

**Board of Okanogan County Commissioners
(BOCC)
May 29, 2018**

Jim Detro – JD (BOCC)
Chris Branch – CB (BOCC)
Andy Hover – AH (BOCC)
Josh Thomson – JT (Public Works)
Debi Hilts – DH (HR)
Joe Poulin – JP (Maintenance)
Perry Huston – PH (Planning)
Lanie Johns – LJ (BOCC Clerk)

Ben Rough – BR (Public Works)
David Gecas – DG (Civil Att.)
Tanya Craig – TC (Risk Manager)
Leah McCormick – LM (Treasurer)
Cari Hall – CH (Auditor, Finance Mgr)
Laurie Thomas – LT (Auditor)
Stella Columbia – SC (County Fair Coord.)
Maurice Goodall – MG (Emergency Mgmt.)

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Summary: Fair Grounds Security, Water tests at Fairgrounds, Voucher payment, Civil Attorney (Security at Courthouse, Property damage compensation, Executive session – potential lawsuit), Flood damage tour, Planning (renewal notice for nightly rentals, building permit application), AH - Compensation committee meeting, CB - Community Action Council, Human Relations, Risk Management, Public Works: Administrative (Apple Maggot Issues), Public Comment: Salley Bull, Public Hearing OCC 17A.400 – Water Availability Study Overlay,

SC about **Fair Grounds? Security** people did not call back. Contact with Phoenix to provide security at the Agriplex (when an event sponsor does not provide security). They did not show up at 2 events. Did not call as they had promised. (Sponsor may provide their own security but if do not then Phoenix does on behalf of County). May 31 SC will call to determine what happened.

9:05 DG arrives.

PH – **water tests at Fairgrounds:** State Dept. of Health – seems to be some confusion over wells. Source 1 & 2 are same well but one is irrigation other domestic. Separation of irrigation and potable is current project. This will avoid conflict and be easier to certify potable water (AH).

- need to come up with a procedure for testing
- CB: has state asked for any additional testings on 2nd well or 1st? PH – not to his knowledge.
- Fairgrounds SC: Old bathroom – connected to Art barn. Thinking about painting a large mural map of Okanogan County on concrete block wall as photo backdrop.
- SC still learning about procedures. Will meet with TC. AH – grant was approved for \$80,000 for arena and track area. Need to familiarize SC with what’s going on and for details.

LJ - Payment for certification for **voucher payment** need to be signed and get out. Voucher might, hopefully will not need a supplemental, could wait until later in the year to decide if supplemental is needed.

DG (Civil Attorney):

- Received an email from Asst. Dept. AG asking about **security on Courthouse**. DG has looked at Douglas County contract with a private security firm. DG is unhappy that the contract seems to protect the security company but less so the County. Email from AG office mentions about half of the state counties do not have security. DG will enquire if other counties are getting similar inquiries. Some places have special Marshalls with limited commissions (only courthouse grounds).
- **Property damage compensation:** Sent a letter to a property owner in Carlton area. The owner had damage from flooding. The owner feels that county water diversion led to damage. AH – owner needs to get in contact with Methow Long Term Recovery as water damage is related to burn. No flood control district in the area. AH will follow up. CB – similar instances in other areas, need to be consistent and equitable. AH – need to protect County infrastructure. JD – Oroville instance was pumps were to protect sewer plant. Owner was pumping into area around sewer station and that water need to be pumped out to protect sewer plant. (Prolonged discussion of hazards due to combination of events and property owner wanting County to indemnify for any loss. – alluvial fan, floods, mud slides, etc.).

9:40 AH – asking for an **Executive session – potential lawsuit**. DG, PH & BOCC. 15 min. (Usually leading conversation makes obvious the general topic of Executive Session. This instance is unclear due to a gap in time and circumstance) Open meeting law requires a clear statement of general topic and section of law.

9:56 (+15 minutes)

10:07 (+10 minutes)

10:18 PH & CB return, DG leaves. After inquiry by note taker and agreement of circumstance by PH & BOCC the general topic was over potential water usage at a subdivision in the Methow.

JD will be involved in a **flood damage tour** with Rep. Newhouse and MG. May not be available in the afternoon.

PH (**Planning**)– sending out a **renewal notice for nightly rentals** (notice has an “Apply by Oct 1” and need to be in place by Dec. 31). This is mostly a Methow issue.

- String of emails about an old issue from a few years ago. Does not want to reapply for a building permit. There is a change in plans so PH wants him to reapply – change in usage, plans and so needs a new application.

AH – **Compensation committee meeting** went well. Some ideas were presented on compensations schedules. Different rates for experience and skill were discussed. This is a

work in progress and will have some hashing out before a recommendation will come to full BOCC.

CB – **Community Action Council** brought out a discussion with their executive staff. There is a conflict with Housing Coalition over control of certain funds and necessary costs. Groups are at odds? Coalition, collaboration seems to be lacking. AH & CB: County has control of Affordable housing funds, perhaps just holding on to funds until groups come forward with a proposal.

10:35 DH (**Human Relations**)

- Hiring of two Fair Grounds temporaries.
- Will be holding Civil Service exam for Corrections this weekend.
- Approved Camp Host position agreement for Fair Grounds.
- 5 claims in process due to rainstorm on a non-cured chip seal on road up to Alta Lake. All procedures were followed. Residual oil and tar got onto many vehicles. Largest claim is for \$2500 – others not up to that level. Many more are in Chelan Co. average is \$100 - \$500 range. Not angry – understand the unfortunate circumstance just want compensation.

TC (**Risk Management**)

- Trailer for jailer. Called for quotes. Have called several provides. North 40 seems to be best offer for County. Noah says 16' would be adequate for their needs. The trailer meets specifications. Others are higher or not meeting some specifications. AH – have met bid procedures, is OK for jail to move ahead. Jail has funds on hand so BOCC recommends go ahead.
- Website Upgrade: has been working with Randy. Waiting for a physical proposal. TC has 2 in hand and there could be 2 more. Some providers want to give a demonstration for the BOCC, does BOCC want to see examples of work? 15 – 20 minutes for each the BOCC would be OK. TC to go ahead and try to schedule demonstrations.
- Has got an Alliance call on medical insurance. Will send info on medical insurance coalition. AH would really like the spouses to be covered at a reasonable cost with reasonable coverage. TC – working with representative to see what can be accomplished. Several local cities currently involved. AH would need exact coverage to present to employee unions before any approval and negotiations. Coalition is based in Washington State but also in Ohio. Is working with Grant County. TC will do further research into possibility.

10:55 TC & GH leave

Public Works – JT & BR arrive. (Informal discussion over PU that JD is using for campaign)

- AH – problem with transfer station being outside of apple maggot quarantine area. BR is looking for an example in use elsewhere as a model to work with.

BR: Administrative

- Employee agreement of CDL Training Program compensation is finally approved with a signed MOU in place. Need to grant JT signing authority over individuals

receiving compensation. Agreement includes a repayment schedule if the employee leaves County prior to 4 yrs. Move to approve MOU and JT signing authority.

- Meeting with WasteWise: only commercial hauler for Methow Valley. Had a conference call with the State DoA. Requirements for organic waste more stringent than originally thought. WasteWise feels new rules are covering up to ½ of the total waste. Only feasible solution to them is to make 2 runs for separate materials. BR thinks that keeping waste in Methow is not feasible?; 3 separate categories of waste? Cook it all? State DoA would pay for a heated steam cooking system to test system, would include food waste.
- AH – proposes using forest pre-commercial waste to generated heat to cook waste. Has found a supplier that makes suitable burners. BR will research options. Odor is an issue with “cooking”.
- DoA will begin comment period and look to implement on Aug. 1. This is a very difficult for County to meet, what to do?
- AH – ask apple people to help out? CB & JD – it is worth a conversation, Hort. Meetings. JD will follow up.
- BR: Aug. 11 – WasteWise might be out of compliance on their license as well as County. No way to make deadline for compliance. Have to ask for an exemption or extension or phase in period. Needs an alternative. Have asked for a special permit to haul to Central Landfill. This is not being acted on due to no plan for separation & treatment.
- AH – need to get a better editorial/ pamphlet or paper / or blog about h e overall issue to explain situation and ask public for input. BR – possible compost effort is talked about in Methow. Some Methow people are advocating. Need to search for new ideas.

JT: Engineering

- Maintenance & Road
 - o 22o OT hours, 204 from airport project, shoulder work.
 - o Flood – river has dropped below flood stage, watching for bank collapses.
 - o SInlahekin Rd needs a lot of work, Omak River Rd has bank stability issues, Eberle Rd – water seepage issues, Loomis-Oroville Rd – part has sunk in the middle.
 - o Peter Dan slide repair – increase in funding to \$100,000 for larger excavation
 - o Hwy 7, Tonasket Bridge South – start next week.
 - o Evans Rd project – using material from Airport project.
 - o CCT access at Brester shop – CCT uses an access for fisheries. 1 to 2 entries during season. DoT wants CCT to improve access to Hwy 97 – need CCT to sign an agreement
 - o Conconully Sewer – starts tomorrow.
 - o Edelweiss Sewer – need to find funds.
 - o WATV routes – PH – need specific assignment of rds, & set a public hearing. PWorks has an internal map, needs to meet with other groups – USFS, DNR, etc.

MG (Emergency Mgmt) – arrives. Part of tour with Rep. Newhouse & JD and others.

- Discussion of WATV Rds & Propose map. Eventually will be a public meeting.

Lunch

1:30 Bid Opening – Fairgrounds Well Drilling project. No bids received. AH & PH – discussion of bid process, what if no bids what next. Extension – publish or re-bid? Motion to publish extension – 2 wks. Encourage people on small works roster to be reminded of bid opportunity.

1:40 CB – Tribe meeting on June 12, is open for discussion.

Public Comment: Salley Bull offering experience with bid process & prevailing wage.

2:00 Public Hearing OCC 17A.400 – Water Availability Study Overlay

Staff:

- PH & Planning Clerk present for staff. Not setup up any study area only enabling and establishing a process.
- Sec. C would prohibit accepting an application for a building permit – no vesting as a result.
- Section E – time frame of water availability study to be 2 years but could be renewed.
- Will drop 17A.400.130 but would open up for vesting
- AH – how to deal with surface water? PH – not a permit exempt well; could get a conditional permit on presumption of getting water right for stated purpose at that time. Wonders about avoiding use of study as a moratorium and doing actual study.
- Change 17A.400.120A - Shall to May – avoids forcing BOCC to declare a study area if an outside party brings in any information. Retains discretion for BOCC

Public comments:

- Isabelle Spohn: Question about vesting of water rights. (Normally no back and forth during comment period but BOCC OKs short exemption: PH – currently does not grant water right, only building permit or subdivision permit). Support intent of Water Availability Study Areas. Some areas of County already over allocated – cites supporting examples. Concerned about time being used up with out concrete action.
- HC Burkholder – BOCC needs a sound basis for decision. Concerned about moratorium before a study and prefers study to provide justification for moratorium. Thinks sufficient evidence should exist before study. Feels County is under assault and that this has a potential to be another obstruction. Future Wise is concerned that no subdivision is denied in County. Feels it looks like an endless round of studies – need fact based decisions and feels information is not there yet. (Burkholder cautioned that the purpose of Hearing is adoption of enabling ordinance and not any Water Availability Study area).
- Melanie Rowland – MVCC rep. – comments have been submitted in writing. Feels vital to public interest. 2 Main points: referred to letter from Future Wise (unintended consequences from resolution language, 1) no timeline for designation

of study areas; 2) language locks in current zoning and does not allow any zoning change in future to pass through to resolution.

- Wants lower Methow & closed basins as study areas
- Feels sufficient evidence exist for having such studies
- Need a halt of subdivisions to allow time for study
- Methow rule has 2cfs for individual not for groups.
- Nancy Soriano – Hand out to BOCC, Study of water basins East of Okanogan River. (Cautioned that the purpose of Hearing is adoption of enabling ordinance and not any Water Availability Study area)
 - Very positive about having Study Areas and moving forward. Tunk Valley currently zoned for 1 residence per acre, already existing water rights are affected. Reads a letter of struggle with sufficient water despite having a senior water right. Supports, expedient & fast would be best.
- 2:54 – close Public Comment
- CB feels no vesting issue, if available info does not provide enough to support a subdivision then that should be sufficient info to have a study area. Wants to avoid an arbitrary decision when there is insufficient information. Problem with short plats is that this is an administrative decision and not before BOCC. 3 studies not saying sufficient water – Antoine, Tunk & Bonaparte creek drainages.
- AH – still some concern about legality of some language. Motion to direct Staff to modify draft ordinance as needed based on comments. PH – has comment, offers corrections or changes.
 - Vested: vesting is for rules in place at time of permit acceptance. Still can't sell until rules are met. Could need an approve water right as an example. So vested as to conditions not a go ahead to start project.
- AH – County is not in a position to control false advertising or misrepresentation. An effort to drum up interest to get capital to proceed can't be controlled. Still not vested until meet rules or conditions.
 - Have to direct staff to make changes in light of comments and/or legal review. Believes Future Wise comments need to be observed.
 - CB - Would like to see PH changes before goes to legal review. Approved
- Will be available on Monday Study session

3:15 Note Taker leaves for other commitment.