

**RECORD OF THE PROCEEDINGS****OKANOGAN COUNTY****JUNE 10, 2019**

The Okanogan County Board of Commissioners met in regular session on June 10, 2019, with Chairman, Commissioner Jim DeTro; Vice Chairman, Commissioner Chris Branch; Member, Commissioner Andy Hover, and Laleña Johns, Clerk of the Board, present.

**Review Commissioners' Agenda and Consent Agenda**

Commissioners reviewed their meeting minutes and agenda.

**Briefing Among Commissioners – Discusses Individual Weekly Meetings and Schedules**

Commissioner Branch forwarded a draft letter to the other board members from the North Central Washington Forest Health Collaborative to strongly urge members of congress to support reauthorization of the Secure Rural Schools (SRS) program. They had no objections to the content of the letter.

Commissioners discussed their weekly meeting schedules and individual meetings attended.

**Public Hearing – Supplemental Appropriation – REET/Assessor Software/Hardware**

Commissioner DeTro opened up the public hearing asking for staff report. Assessor Larry Gilman explained funds are from REET fund 144 for the budget supplemental. It was to provide the budget needed for the Cama Software upgrades for the appraisers. This was the last part of the funds that needed to be adjusted for the purchase. The balance of \$7,000 will be budgeted for going forward within the Assessor's budget.

Commissioner DeTro closed the hearing to staff and opened up to the public, seeing no public he closed public testimony and opened up to commissioners' discussion.

**Motion Resolution 76-2019 Budget Supplemental Appropriation Assessor**

Commissioner Hover moved to approve resolution 76-2019 a supplemental appropriation within the REET fund in the amount of \$14,300. Motion was seconded, all were in favor, motion carried.

The license agreement is being reviewed by Attorney David Gecas. Once completed it will be presented for signature.

**Public Hearing – Supplemental Appropriation – Sheriff's Office - \$177,519**

Sheriff Toney Hawley, Undersheriff Aaron Culp

Commissioner DeTro opened up the public hearing asking for staff report. Undersheriff Aaron Culp explained funds are from the City of Tonasket for provision of Law Enforcement Services by the County for the city. These funds will pay for the costs associated with service agreement. These funds were generated from the City of Tonasket. The amount covers the 2019 portion of the contract. There are two deputies to be hired so total compensation costs are calculated from the date of hire. There are additional items requiring budget due to increased costs of taking on the operations of the Tonasket Law Enforcement. Travel and training costs are included for the individuals training requirements. The purchase of several new radios since the ones we have are no longer supported. Costs for new radios, vests, telephones, and tools needed for outfitting the officers are also included. Half the cost of the vests does get reimbursed. There are costs associated with Spillman module but some of those costs are covered through subscriber fees but not all the cost.

Commissioner DeTro asked if the Sheriff has a full crew now. Undersheriff Culp replied with the six new hires all field deputy positions within the Sheriff's office are filled. There was only an additional \$2,323 needed for the vehicle purchase. The costs of outfitting the vehicles will be taken from the Sheriff's budget, but the car is already partially outfitted because it was a demo model. The second vehicle will need a radio

Commissioner DeTro closed the hearing to staff and opened up to the public, seeing no public he closed public testimony and opened up to commissioners' discussion.

### **Motion Resolution 77-2019 Supplemental Appropriation Sheriff**

Commissioner Hover moved to approve resolution 77-2019 a supplemental appropriation within Current Expense Sheriff Budget and Vehicle Reserve fund for the provision of Law Enforcement Services to the City of Tonasket in the amount of \$177,519 related to the contract in place. Motion was seconded, all were in favor, motion carried.

Commissioner DeTro closed the public hearing.

Discussion—Accounts Payable Healthcare Authority-Finance Manager Lisa Schreckengast and Deb Poulin

Ms. Schreckengast thanked the board for making time to discuss the issue of a missed payment to the Healthcare Authority. Ms. Poulin explained that a balance of \$2,225.01 was generated in 2015 due to the timing and effective date of HCA/PEBB being different for Teamsters and Non bargaining employees. At the time, it was thought both Teamsters and Non bargaining employees coverage would become effective January 1, 2015, then at the last minute HCA/PEBB were to cover only Teamsters group, but somewhere something got missed and we didn't process the \$2,225.01 balance. The cost will need to be paid but a budget adjustment will be needed for the unexpected cost.

Ms. Poulin said with all the changes that happened in 2015 within the Payroll Dept. the payment was missed but the balance carried over and was reconciled each month. We have maintained the same balance due over the years. At this point the Auditor's office requested that a budget supplemental be prepared for the payment. The Commissioners understood the issue and agreed a budget supplemental should be prepared for the payment.

Member of the public Gina McCoy representing Okanogan Watch Group and member of the public Christa Levine.

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

Char Schumacher, Senior Planner; Dan Higbee, Building Official and Dave Hilton, Public Health Official was present.

#### *Tonasket EMS District*

### **Motion Tonasket EMS District**

Commissioner Branch moved to adjourn as the BOCC and reconvene as the Tonasket EMS District. Motion was seconded all were in favor, motion carried.

Commissioner Branch moved to approve the Voucher certification and authorize the Tonasket EMS District vouchers to be paid for June 2019 in the amount of \$21,700. Motion was seconded, all were in favor, motion carried.

Director Huston stated the state auditor indicated they will conduct the Tonasket EMS audit so he will gather the material for the review. He assumes they will finalize and close out the prior issues. There will be a need to tidy up some inventory so that will likely need to be surplussed. There were some other inventory items that could not be located.

Commissioner Branch mentioned a different way of collecting additional revenue for the district but we must do the ambulance services billing in house. He would like staff to look into that. Director Huston explained the issues that come along with billing for services. He said he is still sorting it all out and will invite Wayne Walker of Life Line to discuss that and the equipment at a later date.

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

#### *M-Tank Ceiling Project*

Director Huston stated he has the Conservation Commission Contract for 2019-2021 VSP Funding. The award is in the amount of \$240,000 but they will retain \$20,000 as a contingency and will be freed up at closing, so there is actually \$220,000 that will need to be budgeted for this year. He doesn't yet have a contract with the Conservation District so he is not prepared to amend the Planning budget at this time for those costs. He requested the Board review the draft contract as it would not be effective until July 1, 2019. The discussion around this contract will be continued to next Monday.

Contract with Beaman Architect was discussed as there is a difference between the award of the contract and the project management. They were to stay on board to review the bids submittals, then once the contract was awarded then the staff would pick up. Beaman said they are not allowed to do that because materials to be used are consistent with the bid, we are working with semantics with the county scheduling the work. The language leaves them in place for some things up to the point the project is complete. He chatted with RM and DPA and there is no problem they see with that. The most it would be is \$23,000 or a percentage of it thereof. He will suggest if commissioners are comfortable going to recommend approval of the agreement between Beaman Architecture LTD and Okanogan County. County staff will schedule the work and make sure worker personnel is where they are supposed to be. Beaman will make sure the materials and workmanship are consistent with the bid documents.

#### **Motion Jail M-Tank Ceiling Project Architect Services**

Commissioner Branch moved to approve the agreement between Beaman Architecture LTD for the structural M-Tank Ceiling Project in the amount of \$22,695 inclusive of reimbursable expenses not to exceed \$3,480 and authorized the chairman to sign. Motion was seconded, all were in favor, motion carried.

Commissioner Branch stated if there are substitutes made that there be change orders done for each change. Director Huston stated he would be mindful of any changes.

#### *Purchase and Sale Agreement*

Director Huston explained the public hearing the Board requested is scheduled for July 8 at 1:30 pm. Around 478 postcards were generated to those residents within a five mile radius of the subject property. Director Huston stated the county is not required to first hold a public hearing in order to approve the purchase and sale agreement so there are no notice requirements other than what the Board directs. Commissioner Hover just wanted to ensure a public process because only the adjacent land owners would have been contacted and he wanted a broader process. Director Huston stated he is comfortable with the county's notification of the purchase. The material will be posted on the Planning Website. Commissioner Branch said if it is a public hearing and it is being treated as such, there usually isn't interaction between the commenters and Board as a two way conversation and he noted that could get in the way of the concerns people have. Commissioner Hover asked if he could discuss the decision after the public hearing.

Director Huston discussed making a hard copy of the map that shows the proposed property, walking through the features, with the option of couching the information and then they have two weeks to decide what they want to.

### *Lake Management District #1*

Noxious Weed Dept. is conversing with Canada to work out the details of our measures on the lake. What has come up is that last year when the public hearing the Commissioners sat like a BOE to hear appeals. Some did not understand the purpose of that hearing was to hear appeals, well he has heard not many understood that process. In the statute there is no discussion of doing this annually but other sections indicate that is not the case. He will go ahead and set up another public hearing that folks can offer a second round of objections that were missed last time. It will be ahead of the second half of collections. These objections are similar to those the board heard last year and these two have a legitimate objection. Commissioner Branch discussed inconsistent ways of handling. Commissioner Hover would like to ensure the consistent process in applying the rules of appeal. Since there is quite a bit of difference between this process and the actual process of the Board of Equalization the commissioners suggested defining the process. Director Huston discussed codification of the district which would articulate how objections would be handled. He will draft a process the board can look at after he contacts other Lake Management Districts.

Tax Title Property was discussed that went to tax sale but it hasn't been surplussed as a Las Vegas company indicated they wished to purchase.

### *2020 Census Point of Contact*

Director Huston explained in the past he was that point of contact. Census would like to set a meeting to discuss the kinds of community outreach the county can do for them as well as other information.

### *Water Availability WRIA 48*

Water Availability topic is not ready to be discussed, but since Mr. Hilton was here the board would like to discuss. Commissioner Hover discussed regulations on cisterns. Mr. Hilton did not know for our area specifically as the potential is there but one issue is the water truck may not be able to get into some areas at during wintertime. Less of an issue when mitigating ground water. Commissioner Hover said at some point the county will need to figure it out since we will be expected to help people mitigate. It is the interaction between those people and DOE that is complicated for most and will be harder than those people talking to the county on mitigation options. These things are happening right now. Director Huston stated issues that are still fluid such as existing wells that have not been put to use yet, but the land owner wants to. We need to figure out what to do with those. Commissioner Branch said we have been involving DOE, so the only resolution with that is to have a conversation with them. Commissioner Hover doesn't believe that is the solution. The solution is, is that we come up with the solution and present to DOE for acceptance. Commissioner Hover is tired of DOE driving the conversation. We administer the instream flow rules, so when DOE comes and says they are not sure or they change their mind how they want their rule administered. Director Huston explained the county has honored the DOE rules, so now the folks who want to do a two-party connection and cannot link it to a public process, but the new ones we have not been allowing people to build on shared wells. That question has been sent into DOE. Commissioner Branch asked why don't we just write a position paper and send it to DOE and others, and see how they respond.

Public Health rules are different than the rules the county is trying to sort through. Mr. Hilton explained the history of the well conversation going back into the 1990's when one well one parcel stance was taken back then. Mr. Hilton suggested that had the situation been handled differently there would be more consideration on one well serving more than one parcel with the installation of a water meter. Mr. Hilton stated his authority to amend how we deal with group B systems. Commissioner Branch said the county has been unsuccessful at maintaining group B systems.

Commissioners continued to discuss their position on group systems in the Methow so that is isn't at odds with the administrative code. How will the board address the management and administration of water within WRIA 48 and the current rules in place being inconsistent among agencies? There is a lot of confusion. Commissioner Branch said a position paper would state what we believe and would

make us stick to what we are saying on what is working.

How many households can we serve with the 2cf in reserve? Commissioner Hover doesn't want to use water as the limiting factor or the expanding factor for developments. Municipalities cannot grow under the current situation. DOE have areas closed to any further appropriations based on surface waters and DOE cannot exactly explain the amount needed in the stream or what rights are adjudicated in the stream, what is needed exactly for instream flows etc.... but have said we can mitigate. So, we need to have a mitigation strategy in place. And the existing wells DOE said those could be drilled if constructed properly, so people paid for their system based on a guarantee that they could use that well as long as the 2cfs is not bumped up against. Commissioner Branch discussed mitigation strategy priorities.

Dave Hilton stated Public Health inspects all the wells that are drilled in the county he said there is no expiration date, there is nothing there saying it is a domestic unique well. Commissioner Branch discussed that being in the position paper and prioritize those. Director Huston said he receives a lot of the same questions like this, the next one is can we drill here? Our response has been maybe, stay tuned.

Commissioners continued to carefully sort through what the position paper would state with the priorities very clear. Director Huston will prime the pump with regards to DOE.

#### *Comprehensive Draft EIS*

Director Huston discussed the items above that are tied to the comprehensive plan and EIS, however the items above are not unrelated and one should help with the discussion of the other.

Commissioner Branch would like to keep in mind that we waste a lot of time when things go bad.

#### *Code Enforcement update*

Director Huston updated the board on the various code enforcement issues he is handling.

Mr. Higbee asked if Director Huston had discussed the Building Department code enforcement issues with the Prosecutor's office. Mr. Higbee said he had previously sent the attorney a couple different issues but had not heard back yet. Director Huston discussed some opportunity to Building Dept or Planning Dept to send notices but then with an understood relationship with Sheriff they could actually be the one with the ticket book who would site the offender in District Court, but would be an additional work load. Commissioner Branch said if they are able to coordinate that sort of thing then that might work. When it comes down to it the one with the ticket book should be the one with a gun since code enforcement isn't really getting a welcoming invitation. Director Huston said Dan has had more cases go to District Court than he has. It is a step after sending all the notices and getting it into the courtroom with success is what. Dan said it would be nice to record the issue against the title. Right now it seems we are just wasting time. The best pressure point is when the person goes to sell the property and if the bank knows there is a problem with permitting the bank may not lend on it.

#### *WRIA 49 Watershed Plan*

Director Huston provided the board with the Aspect Consulting Contract Order for project No. 190259 dated May 24, 2019 for signature. The technical advisory committee recommended two things. There might be additional money available if we get the application in by end of June. Proposed project would be laid against net ecological benefit. Identify the basins where the best bang for the buck for mitigation projects are located. The RFQ would follow our application for the money. We have to get the money awarded and our concept is sound. As lead agency we would need to apply. Director Huston explained someone would need to come in to do the RFQ once the funds are awarded.

A vacancy exists due to Jon Wyss representing Forests, has resigned from the Planning Unit. Word will go out to fill the vacancy.

The map showing the county was displayed. Director Huston explained he created an ordinance that would adopt interim controls for certain areas and set a public hearing within 60 days. He suggested July 15 as the hearing date. From there the board has six months to deal with interim control and comp plan adopted and review of subdivision code so it coincides with zone code.

A line of DOE was shown as impacting the Columbia River in review of the existing.

#### **Motion Staff Direction on Transfer Vehicle Reserve Fund 197**

Commissioner Hover moved to direct staff to ask the County Treasurer to transfer the remaining funds budgeted in the Sheriff's CE vehicle transfer out line to Vehicle Reserve Fund in the amount of \$45,656 for the second Sheriff's vehicle to be purchased. Motion was seconded, all were in favor, motion carried.

#### **Motion Vehicle Purchase Authorization**

Commissioner Hover moved to allow the Sheriff to purchase their second approved vehicle from the Vehicle Reserve fund in the amount of \$47,977.88 after first checking with the Treasurer to ensure adequate cash is available for the purchase. Motion was seconded, all were in favor, motion carried.

#### **Review Meeting Minutes**

Commissioners reviewed their meeting minutes.

The board adjourned at 4:00 p.m.