

BOARD OF OKANOGAN COUNTY COMMISSIONERS
12/09/2019

In Attendance at Meeting:

Jim DeTro- JD (BOCC)

Andy Hover - AH (BOCC)

Chris Branch – CB (BOCC)

Lanie Johns – LJ (Clerk of the Board)

Angie Hubbard – AHu (Interim Planning Director)

Cindy Button – CBU (Aero Methow)

Terri Karro – TK (Aero Methow)

Roger Rylander – RR (Landowner)

Ken McNamee – KM (DNR NE Regional Manager)

Robert McKellar – RM (DNR)

These notes have been taken by one of several volunteer citizen note takers and published on the website of Represent Okanogan County (ROC.) The notes have been taken as close to verbatim as possible, with any writer's comments or explanations in italics. For officially approved minutes of Board of Commissioner meetings, normally published at a later date, see www.okanogancounty.org.

Summary of significant discussions

Discussion – Methow Valley EMS

The contract between the county and Aero Methow requires that all levee revenues collected by the county on behalf of Aero Methow be paid out in the same calendar year. Due to the timing of tax collections by the county, this means that Aero Methow would have about three months early in the year where they would not receive funding from the county. Evidently, this provision has not been strictly adhered to, but the state auditor has identified this as a problem. Potential amendments to the contract were discussed, involving establishing a reserve account.

Land Issues

RR tries to describe a complicated, long-lasting dispute between himself, a developer, Washington State Department of Transportation and the county sheriff's office. After listening, JD asks what they, the commissioners, can do for him. RR is planning to sue the various parties. JD notes that the sheriff is an elected official and not accountable to the commissioners. RR expresses appreciation for being listened to.

Discussion – DNR’s Public Meeting

DNR representatives describe the process of selling parcels. Twelve parcels in Okanogan County are slated to be auctioned. Most of those are in the Methow Valley. DNR maintains a land bank to allow them to sell and buy parcels that are managed for school funding revenues. They have a minimum number of acres they are required to maintain ownership of, thus their sales and purchases are aimed at consolidation for management efficiency and increased revenues. Parcel values are independently appraised and that value becomes the minimum bid. Because of public comments, an informational meeting will be held on Thursday in Winthrop (?).

EMS Invoices

AH – Move to adjourn as BOCC, reconvene as Board of Tonasket EMS (seconded, passed) Move to approve invoice from Lifeline for (\$21,000)

LJ raises a detail, inaudible, about the total amount. Some discussion. LJ refers to the contract she has opened on her computer. She projects it on the screen. Compensation section is the issue – dealing with the dates involved. Issue is resolved and the motion is approved. Tonasket EMS board is adjourned and commissioners reconvene as the Methow EMS district. JD moves to approve an invoice for \$57,000+. Motion is seconded and passed. Commissioners adjourn as Methow EMS and reconvene as Oroville EMS. Motion passes. JD moves to approve vouchers (\$9,700). Motion seconded and passed. Oroville EMS adjourns; commissioners reconvene as BOCC.

1:35 Update – Planning Department

(AHu provides a spreadsheet to the commissioners)

AHu – Hearings examiner decided against CUP appeal. WRIA 49. Trying to find a place for the next meeting, which will go from 9-5.

AH – What about annex of AgriPlex?

AHu – Good idea. Am trying to work out the technical questions. *(draws attention to spreadsheet referring to Application Status Report)* Don’t know how information gets into the spreadsheet. The percentages don’t relate to consistent numbers. It would be more informative if they showed how the percentages change over time.

CB – It may be that this refers to previous years.

AHu – Correct.

JD – The dreaded Computer Generated Model.

AH – I see how it works. The percentages are relative to the year before *(then AH decides that that isn’t correct)*. What does that even tell you?

AHu – Right. It would be more valuable if it showed a trend. The last item is a tax on our current fees. They are looking into applying a B&O tax on our fees.

AH – We just passed a budget this morning. At some point you will have to do an amended budget, to pay this tax.

AHu – Yes. That is all I have. Do the commissioners have any questions? *(JD wants to know who has been informed about the CUP determination. AHu responds Gecas, Sandie Mackey, the appellants and their attorney.*

Discussion – Methow Valley EMS

TK provides some paperwork to the commissioners and holds a brief discussion (inaudible). It appears to be the agreement between the county and Aero Methow

AH – The way the contract reads, at the end of the year, we are supposed to pay out any funds to Aeros methow, which would not allow us to pay out in January, February or March.

TK – *(refers to lines in the contract that could be modified)* If we could say the district could retain ‘x’ number of months (of payments)...

AH – That could work...

TK – I would also add that we be advised of the amount ahead of time. We don’t always know.

Commissioners look at revenue numbers.

AH – it looks like January is the only month we couldn’t pay.

CBu – I imagine that you do pay in March. We always think we aren’t going to have money, and then we do.

AH – I think if we kept 3 months..

JD – Yes – we are almost there...

TK – I think 3 months would be safe.

AH points out a discrepancy in the interpretation of the revenues table.

AH – You’ve got Jan – April where you have collected... If you keep 3 months reserve.... The thing is, the contract is for the full amount of collection, for that year. So, right now, we just paid November’s bill \$87,000 (?). There is \$131,000. The contract says we are supposed to pay you that. Nowhere does it say that the county retains –

TK suggests language to allow the county to retain 3 months of payments.

AH – So the building you have in Twisp – who owns that? *(Aero Methow)* If Aero Methow goes out of business, the county has no assets to reinvest in creating emergency services. I think it is important that we retain enough for that. We provide buildings in Tonasket and Oroville.

TK discusses language to make sure that the money retained is the property of Aero Methow and not the county’s.

AH – If the county had a permanent reserve account, they could pay out that contract. I am talking about a fixed amount of money.

CB – Talking about 2 items. One is to retain for budgeting purposes. The other is to prepare for future contingencies.

CBu – Can we take up the second item at another time? The levee is for operations.

JD – When is your levee up? (2023)

CBu – It passed by a huge majority.

JD – That's what happened in Oroville. When we educated them about the issue, they passed the levee by 63%.

CBu – We have a reserve.

JD – You could probably put some language in there, that part of the reserve could be reassigned to the county if you went out of business.

AH – We can take that up later. Technically, we are supposed to pay out by December 31st. If we don't, the auditor will want to know why. If the EMS district has a chunk of money.

TK- If we cease to exist, then any money that you still hold could revert to the county.

JD – That is what I said.

AH – But it still needs to be at least \$150,000... If the EMS district has a cushion of \$150,000, we can pay out.

CB – I pretty much agree about the funds. If you cease to exist, then the money doesn't go anywhere.

Timelines for invoicing and payments are discussed. The county has cash in June, due to collection of taxes. CBu describes that something similar was done some time ago. More discussion of retaining some amount due at the end of the year, which would be billed for in June. Details of how to modify the contract are also discussed. Costs of operations are discussed.

CB – Now that we are considering this change – previous to this we were paying the full payment by March?

Multiple, overlapping responses. It sounded like things change from one year to the next.

CB – So the contract wasn't really enforced?

It sounds like Aero Methow has been pretty flexible.

AH – The state auditor, in previous years, has said that according to the contract we have to pay it out.

CBu – Yes. We've been yelled at by the state auditor before. We are in the business of helping people. How we get paid is not the first priority.

AH – If the levee failed, we would have no money to pay you.

CBu – I understand. Would it help you if we have a contingency plan? We do that all the time.

AH – Yes.

CBu – Our board develops contingency plans. We will have them work on that.

AH – Thank you.

Land Issues

RR provides handouts to the commissioners.

RR – My situation is, if everyone reads one of these, then I have to do very little talking.

Pause, while commissioners study documents.

RR – Notice of Final Decision. I have been dealing with Antoine Valley Ranch since 1982. Their map shows my parcel; they say they own it. (*Describes something about a parking area designated by WSDOT*). I said it is a floodplain – if you want to buy it, buy it. DOT instructed the person I bought my place from to go somewhere else for a bridge. I put in an unpermitted bridge, but then tore it out. I sold the front parcel and we share the cost of a bridge. AVR wanted to use the bridge. I said no. They came out and did a survey. Told me that my house was 75 ft. on their property. I hired another surveyor. He took the records from 1906 and the book. He confirmed the monuments I had used. I went back to court and corrected the record. Then Judge Burchard(?) went and changed the record and said that my house was off my property. The sheriff took my house.

This why I am here today. I just got this from the Planning Department. They took away 57 acres. The Sheriff canceled the other sale. In this notice, they just gave that away. (*confusing discussion of access, bridges, culverts, different addresses, phone lines, power lines*). My title is so clouded, I can't sell it. I've got liens on it for more than I can sell it for. I am almost 70 years old. I was served notice and told to build a bridge on my neighbor's planning. My neighbors gave me a letter saying that they don't need or want a bridge. From the planning department, I obeyed the law. From the highway department, they say I need a 2-lane bridge that will bring in an ambulance. One of those million dollar bridges. I have been into the planning department twice. I need to sue the developer for 30 years of entering my property. I need to sue the sheriff's department for selling my home. (*details about working back in the 1970's in the orchards; no Social Security; no medical care*) They put me through two sheriff's sales, both of them canceled.

JD – What are you trying to...?

RR – I am trying to get the planning department all the (*inaudible*). It's the only place to build the road. I am paying taxes on it.

JD – I am trying to figure out what papers you are missing.

RR – I am trying to get the papers on the boundary line. (*talks about a 'weird' letter from the planning department*).

AHu brings in some documents, but RR already has them.

JD – That is all the paperwork the planning department has.

JD – The county commissioners can't settle legal problems...

RR – (*too rapid to record*)

JD – Angie, do you understand any of this?

AHu – *(inaudible)*

RR – The legal description doesn't fit. It was a bogus survey.

JD – I can agree with you, but that is not something we can do anything about.

RR – I am giving my property away to a nature conservancy. I am moving away to Mexico, with what little money I have left. I am disgusted with this county.

CB – How many acres do you own?

RR – 20. I sold the 27 acres. *(Discussion of 200 acres he has paid taxes on for 10 years and is claiming.)*

JD – I am just asking what you want today.

RR – I don't know where to go with this.

JD – Well, yes. I can't help with that.

CB – You have been paying the taxes. Were you refunded the payments you made?

AH – The property was devalued. There was a refund for that.

CB – The Auditor's office shows that the balance is due on taxes.

RR – I have the canceled checks.

CB – On the other parcel. You have been paying taxes?

RR – Yes.

CB – I am supposing that those are 40 acre parcels.

(Discussion of surveys)

RR – I am out a lifetime, being hassled by a millionaire. He is not well liked. I don't know where to go with this. I wasn't in contempt. *(discussion of culverts, highway hazards)* My problem is, anyone gets hurt in that driveway, DOT is going to blame me. Life or death. Should I go to the newspaper? Tell them this county will ruin your life. I am going to sue the sheriff.

JD – The sheriff is an elected official, just like we are. We have no control over the sheriff.

CB – That was a different sheriff...

RR – I know that! *(Talks about the developer moving to Palm Springs and he can't find him)*. I am also suing the DOT. Thank you for your time.

Discussion – DNR's Public Meeting

JD – Is this about a purchase?

KM – No. It is about a land bank.

JD talks about a situation involving a closed bid for a DNR parcel within a ranch. Should be an open auction so the landowner can compete. More general discussion ensues. Discussion of land grants and their purposes. KM describes managing DNR lands to help keep taxes down.

AH – How many parcels of property?

KM – 12. About 1,070 acres. Largest is 160 acres.

RM – A lot of it is in the Methow Valley.

AH – Is the largest one of Balky Hill?

KM brings out a map.

CB – I don't see a lot of great value for those....

Multiple overlapping conversations.

CB – I was talking about timber.

RM – There is not much timber on any of the parcels.

Multiple conversations.

KM – All the lessees were notified last summer. WDFW is interested in some of them. I think the Yakamas are interested in the riverfront one. We have a third party appraiser.

AH – Do they appraise the timber on them, as well?

KM – Yes. And improvements.

AH – Do they consider leases?

KM – No. Not usually. We are moving to having the lessees own the improvements, so they can do their own negotiating.

RM – Also, there is something called 'highest and best use'.

AH – I have heard a lot of comments.

KM – Cannot go less than fair market value.

AH – When you identify those parcels – what do you do with the funds?

KM – They will go into the land bank for reinvestment in forest or ag lands.

(Discussion of difference between trust land and conservation areas)

AH – You guys don't just sell property. You also purchase property.

KM – We have to maintain a certain amount of area. That is why we have the land bank. We have to be on the plus side of that minimum area before we can sell land.

CB – Do you have any property in Okanogan County that you are thinking about purchasing?

KM – I don't think so. We have people approach us all the time, wanting to sell their property to us. We are trying to consolidate lands.

RM – Especially, where we have no access. If we buy the property next to that parcel, then we will have access.

JD – We will have to think about what properties we want you to buy (*laughter*).

KM – We are always open to that feedback.

Discussion of the public meeting on Thursday.

3:50 End of meeting.