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**RECORD OF THE PROCEEDINGS**

**OKANOGAN COUNTY**

**DECEMBER 18, 2017**

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7 9:00 AM Review Commissioners Agenda & Consent Agenda  
8 9:30 AM Briefing Among Commissioners  
9 11:00 AM Discussion – Dental Insurance Renewal – Dennis Carlton  
10 11:30 AM Public Hearing – Supplemental Appropriation Therapeutic Courts Fund 143 - \$74,550  
11 1:30 PM Update – Planning – Perry Huston  
12 4:00 PM Review Meeting Minutes  
13 6:00 PM Public Hearing – Lake Management District – Revised District Map – City of Oroville Chambers  
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15 The Okanogan County Board of Commissioners met in regular session on December 18,  
16 2017, Chairman Commissioner Jim DeTro, Commissioner Andy Hover, Commissioner Chris  
17 Branch, and Clerk of the Board Laleña Johns present.

18  
19 Commissioners convened at 9:00 a.m. Commissioner DeTro  
20

21 **Review Commissioners Agenda & Consent Agenda**

22 Commissioners reviewed their consent agenda items.  
23

24 **Briefing Among Commissioners**

25 Commissioners discussed their individual schedules.  
26

27 **Discussion – Dental Insurance Renewal – Dennis Carlton**

28 Tanya Craig, Debit Hilts  
29

30 Mr. Carlton thanked the commissioners for their ongoing business over the last 15  
31 years. Mr. Carlton explained his company affiliations.  
32

33 Mr. Carlton provided the board with an update of the County Employee’s Delta Dental of  
34 Washington Insurance renewal rates. It is a composite program with the basic idea for  
35 a developed rate for the family. The program benefits is a classic dental program with  
36 \$1500 per year of dental benefits. He explained coverages of class 1 at 100%, class 2  
37 at 80% and class 3 at 50% coverage. There is also \$1000 towards orthodontics. He  
38 explained some dentists that had left before are coming back to participate in the Delta  
39 Dental program. The renewal is a general renewal which shows the basis for the  
40 formula. (attached) We have a rate that covers the claims and a rate for operating the  
41 program and also a retention amount that is kind of like a reserve which covers us if we  
42 go over. The renewal rate stays the same. An increase was proposed but with our good

43 experience Carlton was able to keep the rate the same. We have had good participation  
44 over the years and the county has a good dental program.

45  
46 The retention was explained and those funds go into a retention account and as of this  
47 report there is currently \$40,485. The money belongs to the county, but the idea of  
48 taking it would depend on the county's situation and what the claims have been. We  
49 have had a steady picture of good dental health so that fund built up. It's okay to take  
50 some money out, but not all. Ms. Craig explained the retention funds would be used if  
51 rates increased then would be used to stabilize the account. Mr. Carlton explained the  
52 county has used it before for health insurance rate stabilization and at that time drew  
53 out \$35,000.

54  
55 Mr. Carlton explained over the course of his business he provided insurance for the  
56 schools and hospitals in the county. In 2008, his son came to work for him, and at the  
57 time it was nice to see his education contribute to a productive community. However,  
58 the medical insurance arena has seen bigger companies cutting deals to include liability  
59 insurance and health insurance and with increased competition it has been really  
60 difficult for him to provide the local community with other affordable options. He still  
61 does provide some supplemental insurances to companies here, but the big picture is  
62 that big companies have stolen all the business he used to have. He thanked the board  
63 for the county's continued business.

64  
65 **Public Hearing – Supplemental Appropriation Therapeutic Courts Fund 143 -**  
66 **\$74,550**

67  
68 Commissioner Branch opened up the public hearing up calling for staff report.

69  
70 The Clerk of the Board explained she contacted the STOC for review of the  
71 supplemental request. The Clerk worked through concerns the committee & OBHC had  
72 regarding why the supplemental was needed. Due to OBHC September, November and  
73 December 2016 invoices being paid from 2017 budget the 2017 budget was reduced by  
74 the amount of the invoices. In order to be able to process the remaining 2017 invoices  
75 the 2017 budget required a supplemental. The Clerk received comments from the  
76 STOC about reduced carry over and needing to reduce other allocations to ensure the  
77 fund had sufficient carryover going into 2018. No public in attendance to provide  
78 testimony. Commissioner Branch closed the hearing to staff and public comment and  
79 opened up to commissioner discussion.

80  
81 **Motion Resolution 211-2017 Supplemental Appropriation Therapeutic Courts**  
82 **Fund 143**

83 Commissioner Hover moved to approve resolution 211-2017 a supplemental  
84 appropriation within the Therapeutic Courts fund 143 in the amount of \$74,550. Motion  
85 was seconded, all were in favor, motion carried.

86

87 Commissioners adjourned for lunch at 12:00 p.m.

88

89 **Update – Planning – Perry Huston**

90 Dave Hilton, Dan Higbee, Angie Hubbard, Lauren Davisson, and Emily Sisson member  
91 of the public taking notes on her computer.

92

93 *OTA Regulations (Nightly Rentals)*

94 Mr. Hilton explained the Nightly rental procedural requirements from Public Health  
95 standpoint. He feels something needs to be worked out so applicants don't feel the  
96 process is in limbo. All involved departments should be aware of the progress even  
97 when one department hasn't received the all requirements from the applicant. He  
98 suggested holding back the permit until Building and Planning departments first  
99 approve. Mr. Hilton would like the process to include something from each department  
100 that the applicant can take away with them showing the timeline or reasons why the  
101 application could not be permitted. Commissioner Hover believes Planning and Building  
102 should sign off first with Public Health signing off last.

103

104 Director Huston explained the recent problem was that applicants could not  
105 demonstrate compliance with the code so the permit could not be issued by the  
106 Planning Department. Commissioner Branch stated there must be a procedure that  
107 could work and he thought the departments could work it out together. Mr. Higbee said  
108 some applications could be in limbo because the applicant had not yet provided the  
109 documentation required. Mr. Hilton explained the health district is the enforcement  
110 agency and that has been historic for decades. The solution might include a  
111 spreadsheet where permits are entered that all three departments access to see where  
112 the permit process is at. Mr. Higbee said he cannot sign off on a building permit until the  
113 public health and the planning offices sign off. Mr. Higbee said he already has a data  
114 base started in the system but he needs some time to work out the rare permit  
115 processes and out of the ordinary permits.

116

117 There is also the renewal point for the permit. The applicant applies to Public Health  
118 then Public Health does the inspections and checks off then Public Health waits till the  
119 Planning and Building does their part before Public Health can finally sign off.

120

121 Director Huston stated his office is always waiting for someone else to sign off on the  
122 permits and he makes sure everyone else has signed off before issuing the permit.

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Each office signs off based on their office requirements and only if the basis of approval has been met. The group discussed Planning Office being the final signer once all criteria have been met. The customer must be made aware of what approvals are required in order to get through all three offices.

A yearly business license was discussed and that there will be needed different approvals from various offices. Commissioner Branch asked about the threshold for sprinkler requirements. Mr. Higbee stated the in the past the code was not clear and the interpretation went either way. Since then, the code has changed and any dwelling built and operated before 2005 are grandfathered in and do not require sprinkler systems.

*Planning Fee Schedule*

Lauren Davisson provided the Planning Department cost recovery spreadsheet showing all the application types, the costs, and which ones have a 100% cost recovery. The spreadsheet was provided for commissioner review and determination to consider raising the fees for 100% cost recovery. The schedule will be reviewed and considered for adequacy and will be revisited in January.

Director Huston explained the Conservation District could dedicate more time to the Voluntary Stewardship Program in 2017, so the agreement will need to be amended to begin utilizing funds in 2017 which the Planning Dept. can cover without a budget amendment. The funds can be billed against the grant for reimbursement.

**Motion Amendment Voluntary Stewardship Program Agreement Conservation District**

Commissioner Hover moved to authorize the Vice Chairman to approve the amendment to the Voluntary Stewardship Program Agreement with Okanogan County Conservation District. Motion was seconded, all were in favor, motion carried.

A long plat alteration was discussed that had agriculture restrictions. The process was conducted to remove the restrictions and all conditions were met. Director Huston will provide an agenda bill to summarize the requested motion to approve the Mylar.

*Marijuana Advisory Committee*

A resolution was prepared to extend the moratorium to March 2017; it is on the consent agenda.

*Code Enforcement/Compliance Plans*

161 Director Huston explained our code shows it is a criminal offense if someone is found to  
162 not follow the county's land use code. Enforcements and compliance plans were  
163 discussed.

164  
165 Director Huston explained compliance plans include goals to come into compliance. The  
166 letters sent to people with code violations summarize the compliance issue and allow  
167 the scheduled events to continue once the applicant contacts the Planning Office.  
168 Planning doesn't wish to hold projects up and often allows certain things to continue.  
169 Commissioners would like Planning and the applicant to come up with a compliance  
170 plan with timelines for compliance. Director Huston stated the first notice requires the  
171 applicant to contact the Planning office within 20 days. When the applicant does,  
172 Planning works with them to work out the issue in order to come into compliance.  
173 Planning then sends a second notice and states what must happen to avoid further  
174 enforcement. After the second notice it gets squirrely. Director Huston has attempted to  
175 provide a more aggressive enforcement program, but if there is something in the code  
176 we do not want to enforce it should be taken out. Civil infractions might be a better way  
177 of handling violations. The Prosecutor and Sheriff's office don't want to put shackles on  
178 violators and haul them to jail. In many cities, the police do the code enforcements and  
179 issue tickets. After the second notice the problem could be punted to the Sheriff's office  
180 for further enforcements and fines. What does the board wish him to do as he reviews  
181 the code enforcement section for needed amendments? Commissioner Hover stated it  
182 is odd that a violation of the code can land a person in jail. In the past the Prosecutor  
183 did not wish to handle the infractions for land use code enforcements. Does the board  
184 wish for Director Huston to come up with a better more enforceable way to address the  
185 code violations. Commissioners Branch and Hover both said yes. They discussed the  
186 three strikes you're out effort.

187  
188 Commissioners believe a criminal infraction is too harsh for code enforcements and  
189 would like to address it in the near future to come up with a process that is enforceable  
190 and works more smoothly.

191  
192 **Motion Appointment Planning Commission Gina McCoy**  
193 Commissioner Hover moved to appoint Gina McCoy to fill the vacant Commissioner  
194 District #2 position on the Planning Commission and directed staff to draft the  
195 appointment letter for signatures. Motion was seconded, all were in favor, motion  
196 carried.

197  
198 **Motion Tonasket Ems District**  
199 Commissioner Hover moved to adjourn as the BOCC and reconvene as the Tonasket EMS District.  
200 Motion was seconded all were in favor, motion carried.

201 Director Huston explained what is to be considered for the Tonasket EMS District  
202 2018 budget.

203  
204 Commissioner Hover moved to approve the Voucher certification and authorize the  
205 Tonasket EMS District vouchers to be paid in the amount of \$21,700. Motion was  
206 seconded, all were in favor, motion carried.

207  
208 Commissioner Hover moved to adjourn as the Tonasket EMS and Reconvene as  
209 the BOCC Motion was seconded all were in favor, motion carried.

210  
211 *Title OCC 20*

212 Director Huston explained there is a potential for settlement on the WRIA 49 suit. The  
213 approach and how we were interpreting the rules was discussed, with the county relying  
214 on the exemption/exceptions in the rule. In WRIA 48, the report has not been issued yet  
215 for the analysis. There are many applications received from the Thomson Creek  
216 drainage and that one should be done next. We still have a stack of applications but  
217 they are taking time. There is one hydraulic continuity application.

218  
219 Director Huston noted that the county's Capital Facilities plan was reviewed by the  
220 Planning Commission. However, the new irrigation system for the Fairgrounds was one  
221 item still to be reviewed as that was added to the list recently.

222  
223 *Champerty Shores*

224 Director Huston stated the residents have little means to capitalize the sewer project,  
225 and they may consider a UID or LID to do so. The Treasurer will need to be involved if  
226 the board bonds the project. Will the City or the County sponsor the process?  
227 Commissioners discussed what is to be considered. Commissioner Branch stated this is  
228 about sponsoring a loan and we should also include the connection fees, if not a new  
229 conversation with the city should be done. The Treasurer has a prominent role in the  
230 debt ceiling of the county and it may be an issue if the county sponsors. Management of  
231 the collections should be discussed and considered as to whether or not we have a deal  
232 with Oroville to collect the fees or whether it goes out with the county tax bill. We could  
233 contract with someone else to oversee the project etc.....

234  
235 *Comprehensive Plan*  
236 *Sections for revision*

237 Director Huston suggested the board address the city expansion areas. If we do not  
238 designate those areas there won't be clear guidelines when development begins to be  
239 triggered in those areas. There is no code regarding city expansion areas that can be  
240 pointed to. Commissioner Hover asked what it is. The city urban growth area is the area

241 the city designates for all further expansion of the city and the area they intend to annex  
242 later. Commissioner Branch explained his experience working with the cities on those  
243 areas. The cities do rely on the county to show where those expansion areas are within  
244 our Comprehensive Plan area.

245

### 246 **Review Meeting Minutes**

247 Commissioners reviewed their meeting minutes of December 11 & 12.

248

249 Commissioners adjourned at 4:30 p.m. in order to drive to Oroville to reconvene in the  
250 City of Oroville Council chambers at 6:00 p.m.

251

### 252 **Public Hearing – Lake Management District – Revised District Map – City of** 253 **Oroville Chambers**

254

255 Commissioner DeTro opened meeting at 6:00 p.m. in the City of Oroville Counsel  
256 Chambers.

257

258 Director Huston explained the purpose of the meeting and gave some history. The new  
259 proposal only includes parcels that touch the lake. He explained the three tiers of  
260 assessment. Some of the “undeveloped” lots have had some development and are  
261 used for recreational purposes and may benefit. The proposal is for \$150 per lot per  
262 year.

263 Commissioner Hover asked if that was for developed and undeveloped lots. Director  
264 Huston replied that both be included. On Deep Bay Rd. the City owns a lot that cannot  
265 access the lake and should be excluded.

266

267 Commissioner DeTro opened meeting to public testimony.

268

269 Debbie Smith 13 Champerty rd. Ms. Smith testified that there are 26 lots in her  
270 community that touch the water. She thinks that her community should have some  
271 leniency because not all of the parcels can benefit. She would like more equality in the  
272 determination of included parcels.

273

274 Salley Bull Balmes Rd. Ms. Bull read from a letter she wrote. She felt the proposal was  
275 only for one use and ignores impacts on agriculture. The board should consider the  
276 timeline for turning off irrigation water. She feels that the decision should not be a  
277 majority vote due to the high amount of Canadian owners that are not registered to vote  
278 and are absent owners. She thinks that the herbicides used have eradicated cattails in  
279 the lake and have lessened the nesting grounds for many foul. She would rather not  
280 use chemicals and would like to find other options.

281 Marlene Barker North Shore 78 Boundary Point Rd. Ms. Barker felt that she has been  
282 underserved in any treatments that happened before and will not be getting any benefit  
283 with this proposal She would like to see a more equitable option for everyone.

284  
285 Travis Loudin Boundary point. Mr. Loudin thinks there is a lack of sewer systems on his  
286 side of the lake and that should be considered.

287  
288 JoAnne Loudin feels the same as the other speakers.

289  
290 Jan Lewis Boundary point rd. Mr. Lewis has lived on the lake through many changes.  
291 He would like to talk about the milfoil on the Canadian side. The weed is solid on the  
292 Canadian side and flows down to the US side. Nothing will help the lake until the  
293 Canadians treat their side. About 50% of the boats in the summer come from Veranda  
294 Beach and they churn up the lake. He thinks Veranda Beach should pay as well. He  
295 believes that the Canadians should have to pay the same taxes that he does to use the  
296 lake.

297  
298 Gordon Walley 8 Eastlake Rd. Mr. Walley appreciates the work that has gone into the  
299 proposal. He is not in favor of Veranda being excluded. We will never control the milfoil  
300 as long as Canada continues to resist to help with the effort. He would like to see those  
301 that pay have exclusive rights to the lake. He doesn't believe that this is only a 5 year  
302 project. He doesn't want to be taxed on his property forever. He has used the lake for  
303 many years and many purposes and in his opinion the best way to help deal with the  
304 milfoil was when the level of the lake dropped and exposed more of the shoreline than  
305 normal.

306  
307 Robert Bontkes is a developer from Canada who owns land by Veranda Beach on the  
308 south side. He gets the flow of milfoil because of where he lives. He strongly advises  
309 we get Canada involved. He thinks that Veranda Beach should pay too and not be  
310 excluded. The milfoil must be dealt with in order to get more recreation on the lake. The  
311 weed is not a pleasant substance.

312  
313 Jan Lewis Boundary Point. Mr. Lewis said that a lot of the vacant lots are not really  
314 vacant. The properties with the apartments should pay by the apartment and not by the  
315 parcel.

316  
317 Commissioner DeTro closed public testimony.

318  
319 Director Huston explained to the Commissioners what the next steps were. He  
320 suggested that the record from the previous meeting be included in tonight's record



321 along with the meeting minutes. He pointed out that the best time slot to continue would  
322 be January 8<sup>th</sup> during his study session time at 1:30 PM.

323  
324 Commissioner Hover said that he did a lot of research on the global gap..... The  
325 applicator felt that the delusion rates would be so slow enough so that the organic crops  
326 would not be harmed. He read from a letter from Lee Chapman. He said that if there  
327 was a plan in place, there may be a way to push Canada to participate. Commissioner  
328 DeTro spoke about programs like Weeds Across Borders that might help with this  
329 situation and help develop a partnership with Canada.

330  
331 Commissioner Branch talked about some of the research that has been done using  
332 different chemicals on milfoil in the past. He asked Director Huston if the management  
333 district is locked into the proposed treatment options. There are other invasive species  
334 that should be addressed too.

335  
336 The commissioners discussed the lots that have been included and those that have  
337 been noticed. Commissioner Branch suggested that all of the lots in Veranda Beach be  
338 included in the district. Commissioner Hover explained there is a section of the lake  
339 that cannot be sprayed and those people that live there would not be benefitted by this  
340 proposal. Commissioner DeTro expressed concerns about only allowing registered  
341 voters to make the decision. Director Huston explained that if one is a property owner  
342 they are allowed to make a vote within the law. Commissioner DeTro explained that  
343 this proposal is in the initial stages of being established and is currently a working  
344 document. There is obviously more work to be done.

345  
346 Director Huston said that as he reads the law he sees no provision to extend the district  
347 past the 5 year expiration period.

348  
349 Commissioner DeTro pointed out that milfoil is causing a safety risk. If left untreated, it  
350 will continue to grow out of control. Commissioner Branch pointed out that the public  
351 may be treating the milfoil with chemicals without anyone else's knowledge. He wants  
352 to have clarity on who controls the application of chemicals; is it Canada or BC. Lee  
353 Chapman (in the audience) said that it is a BC regulation not a Canadian one.

354  
355 Director Huston explained that the Commissioners are the management body if the  
356 district is formed.

357  
358 **Motion Continue Public Hearing Lake Management District**  
359 Commissioner Hover moved to continue hearing to Jan 8<sup>th</sup> at 1:30 p.m. Motion was  
360 seconded, all were in favor, motion carried..

361 Commissioner DeTro closed the hearing, but left it open for written comments. No more  
362 oral public testimony will be taken.  
363