

**Board of Okanogan County Commissioners**  
**4/20/2020**  
**(Virtual Meeting)**

**In attendance:**

Jim DeTro - Chair, BOCC District 3  
Chris Branch - Vice Chair, BOCC District 2  
Andy Hover - BOCC District 1  
Lalena Johns - Clerk of the Board  
Lauri Jones - Director, County Department of Health  
Tony Hawley - County Sheriff

*The below notes were taken from a virtual meeting of the County Commissioners by an Okanogan County Watch volunteer. Every effort is made to be accurate, although some of the audio was challenging. For official minutes by the county, normally published at a later date, see the website of Okanogan County at <https://okanogancounty.org/Commissioners/Minutes%202020/2020%20Minutespage.html>*

**Summary of meeting:** Most of the meeting consisted of **Covid-19 discussion**, specifically regarding how to amend the order under **Resolution #49-2020** to coincide more accurately and clearly with the Governor's order regarding hospitality/hotel-motel accommodations etc. Additional topics such as **essential vs. non-essential**, public **contacts attacking Commissioners'actions, constitutionality**, and the situation county-wide discussed. Meeting on Tuesday at 1:30 to include public comment session.

**Summary of Cmr's' positions:**

**Branch:** Let's leave the politics out of Covid-19 actions. The leveling curve is from incomplete data at this point. But additional state-wide data overall shows a quick backing off could bring on a "double-whammy."

**Hover:** Messages on both ends of the extreme from the public. Some people have been saying I'm not following the Constitution. I don't agree. One person's right to feel good about their health and safety is not less important than other rights.

**DeTro:** I think we need to start pushing back against the governor.

*Notetaker connects about 5 minutes late.*

**9:07: Cmr. Branch brings up a meeting of AWC \*Association of Washington Cities and Towns" that met this weekend. The county should follow the information given at the meeting.**

On the agenda, we are scheduled to discuss the ordinance itself. One question for the other 2 commissioners: did they have the opportunity to attend the AWC meeting this weekend? (*Appears the others did not attend.*) It was a presentation also done for the health professionals in the state, and a lot of elected officials were there.

He believes the county should be using the data shown at the meeting to make important decisions re Covid-19. He states that he's had lots of input from businesses that have been affected, but some of what they said to him did not include this info from the state level. They went over the statistics, modeling that is being used, and the risks at the meeting. It was brought up several times that data isn't emphasized sometimes because recording the data takes awhile. Also, rural counties are 3 weeks behind the others. People have been asking that the county be opened, but the curve that is leveling off is made from incomplete data at this point. If we move too quickly in backing off from protections, we could get a double whammy. This point was much clearer when I actually saw the data.

**Lauri - Jones** says she has the slides.

**Branch: Regarding adding to Resolution #49-2020: People are not reading the whole order.**

He's not sure what Chelan County is doing, but they have a similar order. When people react, they gave not looked at the entire order. There were a number of items that popped up during phone calls, like what will the truck drivers do ....the order explains all of that. I heard from cities that would have liked to have been consulted.

**Branch is in favor of amending the order, saying:** When I look at the guidance, it says this should be an informational effort from the get-go, and then it's regulatory. We had a situation where we had to do that right away, due to an influx of people. I must say our action was relatively justified. Andy made those observations in the Methow Valley. How we react to that is the critical part. The message we sent was rather harsh, and it got some people's attention.

**DeTro:** On Conconully's Facebook page it said we have a hiccup re our RV parks, so they just said the Commissioners put out this order and it stopped our RV parks that we deemed essential in the Governor's order.

**Branch:** I saw nothing like that in the Governor's order...however, **it turns into an essential business depending upon whom it's serving.**

**DeTro** - Says he was up there a week ago and didn't see any (violations?) I got a call from one of the RV parks and they were concerned about it. They were people that were full-time RV'ers. They have been here over a month, so they qualify as exceptions.

**Branch: That's where people are not reading the whole order .** There are advisories being sent out saying what it says. I also talked with the owners of the RV Park. These owners are very affected because they are not in the regular travel route. They went through low lake levels, etc. I would promote things that would make them whole. I was asked this: when I get a ticket, will you reveal that we had these conversations? Is the sheriff's Dept running around giving tickets? I think we have gotten people's attention. You won't turn someone away who has driven all the way up to Conconully...**but we don't want people heading to Okanogan County saying "Let's shelter there."**

**Hotel/Motel owners can ask the purpose of travel of customers:**

**Hover:** There seems to be some discrimination involved, though. **Can the hotel ask people what their purpose is for traveling? How about service animals?**

**Lauri** - Why would they ask?

**Hover** - So it's not incumbent upon them....? I'm just going over the questions posed to me...we are getting loans for not being open to pay our staff. But we can't ask people why they are traveling. I suggest we take out "hotels and motels" in Part A and put in that it's required to follow the governor's order. Can they ask these questions? If they can't, then... (technical difficulties.)

**Pete Palmer** - I've been asked, when checking into a hotel, whether I was traveling for work or for pleasure. I don't (couldn't hear) ...I don't think it would be wrong to ask the reason for their travel.

**Lauri Jones** - If we travel out of the area, we have to ask certain questions to see if we've been in a hot spot. Why can't they ask where they are coming from and what their purpose is? This is a stewed AND local issue. They are well within their rights to ask if it is essential or pleasure. **I would go by what the Governor has ordered - until May 4th. You can't predict what will be done after that.**

## **Length of order and enforcement, essential vs. nonessential**

**Hover** - People are concerned this might drag into the fall.

**Lauri** - if this happens, there will be good reason. I don't think it will be that long. If the BOCC doesn't follow governor's order and allows residential construction.....

CB - Keep off the residential construction because that is not the subject right now. Andy has suggested something. I say it is up to the Health Officer to follow suit - if we find ourselves with a lot of businesses totally revolting and not following the order, we need to get the sheriff into the room because we do not do the enforcement ourselves.

What was issued was a closure, but it isn't really a closure because there are many businesses that can stay open to serve different needs. That should be clarified because it is really only limiting the activities of the business. The state order is to stop nonessential travel. I don't see any guidance as to what the (?) can or can't do. Where it cuts to the point, where businesses are taking reservations - I would say they should avoid doing that. They need to understand the need for this regulation.

JD - The "essential" and "non-essential" is prejudicial within itself. My wife has no more than 3 people in her business at one time. (Note: she is a hairdresser.)

CB - I get you there. I've listened to what you've said, and then I look at the differences of both business. It depends upon what you have at stake. We are not looking at massage parlors. That is considered a medical treatment. That's where the justification is. If I have pain and want relief without taking opioids, that's an issue. I'm suggesting we take out the heavy hand, and if we get agreement from the hospitality industry.... If they don't understand what it's based on, at least we know was it acknowledged. I do spend my time trying to get the info I need to figure out what kind of risk we are creating, and also what constitutional issues are

addressed. I carry around a copy to refer to at times like these. We don't want to go backwards....**We need to see the actual information being put out by our Health Officers, not just the data on the news channels.**

**Hover** - On resort hotel/motel, they are allowed....(someone talking over, couldn't hear. ) On camping, bed/breakfast, etc. ....**if a doctor comes in, it's ok?**

**Lauri** - Yes. Change the order to say "restrictions," not closures....because that is not what they are. And say "until but not limited to May 4th."

**LJ** - under #2 - private property being used as campgrounds?

**Detro** - I have a piece of property in Conconully, which is my summer residence. Some idiot will come by and take a picture of my trailer and blow it up, and ....

**Lauri** - There are also enough idiots out there that will rent their property out. Bottom line is that we are trying to avoid people escaping from where they are to shelter here.

(Unknown voice) - Put in "Campgrounds for profit." Or just leave it off altogether. For example, the people in Winthrop that bought in caravans in order to escape hot spots. ....got supplies from local businesses, etc.

**AH** - but it's their private property....

**LJ** - Would you agree with taking off the "private property?"

**JD** - I got more calls about restricting access to USFS land...but they didn't read it! We need to make it as simple as possible.

**AH** - Agreed. They said you are going beyond what the governor says. He told them to read it. It's a restriction that matches the governor's order, not a closure. Take off the date.

**Lauri** - Agree. I've talked with 10 or 15 people. *(Could not hear...)*

**JD** - I say if you think there is an actual, legitimate use, call the health dept.

**Lauri** - Refers to a place allowing 4 guys to a room.

**CB** - On the private property camping situation, if you are operating as a campground on private property, you are already violating the zoning code. If people do that, we have about as much teeth in enforcing that, which has to do with our commitment to responding to complaints. We would address this through another law anyway.

Also- a question depending upon observation. We are intending to comply with an order to quell the spread of a virus. I feel compelled to drive around and see what the situation is, because I'm relying on others to get ahold of me as to what's happening in the Methow Valley. That's an observation - anecdotal information - but we are basing it on observation....Jim you didn't see a lot of activity up in Conconully. I need to know we have an accurate view of the problem. A real question - what is your observation about what's going on in your district?

**Hover** - I've been telling people that I have to "average" my decisions.

So in the beginning there was an online petition with 300 people signing asking us to completely close down the county.

Then I have people calling up and saying I'm worried about this. Paul Budrow saw in Hank's the other day a majority of people he did not know.

The hotels call up and say but there's nobody here. I say that's good because you are following the guidelines. I say no, we are not.

So this is anecdotal evidence as to what's going on. People ask what is our metric that determines how/when we will open up as a county? If we can't test 100% of the people, all I can see is how many people are in the 3 hospitals (including confluence.) I think if we modify this and put a date on it....people are getting tired and restless...at some point people will have to get back to work. If we can't get the data, there is nothing to go on except this is what could happen.

**JD** - (Divides some numbers and comes up with .00035%)

**Lauri** -.432 tests were done, of those who were sick enough to test.

**AH** - Of these people, only 15 of them had the virus....

**Lauri** - One is fighting for their life. One of the people who tested positive is still testing positive after (15 weeks?) We need widespread testing so our data supports data from other parts of east side. We don't have this. All I can go by is the dates from Dept of Health. Still 200 positives per day on West Side, which doesn't match the criteria. **I would be comfortable with restricting, removing private property, etc .... the unified message should be that if this is not your primary residence, you are violating the orders of the government.**

**AH** - But second home owners pay taxes and have a right to use them. I just got off the phone with a guy who has a mobile home, etc. You can come, but if you do, stay here and self-quarantine.

**Lauri**- another person is staying here for a month, separated from "essential" wife, but I am not liking what I'm seeing. 85% of car licenses are from somewhere else.

**CB** - Again, we are addressing issues that this order isn't relative to. The order does not order people not to go to their second home.

Right now, the order is the issue. Back to the direction we are going....we have these businesses' attention fully. We have an opportunity to be sure they really understand the order, but also to tell the travelers coming in. Clarifying the order as a restriction, not a closure....we have some work to do alongside the ordinance. We have consistent questions being asked .....If we can give some answers..

Also, if people ask what will you do if we refuse? We can't say we will arrest you ....we do not have the resources, and it makes things worse - it will become a police state and we don't want to go there.

**Let's leave the politics out**

CB - But we have to stick to our guns, because in the meeting the other night....we need to make sure not to bring in the politics - we are looking at some thing REAL. It's an election year for me , but I'm not going to just pander to every idea. Let's keep the politics out of this. Don't knock businesses out so they never come back. Let's remain focused and not politicize it.

I think Laurie is understanding where we are going....if the H.O. agrees, maybe tomorrow we can pass something

Restrictions on hospitality, etc. Take off "private property" - pretty much understood you can do what you want with your private property....and then say effective immediately and continuing to May 4th.

AH - I think this clarifies more.

### **People are trying to cooperate**

Lauri - In all the calls I've gotten, people want to work with this and to do their jobs. They want clarification. Even the Red Apple Hotel owner (Brewster) - I told him they can't have people 4 to a room. People re trying as best they can, so I think as amended I think the Health Officer would agree.

AH - should we write it so you can agree? Lanie - did you get all those changes? Moves to direct Lanie, Clerk of Board to revise 49-2020 for consideration tomorrow.

CB - Seconds. Motion Passes

### **Information Sheet for Hospitality folks to give to travelers**

CB - Additional item - I'd be willing to work with anyone to have an information sheet that the hospitality people can give to travelers. To help educate the public.

Lauri - Will try to get a recording of the weekend meeting with all the data. We have businesses that are cooperating. Gebbers are bringing in 14 pilots and helicopters because they are in other areas. (*Not entirely clear.*)

CB - Would suggest if you have exceptional offers that are coming up because they know the long-term goals. We should have a letter that goes out thanking these businesses.

Thanks all around. Lauri leaves.

\*\*\*\*\*

*Side conversations - can't hear.*

JD - We have the auditor and HR on the agenda. The agenda has discussion, RWT audit. (Retiree welfare trust.)

Note taker leaves at 10:07

## **10:17 - Resume discussion on residential building not being essential. JD Opinion re Inslee:**

**JD** - I think we need to start pushing back against the governor. I'm not trying to politicize.....

**CB** - Refers to a clarification.. It says that interested stake holders, points out transitions, says while real estate/mortgage lending....such activities should only be restricted to....reads requirements as to how many people can meeting together, etc. and administrative things.

Douglas county included finalizing work on a house that would be required in order to finish the transaction. You can't argue with that....often times there needs to be a meeting....If something has to be fixed in order to sell a home. When I first read the order, I didn't see that in the order.

Relevant to Jim's comment - as we look at loopholes, as did Douglas county, are we willing to get into that fight, and why? I know there is a task force...they are working with the counties . I know there is a committee dedicated to this. I am not a part of it, but I can get the names.

I was prepared, if they got around to Okanogan County...they were trying to just blame the Governor. But that doesn't get us off the hook , because we are the closest to the people. Again, there is a group working on this and the points are well-made. There was a doctor who sent something saying this was do-able and signed by 4-5 health professionals. There must be an agreement that everyone follow these guidelines. We know that sometimes there is only one person building on the house.

**AH** - Just reading the e-mail we got from Brewster. We think about furniture stores being closed, but Walmart is still open. Here in the county, it's about 3 -4 people at one time in the stores I understand what Chris is saying, but,,, it's just like the hair salons. They can be just as careful with what they are doing with spraying down the chairs, etc.

**JD** \_ My wife will survive because she owns the shop and it's paid for. But some the gals downtown are paying \$1,000 for rent and they will not survive.

**AH** - We got a memo that unemployment benefits are being opened up to single proprietors.

**JD** - But how long will it last? My wife has been on the computer for ???and can't get through. Also, I got a memo from Veranda Beach who says if this lasts much longer, we will probably permanently close.

**CB** - *(People talking over each other.)*

**JD** - He's talking about his portion of the facility.

**CB** - Can Canadians come down?

**JD** - Don't know, but if they are property owners, why not?

**CB** - I want to follow up on claims that are made, but when I follow up they are making an argument without much basis. I know Jim has problems up there we know, but I'm wondering

if it's our issue when it comes to that. Even single family housing when it's brought up - I have to be careful....but I asked what are we building over there (in the Methow?)

**Hover** - 2nd homes or homes that will be primary homes when they retire.

**CB** - I have no beef about that, but some of them are being built from affordable housing standpoint - I have a problem with that. When people are saying what they are doing, they need to be realistic.

**AH** - We have more building in the Methow, but in general we have more construction with single family resident homes than there is on this side of the mtns. I was called the other day, the person said just one single person.....I said that L&I will pull licenses. It goes to Governor, and then to us for enforcement. People will come back and tell the county "You said we could do it."

**CB** - We have 2 building officials that are compromised because of age. We need to pay attention to that. We might have to ask people to come in and fill in for them. I had a conversation with building official about that.

### **Opening back up?**

**AH** - There is a lot to opening back up. I really would like to get the county back open - but what are we looking at? I looked at a website that shows the day by day cases in WA.

**CB** - They look at 2 different models, two different documents re hospitalization, length of hospital stay, latent effects in re rural counties, much more. The presentation itself is very important, and more than just the single numbers we look at. It is much deeper. (*Referring to the meeting this past weekend.*)

### **Personal contacts attacking Commissioners' actions**

**AH** - I am trying to figure out....you are seeing all the stuff on Facebook, personal attacks. What I'm saying is that we keep saying "they" and all of these models... But I think at some point, there need to be some lines drawn in the sand. Like you do with a fire. If the fire gets to this point, we will do this .....That's not for today, but we need to consider economics and safety.

People have been saying I'm not following the Constitution. I didn't reply because it wouldn't help. But one person's right to feel about their health is not less important than others ...you have to try to balance things

**CB** -You have also been challenged that you have an obligation under the constitution to protect people's lives.

**AH** - The protection of people's lives isn't limited to (*people's income? Unclear*) but it also relates to people's right to feel safe.

**CB** - Those are tough things for elected people; but I go back just to the data - if we are going to argue that the states are wrong, we need to look at this data that Wa Association of Cities (Counties?) brought to us. Before saying the Governor is wrong, we need to look at this.

**AH** -- I am not saying they are wrong What I'm trying to understand what the gov't is saying that we need to look at soft openings ....And the data does show it going down. This is the state's info.

**CB** - You have to look at that, and all the comparisons of the charts. You should look at that info, and we can have a more informed conversation. Actually we should be looking at it all together.

**AH** - Agrees.

**CB** - I want to keep economy going like everyone else does.

**AH** - I do not believe that you would be interested in preventing people from going back to work. Let's understand that.

*(Conversation muted. Commissioners going over minutes)*

## **Hacking Issue:**

Discussion on the posting of a letter people said intentionally implied (???) There was a question of hacking - Hover got many calls at 9:30 PM. AH suggests those posts be taken down, all agree. Not clear if it's on Facebook or not.

**JD/AH** - discussing a letter that was received regarding Trump's national plan.

**AH** - I got comments from a lot of people objecting to what we were doing.

**CB** - Are they saying that about what we've already done, or what we just said?

**AH** - I think we have addressed these in what we've decided today. Lanie checked RCW's, and we do have the right to close down certain things due to health concerns. For example, restaurants can be closed down due to salmonella.

**CB** - I agree we've clarified it.

## **North East WA Counties - meeting as to how to open the counties set for Friday**

**Lanie** - NE WA counties are wanting a meeting on Friday as to how to open the county. We had canceled the one for this Friday, and there were some new dates coming around about May 22, but that is a ways off. Now they want to coordinate and have an impromptu meeting this Friday, the 24th. Remote.

**AH** - That's fine.

**CB** - What time?

**Lanie** Probably 10:00, but not sure.

**CB** - OK with that . Unlikely I'll be able to participate because of a whole list of things that go on every Friday. Afternoon all tied up with info for elected officials in re Covid. Looks like morning may be ok.

**LJ** - Is 10:00 too late?

**CB** - Leave it up to other BOCC,I can either participate or not.

### **Pharmaceuticals, Bill Gates conspiracy theory, ventilators**

**JD** - I have a friend who is a doctor, Dr. Evans, who says the opposite of what we are hearing. They say it's because Gates will make 1 trillion \$\$ over this, as well as the pharmaceuticals.

**AH** - Have looked into side effects of rheumatoid arthritis medications, and I wouldn't take it.

**JD** - Evans says chloroquin has already been ok'd by FDA. He says if you go to a hospital, don't let them put you on a ventilator . 85% mortality on ventilators. A friend says they start it for 3 weeks ahead of going to Mexico, and use it the whole time in Mexico with no side effects. I know one of the reps for (Covid?) sales, and their revenues are up 300%.

### **Approval of minutes postponed until Tuesday**

Note taker leaves 11:10, returns.

### **CDBG Grant - To Be Administered by Community Action**

**Lanie** - Lael says: 30% - Food distribution, the rest for rental/housing payments.

**AH** - who is administering it?

**Lanie** - Community Action. We are passing it through to them.

**AH** - want to use sure it is distributed evenly.

**Lanie**- I have also received calls, and I've told people it will be distributed through Community action.

### **Meeting tomorrow, Tuesday**

**AH** - Tomorrow? 1) Minutes. 2) Consider revised resolution. Only 2 things tomorrow.

**Lanie** - Resolution on extending emergency?

Say it's remotely approved.

**CB** suggests meeting at 1:30 in order to include public comment.

**All agree. Call-in will be at 1:30. (Revised resolution, approval of minutes after public comment.) Note taker leaves.**

