

## **BOCC NOTES**

**TUESDAY, 12/1/15**

**Tuesday, December 1, 2015**

**10:30 AM**                    **Continued Public Hearing – Consider Cattle Guards OCC 12.16 Amendment**

**11:00 AM**                    **Update – Public Works – Josh Thomson**

### **Present:**

Jim DeTro - JT or DT  
Shielah Kennedy - SK  
Ray Campbell - RC  
Lanie Johns - LJ

### **Content:**

**\*Continued Hearing on Cattle Guards**, Approval of OCC 12.16

**\*Ownership/Vacation/Transfer of Roads:** Detailed discussion in re ownership/transfer of roads: Rock Creek Road, Leader Lake Road, USFS 325 (Okanogan River Ranches, Bench Creek, Leader Lake Road.

## **Notes**

**Tuesday, 10:30 AM: Continued Public Hearing, Cattle Guards Amendment**

Citizens - Nora Sheridan, Isabelle Spohn, the Brannons, "Ken," Dal Dagnon

Public testimony over.

Present: Josh Thomson, JT  
Verlene Hughes, VH  
Perry Huston (intermittently) PH

Perry enters, talks with Commissioners. - Legal council request to transfer bargain/non-bargain to Ted. He believes it is possible to do this and make it effective Jan. 4th? Too much conversation in audience to hear. Perry talking to commissioners.

### **Deliberations:**

Josh - after hearing 2 weeks ago, questions came up. We have ability in this odd to franchise cattle guards narrower than acceptable. A lot of fhtme don't comply with (weight) we should have the option to leaves them in place. 060 does this.

Question from Sheilah - during last public hearing, testimony re the crews and how they are plowing. We requested a discussion with road crews on skill ability, how they are plowing. Has that been done?

DT - was not forwarded to Josh . I was planning ton bring it up at 11 AM.

SK - Looking at the final paperwork, ch 12-16. Will we go back and add the ordinance # that is quoted in final document?

It looks like suggested ions and changes have been implanted and put into the document. - might want to change

SK clarificaiton - notificaiton of cattleman's assoc has not been included in .110.

JT - no objection if we include adjacent landowners and properly posted. Pub works can alert cattlemen's if they want to.

SK moves to approve the ordinance. Cattleguards in Ok Cty. 2015-11 relating to Chapter ...Cattleguards and County Roads.

Public hearing closed.

Are there further questions now that hearing has been closed?

Ken didn't know ahead. Verlene says he can stop by Pub Works.

Ken - missed out on this has had cattle guards for 50 years and no problems. He can't seen any problems but hasn't been involved. You probably get the most vocal people. Thru all years, have not had problems.

Ans. This ordinance copy will go out to all Franchises.

Ken - is this ordinance with changes correct?

Ans: We will send all Franchisees a copy and it will be on the website. This, with changes, has been accepted.

After over, David Creveling goes up with a paper and a question or complaint. If you do not adjoin a cattle guard and there is property between them and you, someone takes out cattle guard, the cattle will go out.

Josh explains privately to David. David says you will remember that today, but in the future it will be forgotten. David - I don't care. Orchardists don't keep their xxx dances up. Storms out.

Another man in cowboy hat (brown) enters. Nora tell shim to talk with Verlene. He goes up and Verlene talks with him privately. give hi a copy of what appears to be ordinance. side conversatio.

(Jerry Brannon - he has a meeting on Thursday about the cattle guard on the Chiliwist and just found out after the hearing is closed that they will talk about that next, at 11:00.

There is a sentence said by BOCC (could not hear) Jerry says "that was easy" and leaves.)

Side conversation with brown cowboy hat up at BOCC with Josh also, Can't hear. Too much talk in audience and they are too far away. Something about folks who complain about cattle.

11:00 - DT - skipping down to item #4 because folks are here that want to know about cattleguard.

Item #1:

## **Rock Creek Road**

Verelene - went out and road Rock Ck road, road 27. In good condition. Milepost 11/73 dmi came up with 11.89. I was amazed at what we show on (map?) and the mileage is that close.

126 road - Rock ck road too - loops around there. It is just 2 miles. I found maybe wheat could have been beginning of that road, but the reeds had grown up. I'd like to know, without being said on 127 road that is 11.89 miles.

Would you be interested in transferring this jurisdiction to DNR?

RC - does it access private land?

JT Haeberle's own most of it. Old loop road - all tit's used for is salt and 4-wheelers.

DT - The only private land that it accesses is at the bottom, and there is other access.

Verlene - actually, that is where - just prior to coming into the cattle guard that JD was talking about. So you want to table this and think about it? Then I'll figure it out.

JD- yes.

("55 map" - they constantly refer to that. It seems to refer to the map of 1955)

## **3525, USFS Road, Okanogan River Ranches, Aeneas Valley**

Verelene - next on list. Memo - particular word is 3525, USFS road. BOCC had received letter NOv. 20th and I responded.

Roger. I explained that particular road is not on the 55 list it is a secondary road, and if BOCC wanted to add to our system, it would be a long process. Also, this is within a de-

velopment, the majority of that road and is better known as OK River Ranches. . If you would have looked in SE Se 1/4 of Seciton 28, the 3 lots there are the lots he owns.

DT - this is up Aeneas Valley.

Verlene - he would be where 3525 number is. That stuff on Bench cr blonde to the old dairy farmer - can't think of name. Just past Thornkins on 97. (Gain? He was a developer and developed this in early 89's late 70's. ) With that being said, I will keep this in the file. It was not a high priority for USFS or others but they wanted us to look at it.

JT - It was a development that was built with USFS access. There or not ,the county maintained it. Could have been in agreement with USFS and Cty long ago, but we are not maintaining.

SK - but it was platted along USFS road?

VH - yes. In 70's 9one of BOCOC.)

JD RC- check it so we can do research.

VH = there are 7 different long plats, so **we are talking over 1,000 lots**. A lot has not built out, he was going to look into it/

JD - CC&R's on plat? Some are, some are not.

VH - without any lots, she almost assumes they have to have some kind of road maintenance agreement among them. We are not involved in that. When roads are in a plat, we have nothing more to do with it. Summer cabin on one (RC asks how much development is involved.

SK - would be good to know whether there is something thru homeowners' assoc if they maintain their own raods.

RC - doesn't know if Cty would take on maintaining roads for a dvelopment.

VH - this would need to go through all the public hearings to put on the county system.

JT - Nowhere near built out. 1/4 = 1/3 of lots have improvements on them.

RC - Devel could take off if someone comes in and starts buying them off. VH - maintenance sometimes goes up on roads when there is more buildout. We will be affected by full build-out.

RC - want to be sure that if folks rely on this road to get to homes are not left high and dry. Some of these start out USFS or private land - what are critieria.

SK - they have to address roads to be approved as a plat. May be that the USFS can't close this road??

VH - that is why the landowners want county to take it over.

RC - maybe the landowners should take over that.

VH - can do some research.

SK - find out whether there is homeowners assoc that would be useful.

## **Bench Creek**

VH - Bench Ck is next. I highlighted part of the research I have done. Was shown on county rod system on 1936 and actually was revised in 1949 on cry map. On the 55, 2.6 lies was adopted in text but map shows it going all the way and coming out on the other side. JT - and odd notation. Don't know what it means. Another pice of the puzzle. Which side do they get there from? Don't know. SK - no other way, if it shows road going thru. The actual text log says map shows going thru, text only shows to there (2.6 miles.)

RC - you have to wonder what engineers and cry comm thought when they adopted that JT - hey dind' have tools like this . It would have been harder to figure out. RC - they did have tools enough to figure this out. JT - some roads that I can't even find on that map - or some are on the map but do not correlate to the list.

BENCH CREEK - 2.64. MILES TO WHERE SHOWN ON MAP.

THEY ARE GOING ROAD BY ROAD, TRYING TO DETERMINE OWNERSHIP OF ROADS AND HISTORY. PETIITONS TO VACATE AND RECORDS IN THEIR FILES. FOR EXAMPLE: ROADS REMOVED FROM SYSTEM AND THEN LETTERS STAT- ING GATES COULDN'T BE BLOCKED. BUT PETITION DURING THAT TIME, PETI- TION TO VACATE BUT NO ACTION TAKEN BY PUBLIC WORKS. LISTING CON- TACTS

RC - what part was added back on? New portion up and around - dJT - designates on map. Clarification as to what area was petitioned to vacate. -They go through part by part - 4 cattlguards were installed. VH gives mileages of the cattleguards. VH - no Fran- chise agreements on any of the cattleguards. Dates are gone over.

VH - with all this being said, I think we owe it to the people who petitioned to vacate, to see if they want to still vacate.

RC - send not only to folks who petitioned, but to other neighbors too. JT - We do not know why the process stopped. Call to see the original petitioners t see why it stopped, but then notify all landowners if it is going to go forward.

VH - they will (or will not) have to Franchise cattleguards. The first one is buried and they are driving around it. We will follow up and get feedback from the folks and figure out what and where.

Verelnee - many years since I've been there.

SK - if vacated and you take it out, people with property will have to go all the way around.

DT - shows on mmap where they will need to go.

VH - Not only the portion th..someone talks over her -

DT - where it is broken up to 10 and 20 A - was this part of olds Hart Ranch, or????

VH - Actually, They come up with the regular parcel number not....

DT - Steve someone did it. Bought it from Hart. Has a regular parcel #. DT - someone had an airplane etc...up toward old school house. He was a doctor of some kind and bought it. Had an airstrip. I think he died and part of the ranch went to family, some was sold. He called it "the Virus" (the plane?)When someone called, his wife would say he was "down with the virus")

## **Leader Lake Road**

VH - Next on list - Leader Lake Road. JT got letter from DNR wanting to know if it was cry road. I told him it was removed from our system through means of a bunch of actions but BOCC neer signed off. Jeff and I talked . in 2008, tried to vacate. Denied. DNR one of those who denied it. It was removed from our system. General counsel had met with BOCC and talked at great lengthy. In doing so, there was going to be a letter written but it didn't happen. 2011- said in BOCC minutes the transfer would happen, but it didn' happen. But it was removed form our system. I told Jeff I would like to, if the BOCC agrees, transfer the jurisdiction to DNR. A lot of history shows maintenance greements back and forth. JT - wasn't it state prop since 1889? BLM - and how it became state land didn't happen until. Then became state land. never became private. JT - unless we have something from DNR or BLM, we cannot claim jurisdiction. sounds like to Jeff, he seems to belive it is DNR road. To clean up our 55, we need to have..... never had a right to put it on the 55 map.

DT - drop back in history. I'm reluctant to turn over the only access to the private land there. Can't vacate because of body of water.

JT - would need to have it..

SK - How did they get a development up there to get a development?

JT - whether city or DNR, the people have a right to use it.

SK - has city maintained?

VH - went back and forth here, city paid part of paving with DNR. Have gone back and forth for several years.

Lanie returned about 11:36

DT - We built that road from where it goes into campground, we built in 1965 and I worked on it myself. City decided to stay on their property and make campground here instead of on other side of lake.

VH - We have never had any dealings with that portion of road, but where it goes to James and Carey Cook, we have had dealings.

VH - it appears to have changed hands. RC - any history about how long road has been there?

JT - certainly prior to 1955. BLM then transferred to DNR.

RC - if private land back there on the ranch, how long ago was that.

DT When did they build dam.

RC - just because DNR has it now, may have been agreement at the time - we need to look back in history. Just because DNR has it now, doesn't mean anything.

VH - I had sent letter to DNR. ....DT - That's why I asked when the dam was built.. VH - had written to DNR because the campsites were encroaching on the road...if you are going to have the campsites, we need to move it back so we have full access to roads

JT - that was around the 2011 time period...

SK - This means it wasn't taken off legally -

DT - correct. I know of no petition to vacate. VH - 2008 = petition to vacate. I road this road with legal counsel. I have handwritten notes as to where things were that are of concern.

RC - any time before that DNR was concerned and wanted us to turn over jurisdiction?

VH - At one time, they were going to be hauling logs. Sent letter to Josh. Now it has come up again. We can't just remove it without due process. The letter I had sent in re

campgrounds was in 2008. and 2011 the city engineer addressed again and at this time, they wanted to transfer jurisdiction. In Jan, BOCC minutes brought up that no one moved forward with due process. So we are here today what you want us to do. Pursue transfer of jurisdiction? (Can contact adjacent landowners to see if they have access and if there is agreement with DNR that they have access.)

RC - you need to talk with the landowners.

SK - concerned with taking away access to private property. What is the guarantee if we turn over to DNR that the landowners will have access?

RC - I can see trade with DNR - I can see WDFW saying??? is the time ever worth anything? RC - can't hear...talking about WDFW and landowners. Chuckling with SK.

VH - will bring back info. #1 - landowners have agreement, and is an agreement needed? DNR is not obligated...unless a public road.

SK - If assuming it's a county road, they have to have access to the development to get the development.

RC - Not all DNR roads go to private land with access. There are gray areas. All seem to agree.

JD - If DNR's goal is to close the road, they can say it's not our road - and they will be right.

SK - we have maintained for years, and that should mean something.

JD - it doesn't if on state or fed land. They probably just want to clean this up - reason they sent letter.

VH - During process of BLM/DNR land, there is a gap. We talked about it. There is something about 1970 that came up. Doc that I have is 9/1956 revised, but still classified as BLM, not DNR. \_\_\_\_\_ said that would make a difference as to whether it was DNR road or not. We need to sort this out and not leave the landowners with no access.

RC - If transferred from BLM to DNR in 56, this is a 55 Road map. Could have been BLM land. What kind of comm bet. DNR and BLM ....Sk or BLM and city

(JD - we have nothing in road file.)

RC - I want to be sure there is a road agreement and not leave landowners high and dry. ...they all agree sign on road just says Leader Lake.

DT leaves - has to go to "court"???

JT - Will dig more into it and see what we can find.

VH - especially on property like this, will do a search and see what they show on documents as to ownership of roads.

VH - sent another e-mail to cody yesterday, have not received anything back. One more piece of paper that needs to be signed off on. They can go ahead and punch in road now, do paving later. No confirmation yet.

11:53 - Verlene leaves.

## **LOCATIONS OF WATV CROSSINGS ON HWY 20**

ATV Club got a map to me. need Dot (approval) DOT - will allow WATV crossing signs. 3 locations on highway 20. They will apply over \$3,000 for grant to do this. One was S Summit road? Josh shows map - Near (north of?) Woody Mtn.

## **Josh Thomson Public works Update**

2016 conference - requesting every city engineer be there. Wanted to run this by you. 24th - 28th, Sunday - Thursday . They want us by Sunday AM. A lot of educational and informational things.

RC - a lot to be learned. Assn of County Engineers. Do a lot of advocating on our behalf.

SK - I have no problem with this.

## **Employees**

Lead mechanic position with 1 year for CDL advertised. One mechanic position open. We have not internal and external apps. If ??? internal get in, there will be change. Cross that bridge when we get to it. Tech 1 Tech 2 positions advertised. Tech 3-4 , Jo Ann's position. Also, Joe Burdicks' position - sent you a memo on this, Difference between the 2 positions, Jo Ann's said it was temporary. Can go one direction or the other. If you have any positions on duties and what they have or have not been doing, let me know.

SK - I have to study it more.

JD - Gut feel as to feel of what he does is similar in level of responsibility as to Tech level....goes thru responsibilities. runs decisions by me.

SK - isn't it an actual utility type?

Josh - classified same as Tech 3 but probably really on level of Tech 4. Whatever direction you want to go.

RC - (can't hear.)

JT - finances position - not sure if Perry will authorize or not.

SK - I think we should advertise for Linda's vacant position.

JD - (heater cooler came on, can't hear. )

JT - On administrative officer position - where does it stand?

SK - still ....turned latest job ascription into HR. About reach to get it approved and advertised.

JD- talking with Kenny about sign shop vacancy. He is working on updating it. I will I've it to you. With this, we have a snowplow route that doesn't have a driver.

RC - better get a temp.

## **Solid Waste site**

Solid Waste site - We have not had anymore come in since...I have submitted everything to FEMA. Will be a small PW. If we go over, we lose, if we come under we get a bonus??

SK - compare last year's loss with this year. should come in close.

JT - at about 50% mark right now. FEMA seems comfortable with this.

## **Long Term Recovery**

RC - something about Long Term Recovery, organizational role...these group should know who is out there and what folks' needs are .

JT - best contacts?

RC - go to Carlene Anders. She will give you names and numbers. She is still the head of that organization. I haven't been to talks?? meetings.

## **2016 budget**

Added bridge in to that. We do have the fed and probably the state . Annual work - has to be approved before budget. FEMA - not sure what we will have. No definite number. Will probably estimate. In spring, get contractor 2-3 " grout - etc. Bunch of rules where

we cannot be the ones grading when there is a contractor - very complicated. Contractor can bring materials and we re-load. Doesn't make sense.

SK - question - JT - goes through a series of difficulties and possible solutions as to who puts down gravel, etc. SK - this is sort of a first step? then break? JD confirms. JD - This will be only large PW where we apply for reimbursement . All others are small PW's.

Discussion of road where someone lives 6 miles up, right side of road. Several years ago and issue that there was not enough rock on road. We added rock, it's a lot better now. The person is talking about the number of accidents. 35 documented accidents on road, one fatality. A long time ago.

Can't imagine anyone going the speed limit on this road. I will look into it.

RC - (cannot hear. Tom Graves' names mentioned. )

Josh leaves. 1:08.

**END**