

1 **RECORD OF THE PROCEEDINGS**

2  
3 **OKANOGAN COUNTY**

4  
5 **APRIL 2, 2018**

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7 9:00 AM	Review Commissioners Agenda and Consent Agenda
8 9:30 AM	Briefing Among Commissioners – Discuss Individual Meetings & Schedules
9 11:00 AM	Update – Coroner – Dave Rodriguez
10 1:30 PM	Update - Planning – Perry Huston
11 4:00 PM	Review Consent Agenda and Meeting Minutes

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12

13 The Okanogan County Board of Commissioners met in regular session on April 2, 2018,  
14 with, Commissioner Chris Branch, Commissioner Andy Hover, and Melissa Thompson  
15 Senior Clerk for Clerk of the Board, Laleña Johns, present.

16  
17 Commissioner Jim DeTro was absent.

18  
19 Commissioners convened the board at 9:00 a.m.

20  
21 **Review Commissioners Agenda and Consent Agenda**

22 Commissioners reviewed their agenda and consent agenda.

23  
24 **Briefing Among Commissioners – Discuss Individual Meetings & Schedules**

25 Commissioners discussed individual meetings they attended last week and future  
26 meetings they may attend during this week.

27  
28 Debi Hilts, HR Coordinator, joined the meeting at 9:30 a.m. and provided the  
29 Commissioners with Director Perry Huston’s employment contract agreement for their  
30 review and future signature.

31  
32 Commissioner Hover discussed emergency medical insurance costs and a lack of Life  
33 Flight coverage for inmates which would be costly if someone needed to be air lifted out  
34 of Okanogan. Commissioner Hover would like to look into budgeting for the coverage.

35  
36 Commissioner Hover discussed the railing of the arena at the Fairgrounds and safety  
37 concerns, like injury to animals and people who brush up against the aging railing. Ted  
38 Murray, GIS Analyst, joined the meeting at 10 a.m. and provided the commissioners  
39 with an aerial photo of the fairgrounds detailing ground disturbance estimates of various  
40 improvements. Director Perry joined at 10:45 a.m. and showed some detailed water  
41 maps for the Fairgrounds so that water can be turned off prior to projects starting. Both  
42 Director Perry and Mr. Murray left the meeting.

43  
44 Member of the public Emily Sisson, taking hand written notes at 10:45 a.m.

45  
46 **Update – Coroner – Dave Rodriguez**

47 *Transport and Autopsy Costs*

48 Dave Rodriguez provided an overview of the process and billing issues as brought in  
49 the meeting last December. After Mr. Rodriguez does his initial investigation on scene  
50 then he has to have the body transported to a funeral home in the area because the  
51 county does not have a morgue. Aero Methow will often transport the body to a funeral  
52 home because they are already there and it's on the way, but in other cases the funeral  
53 home is the one to pick up the body and bills variable fees.

54  
55 In an effort to have consistency and budget for potential fees, Mr. Rodriguez has bene  
56 reaching out to the funeral homes to ask what they would bill for transport, holding  
57 refrigeration fees, cremation, etc. He then put together a proposed fee schedule based  
58 on the quotes received (attached). Commissioner Hover agreed that the county is at  
59 the mercy of the funeral homes because we are not able to contract with them. Mr.  
60 Rodriguez is especially concerned about the refrigeration cost because if there is a  
61 situation where identity is being determined then the body could be stored for a long  
62 period of time and \$20/day versus the previous cost of zero would be costly.

63  
64 If the county were to be charged \$600 per transport, a coroner vehicle with a cooler  
65 could be cost effective in the long run. Commissioner Hover explained that there is not  
66 enough cash on hand available to fund the purchase of the vehicle. Mr. Rodriguez  
67 would like to look into trading in a vehicle for a replacement. Commissioner Branch  
68 talked about getting bids and the need to go through the proper process. Mr. Rodriguez  
69 indicated that he applied for a grant that would be used to purchase the vehicle with the  
70 cooler. He will know on the 12<sup>th</sup> of April, if the application gets through the first review  
71 round and can provide an update then.

72  
73 Prosecutor Brandon Platter and Detective Josh Petker with the Task Force joined the  
74 meeting at 11:30 a.m.

75  
76 Commissioner Hover would like Mr. Rodriguez to talk to the Treasurer about the vehicle  
77 situation. It also would be good to find out from another departments what kind of  
78 vehicle they want, because if the grant is approved, then they could potentially surplus  
79 the current vehicle to another department.

80  
81 *Overdose Deaths*

82 Mr. Rodriguez handed out an information sheet on drug related deaths (attached) and  
83 discussed how the Task Force and the Prosecutor's office are trying to come up with  
84 solutions addressing the increase of opioid overdose deaths. There were 6 deaths in all  
85 of 2017 compared to 6 in the first quarter of 2018. According to Mr. Rodriguez when  
86 there is evidence of a drug induced overdose death, he will draw blood and send to  
87 Toxicology. The results will take 8-10 weeks and the body does not get held. He is  
88 determining the cause of death based on experience and what he sees on scene but is  
89 not performing a full autopsy. The overdose is confirmed when the toxicology results  
90 return. The challenge is that the Prosecutor wants to prosecute as a controlled  
91 substance homicide, but they are unable to prosecute this type of case unless a full  
92 autopsy is done. The autopsy is the only way to rule out any other cause of death.

93 According to Prosecutor Platter they have to first prove that there was a delivery from  
94 defendant to victim, victim took substance, and as a result victim died. Without the  
95 autopsy they are not able to rule out everything else.

96  
97 Prosecutor Platter will charge it as a controlled substance homicide if there is enough to  
98 charge but needs to be able to answer those questions in the process. An exclusionary  
99 autopsy, meaning nothing else was determined is necessary, and more information will  
100 come from the toxicology. The issue is the cost of doing the autopsy. Transportation is  
101 another cost as the bodies are transported to Moses Lake or Wenatchee. Do we  
102 autopsy everyone? Which means the Coroner's budget is depleted.

103  
104 Commissioner Hover asked what that would look like for the Prosecutor's budget.  
105 Platter doesn't believe that it would have a large impact on his budget. They may have  
106 some expert fees. The defense side of homicide creates the most costs for the county.

107  
108 The task force uses confidential informants and undercovers. Detective Petker has  
109 offered to help make the decisions on doing the autopsy or not because of his familiarity  
110 with the cases and the parties involved, so he will be called by Mr. Rodriguez as  
111 needed. Detective Petker is seeing heroin cases dramatically increase, possibly from  
112 the increase of people addicted to prescription drugs that are now harder to obtain.  
113 Discussed the concerns of fentanyl, which is often being mixed with heroin or meth.  
114 Cases are low in Okanogan County, but it's something they are monitoring.

115  
116 Commissioner Branch brought up a video on the Step Up program that can be found  
117 under the NACO website and suggested it be watched. It's a community effort to get  
118 these things addressed. Prosecutor Platter is in support of programs, but says there is  
119 a struggle to get people into them. If they are not ready to change, the program doesn't  
120 matter.

121  
122 Adjourned for lunch at 12:05 p.m.

123  
124 Convened at 1:30 p.m.

125  
126 **Update - Planning – Perry Huston**

127 Staff: Perry Huston, Char Schumacher, Dan Higbee, Mike Harr, Patrick Dunn

128  
129 Members of the public: Emily Sisson, Kit Arbuckle.

130  
131 Director Huston handed out his agendas (attached).

132  
133 *Nightly Rentals – Review Ordinances*

134 Director Huston provided the Commissioners with two Nightly Rental ordinances to  
135 review. He explained that the requirement for the Nightly Rental License is not new,  
136 just differently stated. Commissioner Hover asked for clarification regarding the building  
137 inspection items noted in the ordinance. An older home would not have a final building  
138 inspection which is one of the requirements. Commissioner Hover suggested building

139 develop a form to address the older homes that do not have final inspections.  
140 Commissioner Branch asked about items that wouldn't pass normal permit inspection  
141 like an old railing on a home. Mr. Higbee says that he doesn't necessarily go out to the  
142 site for inspection, just for nightly rentals.  
143

144 Commissioner Branch asked the health department members who were present if they  
145 could forward the check list they use to the BOCC. Building Department will coordinate  
146 with Public Health and Planning and create a building inspection report that will be  
147 used.  
148

149 **Motion Ordinance 2018-5 Adopting a new chapter OCC 5.06 Nightly Rentals**

150 Commissioner Hover moved to approve Ordinance 2018-5 adopting a new chapter to  
151 Okanogan County Code title 5 Business Licenses and Regulation titled OCC 5.06  
152 Nightly Rentals. Motion was seconded, all were in favor, motion carried.  
153

154 **Motion Ordinance 2018-6 Adopting amendments to OCC 17A.270 Nightly Rentals**

155 Commissioner Hover moved to approve Ordinance 2018-6 amending Okanogan County  
156 Code Chapter 17A.270 Nightly Rentals. Motion was seconded, all were in favor, motion  
157 carried.  
158

159 *Initiating Governments*

160 Discussed the meeting scheduled next Monday, April 9<sup>th</sup>. According to Director Huston,  
161 someone will need to apply for grants, either the initiating governments, the county take  
162 the lead, or the planning unit. A decision will need to be made of who will be lead entity,  
163 or if we go out for RFQ. Director Huston will prepare a draft of the agenda for the  
164 meeting and will let those who have requested, know about the upcoming meeting.  
165 Commissioners mentioned various entities they would like notifications to go out to.  
166

167 *Public Hearing scheduled April 9<sup>th</sup> OCC 17A.290 & OCC 17A.220*

168 The public hearing will be to discuss whether or not the interim controls established  
169 should have been adopted. The planning commission will send revisions back to the  
170 Commissioners after the May 14<sup>th</sup> Planning Commission Meeting. Commissioner Hover  
171 mentioned that excise tax revenue went up from \$12,000 to \$40,000. Commissioner  
172 Branch pointed out population being one of the reasons the revenue is so high because  
173 it pays on per capita.  
174

175 *Lake Management District*

176 Director Huston provided an update on the discussions with Veranda beach. Noxious  
177 weed prepared to assist with the process.  
178

179 *Champerty Shores Update – Sewer Project Financing*

180 They are creating some easements for the route of the sewer line, but Director Huston  
181 has received inquiries on ways to fund these. Commissioners Hover wanted to know if  
182 we were to create a sewer utility district and go out for a bond, would revenue be based  
183 on current or projected. According to Director Huston, properties are levied based on  
184 use of system until the bond is paid off. He discussed potential of the City of Oroville

185 doing the bonding. The Home Owners Association of Champerty shores had to have  
186 city water due to some contamination, and the city required that they also hooked up to  
187 the sewer system. Director Huston said this is a common approach for cities.  
188 Commissioner Branch thinks a district will be workable for us. Director Huston is  
189 suggesting that the bond be for total project costs, fees, construction, etc., and then pay  
190 that off. Then the land owner pays a monthly bill for sewer and an annual assessment.  
191 It was discussed that a municipal bond has generally lower interest rates. The  
192 Commissioners are open to the discussion. Commissioner Branch suggested that other  
193 parties outside may be interested as well because they may benefit from use of the  
194 sewer line due to proximity. Director Huston will put together some information and set  
195 something up for them to come in and discuss with the BOCC. Commissioner Branch  
196 would like a map of the area provided when the discussion occurs.

197

198 *Fairgrounds – Northgate service drive grading*

199 Director Huston informed the BOCC of a request to grade one of the Fairgrounds Roads  
200 that is an easement access to neighboring homes. Commissioner Hover thinks it would  
201 be a good idea to get a price from Public Works. He is also looking into a government  
202 type contract for the potential purchase of a tractor.

203

204 As for the new Fairgrounds well, we don't need to do a notice of intent to construct at  
205 this point. Water right information will need to be available when it is drilled. Will need  
206 to contact the archeology department when it comes down to potential irrigation.  
207 Commissioner Hover showed the map that Ted Murray created for all the race track  
208 improvements. An RFP needs to be created. Commissioner Hover would like it done  
209 soon, and asked Director Huston to manage since the Clerk of the Board is out of the  
210 office. Director Huston indicated that he will need specs then he will make draft and get  
211 it to them.

212

213 Commissioner Hover indicated that realtors have been asking what is going on with  
214 water in the valley. Discussed Director Huston creating a map that identifies water  
215 availability as a quick reference, with cautionary language that it is for broad information  
216 purposes. This should help define areas for people easier. Commissioner Branch says  
217 it would be good to run it by Ecology.

218

219 *Comprehensive Plan*

220 The vision statement has been added after the last discussion.

221

222 Director Huston discussed OFM range Population Growth predictions through the year  
223 2040.

224	Low :	-2,367 people & -1,460 households
225	Medium:	+4,501 people & +2,500 households
226	High:	+16,774 people & +9,318 households

227

228 The numbers represent births, deaths, and migration. Director Huston doesn't see  
229 anything changing the migration, which is usually based on trends or events. Although  
230 he says the tree fruit industry is expanding. Commissioner Hover believes that migrant  
231 workers would increase but houses likely to decrease. Commissioner Branch talked

232 about the fires being a reason people may have left, but if people don't have jobs they  
233 won't stay. Director Huston would like to know which of these ranges should be  
234 considered when we move into planning the comprehensive plan. He explained his  
235 position which is Washington trends tend to follow the west side and the west side job  
236 market has a lot of expansion and everyone is getting out of California as fast as they  
237 can. Idaho and Nevada are also having a hot job market. Commissioner Branch  
238 believes the medium projection is reasonable to use. Commissioner Hover discussed  
239 some other statistics that put the population growth over the medium but below the high  
240 projection.

241  
242 *Airport Protection Areas*

243 Commissioner Hover asked about airports under transportation. One of the things left  
244 to do under 17A was to address airport safety. Commissioner Hover explained that  
245 various airports are used for emergency and fire help to fly in/out of. He wants to make  
246 sure they are addressed in the Comprehensive Plan. Director Huston recognizes the  
247 importance of the airports being in the plan, but zone code adopts the text and maps of  
248 airport protection areas. He indicated that it has been looked at, but hasn't gone  
249 through the full process to adopt as the previous board did not want to. Commissioner  
250 Branch pointed out that state aviation promotes zoning to protect the investment of  
251 airports. If the state owns an airport it is still subject to our zoning. If the city owns the  
252 airport, they can annex and zone their own airport, but nothing around it.

253  
254 *City Expansion Areas*

255 Director Huston explained that they are using the maps proposed by the city and would  
256 like to discuss identifying a holding zone. The holding zone is still a county zone, but  
257 we can adopt into our books some of their zoning and apply it if the BOCC wants to do  
258 that. He will wire it into the environmental impacts. Commissioner Branch would like to  
259 see how the cities plan on zoning it themselves. He would like to have a discussion  
260 with them and look at their water and sewer plans. We don't have any control when a  
261 city is annexing, when or how. Commissioner Hover agrees with Commissioner  
262 Branch, but also wants to address Director Huston's concern. We should implement it  
263 with EIS. Commissioner Branch would like some policy with regard to the holding zones  
264 such as what would we zone for outside the expansion area and what standard would  
265 we adopt. Director Huston will put something together.

266  
267 *Resource Land*

268 The current use agricultural tax class was discussed. Director Huston brought up two  
269 criteria for agricultural maps: Forest Land, which will identify timber stands, DFL & open  
270 space timber; and Mineral Land, which they will look at further as maps are generated.  
271 Director Huston would like to know what the BOCC thinks. Director Huston discussed  
272 rural designations and explained a 1 mile swath, R-1 planning on bumping out one mile  
273 from arterial roads. Planning Commission didn't reduce any of rural areas on the  
274 comprehensive plan map, but did on the zone map. The map will not address  
275 ownership, just map out based on agriculture, forest, and mineral. Commissioner  
276 Branch discussed his concerns of making decisions based on the criteria of meeting the  
277 needs of the industry, as there will always be a need. Commissioner Hover agrees that

278 the first step is looking at current criteria. Both Commissioners do not like the verbiage  
279 “meeting the needs of the industry” as being applied to the criteria. Will need to look at  
280 inventory on a map based on the criteria. Commissioner Hover and Commissioner  
281 Branch both agree that they need to come up with ideas to keep the property in the  
282 specific criteria that will keep it viable and financially sound for the owner in the future.  
283 Would like to see a policy statement that agricultural activities are not exclusive to  
284 agricultural resource land. Commissioner Branch discussed that this is a conversion  
285 policy. Commissioner Hover believes that it is both, use while under forest designation,  
286 or the conversion later. Discussed the example of Christmas Tree Farms being  
287 agricultural land. Commissioner Hover indicated that the forest designation is for  
288 production timber. The policy should address other specific uses of the timber.  
289

#### 290 *Aquifer Recharge Area*

291 The Aquifer Recharge area section of the draft that was contributed by Commissioner  
292 Branch was read and discussed. The perception of what is critical can create obstacles  
293 in applying the comprehensive plan when someone wants to expand in an area in the  
294 future. Commissioner Hover asked how the current draft of this section would be  
295 applied if approved as it is now. Director Huston says that some steps need to be taken  
296 to protect the aquifer and identified how it could be contaminated by others around it.  
297 He indicated that it gets identified as it occurs and then you deal with it. Regulation is  
298 already designed to help. If you identify an area for whatever reasons, you may decide  
299 it lends itself to larger lots or on site sanitation systems. Commissioner Branch believes  
300 that it the plan should represent a thought pattern which can answer why something is  
301 being done or decision is made. Commissioner Hover said that it should indicate  
302 guiding principles that help you create what you want in this county and we want to  
303 promote the economy in the county.  
304

305 Director Huston mentioned other changes to the draft. Hazard Mitigation Plan is no  
306 longer a stand-alone section, but added in where pertinent in other sections. Discussed  
307 small lots or undesirable lots that require a purchase of an additional lot to build.  
308 Commissioner Hover thinks that an incentive to purchase or lease would help. Promote  
309 large tracks of open space if they wanted to lease out for other people to farm or  
310 acquiring smaller lots, or subdividing. Commissioner Branch would like people to know  
311 what they can expect to get out of their land when they purchase.  
312

313 Director Huston is tracking all the changes and will be providing the BOCC with the  
314 most updated draft of the Comprehensive Plan.  
315

#### 316 **Motion - Voucher Approval - Commissioners**

317 Vouchers certified and audited by the Auditing Officer as required by RCW 42.24.080  
318 and those expense reimbursement claims certified as required by RCW 42.24.090 have  
319 been recorded on a list, and made available to the Board. As of this date, the Board did  
320 vote, by unanimous vote, to approve the regular vouchers in the amount of \$231,256.31  
321 and the payroll vouchers in the amount of \$1,004,017.99. Warrant numbers as cited on  
322 the attached blanket voucher list. Motion seconded and carried.

#### 323 **Motion Public Health Voucher**

324 Commissioner Hover moved to approve the Public Health Vouchers in the amount of  
325 \$956.94 Warrant numbers as cited on the attached blanket voucher list. Motion was  
326 seconded, all were in favor, motion carried.

327

328 **Review Consent Agenda and Meeting Minutes**

329

330 The board adjourned at 4:40 p.m.

331