

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53

**RECORD OF THE PROCEEDINGS**

**OKANOGAN COUNTY**

**DECEMBER 11, 2023**

---

**9:00 AM Review Commissioners Agenda & Consent Agenda**  
**9:10 AM Briefing Among Commissioners-Discuss Individual Weekly Meetings & Schedule**  
**9:15 AM Public Comment Period**  
**9:30 AM Commissioners Staff Meeting**  
**10:00 AM Discussion-Courthouse Hazardous Materials Report-MJ Neal**  
**10:30 AM Discussion-2024 Noxious Weed, Pest Control Assessments-Assessor Gilman**  
**11:00 AM Public Hearing-Lost River Airport Tracts-Unnamed Road-PW Jo Ann Stansbury**  
**11:30 AM Discussion-Infrastructure Funding 2024-Roni Holder Diefenbach**  
**1:30 PM Continued Public Hearing-2024 Budget Consideration**

---

The Okanogan County Board of Commissioners met for a regular meeting at 123 5<sup>th</sup> Avenue North, Okanogan, Washington on December 11, 2023 with Chairman, Commissioner Chris Branch; Vice-Chairman, Commissioner Andy Hover; Member, Commissioner Jon Neal; and the Clerk of the Board, Laleña Johns, present.

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

**Review Commissioners Agenda & Consent Agenda**

**Briefing Among Commissioners-Discuss Individual Weekly Meetings & Schedule**

Commissioner Hover discussed whether facilitation of the Forest Collaborative meetings by the Upper Columbia Salmon Recovery Board was to be continued. Commissioner Branch said yes facilitation will be handled but UCSRB will still need to be the fiscal agent since the collaborative is not a nonprofit. UCSRB will need to be compensated for their time, said Commissioner Hover.

Commissioner Hover stated OBHC is actually planning on funding the Mental Health Professional position for the jail.

Some counties have brought their public defense office in house and it was asked if the other commissioners if they would consider. It might be less costly than contracting the service out. Commissioner Branch would like to see the differences in the quality of service. Much of the criminal activity is from the cities. Commissioner Hover would be interested in discussing public defense contract with Anna Burica, Burica Law Office which is a private firm. He would like to know what the liability issues might be? We currently pay around \$1.34 million. Commissioner Hover asked and it is and cities would be inclined to have us save money on public defense costs.

**Public Comment Period**

No comment via zoom from member of the public, Emily Sisson,

**Commissioners Staff Meeting**

Planning Director gave heads up that an amendment to the VSP budget is coming as Conservation District has gone over budget. so last two invoices are being held until the amendment is completed. Beginning of the year once amendment is completed there will be two invoices coming through in January.

54 Maurice Goodall, Emergency Manager did not have anything for staff.

55  
56 Commissioner Hover said 7<sup>th</sup> District asked what we would like to add to the Capital Budget. He would  
57 like to redo the Twisp Pool using the State Capital Budget and not go with the proposed creation of a  
58 district to pay for it. It was voted down. Commissioner Branch asked if the Town had a different  
59 proposal? Commissioner Hover said he would need to talk to them. Winthrop and Twisp might be able  
60 to create a pool district to pay for a new municipal pool in a different location.

61  
62 **Motion Law Enforcement Agreement Town of Twisp**

63 Commissioner Neal moved to approve the Law Enforcement Agreement between the Town of Twisp  
64 and Okanogan County for 2024 Law Enforcement services. Motion was seconded, all were in favor,  
65 motion carried.

66  
67 **Discussion-Courthouse Hazardous Materials Report-MJ Neal**

68 Luis Rodriguez, Justin Borst, Asbestos Central Justin Wood

69  
70 The Asbestos Central report was reviewed and presented of the hazardous materials inspection of the  
71 courthouse hallways. Vinyl Tile and ACM Black Mastic was found to be under the carpet. Mr. Wood  
72 stated there was a combination of materials used over the years. There are different requirements and  
73 protocols for handling both types of materials that were discussed. The report was limited to areas that  
74 would be impacted. Anywhere these locations are worked on will need to be closed off and occupancy  
75 closed down. Work on the project during non-work hours, but not sure if that is section by section or  
76 floor by floor. Coordination would need to be considered for best timing of the project and least  
77 disruption of the businesses in the building. It was discussed that access points for fire ingress and  
78 egress be maintained during work hours. Timeline for the removal of smaller areas may take a week  
79 and larger areas more than that. It is going to be a multi week effort. Cut time by discussing with  
80 contractor a idea to encapsulate underlayment with new materials as long as warranty is valid. Original  
81 flooring appears to be concrete so a top coat might be used to encapsulate hazardous materials, but  
82 it would raise the level of the floor in places. Commissioner Hover would rather take all hazardous  
83 materials out rather than encapsulating. Commissioner Branch stated there is a lot to consider and  
84 strategies need to include the needs of departments to ensure the timeline works for the courts and  
85 other offices in the courthouse. The draft idea will need to be presented and then we go from there to  
86 refine according to operational needs that must continue.

87  
88 **Discussion-2024 Noxious Weed, Pest Control Assessments-Assessor Gilman**

89 Treasurer Pam Johnson

90  
91 Assessor Gilman stated an administrative fee for his work is applied to other districts but weed and  
92 pest do not get assessed a fee for their administrative work for Terrascan. EMS, Irrigation and other  
93 districts are charged a fee. He would like this fee to be included in future resolution for the specific  
94 Assessor fee to be charged. Treasurer Johnson said it was roughly 5% of their total collection is billed.  
95 She considers of the assessor's cost and she has to bill for administration of the State and DNR PILT  
96 receipts for conservation is built in and billed.

97  
98 Commissioner Hover stated Noxious Weed should pay a fee for processing these administrative tasks.  
99 Commissioner Branch stated the BOCC would need to discuss with those districts affected.

100  
101 The suggested weed fee should be discussed with the Weed Board.

102  
103 **Motion Methow Valley EMS District**

104 Commissioner Hover moved to adjourn as the BOCC and reconvene as the Methow Valley EMS  
105 District. Motion was seconded all were in favor, motion carried.

106

107 Commissioner Hover moved to approve the Voucher certification and authorize the Methow Valley  
108 EMS District vouchers to be paid in the amount of \$63,499.66. Motion was seconded, all were in favor,  
109 motion carried.

110  
111 Commissioner Hover moved to adjourn as the Methow Valley EMS District and Reconvene as the  
112 BOCC. Motion was seconded all were in favor, motion carried.

113  
114 **Public Hearing-Lost River Airport Tracts-Unnamed Road-PW Jo Ann Stansbury**  
115 Engineer Josh Thomson, Assessor Larry Gilman

116  
117 Commissioner Branch opened up the hearing to staff.  
118 Ms. Stansbury provided her staff report. (attached) She stated was a petition for vacation for an  
119 unnamed portion of Lost River Airport Tracts. She provided history for the vacation. No public  
120 comments were received, although a letter from Ron Suter was received. Payment per county code  
121 \$32,100. Per County Code 12.90.040 (f) property could be exchanged for the county road that would  
122 reduce the cost to \$21,100.60. Engineer Thomson stated this is a platted road that was never made  
123 into a road. One concern was that it would be a dead-end road. They improved the road and provided  
124 a turn around, but fire department did approve it for their vehicles. The county codes break's roads  
125 into several categories for roads that are not maintained by the county. He explained the designation  
126 breakdowns and what should be compensated or not. If it isn't by deed or dedication the petitioner  
127 would have to pay 100% for the vacation as value is set by the assessor's office based on the location.  
128 There is dedicated a small section that could be exchanged for prorated portion dedicated to right of  
129 way to reduce the overall cost. The board may waive the costs in certain circumstances but in this  
130 situation the standard of development doesn't apply.

131  
132 Commissioner Hover stated Ron did send him an email about attending the hearing during inclement  
133 weather.

134  
135 Larry Gilman discussed excess levy rate and shapes of parcels that are not legal building parcels and  
136 advising the lowest rate for this situation.

137  
138 Commissioner Branch opened up the hearing to the public.

139  
140 Ron Suter he is the petitioner. He explained this has been going on for about 10 years and has been  
141 a long process. It was everything but simple. He said the bottom line is the amount of money would  
142 take a budget adjustment in 2024. One petitioner is willing and the other is not or find a different  
143 solution. Things have changed over the years. It appears to the petitioner the state road vacation  
144 statute provides additional authority to commissioners in situations like this. Developers didn't put the  
145 additions of Lost river correctly so it ran across private property. He is asking to either reschedule the  
146 hearing to June 18, 2024 or withdraw the petition to figure it out. The Board needs to figure out what  
147 they want to do, he isn't on the board.

148  
149 Commissioner Branch asked if PW had a recommendation. Commissioner Branch closed public  
150 comment and left it open for board questions and discussion.

151  
152 Commissioner Hover asked Larry Gilman on a platted road does anyone pay taxes on a property like  
153 this. If the road is segregated out of the land yes, and no. If it is on the plat they do not pay, but on  
154 older plats there is a right of way indicated. This one no one was paying taxes. Commissioner Branch  
155 said it sounds like the entire homeowner's association is uncertain about the purchase and that cannot  
156 be reconciled right now. They will need to figure that out themselves. If the commissioners grant the  
157 vacation now then a lien would have to be placed on the property within 12 months if payment is not  
158 made. Commissioner Hover stated continuation of the hearing to June would be the best route.

159

160 The appraised value of the platted street is that one still owns the property even if it is dedicated. Ms.  
161 Stansbury said Ron reached out and said their meeting is in May. The concern is that it would need  
162 to be reposted and re-advertised and the fee collected pays for that. If the BOCC makes the decision  
163 and approves it then it follows the correct process. Engineer Thomson read from RCW 36.87.110.  
164 Commissioner Branch asked if the BOCC could place conditions on effective decision based on final  
165 approval based on payment that would not be a lien. Would sign but not record the order until the  
166 payment is made by the homeowner's association. If the BOCC isn't considering a change allowed in  
167 RCW 36.87.110 then continuation of the hearing may be the right action.

168  
169 Is there a date in August when the association funds would be available? The association meets in  
170 May and adopts their budget for payment to be made by a certain time otherwise the vacation would  
171 be denied.

172  
173 **Motion**

174 Commissioner Hover moved to approve the petition for vacation of Lost River Tracts contingent on  
175 payment by petitioner by July 30, 2024 otherwise the petition to vacate is denied. The payment amount  
176 is 2/3rds the total which amounts to \$21,124.60. Motion was seconded, all were in favor, motion  
177 carried.

178  
179 **Discussion-Infrastructure Funding 2024-Roni Holder Diefenbach**

180 Chief Communications Mike Worden, Todd McDaniel, Kurt Danison, and Lael Duncan and Misty Ruiz  
181 attended via zoom

182  
183 Ms. Holder Diefenbach provided the Infrastructure Committee recommendations for county  
184 Infrastructure funds. (attached) She explained some options that included funding for construction,  
185 planning, and community development projects. Some projects just needed to be ranked.

186  
187 Commissioner Hover asked how the committee ranked Omak Airport Hanger Area Expansion higher  
188 than the Omak East of US 97 Infrastructure Project. It was really about where Omak was in the process  
189 with these projects. Mr. McDaniel explained all the properties need to be involved with the  
190 infrastructure project and Omak doesn't have the needed right of ways to get the expansion project  
191 going. Mr. Danison explained a large-scale developer had to walk away from an expansion area  
192 because the city wasn't ready or willing to expand in that particular area. Come up with enough info  
193 about what needs to happen. DOT solution is a two lane round about on 97. There are traffic issues  
194 in the area. Ms. Duncan explained gains with moving the airport project forward. She sees more  
195 immediate return on investment on the airport. Mr. Danison said at one time a plan for a business and  
196 industry park by airport for light industrial areas. Development of additional airport hangars seemed to  
197 be the best way to provide a real project.

198  
199 Ms. Diefenbach explained applicant involvement in the process was really great and applicants really  
200 touched on the various scoring points.

201  
202 The options presented were discussed. Commissioner Branch asked questions about the Tonasket  
203 Park South Access Phase 1 project and what that entailed. The land owner is interested about what  
204 might happen and not impede the double wide residence. Letters from the railroad for the crossings  
205 are still in file. The extra access provides a real safety element to the property.

206  
207 Ms. Diefenbach stated many of the planning only applicants are eligible to apply for CERB. She  
208 reached out to the organizations to set up a meeting between them and CERB to discuss further.  
209 There is no reason why several of our projects would not be funded. It has to create jobs to meet that  
210 component. The goal is that those planning only grants allow those projects to move forward to  
211 construction. Ms. Ruiz stated the Sheriff's Radio Project could be eligible for USDA grant funding.  
212 Commissioner Branch thanked the City of Brewster for considering the loan option.

213 There are two: Project Ranking and Project Funding.

214

215 Commissioner Neal stated he liked option 3.

216

217 Chief Worden said Sheriff's Radio Improvement project next step is to engage USDA since Okanogan  
218 County is persistent poverty, next cost to vendor and apply to USDA process. The \$100,000 doesn't  
219 do much for the project but if allocated it could be used within the 3 years, said Chief Worden.

220

221 In march Economic Alliance is hosting an affordable housing summit. Commissioner Hover suggested  
222 it be called workforce housing. Commissioner Hover said the county hopes to partner with the cities  
223 to help figure this out and be part of the solution that would be great.

224

#### 225 **Motion Infrastructure Project Ranking**

226 Commissioner Hover moved to approve the project list as presented for ranking purposes. Motion was  
227 seconded, all were in favor, motion carried.

228

#### 229 **Motion Infrastructure Funding Projects**

230 Commissioner Hover moved to approve .09 funding option #3. Commissioner Branch asked for  
231 clarification about the Town of Winthrop Sewer Lift Station detail which said the town requested a  
232 federal appropriation but did not have. Ms. Diefenbach clarified that the State had not yet adopted its  
233 capital budget with the appropriation request. Motion was seconded, all were in favor, motion carried.

234

235 Commissioner Hover asked who at the county manages the contracts? Ms. Holder Diefenbach stated  
236 it has always been the Clerk of the Board. He said the county hasn't budgeted for costs associated  
237 with the administration. Costs will need to be taken out of the funds for administration, said  
238 Commissioner Hover. A discussion about what that would cost should happen in the near future.

239

#### 240 **Continued Public Hearing-2024 Budget Consideration**

241 Treasurer Pam Johnson, Auditor Cari Hall, and Finance Manager Lisa Schreckengost

242

243 Commissioner Hover showed the most recent budget. He discussed retro pay for Sheriff's new guild  
244 and non-commissioned contract and the balance was not going to be enough. The first idea was a  
245 recommendation to fund only one vehicle to start out with.

246

247 The group discussed adjustments to expenses in several departmental budgets. The group reviewed  
248 the remaining red tabs of the proposed budget and green tabbed them when ready.

249

250 Before funding the animal control officer, Commissioner Hover suggested getting the cities together  
251 to talk about jointly funding the position.

252

253 The part time Search and rescue coordinated would be an hourly wage funded \$20,000 from Sheriff  
254 001.017 and the rest from Title III. Title III funds are Salary or wages of emergency response personnel  
255 deployed during an emergency response to be reimbursed. Commissioner Hover asked whether  
256 benefits were waived due to the position being under 20 hours average per week. Time would need  
257 to be flexed in order not to exceed the 20 hours and on call, but prorated per week.

258

259 The board Recessed for 20 minutes.

260

#### 261 **Motion Closed Session RCW 42.30.140(4)(b)**

262 Commissioner Hover moved to go into closed session at 2:34 for 10 minutes to discuss planning or  
263 adoption of a strategy position to be taken during collective bargaining. Motion was seconded, all were  
264 in favor, motion carried.

265

266 Commissioners discussed the Sunbelt rental of the heating and cooling unit being rented in the jail.  
267  
268 For the Admin HVAC upgrades, Commissioner Hover stated the costs be paid from fund 160 from the  
269 Juvenile Facility Detention section out of Capital Outlay budget.  
270  
271 Commissioners continued their budget review and discussion.  
272  
273 Commissioner Hover stated the requested nurses for the jail were budgeted in Professional Services  
274 within fund 160 in the amount of \$175,000 for Public health to provide the services. Commissioner  
275 Hover said he discussed with Public Health Laurie Jones and she said she would call chief Wolak to  
276 discuss the needs of the jail.  
277  
278 Commissioners discussed adding additional deputy positions. The request was for six positions, one  
279 more person for each squad. Commissioner Hover said our budget couldn't handle more people. He  
280 said the budget should be hosted on the commissioners' website for a week. Commissioner Branch  
281 said the Sheriff's budget is getting the most focus. The comment earlier is that we get what we pay  
282 for. Government is a service and that means the cost is all people and machinery.  
283  
284 **Motion Post Preliminary Budget to Website**  
285 Commissioner Hover moved to direct the Clerk of the Board to post the 2024 Preliminary draft budget  
286 on the county website. Motion was seconded, all were in favor, motion carried.  
287  
288 **Motion Continued Public Hearing 2024 Budget Consideration**  
289 Commissioner Hover moved to continue the public hearing to Tuesday, December 19, 2023 at 9:30  
290 a.m. Motion was seconded, all were in favor, motion carried.  
291  
292 **Motion Resolution 195-2023 Noxious Weed Assessment**  
293 Commissioner Hover moved to approve resolution 195-2023 a resolution maintaining the Noxious  
294 Weed Control Assessment Levy for collection in 2024. Motion was seconded, all were in favor, motion  
295 carried.  
296  
297 **Motion Resolution 194-2023 2024 Assessment Horticultural Pests and Disease Control**  
298 Commissioner Hover moved to approve resolution 194-2023 adopting 2024 levels of assessment for  
299 horticultural pests and disease control in Okanogan County. Motion was seconded, all were in favor,  
300 motion carried.  
301  
302 The board adjourned at 4:00 p.m.