

**Board of Okanogan County Commissioners  
(BOCC)  
June 3, 2019**

Jim Detro – JD (BOCC)	Leah McCormick – LM (Treasurer)
Chris Branch – CB (BOCC)	Cari Hall – CH (Auditor)
Andy Hover – AH (BOCC)	Stella Columbia – SC (Fair Events)
Josh Thomson – JT (Public Works)	Maurice Goodall – MG (Emergency Mgmt)
Debi Hilts – DH (HR)	Mike Worden – MW (Dispatch)
Joe Poulin – JP (Maintenance & Fair Grds)	Dan Higbee – DH (Building)
Perry Huston – PH (Planning)	George Thornton – GT (Citizen, County Watch)
Laleña Johns – LJ (BOCC Clerk)	Tony Hawley – TH (Sheriff)
Ben Rough – BR (Public Works)	Randy Clough (Central Service)
David Gechas – DG (Civil Att.)	Larry Gilman (Assessor)
Tanya Craig – TC (Risk Manager)	Annie Lyons (Noxious Weeds)

*Notes are impressions and interpretations of the note taker. Every attempt is made to assure accuracy. Specific comments by the note taker are in italics and not part of the official record or intended in any way to be other than the impressions of the note taker.*

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**Summary: Civil Attorney:** Auditor letter of current litigation & suits, Jail – Safe Harbors – Immigrants in the workforce - new law, French Creek, **Fair Events:** Fee schedule, Progress on the track/arena, **Admin & Fair Maintenance:** Arena/Track, Workers having issues getting started, Replacement dump truck, Agriplex lighting options, **Planning & Admin:** Similkameen trail culver cleanout, Maintenance rock in Methow, Beeman contract for the M-tank contract, VSP contract from DOE, 2 enforcements, DOE, Purchase of a County tax foreclosure, **HR & Risk Management:** HR position - 15 applicants, Possible signage at Solid Waste, **Communications/Dispatch:** Draft resolution for a Fall sales tax vote. Wording for ballot proposition, Advisory Committee by-laws, Staffing, No exit interview process, **Sheriff:** Car fire in the Aeneas Valley, **Public Works:** Maintenance & Roads, Similkameen Trail, Fairgrounds 5 CY Dump Truck, WSDOT US-97 Omak area study, Road Log Update, Searchable access County minutes, USDA grant money (Arena/Track), **Public Comment:** none. **Treatment Services Manager & Therapeutic Ct. Mgr., Washington Association of Counties update**

9:05 AH, CB – JD absent Staff: PH, SC, JP, DG & LJ

**DG (Civil Attorney)**

- Finished **Auditor letter of current litigation & suits.**
- Worked on **Jail – Safe Harbors – Immigrants in the workforce - new law.** May take away options of Sheriffs. AG working on the law. May deviate from State but must justify. Model policies from AG will be coming in maybe a year. Immigration holds after release on bail or sentence over may not be OK going forward. May inform ICE about release date/time but if immigration not there at that time the person is free to go. Some counties are pushing back (Spokane) – want to hold on an immigration request. Issue is if a civil issue (immigration hold) – person has served penalty – then no legal reason ability to hold and could be a liability on the County – a civil offense, no warrant to hold.
  - o May have to terminate agreement with ICE. DG pints out lack of indemnification by ICE when a County is sued over an immigration hold. Skagit County – a million dollar suit.

- DG advice is to let Spokane County fight the case and use their tax dollars.
- Sheriff's asked about a couple of other issues.
- Have gotten back to the **French Creek** material again.

### SC (Fair Events)

- Talked about **Fee schedule** – until a decision on the track/arena fees want to look at other areas of fair fee schedule.
  - When an organization is putting on a money-making event
  - ½ day rate, no hourly, and change of venue contingency wording
  - HS rodeo after the Fair asking about rates, will need to use the current rates for now and will reconsider rates in the Winter.
  - AH moves to direct Staff to prepare a resolution with the proposed fee schedule changes as discussed
- SC - people are asking about **progress on the track/arena**. AH – JP asked about trenching for wiring for speakers, lighting control. Will need to wait until track/arena heavy work is done. This is a donation of funds for costs to go back into the maintenance budget.

### JP (Admin & Fair Maintenance)

- **Arena/Track**
  - Will look into permits, costs for the procedures, check with the PUD about recommended details. JP – need an “exact” footprint or new arena so they know where various features need to be. AH – will get out a wheel and stakes to solve the issue and mark features.
  - Public Works should be moving forward on regrading of the arena area and adding new material. AH is looking for a donation of lumber for the announcer’s stand.
  - LJ & AH processing of bills and which grant and fund to pay out of.
  - Arena package is supposed to be here and installed before the end of the month due to grant conditions. No solid posts so the railing can be fine-tuned with solid posts after that date. Need to get everything lined up and trenched after Public Works is done.
- JP – **two workers are having issues in getting started**. One has new medical work and another has a prior commitment to finish up. County needs to be prepared for lack of hands and possibly some overtime.
- Has a letter asking for a **Replacement dump truck** at the Fairgrounds - this to justify the surplus truck from Public Works. Needed to be prepared for a lack of funds - talk with Public Works about possibilities. Will look through budget and get the numbers from the Auditor on contingency expenses and other arrangements and expenses. Possible rent from Public Works? PH – how to explain to Auditor distinction of renting and buying for the State Auditor. Use rental payments as compensation to Public Works (ER & R funds) for decrease in value until value of purchase is depreciated out. Will explore the concept with Public Works.
- Looked up possible **Agriplex lighting options** for the parking lot. 240 power is a problem but found some cheaper options on the internet. LED draws 70 watts but put out 500 watt equivalent. Discussion about shielding the lights to have down lighting.

### PH (Planning & Admin)

- **Similkameen trail culver cleanout**. PUD will do the work as it needs to have guaranteed access. Wants to the work on Thursday so needs the trail closed to the public. Need BOCC approval to close the trail for just that day – June 6. Agreed
- Purchase and Sale agreement for **Maintenance rock in Methow**. Agreement with a land owner was reviewed by DG. Staff has agreed to the transaction but not final until BOCC ratifies. Need a public hearing with notice, recommend approval after that hearing. Would need to get a

conditional use permit to do actual work. Need to set a hearing. AH already lacking enough rock for current chip seal projects and hauling from mid-valley. Wants to have adequate time for public notice. Move to have Staff determine a suitable date for a public hearing. Notice needs to be out at least 30 days. Notice to nearby land owners – 5-mile radius via direct mail. Site is nearest Methow (unincorporated community in Methow Valley). Approved.

- **Beeman contract for the M-tank contract**, Beeman will also manage the contract. Needs to check if fees are built in for the management.
- **VSP contract from DOE was granted**, will bet a budget out.
- **Aspect Consulting** sent details for the fee, now looking for a date in August.
- **2 enforcements.**
  - o Ellisforde salvage yard shut down. Must clean up front of site. 48-hour limit. Then go from there.
  - o Weddle property grading project – near shoreline up on the Methow Rd. Too near river. Will need to have some sort of restoration for damage to vegetation. They wanted to put in 8, 1-Acre lots, no way could really do that under restrictions. – a sub-division maybe. CB – bonding on any restoration or enforcement to ensure long-term compliance? PH - none, need to consider. A lack of enforcement options, need to push forward to enable adequate enforcement and follow-up.
- **DOE** preparing a letter for a more specific direction. Well was not for beneficial use – can't run them. Then a private person pushes DOE on this one. AH got a letter from a realtor about lower sales value as a consequence. Discussed with DOE over change of rule. Need a clear standard so the County can rely on a decision for a building permit. Discussion of behavior of DOE inconsistent, not following through.
- Received a request for a **Purchase of a County tax foreclosure** acquired in 2014. A Las Vegas firm (?) wants to purchase. Just outside of Brewster. Will bring to the BOCC to surplus – could serve as a buildable site.

#### TC (HR & Risk Management)

- Job for **HR position has 15 applicants**, 4 or 5 have pretty good experience. Will start reviewing on Wednesday.
- Thursday jury duty.
- **Possible signage at Solid Waste** saying illegal to jump or enter bins. An incident at Methow over a person throwing green waste in a regular bin, then jumping in to remove after being told of fine.

#### 10:30 Communications/Dispatch

- **Draft resolution for a Fall sales tax vote. Wording for ballot proposition.**
- **Advisory Committee by-laws** being worked on.
- **Staffing** – currently 3 open positions and one more going on maternity leave anytime. One person coming of training and will be available. 1 possible hire, another worked out. Looking for a 3<sup>rd</sup> hire, one past employee likely to come back.
- Overtime is up, OK on budget, now looking at ordering some hardware. Overall the bottom line is still good. Overtime is hard on people.
- **No exit interview process** – doesn't feel qualified. New HR person when hired may be directed that way. Some problems might be avoided with additional information.
- Bids going out to move a building up to Bodie Mtn.
- Ballot is the big issue, not other. MW leaving for a trip. Public Hearing is set for July 9, 3:30. Confirmed.

- **Sheriff** – Last night deputies were called to a **car fire in the Aeneas Valley**. A body was found in the trunk. A suspect was located, the suspect pulled a gun and was shot by a deputy. There is a debriefing on the whole issue. The vehicle is being investigated, as well as the shooting scene. This occurred at 2:30 last night. People involved are put on administrative leave – a lot of overtime due to a lot of activity. Will do a post incident review – a minimum of two weeks admin leave off for a shooting. Generally felt this is not enough.

#### 11:00 JT (Public Works).

- **Maintenance & Roads:** All road crews are preparing for chip seal projects. Striping crews will be out next week
- **Similkameen Trail** – Trail closed Thurs. Jun. 6 for PUD culvert maintenance. County is providing signs to be used.
- **Fairgrounds 5 CY Dump Truck** – See notes with JP earlier. Discussed rental/depreciation process possibility. No ER & R, just depreciation. PW (JT) will work up a rental fee.
- **WSDOT US-97 Omak area study** – (North 40 turnoff to County Yard near Fairgrounds). Draft report out. Looking at all intersections from sand flat to N. Omak. School District looking at a build at Sand Flat. Round-a-bouts are being discussed. JT feels they work well after they are in for a while. More resistance before put in than after. A lot safer – discussion of issues and options. Report will be refined.
- **Road Log Update** – JT has been reading through old record book – found that in the late 1800s adds a lot of nuance and information. Sheds light on some points of decision. CB – some fee land holders on the reservation have some concerns as roads are turned over to the CCT about continued access and maintenance.
- OK to have **searchable access County minutes**. for some departments - issues, examples, records requests, out of context problems if not properly searched. LJ would be OK with PW access on read only basis. Granted.
- **USDA grant money (Arena/Track)** – just for putting up railings, no prep work. “Gary” needs an exact view of what arena will look like. AH will print out a diagram for JT. Likelihood for all the work on the tract is pretty good.

#### 1:30 Public Comment – none

#### 2:00 Treatment Services Manager & Therapeutic Ct. Mgr. – DR has other business to attend to.

- Judges Culp & Rawson & TC.
- BOCC recently approved Therapeutic Ct Mgr. and Treatment Svcs Mgr. Have interview one person, they are exceptionally well qualified. Lots of experience and legal background. Has juvenile counseling, family counseling, working on a Chemical Dependency Counseling.
- Wants to start the person at 31, Step 5 due to qualifications and experience.
- Judge Culp can't imagine a more highly qualified person.
- Person is working elsewhere and has not told their employer, so the name is in confidence.
- Approved.

#### 2:10 WAC (Washington Association of Counties)– Eric Johnson & Scott Hutsed

- Dues schedule for Assoc. – how to charge off to a variety of departments.
- Work carefully to be financially responsible
- Whenever budget comes up is a robust discussion, always need a reserve but feel it is financially prudent at this time.
- Some cost issues as any group – wages, benefits, legal costs.
- Member services:

- Lobbying, advocacy
- Support subordination in Counties who offer direct service to public
- Yearly Conference coming up in Spokane, 100 of 139(?) commissioners from across the state generally attend.
- A number of business partnerships
  - Insurances
  - Investment services – advice for Treasurers
  - Group purchasing co-operation
- Update on litigation efforts.
  - 2<sup>nd</sup> year of collecting resources for the program
  - Omission opens Counties to liability if not doing duties mandated by law - not the state.
    - Ballot Drop boxes an example
    - Unfunded mandates Statewide requires state to compensate
  - 2 major law suits
    - Requirement of a 5 Commissioners in Spokane County, imposed by State not citizens.
    - Ballot drop boxes – state needs to pay for their policies, not specific to ballot boxes, only an example Ok CO. may be called to provide evidence.
    - Indigent defense – have enter an Amicus brief. \$156 million per year spent by Counties vs. 6 million reimbursement. A constitutional suit – like McCleary. ACLU went after State in Grays Harbor, Sate argues Counties have adequate taxation authority. Will Amicus onto the case but want to make sure doesn't preclude any future legal effort as many issues are not in this case.
  - Other items – request for AG opinion – what happens in a vacancy in a Legislative position? AG ruling says no sitting BOCC could be a candidate. Could resign to be considered. Often happens too fast for any consideration or discussion.
  - Probably need Grays Harbor case to play out. Had hoped to have own case in 2019. Strategically not good until Grays Harbor runs its course.
  - All part of effort to be more pro-active in the litigation realm

2:50 Notetaker leaves for another meeting.