

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17

RECORD OF THE PROCEEDINGS

OKANOGAN COUNTY

AUGUST 28, 2018

8 9:00 AM Commissioners' Staff Meeting
9 10:00 AM Update – Assessor – Scott Furman
10 10:45 AM Public Hearing – 6 Year Transportation Program – Jo Ann Stansbury
11 11:00 AM Update – Public Works – Josh Thomson & Ben Rough
12 1:30 PM Citizen Comment Period
13 2:00 PM Bid Opening – County Surplus Auctioneer Services – Laleña Johns
14 2:30 PM Tentative Discussion – Probation Window Installation Bids – District Court
15 3:00 PM Update Human Resources / Risk Management – Tanya Craig and/or Debi Hilts
16 4:30 PM Approve Consent Agenda

18 The Okanogon County Board of Commissioners' met for its regular session on August 28,
19 2018, with Chairman, Commissioner Jim DeTro, Vice-Chairman, Commissioner Chris
20 Branch and Laleña Johns, Clerk of the Board, present.

21
22 Commissioner Andy Hover, absent today due to attending to personal business.

23
24 George Thornton member of the public taking hand written notes.

Commissioners' Staff Meeting

26
27 David Gecas, Stella Columbia, Joe Poulin, Perry Huston

28
29 Ms. Columbia reported that NCI Data will charge a onetime fee of \$500 to install
30 the wireless satellite permanently at the fairgrounds with no contract and we
31 choose when it is to be used. Or we could pay \$250 for it to be installed just for
32 the fair then removed afterward. This would provide internet access to RV guests
33 and users of the facilities. The phone system is being changed over to Shoretell.
34 Commissioner Branch asked if someone else can provide the internet connection
35 and would it be any better. Ms. Columbia did not know.

36
37 Ms. Columbia explained an issue about how to provide insurance coverage for
38 volunteer equipment operators during the fair. She said she spoke to Ms. Craig
39 about it but at this point she still doesn't understand. She was told to call around
40 to insurance companies for quotes but the companies she contacted are having
41 a hard time understanding precisely what the arrangement is they are to provide
42 a quote for. Director Huston directed Ms. Columbia to discuss with Ms. Craig the
43 specifics of what exactly the Risk Pool will cover. Mr. Poulin said the liability
44 portion of an accident is not covered when a volunteer is allowed to operate
45 county equipment. Only county staff is covered by the county insurance.

46
47 Ms. Columbia asked exactly what is the county's liability when a lessee breaks a
48 contract with the county or liquor licensing laws of their WSLCB permit.
49 Commissioner DeTro replied that the Security Company should know what they

50 are allowed to do when a guest is in violation of the contract with us. The Sheriff
51 is also authorized to enforce the laws. Phoenix Security staff may not perform a
52 citizen's arrest if any illegal activity occurs rather they should call the sheriff.
53 Director Huston explained Joint and Liable in terms of this scenario should
54 someone who is too intoxicated drive and injure someone.

55
56 David Gecas discussed similar cases where Phoenix Security was involved. He
57 thought it had to do with Stampede.

58
59 Ms. Columbia explained the Agriplex could be rented to more groups if the sound
60 issue was resolved. The PA system sound reverberates badly with music being
61 the worst. More events could be held like concerts if the acoustics were better.

62
63 Joe Poulin provided a job description for a Maintenance Tech for commissioners'
64 review. Commissioner DeTro stated he would like Commissioner Hover to review
65 beforehand.

66
67 Mr. Poulin explained what preparations are being made by his staff for the fair.

68
69 Mr. Poulin said a bid was received to replace the pipes that caused the problem
70 in the Juvenile Detention. A camera was sent down the sewer to see what the
71 root of the problem was and tree roots were seen coming through the lines. The
72 resolve was to apply copper sulfate to kill the roots, but that is not a permanent
73 fix and the pipes will need to be replaced at some point. Bids for that will be
74 solicited. Also one of the trees will need to be removed. Commissioners'
75 understood the issues and commented on how well the grounds look.

76
77 Mr. Poulin said the new fairground's bathroom received its final inspection and
78 was signed off. He suggested having a grand opening with balloons and ribbon
79 cutting. The commissioners' thought that was a funny idea.

80
81 Attorney Gecas explained some items he is catching up on now that he is back in
82 the office. Some research is needed in order to answer the question about the
83 Lake Management District ballots and how those are to be handled. There are
84 several public records requests that have taken a significant amount of time to
85 review. He stated the most recent search turned up 300 hits and he put a lot of
86 work up front to narrow it down to 100. There is nothing that requires the
87 requestor to be reasonable and the only thing we can do is ask for more time.
88 There is a WAC that addresses this vaguely and does leave us in a tough spot.
89 The division of appeals set the penalty to zero when an entity withholds
90 requested responsive documents within the time allowed.

91
92 Director Huston noted the Letter of Intent discussion is scheduled today at 2:30
93 and there will be several entities calling in via conference call to participate in the
94 discussion. Draft ordinances for Tunk, LMD and Cannabis will be readied for
95 signature too.

96 **Update – Assessor – Scott Furman**

97 Treasurer McCormack, Larry Gilman, Dee Wood, Perry Huston

98

99 Director Huston explained they put together about 229 ballots with 229 statements
100 some of which are multiple parcel owners, and the mailer is already formulated. Which
101 office will mail the annual invoice? Treasurer McCormack said there is more to it than
102 that. Is the board set up to do this? The Board of County Commissioners' is the board
103 for the district, state Director Huston. Treasurer McCormack said for most districts she
104 bills these are the questions that come to mind 1) Who is then going to give her the
105 roles, 2) Who sets the rate, is it in the ordinance for the \$160 per parcel charge, 3)
106 When that happens when is billing to occur, will it begin 2019? Also, her office will need
107 all the information for the second half of the year and no later than November 1. Is she
108 allowed to charge the district a service charge like she does other districts, she bills
109 \$1.75 per parcel? Yes, and a preliminary budget will also be needed for expending and
110 receipting the revenue, explained Director Huston. Who does the district resident
111 contact when there is a problem with the billing? Director Huston indicated he has not
112 yet received instructions but assumes he would be the liaison between the LMD and
113 Noxious Weed. Who then deals with the person who calls and refuses to pay? She
114 explained the delinquency rules for placing a lien on the property but she is not sure if it
115 applies to this district situation. Assessor Furman read from information he had which
116 says property can be foreclosed upon like in other situations dealing with nonpayment's.

117

118 Assessor Furman provided his departmental update. His staff is currently working to
119 complete this year's assessments. The Oroville area will be appraised next. He is also
120 working with the Chief Appraiser and staff for a smooth transition hoping what he has
121 established in the department will be continued by Mr. Gilman as the newly elected
122 assessor. Treasurer McCormack works closely with the Assessor's office and has
123 developed a really good working relationship among the staff. She feels comfortable
124 working with Mr. Gilman in the future.

125

126 The commissioners' discussed the Assessor's previous request to send letters to
127 WSLCB to object the renewal of certain WSLCB licenses where the marijuana licensee
128 has not yet submitted a personal property list for taxing purposes. There is no other
129 segment of business that has this lack of reporting personal property as this group has.
130 He is hoping some legislation will be brought forth to address this issue as it is an issue
131 state wide. Commissioner Branch said the reality is they are like other businesses and
132 should be complying with the laws in this regard.

133

134 **Public Hearing – 6 Year Transportation Program – Jo Ann Stansbury**

135 Engineer Josh Thomson

136

137 Commissioner DeTro opened the hearing up stating the hearing was set to consider
138 adopting of the county's six year transportation program.

139

140 Ms. Stansbury provided her staff report. This is the planning tool the county uses for
141 articulating its program to CRAB for funding. No comments were received. The appeal
142 period ends August 30, 2018.

143
144 County Engineer Thomson stated there are 21 projects listed. The status is for each is
145 either Proposed or Secured funding. He discussed that CRAB requires any funding we
146 apply for to be on this list. The RAP prospectuses will be discussed later. There are
147 newer projects he is hoping to get funding for. The Bridge Report was submitted
148 previously for review. There is no way to propose a balanced budget right now without
149 knowing if those projects are funded, but an amendment can be made later.

150
151 Commissioner DeTro closed the hearing to public comment and opened up the hearing
152 to commissioners' discussion.

153
154 **Motion Resolution 88-2018 Adopting the County's 6-Yr Transportation Program**
155 Commissioner Branch moved to approve resolution 88-2018 which adopted the county
156 six year transportation program. Motion was seconded all were in favor, motion carried.

157
158 **Update – Public Works – Josh Thomson & Ben Rough**
159 Engineer Josh Thomson provided his agenda and discussed the items listed.

160
161 *Maintenance and Road Conditions*
162 Engineer Thomson explained the Sinlahekin Rd culvert. He was hoping to have the
163 authorization to purchase the culvert so it can be ordered and constructed this year. He
164 may have that later today for signature. The cost is around \$65,000 just for materials.

165
166 *RAP Final Prospectuses*
167 For the state funding, Engineer Thomson explained he submitted five projects with two
168 being carried forward, with local preferences which would use the 10 bonus points we
169 have. Engineer Thomson explained the first of the two projects is on Old 97 north of
170 Comstat towards Silver Spur and the second project is the Loomis/Oroville road project.
171 The decision must be submitted on Tuesday after commissioner approval. The board
172 had no problem with those being submitted and using the bonus points for those
173 projects.

174
175 Engineer Thomson explained for the 3R projects we can submit twice our limit with a
176 10% match, and he has three he has considered, they are: 1) Hwy 7 overlay, 2) Salmon
177 Creek road drainage, and 3) Loomis Oroville culverts where Whitestone creek crosses
178 the road in three places. That would be around \$260,000 which would leave a lot of
179 money on the table. The salmon creek drainage project is a priority and he will submit it,
180 if the commissioners' are okay with that one. Commissioners' were okay with submitting
181 the Salmon Creek drainage project. Connie Iten was also previously asked to weigh in
182 on the project.

183
184
185 *Methow River Town of Twisp Concern*

186 Engineer Thomson explained flooding is widespread in that area due to river dynamic
187 and the desire is for everyone to discuss together a course of action at a meeting
188 scheduled next week.

189
190 *Buffalo Project CCT*

191 Engineer Thomson explained this is a \$5.7 million dollar award to the tribe out of
192 Spokane. They still do not have the permit from the county but it is moving forward.

193
194 *Peter Dan Road*

195 The road was reopened on Friday, but work is still occurring to finish up the project.

196
197 *Tonasket Bridge*

198 This project will likely be completed at the end of October.

199
200 Engineer Thomson explained there were items belonging to Public Works that were
201 recently declared surplus, but those items are planned to be sold elsewhere. He
202 explained what those items were. The big items were the 1990 Cat 14 series and the
203 backhoe, but the backhoe is actually going back to ER&R for landfill needs. He was
204 hoping to get a different interest group to bid on the 1990 Cat. He also explained the
205 radios don't function and there was no way to delete the program in them. In the past
206 those were disposed of via landfill and squished. The listed distributors are used for
207 waste oil and one has a blown engine. The more recent distributor (1975) will be sold
208 elsewhere.

209
210 Commissioner DeTro would like to know these details well before the auctioneer bid
211 notice is published. In fact, the information should be provided prior to the public hearing
212 to surplus. Because the grader was on the list the auctioneers bid upon and will be
213 submitting bids based on the list, he would rather the grader stay here rather than being
214 sold elsewhere.

215
216 Commissioners' directed that in the future, if Public Works has a different plan for
217 disposing of items surplussed, then that information needs to be addressed separately
218 and must be known at the time the Clerk solicits surplus lists from departments so the
219 resolution can reflect how the items are to be disposed of.

220
221 Commissioner Branch discussed sewer system pipes and responsibilities in terms of
222 Elmer City.

223
224 **Citizen Comment Period**

225 Engineer Thomson was provided time this afternoon to explain the need for
226 authorization to purchase the box culvert for Sinlahekin Road repairs. He presented the
227 document for approval.

228
229 **Motion Purchase Request**

230 Commissioner Branch moved to approve the request of Public Works to purchase the
231 box culvert from Contech Engineered Solutions for the amount of \$63,417.10. Motion
232 was seconded, all were in favor, motion carried.

233

234 **Bid Opening – County Surplus Auctioneer Services – Laleña Johns**

235 Dal Dagnon

236

237 Commissioner DeTro stated the time for receiving bids for Auctioneer services is now.
238 Two bids were received on time.

239

240 Commissioner DeTro explained when the board met with Public Works earlier today,
241 the radios on the list of surplus could not be decommissioned, and therefore those are
242 not to be sold but rather destroyed. The back hoe is going back into ER&R to be used at
243 landfill. Everything else remains the same.

244

245 Mr. Dagnon stated it doesn't make a difference now. The back hoe was an important
246 element to the sale, but the county needs it. Commissioner DeTro stated moving
247 forward departments will be required to communicate when surplus is to be disposed of
248 differently than through county auction.

249

250 Commissioner DeTro opened the bids and read aloud the quote of each bidder.

251

252 Campbell Auction Company

253 Copy of Auctioneer licenses

254 14.9% of gross

255

256 D&D Auction Company

257 Copy of Auctioneer License

258 14.9% of gross

259

260 Since both bids were exactly the same, the civil deputy will need to review and provide
261 advice on the next step.

262

263 Dal Dagnon explained this happened in the past, when it did D&D Auction and
264 Campbell Auction would just work together using a three party agreement then they
265 would split the gross percentage of proceeds. The duties would also be split between
266 the two companies. Mr. Dagnon suggested his company manage the book keeping as it
267 would not be appropriate for them both to do that. The civil deputy will need to provide
268 advice and Campbell Auction will also need to be contacted and agree.

269

270 Mr. Dagnon also suggested future bid notices include language to require vehicle
271 dealer's license, and a mechanism for collecting and remitting sales taxes and vehicle
272 transfer fees.

273

274 **CANCELLED Tentative Discussion – Probation Window Installation Bids – District**
275 **Court**

276 **Discussion Letter of Intent Water**
277 Perry Huston, Scott DeTro, Tyson Carlson

278
279 This meeting was initiated because the commissioners' asked for more clarification on
280 the letter of intent for water banking of Oroville Tonasket Irrigation District.

281
282 Tyson D. Carlson with Aspect Consulting is working for the district and is here to answer
283 questions regarding the water mitigation Letter of Intent. He stated the price match is
284 \$10,000 County and \$10,000 Oroville-Tonasket Irrigation District with an MOU that
285 would provide the framework on how the mitigation program and water bank is to be co-
286 managed to meet the needs of the county. The other thing is it allows funding under
287 92.61 but it is not clear what project would be applied for under the county program and
288 water banking.

289
290 Tyson D. Carlson explained that correct terminology should be used as the term of the
291 agreement will be in place a very long time with permanency and that is what DOE
292 wants to see. There are many municipalities that rely on long term agreements such as
293 Lake Roosevelt which supplies mitigation water to many entities for year round
294 domestic water supply and they do so through a long term agreement. With the lease
295 arrangement, there would be no problem with that. Commissioner Branch said it
296 reminded him of a similar situation he knows the city of Oroville is involved in. There
297 would be a contractual mitigation obligation agreement well before the long term
298 agreement would be terminated.

299
300 The district's attorney, Scott DeTro, stated what we will get is the building permit statute
301 for adequate water supply, and a lender is not going to come back to determine the
302 underlying provision. Do we have the mitigation certificate? OTID is different due to their
303 statutory authority to withdraw water. They used a license agreement not a water right
304 and that cannot meet the requirements by itself but it is terminable under certain
305 conditions including use of the water. OTID is willing to fashion the contract like an
306 interlocal agreement that outlines how the water is to come to the county. OTID cannot
307 sell the water outright as it must be surplussed to the district's needs first. The district
308 has some of the most senior rights in the basin and county use of the rights does put us
309 on secure footing, but everyone is subject to adequacy and curtailment. With an escape
310 clause, OTID would need to terminate the use if the county has a mitigation program in
311 place and OTID would not want to rip the rug out from under the county.

312
313 Commissioners' have a good handle on what the \$10,000 would be used for.
314 Commissioner DeTro asked if there was a time line. The OTID is anxious to get
315 something going and have put a lot of work into getting the water certificated. There is a
316 real sense of urgency due to DOE releasing the funding as a result of proposals
317 received. A good grant package would help position the county to capture as much of
318 the funds as it can.

319 Commissioners' have enough information to have a good conversation about it with
320 Commissioner Hover when he returns next week. Is there a sense of when the

321 commissioners' would act on this? It would likely be next week when commissioners'
322 return on September 4th. The attendees thanked the board and exited.

323
324 Commissioners' discussed the issue further. Director Huston was not sure how many
325 shovel ready projects would be submitted to DOE. There may be some things from
326 Aspect Consulting that can be used to begin with. Our relationship would be with OTID
327 and they would retain the relationship between Aspect Consulting. Whom they contract
328 with to provide the service, is up to them. The letter of intent tells what the county's
329 commitment would be. Commissioner DeTro said Commissioner Hover was
330 comfortable with the revised reiteration, but he feels more comfortable addressing it
331 next week.

332
333 Director Huston stated he would tie the Letter of Intent to an acceptable governmental
334 agreement which would need to be drafted. That seemed reasonable to the board.

335
336 **Motion Ordinance 2018-12 Revisions to OCC 17A.290 & 220**
337 Commissioner Branch moved to approve Ordinance 2018-12 adopting revisions to OCC
338 17A.290 Cannabis Operations and OCC 17A.220 District Use Chart as interim land use
339 controls and scheduled a public hearing on September 17 at 2:00 p.m. Motion was
340 seconded, all were in favor, motion carried.

341
342 **Motion Ordinance 2018-13**
343 Commissioner Branch moved to approve ordinance 2018-13 Tunk Basin Water Overlay
344 interim controls and sets a public hearing on September 18th
345 at 3:30 p.m. Motion was seconded, all were in favor, motion carried.

346
347 **Motion Ordinance 2018-14 Lake Management District**
348 Commissioner Branch moved to approve Ordinance 2018-14 authorizing the formation
349 of Lake Management District#1 which is adjacent to Lake Osoyoos in Okanogan
350 County. Motion was seconded, all were in favor, motion carried.

351
352 **Motion Proclamation National Recovery Month September 2018**
353 Commissioner Branch moved to approve the Proclamation for National Recovery Month
354 to be September 2018. Motion was seconded, all were in favor, motion carried.

355
356 **Update Human Resources / Risk Management –Debi Hilts**
357 Ms. Hilts discussed open positions in various departments and applications received.
358 There is a medical service officer that resigned in the Jail, so that position description
359 was revamped. Originally it was a civil service position and that person went through all
360 the testing. But it was decided that it would go through a non-civil service process.

361
362 Ms. Hilts explained she spoke to Maloney and O'Neil on Friday about finding some
363 other options for the county to consider. Ms. Hilts is preparing the demographics for
364 2020 if a better rate is found.

365 Ms. Hilts discussed details of the training she attended last week. It was excellent
366 training and suggested it be provided to employees who provide customer service or

367 who is the first point of contact for customers. Commissioner Branch replied there is a
368 need to ensure employees who are first point of contact for elected's be trained to be
369 able to handle different types of situations. Ms. Hilts will look into the cost for the
370 training to be here. Commissioner Branch wanted to know if Risk Pool would be able to
371 help with the costs.

372
373 Ms. Hilts explained some departments provide a questionnaire to temporary employees
374 as part of their exit interview. Commissioner Branch thought that was a good idea for all
375 employees exiting employment with the county not just for temps.

376
377 **Motion - Voucher Approval - Commissioners'**

378 Vouchers certified and audited by the Auditing Officer as required by RCW 42.24.080
379 and those expense reimbursement claims certified as required by RCW 42.24.090 have
380 been recorded on a list, and made available to the Board. As of this date, the Board did
381 vote, by unanimous vote, to approve the regular vouchers in the amount of \$775,866.86.
382 Warrant numbers as cited on the attached blanket voucher list. Motion seconded and
383 carried.

384 **Motion Public Health Voucher**

385 Commissioner moved to approve the Public Health Vouchers in the amount of
386 \$12,027.03 Warrant numbers as cited on the attached blanket voucher list. Motion was
387 seconded, all were in favor, motion carried.

388

389 **Approve Consent Agenda**

390 Commissioner Branch moved to approve the consent agenda items 1-7 as
391 presented. Motion was seconded, all were in favor, motion carried.

392

- 393 1. Commissioners' Proceedings Aug 20 & 21, 2018
394 2. Special Occasion Liquor License #090886 – Loup Loup Ski Education–10/20 FG Agriplex – Chris Stern
395 3. Subrecipient Agreement -CDBG Public Services Grant No. 18-62210-011-Community Action
396 4. Purchase Crack Seal Materials – Special Asphalt Products - \$34,187.80 – Public Works
397 5. Agreement to Remove Pit Run Material – P6-66 Peterson – Public Works
398 6. Resolution 87-2018 – Waiving FG Agriplex Fee – Okanogan School District After School Activities
399 7. Resolution 89-2018 – Countywide Guardrail Safety Project Plans, Provisions, and Specifications – Public Works

400

401 **Motion Approve Fair Contracts**

402 Commissioner Branch moved to approve the fair contracts as listed 1-5. Motion was
403 seconded, all were in favor, motion carried.

- 404 1. Contract – 2018 Fair – Main Stage Music / Worship – Nicole Unser - \$550
405 2. Contract – 2018 Fair – Horse Judge – Racie McKee - \$110
406 3. Contract – 2018 Fair – Mutton Busting, Longhorn Show – Frank Rendon - \$7,250
407 4. Contract – 2018 Fair – Cowboy Church / Rodeo Announcer – Alan Parsons - \$2,060
408 5. Contract – 2018 Fair – Roping / Barrel Racing – Doug Ralston - \$1,000

409

410

411 Commissioner DeTro adjourned at 3:55 p.m. but Commissioner Branch stayed to discuss
412 with Terri Swenson real property she would like to offer for sale to the county. Commissioner
413 Branch discussed that the whole board should be present to hear her proposal. He
414 suggested another meeting. Ms. Swenson also discussed the CJTA sales tax as it may be
415 revenue that can be used to address expansion areas for Juvenile detention. Commissioner
416 Branch explained that it would likely take a few years to fund a project like that. Our Capital
417 Facilities plan would need to be updated and funding for land acquisition identified. She
418 asked the county to consider her proposal.

419

420 The board adjourned at 5:00 p.m.

421