene, I can help make the decision about an autopsy.

BP—Without an autopsy, we can't convict.

Josh—There seems to be more heroin than meth, even though it's more expensive. fentanyl, too. There was one death two summers ago in Conconully. Fentanyl is trans-dermal, so it can kill you just if you have it around.

BP—We don't field test for heroin anymore to protect the police from fentanyl. It has airborne potential.

CB—What about rental homes?

Josh—There aren't any fentanyl labs in Okanogan County. There's much more in British Columbia. They use it to cut heroin and meth.

DR—Anyway, what we decided to do is this: I'll call Josh and he'll tell us if prosecution is a possibility. This is just an FYI to the Commissioners that the autopsy cost may rise.

AH—It'll save money to trade your vehicle for a pick-up and to buy coolers, but I need to talk to the treasurer to see if the cash-on-hand is OK.

DR—And if I get the grant, I won't get the money until January. I'll see if the grant is reimbursable.

CB, AH, DR discuss regulations for trading one vehicle for another.

12:00 session is over.

1:30

Nightly Rentals—Review Ordinances

PH—Melissa has prepared documents about what we talked about. They're ready for you to sign if you're comfortable.

AH—What about building permits? What are we looking for with respect to inspection reports.

PH—Depending on when it was build, there are different requirements.

AH—(to Dan Higbee) How would I get an inspection report for something build in 1913? It's so old, there would be no building permit.

DH—If you're going to do nightly rentals less than 180 days/year, I'd need a notarized statement that says that. If it was built before building permits, that's OK.

PH—To avoid confusion, contact the building department.

AH—Maybe DH could make a form to fill out.

DH—I could do that.

AH—We need procedures.

CB—If you go to make an inspection and you see a safety issue, is that something for nightly rentals?

DH—Not required for less than 180 days/year.

AH—So if I want to do nightly rentals, who knows if my building is OK.

DH—The Health Department does that.

H Dept (Unknown man in audience)—Yes. We do.

PH—It was a decision by the BOCC and Board of Health to make permits with the Building Department. We make sure they've got a UBI (a tax registration number required to do business in Washington) health report & building report, etc.

CB—Does the Health Department have a check-list?

H Dept—Yes.

CB—Can you forward it to me, just for my information?

H Dept—Yes.

AH—I move we adopt Resolution 2018-5 to accept 5.06 , concerning nightly rentals, to the Okanogan County Code.

Motion passes 2-0

AH—I move we adopt Resolution 2018-6 (concerning Title22A to OCC?) pass 2-0.

1:50

Agenda for meeting concerning Initiating Governments

PH reads from his flip-chart:

1. Planning unit membership
2. Invitation to Tribe
3. Scope of work
4. Budget
5. Lead entity RFQ (request for quotation)

AH—Concerning invitation to tribe, why the Colvilles and not Yakamas? Because of SB6091, we're only required to invite tribes that have actual fishing right in the Water Resources Inventory Area (WRIA).

PH—Concerning scope, we can pull it right out of the bill.

CB—We know we need to deal with water rights and availability.

PH—Water bank is good too—mitigation.

CB—Inviting the tribe is from the legislation?

PH—Yes. They don't have to participate but we have to invite them.

PH—Concerning budget, should the initiating governments take up this subject.

CB—That's what we should talk about. It's grant funded, but who applies for the grants?

PH—We'll talk about who will accumulate information and apply for grants.

PH—At what point does the initiating government group hand off to the Planning Unit membership?

AH—That's for us to talk about on April 9.

PH—I'll take this information and prepare an agenda for the April 9 meeting. I'll let people know there's a meeting coming up.

CB—Include the British Columbia group.

PH—OK.

2:05

Interim control of cannabis operations

PH—Next Monday (April 9) there's a public hearing to consider if the BOCC should adopt the interim controls for cannabis. Also, the Planning Commission is not quite ready for the April meeting. The May meeting will be changed so it doesn't fall on Memorial Day.

AH—So we've adopted interim controls. At the meeting next week, the decision will be whether the interim controls will be adopted as the permanent controls.

PH—Within 60 days there needs to be a public hearing whether to adopt, reject or even amend them.

CB—I'm open to amendments. They could solve problems down the road.

AH—Once we make this decision, the Planning Commission will send codes back to the BOCC and the BOCC votes on final adoption.

Administrative agenda

PH—There's a meeting to consider forming a Lake Management District for the Veranda Beach Home Owners Association (HOA). It's on April 4.

PH—Champerty Shores HOA has an easement for the sewer line. How to finance the sewer? A Utility Improvement District? Sell bonds and pay them back from the owners?

AH—Would we base revenue on current collections or projected collections?

PH—We would identify those who would benefit.

AH—All properties assessed based on if they could hook up to the sewer or not.

CB—The bigger the district, the more pushback we'll get. But if it's just Champerty Shores, is there anybody else who wants to connect?

PH—I don't think there's a vote. The BOCC can just do it.

AH—Can you put septic systems on these properties? How did this come about? The Champerty Shores HOA requires hookups.

PH—Yes. They require city water and also hookups.

CB—If they're within 250' of the sewer line.

PH—I don't know if those rules are in place.

CB—There can be huge push back about requiring hookups.

PH—So what should I do?

AH—Well, they're required to hook up and there needs to be some way to finance the infrastructure. Any utility has a fee.

PH—They bought the property with the knowledge they had to hook up to sewer and water. I suggest the landowners see two bills: an annual assessment for the bonds and a monthly usage fee. The HOA could maybe pay the annual assessment.

PH—Muni bonds pay a lower rate because they're tax exempt.

AH—We're proving only a financing mechanism.

PH—The HOA could come in and tell you what they have in mind.

PH—Another problem might be if there's a balky property owner who doesn't want an easement, you can condemn the property.

PH—Is the BOCC willing to grade an access road to the Fairgrounds' north gate? The neighbors are requesting it. When we did a survey, we discovered the access road was on their property. They gave us an easement. Now the road is pretty rough and the neighbor's would like it graded. I don't have a cost estimate.

AH—Ask Public Works about costs before we decide.

PH—There's a new well to be constructed. Avery Richards of the Washington Department of Ecology is involved. I still need to touch base with the Colvilles, especially the archeology department. In the past, they've been pleased we asked them.

AH—If we do underground in-system, it'll go 16" deep.

AH—Lani is gone this week. Perry, can you get this going?

PH—I can do the RFPs (Request for proposal), etc. and get it going.

2:45

Comprehensive Plan continued discussion

PH—I added Commissioner Hover’s vision statement.

PH—Methodology. Here are population growth estimates (that is, the number of additional people or household, including births, deaths and migration) for 2040. There are high, medium and low estimates.

High—16,744 more people or 9,318 more households

Med-- 4,501 more people or 2,500 more households

Low-- 2,677 more people or 1,460 more households

PH—I don’t see any big stuff in the plans to call for more migration.

CB—Fires maybe and few jobs could cause people to migrate out.

PH—Washington trends on the West side, the job market is expanding and people are leaving California. But Idaho will get some of those. Okanogan County is not identified as a recipient of all this.

CB—Well, I’ve got ideas for things to happen, but my crystal ball is opaque. The medium projection seems safe to use.

AH—I agree with Chris.

AH—I have an airport question from the Washington Pilot’s Association. They want to know about zoning around airports.

PH—the 2014 Plan has a policy that airports are critical transportation. OCC 17A sets the stage for airport zone codes, but we didn’t do this.

AH—Let’s look at airports and recognize their importance and protect them from incompatible land use both on-site and adjacent to the site.

CB—State aviation promotes zoning rules to protect airports.

City Expansion Areas

PH—Using maps provided by the cities. We haven’t talked about holding zones—underlying zoning is what it is now. Is the BOCC interested in putting in holding zones.

AH—Winthrop—Does it have an area they’d like the county to zone to be compatible with city zoning?

PH—Expansion Areas—what a city could plan for in 20 years, intend to annex. R-1 (with minimum lot size of 1 acre) doesn’t make a lot of sense in a city.

PH—If the BOCC wants to consider holding zones, I’ll put it in the EIS for the Comp. Plan.

CB—We should ask each city to see what they want and also look at their water and sewer plans. We don’t have much control over what cities annex.

PH—I’ll ask Kurt, Todd, Rocklyn.

CB—Typically, cities have a Comp. Plan to guide them when they’re doing this.

Resource Land Maps

Agriculture—Statewide significance. Current use—Ag—tax class

Forest—Timber stands. Designated Forest Lands (DFL) and open space timber

Minerals—Current designation

PH—This is how we’re building the maps.

AH—Current agriculture land gets tax breaks now.

PH—Using this criteria, not land ownership (private, public, etc.) We can deal with agricultural activities in forests. Grazing for example. Agriculture is a permitted use in a wide variety of zoning designations.

PH—Critical needs of industry support for 20 years. Forest is tougher to call. We’re supposed to designate enough forest land to support timber industry.

AH—We’re designating forest lands. Why do that?

CB—Because it’s productive forest lands.

AH—But why not agriculture lands? I'm trying to understand. Some already getting taxed as timber stands.

CB—I just want to know what standards mean. Based on needs of the industry. If we're using Perry's designation as a criteria—there will *always* be a need for forest products.

AH—How can we tell Agriculture from Forest?

PH—I suggest we look at existing timber stands and see what's designated Forest. Have to show what we designate meets the needs of the industry.

AH—Let's look at inventory on the map and see what happens.

AH—How do we make resources designation work? For example—suppose there's some really good agricultural land but the owner is old and the only means of income is to sell it. We need to come up with ideas to keep it in agriculture but still recognize the benefits of agriculture. And those things are more than just conservation easements—like promoting farming, etc.

PH—Designating public lands. We can coordinate with them through our Comp. Plan.

PH—A lot of people, especially cattle ranchers, say you have to designate forest land as agriculture, too.

AH—We need a policy about this.

CB—It's forest land if it's primary purpose is timber production, but there can be agricultural use—grazing, for example, and mushrooms.

AH—You see terracing orchards when you drive to Wenatchee. Changing Forest to Agriculture. It's different for agricultural uses in Forest designation.

CB—You can grow Christmas trees in Agricultural land in the Willamette Valley.

AH—We need to coordinate all the different uses in Forest and Agricultural.

Critical Aquifer Recharge Area

CB—Most areas of critical recharge are in the forest, but water recharge happens everywhere. And we also have to consider recharging vs. contaminating.

AH—We need to make sure what we do doesn't create problems down the road. So if we put this in the Comp. Plan, how does it affect planning?

PH—I can condense it a little. There's lots of discussion about vegetation management. If we identify a critical aquifer recharge area, we need to take steps to protect it. If you identify an area, maybe it's an area that lends itself to larger lots, but you achieve a density bonus with infrastructure.

CB—The water table is recharged in Oroville in the spring by the Similkameen River. The county has lots of aquifer recharge arrangements.

PH—This language about aquifer recharge is a good starting point.

AH—Some see the Comp. Plan as rules for what you can and can't do. It's not that.

PH—Another change. The hazard mitigation plan. I took it out and referenced it in other areas where it applies.

AH—Net density is what we're looking at. What will an elderly person do with a big piece of property? Keep is viable for agriculture and let them make some money. Develop some small lots and keep open space.

PH—I'll be back next week after polishing the plan and I'll have maps.

AH—How long is the Comp. Plan?

Angie—58 pages.

Notetaker leaves 4:10