

Okanogan County BOCC  
March 7, 2016

Jim Detro – JD

Albert Lin - AH

Ray Campbell – RC

Sheilah Kennedy – SK

Lanie Johns – LJ

*All writer's comments in italics. This is a paraphrasing of conversations. As this has periods of BOCC work time there are extended periods of BOCC members looking at papers, reading correspondence on computers, and texting. JD absent until 1:30 pm.*

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## **Grow Ops**

Brief discussion of county problems associated with marijuana grow operations in Okanogan Co. Issues include odor conflicts with neighbors, construction and operation with out completing county permitting process, needing to comply with provisions of permitting.

## **Misc.**

SK relays that they will want an Exec. Session regarding personnel – it will be postponed until the afternoon when JD will be available.

## **Juvie & Community Coalition**

SK Thursday: Community Coalition has a meeting regarding Juvie. There should be a BOCC rep in attendance. SK needs to be at an Aging U Adult Care meeting in Wenatchee during that time. RC will attend. SK – feels people need to know that the Juvie process is a fact finding mode. Feels that some members of the public feel a decision is already made. RC has strong feelings but open to all information. JD would normally attend but is not in attendance this morning.

Property up by the Clinic in Omak is for sale by Tollefson. Lael Duncan wants to get an agreement pending raising funds for a new Community Action building. SK would prefer Com. Action explore Okanogan alternatives, needed to at least look at remodels of older unused buildings in

current area. SK unsure about the proposed move to prime property near the other clinics. Need to consider use & remodel options in Okanogan. SK & RC: see more and more moving out of Okanogan area and not fully utilizing or exploring current options & reuse. Past moves by County have contributed (PW shops north of Omak & across river on East Side above Fair Grounds on US 97).

### **Misc.**

9:30 RC - Class B water out of House committee. Doesn't know about floor vote or other status.

### **DOG Code**

SK – Dave Getches (SP?) – Dep. Pros. Atty sent a memo/note to Dave Yarnell. This got put on Facebook. It caused a bit of a stir. The topic was under what conditions the county could put a lien on piece of property – this involving dogs. This will come up at a later PH work session. RC & SK both have concerns about county jurisdiction.

### **Juvie**

SK met with Dr. Johnson about Juvie – about fact finding. Okan. SD has \$5500 per student to assist each student. SK – concerns about building & upkeep in Okanogan. Dr. Johnson has never been to Martin Hall or Chelan Co. Juvie, etc.. Maybe BOCC needs to arrange a tour for school superintendents. There is a need to get out all aspects of alternatives for public so that they can make a good decision. SK feels some supts. may have their minds made up. SK tried to reinforce that BOCC is still exploring options. Need to get full facts of costs, needs on the table so all can decide.

RC – sometimes it is best to get a juvenile away from home environment. SK will be getting a group of questions that need to be answered. Dr. Johnson relays that minimum average on juvie students is 20 - this for a 10 bed facility. SK relays that Okan. juvie is lacking in many ways at current facility. Dr. Johnson says few family visitors, often no one comes to pick up on release, sometimes parents also in jail. RC disappointed judges already lining up against any change. SK & RC feel judges, if anyone, should listen to all facts before jumping to a decision. RC – people need to consider all options, Martin Hall, Chelan CO., etc.

### **Methow Trails & Buses**

RC – Methow trails wants support to lease Liberty Bell HS buses for a variety of events. SK suggests contacting private businesses such as rafters, fire contractors, orchards and others who have purchased used buses over the years. Due to changes to Methow SD can't contract to the Trails directly but county can. Asking Co. to help out as a go between. RC & SK need to study the issue. Trails needs to explore other options. LTAC\$ could be used but some cities not willing to spend their \$ to support regional efforts (WInthrop). "Scorecard" used by County for allocation of County LTAC\$ should include points for local city contributions.

### **Misc.**

SK – Brewster Boys 3<sup>rd</sup> in state, Okanogan girls 1<sup>st</sup> in state BB tournament. BOCC asking for a motion to approve for Monte Andrews to Co. Fair Bd. LJ will prepare resolution.

*(Handout: Draft agenda for Quad County meeting, end of April. Presentation by Pam Leslie about Malheur occupiers and her visit during the occupation. Her letter to the editor in the Oroville Tonasket Tribune expressed support for occupiers at Malheur. Her talk is followed by “What Quad County plans to be prepared for a similar problem.” This is a public meeting in the Commissioners Hearing Room, see enclosure)*

### **Loup Loup Timber Sale**

RC – Timber resource Council is concerned about Loup Loup DNR timber sale withdrawal due to adverse economic conditions. RC talked with Vaagen Bros. about value – feels market depends on % of Doug Fir in contract area. Boise Cascade rep. expressed same concern. Pine goes “Blue” faster than Doug Fir so Doug Fir could be quality until July. Another contract in the same area has been challenged by ConNW. Withdrawn sale is a different sale. SK – heard Loomis area sale barely covered expenses. RC – American Resource Council rep. feel RC & BOCC should pass on their concerns to DNR *(no response from RC about poor econ. conditions expressed by DNR or SK statement)*. RC feels DNR reason does not add up given sunken costs. SK – need a public records request for field sheets for cruising, analysis, etc. on decision. Feels local foresters have been out and have a long time and know what they are doing. Frustrating that sales aren’t going forward.

*(Discussion of incidental harvest, illegal harvest in NF, i.e. butterfly poaching, lichen harvest, orchids as examples and impact on public lands.)*

SK – 9 mile salvage by AA logging used as an example of value for timber harvest. *(Value of harvest going out of area without local processing - not discussed, along with impacts upon land in re season and market conditions.)*

### **Oroville EMS**

SK – Oroville mayor decision on EMS – message sent from PH. County’s preferable alternative is not OK with Oroville. Oroville prefers to administrate north county and will explore local volunteer or contract services. RC – Oroville has right to do so, hopes they will follow through.

### **Misc.**

*(Some carefully worded discussion of a personnel issue with BOCC showing very appropriate regard for timing & respect to an employee before making a public disclosure. Involve a temporary Sup. Ct. position being converted to a full time Clerk’s Dept position with a different person in the new position. Note that it is believed that this is a shift from a Union covered position to a non-union position).*

### **Loup Loup Timber Sale**

From DNR **Ron Wunch** – RW: SEPA checklist on a DNR sale estimate of volume of sale before actual cruising. Info would not be reliable before actual cruising. Speaker has not done a SEPA in a long time but feels that Prelim estimates are talked about before actual cruising. RC & SK are looking through Loup Loup sale document for volume estimate. RW says would not break down by species or grade. Has to be quality data when it becomes part of the bid packet.

SK feels when a timber sale is withdrawn, especially when it regards “adverse market conditions” – BOCC needs to be made aware & get explanation.

### **Misc.**

SK to LJ: need to put in a call to housing coalition to meet with BOCC.

10:55 PH arrives for 11:00 meeting with DNR RW. PH shares letter from Oroville regarding EMS & from Oroville to State Bd of Health. No contents of the letter mentioned.

### **Loup Loup Timber Sale**

RW – chat about Omnibus bill over forest health and management, need to utilize all tools and to coordinate to get forest healthy – thinning, prescribed burns. RC always prefers getting product to market. RC wants to get funding to local fire people to get hand on issues, contract fire fighters included. (*All problems look like a nail to a hammer – in this case IA jobs for local people*). RW discusses L & I laws forces using specific contractors over others not qualified or equipped. RW – concern about liability issues (with local fire & contractors).

### **Fair Grounds contract with DNR**

County rewrite of last week is OK. RW not necessarily happy but not his job to say what an entity charges. SK & RC: need to make long-term repairs & update costs. RW – not opposed to proposed costs but will make some map adjustments. There is a general discussion of buildings & areas open to lease agreement. RW needs signature to move ahead. RW will redraw map then get signatures. RW hopes to get back before end of the week.

### **Jail Ceiling Project**

11:10 meeting with Noah Stewart (Frank Rogers not available). PH – this is a prelim meeting before Douglas Co. people next week. Jail ceiling renovations are the issue. Materials are on hand to begin preparing bid package. Money coming out of REET tax (Real Estate Excise Tax). PH has not put together a budget yet. LJ - \$ would probably come from current expense, Noah Stewart – NS – could some \$ come from infrastructure? LJ & PH – not for a capital project.

PH – budget, admin of project, structure of bid package, time period of construction, all need to be prepared. Total project cost is under threshold for some procedures. NS – need to get done before summer as prisoner population will increase and it is hard to move people around. SK – estimate is \$73,000. NS – rooms drawings are there but ceiling material different so needed architect to work up plans. NS is trying to keep cost down. If NS contacts architect over issues we

are charged time so he avoids contacting them. NS – Douglas County has \$ in a Jail Fund but won't build a jail because can't operate one. Those \$ could get reallocated. This is contingent on Doug. Co., pending NS retirement, Okan. Co. staffing levels, Sheriff in Okan. Co. and costs. All depends. Douglas Co. will be here next week. LJ – probably will just bill Douglas Co. for actual costs. Recommends \$ be put in a capital facility budget – there is a line item already made for the process. Would transfer \$ into as needed. Okan. Co. would pay up front and then bill Douglas Co. for their portion actual costs. SK – current estimate is lower than \$80,000, yes? PH says depends on bids – could be higher or lower of course. PH & NS: extra costs are most often due to change orders. In this case have a very good handle on what this job entails due to recent past experience on similar, smaller project. SK – upper limit is \$80,000; specified where budget funds came from, need to decide who manages the project. LJ – will need to look at professional services. 1 architect, 2 contractors. Shouldn't be any others. NS - questions? In past project there was a relocate of a water heater. This led to a freezing water line. NS is concerned about mention of HVAC move in proposal might lead to a similar problem. Who is to pursue this concern? SK – NS as he is familiar with the issue, NS says PH is in a better position to ask architect. PH – this could all be done under “preparing bid package” which has already be paid for. PH – moving to get bid prepared, budget previsions, interlocal addendum to cover cost sharings, this for meeting next week with Douglas County. Will come back to BOCC for approval of final bid package.

### **Misc.**

NS has hired 3 new staff, but will need to get them to training, etc. NS says he hasn't been at full staff but once for a period of 6 months. Mentions difficulty of keeping staff & filling openings. NS – getting a lot of young people on staff, hopes to keep at least as long as until he retires.

NS & SK – no BOCC on board of Behavioral Health. SK hearing rumors that there are comments about BOCC at BH meetings. NS mentions Skip sent a letter regarding juvie. NS says not a job of BH board to micromanage. SK brings up that BOCC is in fact finding move on juvie.

LJ – maintenance position authorized, BOCC will proceed to fill. Not time line but will move as fast as possible. This will be strictly a jail maintenance position.

SK – process of bringing Com. Coalition into Homeless discussion as well as all other stakeholders. Some groups may not want to take part but need to provide an opportunity.

### **Juvie**

Letter from Chelan Co. Sup. Ct. – feel that best option to always keep in local, but if must at least consider Chelan Co. Make sure letter gets put on website that PH is maintaining about juvie.

### **Loup Loup Timber Sale**

RC – talking about getting more info from industry rep. of withdrawn sale. 50% pine / Doug fir (?). Needs to check on details. Can be expensive if county wanted to get the numbers on their own. Takes a lot of time by qualified people and time on the ground.

### **Misc.**

LJ – need a resolution for Tonasket EMS position. Move to approve. Wendy Burks until Aug. 31, 2016, is approved by BOCC.

RC has an acquaintance from Idaho involved in wolf management. Meeting upcoming in Pateros with wolf lady, Rep. Kretz and others. Is asking acquaintance to come along. RC is currently texting about this topic during this time.

### **Governor Meeting**

SK – Melissa from Governor Inslee staff wants to meet to organize meeting with governor in Okanogan. RC relays that they need to get tribes, local fire people, contractors involved. SK – wants to get fire stories, cattle impact, etc. So governor can hear roller coaster of impacts and not just DNR message. Tribe needs an opportunity to talk about their impact. RC wants National Guard to have a voice. SK – will meet with rep. Melissa on Wednesday. RC still wants to push for local responders – contractors, rural fire, DNR to train together, pre-stage etc. SK – asking for \$24 mil and not including tribe is an insult. R – need to harvest, thin down and get to market. SK – look at regs that limit use of local contractors. RC – concern about rules and changing them. *(no discussion about getting locals up to speed to meet regulations – want less regulation).*

Lunch

Return at 1:25 PH scheduled for 1:30. LJ & PH – need to schedule annual flood meeting, March 24.

### **Building Code enforcement & nightly accommodation**

Dan Higbee DH – Building Dept. – regarding overnight accommodations building code. Brought in old resolution from old board, also recommendation from State. If a house is available for 6 months + 1 day there needs to be full safety, otherwise it is just a house. No way to knowing or follow up. Current problems are mostly in the Methow. There are any part time residents (second homes and also Mother-in-law housing). RC is reluctant to put limits. DH mentions that it can be inequitable treatment. RC wants to avoid burdening landowners. DH keeps bringing up safety. SK – how do we know where to draw the line? Also involves hotel & motel lodging tax. How to enforce and collect taxes is always an issue. Only considering building code issues right now. PH mentions need to be consistent with zoning code in terms of definition. Issue came up as regarded Veranda Beach but County gets many Zoning Code violations. SK points out need to update resolution to accommodate newest building code. What liability does county have in a worse case scenario? JD – insurance companies are starting to red line some rural sites. PH – need for consistency: either regulate or leave alone. SK – public health wants enforcement of public accommodation standards which are very detailed in addition to zoning and building. Currently only comes up in a planned development. AL – standard, breach & causation are elements of negligence. This is a process of determining County liability. Ignorance is no excuse on the part of the county. There are complaints, does fall into code, (County enforces, inspects upon com-

plaint.) PH – conditional permit? – Once county sets rule on nightly rental then Building can apply, then zoning will / can react. RC & PH – no need for immediate decision on the part of BOCC. Already under enforced under Planned Development where applicable. 10 Basic question is define nightly accommodation. 2) decide what building codes might apply? R1 is sprinklers, ADA compliant, plus more. Is there an interim level? State says can do what county wants. PH has more stringent needs. PH – new zone code rewrite is involved in discussion. If owner resides in the building this a B & B or such and falls under other rules as well as Public Health.

### **Misc.**

**VSP** – ad is out for members, none in yet. No news.

**Loup fire sale** – ready to send in public records request. AL – expect judge to sign intervene order. Okanogan Co. & American Forestry council; hearing on merits on 4/28, no temporary re-training order request currently.

**Meeting with Methow Ranger District with Ranger Liu**, need to follow up with a letter to reaffirm expectations of BOCC regarding Copper mine. Forest management plan is on hold again. Travel Plan still needs coordination with BOCC. Expedited decisions are all backed up. *(Lack of recognition of the backlog of issues that USFS has. Money burned up by fire, lack of personnel, budget hung up in Congress, political meddling at all levels, and more.)*. JD [ packers permits, EIS needs to get done. RC – maybe just use a categorical exclusion., JD – Outward Bound got categorical immediately, RC – very small impact on wilderness by packers, why not categorical? RC feels USFS plan is to do comprehensive plan done in reality piecemeal, a bit at a time. *(Demands are made without mention of willingness to assist with costs or difficulties.)*

PH will look at comparing various small proposals against old & existing management plan to see if he can find any conflict with current plan. RC – look at Chewuch Travel Plan.

Short discussion of cumulative impact of DOD ventures in Okanogan Co. in USFS jurisdiction. PH to look for ruling on High Altitude Exercises.

**Zone Code update** – Planning Commission met on 2/28. Scoped issues, maps of various zoning areas and looking to reconcile differences. Nightly accommodations, Ag. zoning, Airport zoning around county – looking for consistency, fly zones, runway approach and more. Hearing will be on 3/28 – no additional meetings planned DEIS is issued, comment period ends 4/4.

Done for today, off to next meeting.