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RECORD OF THE PROCEEDINGS

OKANOGAN COUNTY

AUGUST 24, 2021

9:00 AM Commissioners' Staff Meeting
10:00 AM Update Human Resources/Risk Management-Tanya Everett
11:00 AM Update Public Works- Engineer- Josh Thomson
1:30 PM Public Comment Period
2:00 PM Approve Commissioners Proceedings August 16 & August 17, 2021
2:15 PM Approve Consent Agenda

The Okanogan County Board of Commissioners met in Regular session at 123 5th Avenue North, Okanogan, Washington on August 24, 2021, with Chairman, Commissioner Chris Branch; Vice-Chairman, Commissioner Andy Hover; Member, Commissioner Jim DeTro and the Clerk of the Board, Laleña Johns, present.

AV Capture provided audio and video of the meetings held today, while ZOOM provided best audio accessibility and public interaction.

Discussion Superior Court Operations COVID

Judge Chris Culp, Dennis Rabidou

Mr. Rabidou explained with the ever-changing COVID-19 situation, he wanted to discuss options for the courts to be able to stay open. Mr. Rabidou discussed the need to prepare a space for the courts high profile trial that is coming up. The jury selection process will require a large space like the commissioners hearing room. The courts will know in a week whether they will need to bring in an extra 100 people or not. Commissioner Hover said the Sheriff intends on upgrading their conference room technologies, once that happens the BOCC will be able to utilize the room so Superior Court may use the boards hearing room.

The commissioners said their hearing room could be used over the long term for the court's jury selection processes. The commissioners will utilize the Sheriff's Conference room, once the technology is upgraded. Judge Culp thought the commissioners hearing room could work instead of the Agriplex. He did not see the court needing the Agriplex this fall with this arrangement.

Commissioners discussed options to fund the Forest Service building. What can the courts do to help finalize the Forest Service Building, asked Judge Culp. Commissioner Branch said the board still needs to discuss the details of the process for securing the funding. Commissioner Hover said once the building is purchased, does the board go out for another bond to provide funds to refurbish the building. It is such a big plan with \$20-30 million going into costs to refurbish the building.

To use the Sheriff's conference room, Commissioner Hover would like all the same technologies as is in the commissioners hearing room i.e. AV Capture, Zoom, good internet access and access to phones and computer.

52 **Commissioners' Staff Meeting**

53 Fairgrounds Kyle Haugen, Director Pete Palmer

54

55 Mr. Haugen relayed that the fairgrounds tractor is in the shop for throttle issues. Also, a bolt was
56 sheared off of it and while fixing it the repair tech noticed the right front bearing was going out.
57 Mr. Haugen said the tractor is used for things it should not be used for because the grounds does
58 not have proper equipment for the work to be done. A larger tractor won't fit in the commercial
59 building. He asked if a tractor could be rented for fair? He thought ER&R would have one. Since
60 we have been open more and the grounds are being used more, there is also a lot more garbage
61 accumulation and more equipment usage. Mr. Haugen reminded the board the fairgrounds
62 garbage truck is still sitting. It was surplus but it never made it to the auction.

63

64 Mr. Haugen said a washer dropped into the new water truck's transmission and broke some teeth.
65 The truck is being repaired and the cost will be around \$4,000 for the rebuilt transmission.

66

67 Mr. Haugen said he is preparing the grounds for fair. The brown spots where tents were placed,
68 might not recover. He is preparing to paint the benches.

69

70 The commissioners discussed desired COVID protocols, the safety officer requested by FAC and
71 the board's wish for frequent reports by the safety officer. Commissioners will discuss protocols
72 with Lauri Jones.

73

74 Director Pete Palmer provided a map of concentrated areas where the marijuana grows are
75 located. She showed aerial photos of the Pitt grow site with its many unpermitted structures. There
76 are other enforcements she is working on as well. She provided some bullet points for grows to
77 become compliant during the moratorium. She explained some good points in the Chelan County
78 code and relayed how that county dealt with similar issues.

79

80 Commissioner Hover asked Director Palmer to work with Chief Civil Deputy Gecas on the draft
81 moratorium. A legal review would be needed. Commissioner Branch said the moratorium might
82 apply to any new cannabis or expansion of existing operations foot print. Sub leasing would be
83 considered an expansion.

84

85 The Clerk of the Board provided her staff update. She explained the recent Dept. of Revenue
86 review that she participated in of the county's Board of Equalization process. This process is to
87 ensure counties are following the appeal process properly.

88

89 Emergency Management Maurice Goodall provided an update on the fire crews staying on the
90 fairgrounds and where they will move to during fair time. He is working with Public Works for the
91 cleanup. The recent rain fall allowed crews to move into mop up with the fire 75% contained in
92 the Bonaparte area. Hazardous trees definition will need to be clarified so trees that could cause
93 a road hazard get removed.

94

95 Vaccine clinic happening on the Fairgrounds this Friday. The booster shot will become available
96 and they are ready for it. Lauri Jones was requested to provide a COVID update to the board.

97

98 **Update Human Resources/Risk Management-Tanya Everett**

99 Ms. Everett provided her staff report. She explained there are many vacant positions in the county
100 and applications are being submitted. Open Enrollment is September 1-15 to choose to purchase
101 the private insurance rather than the state provided that is requirement.

102

103 With the Blake decision coverage, the state court found it unconstitutional to charge people with
104 simple possession. An attorney is working clients to help reverse the charges. Ms. Everett is
105 working on Criminal justice billings.

106
107 Ms. Everett explained there is a decrease in the public defender grant that used to be around
108 \$60,000 is now down to \$48,000 since she started.

109
110 There are currently three employees away with COVID right now.

111
112 Ms. Everett stated safety assessment/report was completed August 11, 2021. It reported on the
113 Courthouse, Gun range, and Sheriff's office. She did receive some recommendations like
114 Courthouse security, but that is very costly. They did appreciate that we had mobile metal
115 detectors and they were impressed with the gun range, safety measures etc... of that facility.

116
117 Commissioner Hover asked that the CPI increase be calculated on the new bill to reflect their
118 contracted jail bed days. Those invoices are going out this week. Commissioners clarified roles
119 and responsibilities in terms of the jail contract.

120
121 Commissioner Branch said if the commissioners are not here and elected officials are doing things
122 there should be a system in place to provide for when they are not here, since the county doesn't
123 have an administrator. We would need to find someone that was not emotional about what they
124 were doing because they would work with elected officials. Do not have a person specific for
125 capital facilities stuff like building a barn at the fairgrounds there isn't someone who manages or
126 administers the details. What kind of authority would the board give them to act for the board.
127 Commissioner Branch said if the board doesn't have one that the things the board does
128 individually has someone in place to take it on when the commissioners' leave.

129
130 Commissioners discussed when a department must come to the board to ask permission to spend
131 funds and at what level a department head can make the decision without first asking the board
132 for permission. Commissioners discussed the difficulty people have understanding the difference
133 between a Public Work project and a Public Works Department. They are two different things.
134 Commissioners discussed providing department clear purchasing guidelines. Keep track of things
135 outside the scope that are not budgeted for but had to be done.

136
137 Commissioner Hover stated people become dependent. He discussed his personal issues when
138 dealing with staff and situations. Commissioners strategized when staff would come to the
139 commissioners about things.

140
141 Lauri Jones arrived at 10:30 a.m. to provide a COVID update. PH will be issuing a media release
142 on the Omak Stampede outbreak. There are about 2-dozen cases and the list is growing. 40 case
143 yesterday and 20 today and more tomorrow. She provided update on Hospital capacity. There
144 are 3 patients under 30 years of age which is unusual.

145
146 Ms. Jones said Grant County submitted a letter to the community and fair goes to outline
147 measures to use. She agreed someone should be designated as a COVID officer to help. Extra
148 hand washing stations are needed. Cub Creek and Cedar Creek fire fighting groups have worked
149 well with Public Health. Maurice Goodall explained the problem areas at the fair to be aware of
150 such as livestock auctions, grand stands, and food courts. People should take precautions for
151 coming into contact with people. Ensure wash stations are sanitized, clean, full paper, water and
152 soap.

153

154 Ms. Jones clarified the biggest issue is overburdening the healthcare system. If the hospitals are
155 full of people with COVID who have chosen not to vaccinate and they are the ones taking up beds
156 in the hospital and someone else has a heart attack they out of luck, that is a huge issue. Those
157 same people had to show they had their MMR, Polio, Tetanus before being allowed to go to
158 school. It is no different now, said Ms. Jones. We have a responsibility to take care of our
159 community and our family and with that comes a responsibility. The Pfizer has complete FDA
160 approval.

161
162 A COVID officer is needed at the fair to play the role of public health information person to help
163 remind people to stay safe. Ms. Jones suggested Patrick Dunn. Commissioner Hover asked for
164 a list that will help us make it safer for people to go to the fair. Take personal responsibility to help
165 others and yourself stay out of the hospital.

166
167 Lauri Jones stated Public Health is funded through December for vaccines. After fair they would
168 like to resume the vaccination clinics and hope to use the Agriplex for it. Ms. Peasley has reached
169 out when she needs guidance, but it would be nice to take this off her plate.

170
171 **Update Public Works- Engineer- Josh Thomson**
172 **Kent Kovalenko**

173
174 Engineer Thomson provided his agenda and discussed the items listed there.

175
176 *Maintenance and road conditions*

177 *Fires*
178 Activity is way down but rehab work is beginning on forest service roads even though they are
179 using our roads. Seeing a lot of burned snags cut and left on the road. There is a lot of brush
180 and sticks as result in our ditches and it will be addressed. Wolf Creek road was requested to be
181 graded since it was torn up bad by fire crews. If we use our people we should

182
183 Cheweha and Cedar Creek got FMAG funds. Six other fires with costs are not eligible. For the
184 most part everyone has been working well together.

185
186 *Bailey Creek culvert @ Aeneas Valley Rd*

187 This is a county projects which started yesterday to replace a culvert and expected to be
188 complete next week.

189
190 *Ross Canyon Rd repairs*

191 This project was on the list to chip seal. It is being built up to repair areas. Bumping excavators
192 from one project site to another.

193
194 *Balky Hill Rd irrigation canal bridge removal*

195 Engineer explained the work to remove the bridge.

196
197 Commissioner Hover asked that the FFA be invited to a discuss automated dates because there
198 isn't much room on the road to the airport. The road could cause the airport not to be able to grow
199 and the area of influence might dictate the size of aircraft the runway can handle. The runway re-
200 positioning would be a good discussion.

201
202 *Tawlks Foster Bridge scour protection*

203 Engineer Thomson discussed the Tawlks Foster Bridge scour protection. BPA would not
204 participate and there is about \$30,000 worth of work to be done on the bridge. LTAC Funds were

205 discussed to pay for it. It either gets fixed or it gets closed. The liability is too great. It does need
206 some rip rap right now for a temporary fix.

207
208 There is a project south of Oroville that may be the railroads or DOT's and they haven't involved
209 the county to use a county road for detour without coordinating with the county first. Engineer
210 Thomson will follow up.

211
212 Engineer Thomson explained what the agreement was for.

213
214 **Motion Agreement Removal of Waste Sand Material-Granite NW, Inc**

215 Commissioner Hover moved to approve the agreement and authorize the chairman to sign the
216 agreement between Granit Northwest, Inc for the removal of gravel. Motion was seconded, all
217 were in favor, motion carried.

218
219 **Public Comment Period**

220 Isabelle Spohn commented on the advisory committee for Methow to become active after the
221 comp plan is adopted. She thinks waiting until after the comp plan is approved is way too late and
222 takes too much time. She commented on the commissioners' discussion from yesterday and said
223 the dark sky overlay which is far too complicated and too much opposition. She continued to
224 comment on the points the commissioners discussed yesterday and how those points do not fit.
225 A competent facilitator would be helpful but they would need to dedicate a lot time.

226
227 Ruth Hall commented about this morning's discussion with Lauri Jones and Maurice Goodall
228 about the fair. Ms. Hall is concerned that we take what is happening with COVID seriously and
229 provide masks. With Okanogan County only being 50% vaccinated, it is more than a personal
230 responsibility and not to have a fair be named a super spreader. Indoors there has to be
231 something in place to protect each other, like masking. Direction should come from the
232 commissioners to the public. The fair is important to the county, and she wants to go, but only if
233 people take it seriously.

234
235 Director of Planning Pete Palmer explained she drafted an ordinance as requested regarding
236 marijuana grow moratorium. She stated the state changed its law and doesn't require use of
237 Mylars stamped by the licensed surveyor any longer and she just heard about this rule change.
238 As a result someone affected by the change was unhappy. Director Palmer said an amendment
239 to the county regulation might be considered after some research is done.

240
241 Director Palmer did hear from Hans Smith from the Golden Doe and they went through all state
242 land hoops for fire mitigation and all kinds of protective equipment on site and he will provide a
243 list

244
245 Director Palmer read the drafted ordinance regarding the moratorium. She stated the county does
246 need to hold a public hearing within 60 days of adoption. Commissioner Hover asked her to
247 coordinate a date with the Clerk of the board and publish the notice.

248
249 **Motion Ordinance 2021-9 Marijuana Grows Moratorium 17A.290. Title 15**

250 Commissioner Hover moved to approve ordinance 2021-9 establishing a moratorium on new
251 marijuana grows or expansions. Motion was seconded, all were in favor, motion carried.

252
253 Commissioner Branch wants to keep track of why we are doing this, enforcement is one. It is
254 difficult to track what happens on these sites. Make sure we do not get sideways. Commissioner
255 Hover said he would like to see the owner of the parcel to be the only one who can hold the

256 license. It makes the zoning dictate how many grows can be done on a parcel. The businesses
257 should be paying personal property tax. Many owners not know what is going up on their leased
258 property. Commissioner Branch wants these addressed with an even hand.
259

260 **Approve Commissioners Proceedings August 16 & August 17, 2021**

261 Commissioner Branch would like more time to review the meeting minutes and consider
262 approving next week.
263

264 **Approve Consent Agenda**

265 Commissioner Hover moved to approve the consent agenda items 1-5. Motion was seconded, all
266 were in favor, motion carried.

- 267 1. Special Occasion Liquor License-Tonasket Comancheros 9/9-10/2021 Roger Sawyer
- 268 2. Board of Equalization Convening Date Approval Sept. 29, 2021
- 269 3. Resolution 105-2021 Budget Amendment Board of Equalization Fund 001.012
- 270 4. Resolution 106-2021 Authorizing Use of Affordable Housing Funds-\$100,000
- 271 5. Amendment #1-Affordable Housing Funds -Housing Authority of Ok Co- \$100,000
272

273 Commissioner Branch discussed Champerty Shores sewer situation and financing the project via
274 a bond or by some other source. He isn't sure the board is in the same frame of mind to fund the
275 project. He is not excited about creating a bond and special taxing assessment for the district to
276 pay for it. Commissioner DeTro thought the group was going to figure out a way finance the
277 system themselves. The project has been delayed a long time. Commissioner Hover would like
278 to look at the financials for the proposed system. Review of the contract between the city and the
279 parties. Is the board interested in bonding, asked Commissioner Branch? Commissioner Branch
280 said he would obtain a valuation of the development for commissioners' review.
281

282 **Motion Tonasket EMS District**

283 Commissioner Hover moved to adjourn as the BOCC and reconvene as the Tonasket EMS District.
284 Motion was seconded all were in favor, motion carried.
285

286 Commissioner Hover moved to approve the Data Sharing Agreement and authorized the
287 chairman, Commissioner DeTro, to sign the between the District and the State Auditor's office.
288 Motion was seconded, all were in favor, motion carried.
289

290 Commissioner Hover moved to designate Commissioner DeTro as the chairman of the Tonasket
291 EMS District. Motion was seconded, all were in favor, motion carried.
292

293 Commissioner Hover moved to adjourn as the Tonasket EMS District and Reconvene as the
294 BOCC. Motion was seconded all were in favor, motion carried.
295

296 Commissioner Hover discussed a voucher invoice in the Public Health vouchers that was brought
297 to his attention for massages. He isn't sure if county grant funds can pay for it. He feels it is odd
298 how the public health vouchers are approved by the county commissioners then by the public
299 health board. He doesn't want to hold up the vouchers, but he would like to hold this one back until
300 he can discuss with the board of health.
301

302 **Motion - Voucher Approval - Commissioners**

303 Vouchers certified and audited by the Auditing Officer as required by RCW 42.24.080 and those
304 expense reimbursement claims certified as required by RCW 42.24.090 have been recorded on
305 a list, and made available to the Board. As of this date, the Board did vote, by unanimous vote,

306 to approve the regular vouchers in the amount of \$920,264.31. Warrant numbers as cited on the
307 attached blanket voucher list. Motion seconded and carried.

308

309 **Motion Public Health Voucher**

310 Commissioner moved to approve the Public Health Vouchers including regular vouchers in the
311 amount of \$9,708.23. Warrant numbers as cited on the attached blanket voucher list. Motion was
312 seconded, all were in favor, motion carried.

313

314

315 The board adjourned at 2:55 p.m.

316