

**BOCC meeting April 16, 2018, afternoon session
Started at 1:30 pm**

JD- Jim De Tro (BOCC Chair)
CB- Chris Branch (BOCC Vice chair)
AH- Andy Hover (BOCC – member) (Arrived at 2 pm)
PH- Perry Huston (Planning Director and Admin Officer)
LJ- Lanie Johns (County Clerk)
Joe ? (County Maintenance person)
6 members of the public

This is a paraphrasing of conversations by one of several volunteer citizen note takers and published on the website of Represent Okanogan County (ROC.) 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.

A video of this afternoon session is available for viewing on the County Watch You Tube channel.

Topics Covered: Fairgrounds, JARPA, Similkameen Trail, Lake Management District, Nightly Rental Code, Comprehensive Plan, Parks & Recreation Board.

Fairgrounds:

PH – I revised the RFP notice and sent it back for your review.

PH- The sheriff's posse likes to use the fairground track, but it is not in good condition. Do you think it's OK to let them use it?

JD- If they sign a waiver or provide insurance.

CB- Is the sheriff's posse a non-profit, or are they part of the Sheriff's dept?

PH- I don't know.

Discussion about details of the organization and how the county might interact with them, or what they need.

PH- The website indicates that the Fairgrounds RV park opens on May 1. We may be able to make that work. Asked Joe where they are on maintenance.

Joe- We have to re-route water due to the well being down.

CB- Is that both domestic and irrigation?

Joe- The backflow preventer from well is broken. Working on bids.

CB- Do you think it will be usable by May 1?

Joe- Yes, the valve should be fixed by the end of April.

PH- So in terms of infrastructure, it sounds like we can meet the May 1 deadline.

Short discussion about interviews for fairgrounds personnel.

PH- Should I leave the May 1 date on website? I am getting phone calls now from folks who want to stay there.

PH- Also, the Sheriffs office wants to use the Fairgrounds facility on April 19th for training. I recommend waiver of the fee.

CB- Any issues you can see with other departments?

PH- They are not using the facility for general training, they will be training on how to respond to an incident that takes place specifically at the Fairgrounds.

LJ- Do you want to make a motion to waive the fee, for the record?

Short discussion about the training, no motion needed.

PH- That takes us to Planning agenda item 1- JARPA (Joint Aquatic Resource Permit Application). It has always been that the planning dept was always the first stop. It's gotten kind of loose over the years. Other agencies are not acting in time, and enforcement actions were not done properly.

We are going to do the following. We will take the JARPA application, but we will not issue a permit until all the other agencies have weighed in and done their part.

Discussion about ordinary high water mark (OHWM). OHWM training discussion. When and where it will take place.

CB- Commented on Planning dept staff and their knowledge of the issues. Mentioned that he was told that only a licensed Surveyor or Engineer can legally determine OHWM, wondered if PH had heard this?

PH- Not aware of any limitations on who can determine. What brought this up was an article about Lake Osyooos rising. Getting lots of calls of concern. We are working this out, working with DOE to come up with a consistent application of requirements. We have not always been in lock step with DOE and we want to be on the same page.

CB- It benefits us if everyone has consistent information, that way nobody gets caught by surprise.

PH- OCC 17A.400 public hearing is set for May 8 at 6 pm. *(This is in reference to a Water Availability Study)*

PH- Similkameen trail – will take about \$20K to repair. Josh has been in touch with BLM, who will want more reviews. The PUD has been the main user of the trail, and it's been an informal agreement with BLM. We would like to formalize that, which will require more hoops to jump through.

JD- If BLM wants to drag their feet and make us do more reviews, they should kick in some \$\$ for the cost.

PH- They have contributed some. We don't know exactly what they are going to want, so it's hard to say what the cost will be. I will keep you posted as we find out. In the budget is the money that was contributed.

PH- Going through your code book, we put into part of the code an exemption for nightly rentals. We missed repealing part that we need to. I will make an amendment.

CB- So at this time it doesn't mean anything?

PH- That's correct. We have removed other language that makes this obsolete. (Cited other things that need to be adjusted with regard to fees to make everything consistent.)

PH- Lake Management District. We still do not have all the feedback from the Veranda Beach folks. Discussion about details about the resort and lots at Lake Osoyoos Veranda Beach. Agricultural use, etc. Annual budget of about \$45K looks realistic.

PH- When I get the feedback, I will set up a public hearing. I assume you want it in Oroville?

CB- We have learned some things about having a hearing outside the County Seat.

PH- We have some folks here from the Lake Osoyoos Association here. Are there any comments?

Woman – When will the meeting be?

JD- That is to be determined, but we did decide it will take place in Oroville.

Short discussion about the process of issuing notices for the public hearing.

CB- We hope you all will be there.

(Lake Osoyoos Assn. members left at this time).

AH arrived 2:02 pm.

PH- This brings us to the Comprehensive Plan.
Prime farmland vs other types of Ag land. Have you designated enough?
Is the question.

CB- Have you read in detail the determination hearing from Lewis County? Did they have an extensive analysis?

JD- Wasn't that pilot project?

PH- The way that evolved, is that they decided to determine "is that enough?" They did not do analysis to back it up. Example- they tried to designate a soccer field as Ag land.

Put up a power point. Discussed first map-

PH – This is the prime farmland map. Brown is where land owner has applied for Ag designation for tax purposes. Elaborated on current use ag, open space ag, etc. overlay with NRCS soil type designation.

AH- Noted that there is more ag land than NRCS soil type ag. *(it did not necessarily appear that way to note-taker)*

PH- It appears that way, but we haven't added it up.

PH- Forest lands shown here are privately owned only. I recommend that we include public lands when we make our maps for the comp plan.

AH- So you are saying that we will end up with every piece of land having some kind of designation?

CB- Is that in order to make sure we meet the minimum requirements?

PH- Not so much, it's more so that we have consistency in planning.

Discussion of how to identify ag land, if NRCS doesn't have soil data on public lands.

PH- The idea is not to try to have "enough", because we aren't going to say what is enough. We are trying to determine what is designated "rural", and what is "ag". Gave example of orchards within city expansion areas that can't be designated "ag". You can only have one designation for a piece of land.

That doesn't mean you can't have ag activities in a city expansion area, because there is a lot of that. They just can't be designated as ag for long term planning purposes. If there is a program for transferring development rights, it's a different story, but we don't have that.

CB- Noted Chelan County, where they allow clustered development, and still call it ag.

AH- Let's look at the philosophical part of these designations. The terminology is important. Because we are not under GMA, what is the purpose for using their terminology?

CB- We are partially under the GMA.

PH- The short answer is, to be in compliance with the law. The law gives us several options that we can use in various ways.

Put up Govt land map on screen

PH – This Shows fed, state and tribal ag lands and forest lands.

CB- Asked to look at Driscoll Island to verify that the map is correct.

PH- We can always tidy up the map.

AH- On the forest land, you are obviously going to cut out wilderness areas. We will be only showing lands that have forest that can be harvested.

CB- I think we should have a section in the comp plan for coordination. We should leave the public lands out so as to not confuse people. It would be very clear.

AH- Does that meet the law?

PH- GMA does not designate between public and private lands.

CB- I think it makes it more clear to have public lands addressed separately, with it clearly stated that the agencies who are in charge of those lands must coordinate with the county.

AH- But in terms of compliance with the law, we are required to make sure we have designated enough land for the various uses. If we take out the public lands, then private land could be more limited in their options. For example, someone might not be able to convert their forest land to something else in the future.

Discussion about the purpose of the Comp plan, and the need to balance all uses.

AH- Cited conservation easements. If you take out all the CE's that are AG related, you won't have much Ag land left. Fish & Wildlife has bought up a bunch of farmable Ag land in the Methow Valley. If we remove that from the Comp plan as Ag, what does that gain us?

CB- I don't see that being a big issue.

AH- We have to consider our constituents. If we leave out the Federal Govt, that does not serve us well. Cited the \$\$ that the school districts get from timber sales.

CB- I'm not intending to drag this thing out, I just disagree. I see the Comp plan as a statement.

AH- I don't see it as a statement. I see it more as information. A map that has everything in one place so that when we make changes in the future it is all there for reference.

PH- So, if we are being blind to ownership, and just designate land according to use, this is the map that shows that. (showed map).

AH- I do agree that areas where it is not possible to harvest timber should be removed (wilderness area, etc.)

PH- We could define which areas are available for extracting resources, vs recreational

AH- Where is mining on these maps?

PH- These maps don't show that.

AH- Does the mineral resource trump the ag resource?

PH- What you would have is just indications on the map where mining claims exist. Currently it's mostly sand and gravel.

Went back to general map that shows everything.

PH- Now, on this map, we would pull out the cities, the city expansion areas, etc. We would potentially also remove areas that are rural, but show indication of being populated at higher density.

AH- Do we have a map that shows the power grid? For example, Bill Shaw Rd has a power line running through it, but is designated Ag. Should it be Rural?

PH- We consider multiple things – proximity to towns, areas that are already developed, transportation corridors, etc. None of this precludes using the land for Ag purposes. This would be the next step – to remove areas that would meet “rural” designation.

Showed map that should current rural, resource land, etc.

PH- Planning commission recommended 20 acre lots in some areas. Looked at map and pointed out specific areas to illustrate point. Noted that OK County had created a unique designation (“rural resource”) that has not been defended in court.

AH- what is the purpose of “rural” designation? What is the definition?

PH- It is intended to allow for designating land that is not appropriate for urban, or town activities, or Ag. For example, the sports complex that happened in Lewis County, should have gone into a “rural” area. In a GMA county, these designations are very important.

AH- I can see how these designations would have a big impact on landowners.

CB- There are a lot of things that you can do with these designations. There are a lot of people who focus on and argue about the restrictions. I prefer to not do that. I think of it as where does this put us in the future as to how we manage our land? At least this gives us a framework for how to manage it, if we opt to follow the GMA, even though we are not held to it.

AH- We should try to get to a place of objectivity where we are strictly using science and consistent methods. If come up with the criteria we will use, and apply it evenly across the board, that is what I am looking for.

CB- We need to look at what the goals and objectives are. It gets down to what does growth management imply? What does it mean? For me it has to do with a logical development path, that we can afford to serve.

AH- The only problem is, let's look at any county. Look at their travel corridors, etc. We have a lot of area to consider. For example our Fire district covers a huge area. To be financially effective, we would have to shrink. With regard to County, all of the services that taxpayers are paying for,

CB- Look at EMS. It costs more to provide EMS services to remote areas. That's just a fact.

Discussion about how designating land in different ways will affect the county budget. Concentrating development in certain areas is more cost effective. Should we restrict development in remote areas just because it's cheaper?

JD- Pointed out that people who build and live in very remote areas should be aware of the costs.

Discussion about responsibility of developers to absorb costs of installing roads, and other infrastructure.

CB- Talked about short plats that grow up next to each other to effectively become a subdivision, which eventually requires major County services that they don't pay for. The county taxpayers end up subsidizing them. That's why we need a thoughtful process. We don't want the threat of GMA to drive our decisions – we want to be practical and realistic and sensible. The Comp plan should be useful.

More discussion about how to use Comp plan.

Back to PH.

Showed Comp plan draft section regarding Rural designation. Reviewed "Density" section.

AH- Mentioned primitive roads.

CB – Could you review the Commercial Ag land section? I want to compare with the Chelan County plan.

PH- We didn't leave in the list of compatible uses.

CB- Ag, open space, residential and forestry are allowed on Ag land in Chelan County. (Read verbatim from the Chelan County Plan.) This is similar to what I think we are looking for. It allows for clustering, and doesn't have major restrictions on what you can do. It makes sure that the Ag part is preserved, but allows for other activities that are compatible. That's why I don't see Federal and state lands being involved in this part. They should be in a different section.

PH- We can find some of our previous lists, where we did have some allowed and conditional uses for various designations. It was removed previously because it was considered overly directive.

AH- Gave example of wind farm – would that be compatible? If you start making lists, you get into trouble.

CB- All it does is act as guidance. It is not the same as zoning. A lot of people think the comp plan is the zoning. It's not. We need to stay away from saying "you shall" in the comp plan. It's guidance, and can include examples.

PH- Cited examples of what was on the previous list.

CB- I would go so far as allowing something like a small store in a clustered remote area.

AH- Then you start talking about county services.

PH- Showed list of unincorporated towns and commercial centers where commercial activities such as a store are allowed. There were criteria for identifying future ones.

Discussion about LAMIRD's. (Limited Areas of More Intense Rural Development).

Returned to resource land map.

PH- Asked BOCC what they want to see on the map. Made suggestion.

AH- Asked for a map with power grid shown as well.

PH- Transportation, power, water? Is that what you would like? How will this inform what we do? Planning commission has increased lot size (decreased density) in areas where they believe there is limited water.

CB- We need to consider how this will affect land values and ability for people to sell land. Gave example of the 9 mile area. People bought land and could not get water.

PH- In previous versions of the plan, we had low medium and high density. This version does not have that, as it was considered overly directive and too much like zoning.

PH- So you are OK with this map, with the overlays that we talked about?

AH- I want to see the criteria you used to arrive at what you show us. Discussion about specific areas on the map.

AH- How do we designate if it's not ag, or rural, what would it be? Would it be mineral?

PH- Not necessarily. Keep in mind that we are going to have to include population projections to support our reasoning.

CB- There are always challenges with land that is designated a certain way.

PH- Where all this becomes critical is when it comes under challenge. If you are not right on the edge of not having enough land of a certain type, and are just tidying it up, you should be OK. If you are in danger of not having enough of a certain type, it could be problematic.

PH- anything else? Oh, I just remembered something.

The backcountry horsemen visited me and want to do some work in a certain area. They are going to come to you with a request that you activate your park and recreation board. If you recall, the Fair board used to fulfill that function. The previous BOCC created the fair board to run the fair and nothing else. But the Parks & Rec Board remained in the statute, although it doesn't currently have any members. The proposal will be to resurrect that board to oversee the trail system and other recreational facilities that have no oversight. The Methow has a horse trail association. That doesn't exist in the Okanogan side. They see the County Park & Rec board as a way to do something similar on the Okanogan side.

CB- I recall the park & rec committee, but it wasn't a board.

PH- You are correct. But the Parks & Rec board exists now in statute, and could be activated.

AH- What does a board have as far as autonomy to do things?

PH- It depends on what you say. You have the authority to describe their limitations. Think of it sort of like the Planning Commission. They could be an advisory group, or make recommendations to you. They could have authority to pursue grants.

AH- So we have a for-profit entity in the Methow that pursues interests over there. But this board would be looking at the whole county.

PH- Right now we have non-profits who operate and maintain County owned trails, etc. We could have this board oversee that sort of thing.

Discussion about how it works in the Methow, and corrected AH's statement about the groups that maintain trails. They are non-profits.

PH- We don't know if we could replicate that sort of thing in the Okanogan side. We may not be able to afford to pay staff, but the County could provide staff assistance.

AH- I would be worried that it might require more staff than we can afford to give.

CB- We should be contacting the Pacific NW Trail Assoc. They do work with lots of trail systems, and we may be able to partner with them.

PH- I will schedule a presentation from the BackCountry Horsemen at a future study session.

That concludes the study session for today.

CB- brought AH up to speed on the conversation about the Fairgrounds RV park.

AH- asked if they had advertised for a camp host yet.

JD- remarked on the backflow preventer valve that is cracked.

Discussion on the details of the water system and whether a backflow preventer is required.

Note taker departed at approximately 4 pm.