

Board of Okanogan County Commissioners November 19, 2018

Present

Jim DeTro - JD, BOCC
Chris Branch - CB, BOCC
Andy Hover - AH, BOCC
Lanie Johns - LJ, Clerk of the Board
Perry Huston - PH, Director of Planning and Development
Angie Hubbard - AHu, Planner
Char Schumacher - CS, Planner

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

Summary of Significant Discussions/Decisions:

Lester PD 2017-1 Development Agreement and Zone Code amendment approved.

WRIA 48 - WDOE revisions to Cow Creek and Gold Creek 1991 basin maps completed. Trevor (WDOE) will send in writing and discuss. Discussion of possible mitigation for loss of property discussed (ASR - Aquifer Storage & Recovery.)
VSP - Implementation contract with Conservation. Dist. **WRIA 49** - Membership, sign-in sheet available, Can numbers for consumptive use in single family home in WRIA 48 & 49 be different? RFQ for facilitator required. **Sign-on letter to Zinke** for Headwaters Campaign approved.

Code: Overnight Rentals - Notices sent, licenses required. Enforcement Discussed: Compliance vs. prosecution as goal. Methods of enforcement. **Code Enforcement:** Huston update on recent enforcement efforts in Methow Valley in particular. Complaint basis or otherwise. Shorelines, floodplains, wetlands, waterways, soapy spots, autos on skyline, burning. Penalties discussed.

Land Use: Comp Plan: Scoping notices sent for EIS, lack of coordination between Comp Plan and Transportation Plan/EIS. Currently same plan as 2014.
ATV's - Josh Thomson will get comment period for ATV's in District 2 going.
Champerty Shores Sewage. TV District 1 finances, difficulties.

1:30 PM Public Hearing – Planned Development – Lester PD 2017-1 – Char Schumacher

No public comment.

Discussion Among BOCC

AH -questions about required lot sizes. How many.5 allowed? PH PD uses density bonuses, if subdivision. In this case 10A - underlying 5, 2 lots. if other provisions/mitigations included, a bonus.

AH- so potentially, 3 small lots. He only wants one?

PH -Correct.

LJ - has the Development Agreement (DA)

AH -recommendation has nothing about ordinance itself?

CS - Recommend was to adopt ord approving PD.

PH- DA - has restrictions,etc. Ordinance amends your zoning in order to permit this PD. Suggests 2 motions.

First approve DA, then amend zone map by ordinance. 2018-1.

CB -what is motivation for this PD? Overnight rental.

PH -with few exceptions in Methow must be in a PD.

CB -Adjacent land uses all primarily Ag?

PH - Yes.

Action - BOCC approved DA, then amendment to zone code permitting this. Commissioners sign maps, paperwork.

CB asks if AH can hear him from back. ...due to "certain individuals who are present" (meaning note taker and concern that public can hear.)

Add-ons to agenda:

WRIA 48

WDOE - Has completed revisions to Gold Ck and Cow Ck. We will not see it for awhile. 1991 maps have been reviewed and revised.

AH -Here's an idea for mitigation so owners of parcels in closed drainages may get water. Other counties are using ASR (Aquifer Storage and Recovery.) Why not possible to drill outside the closed area of a drainage and then run it into a well in the closed area? NOT a class B system. Just an injection well. Pump enough for the given number of parcels. The rule now is drainages are closed to surface water - and now ground water. We did a buildout of total lots. We could allow only in-house use. We need mitigation for people who have lost property, in a legal manner. "Micro ASR." People do not understand that the county doesn't lose \$\$\$. When that property value goes down, all other property owners pay more.

AH - Asks for conference call with Trevor (WDOE) to discuss this.

PH -Trevor sent e-mail to get all this in writing. We will be getting that.

AH -How can they do it in other counties?

CB - I'd wait for the communication from Trevor first.

PH - Taking water from one area and moving to another - must involve doing a certificate.This would be a permit-exempt water allotment..WA has never done this.

AH -But the 2cfs reserve is for one reach. Still using the same art.

PH - Planning Commission meeting tonight regarding overlay for Tunk Valley - will report to you next week.

Update – Planning – Perry Huston

VSP - (Voluntary Stewardship Program)

PH - Review implementation contract w/ conservation district. Cons Dist signed and PH is the other signature needed, which he didn't expect.

To BOCC: You can have me sign or JD can sign the unsigned copy of Implementation contract.

PH budget - I have enough in my fund for expenditures. No decision needed today.

CB - Get signature of JD and Conservation District.

WRIA 49 - Plan Revisions

Planning Unit membership - Still working on membership.

Request for Qualifications

WDOE has determined we need to issue Request for Qualifications for facilitator. Can't just use past history as the reason. Couched in terms of you doing this under Initiating Govt's. I will send to governments for their review.

Other - We have been meeting, working on memberships, etc. getting ready to embark. Working w Vanessa (WDOE) on future elements, calculations of water budget, gathering this for Planning Unit.

Consumptive water - WDOE will come and explain how they figured it out.

AH - in Methow Planning Unit, using 710 gal/day. If they come up with different #'s in each WRIA, how do we justify?

PH -Remains to be seen how it works out.

PH -wants either to use the same #'s or give explanation as to why different. 48 and 49 separate, but all related to Comp Plan. That is PH's idea of how to bring it together.

CB — Irrigation districts make cause some change. but only to outdoor use.

Funding - PH: no update on WRIA 49.

CB - WRIA 49 - Is there a group that's showing up for meetings so far?

PH- yes. pretty much. Can give signup sheets to you.

CB - yes, since we are talking technical vs non-technical (*members*)

Methow Headwaters Campaign

AH -Methow Headwaters wants to contact Newhouse's office to tell him that we are onboard with the letter to Zinke regarding Methow Headwaters..

CB - Moves to approve the letter to Zinke.

AH - seconds. Passed.

AH -Leaves to call headwaters campaign with this news.

WRIA 49 cont'd

PH - WRIA 49- serious work in January.

4) OCC 17A Nightly Rentals -

PH - Notices to all known establishments in existence have been sent.

Veranda Beach -all nightly rentals actually operate under Homeowners Assoc.

HOA does all reservations, etc. each owner still needs to get their license.

Code enforcement - sending a letter that they have to get license.

Chief Civil Deputy (Gecas) posed the question - what is the objective? Compliance or prosecution? If we are giving them a chance to comply and send letter, not the usual approach. Usually it is a criminal violation .

PH DG (Dave Gecas) and I are talking about this - I pose the question to you. Compliance or prosecution?

CB - Questions criminal violation.

PH - Class one civil infraction for 1st failure to comply. Like a traffic violation.

CB - Interested mostly in compliance, but not over a long period of time. If we just continue to seek compliance with no hammer within a reasonable time, I suggest a fine.

PH - Dan Higbee - in past, was successful in charging someone on bldg permits. Went in, paid fine - then left - but building still there. No permit.

AH -Was building built to code and in appropriate place?

AHu - brings up "the sandbag house." Not to code.

CB - A matter not only if we want compliance. If it's a long-term dance, there is no purpose. They can put us off forever. A house in Oroville still there after many years of contact.

PH - Under not letting an opportunity go by: We have new sheriff, new prosecutor - need to sit down and try to figure out a good way to do this.

AH - De-criminalize it?

PH - There is a house w/o permits in the Methow. Rd in floodplain; . Now runs afoul of shorelines. They were given opportunity to show they could comply. Things unraveled. Criminal misdemeanor, possible jail time. For criminal charges, PH can go on the property and gain info. In the end, they need to move the cabin. He doesn't have \$\$ to move it. We need to figure out a way to get the cabin gone.

AH - Can county put lien on property?

PH - can be done. Gives example of another property. No-one cleaned up until new owner did. But we could have gotten paperwork to clean it up and then sold, the county could get \$\$ back. Abatement budget vs. trying to get eventual compliance. Lien against property, collect after. Not uncommon.

AH - get an estimate on cost of work & put a lien done on that?

PH - I haven't seen it done that way. In salvage lot, can put it before HE. If given time to clean up - what do we do if they don't?

CB - brings up example of needing to move a house.....

PH -trying to foreclose (????)

CB - One in Tonasket - property had an order. (?) took it, moved the buildings, wound up with the property.

Code Enforcement -Update

PH - Up north by salvage yard, Friday up the Methow. Went by "little houses." At this point, do not see violations there.

AH - I do not see them going up and down.

PH - Did go up Poorman. Sheriff delivered stop work order.

AH - got call saying there is someone cutting trees close to river.

PH -said he'd go up...

PH - concern is that people made contact themselves. Called sheriff to give stop work. On Friday, equips was all gone. We'll go up Wednesday. sometimes cut down and piled up.

Automobiles on skyline.

We are starting to get more referrals from WDOE. When they see possible violations, they are referring to us. Some one lakefront they are hiding o to. Mostly shorelines and floodplains, wetlands, waterways, soapy spots. Took in 5 files on Fridays... He has been out to do it on a complaint basis. If he sees it himself, does nothing unless it's an egregious case,

AH -Can burn a 4 inch green limb but I ca 't burn a kiln dried 2x4.

CB - I was burning a 2x4 and someone came by and said you are burning processed wood!

CB - On overnight rentals - outside Methow....???? Complaint basis also?Do we wait for a complaint?

PH - We will get the permits and Dept of Health issues...technically no complaint, but.....will get lists from rental properties. Not complaint per se.

CB - So those that are paying tax, there is more than just compliance...

Comprehensive Plan

Scoping: Scoping has begun, materials to commenting agencies, to tribes, folks who have been participants. Materials on the website. Got notice.

Transportation plan - Josh and I talked about that still existing disconnect between land use planning and roads, etc. Talked with Ted re that impacts to transport grid being a significant issue. I was going to talk with them about transportation plan section and EIS - so we have public works involved.

AH - thinks it's very important.

CB -without GMA, the development should be paying for upgrade of transportation system if necessary.

PH -One area of chief concern - real estate served by ___?__roads. If too much development activity on these without improving those roads.... I will reach out to public works.

ATV's

AH. - Where are we? I thought we were pretty far along in the 2nd process (District 1?)

PH - Josh is going on this and we will get the comment period going.

CHAMPERTY SHORES -

Folks along the route for extension have paperwork. Veranda Beach lift station to the property of (???) - will build that for necessary standards to Champerty shores. Complications about bond issue. Will establish boundaries of the LID., then public hearing,tc. and treasurer needs to be consulted.

AH - Will you look at your diaries of LID, what process will you use to determine where lines will go (those adjacent to routes) to see if they have interest in participating?

AH - Is there still a requirement to have off-site sewer? Is there any benefit to people saying they want to be included in the district? If property developed 10 years from now, would they have to hook in?

PH- Yes

CB - So they would start paying in advance.....might pay late-comer fees when they come to do something? Later on it's more costly....other options?

PH -Did talk about whether or not other properties could be included.....maybe an advantage.

CB - so no late-comers provision?

PH - Veranda beach says there is. Checking into it.

CB - On district and system level fees, is there some incentive to be a part of that system....?

PH we have not created any provision for that.

(On and on about manholes, etc. all about sewage. Barker property? Some intervening owners - can't follow. Discussion mostly with Branch on sewage....)

PH - Tabor Transaction.

Dave has not received. Put off until next week?

Dec 17th - Public hearing. You sit as board of equalization . Lake Management District. Decision you make - eliminate people from district or??? They have to file in writing.

CB - So we are looking at whether or not there is a benefit.

PH - People's last shot to be included or not included in the district, This is what you will be deciding.

PH -Physically, special assessments will begin in Oroville.

TV District 1: Has 4 sites. One on Pickens, owned. Lists companies. Everyone here has a direct lease with the TV district. Mt Olive - a DNR site. We should have a lease between TV Dist and DNR. Also presence of Fox, DNR. should have lease for Fox Mtn. Omak Mtn - they have opened. Feds, Tribe, BIA.. Fairly substantial bidding.

Lanie -George Thornton provided status of the district on Wed. Mr. Chevalier - George T reached out to KSPS, got info.They want to be involved in satellite signal.

PH -one thing was odd -no one seems to know what it is to prevent them from providing service,,standards,etc.

DT -Not so sure that's why they want us to keep Pickens.;Not so sure that KSPS would be able to do the same with radio station . (?) TV s going away.

PH- (Someone) had no idea..

JD - ABC,NBC, CBS are going away. Add Fox.

CB- Tribes not able to pay fee?

CB -Tribe issues -upgrading needs. Commented on NCI's presence and lack of technology that have caused the district problems. Extension cords, etc. Cost of going up and working on it. Economically not working out.

PH -Eventual public hearing - can't afford to do this any more or don't want to?

LJ - George bulleted what he gathered from meeting. Seems TV district wants to give it one more shot.Hurdles collectively amount to huge task. Big list from George. Canadiansr requiring higher fee. Long list.

CB - Volunteers get tired, etc.

JD -Thinks it's accurate. They take their own rigs, get tired, etc. etc.

PH -Depending upon how you wish to proceed....

LJ -They would like more time.They are asking for this.

CB - paying bills will be an issue..

LJ -County may be responsible for that.

CB -Dispatch will play into to costs.

PH -what do you need from me?

LJ -They are coming in tomorrow at 1:30. During citizen comment period.

PH -draft of MOU on well-drilling at fairgrounds: We did see the RF,'s but numbers I did see for repair of existing well, you are getting to about 1/2 the price of the well with no guarantee of success.We have done some repairs and are getting water. Do we need to do anything?

JD - Ask maintenance about sand trap.

LJ - John requested a camera be placed in there.

AH -estimates?

LJ - \$6800, 6400 (not including camera, cast g, etc. etc.)

TC - We have a Go Pro with waterproof case.

LJ -Okanogan Yoga also has well camera.

(Back and forth chatter about the project.)

AH - Let's hold off on repair. It's 8" casing. Surplus it. We would probably make money. 160-180 feet. *Discussion about wells they know of.*

Transportation Plan /Comp Plan, Cont'd

Branch - Comp Plan - Transportation - Public works was a 2040 (2014?) plan?

PH -Did 't really drill into it. Josh was concerned about lack of co-ordination between Comp Plan and Transportation Plan.

PH - Transportation element is the same as in the 2014 plan. Probably the transport plan that came out around 2009-10. Fairly confident it hasn 't been updated. Probably needs to be done.

PH -Could just incorporate the Transportation plan into Comp Plan . Resistance because of size. Pub Wks had a smaller version pulled out.

CB Comp Plan - 72 pages?

DT -The other one was almost 2,000 by the time we threw in Arrowleaf, etc.

Note taker leaves 3:45.