

Board of Okanogan County Commissioners
Tuesday, 7/18/17

Present:

JD- Jim DeTro

AH- Andy Hover

CB- Chris Branch

LJ- Lalena Johns

PH- Perry Huston

LM- Leah McCormack

Carrie – Finance Manager from auditors office

BR- Ben Rough

JT- Josh Thomson

This is a paraphrasing of conversations by one of several volunteer citizen note takers and published on the website of Represent Okanogan County (ROC.) Any writer's comments or explanations are in italics. For officially approved minutes of Board of Commissioner meetings, normally published at a later date, see www.okanogancounty.org.

Subjects addressed:

- **Finance Committee Report**

- **Public Works Update- Solid Waste department admin issues, Road status, misc admin and funding issues.**

- **Citizens Comment Period – Paula Mackrow (addressed safety issue on Texas Creek Rd and Open Roads issue), Lorah Super (Open Roads issue)**

- **Building Dept Update**

- **Shoreline Master Plan (SMP) work session**

Notetaker arrived at 10:50

Last 15 minutes of Finance Committee Report

Finance Committee meeting was in progress. Talking about budget, deadlines for depts. to submit budgets, etc.

LM- Revenues report- very good. Over 65%. Property taxes- a lot of people pay in full during the first half. That will skew the report during the second half. Delinquencies and foreclosures will be an equalizer.

AH- Do we have a projected revenue for delinquencies?

LM: No. We don't have a budget line item for delinquencies., but we do for the interest on the delinquencies.

LM- Presented information. Explained that dept heads often refer to "budget neutral" items. What does that mean? It should include some form of revenue to make it "budget neutral", but the dept heads do not say where the revenue is coming from.

AH- We need to have the dept heads come back and explain where their revenue is coming from to offset a cost that is called "budget neutral".

Discussion about a specific incident that reflects this issue. When grants are included, it gets complicated because the ratios are not always the same and the funds can be scattered throughout the budget for a particular department. Apparently one of the County departments made a mistake with their budget due to this complication. All agreed that it was not intentional.

JD- We need to make sure that everyone is trained on how to do the budget accounting.

JT- offered an example from Public Works that helped to illustrate the problem.

AH- Stated again that the department in question needs to come back to clarify and figure out a solution. Stated that he wanted to create a personnel committee to address the issue of county demographics and the difficulty in finding qualified employees. LM agreed.

Short break before Public works report. JD and AH discuss wolves. CB chimed in.

Note taker did not catch details of the conversation.

11:10 Public Works report.

BR- Solid waste. Big transition. It's going very well – SW dept is more productive now than it has been for a long time.

CB- Moves to go into executive session for 10 minutes to discuss personnel evaluation related to the Solid Waste department. Voted and carried. BOCC along with BR & JT retired to back room for their discussion.

Note taker got the impression that the improvement in the department had something to do with a change in personnel.

Returned at 11:23.

JD- I've been getting a lot of pressure about Siwash road. Residents are complaining and threatening to write letters. I pointed out that grading now will result in excessive dust.

AH- Finley canyon- is that a county road? Someone asked when maintenance would be done. Also, on Texas Creek road, there is a big slag pile. Did we do that?

JT- Yes, we had intended to burn it but State said it was too big. The state could see the pile on google earth.

AH- We need to do something with it. Can we do it by this winter?

JT- We thought it had been done already. We will move it up the list.

JD- Remke Road issue- folks buy property on a primitive road because they want privacy, then they call and want more services. We are only obligated by statute to do maintenance on primitive roads once per year.

Discussion about various examples of this.

BR- Transition at Solid waste is going smoothly. Have had time this last week to discuss issues and are moving forward. We met with Planning Dept to get permit going on new lagoon. It's going well. Also discussed future expansion, and how that will go. It will be more defined at that time.

Recycle grant- I told BOCC last week that there would be Addl \$8K for recycling. That is not correct. It's actually that funds will be shifted from another budget line item, not

new money. State budget has not been approved, so some funds that are spent between now and then will not be reimbursed. We are looking at hazmat expenses and will try to hold off until state budget is passed.

CB_-Have you talked with Tribes on HazMat?

BR- We are going to revisit a conversation from 6 months ago with them and try to make some progress.

CB- If you need me there just let me know.

BR- Last week I met with Risk Manager to discuss step wage increases for mechanics. Her concern was not to create an issue that would be unfair to other employees. There is one person in another dept who might be affected. I will prepare resolutions for you with supporting information. Everyone is on board.

CB- What about the union?

BR- We think we don't need to include the union. I haven't talked to them.

BR- Auditor and legal counsel have approved the plan for rental rates for office and storage space. Mentioned a specific bldg. (Hancock bldg.) that might be appropriate for a different rate.

AH- I like to keep all the same sq ft rate for all bldgs. To keep it simple.

BR- I will craft a resolution and run it by auditor and legal and then get it to you to sign. If you need to change the rate on the Hancock bldg. later you can do that separately.

CB- I prefer not to use it for storage because it's downtown and we need buildings to be occupied with tenants.

BR- Petty cash termination. We have not used petty cash for over a year- now people pay out of pocket and get reimbursed. We are going to terminate the petty cash fund. Auditor is OK with it. Petty cash funds have some up short in the past- it is more of a liability than anything.

BR- Elmway property. Will meet and bring you more information about how we want to divide it, etc.

BR- CDL policy- I've looked at other jurisdictions and some are signing off on some CDL requirements, but they don't have a clear policy. I'm surprised that they don't because they are all union shops and I figured they would have something down in writing, but it looks like they just do it.

JD- Could Josh from the Fairgrounds be a part of this?

JT-Peter Dan Road- nothing changed, keeping an eye on it. One lane is still functioning. We have signs up, road closed, local traffic only, etc.

Culvert replacements- Hwy 7, still working on it

Toroda Cr- need permit to replace, rather than just repair.

Canyon Creek Fire- no damage to county roads

Stared chip sealing – Rodeo Trail, moving on to others. Getting press releases out week by week to alert public.

OT- 32.5 hrs OT last week. Mostly water trucks around some road repair. Couple hours of striping, chip sealing in remote locations.

Lyman Lake gravel project, should finish up next week.

AH- Asked a question about a road in the Winthrop area. Some discussion about road ownership. Town or County?

JT- County will chip seal it, because it's only \$2K and once it's done, maybe they will take ownership of it.

CB- asked about annexation that caused this issue.

(Apparently Winthrop annexed up to both sides of the road and there is a 520 ft section that should belong to the City of Winthrop, but they are not claiming it.)

JT- Twisp & Mazama - Army Corps of Engineers will inspect levees for damage due to high flows.

JT- LED lighting upgrades. Saving \$7500 per year , will easily cover costs. Another shop building would like to proceed. Not sure if we have the funds. Discussion about the rebates and when they expire. BOCC urged PW to move forward to take advantage of rebates, etc.

Liberty Woodlands sewer system repairs: contract got signed yesterday.

WATV map- We have not done anything additional, need to get it to Perry and start working on other districts.

Secure Rural Schools (SRS) status- Congressional support is possible- still hope that it could pass. SRS is a federal program that provides about \$800K in the County budget. McMorris Rodgers is working to keep it in the budget. Trump Administration wants to remove it. *(No mention of Newhouse).*

Future Pits- Discussion about locations for rock pits. JD suggested a spot in the Chesaw area that might be good. Has permitted wells for water storage, wouldn't have to draw water from creeks.

County shop in Oroville is in rough shape, this property could suffice for a new building if necessary.

PW report concluded at 12 noon.

Break for lunch.

LJ- reminded BOCC of a change in normal agenda for next week. Next Tuesday former State Senator Parlette will be here at 10 am on the 25th with lots of people and a big agenda, so Public Works report will be on Monday.

BOCC meeting resumed at 1:40 pm.

AH- Andy Hover

CB- Chris Branch

LJ- Lalena Johns

JD-Jim DeTro absent (attending Funeral)

1:40 pm Public Comment- Open Roads Issue

Paula Mackrow from Twisp/Carlton. Mentioned a big pile of logs on Texas Creek Rd. Noted that Texas Creek residents have never asked for County assistance with sewer or water. Asked BOCC to help the residents of the Texas Cr/French Cr area preserve what they moved there for. Said that over 1000 people had signed a petition in support of their efforts (assume that this is referring to the Open Roads Coalition issue). She said that she had sent a letter to the BOCC this morning that addressed her concerns.

Paula expressed concern that the big pile of logs is a fire hazard. Also it impedes the road as it has spilled over to make the road only one lane. Discussion about road maintenance- Paula said that she has been maintaining the road above the old Judd place herself. AH said that's fine, but the County needs to have a right of way agreement if that sort of work goes on.

Lorah Super from French Creek

Addressed the Texas Creek log pile. With better coordination between Public Works and Conservation District it could have been chipped. Noted the difficulties with working between the agencies. Suggested that efforts be made to work more closely in the future. Money was available but not used this year for chipping along roadsides.

AH- Asked to be contacted about things like this in the future. BOCC needs to be alerted if citizens area aware of funds or opportunities come up to achieve work like this.

CB- Talked about working with DNR and USFS also to identify roads where work could be coordinated.

Open Roads issue: Lorah has seen signatures on the petition and notes that almost all signatures are OK county residents, across all political spectrums. It's voters, friends, family and neighbors who are very concerned.

Lorah urged BOCC to get out and visit these areas to see for themselves. Noted that these gated roads are sometimes the only escape in case of fire. This past weekend illus-

trated perfectly why these roads need to stay open. The gated road above Texas Cr was the only escape in the event the Canyon Creek Fire spread to the Texas Creek area, and local residents managed to clear it and have it available in case the fire moved further up the hill. Lorah showed the BOCC a map. CB and AH were very interested and asked for a copy of the map.

2:00 pm Building Department Update

DH- Dan Higbee – Building Dept Update

Still have a couple from previous fires. (*Note taker assumes he is referring to building permits?*)

Showed BOCC a comparison between revenue and expenditures. No major fluctuation in expenditures, but cost recovery goes up and down with seasonal construction.

PH – Perry Huston arrived at 2:02.

CB- How is fuel expense handled?

DH- We have Pacific Pride cards.

CB- It might be worth looking around for a better deal.

DH- We are on track to hit projected cost recovery.

Continuing to work on budget.

We are working on the 1994 book with 2005 valuations. Our fees are supposed to cover the expenses. We can't make a profit, or send extra money to other departments.

PH- Said that Planning dept is at about 90% of his projection, but most of this is not due to small affordable homes.

DH- noted that the building permit fees are the same for a \$150K house in the Okanogan, and a \$1M house in the Methow, assuming the same square footage.

AH- Could we legally charge more for a more expensive home?

DH- Not sure.

PH- The only way you could do that is if you could prove that it costs the bldg. dept more to do the inspections on the more expensive house.

DH- We calculate value of a home based on a 2005 chart that is based on square footage.

PH- We might want to sit down and take a look at how we calculate the fees both with planning dept and bldg. dept. If we charge less, then we are effectively subsidizing.

DH- I have taken it for granted that everyone knows how the building dept works regarding permitting, etc. Would you like me to give you a run down?

Typically, someone comes into the bldg. dept first, then get sent to Planning for a site analysis. Once that is done, the customer is sent back to Bldg dept. Once planning fees are made, the bldg dept will review and calculate the fees right away.

Health dept shares a spreadsheet with bldg. dept, but the health dept septic supervisor doesn't like to use it, so we are doing it the old way. Bldg dept uses Public Health dept to do water testing and septic systems. Once they have signed off, the building permit is issued. County goes by State codes- no extra county requirements. Only thing different is maybe that our snow loads are a little more rigorous in some areas.

Some contractors think they are getting away with things, but that is not all that common. It makes no sense for them to do a shoddy job because the client will come back to them. Plus the County will be watching those contractors much more closely.

PH- Planning and Bldg depts. are working together to figure out which applications are for imminent building projects, vs just people wanting to know if they can build some-time in the future.

AH- Looking at files about closed basins. Doesn't understand how the one in Wolf Creek can even have a site that is available.

PH- It depends on the details of the map, and of course the continuity question is what's important. If you drill deep enough, does that take you out of hydraulic continuity? DOE says yes, we are saying yes.

Building Dept presentation concluded at 2: 25.

2:30 - Shoreline Master Program discussion

AHU- Angie Hubbard

PH- Perry Huston

PH- We went back through the comments on the SMP (*Perry later revealed that these were comments received on the DOE open comment period, not the County comment period*), and found about 5 or 6 that we need to drill in on to see what BOCC wants to do. These are:

- 1) Fish and wildlife habitat conservation areas. Should be critical areas. Right now they are not if they are on private property that is not zoned "natural".
AH- What goes into creating a Fish and Wildlife (F&W) habitat management plan?
CB- I was deferring to shade vegetation with regard to fish habitat. Natural areas should be the mouths of tributary streams.
Conversation about how it would affect property owners if they have to do a habitat management plan.
PH- The first part of the process is to determine if there is any wildlife habitat, and if so, is it threatened or endangered. If there is, they may be required to avoid certain areas.
Some discussion about how SMP blends with the Critical Areas Ordinance (CAO).
Discussion about how maintaining vegetation in the existing setback (50ft), could satisfy the requirement for the F & W plan.

CB- Said that in general, protecting riparian habitat accomplishes the goals of maintaining the health of all the species in the riparian area.

Under the federal ESA, are these areas designated as critical habitat? Asking because they sometimes make you do a biological assessment. If we protect the riparian areas, it might satisfy the Feds and not require any more new regulations that are essentially redundant.

It might be easier and more streamlined to just protect 50 ft of riparian area on each side of the streams which would meet all the requirements.

AH- I agree.

- 2) PH- Industry water dependent category needs to be addressed. Should it be included at all? One argument is that nobody does it, so it doesn't matter if it's in there or not. Counter argument is that if it is included, it means that it is allowed and someone could do it sometime.

AH- Is Agriculture considered to be under the Industry category?

PH- Not really. Ag has its own category.

CB- For protection of the resource, I would consider Industry as a totally different thing.

AH- I concur. Is there a list of industries that we could look at or consider as an example?

PH- Are the BOCC comfortable with the designation as it is?

CB- Brought up aquaculture and net pens and how they need to be monitored. Cited example of problems in Douglas County. Should we make this SCUP instead of SDP?

AHU- Keep in mind that there is a whole separate section on Aquaculture with detailed requirements.

More discussion about net pens and the consequences.

BOCC agreed that the category of "Industry, Water Dependent" should stay as a category, and that it should require a SDP rather than a SCUP. This does not require State DOE to sign off.

PH- Keep in mind that we can use our zoning code to control what happens in different areas as well.

- 3) Changing setbacks/buffers in terms of distance. Currently building setbacks match the vegetation management area requirements. Do the BOCC want to change this?

CB- For example if you have a 50 ft vegetation buffer, and a 75 ft building setback, then you have a 25 ft buffer between the building and the vegetation.

PH- Right now everything is measured from Mean Ordinary High Water (MOHW).

AH- This is the big decision.

Discussion about requirements for property in the “rural” designation. Already have rules that govern building in the “natural” designation zone.
AH- 25 ft additional setback is the most I would be willing to do. But it will provide protection.

Noted that DOE created the original shoreline requirements because the County took no action at that time.

BOCC leaning towards going with a 50 ft vegetation management zone, and a 75 ft total setback for building in the “rural” zone. **AH wants to run this idea by some folks (did not say who), before saying yes.**

CB – Pointed out that if someone has a lot that would make it difficult or impossible to build, there is a process to apply for a variance.

PH- Says that variances need to be driven by topography or geographical restrictions, not just a desire to build in a different spot.

BOCC reviewed the text of the variance requirements.

- 4) Do you want more detail in the restoration plan? There were comments

That requested more detail about restoration.

PH- Said that they could be more specific about priorities and timelines for restoration. Commenters wanted specific areas mentioned and funding sources identified.

PH- Suggested that the County could review the shoreline restoration plan annually and compare it with other projects to see if resources could be combined to do more restoration. Suggested that any project that would trigger a SEPA could require consideration of shoreline restoration.

Public Access to Shorelines

CB- Brought up the issue of public access points.

PH- Said that there has been demand for many years that any project in a shoreline area provide public access.

AH- Says emphatically NO.

PH- We have suggested that public access be considered only if a project is one that would create higher demand for public access, or one that restricts existing public access.

AH- What is an example of a project that would increase demand?

PH- An example would be a public trail, or a big resort.

CB- There is a map that identifies existing and potential public access mitigation sites. Example- road that ends next to the river.

AH- Expressed concern that private property (ie a planned development) would be required to have public access on their land.

PH- Said that would not likely happen.

CB- Said that in his experience it would be better if the County asked the planned Development (PD) developer if they would consider public access, and let the developer say yes or no. Keep it optional, but encourage them to do it.

- 5) Do the BOCC want to depart from the archaeology requirements?

PH- the comments from the Arch. Dept seem to be addressing a previous draft, not the current draft. Possibly they want us to use different maps.

PH- We currently notify the tribes about any development other than single family. The current draft meets the State requirements. Shorelines have a higher potential for archeological significance due to being a historical travel route, etc.

PH- Read a comment from the Yakima Nation regarding inadequately addressing areas of cultural significance.

AH- Is there any way we can put in language that says we will make an effort to consult with the Tribes?

PH- It depends. I get the impression that they would like us to use different maps and resources to determine if an area is significant.

Discussion about how far this will go. Do we want to be having to get permission from the Tribes for every single family residence? They could require archeological evaluation, which would be expensive.

AH- Suggested that Yakimas be included in the SMP specifically, not just referred to as "other Indian nations".

- 6) 303D list. There was a comment that the list of waters that we have listed is not consistent with the current **303D list**. Do the BOCC want us to compare our list with the 303D list and see if there are any discrepancies.

CB- What would be the ramifications of that?

AHU- It affects the scoring.

PH- It wouldn't be a big project to compare the current list with the list in inventory.

CB- We can show that all the things we are doing in this plan are to address the conditions identified on the list. Temperature, turbidity, etc.

This concludes the outstanding issues that PH and AHU have today.

Do the BOCC have any further issues to discuss?

AH- I feel that while we haven't done everything that everyone wants, we have tried to strike a balance and show that we have made a sincere effort to look at and address things in a fair way. I have some constituents who will not be satisfied with this, but that's how it is.

CB- Ultimately, the best way to protect the shoreline of the Methow river is to prohibit all development. That is not possible, so we have to manage it as best we can within reason.

PH- I will wait for AH to get me the final decision on the setback numbers.

Then we will make the changes and run it by Leonard (DOE contact).

SMP discussion concludes at 4:24 pm, notetaker departed at that time.