

**RECORD OF THE PROCEEDINGS****OKANOGAN COUNTY****JANUARY 28, 2019**

The Okanogan County Board of Commissioners met for its regular session on January 28, 2019, with Chairman, Commissioner Jim DeTro; Vice Chair Commissioner Chris Branch; Member, Commissioner Andy Hover and Laleña Johns, Clerk of the Board, present.

**Review Commissioners' Agenda and Consent Agenda**

The board discussed individual meetings attended last week and meetings they plan to attend this week.

**Legislative Update – Potts & Associates**

Potts and Associates provided their legislative report. (Attached)

Bill 5326 impacts local salons and appears to have some support. It would require small beauty salons to pay additional tax. The support comes from those salons in down town Seattle who rent their booths to different beauticians and there is a lot of turn over and the assessed tax goes right back. The problem is it effects the small salons who don't rent chairs.

H2A bill was discussed as agriculture community is not supporting it and it is costly. FFA programs got a short brief and the talks were about students in agriculture and the program in High school would automatically enrolled the student in FFA in order to create more access to FFA.

Carbon tax bill was discussed. Putting together a packet that shows how each action will impact us at the pump.

**Discussion Salary Increases – Maurice Goodall, Dan Higbee**

Commissioners invited Mr. Goodall and Mr. Higbee to discuss their salary increase request with the board. The board did not need to speak to Mr. Paul.

**Executive Session RCW 42.30.110 (1)(g) – Dan Higbee**

Commissioner Hover moved to go into executive session at 10:05 a.m. for 15 minutes inviting Dan Higbee to discuss his individual salary and wage request. Motion was seconded, all were in favor, motion carried.

Executive Session ended at 10:20 a.m. no decision was made.

**Executive Session RCW 42.30.110 (1)(g) – Maurice Goodall**

Commissioner Hover moved to go into executive session at 10:30 a.m. for 15 minutes inviting Maurice Goodall to discuss his individual compensation request. Motion was seconded, all were in favor, motion carried.

Commissioners extended executive session at 10:45 for another 5 minutes.

Executive session ended at 10:50 a.m. no decisions were made.

**Canvas Board – Auditor's Office – Commissioner DeTro**

Commissioner DeTro attended the canvas board meeting in the auditor's office.

**CANCELLED Executive Session RCW 42.30.110 (1)(g) – Jerry Paul**

**Continued Public Hearing – Water Availability 17A.400**

Angie Hubbard, Perry Huston, Dave Hilton, Salley Bull, Isabelle Spohn, Nancy Soriano, Lorah Super and GH Greene were present.

The audio recorder was turned on. Ms. Hubbard displayed the ordinance, memo and suggested language via video projector.

Commissioner DeTro opened up the hearing. Director Huston provided his staff report and gave an overview of the where he left off.

The discussion was about whether other approaches should be used. One of the changes of the board was to strike surface water as ground water is actual sources of senior water right holders and it had been suggested the word surface be left out. Another approach would be to include scope of work on the mitigation measures and he further clarified what that means. As the study marches on there may be other sorts of enabling acts to be considered. A memo was generated that took another approach which the director discussed. He crafted a suggested section six and read the draft language from the memo. (attached)

The ordinance would put those in the code and repeal the interim controls. How would the commissioners like to proceed?

Commissioner Hover gave input on the direction he would like to go. He wants to ensure the technical part of the mitigation is being done as there is no double check on whether the science is sound. He believes something needs to be done but he wants to also provide mitigation tools.

Commissioner Branch suggested some language for the subdivision in allowing the mitigation issues to take place. Ecology is already looking at the situation right now. Commissioner Hover said there are measures already in place that are recognized by DOE, but he doesn't want to wait when DOE is recognizing those measures now.

Commissioner Hover would like to know answers to questions like: Can someone purchase water outside the basin and apply that use here? What would be the process and what would the science be behind it? He wants to ensure we are not waiting on legislation to pass because he doesn't want to keep people from doing what they need to do. There is some indication people must wait for the county mitigation language, but it's in the law already. Director Huston stated these mitigation measures are acceptable now.

Commissioner Branch discussed his desire to open the record to ask the public what they think about it. Director Huston noted that he had not advertised to allow further testimony. Commissioner Branch then acknowledged that further comments were not appropriate. Commissioner Hover is not okay with people being at the whims of county government or the water shed planning group in terms of their development progress. He wants to find a solution to water, he wants to get to a point where public reassurances can be made. One objective is that people who depended on exempt wells for their situation can still depend on those. Right now it isn't taking away any property rights of those who own a lot, it just takes away options for creating more lots.

Director Huston would lay a four lot against these five exemptions and the application can be accepted. Commissioner Hover did not believe the suggested language was adequate, but he didn't wish to make changes to the ordinance. He wants to push forward with whatever is needed, but he isn't sure what that looks like. This language doesn't work, could someone who is considering a new water study and hire someone to provide info for mitigation. If the study reveals some needed zone changes we may not wish to wait. As mitigations measures are provided those would only be used to inform the study. It is hard to separate the concerns of the mitigation measures. Commissioner Hover said there are so many lots up there, and if there is found to be an issue, we are restricting those

already approved lots. He hopes to look at water mitigation measures as soon as possible. DOE appears to be getting on board.

### **Motion OCC 17A.400 Language**

Commissioner Hover moved to strike the word “surface” from section 1 and 2 and add section 4 in accordance with the language in the memo. Motion was seconded all were in favor, motion carried.

Commissioner DeTro closed the public hearing.

### **Update – Planning & Development-Perry Huston**

#### *WRIA 48*

Director Huston discussed closed basin-public interactions. Ms. Hubbard provided a map of the French Creek ground water restricted area layer. He discussed a parcel that falls in closed basin French Creek and open McFarland Creek and he would not feel comfortable making the decision on his own. This is one where the land owner would not get an immediate answer without a consultation and even then it make take longer. Director Huston stated his site analysis is good for one year, so he'll have them all come back to him for review. Information only site analysis could be required if need be for those working with bank loaners.

#### *Long Term Planning/Public Works-Staffing*

##### *Public Works Engineer Josh Thomson*

Director Huston discussed the primitive roads analysis and on different occasions the need for staffing to accomplish. In talking about long range planning, he and Engineer Thomson believes that bringing in a consultant may not result in the desired product for the money available, the consultant could be situated in the Planning office since they will be doing it anyway. There isn't enough grant funds to pay for someone, but other things we were offered funds for assistance. He envisioned, if staffed, a planner II could be dedicated to long range planning could accomplish the work if he avoided involving them in other planning tasks. He suggested that the position could be dedicated to Primitive road analysis, and assistance with long range WRIA 49 planning unit work. An assistant director is not what he needs nor is a senior planner as they supervise. Do the commissioners want to start with funding we know we have and then begin the process for other funds? Engineer Thomson said the funding through RTPO has around \$30-40,000 right now and around \$30-35,000 later if OCOG wants to go in that direction instead.

Director Huston envisioned targeting the roads on where development is happening making a good solid tie to buildable lands study. He sees the capital facility map to include cities, state and county roads to get a handle on resources we have as well as others. A firm commitment to RTPO to fill the position will be necessary, stated Engineer Thomson. Commissioner Hover supports the idea of the position but would like a definitive term of the position. Director Huston will identify funds that would offset any current expense funds used for the position. Commissioners would like to see the salary info for entry and step three to see what those are. Commissioner Branch asked that outreach be done to see the potential of a shared position as he had discussed with Director Huston in the past. A fiscal note will be provided to the commissioners once created.

#### *Comprehensive Plan*

Director Huston discussed the comments received regarding the comp plan and how he is indexing those.

Circulation element is required to be included. Director Huston discussed additions. He is not prepared to go into detail but he has researched large lots segregations.

#### *WRIA 49 Watershed Plan Update*

*The city of Omak is fine with the RFQ.*

The grant application was submitted. A funding contract will come next.

#### *Planning Unit members roster (OTID Assistance)*

Any additional letters will be created and submitted for commissioners' signature such as for Horticulture Association representation.

#### *Planning Admin.*

#### *Capital Facility Plan Update*

Feedback will be incorporated into the document and resubmitted for commissioner review and consideration.

#### *Champerty Shores Extension*

A more refined number is needed for the discussion with Treasurer and bond counsel.

### **Discussion Environmental Health-Dave Hilton**

Commissioner Hover asked Dave Hilton, Environmental Health Director Public Health, about whether he's looking into the use of cisterns. How long should water be on hand and what would be construed a projectable amount of time. He is looking at a once a week water rotation. Water could be treated. It would not be enough to water lawn or shrubbery, but grey water might be considered for that. The reality is the limitation is there; where will the water come from because they cannot just run to the neighbor for a fill.

The commissioners discussed water uses and the many details involved with water and the sorts of distribution and holding systems.

Commissioners discussed application for a Planning Grant. Town of Twisp is applying for the grant as well. That grant would be signed off by the town. Commissioner Hover asked about another application for Planning Grant that would benefit the whole county that Ernie Rasmussen is drafting.

Isabelle Spohn approached the podium to complain about the mic's not being on, but they were actually on. She asked about the county's ADA hearing aid devices as she has a hard time hearing sometimes. She said she would request next time.

### **Review Meeting Minutes**

Commissioners reviewed last week's meeting minutes.

The board adjourned at 4:15 p.m.