

Board of Okanogan County Commissioners
4.11.17

JD- Jim DeTro, Chair, BOCC
CB- Chris Branch, Vice-chair, BOCC
AH- Andy Hover, member BOCC
PH- Perry Huston, planning Administrator
LJ: Lalena Johns, Clerk

BR- Ben Rough, Dept of Public Works
JT- Jim Thomson, County Engineer

*(Note Taker arrived at 11:11, the Public Works dept update was in progress.)
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 writer's comments, questions, or explanations in italics. For officially approved minutes of Board of Commissioner meetings, see www.okanogancounty.org.*

Main Highlights: Public Works update, Cattle Guard franchise, ATV road access discussion, Tonasket annexation, Fairgrounds clean-up, Board of Public Health meeting.

Public works update:

Culverts are failing. Need to install new culvert, and WDOT wants big arch. County thinks this is too much and will find alternative. *(I didn't catch the location- possibly Whitestone Creek).*

JD: We are headed down the right path, Jim Brown (WDFW) has common sense.
PH: Observation- I appreciate the engineering, but you need to look at other regulatory docs that are on your desk, and mitigations will need to be considered. Encourage the BOCC to look at the benefits of doing more now to avoid more costs later.
AH: We might want to find out why they want a 12 ft arch. There might be a reason.
PH: It's good to document that the county tried to talk to the State, in case there are issues later, we can document that we talked with them about this.

Cattle Guard franchise, Derek Olma

Shelly *?(didn't catch her last name)*- Public works right of way dept.
Presented an application for a new cattle guard franchise with the County. Applicants name is Derek Olma. Gave details of size and location of cattle guard. Located at mile 1.1 on Siwash Creek Road. Listed all of the public notices that were posted on this subject (there were many).

Stated that no public comments have been received as of this time.

JT: Noted that it's a standard cattle guard.

AH: what are they doing now? Is there a gate?

ST: He will put fencing up in addition to cattle guard.

JD: mentioned another cattle guard in the area, said that Derek had replaced that one.

CB: moved to approve, AH seconded. Motion voted and carried.

Discussion: Quasi-Judicial procedures re cattle guards, transparency

PH: Asked if the process of a quasi-judicial hearing has been followed (i.e. – a quasi-judicial is required to be recorded for the record.)

LJ: normally we do, but I forgot this time.

PH: It's probably not a big deal since there is not much interest in this particular item.

CB: We should follow the rules.

There ensued a discussion about what constitutes a quasi-judicial situation, with no decisive outcome. It was decided among the BOCC to be on the safe side and go through the discussion again, this time with the recording on.

AH: makes motion to reconsider and have new public hearing now with recording on.

JD: opened discussion again, this time with recording.

PH: introduced issue of cattle guard again.

Public Works staff person, Shelley, read the same statement as before regarding name of applicant, size and location of proposed cattle guard. Noted the list of public postings and stated that there were no public comments received.

JT: noted that the road is unpaved and not a primitive road.

CB: Made motion to approve

AH: seconded

Discussion:

AH: what is going on at that road currently? Is there a gate?

Shelley: No, gates are not allowed on county roads.

Motion voted and carried.

There followed a discussion about procedure for quasi-judicial decisions. Why is a cattle guard a Quasi Judicial? Need to research this and find out what the code says. Are there any downsides to using QJ process even if it's not required?

AH: Who pays for the cattle guard and installation?

JT: The individual pays for the materials plus a \$750 fee, the County installs it. The idea is that the fee covers the cost of the county's time for installation.

AH: Cattle ranching is an overall benefit to the county, so we shouldn't make it too hard.

JT: Once the franchise is established, it's only \$10 per year to maintain it. Not a big expense for the individual.

JD: The alternative to the cattle guard would be for the individual to pay for fencing all along the road on both sides. Much cheaper to do the cattle guard franchise.

AH: how often do these come up?

JT: a few times a year. Maybe 3 or 4 times.

CB: We need to discuss legal points with county attorney. Don't want to give impression that people are being cut out of the process – being cautious cuts both ways. Need to know the exact details of how the process works.

Roads: Designating roads for ATV's, WATV's, ORV's; SEPA

At this point PH brought up a subject that was not on the agenda. He was following up on something that had been discussed the previous day and was confirming what his instructions were and how he is going to proceed. The subject was **County road access for ATV's.**

JT: I have created maps of roads that are being considered for opening to ATVs.I

CB: I went to a meeting with ATV club. They are waiting for opportunity to comment on what the BOCC proposes. Maybe we should contact other groups.

PH: I would like the BOCC to take the list that JT has created and note which roads are not going to even be considered. I will take the remaining roads, and start the environmental review, with attention to the details that were cited in the litigation.

Legal Rights of Way (ROW) need to be considered. Where do they start and terminate and pass through? What other agencies are affected (WDFW, Federal, etc). Appeals court requires us to do SEPA.

JT: My list includes roads that were opened in 2013, and 2014. AVT's, ORV's have different rules and different areas are open to each.

PH: in terms of environmental review, there isn't much difference. We will do the same review regardless, then you can discuss which type of vehicle is allowed on a particular road.

CB: The concern is that we are inviting all kinds of vehicles to operate on roads.

AH: discussed definition of ORV, vs WATV. WATV's are generally equipped with safety equipment and lights, etc. that make them safe to drive on roads. ORV's may not have those safeguards.

CB: did the prior checklist include ORV's?

PH: no

More discussion of roads that are open to ORV only, ATV Only, and both. BOCC agreed that they need to find out more about this.

JT: continued with public works report

Conconully road overlay discussion. Going OK. Tonasket road, on schedule.

B3 B15 bridge replacements, weather is causing delays.

Tonasket wants to annex County shop.

JD: There is a new bridge in Tonasket, and sidewalks. Their ultimate goal is to continue sidewalk past the county shop, to a ROW (*Right of Way*) that goes to an existing RR crossing. Proposing that county give them a ROW so that they can have a path for kids to walk to soccer field on a safe path. Currently kids have to walk on busy industrial road with big apple trucks, and lots of traffic.

Benefit to county is that if Tonasket annexed county shop, the county utilities would be included. Big benefit to County.

AH: Sounds like a big positive, are there any negatives? What would the impact be if we need to do building improvements?

CB: Related history of previous ideas. Adjacent landowner refuses to work with Tonasket, so County is the next option. History of agencies who had worked on this trying to get access to the RR crossing. Lots of head butting about RR willing and not willing to condemn crossing so that project can move forward. This latest version of the proposal has the blessing of the RR, whereas it didn't before. There might be some impact on the County's ability to stockpile gravel if the pile gets too big (it would impair the sightline for safety). Annexation – there may be complications to having County sign.

AH: I'm all for safety enhancement, but we need to evaluate impacts on County facilities.

CB: Tonasket is growing to the south. One side of the highway is further than others. More businesses, there are implications with sales tax income if area is annexed to the town.

Comparison to Pateros and issues there.

CB: This would be easier if our Comp plan acknowledges that Tonasket has an expansion area. There is a meeting next week in Tonasket about this.

Water Issues

JT: Barkley ditch- In the Methow, going on for a couple of years, going OK. Working on removing a bridge, going OK.

Davis Creek- flows into irrigation ditch, need to deal with that.

There are some areas where the ditch is removed and then people's property is flooding because there is no mitigation.

AH: Watershed council is working on Twin Lakes water storage project. This is more viable because water would flow north and benefit town of Winthrop. Discussed geology of the area.

JD: Does this have anything to do with Dick Ewing's pipe dream?

AH: No, this has to do with enhancing the Wolf Creek ditch. Would open a rule to allow a new water right on the Spring runoff (given by DOE). It's a viable project.

BR: So this would retain the Spring runoff to be used during the winter?

AH: Yes, that's the plan. Need to get the Yakima's on board, then we can go to DOE and get them to agree to re-write the rule.

BR: This would be an accomplishment!

AH: I finally had to just say that we need to get Colvilles and Yakimas on board. It has a lot of potential.

Ben Rough: I still have my agenda to get through. Can we have 1 ½ hrs in the future?

Parts Expenses

Our shop is trying to find the best deal on parts (we spend a lot). Last year they wanted to apply for Amazon prime membership, but it was shot down. Also Costco. Was not approved.

JD & AH: Amazon is only \$100 / year. That's not bad. You would save more than that on the first order.

AH: One thing to consider is that many retail stores are going under because of competition from Amazon. Is this good for local business? Personal example: I am willing to pay more in taxes to buy local. Our local stores are important to the County economy.

JT: We will still be buying a lot of local.

CB: Also the big chain stores, even though they are "local" are putting the small guys out of business. It might be worthwhile to contact small local stores to see if we can get a deal before going to Amazon. If we can give them assurance that we will be purchasing in volume, sometimes they can cut a deal so they can still make a small profit and stay in business.

General agreement with BOCC and PW staff that this is a good idea and worth trying.

Misc: Credit cards, contamination on Fairgrounds, Solid Waste, HVAC

BR: Open positions in PW dept: We will have interviews Thursday and Monday. That should fill our summer temp positions.

I will be meeting with Treasurer to see if we can get credit card scanners at transfer stations and other county locations. It would make it easier for the public. The question we have is who pays the credit card fees?

JD: The county will not pay fees- those must pass on to the consumer.

BR: The Fairgrounds have contaminated ground. Requesting to use Solid Waste dept to help clean up contaminated soil, old oil, paint, etc. Estimate would be about a \$5K - \$10K cost. We want to assist, but realize there are budget constraints.

AH: We don't need to go all in and over extend the budget. One dept can't give funds to another dept.

CB: Can we work something out to have someone else haul out the Hazmat stuff?

BR: There are several truckloads of contaminated soil. Maybe the sawdust pile would be composted by now.

LJ: Could that be used as mulch for master gardener program?

JD: maybe it could be put on the rodeo grounds.

CB: there might be some people who could help and be interested.

BR: I have a specific list to e-mail to you with all of the items that need to be disposed of. We can discuss each one.

Solid Waste: The contract will be presented next week.

Concurrently- town council will meet tonight to discuss utility maintenance. There are some outstanding issues to be resolved.

HVAC contract for county buildings- upcoming.

CB: more discussion about franchise agreements and how they work.

Adjourned for lunch at 12:24

Board of Public Health meeting 1:30 pm

AH – Andy Hover (BOCC)

JD – Jim DeTro (BOCC)

CB-Chris Branch (BOCC)

LZ- Larry Zimmerland

Carol (didn't get her last name)

LJ- Lori Jones

MW- Marianne Williams

SV- Steve Varrelman

JB- JJ Bellinger

DH- Dave Hilton

JD called meeting to order

Corrections or additions to agenda:

LJ – wants 3 minutes for her issue

Agenda approved.

Admin reports: review of Minutes. No comments. Approved minutes from March 14 meeting.

Financial report:

Carol- We are doing well this month. All bills are paid. We had more revenue than expenditures.

MW: What are all the travel expenses for?

DH: Sanitary survey training. One person in tri-cities, 2 in Puyallup for sewage training.

The conversation digressed to a discussion about sewage situation in Seattle (West point facility failure). Currently Seattle is discharging tons of raw sewage into Puget Sound and nobody is complaining. Illustrated the hypocrisy of the West siders complaining about the tiniest thing in OK County when it comes to environmental issues, while they are pouring millions of gallons per day of raw sewage into Puget Sound.

LJ: Nurse went to Moses Lake for certification.

Century Link was called about 10 day phone outage, they will give a refund of \$50.

MW: Requested a list of names of employees of the Public Health Dept (for her own information).

Financial report accepted by vote.

LJ: Discussion of an Amendment to section 2 of policy manual. There are several places where changes were made to certain language to reflect terminology that is used in other County documents and manuals.

MW: so this is not a substantive change?

LJ: That's correct. It's just changes to make it match up with other County manuals.

AH: Are there any Union issues?

LJ: No, we do not have any union employees.

Amendment voted and approved.

Community Health Report: Opioids, Mumps, vaccines,

LJ: Report on recent meeting she attended. Opioids are current focus, and we have support from State. We have a good start. We are concerned about fentanyl, which is a problem in Snohomish county. It's cheaper to make and it's use is spreading.

JD: Noted Fox news program last night on opioids. Cited info that opioid problem started in the Civil War. Has only gotten worse since then.

The family that owns the company that produces fentanyl and other opioids is the 16th wealthiest in the US.

Mumps- There are over 750 cases in the state of WA now. Much of it is concentrated in the UW fraternity population. There are 3 cases in OK county. We will be on the lookout for new cases during Spring break when college kids come home.

Patty went to training on vaccine handling. Clinics track the vaccine handling, Patty does random audits and gets training each year. Question about travel and per diem. State DOH rates are higher than County rates. What happens to the difference in funds? Extra is currently going to County, when it should go to the person who traveled and spent their own money.

JD: state auditor says you can't double dip. This is not a double dip. If you are traveling in a high expense area, you should get the full amount. (personal opinion)

AH: should be able to collect the higher rate if it has been paid by another entity (such as the State).

Carol: can the BOCC change the County per diem rates? It's been a long time since they have been adjusted.

Discussion about experiences with per diem in different situations.

BOCC will find out if they can make changes to make it more fair.

More discussion about how people get paid and what pots of money it comes out of.

Environmental health:

DH: No reports. Very busy. The agency truck needs mud flaps.

2 employees are working on on-site certification, should be certified by this Fall.

Discussion about health insurance. Blue Cross vs VA.

Good of the order- nothing to report

Keeping in touch with Aero Methow regarding arrangements that are in place to handle Loup road closure. There are options in place.

Meeting adjourned at 2:07.

At this point there was a 1 ½ hour break until the next scheduled agenda item for the BOCC. The note taker opted to leave rather than wait around.