

BOARD OF OKANOGAN COUNTY COMMISSIONERS
10/23/2017

In Attendance at Meeting:

Jim DeTro- JD (BOCC)

Andy Hover - AH (BOCC)

Chris Branch - CB (BOCC)

Lalena Johns - LJ (County Clerk)

Perry Huston - PH (Administrator & Planning Director)

Planning Staff - PS (Planning Department)

David Gecas - DG (Deputy Assistant Prosecutor)

J - Josh (Fairgrounds staff)

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

Update - Planning

Transportation of Untreated Waste through Okanogan County

AH describes a plan for the hauling of untreated waste from Vancouver, Washington to Douglas County that could include 100 miles of transportation through Okanogan County. AH has concerns, and would prefer that the waste would be heat treated before transportation. CB prefers that it be transported by rail. PH will work on an a route analysis. AH will set up a meeting between both counties' Boards of Commissioners.

Executive Session

PH suggests an executive session addressing water-related litigations; the commissioners, DG and PH go into a 30 minute executive session.

Comprehensive (Comp) Plan Review

Summary of comments received/comment packages

Preliminary comment period has ended. PH will provide summary of comments to the commissioners by October 30th. 'Commerce' has pointed out inconsistencies in the document, involving language in the governing statutes. A timeline is established, involving 2 weeks for the commissioners to review the comments, followed by a discussion during the Planning Department's study session on November 13th. At that meeting the commissioners will decide how much time to allocate for resolving differences of opinions. There was a lengthy discussion of the purposes for designating agricultural lands, and the concerns of the agricultural community. PH recommends preparing an Environmental Impact Statement for the Comp Plan update.

Marijuana Advisory Committee

Fourth Meeting Update

AH has been contacted by some members of the committee, who have asked to be able to select their own chair; PH is currently chairing the meetings. JD and CB both express concern that the committee will not be able to function effectively to create the 'deliverables' expected by the commissioners. After lengthy discussions, the commissioners direct PH to continue to act as chair.

Title 20 Update

PH is spending most of his Title 20-related time dealing with appeals. PH describes a different methodology for accounting for exempt well water use in closed sub-basins.

1:30 Planning Department Study Session

Transportation of Untreated Waste through Okanogan County

AH - Douglas Co. had hearing on transportation of waste from Vancouver. Different agreements with waste management. Went down to listen to testimony. Said didn't oppose or support act, but have concerns about unmitigated waste coming through 100 miles Ok. Co. Left it as 'Your business is your business', but concerned. Waste Management said they will send it by rail, then truck it to Wenatchee. Will continue their hearing. Have heard if they can't send it by rail, will truck it. Don't know what time frame is.

(rapid discussion among commissioners)

AH - If the railways don't allow it...

CB - My preference is to send it by rail.

JD - Then it would be in containers.

AH - My preference is that they would heat it.

PH - Can have my people look at route.

(rapid discussion)

CB - End up with a boost for the rails here.

(rapid discussion)

AH - Board of Commissioners would like to set up meetings with Grant Co. *(and others)*. Two members of technical committee dissented; uncharacteristic. Meeting scheduled for Monday October 30th (?).

PH - I will work on a draft letter saying we are doing a route analysis.

AH - Circulate that to the towns of Winthrop and Twisp?

PH - As long as the commissioners are comfortable with it.

Executive Session

PH - Some movement in litigations currently underway, all related to water. Suggest council and myself, 30 minutes.

1:40 Commissioners go into 30 minute executive session.

2:10 Commissioners return from executive session.

Copier Contract Renewal

PS provides handouts to commissioners and starts a Powerpoint presentation of quotes for printer leases. Commissioners spend some time looking over handout.

PS - 3 quotes, possibly looking for a new machine. Spoke to staff about experiences with these 3 companies. Really like Xerox. Only machine that has stood up to needs of Planning Department.

AH - Having problems with Technical Assistance?

(Discussion of problems experienced and resolution)

AH - I am assuming that that is not in the contract *(the agreement with the Rep to bypass Customer Service)*

(Further details of issues and advantages/disadvantages with various machines)

Commissioners unanimously approve a lease agreement with Xerox.

Comprehensive (Comp) Plan Review

Summary of comments received/comment packages

PH brings out flip chart

PH - Received comments. Today, want to create critical path. Need commissioners to create drafts to go out for review. Oct. 13 was end of 'what should we change?' comment period. Conversation with Commerce - some inconsistencies - don't really parallel language in the statutes. Commerce caught that. There is some benefit to 'speaking the language' - needs housecleaning. Objective is to distinguish between public and private *(lands)*. That is getting into the weeds; we will come back to that. Anyway, I'll get a summary of comments to you by this time this week.

AH - And we will get the actual comments?

PH - Yes. Futurewise also sent supporting documents. Many, many hundreds of pages - do you want that?

CB - If we see references that we want to look at, we can ask for those.

PH - Right.

PH - Separate comments out by topic/substance and then list the commenters.

AH - Don't need hard copies of comments.

PH - Assume commissioners will want to review comments.

AH - Want to start laying out a schedule. *(during regular meetings or special meetings)*

PH - 2 weeks to review?

CB - In 2 weeks we will know how much time to allocate. When we have a conversation after the review, we will know what our differences are, how much time we will need to work it out.

PH - Study session on the 13th.

AH - *(too rapid, question about making documents consistent)*

PH - Required elements, optional elements. Will get you summary next week, two weeks later we will talk about timelines. My preferred approach, Dave (? *Note taker may have made a mistake. PH may have been referring to Hearings Examiner, Dan Beardlee*), in his judgement, needs expertise on legal review. I would prefer to do it in-house. It is your document.

(agreement from commissioners)

PH - Legal review. My opinion is that last time, too many people participating, not enough attention to consistency. Okay, that takes us to next steps.

AH - Write down 4 things: Water; Fire; Agricultural Resource lands; housekeeping of the document.

CB - *(too rapid to record)*

AH - Haven't gotten the Farm Bureau's take on ag land designations. I think people are afraid of additional regulation. I hope for the opposite - that it will provide benefits.

CB - Think we should dwell on purpose of the designations. Always go back to what the state Farm Bureau says - if you want to protect ag...

AH - That is the question - what is 'viable'? Mom & Pop with 40 acres or big corporation with hundreds of employees? Doesn't mean don't let people sub-divide, it means let people do what they need to do to make a profit, right?

CB - Lot of different opinions on that. If you sub-divide and develop, that never goes back. Same with forest lands. Went to NRCS and asked where to start.

AH - There are places down here that you can grow all the tomatoes in the world, but they can't sell them as cheaply as the tomatoes from Mexico. So, is that a viable crop? What are we doing to support them?

CB - That is after the Comp Plan. If you bury it in the Comp Plan, you will convolute the plan... If we can look at resource lands, say these are valuable resource lands and if they go away they are never coming back. But, there is something wrong if we designate them and then people can't make a living on them. Doesn't mean that we have to regulate them. We have to make sure that we write into the plan that we don't want to do that.

PH - When we get to that, with the Commissioners. We put stuff to resource designation - timber resources, there was a lot of concern that those were also grazing lands. It's really hard to draw a line between how you designate lands in the Comp Plan and what you do in the Zone Code. *(gives example of commercial activity in designated ag zones)*. When we created all these designations, it was mostly recognition that with all the public lands in county, needed to address that. Resource lands - need to designate enough for industry. *(gives example of bad outcomes in another county)*

(CB gives another example of restaurant in ag area)

PH - Okay, we have some targets. Last thing I would share - the approach we took before, we issued a DNS (*Determination of Non-Significance*). Was going to do an EIS (*Environmental Impact Statement*) on the Zone Code. Would suggest EIS on Comp Plan. It will support the Zone Code.

CB - Another thing - fiscal impact of all the decisions in there. If you decide that various types of uses are located in certain areas - is the cost of delivering services worth it, for the benefits provided?

PH - We have a couple of places to drop comparative analysis.

CB - How does this affect levels of service? Sometimes it has been difficult to frame that.

PH - *(too rapid to record)*

CB - Main thing is to make sure that the plan is acceptable to *(consistent with state legislation?)*.

(rapid discussion of details between PH and CB)

CB - Need to put in the Comp Plan that we don't want to regulate.

AH - I wrestle with it. I always opposed it. You can't tell me that if the hay market crashes, that I can't do something with my property to offset the losses.

(agreement from CB)

USFS Letter - Smokejumper Base

PH - Already talked about this.

Ordinance OCC 17a.400 - Water Availability Study Area

Update - Public Hearing November 13, 2017

PH - Meeting scheduled

Ordinance OCC 17A.270 - Nightly Rentals

Update - Public Hearing November 13, 2017

PH - Meeting scheduled

Planning Department Budget

2017 Supplemental

PH - *(too rapid to record)*

LJ - Scheduled a public hearing for the \$60K *(Note taker didn't catch date)*. That budget amendment doesn't need to be amended then.

2018 Review October 30, 2017

PH - Recommendation is that all of that be processed through the Prosecutor's Office.

(Litigation costs?)

Marijuana Advisory Committee

Fourth Meeting Update

PH - A little unrest amongst some of the members

AH - Have heard that some of the members would like to take over and elect their own chair *(PH is doing it now)*.

JD - My concern is that PH has the knowledge to keep it on track.

AH - Agree. Need to establish deliverables.

PH - Industry side wants it.

AH - I was very frank about that; I want results.

PH - Right now it is 5:5. I wonder if they can even elect a chair.

CB - Don't the producers want a resolution?

PH - They want a moratorium. My concern is that if one of the industry guys is running this, the other 5 will walk. Last meeting I would characterize as fairly productive. What they did come up with, they decided to identify places where cannabis should not go. Retail stores, processing, not a problem. Problem is the 'grows'. Came up with criteria; population density, lot size, city expansion areas. Where the discussion began to swerve - 'now we can talk about where marijuana should go'. That is what we are going to talk about on Wednesday. We pushed off vesting - saved that for the end.

CB - Same concern as Jim. One side takes control, the other side walks.

AH - That's fine. Just bringing up some comments.

CB - So, if they can't come up with anything, we continue the moratorium?

AH - If they can't come up with a work product... I agree with you.

PH - Another option is to bring in somebody to facilitate. Both sides have some issues with me - in the eyes of nobody am I neutral. (*describes interaction with someone who wanted to attend a meeting*) So, what are my orders?

CB - Concerned it could go sideways.

AH - Okay with me. Just wanted to bring it up.

Commissioners agree to 'stay the course'.

PH - If you get concerns (*from Advisory Group members*) that I am too strict on the sideboards...

CB - Tell them that we have provided direction.

(Description of some problems within group)

CB - How far into it are we?

PH - December 26 is the end (*of the moratorium*). If you want to extend it, (*describes procedure for extending moratorium*).

Title 20 Update

PH - Most of time dealing with appeals (*of approved permits?*). Did issue a decision on the Sanpoil. Will be coming out on Wednesday. Got decision from Hearings Examiner on 3. Will take a look at those and let you know what he decided. WRIA 48 (*Methow watershed*) - infamous DOE(?) maps. Instead of sub-basins, we have stretched it the other way. If they are in the closed basins (*too rapid to record*). If they are not, they are in the reach. What we have done, my crew took and pulled the different well logs out of the basins and tied them into the reaches. Before we were doing it on the basis of the wells in the basins. The upcoming applications will be on the basis of the reaches.

CB - Maps of the reaches include the sub-basins?

PH - Yes. Maps didn't match up. We are going to use DOE maps.

AH - Went to look at DOE maps of gaging stations. Not at the mouth of the reaches. Not sure where data set applies. Looked at WAC; gages aren't there.

(AH questions note taker on stream gage locations. Note take provides information on technical considerations of locating gaging sites)

PH - Just wanted to let you know that the methodology is changing.

Miscellaneous

Tonasket EMS

Last thing is Tonasket EMS. Don't need to reconvene; no action items. Do have an agreement with Lifeline. Will get it to you tomorrow to look at. Act on it next week. Beginning term would be November. Anything else?

Accident on Hwy 97; Concerns regarding DOT detour

JD - Yes. Accident of Hwy 97. Guess what they did? Detoured them on private road (*Hubbard Road?*). DOT told us that what we are doing. (*John ?*) took pictures - they told him not to take pictures. Something wrong. He called me. I told him to get down there and take pictures. They always do that, and they always deny it. They tore it up during the fire. They tore it up during the lane change.

AH - Talk to them about it, ask them what is going on.

JD - Find it odd that they do this to private guy. They stopped flagging when he was taking pictures.

AH - Talk to Dan.

CB - I'll go talk to him.

JD - He's going to tell you that he doesn't know anything.

Trail issues and associated funding

AH - What about that trailhead?

(Whistler Canyon, proposed boundary line adjustment)

CB - Haven't heard anything about it. Expressed concern that there wouldn't be enough room for parking.

AH - If, in an auction (?) would get it, he would want every square foot for orchard.

CB - Needs room for horse trailers.

AH - So big that it gets weedy.

CB - It is going to get more popular. There is a piece of it that I think we could do away with.

PH - Will check with Ted. Another thing we need to do. We will talk about it in my 2018 budget. Money carried over for 6 or 7 years - a donation for the Similkameen trail. Gives the auditor heartburn. \$50K dedicated by PUD. Didn't spend it on the bridge deck. Haven't spent that money. Earmarking it for extending the trail or the Oroville trailhead bathroom.

CB - If Public Works had that money, they would have spent it.

Fairgrounds staffing

LJ - Josh (*Fairground staff?*) is here to discuss a concern with you.

(PH leaves)

J - Staffing for fairgrounds (*inaudible*)

AH - What are your thoughts on winter storage? What are you proposing?

J - One of two options. We could all be laid off. (*Workers are all looking for other jobs*).
Second option - lay off everyone but me, drop back to my previous option. I could be on call for what was needed (e.g. snow removal).

CB - Why not just reduce your time?

AH - He is not hourly.

(*multiple conversations*)

CB - Can you survive on that?

J - I think I've got it lined up, but don't know till you get there.

AH - Can't make a decision right now. Fair advisory committee (?). There are things we really need to hammer out and discuss it with them.

J - Money is still going out. From the business side of it, I know what needs to happen.

AH - Grant for grandstands got put into line item. That's another thing we need to talk about.

JD - (*inaudible*)

AH - Grandstand is fine. (*bigger picture discussion of fairgrounds*). Josh, we appreciate you coming in.

J - One more event this month; two next month, and then nothing, clear through March. A lot of events next year.

AH - Need to get Carrie and Leah here and figure it out. (*LJ will schedule*)

4:10 Note taker leaves.