

Board of Okanogan County Commissioners
5.16.16

Jim DeTro - JD or DT (BOCC)
Ray Cambell - RC (BOCC)
Shielah Kennedy- SK (BOCC)
Perry Huston - PH (Director of Planning and Development)
Albert Lin - AL (Deputy Prosecuting Attorney)
LJ - Lanie Johns (County Clerk)

Contents: Voluntary Stewardship Program; Fair & beer garden; USFS Copper mine, Chewuch transport, coordination; EPA Public Disclosure requests; Oroville & Tonasket EMS; Emergencies/grants; Juvenile; Fire marshal; Citizens, re county financial priorities

1:30 - Voluntary Stewardship Program
Perry Huston

VSP met Monday. 1st Thursday of month at 6M - want to meet at this time.
They want to elect a chairman and want to begin looking at:

Inventory - succession of maps showing different critical areas. Then begin to layer over what layers we can find that show agricultural activity. Have conservation district map, our own map. Hoping to provide a baseline. Received e- mail from Bill ? Didn't replace Ron Schulz, butt offered to come to next meeting. Has a meeting in Prosser but will try to make it....will be here with future meeting date. The board is wanting to do this.

SK - Now that group is together and met each other, do they understand what they are challenged with? PH - in the broadest of strokes. We passed out draft that Chelan and Thurston counties came out with as examples. Went through requirements. I think they understand the vision. Reason we are starting with the "inventory" is that it will give us a starting point as to magnitude of the project. Looking at GMA standard for critical areas....*(fades out)*..obviously the relationship to critical areas *(fades)* - lays out what work is left to do.. New or different agricultural activities....preserving agriculture and protecting critical areas.

RC - We are talking about new activities?

PH Unless you want to use changes in agricultural practices...

RC - So the scope is new agriculture?

PH - Yes. *(I suspect this will be re-visited.)*

RC - I talked to one of participants on Friday afternoon. He didn't get it.

RC wants to be sure we are not changing existing agriculture.

PH - Well, yes, under GMA standards, but under VSP ...example existing orchard in critical area and other ground not yet developed...

RC interrupts that's what PH just said...seems upset... Wants to ensure that we leave things at the *(level?)* they are.

SK - But Chelan and Thurston were in pilot project

PH - They recently came out...Albert found draft,,

SK - Wants to make sure our plan doesn't look like theirs.

PH - They actually took it (?) reluctantly. One member said we should just wait until someone adopts one, then we should adopt that.

Ph - Once again, those plans are just visual aids for our participants.

AL - There IS no example.

PH - Had four model ordinances that were suggested, and it *(one?)* is in litigation. Not sure why we'd want to adopt that.

AL - Considering we are all engaged with comp plan, zoning, then you throw in critical areas... kind of loosely mentioned in the VSP from a legal standpoint, at a certain point, I will be interested in seeing what connection there will be. *(point unclear.)*

PH - Com Plan, zoning code in part rely upon other regulatory bodies.

AL - Whole idea is to encourage private parties to take certain actions to protect the environment, but on other hand..... it is coming from the state. In a way, the state is going to force you to do this *(GMA stuff, apparently.)*

JD - I don't think so. This is voluntary stewardship, not regulatory.

PH - I've read it...I don't see it in the law. You will still be required whether in VSP or GMA, you are still going to have to protect the environment.

JD - No different than our Comp Plan, being a policy document, not regulatory.

PH - but it provides a road map for zone code, which is regulatory. I don't know how any one is going to get around being required to protect the environment.

RC - Did not catch comment.

PH - GMA standard is to protectnowhere in GMA under Resource lands does it require anything except designating Agriculture. VSP does take it to a specific and important areas. You have to consider the impact to the sustainability of agriculture. Not trying to be harbinger of doom, but down the road there will be the need to reconcile their perceptions...there WILL BE some sort of regulation in this doc to meet legalities.

AL - My point is that when you get something from the state, there is something behind it. (Returning to his idea that the state will be forcing the county to do something.)

PH - They did bat around whether there is hired help (*available to committee?*)(*fades*) We will be putting together something in relation to a multiyear project. Have \$150,000 until June of 2017. Our budget for the year.

SK - I have a request - There are a couple of members interested in Item 4 under Administrative Study Session who are here. (*Fair Advisory Committee/Public Hearing/Beer gardens/Update*)

PH - Sorry (Switches from VSP to Beer Garden to accommodate visitors.)

Fair Advisory Committee/Public Hearing/Beer gardens/Update

PH - we did conduct public hearing, recorded; as hearing officer I was not in decision making capacity. Talked about it a bit and then closed public hearing and put on regular agenda. I left at that point. Do not know discussion.

SK - Did it include closing written comment?

PH - A legislative policy thing - really up to the board. All info will weigh in. Not under appearance of fairness.. did not give me specific instructions. We closed public testimony part of hearing.

SK - So people who wanted to send in something, would they send to fair advisory committee?

RC - Haven't passed anything; the advisory committee will give their recommendations to us.

PH - If still under advisement, people could send.....

RC - Says they approved it (*apparently Beer Garden.*)

PH - Sorry, I didn't understand that .

RC - One person opposed,....they were instructed to ring their request to us , the BOCC

PH - so they made a decision?

RC - Yes. If there is written testimony, it should go to them (*Fair Advisory Committee*), and they can present to us.

PH - Not strict standing, since not quasi-judicial. Whatever process you want...would be up to you.

S - How long was comment open?

PH - Published notice a couple of weeks ago or so...PH asks Lanie if she has it handy. We did publish notice. Generally not published for less than 10 days - usually 2 weeks. On legislative matter, nothing prescribed as opposed to quasi-judicial,(*states many details, not sure everyone is following.*) It's all up to you.

Lanie - Public hearing - advertised April 27 and May 4.

PH - That's very unusual. I'll go back and look at it. Trying to remember if it was published twice.

Lanie - It was sent to her on April 21.

PH- Will check back. We usually require 10 days. Once you get your transmittal from them, up to you - take action, have hearing, take written comments, all of the above, etc. Do you have direction in terms of preparation for staff?

RC - Not until we have things put before us. Didn't come to the hearing before; wanted to have things in front of us here.

Woman in audience - it was 10 days before that it was published. Hearing was on May 12th. (*Note- this clears up the problem.*)

SK -So we will wait for (? *after BOCC hearing?*) to figure out what our approach will be? (*Seems to be consensus.*)

Copper Mine Exploration, Chewuch Transportation Plan: “Coordination” meeting with Mike Williams

PH: We have covered VSP. Have not finished your letter to BLM in re changes.

USFS - Couple of letters in progress. Copper mine exploration. At some point, if you want to move on that....

PH - Chewuch Transportation Plan. Just request for Mr. Williams to come in and coordinate that. Not a part of the formal process. Still have 45 day period to file formal objection if you want.

Last week - Under thought that we'd pick up these other subjects, different steps and processes, these will continue to flow through pipeline. Questions or observations?

SK - Good proposal.

PH - Exclusion of proposed dates? Work out anything on schedule? RC - I like the additions. Let's get a letterhead on and get it signed. Did AL look at additions? He nods. It is consistent with original draft, just phrases things differently.

LJ - Looks like any day in June we have time.

AL - Gone June 22 & 24....please avoid if I am needed.

PH - Did BOCC propose dates for discussions?

SK - Better to bring them to table and do everything at once, or keep them

PH - Only compilation - Even if we have a couple of hours, won't get through both of them. If want to do both on one day, block out another time. Too many separate dates will pose a greater logistic challenge.

SK - Lets' block off a whole afternoon in view of fires season and all of that.

PH - Lanie? Does this change anything?

SK - We have Wed if we can't fit in Mon or Tues.

PH - Pick 3 dates over a couple of weeks to propose to him (*Williams*)

LJ - 7th 2-5, June 1:30 - 5:0028th, Tuesdays....good amt of time in afternoon.

PH - Any Wed between those two?

LJ - Looks like the 8th , 29th.

AL - send an invitation to Michael Liu, so he is present at same time as Mr. Williams.

PH - Good idea. Get all players here at the same time.

Lanie - Cooper mine exploration June 7, 8, 15, 28th, begging at 1:30 PM. (Possibly one more?)

PH - will be same dates as Chewuch plan.

PH - If no other revisions? Go ahead and execute? (Letter to USFS?)

So we are current with USFS, unless something in a particular....

Environmental Protection Agency: Public Disclosure Requests

PH - EPA - Actually as opposed to Corps of Engineers and DOE. Both have turned in public disclosure requests for Lake Palmer and Lake Osoyoos. We double -checked to make sure ... all permits we had are also the permits they received. Giving rise to discussion several weeks ago when agencies showed up to talk about permits, the JARPA process - any notion that the JARPA create a streamlined review process is completely dead. So my suggestion, as related before...while we will still continue to send notices to agencies, we are going to be very blunt... they are dealing with US on our local permitting process..they will have to deal with the other

agency permitting...on Lake Palmer, ours passed the muster. They are not saying it's a violation, right now. We have bumped into this on Lake Osoyoos, which are mostly exceptions to the rule.... now it's the rule....we give them notice of our processes. Part of it is interpretation as to what is allowed or not allowed. nice when you have the disagreements when you are doing the permitting rather than after. To give any level of service to our people, say you are dealing only with our own permitting here.... you have to deal with other agencies separately.

SK - Meeting we had when everyone was going to work with us a couple of months ago? Obviously that is not the process?

PH - Even with this discussion and tone, they still want their own permits complete - still want the Jarpa process, but all the different applicants are going to have to fill out separate applications. they want a notice, but don't want to accept other agencies' applications. In years past, some agencies would rely on jarpa procedures, would ask us for info if they wanted it. now we don't even hear from them. We will have to send individual applications.

SK - So protecting the county, when we approve permits...will this protect... and then DOE EPA will shut them down? Who does that...

PH - interesting question. In terms of our permits, if any of them trigger SEPA, will go back for review and don't hear back from other agencies in 30 days, we will issue permit. Difference now, we will issue permit, but on the permit it will say that before you engage in activities, you have to contact this list of agencies.

PH - If we consider ourselves as lead agency, that's what would happen. Would't live permit until they show they have demonstrated compliance with all others. For instance, building permit wouldn't approve until they see Dept of health permit, etc. Could go either way (?) and be consistent.

PH - This is a monumental step backwards.

PH - We would try and go to legislature to see if they want to intervene....we just experienced when WDFW took off on hydraulic permits and went beyond what others thought was ok....waters of the US weighs in in some way and (CORPS of Engineers?) attempts to become lead agency. (Corps, under "banner" of contract with EPA.) Or we can think about it. Not just a flag level....we almost have to take this approach to serve the people well. In terms of the political approach, obviously won't get anything out of legislature until next session. Can begin to think about that if BOCC wants to try to get something changed. How we integrate with Feds, a different situation.

SK - Probably sending to director of DOE or whatever probably wouldn't go far?

PH - Not sure. DOE in past has showed desire to make things work, but with an eye to make everything as smooth and painless as you can. Maybe a call worth making. On WDFW...still kind of waiting to see what is happening there. EPA - engaged once before on waters of US..received letter from Lisa Jackson pointing out that they had no interest in becoming involved with local land use issues...could dig that letter back out. ...more thoughts, opinions discussed....PH - might not be extremely complicated to come up with some sort of permitting process....why don't I put back on future agenda and I'll pull up some of the old letters. See how we want to get back onto discussion/

Moral of story - we will change way we do our permitting. Will take it back up in terms of a recommendation on specifics. Did not prepare a resolution...re a vehicle...building inspector. Will do a res recognizing what they are doing and get to you.

SK - Anything on whether pickup is totaled, etc? Have not heard from Dan...he things it's on the edge of being repairable. other person wasn't sure.

PH - Item #3, RFQ.

2:30 - Executive Session for 20 minutes on litigation.

2: 48 LANIE enters - another 15 minutes on litigation needed. Back 3:03.

Oroville EMS - Almost finished with memo, outlining all the steps. Need to be sure items on memo is to contact state dept of health. Still will have one provider in that geographic region.

Tonasket EMS - draft on your table to get it in by next...need your approval because of a holiday. Need in by Thursday morning.

SK - on Oroville - if they approve, then we come up withI guess we could sign in on Wednesday.

pH - We are going to explain to them on the 80-20...if they say ok...then a question of rearranging contract they have already signed. Will create brief interlocal agree't repealing all old inter local agreements and creating the pro-ratio for responsibility of the billing, 1/3 - 2/3 - will pro-prate. They will keep it on their insurance and keep their eye on it, which justifies us paying more. Quid pro quo. We get that lined up re ambulances. I assume they will have added with mirror image of our contract with Lifeline. Should wrap it up in a few days.

SL - So our current contract stays in place, current contract stays in place..PH - yes still on interim agreement.

SK - Under the gun to sign right away?

PH - Could sign the agreement first.. (*hard to follow.*) So we can do that. I will pull apart the agreement and taylor it and give it to Lifeline to be sure they are onboard, get their signature. The interlocal will parallel what we are doing anyway, not much to disagree on . Same we have been doing for years anyway.

Tonasket: RFQ - First step. Did you have a chance to look at it? Will go ahead and get that published.

3:00 - Discussion of questionnaire "under banner of Juvenile detention." (Not actually discussed because of other items that come up.)

Goodall: Emergencies, grants

Maurice (Goodall) is here - he requests a couple of seconds.

Mentions money being deposited, public works deposit, various financial things, FEMA - trans- fuse to current expense, etc. FMA discussion.. still working with them. There are a lot of things going on at the state, many demands. Things seem to be going slowly. We will be made whole. My plan - hard ot figure out how they figured the numbers. Snohomish county - we owe them \$ \$. Sheilah - have you checked with treasurer on audit purpose, money coming in and out.

PH - I realized direction..I wouldn't pay anyone yet until you get a commitment as to what other cash is coming. Will get to the same point, but with cash flow issues....until we can figure out what they will commit to on our donated resources..etc. SK - Our estimated amount for donated services is ??? They haven't committed yet. Maurice - 2014 vs now, we should only be able to be made whole.

PH - One item was to set up discussion in future of putting together our local process in terms of the record keeping and how you wish to orchestrate budget when these things happen. EOC expenses - whether you create a line, different issue if you are going to fund it...If auditor wants to do something else, fine...but let's not reinvent wheel every year.

MG - Most coming out of professional services because we are paying people. Discussion of revenue vs expenditure side of book keeping, professional services related to disaster, etc. so he can have reality check on what I am spending. ...We could throw into prof services... can throw you off ...supplies wont be that much.

PH whether you try to anticipate for emergencies is another subject. We still have to get away from trying to these things like all the other grants, but they are not. When they say donated resources and supply your math, not the same thing as eligibility for grant. Unless you have hard dollars, it's not meaning anything. It is \$\$ you have already spent.

They will provide 75% of our eligible expense...must be hard dollars. 12 1/2 % from state. We will have to come up with 12 1/2%. We need to come up with a structure. Create the line so you can record incoming revenue.....you can do amendments, but you need a structure.

MG - Talking grants, we may not always get this money. That's an issue. We were lucky this year..hard dollar value could be very different in the future. AS long as we get participation from our community and employees...

PH - In terms of actual response, will need to sit down with MG to see how many donations we can get to operate for 478 - , 72 hours, etc...if you can create some level of emergency re- sponse at the local level...all of this will flow that much better. You will not spend as much mon- ey. Problem is you can't expect....

MG, when the balloon goes up, to manage all that. he should be able to tell finance chief what he will need, and he can go off and do his job.

MG - We have a pretty good structure of folks coming here. The big thing is people. We shouldn't be hang to spend much \$\$ besides just keeping things going. We have some things in place. Working with State, they are bickering over there, we have people coming in here that I'm not sure if they are credentialed, etc...state sent them over. I have no way of knowing who they are. This raised some feathers at recent level.

SK = Our whole goal here is to keep the local decision making, local everything.

MG - You still have local control, but need bodies.

PH - I will insert "local capacity." A cadre of trained people who have nothing else to do except fire responses.

PH - to Maurice - pick a monday, first real monday in June.

MG - June 6th. Sounds good. PH puts on his agenda.

MG - breakdown of where all (?) went. I do need to do a budget adjustment. Should get it going, thru Lanie. Have that advertised for professional services. I was under impression I had to do budget adjustment for revenue...but (something about expenditure side.) What we have coming in will be the same that we are getting out. ...some technical talk of numbers of accounts. I will exceed 306. Discussion of auditor... I will be gone for incident management training, tech 3, leaving tomorrow for hazardous material for a couple of days. I did go to handle Dept of Health water inspection. One thing needs to be taken care of on well head...double-check valves on irrigation well. Says not a problem, A couple of things - a rabbit hut is the storage of our \$20,000 star, aluminum. ...someone could walk in there and take it, cut it up. Needs to be stored in Agriplex or other building that locks up.

Other thing - ..conversation between Lanie and workman regarding a gauge on the wall interferes with hearing. Talking about a rental process for something. ... A pump that does not work..He is standing next to BOCC, so can't hear with workman discussion.

SK - You mentioned the other day about a letter from BOCC. When incident management team comes here, I spoke with Mike Liu that the team should check in with him, the minute they are assigned it needs to be a requirement. He felt that needs to come from BOCC...I feel alter needs to be drafted to make that a requirement. It doesn't matter if it's in the wilderness, or in town. If they come here, he needs to be informed. I can guarantee last year that did not happen. I had to chase them down. I need to provide my info to them.

SK - reads some wording, Maurice likes it. I need a phone call, or ...when they actually get here, I need to. I'll be out of town in Spokane next 2 days. ____ will come in June 6th.

SK - Do you need this letter tomorrow? MG - just send it...I think we need to send it to both Liu and others...RC - send to Lanie.

3:35 - PH says Juvie discussion is supposed to happen now (scheduled for 3 PM)

RC - Let's get an action on this instead....holds up paper...looks fine to me.

SK - nods head. PH - If you are satisfied with the form in the level of service, a motion directing me to prepare for publication...moved and seconded. (No idea what it's about.) Past instruction was to parallel response periods, tec. (Maybe EMS?)

Juvenile Detention

PH: 22nd - begin to crunch everything together and see how you want to sort through. Draw lines re Chelan and Martin hall.

SK - Now that our local facility has another date on the 14th are we premature ? They might answer some questions, alter - If we wait, it will really compact...

PH - I would wait until we have heard the local presentation and discussion of issue. At that point, will have discussion of info relevant to you. the questionnaire was to reinforce info you got from all three but not in the same form. Then, to get more info.

SK - If we start on those questions now, it could come back that we were premature by not providing...don't want it twisted out of context.

PH - not sure it would be time well-spent. 22nd - set aside for (?) after legal discussion. We should be able to then clarify the things that need to be made apples and oranges...if that works, we can pick this discussion up on the 22nd. (Instead of sooner.)

SK - No one can come back and say.....Some of questions we got from public, we might be able to sift through and everyone can see how we are going to address them. Will we address, or will juvenile dept address? For example, Laurie Jones questions...do we send to Martin Hall ...or ??

PH - the questions that have not been answered, level 3. So questions relevant to out of county, not local. Can envision questionnaire with 3 sections.. until we get all info, we do't know what has been answered. Envision bunching all this together, ending in net steps what we are going to do from here on. Opportunity to highlight bits and pieces of info that are deriving decisions. Assume we would do that.

PH - Will pick up on 22nd.

Proposed amort. code? Mr. Yarnell, glitches, how do you want your structured? Would you like to think about it?

RC - future agenda. JD agrees.

PH - other items - how do you wish to orchestrate budget discussions? This year 2-hold - review of 2016 and how you wish to conduct your review of 2017 budget?

SK - finance committee meeting tomorrow at 10:00, so let's discuss with Auditor and treasurer. Will give us time because 10:30 canceled tomorrow.

Anything else?

RC - Letter he gives to PH, wants him to look at, copy it, etc.

Fire Marshall

SK - Forgot to mention.....MG - we received request from Chief _____ as fire marshall and Mr. Dennison... was going to respond to Mr. Dennison. No one has specifically said what a job description would look like, why the fire marshal would do what's not already being done.

Need to set up a meeting. They have a vision, but no one is clearly explaining. How do we fund it? Will the districts fund it/ Dennison mentioned grant funding. Another position they want added at the county . How does it fit in with EMS and all the other emergency level. a lot of questions before we can answer their questions.

JD- Need to see your plan, job description. He went away.

SK - Do we want a full meeting together? RC - yes we need to ask the question, how it should be funded, etc.

PH - I would suggest contacting the cities. the law , state fire marshall will assist on request with all fire investigations. The fire marshal is whoever you say is the fire marshal.

SK - qualifications?

Ph - if fire safety inspections, that's a different skill set. Being done presumably by building dept.

SK - what are we not addressing by not having a fire marshall?

PH - That is the question to ask. Do you want a written response? Shall I prepare a letter back?

SK - Is that something we should take the lead on, ask Maurice to organize, or ??

PH - Your call. Theoretically, MG could be the fire marshall. RC - he has thought about this. PH = missing piece is what every wants to accomplish. If there are things under banner of reg policy that need to be done differently, they need to say that. For example, burn bans, etc... some kind of mission objective...fire marshal to do s, y, z ...If investigation, whole new skill set.

PH - What do you want?

RC - Perry should get ht a ball rolling and bring Maurice in .

pH - budget item. when MG gets back, we'll sit down.

4:00 - Presentation/Discussion by citizens on county priorities for expenditures of tax dollars.

(Note: The county agenda inaccurately described this as comments on the Transfer of Public Lands. The commissioners then came with numerous materials prepared for this topic.)

Introduction: Isabelle Spohn - clarified intention of meeting.

Chris Hogness: Requests that BOCC make no more contributions to American Lands Council (ALC) or affiliates. He gave a summary of the history of the ALC and American Legislative Exchange Council (ALEC) \$135,000 in salary was acquired by Ken Ivory from the ALC and this use of county tax dollars was scrutinized in national news. Documents produced by the ALC and ALEC, including draft model legislation for states, are identical except that Ken Ivory's name is appended to the ALC version. 98% of funding for these activities is from 300 corporate donors to produce model legislation for states. A major unresolved issue is transfer of the cost of maintenance of these federal lands to the states. Extraction and access by public are of concern to the public. During the Quad Counties meeting at our BOCC hearing room, Steve Parker of Stevens County argued it was crucial for lobbying efforts on behalf of Transfer of Public Lands that any claims regarding future sale of these lands be denied. In fact, there is no financial incentive while the land is owned by the federal government; but Ken Ivory stated that the counties could turn the land into a source of revenue by either selling them or extracting minerals. Much of this movement toward transfer of federal public lands at the grassroots level is motivated by promotion of fear of the federal government. An example is the presentation and amount of time the Quad Counties spent in discussing the Malheur situation here in Okanogan County on April 29th.

Hogness asks the BOCC to please strongly support Sheriff Rogers' position on this issue, saying that he does not want an incident such as what happened in the Malheur happening here in Okanogan County.

DeTro response: Who wants to respond to that?
(Watch video at <https://youtu.be/VRbclERWj7Q>)

Sir, do you know why a green decoy is? It is organizations formed with deceptive names to lobby for the very thing you are talking about.... I just got this from Alan Gardiner, who is a senator or representative from Nevada, I believe. These organizations should be characterized as environmental front groups with progressive agendas from left-wing funding sources. This article shows how most of the info you have has already been refuted. In the ALC's mission statement...what we are trying to accomplish... PILT is a welfare check we get from the federal government to compensate our schools and our roads because of all the obstructionism and all the radical environmental stuff that has gone on so we cannot have timber tax dollars come into our county.

Other things people do not realize about ALC is that it is constitutional to transfer federal lands. If you check, Ken Ivory lays it out step, by step, by step. It has been done in all but 15 western states in America.

States like South Carolina say, "What do you mean you have 83% of your county that is government controlled by these agencies?" They have 3-4%. That's why they are drilling for oil the Baaken now...because it's all state controlled, not federal. All the federal land has been given back to states -only 3-4% now in control of fed gov't in North Dakota.

I have stated this many times. I know for a fact. Fed land policy act of 1976 gave these agencies stewardship. When I talk with them, I say they have stolen jurisdictional authority. They say they prefer to say we have "taken" it. Newhouse Bill will take police powers away from these agencies that have no right to have them. That's why we were discussing what took place in the Malheur. Got one here from Urban Radio 2 days ago. They interviewed people in that area that after Lavoy was assassinated, they said it was just like an occupation in Europe. They were stopped in the road, were harassed, had guns turned on them the whole time they were being patted down for no reason whatsoever. That's what we don't want to see here. That's why we were asking the sheriff exactly what his stance would be, and I'm with Frank on that. ALC is endorsed by Washington State Association of Counties (WSAC), national Republican party, and National Association of Counties (NACo.) It's a way to get back in balance the federal dollars that have continually locked up in federal lands by radical environmentalism and obstructionism.

RC - I'd like to carry this a bit further there. In 2013, first thing that came across my radar was the problem we had with management on Fed lands in the mid to late 80's. Under GW Bush, Sr, there, Chief of USFS Dale Robertson was given a command to redirect the policy of the forest there and that was a change from active resource management perspective to balance of the ecosystem. On the map of the wall there, you can watch what happens. It bottomed out when Bill Clinton became president there and has been wacko ever since there. *(Think he is talking about timber resource extraction.)* So now, for ever dollar we spend there, we get 75 cents back there. So we are paying money to try to keep that open there. In the meantime, when we go back to D.C. about PILT (Payment In Lieu of Taxes) payments, we don't know if it will happen because every year they have to look to see if we have any money in our budget there. With our shortfalls in our counties there, we need every dollar we can get there. So that's a concern for me. The other Eastern states ask why we are sending money out west there? They are saying, why aren't they *(Western states)* generating their own revenue off their own lands there *(instead of being supported by Eastern states.)* That was a concern to me.

I'll read a little bit there out of a release there that came out of Washington DC. On Feb 26, 2013, the House subcommittee on Public Lands and Environmental Regulations presented a model examining state forests, healthy forests, rural schools, jobs, etc. They heard about inadequacies and burdens of current federal management practices resulting in an opportunity to hear from state leaders, local land managers, etc. about inadequacies and burdens of forest health, underfunded schools, lost jobs and suppressed economic activities in newer national forest *(management?)* That's what happened here when the spotted owl came in, the economies went down and the jobs went away, and it's stayed that way here ever since. We as Commissioners have to look out for the health, safety, and welfare of our citizens, revenues for schools, infrastructure, and jobs within our community.

Kennedy - not to mention the fire disasters we've had in 2014 & 15 that can be directly related back to the management of our forest because the type of fire storms we are having now are not ...they are not just the wildland fires we are use to, they are fire STORMS. As both the commissioners have already said, our job is for public safety when we have those types of fire storms coming through, we've all got to do something about that. Management, taking care of everything we have, and holding to the commitments we have made. I think it is 2.1 million \$\$ we get instead of our taxes (Payment in Lieu of Taxes) ...I guess the question would be, by getting the \$2.1 million, how much more could we be receiving in this county if we had active practicing forest management providing jobs, getting loggers back to work, providing ecosystems that have been taken care of instead of watching them burned and having moon dust there now?

RC - Let me throw out some figures there: DNR, USFS. This is from that same committee there, the figures between the WDNR there and USFS. Total forest acres: DNR 2.2 million, USFS 9.3 mill. Average harvest volume DNR 567.3 million board feet per year, USFS 79.9 million. Average year revenues: DNR 169 million , USFS 589, 926. So you wonder why there 's a (?? inaudible.) That right there is a good example to take a look at there.

On the level of the Transfer of Public Lands there, it has been looked at by NACo as signed into ...as a studybefore you do anything, there needs to be a study, to see the real revenue, what you have to manage, and how it will return for you. That's what's been done on a national level, NACo, and on the Washington state level (WSAC.)They looked at it and said there is enough for us to look at, and come up with a suggestion there....and that's what we have done.

Spohn Comment: Resolution #102-2013 regarding budget and public hearing

Thank you . We were afraid you might not answer the question, but I guess we got our answer. I have worked for the Forest Service too, and I do not agree with a lot of what you said.....but I do have a question:

Resolution # 102-2013 (passed by this BOCC on 10/29/2013) directed staff to develop a budget for the issue of coordination and other federal land use issues ...and to hold public hearings on these related issues. We learned from a public records request that this was not done....I thought maybe I'd missed the public hearing , but it was not held. Can you share why you have not brought this to your constituents (before spending the money?) Because we have a variety of opinions, and we all know there are different sides to these issues - and that a lot of people do not agree with your position. So is there a reason that public hearing was not held, and will you be holding one?

DeTro : Well, I can answer part of that question - There's been a mushroom cloud over Okanogan County during 2014 - 15, and it caused a lot of distraction, and cost us a lot of money, and one of the questions you are asking here is about why there are so many executive sessions. The reason is, or one of the reasons is, that every time we do anything the obstructionists come in and file a lawsuit and all that does is litigate and slow things down, and in fact Futurewise tipped their hand on the Comp Plan. We hadn't quite finished the Comp Plan and hadn't completed the public input...in fact we had some complaints from the Methow that we had done things over Christmas vacation or close to it, so that people wouldn't have a chance for input, so we opened it back up. But in the meantime, Futurewise had already filed a lawsuit. So what's that tell you? They had that planned way, way, way back.

Spohn - Jim, I was involved in that, and that's not true.

JD - It was filed...It is true. You look in the public record. They got egg on their face, and that costs us money.

Spohn- Don't really want to argue with you, but I want to know why you didn't have at least one public hearing.... you've had numerous public hearings on the juvenile issue , even though it had been looked into in depth before by other commissioners, other counties, and our judges. Do you intend to put this before the public (*Transfer of Public Lands*) before you spend more of our tax money - on what you are doing in regards to public lands transfer and the whole pack-

age...for example, by going to the NACo conference instead of attending the N.C Wa Large Fire Pre-season meeting at the Agriplex meeting here on May 26th?

DeTro - I'll tell you something, I am the E Wa commissioner that 's on the Wildland Fire Advisory committee that answers directly to the public lands commissioner and I've been to so many of those doggone meetings that I could quote you chapter and verse. So I'm taking the time to go back to go to the NACo meeting because I'm on the NACo public lands steering committee to fight for those federal \$\$ to come here. That's where you get that type of stuff done. We are going to be meeting with over 500 BOC from 15 western states. That's where a lot of these resolutions are done, that's how you organize these things so that our land is not misused and stolen and mismanaged like it has been in the past .

We don t want to go back to DC to beg for PILT dollars...we'd rather see that our county and states are prosperous and schools can be fully funded along with our infrastructure.

Spohn - So does it matter how your constituents feel about this issue, and will you be having a public hearing on this?

RC - If it starts moving forward, absolutely. It has gone to our state legislature and it hasn't moved forward at this time, so if there is any movement forward on that, there will be a public hearing.

Spohn - But it was mandated in 2013 (resolution #102-2016) that a budget was going to be produced, and that was not done...to me , it seems should have been because a lot of \$\$ have already been spent ...according to our calculations, which we underestimated, over \$21,000.

Campbell: In regards to the fire meeting next week there, I've been to fire meeting after fire meeting all across the country there...(cites meetings in Wenatchee, Portland Region 6, and Olympia) and had a lot of input on legislation ...I've been pushing to get ahead of these fires to get funding to our rural fire districts there, they are first responders.. not just get ahead now, but but to work toward our forest health, so don't tell me that I should be there - I've been there, I've been with the state fire contractors there, and there's an expert in fire management there...but we had already signed up for the NACo conference... important to have our voice heard across the country to hear how our lands should be managed. Important to this county and our nation. (Spohn point - not made clearly enough - was that the Agriplex meeting is local, in our own county, with local participants.)

JD - It is also important for recreation, hikers, bikers, horseback riders, trails - all this recreation stuff that is systematically being shut down in these national forests, that's what we are trying to get turned around. It's a shame when our packers and outfitters are being put off for 14 years of getting their license, but when it comes to the forest plans the USFS will automatically give a categorical exemption to Outward Bound.

Spohn - There is a lot of disagreement with what you've said. I am here to ask if you are ever going to listen to opinions on the other side.

Sheila - May I have a chance? While everyone was talking , I pulled up Res 102-2013. Fred Kelley Grant has been worked with us and previous commissioners for a long time. We were recognizing the continuing work. That's what the resolution was referring to.....(she reads sections

of the resolution, including reference to a public hearing and developing a budget on this issue with Fred Kelly Grant's help.)

Spohn - Yes, I have a copy here...reads the federal actions. Why is there no budget and no hearing? But..... I don't know why you entitled this section Transfer of Public Lands...not sure if you read my e-mail that we wanted to speak with you about priorities for our county tax dollars. Could we move ahead, please.

Kennedy - We have brought USFS in here talking about federal land...maybe we haven't gotten to the point of getting that official budget. Maybe before, they weren't coming to the meetings. The public can attend any of these meetings. ... We've brought them to the table, tried to discuss...

Spohn - still, there is no budget... Can we move on? Others want to speak.

Sheilah - won't argue, I will just listen.

Spohn: Public taxes used for memberships to ALC

Spohn: Claimed that documents from public records request show a contribution to ALC for personal membership of Campbell/DeTro for total of \$800. Asks BOCC: If you were sitting here and one of these folks were up there in your place, and you found out that your tax money had been spent for personal membership fees to such organizations as the Defenders of Wildlife, Sierra Club, ACLU, the Southern Poverty Law Center, ...how would you feel? Would you think that was ok?

DeTro: Claims she is misinterpreting the figures, that the BOCC just figured out the cheapest way to take part in this important organization and activities. It's a BOCC decision to send people to these events. They decide and then name representatives to go.

Spohn: Thinks they ought to pay the \$\$ back to the people, says it's a personal interest of theirs.

DeTro - Says it's for the county's benefit, and a commissioner is just named to go to events as a representative. They have memberships up to \$100,000 dollars. We figured out the cheapest way to take part in these important events on behalf of the county.

Spohn - Claims records from public document request show a personal membership being paid for DeTro and Campbell. Asks if they had to pay the \$1,000 for county Bronze membership to ALC, plus \$400 for two personal memberships, plus over \$1400 for attendance including travel at the upcoming NACo conference?

Campbell - doesn't recall that.

Lanie Johns (clerk) points out that the commissioners do not have the documents in front of them that she has.

Spohn - Suggests they get together with Lanie on the records and get back to us regarding personal memberships, expenses, etc. in relation to these groups.

Don Davidson comment - Request not to use tax money for ALC's benefit

Personal property owner property in Mazama, owned it for 25 years. Previous owner/operator of Methow Valley Sanitation, now named Wastewise. Past president of Twisp Chamber of Commerce and long-time business owner and personal property owner in town of Twisp. He is here "to express my opposition to use of my tax money for membership in the American Land Council." When he paid property taxes, included a letter to Leah McCormack (he read the brief letter aloud) requesting that none of his tax dollars be used for membership in ALC - he does not support their agenda, wants nothing to do with them. He is here to respectfully urge BOCC to reconsider whether this is a legitimate use of his tax dollars.

RC - I put pressure on USFS at every chance to make sure our trails are opened and that things have not deteriorated. They keep saying they have no funds - I want to get back to where our county figures are positive. We need to put pressure on USFS from every direction. I used to work on trails for a year and have watched the deterioration. He wants to have funds to take care of forests so we can get \$\$ off that land. "This is a battle for me," so we can "get back to our old county here." The USFS isn't even sure they can keep Andrews Creek trail open this summer.

Davidson - Appreciates RC's efforts, but he is not on board with Transfer of Federal Lands as the solution. There are currently more important issues on climate change, fires, and so forth.

DeTro Response: All wealth comes from the ground. Everything has to come from Mother Earth. If you want organic food, it takes more money. The synthetic stuff is also based on products from the ground.

Campbell - "And you said you are opposed to resource extraction" (covers attempted response from Davidson.) Reads from another study about Okanogan National Forest - basic message is that the forest grows every year. If we don't harvest at least the annual growth, the forest is too thick and there are too many fires.

David Ford question - Why is so much money spent on legal counsel for employee issues?

Mr. Ford lives in Mazama, College background in Business Administration. Acknowledges that BOCC has a tough job with little revenue to work with.

Question: Asks why we spend so much money on legal counsel dealing with employees. Why are the expenditures on attorneys so high? Couldn't a Human Resources person do some of the work that is being done right now, in a more economical fashion?

Gives examples of high costs for Rocky Jackson (*attorney representing the county on contracts and other issues with county employees.*) Says he was looking on the website on the legal

fees and reads county figures on legal expenses (in addition to county's attorneys or human resources):

2013 -Budgeted \$30,00, spent \$58,000

2014 - Budgeted \$50,000 , spent \$80,000

2015 and 16 - Budgeted amount is now \$110,000.

Kennedy: We are spending that kind of money right now to avoid litigation . More money has been spent in the past on litigation, and we need an expert. In mid -2013 - we had an HR director paid \$80,000 plus benefits. We chose at that time to have an official attorney deal with a lot of the issues we are having that have been addressed since being in office. We have standards of accountability and responsibility....Personnel policy has not been updated since 2004 (*Note - previous commissioners would have something different to say about this.*) That creates an open door for issues with employees that we are now dealing with, correcting,. Next month or so we should have an updated, well done personnel policy. With all change, there comes there comes conflict from employees, push- back from employees. We recognize as a board we need help from a professional to lead us down the right path That is what we are doing, not to mention that we have 9 unions within county structure and are not in the process of automatically renewing union contracts. We are thoroughly negotiating those contracts. With that sometimes comes push-back, sometimes mediation, which we are in now.

Not going to talk anymore about union contracts. In 2015, budget was \$110,000, and we only spent 98,000.....so we were under budget that year.

Ford: You were saying you spent \$80,000 when you had the Human Resources person?

Kennedy: Plus litigation (costs.)

(Note: There is now a new HR person, whose salary should count in addition to costs for Rocky Jackson plus an litigation according to the above discussion)

DeTro - I'll add to that also. When I started in 2-11, BOCC could come and discuss things openly, and now we can't, due to that manual we got for the Open Public Meetings Act. in our discussion to come into morning staff meeting tomorrow, for example, we would not be allowed to use your name. We used to discuss things openly. Such a litigious atmosphere that we now have to adhere to that, with Open Public Meetings Act. When we first started we didn't have a (signal?) - he is now sitting there telling us not to do that (Deputy PA, Albert Lin) , almost any move we make, don't say that person's name or you are going to get sued. It has become so complicated that we have to have Executive Sessions to even conduct business. The law forbids us to name private people's names in connection with anything that might be a little bit sensitive. It's a result of everything that is happening, and we see it nationwide now. Everything has to be regulated more. Everything has to have a rule. If you even say something, someone is gonna sue you. So in order for us to do that, we have to go into Exec Sessions. As Sheilah pointed out, 9 union contracts in our county structure. They require negotiation, careful "scrutinization", to get best results for us.

Kennedy - On the backs of our taxpayers. You won't pay our wages, so you are ... doesn't matter what it is....automatically approve something without careful consideration and review. *(Meaning unclear.)* I'm not going to do that. I'm going to continue down the path of doing the review, asking the questions, difficult as they are, as upset as some people get, going to continue to do that so we can have the information gathered, the discussions we need to have so we can make the best educated and informed decisions that we can.

Ford - In your opinion though you feel that this is a judicious use of funds to use an attorney to deal with all employee....someone misses a day of workthat it requires an attorney to look at it and an HR person couldn't save you money?

RC - We have an HR person.

Ford: I just wondered whywhy

SK -I think we have answered that.

DeTro - It's all litigation.

Campbell - Part of our task is to be sure we don't need litigation. When we get into that, it costs fees much more than that.

DeTro - and atmosphere of people you know out there, not naming names, a segment of people who are just looking for the chance to sue a county government, a city government, a state gov't because that's their "free ticket" to whatever they think. Sad but true.

Ford: returns to seat silently. as they finish up.

Detro ongoing: That's what we need to guard against.

Question on records of litigation expenditures (Spohn fills in for absent speaker.)

Spohn - Another person had to leave who was going to ask about costs for Sandy Mackie. Represent Okanogan County filed a public document request and were told that the county does not keep track of expenditures like this by attorney nor by issue. So we do know that he has gotten up to \$350 an hour (but were not able to get total costs for his work)...but how do you track and make your decisions? If you don't know how much you have spent per issue....how do you make decisions like what attorneys to hire, or what issues you will take on again, if you don't track what you are spending on, say 3 Devils Road -

SK - we are not going to talk about 3 Devils Road.

Apohn - well, how about ATV's?

Campbell - there is still litigation on that.

Spohn - Ok, so on any litigation if you don't keep track of expenses on that issue, how can you prioritize?

Capbell - In litigation, you don't know what your expenses will be ahead of time.

Spohn - that's right.

Campbell. - If the issue is important, you do put a budget ahead for litigation. The decisions we make will be contentious, a lot of people, not a lot, but a specific bunch who will challenge us on whatever we do. In order to make our decisions, we'll go ahead anyway, we won't hide from the battles that come.

Spohn - Would there be a point where we said.... say, we've already spent X number of tax dollars of the public money on this issue

Campbell - We have budgets where we take a look at that about that, yes....

Spohn - so you do have categories according to issues?

Campbell- We do 't categorize according to issues.

Spohn- I mean in retrospect... sort of an accounting..... "we have already spent so much on an issue, is it worth pursuing further, and that kind of thing.

Lanie - We can pull up the vendors that we've paid but we don't compile things like ATV's, etc.

Spohn (clarifying) - just legal services, not issues?

Kennedy - We don;t know what 's going to be ahead of time what is going to be needed. So we can't say what will be spent in 2017.

Spohn - I was talking about in retrospect. Ie - we've already spent so much on this issue, etc. ...That's what i'm talking about. So I have a couple of smaller questionswant move ahead.

RC - Wants to clarify. We have important county issues sitting here from years ago - Comp Plan, Zoning, Shorelines - in order to get it accomplished - we realize to get through it we need to have an attorney... one educated who can do the best job. And that's what we've chosen.

Spohn - Do you think some of this could have been dealt with by talking to, negotiating with, etc.....with people you knew would probably be opposing county actions on certain issues?

Campbell - We won't satisfy everyone.

Spohn - yes, there were disageements on paying attention to water, fire issues.

Camp I've been paying attention to water and fire issues for many years.

Spohn - (Moving on) So I know a gentleman who wanted me to ask where we stand with a good recording and amplification system - who is hard of hearing. Also, could you do something about that water cooler? When it comes on, folks close by cannot hear. I know you were proposing something.

DeTro - We have purchased a better system for off-site hearings (and events?) To PH - Didn't it work well?

Spohn - We are talking about what is here (*in this room.*)

DET - That's why we asked you to come to the table Can you hear?

Spohn - Right now, yes, but in note taking we consistently find that the note takers can't hear Ray. He has a deep voice and sits far from mic. Can we improve this in any way?

RC - I can sit closer to mic

Spohn - That would be good. (*Fails to get an answer on better PA system.*)

DeTro - You are actually hearing the HVAC system rather than the water cooler.

PH - inserts rather loudly: I'm with Isabelle on water cooler. . If there had been exposed wires on that water cooler, I would have ripped it out of the wall years ago.

Detro - Oh, I'm sorry - I thought

PH - No, it's the damned water cooler! If there could be an on off switch on that thing, I'd be the first to....

Spohn - (laughing) Maybe we ought to conclude with an agreeable, compatible tone in view of the time. (It is 5:00.) That concludes the people I knew that wanted to speak. Maybe others want to speak.

(Thank you's all around.)

DICK EWING: Support for ALC and Transfer of Pubic Lands

I want to go on record that I am in support of the interests of the ALC. Live in Winthrop. Involved in water issues on watershed council for quite a few years. Attended a Methow Valley Conservancy fire course and this supported the interest of management. There is a fuels overload on East side of mtns. Fir stands and other species have come in under the Ponderosa pine overstory - a difficult situation and prone to fire.

Their recommendation (*at the course*): Restore forest to more fire-resistant habitat involving a lot of logging and removing of fuel load - would mean going back to 20 to turn of the century type of forest. Means harvesting quite a few trees. (*Does not seem to be including prescribed burning and thinning.*)

The problem now is that we need more of a restoration situation because of fires - rather than harvesting for commercial use. So the problem is that there is no assistance for funding for resource extraction except by harvesting trees, which is very limited. Nothing coming in for opening trails, using that for restoration...with the view that eventually it could be commercially available.

So we are in a conundrum. -Unless we are in better control locally of the forests, those questions won't be answered. Thank you.

Meeting ends