

1 **RECORD OF THE PROCEEDINGS**

2
3 **OKANOGAN COUNTY**

4
5 **APRIL 9, 2018**

6

7 9:00 AM	Review Commissioners Agenda and Consent Agenda
8 9:30 AM	Briefing Among Commissioners – Discuss Individual Meetings & Schedules
9 10:30 AM	Exit Conference Methow EMS – State Auditor – Possible Conference Call
10 11:30 AM	Executive Session – RCW 42.30.110 (1)(i) – Legal Matters
11 1:30 PM	Public Hearing – Revisions to OCC 17A Cannabis Operations Ord 2018-2
12 2:00 PM	Initiating Governments Meeting
13	To Follow: Update – Planning – Perry Huston
14 4:00 PM	Discussion – Clerk’s Portal Fees – Charlene Groomes
15 4:30 PM	Review Consent Agenda and Meeting Minutes

16

17 The Okanogan County Board of Commissioners met in regular session on April 9, 2018,
18 with, Chairman Commissioner Jim DeTro, Commissioner Chris Branch, Commissioner
19 Andy Hover, and Laleña Johns, Clerk of the Board, present.

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

22
23 **Briefing Among Commissioners – Discuss Individual Meetings & Schedules**

24 Director Huston

25
26 Director Huston informed the board about a big washout that happened on the
27 Similkameen Trail. He said there were unspent funds that could be used to make the
28 emergency repairs. The funds were through previous donations that were in the
29 Planning Budget but had been absorbed by Current Expense and carried over for the
30 past eight years. Commissioners asked about the parks and recreation fund
31 administered by public works. Those funds are different and administered by Public
32 Works. Director Huston will consult with Public Works Engineer Josh Thomson on the
33 needed repairs.

34
35 The meeting with Yakama Nation was originally set for April 18 and that worked best in
36 Toppenish.

37
38 Director Huston explained his employment contract has termed. The term was set at
39 three years, but it should be consistent.

40
41 **Motion Executive Session RCW 42.30.110 (1)(g)**

42 Commissioner Branch moved to go into executive session for 15 minutes at 9:30 a.m.
43 inviting Perry Huston to discuss the performance of a public employee. Motion was
44 seconded, all were in favor, motion carried.

45

46 Executive session ended at 9:45 a.m. no decisions were made.

47

48 Treasurer McCormack brought the Finance Committee financing certification up for
49 Commissioner DeTro's signature so she can get it off to public disclosure.
50 Commissioner DeTro signed the document.

51

52 **Exit Conference Methow EMS – State Auditor – Possible Conference Call**

53 Cindy Button, Director Aero Methow Jessica Stang State Auditor's Office,

54

55 Commissioner DeTro thanked Ms. Stang for her work on the audit.

56

57 Ms. Stang provided the commissioners with the accountability audit report of the
58 Methow Rural EMS District which covers the periods of 2014, 2015, and 2016. The
59 purpose of the meeting was to go over the items in the report. She went through the
60 audit scope and explained what would be published. The District operations did comply
61 with applicable state laws, regulations, the districts own policies, and provided adequate
62 controls over the safeguarding of public resources.

63

64 Contract compliance was discussed. The commissioners asked that the contact
65 information be changed to reflect the county's address as it incorrectly had Aero
66 Methow address. The exit items were discussed and were noted in the report. There
67 were underpayments to the service provider and the district did not demonstrate it
68 obtained evidence of insurance coverage for fiscal years 2014, 2015, and 2016
69 although the district was covered. The property values were lowered for many due to
70 the fires which may not have translated over to the invoices. Ms. Button didn't know how
71 that played a part in the amount of the invoices.

72

73 Ms. Button explained insurance vendors for insurance was changed and she had
74 previously requested proof of insurance by Libke and they were not able to provide the
75 COI's for previous years. The district had insurance during the periods reported.
76 Commissioner DeTro verified that the district did have insurance coverage.

77

78 In conclusion, Ms. Stang explained notification will be provided prior to report
79 publication. The audit costs were discussed it will be about \$2,000 with no travel costs
80 due to no trips here to discuss the audit. The board was encouraged to fill out a survey
81 about the audit which would provide feedback to Auditor Pat McCarthy.

82 The next audit will be conducted in 2020 for 2017, 2018, 2019. A reminder was given
83 regarding federal awards.

84
85 What can we do now that will help make everything easier for the next audit? Everything
86 is pretty routine and they will always be looking at the contract and payments. Ms.
87 Button further said they received a \$100,000 grant award in 2017, and they were
88 selected for a federal audit, but does that need to be sequestered in preparation of the
89 2020 audit. Yes, one step during planning is to consider any other audit results.

90
91 The report will be modified to provide that the Board did sign all Methow EMS vouchers
92 certifications during the reporting periods.

93
94 Methow Valley Health group meets on the April 13 and will discuss Methow Valley
95 Health. Commissioner Hover may stop by Aero Methow finance committee meeting on
96 April 24 at 4:00 pm at the Aero Methow office. Ms. Button will send the commissioner a
97 reminder.

98

99 **Motion Executive Session – RCW 42.30.110 (1)(i) – Legal Matters**

100 Commissioner Hover moved to go into executive session at 11:30 a.m. for 30 minutes
101 inviting Allan Fisher, Mid Valley Hospital; Dr. Peter Rutherford, Confluence Health, via
102 conference call; John McReynolds, North Valley Hospital; Scott Graham Three Rivers
103 Hospital; and David Gecas Attorney for Okanogan County to discuss legal matters to
104 which the county may become a party. Motion was seconded, all were in favor, motion
105 carried.

106
107 Executive session ended at 12:00 p.m. no decisions were made.

108

109 **Public Hearing – Revisions to OCC 17A Cannabis Operations Ord 2018-2**

110
111 Commissioner DeTro opened the hearing up stating this hearing was to consider
112 revisions to the code regarding marijuana operations controls. He asked for staff report.

113
114 Director Huston provided his staff report. The purpose of the hearing was to take public
115 comment on whether or not to adopt the interim controls or consider additional controls.
116 He provided the board with their options. Either leave the interim controls in place or
117 repeal them and go back to the prior regulations in place. In terms of process, he has
118 issued a threshold determination and the draft is out to the public and a Public Hearing
119 set for May 14 before the Planning Commission on the proposed regulation and then
120 continue deliberations and then provide a recommendation to the board. The review
121 process would be completed around June or July this year.

122 Director Huston stated one task is to adopt the findings. The findings were built into the
123 recitals within Ordinance 2018-2. Commissioner Hover asked if the interim controls
124 were left in place a motion to keep them could be done, but if amended then direction to
125 staff would be needed to draft the document.

126
127 Commissioner DeTro called for public testimony. No one wished to testify although
128 there were several public in attendance. No one wished to sign in.

129
130 **Motion Cannabis Interim Controls**
131 Commissioner Branch moved to leave the proposed interim controls in place as
132 adopted by ordinance 2018-2. Motion was seconded, all were in favor, motion carried.

133
134 *Lake Management District*
135 *Met on April 4, 2018 -Veranda Beach HOA*
136 Director Huston was to contact Veranda Beach executive board about the Lake
137 Osoyoos weed program they have in place. Anna Lyon also attended that meeting. No
138 action was take while they were there. It is not sure what their position is now, but he
139 hopes to get some feedback. If it were part of the district how much treatment would the
140 Veranda Beach area receive? Director Huston said currently the Veranda Beach
141 development treats their lake shore every year and they spend around \$8,000 per year.

142
143 A couple new maps will be created with various ways to gage which individual parcels
144 would be part of the district. A budget was put together at around \$45,000 per year. A
145 final iteration will be presented to the board at a subsequent meeting, said Director
146 Huston. He explained that some land owners own several parcels by Veranda Beach
147 and they only get one vote, and would be good to include. Director Huston explained
148 other conversations with the board that were around lake front properties and
149 agriculture properties.

150
151 He contacted Ms. Voelkers with BLM about the Similkameen Trail washout.

152
153 *Initiating Governments - City of Omak, OTID, and Okanogan County*
154 *WRIA 49 watershed plan revisions-*
155 The Colville Tribe and other interested parties and 11 people from various agencies in
156 the audience.

157
158 Introductions were made of those at the table:
159 Via conference call, Vanessa Brinkhuis, representing the DOE water resource program
160 and contact for the central region.
161 Todd McDaniel, Omak

162 Jay Obrien, Okanogan
163 Char Schumacher, Okanogan County
164 Craig Nelson Conservation district
165 Jerry Barns WRIA 49 work group
166

167 Due to the Governor recently signing the supplemental operating budget, including
168 funding for implementing new water rules ([ESSB 6091](#).) ESSB 6091 relies on planning
169 units created under chapter 90.82 RCW for specific water resource inventory areas
170 (WRIAs) to update existing WRIA plans, with the goal to support actions that restore
171 and enhance stream flows. The county invited the initiating governments to help figure
172 out how to address the rules, and figure out who the lead agency is.

173
174 Ms. Brinkhuis explained the grant is called “Local capacity grants” and up to \$50,000 is
175 awarded, to support lead agencies’ staff time to implement the new law. Additionally, up
176 to \$150,000 may be available for the first phase of planning. The funds will be available
177 to the lead agency to complete the following activities:

- 178
- 179 1. Supporting planning unit meetings, including facilitation and public outreach;
 - 180 2. Estimating 20 year consumptive impacts from domestic wells;
 - 181 3. Reviewing previous plans and studies for relevant elements to be included in the
182 update watershed plan; and
 - 183 4. Identifying additional technical information needed to complete the plan so that it meets
184 the requirements of ESSB 6091.

185 Lead agencies may be awarded additional funding for phase 2 to collect technical
186 information identified in the first phase of planning and to complete a watershed plan
187 that meets the requirements of ESSB 6091. Funding amounts will be determined after
188 completion of the phase 1, and must include agreement from all initiating governments
189 to seek the additional funding. Funding availability after June 30, 2019 will depend on
190 the level of legislative appropriations in the Fiscal Year 2019-2021 budget adopted next
191 year.

192
193 A power point was provided showing the highlights of the discussion today. (attached)
194 An agenda was provided as well. (attached)

195
196 We are only required to figure out WRIA 49 as the rule does not explicitly address the
197 rules and applies only to new domestic water. WRIA 48 already has language to rely on
198 regarding in stream flows. Deadline for plan revisions is Feb. 1, 2021.

199
200 Today we are here to determine lead agency and watershed planning make-up in order
201 to make-up the watershed planning unit amongst the initiating governments.

202 The lead agency shall invite a rep from each recognized Indian tribe that has usual and
203 accustomed harvest area within the water resource inventory area to participate. Mr.
204 Craig explained how this was handles when Okanogan Conservation District was lead
205 agency before.

206
207 Minimum requirements for watershed plan revisions were discussed. Commissioner
208 Hover asked what the requirements are based on for consumptive use. There is
209 information provided by DOE, he replied. The information the watershed plan may
210 include was discussed. How are we collecting the \$500 fee in WRIA 49 if a person is
211 calling the well driller and he goes through those steps to drill a well and the well driller
212 is then contacting DOE and going through their process, who is then collecting the
213 \$500?. Each new building permit is to be charged \$500, replied Ms. Vanessa Brinkman.
214 Dan Higbee stated it was discussed previously that it would be collected by the building
215 department. That was a preliminary discussion, stated Director Huston.

216
217 The list of 27 entities and who they represent was discussed. Commissioner DeTro
218 asked who is still viable from that list. Mr. Craig read from the list the names of who
219 regularly attended those meetings during that time. Commissioner DeTro thought we
220 should start by reaching out to those listed on the master list and see who is still able
221 and willing to serve. Commissioner Branch would like to review the list created first to
222 go through the potential organizations to be represented. A letter would be sent to follow
223 up with those agencies on their desire to participate. The commissioners directed Perry
224 Huston to begin the process of identifying the initiating governments.

225
226 Director Huston asked what selection process is to be used for those selected
227 representatives to participate. Commissioner Branch would like to ensure a balance of
228 governments and that everyone feel good about the list. Director Huston will provide
229 outreach to those who were originally on the list first, then do additional outreach.

230
231 *Lead Entity selection process*

232 If the board choses to consider a different lead agency than Okanogan Conservation
233 District, then an RFP will need to be published. Commissioner Branch explained the
234 board of directors must consider the offer first. Mr. Nelson would need to take it to his
235 board and ask them what the compensation would look like.

236
237 Mr. McDaniel commented that if it isn't broken then why fix it. Many commented that
238 there was a lot of relevant work that went into the watershed plan, so why recreate the
239 wheel.

240

241 Ms. Brinkhuis, DOE, explained there will be a couple different types of grants. Local
242 Capacity Grants supports lead agency staff time to implement the rules. She further
243 explained the phased funding that may be available and what those funds can be used
244 for to complete the plan and meet the requirements in the bill. Phase two funding
245 amounts are not known yet. The system is still being put into place. The templates will
246 be available to Ms. Brinkhuis. The grants will be submitted in paper form and will
247 eventually be integrated to allow submittals via electronic email. Commissioner Branch
248 asked if Ms. Brinkhuis would attend the meetings of the group on a regular basis. She
249 will get clarification on that use.

250
251 Director Huston asked what funds would help with staff time for his initial work on the
252 new rules prior to the group selecting a lead agency. Ms. Brinkhuis explained she will
253 find out if the local capacity grant would support county staff time spent on the initial
254 planning work. Ms. Brinkhuis said the requests for reimbursement can be back dated in
255 order to capture the time spent initially. In the interim, we still have DOE requirements to
256 meet. The timeline is very tight.

257
258 *Comprehensive Plan*

259 *Continued discussion*

260 Angie Hubbard provided the draft plan via screen projector. The section discussed was
261 regarding groundwater and the county's support of water banking.

262
263 Commissioners discussed the readability of the plan to ensure the language in the plan
264 is clear. The commissioners discussed the general planning objectives.

265
266 **Discussion – Clerk's Portal Fees – Charlene Groomes**

267 Susan Speiker, Isabelle Spohn, Salley Bull, Nancy Soriano

268
269 Clerk Groomes explained the Clerk Portal and how and who is allowed to use the
270 system. She said it has taken a lot of work to provide records that are requested. She
271 explained who would be charged to use the system and yet she must maintain
272 everyone's sign-on information. The Clerk proposed that folks would be charged a
273 convenience fee for using the system. It is a major convenience for people to have
274 access to the information. A resolution will be drafted for commissioners' consideration
275 in order to adopt a Fee schedule for the Clerk's office.

276
277 **Review Consent Agenda and Meeting Minutes**

278
279 Adjourned at 4:45 PM.

280