

1 **RECORD OF THE PROCEEDINGS**

2
3 **OKANOGAN COUNTY**

4
5 **AUGUST 22, 2023**

6
7
8 **9:00 AM Review Meeting Minutes August 14th, August 15th, 2023**
9 **9:15 AM Public Comment Period**
10 **9:30 AM Update Human Resources/Risk Management-Shelley Keitzman**
11 **10:00 AM Commissioners to set Wednesday Agenda if needed**
12 **10:05 AM Approve Consent Agenda**
13 **10:15 AM Approve Commissioners Meeting Minutes August 14th, August 15th, 2023**
14 **11:00 AM Public Hearing Road Vacation within the Plat of Monse-Jo Ann Stansbury**
15 **To Follow Update-Public Works-Engineer Josh Thomson**

16
17 The Okanogan County Board of Commissioners met for a regular meeting at 123 5th Avenue
18 North, Okanogan, Washington on August 22, 2023 with Chairman, Commissioner Chris Branch;
19 Vice-Chairman, Commissioner Andy Hover; Member, Commissioner Jon Neal; and the Clerk of
20 the Board, Laleña Johns, present.

21
22 AV Capture and Zoom provided audio and video accessibility for public interaction.

23
24 **Review Meeting Minutes August 14th, August 15th, 2023**

25 Commissioners reviewed their meeting minutes. Commissioner Branch discussed a complaint
26 letter received from Mike Arrington regarding an issue he had complained to the Okanogan
27 County Planning and Development department and the Okanogan County Public Health
28 regarding Mr. Arrington's adjacent property owner that has junk travel trailers parked on the
29 property that are not hooked into a sewer system. Commissioners discussed the complaint.

30
31 Commissioner Hover stated an Invoice for portable lighting/generators will be submitted to Lanie
32 for payment from current expense. The units are \$3800 per unit.

33
34 Asking commissioners to verify the tax roles for Lake Management District which comes from the
35 Assessor. The roles will need to be verified and certified and the date certified is correct. A public
36 hearing is held annually to look at the roles and take anyone off subject to the correct process
37 being followed.

38
39 **Public Comment Period**

40 Member of the public Jim Baruk was physically present and members of the public via zoom, Andi
41 Hochleutner, CWHBA; Mike Maltais, and Ruth Hall

42
43 Mr. Baruk commented on the company fees charged when funds are provided to inmates while
44 incarcerated in the jail. Commissioner Branch stated a complaint was received yesterday about
45 this from Steve. Commissioner Branch stated he followed up with the Sheriff and the Sheriff is
46 communicating with a different company for the administration of jail inmate funds. The current
47 company takes 10% of the funds deposited from individuals for administering the funds.

48
49 **Update Human Resources/Risk Management-Shelley Keitzman**

50 Ms. Keitzman explained a resolution for the temporary appointment of Stella Columbia to the
51 Fairgrounds Manager due to the recent resignation of the current Fairgrounds Manager, Naomie

52 Peasley and Ms. Columbia having filled the role previously. Ms. Columbia was at grade 30 step
53 4 when she left. The effective date is August 23, 2023 since Ms. Peasley's resignation is effective
54 today.

55
56 There is a list of county employees willing to help prepare for and work during the fair.
57 Commissioner Hover stated help would be needed to set up the entertainment stage on Thursday,
58 before fair. Commissioner Branch stated he had called Ms. Columbia and updated her on what
59 was going on.

60
61 Ms. Keitzman received information for the Risk Pool Symposium best practices to combat liability
62 in the jails and law enforcement interfacing. She said she will reach out to the Sheriff and Chief
63 Wolak to see if they can attend. Ms. Milner may attend as well. The Risk Pool will reimburse for
64 the costs to attend.

65
66 One of the CPR and AED trainings will be rescheduled and an additional class will be added. We
67 have up to \$5000 Public Health has committed to help with the training costs.

68
69 **Motion Resolution 111-2023 Interim Fairgrounds Manager Stella Columbia**

70 Commissioner Neal moved to approve resolution 111-2023 appointing Stella Columbia as Interim
71 Fairgrounds Manager. Motion was seconded, all were in favor, motion carried.

72
73 Commissioners reviewed their Parks and Rec Plan adopted in October 2020. They discussed the
74 RCO Grant Pass-through of funds to Methow Conservancy for the Mazama Bridge WSDOT
75 parcel acquisition.

76
77 Commissioner Hover is attending a WSDA grant workshop.

78
79 Commissioners discussed the relocation of the steel building on the Justice Building parcel to the
80 fairgrounds for Beef Barn or Commercial Building use.

81
82 **Approve Consent Agenda**

83 Commissioner Hover moved to approve the consent agenda 1-4 excluding item #5. Motion was
84 seconded, all were in favor, motion carried.

- 85 **1. Otis Service & Repair Order-VG Building-Hydraulic Plunger & Stuffing Box Repairs**
86 **2. ARPA Request #8 Tunk Mtn. Fire Hardening Project \$5809**
87 **3. Appointment Letter-Wolf Cr. Reclamation District-Steve Oulman**
88 **4. Appointment Letter-Board of Equalization At-Large #1-Ruth Hall**
89 ~~**5. Resolution 111-2023 Appointment Interim Fairgrounds Manager**~~

90
91 **Public Hearing Road Vacation within the Plat of Monse-Jo Ann Stansbury**

92 Present: Fredrick and Donna Van Doren petitioners, and Overcast Law Offices, Ruth Hall, and
93 Mike Maltais via zoom.

94
95 Commissioner Branch opened up the hearing asking for staff report for the road vacation within
96 the Plat of Monse. Ms. Stansbury provided her staff report (attached) Comments were provided
97 by Manny Hurtado and Paul Hammons. Terry Meenach was also interested in the vacation. A call
98 from Manny Hurtado's wanted to make sure he could drill a well and Ms. Stansbury relayed the
99 information about that from the Public health and the Mercado's are aware of it. There is a house
100 on Monse Avenue If the Board approves the vacation the petitioners will be required to pay the
101 \$11,762.50. If Mr. Hammons interest in ½ of 2nd street is agreed to he will need to pay \$2850 the
102 petitioners \$8912.50 per OCC 12.90.040. Engineer Thomson reported on the vacation and noted

103 from the record of survey on the house in the right of way. The house was sold to the Hurtado's
104 by the Van Doren's. Whoever benefits from the vacation must pay for their portion of value at
105 \$0.25 per sq ft. The vacation should be contingent on the record of survey being resolved.

106
107 The Van Doren's sold the building to the Hurtado's with an owner carry contract for parcels outside
108 the plat in 2017. It appears that Van Doren's and Hurtado's are working on a BLA adjustment to
109 resolve this issue in conjunction with the road vacation.

110
111 Paul Hammons commented as he has property on south second street. His property is still zoned
112 for 9000 square foot lots and he would like to develop his property for future development. He
113 would like to purchase half of it and he could vote yes on this but if not he will have to acquire an
114 easement later which would cost him money. Engineer Thomson said because the property south
115 was not platted. There is justification either way.

116
117 Chris Erlandson, Firm was hired by Van Doren's to survey the property. The boundaries of the
118 old plat (1915) were reviewed and hardly any monuments were found. They did find where
119 buildings were and right of ways. They looked at county statutes and they have a dedicated right
120 of way, but the roads do not look like they were opened. Case law does speak to abandonment
121 etc... They feel vacation to resolve is the only way to resolve this short of new developments. As
122 things are uncovered more and more was discovered. A resolution to resolve the house issue is
123 still in the works. He thinks because of the statute for plat creation it goes back to the underlying
124 owner, but with the county code it could go either way with south getting half and north getting
125 the other half.

126
127 Emmanuel Hurtado owner of house and other building. He is okay with the proposal, but
128 requested the south side he would like more land on the south end as he felt 20 feet was not
129 enough. Commissioner Branch stated his comment would be taken into consideration.

130
131 David with Overcast Law represents the Van Doren's. The testimony received is consistent with
132 what he has received. He said the county code references petitioner compensating the county
133 however if the BOCC feels it is okay with Mr. Hammons half of the vacation they have no problem
134 with that. Ms. Van Doren would like to share the boundary line adjustment if that is necessary.
135 Ms. Stansbury did not believe it would be necessary.

136
137 Commissioner Branch closed the portion of public testimony but reserves the right for the BOCC
138 to ask questions. Commissioner Hover said the question is not about who gets what, the 20-foot
139 adjustment to provide more land to the Hurtado is a different matter between the parties. Ms. Van
140 Doren explained how some houses were moved out of the water line when the dam went in the
141 water rose. The house was placed where the line was thought to have been, but it was outside of
142 that. Commissioner Branch asked how large the lots sizes were. The boundary line adjustment
143 would tie land to an existing lot of the Hurtado's. Commissioner Branch asked if the result would
144 be a substandard lot? The adjustment would redefine the boundaries.

145 Ms. Stansbury said there was no set back created in the plat. Mr. Hurtado owns 1.67 acres
146 because it is contiguous but the lot is split by the county road. He could drill a well on the other
147 side of the road and obtain an easement under the road to pipe the water to the house. The
148 Hurtado's septic is also on the other side of the road. The Planning Department did not submit
149 comments. Commissioner Branch said as far as the vacation, is it recommended to approve the
150 vacation and existing roads and feels some things are not entirely captured here. Would the
151 commissioners know what the exact events are that are outlined? Commissioner Hover would
152 like to continue the hearing until these things are worked out. Mr. Erlandson said the parties
153 cannot do anything until the right of way is vacated but the landowners cannot turn in an

154 application to the Planning department until it is worked out. Commissioner Branch suggested a
155 conditioned approval until these things can be worked out so certain things can be worked out
156 along the way. Commissioner Hover asked Overcast Law if a legal document gets outlined. Only
157 a document having to do with the Van Doren's, there would have to be an agreement with the
158 Hurtado's to participate and cost of boundary line adjustment. Commissioner Hover said if the
159 hearing is continued in order to work things out. Mr. Hurtado would like this worked out and would
160 like to request more room on the south end which is part of the county land. Commissioner Branch
161 stated the agreement would address each party desire and concerns and the county would
162 approve according to what is agreed to by the parties. Mr. Hammons thought the county easement
163 went all the way up the Monse River road, but he would prefer not to have to deal with the Van
164 Doren's for access. Ms. Stansbury went over the conditions. Overcast Law agreed with the
165 process and approval of the conditions by all parties. Commissioner Hover said if all three parties
166 agree to the arrangement then he would feel better about approving the vacation. Ms. Van Doren
167 stated she and Hurtado can agree to what he is requesting and he is willing to pay for that. Mr.
168 Hammond would still like half of second street and is willing to pay for that. Mr. Hammons is not
169 willing to pay for an easement across Van Doren's nor buy the portion to give him access to
170 Monse River Rd. Mr. Hammons said he can be kept land locked.

171
172 Commissioner Hover would like to look at case law for outside of the plat it goes to the landowner
173 that is outside the plat. Engineer Thomson said he did have Esther look at this and there isn't
174 good specific case law regarding counties. Mr. Erlandson said for Van Doren's and Hurtado's
175 resolve their issues through an agreement and it is brought along with the Boundary line
176 agreement he thinks that would be sufficient for the county to consider the road vacation.
177 Commissioner Hover stated this is a quasi-judicial hearing and so the board may not have phone
178 calls from the parties. Commissioner Branch stated the portion to be clarified by the county Chief
179 Deputy. Commissioner Hover stated with one party buying property (Mr. Hammond) that isn't
180 required in case law, but if everyone can agree to it then the commissioner can consider. He just
181 wants people to be happy.

182
183 **Motion**
184 Commissioner Hover moved to continue the hearing to September 12, 2023 at 11:00 a.m. Motion
185 was seconded, all were in favor, motion carried.

186
187 **Update-Public Works-Engineer Josh Thomson**
188 Engineer Thomson provided his agenda and discussed the items listed there.

189
190 Pond 1 liner seems to be getting past its useful life. A quote to replace is from one vendor as there
191 is only one vendor who does this work. Their quote was for \$55,000 but if it takes longer than
192 \$64,000. A bid award would be not to exceed \$64,000. Engineer Thomson stated a sole source
193 determination is not needed as the vendor is really the only one who does this and project is under
194 \$300,000. The vendor is listed on the small works roster. The county's purchasing policy will need
195 to be updated soon with new state changes. New small business rules need to be incorporated.
196 Our small works roster could be run through MRSC with vendors submitting their application
197 there, but would no longer be as local as it has been.

198
199 Okanogan Wildlife Council Access to shooting range is needed. A process to establish legal
200 access is fairly simple and Engineer Thomson outlined the particulars needed for an agreement.
201 It will be worked on.

202
203 *Maintenance Road Conditions*
204 A brief update was given.

205
206 *2023 Budget Items*
207 Need some budget supplementals to help with the Fire Guardrail, sand manufacture,
208 Similkameen Trail Maintenance. We will need to purchase sand but we are around \$200,000 over
209 budget and will need to purchase winter sand.
210
211 Similkameen Trail maintenance in fund 125 for trail coordination work and maintenance. Engineer
212 Thomson will work on the budget supplemental that would include the position and for the RCO
213 grant for Methow Conservancy reimbursement pass through for Monse Bridge acquisition.
214
215 *Tawlks Foster Bridge Repairs*
216 Engineer Thomson said WDFW isn't considering the work of Yakama Nation towards the work,
217 so the county has to. He will discuss with them tomorrow.
218
219 Constructions projects have no changes. Engineer Thomson stated another road vacation will be
220 submitted for the lost river airport tracts. The reason the road was there was for turn around. He
221 will bring this up at a later date.
222
223 Motion Resolution 112-2023 Signing Authority -Fairgrounds-Stella Columbia
224 Commissioner Neal moved to approve resolution 112-2023 authorizing Stella Columbia for
225 fairgrounds signing authority. Motion was seconded, all were in favor, motion carried.
226
227 **Motion - Voucher Approval - Commissioners**
228 Vouchers certified and audited by the Auditing Officer as required by RCW 42.24.080 and those
229 expense reimbursement claims certified as required by RCW 42.24.090 have been recorded on a
230 list, and made available to the Board. As of this date, the Board did vote, by unanimous vote, to
231 approve the regular vouchers in the amount of \$705,891.72 and Payroll vouchers in the amount
232 of \$1,116,307.66. Warrant numbers as cited on the attached blanket voucher list. Motion seconded
233 and carried.
234
235 **Motion**
236 Commissioner Neal moved to acknowledge the listed 2023 Fair Contracts. (attached) Motion was
237 seconded all were in favor, motion carried.
238
239 **Motion**
240 Commissioner Neal moved to approve the standby agreement between Okanogan County and
241 Lifeline for the Okanogan County Fair week for the cost of \$4,000 and authorized the chairman
242 to sign. Motion was seconded, all were in favor, motion carried.
243
244 **Motion Fair Contract-Joel Knapp-Rodeo Judge**
245 Commissioner Neal moved to approve the agreement between Joel Knapp and Okanogan County
246 Fair in the amount of \$600 for Rodeo Judge at the county fair. Motion was seconded, all were in
247 favor, motion carried.
248
249 Fairgrounds well was scheduled to be blown-out this Wednesday? Commissioner Hover checking
250 on that.
251
252 **Commissioners to set Wednesday Agenda if needed**
253 No meeting was needed.
254
255

256 **Approve Commissioners Meeting Minutes August 14th, August 15th, 2023**
257 Commissioner Neal moved to approve the meeting minutes of August 14 and August 15, 2023
258 as corrected. Motion was seconded, all were in favor, motion carried.
259
260 Commissioners discussed the fairgrounds grounds maintenance as many tree stubs remain and
261 some new trees planted on the north end. Some of the other shrubs need attention.
262
263
264 The board adjourned at 1:00 p.m.