

Okanogan County Board of County Commissioners meeting October 25, 2021 AM session

CB—Chris Branch, BOCC chair, District 1
AH – Andy Hover, BOCC vice-chair, District 2
JD – Jim DeTro, BOCC member, District 3
LJ—Lalena Johns- Clerk to the Commissioners
MC – Mike Wordan -Sheriff Dept communications manager
CN – Craig Nelson (Okanogan Conservation District Exec. Director)
LS- Lorah Super (Okanogan Conservation District board member)
AR – Albert Roberts (Okanogan Conservation District board member)

These notes were taken by an Okanogan County Watch volunteer. Every attempt is made to be accurate. Notes are verbatim when possible, and otherwise summarized or paraphrased. Note takers comments or clarifications are in italics. These notes are published at <https://www.countywatch.org/> and are not the official county record of the meeting. For officially approved minutes, which are normally published at a later time, see https://www.okanogancounty.org/offices/commissioners/commissioners_proceedings.php

The time stamps refer to the times on the AV Capture archive of the meeting on this date. Click [here](#) to go to video.

Summary of Significant Discussion: Redistricting; Proposal for construction of a new building to meet needs for Sheriff's Dept. (equipment storage) and Coroner (adequate morgue space); need to consider equitable outcomes for ARPA money; updating county code to comply with state laws regarding firearms; discussion with Okanogan Conservation District about creating a waterbank to provide options for local water rights holders.

04:20 - BOCC open meeting with Pledge of Allegiance.
BOCC discuss various documents and communications.

06:00 – AH brings up need for change to County Code regarding firearms. ([OCC 9.24.010](#)). The need has arisen due to changes to state law and OCC needs to comply.

15:40 - BOCC discuss redistricting. AH has seen some maps, and suggests that BOCC could send a comment regarding which one is best for Okanogan County. Short discussion about the difference between the State LD and CD redistricting, and that which will be done within the boundaries of Okanogan County. Auditor had scheduled some time to discuss this with BOCC, but cancelled until a later date.

18:30 – Long period during which BOCC are on their computers, with occasional discussion of scheduling issues and other topics of general interest (weather, other counties, etc.)

33:40 - AH asks for Exec. Session for performance of a public employee for 5 minutes. BOCC votes and approves. (*Executive session is extended and AV Capture is shut off until BOCC returns*).

42:40- Mike Wordon from Sheriffs dept. arrives to discuss quote estimate for proposed new building for communications equipment storage and morgue. There is a thorough discussion about the scope of work included in the estimate, whether demolition of existing building is included, and what is included in project management. Also discussed is who will be the project manager for this, and the need to communicate with the town planners where the property is located. (*This discussion lasts about 30 minutes*).

1:09:46 – period of about ½ hour where BOCC is engaged with their computers, with occasional comments about public works.

1:17:00 - CB asks if the other BOCC members saw a Washington State Association of Counties (WSAC) workshop about equitable outcomes for ARPA funds. CB was not able to attend due to a scheduling conflict, but suggests that other two BOCC members familiarize themselves with the issue and items that were discussed.

1:18:44 – AH changes subject to a discussion of laws regarding firearms. Discussion with CB about the details around concealed weapons, open carry and how to interpret the RCW. CB- suggests that Sheriff should propose changes to OK County code to comply with new laws. AH agrees.

1:43:30 – Craig Nelson, Lorah Super, and Al Roberts (Okanogan Conservation District). Waterbank discussion. CN reviews history. OCD started about a year ago having conversations about how to sustain Ag and address issue of keeping Ag water rights in the county. Planning units both current and previous have discussed waterbanks. Conversations with legislators and others have led to more serious talks about OCD being the manager of such a waterbank. OCD wants to be clear about what the desired outcome is. OCD wants to ensure that Ag water rights remain in Ag. Realizes that county has bigger needs such as domestic, group use, etc. OCD's priority is to keep water in county.

AH – asks about leasing outside county

CN – says they would have to look at that very closely.

AH – gives scenario about need to work with families to fill a need for making money and also preserving the opportunity to use water at a later date.

CN – says he is not philosophically opposed to leasing outside county, but priority is to maintain Ag in OK county. Details are important, and there is a lot to be discussed.

AH- wants to see Ag water stay with Ag, but any partnerships in future projects consider using some stored water for year round domestic use.

CB- asks about leasing outside basin and what is right of property owner to lease water downstream without a waterbank?

CN- suggests that maybe they would go through Water Conservancy board.

CB- mentions need to consider individual water right holders. Why would they use a waterbank if they could do it anyway?

AH- Says the benefit of waterbank is that it is a centralized management (OCD) and they can help individual owners navigate the process with accurate information and policies in place to make it work smoothly.

CN – Also part of it is educating property owners about their options and getting them consistent, accurate information. It allows discussion about any restrictions that a property owner may want to include.

CB- Are there going to be other waterbanks out there that would be competition for this?

CN- there are already other waterbanks out there, and we need to let people know what their options are?

CB – is there a parallel to financial banking? In other words, is there going to be competition between waterbanks where prices of water will be manipulated for profit?

AH- looking at waterbank as a way to keep water in OK county, not as a way for waterbanks to gouge people for making money.

CN- It needs to be made clear that the purpose is to benefit the residents of the county.

LS- mentions the Crown Columbia effort and that this effort will make us more competitive and allow future such efforts to keep water here. Public agencies have a duty to serve their constituents.

AH- We need to look at future development and how to plan for how to supply water for that. Mentions a Water Utility District as a possible part of the solution.

CN – says that the planning horizon needs to be 10, 20, 50 years out. Plan needs to have a way to be flexible as changes happen and water supplies and needs change.

AH- asks when this can be up and running?

CN- do we need a formal partnership between OCD and county? How do we negotiate that?

AH- CN and I were on the Methow Watershed Council meeting last week. Asked the MWC if they could help county develop policies to use in partnership with OCD waterbank.

CB – states a need to identify the objectives, along with agreement on what priorities are.

Example: how do we address growth and how that fits in to priority.

AH – we put moratoriums in place in order for us to come to a decision. Because this \$\$ is on a timeline, we don't want to hold it up. In order to achieve success, we could say that any water that goes into the bank at first, will not be sold or leased until firm policies are in place.

CN- says that makes sense. We could accept deposits, and not allow any withdrawals until we have policy in place. We can't drag this out forever – need to get it back to use in a reasonable time frame.

AH – points out that keeping water out of use even temporarily is an environmental benefit.

CN – suggests they have some private meetings to work out the details, outside of BOCC meetings. Should include advisory groups such as MWC and others.

CB- suggests that basic statement of intent could be along the lines of “we want to keep water in the basin”.

AH – says that other more specific details need to be created with that as the fundamental basis of decision.

CB – talks about money and how to deal with people who simply want to make as much money as they can without concern for other issues. How do we deal with that?

AH- It's popular throughout the county to keep Ag, and waterbank was a popular concept across the board. It will be a selling point to many people. Mentions that sub-area planning

will be important especially in the Methow Valley where development potential is high. There are not many water rights left in the Methow, so it's going to be tricky.

CN – says that waterbank is just one part of the solution. When water is made available for non-Ag use, how do we prioritize that and track it. It's part of the discussion about who is responsible for maintaining records.

CB – has anyone looked at other waterbank agreements in other counties?

CN – has had some conversations with other counties, but not read the agreements in detail.

JD – says it's important to have a checklist – both for what to do, and what not to do. Learn from the experience of others.

CB- we need to have something that is durable. In other words, needs to be secure so that future BOCC can't make changes that would nullify the waterbank. Suggests that simplifying the process as much as possible is desirable. There are a lot of details to discuss, especially with the difference between Ag water and domestic water.

AH- states that his priority is NOT to create a water bank in order to convert Ag to domestic water for development. Says that discussion needs to be just because water could be used for development, should it be? It's on us to create zoning and other rules that will protect Ag and result in responsible development. Right now his priority is the 235 lots that are currently not able to build. Outside of that, he is open to discussion.

LS- states that this approach puts the conversation where it should be – with the county and it's planning responsibilities.

CB – there is a desire to mitigate decisions of the past in the Methow Valley.

CN – Our job will be to work with property owners to meet their needs. Some may want to have some of their water used for development, some may not. We will have more complex conversations about that. It really lies with the county to come up with planning and zoning that will determine what the waterbank is allowed to do.

CB – gives example of a situation in Oroville with a water right transaction.

LS – we are still figuring out what the questions are that need to be asked.

AH – the county has things that it needs to do, but we don't want to get involved in the operation of the waterbank. We don't want to be involved in pricing, for example, but we would want assurance that people are not being gouged.

CN- prices tend to be set by other outside things.

AH – need to have a policy that coordinates with irrigation districts regarding Ag water. Cannot put the Irrigation Districts out of business.

CN – will get back to BOCC with some examples, further discussion, and review by county attorneys.

CB – mentions that county attorneys are not experts on water law.

Discussion about need to have good review.

LS – appreciates AH acknowledging the need to keep to a strict timeline.

2:40:40 – adjourn for lunch.

