

BOARD OF OKANOGAN COUNTY COMMISSIONERS
6/16/2020 and 6/17/2020
Via Zoom

Present:

Chris Branch: (CB) Vice-chair, BOCC, District 1
Andy Hover: (PH) BOCC, District 2
Lalena Johns - (LJ) Clerk of the Board
Tony Hawley (TH) Okanogan County Sheriff
Citizen commenters.

Note: These notes were taken by a citizen volunteer with Okanogan County Watch. Notes are verbatim only when possible; some are summarized. These are not the official County minutes, which are published normally at a later time, at <https://okanogancounty.org/Commissioners/Minutes%202020/2020%20Minutespage.html>. Note taker's comments are in italics. These notes are published at countywatch.org.

Summary: *These notes include only highlights of Tuesday 6/16 and 6/17, 2020.* Commissioners review and discuss a proposed draft resolution regarding peaceful protests, armed citizens, excessive force, racism, and related issues. It was re-drafted as a proclamation and will be re-visited when DeTro is present and has an opportunity to discuss and sign. A Citizens' Comment period was held. Permission given to the Prosecutor's office to have Admin Assistant sign certain documents in his absence, with permission of prosecuting attorney. Another edition of the Methow Valley Interim Control Ordinance (moratorium on subdivision, not including the water overlay) approved as Ordinance #2020-4. A public hearing will be held August 3, 2020, at 5PM in the Methow Valley. Federal Payroll Protection Plan deadline **June 30, 2020.**

Proposed Draft Resolution regarding Peaceful Protest, Armed Citizens, Excessive Force, Racism, etc.

CB - Re the-mail sent by Sheriff Hawley yesterday - I went to a meeting last night to discuss racism at Omak city hall. About 10 people were there, invited - mayor, some concerned citizens . Acknowledging excessive force problem. I have written a possible resolution addressing that - I have prepared one. Am sending also to Sheriff Hawley. Very much a draft. I think it's a worthwhile statement, from my perspective. It goes sort of like this:

AH - Wants to be sure everyone knows this is not a resolution that is being read, but very much a draft.

CB - Emphasizes this is only a beginning draft for discussion and proceeds to read aloud (too rapid for complete verbatim transcription.)

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Notes on proposed **DRAFT**:

BOCC Acknowledges: *(note: went quickly, some details may have been missed. A new version will be presented for all 3 Commissioners to sign.)*

* That violence is escalating re excessive force and police.

- On June 12 there was a peaceful demonstration in Omak without violence
- BOCC supports citizens right to protest
- Acknowledges others' 2nd amendment rights to bear arms in order to protect
- Acknowledges that some citizens were intimidated by other citizens who bore arms
- That the sheriff's office was thoroughly prepared to handle the situation
- That there will be such peaceful assemblies in the future
- Intimidation can be exacerbated by possibly untrained individuals bearing weapons
- We are elected to office to assure the peace and safety of our citizens

Therefore the BOCC:

*Denounces violent actions, excessive force, and racism

*Discourages display of firearms that cause citizens (distress?)

*Promotes peaceful demonstrations and discussions

*Will make very effort to join in with such discussions

AH response: Discussing this will take far longer than we have time for right now.

9:37: Executive Session, possible or existing litigation for 20 min.

Extension for additional 15 minutes. Cancellation of scheduled 10:00 Session. Commissioners re-enter at 10:30 for Planning Update.

10:39: Branch urging a return to discussion of the above draft Resolution

CB - given that we now have time to discuss the proposed resolution regarding excessive force, etc, etc.

.....

LJ - Statement about finance committee.

No one answers Branch, although nothing is scheduled until 11:00
Sustained silence.

10:41 - Still silence.

10:42 - Still silence.

10:44 - CB - Answers phone, says "Sorry, I can't talk. "

10:45 - Still silence. No one answers Branch.

CB - "For those online who hear silence. We are reviewing various documents in front of us."

10: 48 - CB : Did you want to discuss the draft resolution?

Discussion of Draft Resolution Continues:

AH - We can. The first thing that stands out that citizens doing their 2nd amendment rights...with the apparent intention of using force.

CB - It was the perception of a lot of people including when I got a call.....

AH - But also a perception that a caller said people were going to come to stir things up.

CB - My perception was that that they were there prepared to use force to protect the businesses in the city. I don't think they were there just to say they could show firearms.

AH But what was the purpose?

CB - My perception was that they were there in case law enforcement couldn't handle it.

Laughter from someone.

CB - I can say what everyone thought.

AH - There are two main points. I agree with denouncing racism, anything that has to do with social injustice, slavery, the part where we should try to resolve things through peaceful measures, etc. If people stop throwing rocks and shooting tear gas, people would calm down and get to the root of some of these issues instead of creating more anger.

Next part = It looks like we are saying that we don't think people bearing arms is helpful to the situation, so we don't think they should.

CB - I don't think that the presence of.... I would have to call it a militia.... because that's what people have been talking about for many years now the need for a well-regulated militia. On TV, things have gotten out of control, with police not capable of protecting businesses. But from my perspective, we had a lot of law enforcement there, maybe too much. May be fine, if needed. But when the peaceful protestors.....

AH - You said it right here..... you didn't know.

CB - The police dept was working together to be sure they were prepared in case of a problem. The one gentleman who called me said he thought the city would need assistance from armed individuals. I said it wasn't a good idea because they were not trained to work with police - the man agreed that we didn't have a well-trained militia and it could cause problems.

I'm saying If people going in a peaceful manner feel intimidated by people showing up with firearms and they don't know what is going to happen, it interferes with their intention to have a peaceful demonstration.

They were talking about it - I see something going on in our country and I want to talk about it locally in a way where we can walk in the street and say, "We don't like it." Protesting a certain

form of thinking, etc. But when they walk into a town to do that (aside from outsiders who might intend to disrupt), and they have the presence of lots of guns, they feel intimidated.

AH - That goes for anything. I sometimes feel intimidated walking downtown in Seattle and wonder if I should be there. The part thatI don't want tothe 1st amendment right vs the 2nd amendment right - it's hard for me. What you are saying is that by a person carrying a gun, that intimidates a person who might want to speak.

CB - Yes.

AH - So a person's right to carry a gun is hampering someone else. I don't agree with that.

CB - It would be different if I were walking with a gun on my side, but if a demonstration

AH - I watched "over there" (*I think he meant Seattle*) on TV that a lot of things got broken...

CB - I'm very familiar with that. That's why all the law enforcement in the region assembled here.

AH - The people doing the demonstration and the people wanting to protect talked and agreed with each other.

CB - 10:59 We will now move on to the next session. (There is a hearing scheduled for 11:00.)

LJ - Let me turn the recorder on. It is now 10:59

CB - We will have to rest our voices before then.

***** **Public Hearing on Franchise agreements within the county, etc.)** *****

11:16 - CB - Continues with draft resolution discussion, now including law enforcement

CB - I sent for the Sheriff and he will be coming to talk about it right now.

CB - I wanted to talk with Sheriff Hawley regarding claims made that we were arresting a lot of people and that law enforcement was being beefed up rather than dealing with issues. I don't know where the info came from.

AH - Our officers weren't even within the city limits. There is the movement to defund law enforcement

CB - We may have statistics that show otherwise. For example, Tonasket law enforcement is quite reduced. Oroville's is too, due to budgetary issues. The next time I sit down and talk with people, I want to be able to say no or yes. So defunding law enforcement might not be appropriate for Okanogan County, simply for budgetary reasons.

AH - Statutory requirements for keeping people safe are there.

CB - But it's a conversation that has to be made with people. We need to be sure we understand that this may not be applicable here in our county. Again, everyone is watching TV.....why not rely on a weekly newspaper about what is going on in THIS county? Info travels so quickly it's hard to keep up with accurately

AH - Also, people think they can comment on things as if it were true.....it moves here, there, everywhere.

CB - The part about racism, etc, are real issues. I'd encourage people to talk about them. Best to talk about in a forum where they can come together and respect ground rules - better than the confusion going on now and dividing the country.

11:24 - Silence. Branch checking on Hawley, who can "Make my way there. "

Sheriff Hawley - 11:26

Branch - I attended a meeting in Omak of a group that wants to talk about racism, violence, etc, mostly racism. People realized we won't come up with solutions tomorrow. It's long-term.

The resolution I put together was meant to make a statement - a statement that doesn't pit people against each other or discount the public's rights to bear arms. But a lot of folks on social media and in the at meeting talked about peaceful demonstrators feeling intimidated. I have to represent them too. To Hawley: Your statement in the paper was useful.

A lot of folks out there feel it was unnecessary to have the extra folks there. Someone called me and discussed whether assistance was needed. I said I was concerned because if something happened, we are not sure what results would be.

I Would like your input on this...

Hawley - *Note: Sheriff Hawley was using a microphone in the Hearing Room. His voice was faint and from time to time, the transmission was broken and very difficult to understand over Zoom.*

Hawley - Easier to explain to people...(very broken transmission)people should have conversations, looking at people's best intentions, not what "they are going to do to me"that's a little of that was going on. Conversations yesterday and today: there are some misconceptions about what the sheriff's office did and preparation for public safety. We did take a role with the police department. We are working with what we have. Discussions have been about those types of things.

This morning.....trying to clarify where the sheriff's office stands and the prosecutor. RCW's - things people thought were a violation were not a violation. Trying to clarify. (*Very broken.*) Trying to have conversations with folks, trying to work with radio - an open public forum. To bring this out. People getting upset - if the things were true, they would have a reason to be upset. But they were not - people said there were family members on both sides of demonstration. One sitting, one standing. Didn't disagree with one side or the other. No one had animosity. They were afraid of what would come from the outside. There was a rumor that it was offered \$200 for people to participate. We tracked down those complaints. Someone said Antifa was parked at Omak. There was no bus there when I checked. (*Mentioned something about*

FBI...too broken to understand.) I think we were getting ahead - Sheriff's office was speaking together. There is a feeling to (?) ... We don't want it to come to lack of trust in what we are doing.

Branch - that is sort of what drives this resolution. We CAN say what we think about violence, - and due to the recent postings by one of us, it has exacerbated things. I have no intention of interfering with people's rights to wear and display (*arms*)...I do have concerns, if I carry a gun for self-defense, I might want to be armed and I don't disagree with this at all. People want to be able to do this without intending to be in an altercation. I want people to know we are trying to sort through this - I think we are both on the same side, Andy and I, with the exception of how some people would feel when those people show up with firearms.

Hawley - on those sides, people have a right to assemble. The sheriff will defend both rights. The laws don't take into account people's perceptions. We can't look at people's perceptions, people feeling uncomfortable. Have to have a good reason to bring someone into custody. They all have a right to stand there. All the fear and (???) we saw that ahead of time, contacted other jurisdictions in case we needed help, - but we didn't need to. Our community did it without that.

Branch - In the recitals, it acknowledges that you have your job, and it's not up to us to interfere with your job. There is not any intention to interrupt your job. From my perspective, it is to discourage those kinds of buildups. No intention to interfere with anyone, and also to acknowledge the constitutional rights....just saying if we don't have to do that, we shouldn't do that.

Hawley - In the last 2 days, we haven't had that (*too broken to understand.*) People are picking a role within the conversation.

Branch - This resolution gives law enforcement a way to talk about it.

Hawley - (*Broken.*) We have issues where people thought use of some of their (*entities?*) not knowing were things would go....

Branch - There are build-ups of positions, and we have a news paper - there is this whole belief about where this nation is going. If a newspaper doesn't have all sides, I am skeptical. We saw another newspaper come out about the prosecutor's office, which heavily influenced people's views. That is part of the reason we are here.

Hawley - Also concerned about people portraying absolute (???) based on their own conversations, etc. Folks in our community don't have....I have yet to hear someone speaking out about each other's positions.

Branch - They are out there.

Hawley - We have people across the nation who should have another job.

Branch - you are doing a good job - it's about that trust.

Hawley - I agree we need to be very careful about - can't just arrest someone because someone wants it. If there's a violation, prosecutors talk, etc....we sit down with neighbors.....we are often able to solve things on our own.

Branch - I witnessed your deputies doing this. Let's give Hover a chance to talk.

Hover - I understand that there are a lot of people out there that feel a certain way about guns. Or about the people who were carrying guns. Our deal is that we represent everyone out there. The Constitution guarantees certain rights. I would be totally onboard with denouncing racism or violence but unwilling to put my name on something when I think we are choosing one side of an issue over another. Both sides have an equal right to say how they feel.

Branch: that's why I appreciate you pointing out that we all have our biases.

Hawley - I have a different bias one or many people, but seeing certain things - people have moved on, from sheriff's office, etc who have those feelings. They should be here.....but not for the reasons we are facing right now. It has been for something else. It's hard.(*..broken.....*)I'm proud of our folks because they keep coming to work and keep answering calls. One says he is (*broken...very rapid and broken.*)

In Omak, we didn't have anyone who said they wouldn't come and help, just in case. Luckily they could be bystanders.

Branch - Another thing. Law enforcement - how come they had to do all that stuff? Same as with Covid - I am responsible for something and need to take a good look. I have had talks in the past few days ...what would happen if they couldn't handle it? Everyone has to be prepared.

Hawley - It takes a lot of planning ahead.....can't be behind the 8-ball.

Branch - If you can look at this resolution and see if it has any adverse impacts upon your job.....

Hawley - I agree with Hover that everyone has their rights.

Branch - I tried very hard to balance it out in this resolution.

Hawley - Good to have conversations back and forth.

Branch - those 10-15 folks who got together the mayor was there, the college, etc. they are planning on having possibly another meeting. If you came it would be helpful. There is this new trend to defund law enforcement.

Hawley - (*Broken.*)

Branch - In general, we do have programs for people so they can change their behavior rather than putting them in jail, etc.

Hawley - like Drug Corps. Treatment is very much important, etc.

Branch - With this new website, we may be able to provide statistics so people can see them. Even recidivism rates - this is what we use as a tool to see if we are successful to not...mental health being discussed.

Hover - I talked with Newhouse last week. He is wanting to put together a group (*broken*) Are we going to put our best and brightest in this profession and push them somewhere else?

Crop of law enforcement ... are we going to dampen it? Are we pushing people out vs. *(broken)*
There are law enforcement people walking off the job because they do not feel supported. We
are having the same problem already here. Concerned that they could be sued for using force.
Broken. Easier to just wait....yet we are paying.

Branch - When force is addressed in the resolution, excessive force is what is addressed.

Hawley- we have good training. You will not see this here. I have not seen a person who says
what happened in MN should have happened. We hold people accountable for their acitons.

Branch - I like to reference your officers as peace officers. In WA, we are a leader in peace
officer certification. Have been doing this for 20 years. This year we just lost it for corruption
staff (??) Now they have to have certain training. If you don't have that certification, you can't
just move over and work in another district. We have a certification board. Good quality of
people in law enforcement. Do a lot without supervision.

Hawley - Talks about something that occurred last week. WA state has been doing a lot of
this for years.

Branch - I know (??) keeps track of these things. I appreciate this information.

Hover -thanks for making time for us.

Branch- and for your service.

CB - It's nearly noon. Adjourn for lunch until 1:03 public comment period.

Note: *There was a later, very brief discussion regarding this resolution, re-drafted
as a proclamation by Branch and not discussed at this time. Since Cmr. DeTro
was not present, the other commissioners wanted to wait until he had an oppor-
tunity to discuss and sign too.*

1:30 - Citizens' Comment Period (via Zoom)

Signed in: Brian Drye, Gina Monteverdi, Heather, Jacque, Jennifer Walker, Marcy Stamper,
Tony Hawley , Suzanne Tomassi , Michael Koerner, "Reb",Susan Speir, Isabelle Spohn

LJ - 16 people total, including BOCC and Clerk.

CB - Open for comments in session: 2 minute limit

AH - Corrects to 3 minutes because that's what people think.

CB - Risk manger is at 2:00, will probably accommodate if we go over.

CB -Will go through the matrix:

Susan Spier - I want to voice an opinion that the leaders of our county need to reflect the values of the citizens. We need ability to (?) and compassion. Regardless of the more recent things - apologies, etc. - I believe the person who is chair of BOCC and Public Health - should be someone other than Detro, given his actions.

Pat Leigh - What Susan just said was well-stated. I am really concerned that we need leaders who will bring people together, with respect, etc We all have our opinions and values - what is most important is to work together as a community and try to create a brighter future for the county. I appreciate allowing us to comment and how you operate.

CB - thanks for keeping it brief.

Sheriff Hawley - No comment.

Isabelle Spohn - Thanks for continuing to work on your sound system. There was a significant discussion this morning regarding the Omak demonstration. I could hear the Commissioners well, but the speakers (Sheriff Hawley in this case) were so broken up it was very hard to follow. Do the speakers who are in the hearing room have operational microphones they could use? It was the same this morning at 9:00 - could not hear speakers or tell who was speaking.

Muffled comment - LJ - "It's not the mics."

Drye - DeTro puts Branch and Hover in an awkward position. I would like to see a meeting to specifically address DeTro's behavior.

Marcy Stamper - No comment

Suzanne Tomassi - I'd like to echo the opportunity to comment and speakers talking about unity, and actions/behaviors of DeTRO. I join in calling for his resignation.

Gina Monteverde - Sorry to miss this morning. Are the BOCC working on some sort of declaration of tolerance at the county level?

Branch - Working on a resolution re racism and violence, in terms of denouncing that. That's why we had a conversation with the Sheriff.

Jacque - No comment.

Michael Koerner - Nothing to add to what Susan, Pat and Brian suggested.

(Several requests to people to unmute if they want to speak.)

Another phone #-686- Sydney N.

This is Mary - I am calling to make comment about Cmr. Detro. In support of everything that has been said. I believe Branch and Hover have responsibilities to keep each other accountable. I understand you can't oust them, but insist that they do the right thing. To put the responsibility on the public only increases the pressure, etc. Having to go through a recall process is not right. The only honorable way is for him to resign.

-378: No response.

Jennifer Ward - Just listening.

Randy Levine - Busy for moment, listening in, will get back in a little bit.

Karen - No response.

CB - Are there others?

CB - We have a few minutes - anyone else that we haven't heard from? Either unmute or type in the chat box. Since no additional comment, we will end the public comment period. And move on to other business. Everyone done? Thank you for your comments.
We have another couple of people who came on, and it's not quite 2:00. Shall we invite them?

Elizabeth Weiss -Do you want to comment? Feel free to unmute and comment: I am from Winthrop and have no comment on this time.

Lynnette Westendorff - I'm a little late, so I missed the prior discussion. From Winthrop . My views have been made known through a Letter to the Editor in the Methow Valley news. We are neighbors and fellow citizens, so let's remember that.

Issue of Signatures of Administrative Assistant in County Prosecutor's office in his absence:

Branch: in regards to issue with prosecutor's office request regarding Teagan Levine and signature in prosecutor's absence, after meeting with prosecutor yesterday, I re-drafted this into 2 resolutions. Prosecutor has taken a look at them and is in agreement. In his absence, with agreement of prosecuting attorney, Levine can sign.

End of Notes for June 16th, 2020

Wednesday June 17th 2020

Special session - Commissioners Hover and Branch called in, decided to meet due to important business. AH, CB, LJ present.

1:30:

Noxious Weeds: A temporary field technician's job will be changed to full-time for training. Once the supervisor position is filled, it will go back to a temporary position. Resolution #75-2020. Approved.

Interim Control For Methow Valley: Ordinance #2020-4 approved.

Cmr. Branch's draft copy of ordinance #2020-4 was checked for errors and approved by Commissioners. The date used for calculations was December 18th, 2019. The ordinance had been checked by the Civil Deputy Attorney and adopts interim controls regarding WRIA 48 (the Methow Valley) with the exception of the area of influence of the Columbia River. A hearing will be held in compliance with State Law in the Methow Valley on Monday, August 3, 2020 at 5 PM.

Comments by Commissioners:

Branch: There is enough lead time to create a good staff report. It will serve our need to keep interim ordinance in place.

Hover: Thanks for writing it. I thought it was well-written. A work plan is what needs to be done.

Federal Payroll Protection Program loan deadline: 6/30/2020

AH - No other business: None except to make sure that Isabelle...she's on the line - we just received an email from Salvador Salazar our Government liaison. Says deadline for federal (payroll) payment protection program protection is end of month, June 30th. Still \$130 billion, up to \$10 million. Go to [SBA.gov](https://www.sba.gov), a local bank, or credit union for more info. Forward to small businesses for forgivable loans up to \$10 million as long as they keep paying workers. Get ahold of Roni Diefenbach 509-826-5107 for assistance (Okanogan County Economic Alliance.)

Adjournment: 1:45