

**RECORD OF THE PROCEEDINGS****OKANOGAN COUNTY****APRIL 15, 2019**

The Okanogan County Board of Commissioners met in regular session on April 15, 2019, with Chairman, Commissioner Jim DeTro; Vice Chairman, Commissioner Chris Branch; Member, Commissioner Andy Hover and Laleña Johns, Clerk of the Board, present.

**Review & Discuss Commissioners' Agenda and Consent Agenda**

Commissioners discussed citizen comment protocol and how the board would prefer to address questions posed of the board by citizens. The board wishes to address the citizens comment period consistently.

**Briefing Among Commissioners—Discuss Weekly Meetings & Schedules**

Commissioner Hover updated the other members about his meeting with some of the FAC about the arena, track rail, and racehorse barn project. He explained plans to order the track rail.

Two quotes were received for the rails and footings for the racetrack.

*Equinox*

Best quality PVC railing \$24,500 with sales discount.  
Steel tubing for posts.

*Horseman's Track and Equipment Inc.*

Revised footage of 792 meters \$28,481  
Estimate additional \$2000 for concrete posts

The other part of the situation is the Saw Dust Makers trust fund would be needed for the grandstand cover that serves the arena.

Commissioners considered the three quality types of rails and posts for the race track.

Commissioner Hover said the Boots and Saddle Club wanted to put some money into the racetrack barn. Loads of sand will be needed for the arena surface, so that material will be arranged for. It would be good to first screen the dirt for rock before replacing it on the track. The project costs is still under the threshold max for sealed bids. Not one vendor can provide a quote for all the various materials needed, so individual quotes were received and the total of them all should not exceed the max amount that would trigger going with a formal bid process.

Commissioners discussed funding the VSO OJT position, which is paid in part by Work Source for 12 weeks of training at \$12 per hour.

In order to fund the temp position for Veterans Service Officer, a \$21,000 supplemental budget appropriation will be needed to supplement the salary line of the temp position. The commissioners contacted Eric Fritts via telephone conference and he will need to initiate the Work Source Contract. A new revenue source will be needed in order to be reimbursed from OJT. A resolution will be needed to authorize the position, Mr. Fritts will discuss the details needed for the resolution with Ms. Craig. Auditor Hall was reached on the telephone to go over the plan for the Work Source funded VSO temp position. Ms. Hall asked if the board preferred to use CE Contingency Reserve over Veterans funds that carried over in the amount of \$13,000.00. Commissioner Hover wants to ensure the Veterans dollars get used for veteran's relief, but thought some current expense could be used too. Ms. Hall will

provide the budget request with the recommended BARS and amounts for scheduling and publishing.

Member of the public, Christa Levine, arrived at 10:30 a.m.

### **Discussion – Housing Coalition Funding Request**

Sue Edick, Oroville Housing Authority, Nancy Nash-Mendez, Okanogan Housing Authority; Lael Duncan and OCCAC; Neil OBHC were present.

Ms. Nash Mendez explained the need for a countywide housing needs assessment. The assessment could be used by the coalition and others for affordable housing projects. Ms. Nash Mendez further explained that Department of Commerce has a CDBG Planning Only grant that the county could apply for. If awarded the grant would cover \$24,000 of the cost of the housing needs assessment. Additional funding would need to be found to complete the assessment. Ms. Duncan explained the housing needs assessment would also provide information for additional funding sources. Ms. Edick replied the assessment would guide the group to the best use of the limited funds in order to specifically address what actually can be addressed and then it would also give direction on the best use of the coalition's forces.

The funding must go through the county. The coalition would publish the RFQ for consultant and then work with the county to select someone. Ms. Edick said it is common for the applicant to base the total cost estimates based on quotes from firms that can provide this kind of study. Plus there is a short timeline with June 3rd being the deadline for submitting the grant application. Estimates are used for the grant application to justify the cost. This grant would be used as seed money to find other funding to pay for the total cost of the assessment.

Duncan stated a needs study was done in 2005 and at that time OCCAC was a subrecipient of the funds and the fiscal agent. Nancy and Sue are heading up this assessment. The county would need to manage the grant. This grant does not include any funds for administration. The division of labor was discussed between the county and the recipient. The coalition cannot move forward without knowing if the county will apply for the funds. The amount to make up for the rest of the funds needed.

Commissioner Hover asked that the county be included in the selection of the consultant when the group gets to that point. Oroville Housing Authority is also willing to put forth money towards the study. Others may also be interested in contributing or Affordable Housing funds.

Commissioner Branch noted this would be a pass through grant.

Commissioner Branch moved to approve the county being the governing body for application of the CDBG Planning Only grant. Motion was seconded, all were in favor, motion carried.

1:30 p.m. Gina McCoy, member of Okanogan Watch Group taking notes on her computer.

### **Continued Public Hearing for Tonasket Airport Overlay – Planning**

Tonasket council member Christa Levine, Tonasket Planner Kurt Danison and VSO Eric Fritts were present.

Commissioner DeTro opened up the hearing to staff

Director of Planning Huston explained the airport safety zone of the Tonasket Airport zones. No other input from the public has been received. The chief civil deputy has reviewed the code ordinance and map that will be attached to the ordinance. He further explained the history of the regulation and the text to be used in this overlay. The overlay protects areas shown on the map. Avoid incompatible land uses around the airport which would provide better safety of airplanes and residents surrounding the airport. The map was shown on the project screen to show the relationship of the overlay zones with

the parcel layers.

Conditional uses were discussed and language reviewed for zone two. Non-conforming lots sections were discussed and language reviewed.

Kurt Danison said there is desire to extend the Tonasket airport runway but is a catch 22 as they would have to acquire the property first and the state is not likely going to pay for an extension. The way it sits now there is limitations on whether extending the runway can be done. The hope is to get some grant money in 2022, but it is very competitive.

### **Motion Ordinance 2019-6 Tonasket Airport Overlay**

Commissioner Branch moved to approve ordinance 2019-6 which adopts the amended zone code amendments of the Tonasket Airport Overlay map. Motion was seconded all were in favor motion carried.

### *Brief Follow-up with VSO*

VSO Eric Fritts said he is working on the budget BARS with auditor Cari Hall. Commissioner Hover stated some of the Veterans fund beginning or ending fund balance will be used for the employee costs. He asked Mr. Fritts to discuss this with his board. He will also discuss with Ms. Craig the resolution to authorize the position. Of the \$21,000 needed, Work Source will reimburse the county about \$3,100 of that. Commissioner Hover stated costs can be covered even when there is zero budget because it's early enough in the year the department has bottom line budget to draw from.

### **Update – Planning Department – Perry Huston**

Director Huston stated a letter was received from the Bureau of Indian Affairs, Colville Indian Agency, which petitioned for some land within Okanogan County to be put in trust. The letter provides for the county to object via comment. We don't get these types of letters often, so Director Huston would like to know how the board would like them addressed either with a response comment letter, notation that it was received, or what.

Commissioner Branch stated fee land creates checkerboard ownership on the reservation. Commissioner Hover would like to know where the property lot is. It appears to be in town.

In the future, the Commissioners would like letters like this to include a map showing location and then the board will make further determination on whether to draft a corresponding comment.

### *Comp Plan update*

Director Huston discussed a meeting with Housing Authority about the housing element of the plan will take place to receive feedback from them. Colville Natural Resource and Water Management division to discuss the comp plan outline of the reservation boundaries. He wants to see if something else works better for them.

Director Huston stated he will be addressing code enforcement issues on Wednesday, due to having received complaints.

### *Oroville Rural EMS Levy*

Mike Worden, Wayne Walker, and Jon Neal, Oroville Mayor.

The resolution to put the communications sales tax to a vote was to put it on this year's election. IN retrospect there is a county EMS levy that must pass, so in trying to juggle these two important things what are the timelines. In order to get the issue on the primary ballot we have to submit everything to the auditor by May 10 for an August ballot. November ballot everything must be submitting by August for the November general ballot.

Is there enough time to get all the information out that the county and city needs to educate people on

the EMS levy for August? Director Huston discussed how a drive to provide the information can happen.

Mr. Worden stated he understands the need to provide Oroville Rural EMS services and why the communications ballot question would need to wait.

Mr. Walker explained the county is faced with a difficult decision. Remember that the sales tax question, if passed, would affect a much broader population over the entire county whereas the Oroville Rural EMS ballot question would affect a much smaller population within the Oroville school district.

Is there enough education information to be able to put the sales tax question on the general ballot in November, then hurry to put the EMS levy question on the Primary in August?

Mr. Worden explained the outreach he has provided to educate people about the communications sales tax. Mr. Walker said all the work he was doing was to put it on the November ballot, but he said all the area EMS districts will campaign for the levy. If the deadline is known and the green light to plow ahead, Life Line can accelerate the education coordination and supply of signs.

In this current day and age, it will be nearly impossible to have volunteer EMTs running the EMS district. Plus who would be administering the program and with what dollars? In 2018, Oroville Rural EMS levy only collected \$109,000. Commissioner DeTro explained the actions taken with Tonasket EMS and why those actions had to be taken. Mr. Walker said he is waiting for the first quarter to end, on paper and from a financial standpoint the adjustment made have worked in terms of dollars. The Oroville Fire Department has really helped out. He explained the statistic information he is keeping, where the numbers lay out identically to what was projected. He wants to use a whole quarter of info for the data set. To his knowledge LL has not had one time where they did not meet the state standard. They have stayed within that parameter.

It will be important for the City of Oroville ballot amount be consistent with the county. Commissioner DeTo said the resolution should be perfectly clear and concise so wording will lend to voter perception so everyone knows where they stand without a doubt. Commissioner DeTro thought they should be split between the two election dates.

Commissioner Branch thought this issue should be on the primary ballot and the communications sales tax on the General. Commissioners want those attending this meeting to participate in drafting the language for the resolution to place on the ballot.

#### *Mitigation Strategies Aspect Consulting*

Director Huston stated this is not a project specific discussion. Tyson Carlson, Senior Associate Hydrogeologist with Aspect Consulting provided a PowerPoint presentation on mitigations in tributary basins to the board.

Five step implementation strategies. Define 20-year exempt well consumptive use impacts; define water for water projects at the watershed scale define mitigation gaps in time and space at sub basin scale; define list of net ecological benefit (NEB) projects; and determine NEB, consensus recommendation on watershed plan update and Initiating Government.

In-kind =water for water.

Out of kind =habitat focused.

Consumptive use is the focus.

#### *Mitigation strategies*

Through water banking, uses can be mitigated. Water banks redistribute water right authority between sellers and buyers.

Managed Aquifer Recharge (MAR) areas was discussed and how those managed recharge areas are utilized and when. Considerations for MAR were shown. Commissioner Hover asked what the risk factors are in using MAR. Being sure the water is able to be used, maintenance costs to drain fields, but there isn't much of a downside.

Kittitas County pilot study was shown and discussed.

Gina McCoy asked about culverts across fish barring streams and whether those need to be screened and to consider the costs going forward. This cannot be an unfunded mandate, it will break the county. It isn't good to fix an upstream culvert without also fixing the lower ones, replied Mr. Carlson. Every culvert across fish bearing streams is to have a screen.

Mr. Carlson provided the regulatory overview and history of the instream flow rules. 1691

Director Huston said there were two sets of problems. Commissioner Branch would like additional WRIA #49 group information. Mr. Carlson said he would be happy to provide a more tailor presentation for specific locations.

Are there examples of a small base such as WRIA #48? Mr. Carlson said it is under construction as they do not have the data yet. Commissioner Hover asked if there is hydrogeological studies required, or is DOE saying if water goes in it contributes to the tributaries. MR. Carlson said there will be some hydrogeology required to ensure proper line up, there is science behind it. Commissioner Hover said this answer the question of drilling a well across the line which then is used in a restricted area.

### **Discussion – Making Hemp Possible – Kelsie Taylor, Anders Taylor**

Ms. Taylor is involved with cannabis farming and is an attorney for her 502 group. She wanted to discuss how to make hemp possible in Okanogan County. Mr. Anders Taylor is her brother.

There are some concerns with the industry folks. There are some ideas they wanted to relay to the commissioners. The different types of hemp for a variety of reasons. CDB oil, hemp seed and fiber are some products from hemp. Hemp that is grown for CDB oil because it is already a similar crop. There are already rules in place to ban hemp production in certain areas. The buffer zones are not large enough, but Okanogan already has the rules for this. Many other markets are not able to tap into the hemp industry. The legislature is considering rules, and if those are approved this year, then all growers investing will create a level playing field. If passed it would allow the CDB hemp to be grown here. Cross pollination was a big concern before. No buffer zone would be required only feminized female plants being used and it would allow diversification of the products. Ms. Taylor said it is a very intensive process for hemp CDB products that would not have THC in them. Because of the farm bill, the county would have access to the market place. It has been a real challenge for those other types of farms but if passed it would help them make a profit.

Commissioner Branch asked what kind of enforcement would be involved to ensure only feminized plants are used or sourced. With the farm bill passing it would be allowed without fences just like hemp is grown. Commissioner Branch asked about other industrial products like flax seeds and canola that did not take off.

There is no centralized CDB hemp processing plant because the rules are still being developed.

The Taylors would like to put in 10 acres of the CDB Hemp, with others wanting to add acres too. He said additional jobs will open up. He has 8 employees working during the summer and adds another 4 employees during winter months. It is a small window where the smell becomes prevalent.

Ms. Taylor was on the Cannabis Committee and that committee recommended a larger buffer that what is being discussed here today. Ms. Taylor explained her understanding was that hemp was used solely for seed and fiber crop then, and now with the feminized plants the same concerns are not there. Mr. Taylor explained the genetic work that has gone into feminizing the hemp so that it's compatible with cannabis. He doesn't want to make it hard for the county.

Director Huston said there is no ban in place, actually allowed in one zone MRD on the reservation, the changes would require a more robust definition would be needed.

Commissioner Hover explained what it implies for Okanogan County when Hemp is grown without fencing and security. He believes this will require an extensive conversation. Is the added benefit of jobs outweigh the cost of those living here?

Where we go from here will require some more discussion among the commissioners. The other part is the definition of what we are actually looking at, and that also takes time. If the Board decides to take that on before it goes to the Planning Commission, then they may do so. The zoning doesn't lend itself well to locations and conflicting uses.

Ideally, a small scale test of the feminized hemp would help those involved, explained Mr. Taylor. Commissioners thanked the Taylors for providing the information.

Commissioners Branch and Hover continued a vigorous discussion about the request to allow the production of hemp in the county despite the previous comments from the cannabis committee to not allow hemp to be grown within 10 miles of cannabis producers. If the Farm Bill passes and hemp is considered an agricultural product, how will the county deal with it.

#### **Motion - Voucher Approval - Commissioners**

Vouchers certified and audited by the Auditing Officer as required by RCW 42.24.080 and those expense reimbursement claims certified as required by RCW 42.24.090 have been recorded on a list, and made available to the Board. As of this date, the Board did vote, by unanimous vote, to approve the regular vouchers in the amount of \$976,401.34 and payroll vouchers in the amount of \$929,182.03. Warrant numbers as cited on the attached blanket voucher list. Motion seconded and carried.

#### **Motion Public Health Voucher**

Commissioner Hover moved to approve the Public Health Vouchers including payroll in the amount of \$32,977.20, and regular vouchers in the amount of \$1,144.30. Warrant numbers as cited on the attached blanket voucher list. Motion was seconded, all were in favor, motion carried.

#### **Motion-Letter of Recommendation-Ben Rough**

Commissioner Hover moved to approve the signing of the recommendation letter of Ben Rough. Motion was seconded, all were in favor, motion carried.

#### **Motion ADO Designation & Certification 2019-2021**

Commissioner Hover moved to approve the ADO designation and certification and authorized the acting chairman to sign. Motion was seconded, all were in favor, motion carried.

#### **Review Meeting Minutes**

The board adjourned at 5:00 p.m.