

RECORD OF THE PROCEEDINGS**OKANOGAN COUNTY****JUNE 4, 2019**

The Okanogan County Board of Commissioners met in regular session on June 4, 2019, with Vice Chairman, Commissioner Chris Branch; Member, Commissioner Andy Hover, and Laleña Johns, Clerk of the Board, present.

Chairman, Commissioner Jim DeTro absent for personal reasons.

Member of the public and Okanogan Watch Group, George Thornton, arrived at 8:50 a.m. to take hand written notes.

Pledge of Allegiance

The pledge of allegiance was said.

Motion Authorization of Letter Conservation Easement Olma Property

Commissioner Hover moved to authorize the letter of support for the conservation easement of Recreation and Conservation Office for the Olma property. Motion was seconded all were in favor, motion carried.

Commissioners Staff Meeting

David Gecas, Stella Columbia, Joe Poulin and Perry Huston were present.

Mr. Gecas updated the board on several legal matters he is handling. He discussed detainer processes and timelines detaining people, but it doesn't look like we can hold them. He discussed the constitution in regards to newest immigration legislation that several counties have refused to uphold. It doesn't appear to support the county when there is no indemnification clauses and they have not done that anywhere. In the meantime, he suggested something like Yakima worded out in their settlement and then it will be up to the Sheriff whether he follows them.

Ms. Columbia updated the board on fairground events. She explained the lease agreements refer to policies that are not separate from the actual agreement language. She provided a draft of rental fees for amendment. She replaced the hourly rate with a ½ day rental fee. There were penciled in rates for arenas and track use.

Motion Staff Direction Fairgrounds Fee Schedule

Commissioner Hover moved to direct staff to create a resolution to adopt the modified fee schedule for the fairgrounds. Motion was seconded, all were in favor, motion carried.

Commissioner Hover discussed the team penners donation that will help pay for the announcers booth. The conduit needed to hook into the lights and speakers will be needed first. He asked that the electrical for it be coordinated with PUD. Mr. Poulin stated there is not yet a foot print of where the arena will be placed, so that will need to be measured and staked first so staff isn't just digging holes hoping to get those right the first time. Public Works will bring in the dirt once the area is staked and electrical trenching accomplished.

Mr. Poulin gave a status update on fairgrounds temporary employees that were hired but did not work out. He stated another person was hired to start on Monday.

Mr. Poulin provided the board with a letter stating the reasons the fairgrounds old 1975 dump truck should be replaced. It was previously surplussed by the board for auction but was held back to help

pay for a replacement when one became available. (attached) Commissioners discussed a rent/lease to own situation for the dump truck then that would spread the costs over a couple years instead impacting it all at once. Director Huston cautioned to ensure the Auditor and Public Works rules and policies allow this type of process. Commissioner Hover explained his idea to rent from ER&R until depreciated to zero value then purchase for a dollar when depreciation is down low enough. The question is do they need the \$10,000 up front. This will be discussed with Public Works to determine the possibilities of this working out.

Mr. Poulin explained the type of exterior lights for the Agriplex were purchased to light up the handicap parking and the front area of the Agriplex. There are four LED lights purchased as they are as bright as a 240 watt regular bulb but save energy. They will shine down and out and will have some down shielding.

Director Huston provided the board with a Purchase and Sale Agreement between Okanogan County and Claude Miller for the following parcels 3123310006, 3023064004, 3022011005, and 3022120005. He explained Public Works has been looking for rock supply and this agreement lays out/ He requested a public hearing be scheduled to take public testimony to consider ratification of the agreement after that. If the agreement is signed there is a 180 days for feasibility. He can place this on the agenda for discussion.

Commissioner Hover explained he was with Public Works the other day and asked them about the amount of rock available for chip seal projects this year and they do not have enough so it will have to be hauled over to ensure there is enough material for the projects.

Motion Staff Direction Purchase & Sale Agreement and Schedule a Public Hearing

Commissioner Hover moved to direct staff to secure a date for the public hearing and for staff to understand that there be enough time beforehand for adequate comment. Director Huston explained the adjoining landowners' notification process. Commissioner Hover asked that the adjoining landowners within site distance of the subject parcel, five miles from center point, would be adequate notification. Use of the Emergency Management reverse notification system in the Methow area in addition to the regular notices within the five mile radius. It should be requested to be published as a news release. Motion was seconded, all were in favor, motion carried.

Mr. Huston explained the Beaman Architect agreement assumes they will manage the project. He would like to know if the fees reflect the project management and will bring the situation back to the board for consideration after that time.

Conservation District is still working on the budget numbers that were requested for VSP. Aspect agreement did not provide details, but it has been moved off until July.

Director Huston explained enforcement actions that included posting the salvage yard. They turned away a couple trucks while he was there. The agent has 48 hours to clean up the front, then we'll see how it's going. Also the Weddle property that had an enforcement issue on clearing and grading property will be revisited on the noncompliance issue. .

Similkameen trail and culvert clean out where PUD has elected to just do it but they did request the trail be posted as closed next Thursday June 6 for the repairs.

Department of Ecology letter was sent requesting more specific information

Motion Close Similkameen Trail for Repairs

Commissioner Hover moved to close the Similkameen Trail on June 6, for the culvert repairs. Motion was seconded, all were in favor motion carried.

Update – Human Resources/Risk Management – Tanya Craig

Ms. Craig updated the board on several items. The HR assistant position has received about 13 applications with 4-5 having some HR experience so interviews will begin this week.

Ms. Craig was called by Superior Court for Jury duty, but she is pretty sure she will be dismissed due to her position with the county. Commissioner Branch asked if Ms. Craig knows if there is a law about signage on the trash bins at the transfer stations that says it is illegal to get inside the trash bins. The sign shop can order signs. She will email Kent to ensure signs are in place.

Commissioner Hover explained wells exist that were drilled in accordance with the way DOE was doing things prior to December, but was not put to beneficial use. DOE said if they haven't been put to beneficial use they cannot, but then recanted on someone else when they pushed them then drilled a well on the reliance of the letter. The property was purchased based on the letter and water, but now DOE is recanting their prior decision and not standing by their rule. Now a building permit issue has come up as to adequate water supply and the well having not been previously put to beneficial use. Director Huston explained the situation as he handled it with DOE and the landowner and said it was a bit of a debacle. The DOE staff seems disjointed in how they handle the letters. Mr. Thornton commented that DOE has been involved with water quality inconsistencies for a long time. Commissioner Hover provided mitigation ideas that could be utilized that would provide the needed water.

A request to purchase tax title property (parcel 3024101009) was discussed from Eric Ko of Las Vegas. (attached) Because it has been more than a year since it became the county's property, it was recommended that it be surplus and sold through the public process.

Update – Communications/Dispatch – Mike Worden

Sheriff Hawley was present.

Mr. Worden provided the board with a DRAFT resolution calling for a special election on Tuesday November 12 for the communications systems and facilities 2/10 of 1% in accordance with RCW 82.14.420. Mr. Worden is working the advisory by laws draft and will be reviewed by working committee to ensure it fits with their ideas, then call for members. Staffing was discussed as there are three open positions with one going on leave any minute. It will be an overtime problem. Mr. Worden explained the plan for filling the open positions stating that it will be challenging. Overtime is being utilized, but bottom line it is good. Line item budgets are looking bad, though. Commissioner Branch asked if there is an exit interview process. Mr. Worden said no but he has been wishing there was one. Commissioner Hover explained once the new HR assistant is in place that will be one thing he wants to see started for every department. Mr. Worden said published a bid for the project for Bodie Mt.

Mr. Worden explained he will be out of the office soon and won't be back until July

Sheriff Hawley updated the board on a vehicle fire situation that occurred in Aeneas Valley last night where there was an officer involved shooting. Douglas county investigative unit is involved. Our officers were not hurt but are on minimum two week administrative leave until the situation is figured out. There are two scenes involved to be processed. Shifts were discussed as overtime may be needed to cover their shifts.

Mr. George Thornton asked about an incident that happened south of Carlton and another north of Twisp. Commissioner Hover said there was a motor vehicle accident.

Update Public Works-Josh Thomson

Engineer Thomson provided his agenda and discussed the items listed there.

Maintenance and Road Conditions
Working on chip seal projects.

Similkameen Trail Maintenance

Director Huston explained the motion the board made earlier today regarding closing the trail for the needed trail maintenance. Signs to be posted.

5-Yard Dump Truck Surplus

Commissioner Hover explained his idea to pay the monthly rental rate of the truck and wondered if the depreciation calculation happens in CAMS. Engineer Thomson said the truck is already at end of life so we would need to figure out the math on the timeline needed to decrease the value to an affordable amount because it is more feasible for current expense.

WSDOT US-97 Omak Area Study

Engineer Thomson explained the 180 page WSDOT traffic study report on Omak area. He said it appears Sand Flat and Shumway Roads are planned for development and will happen. Roundabouts are part of that study. Commissioner Hover said he actually doesn't mind roundabouts, and asked Engineer Thomson how he feels they function. If designed properly, they are not as bad as coming to full stop at a light. He believes there is more resistance over the idea of having one then after one is installed. Commissioner Branch explained he can tell people are okay with them as traffic is smooth through them as people don't need to stop. Engineer Thomson explained Quince Rd and Omache Rd are being considered. Timing wise if School Bond passed then Sand Flat Rd would need to be considered on Hwy 97 by the county shop, but the one on Quince Rd might show the public how well it works. They were also looking at 12 Tribes Casino on Hwy 97 and closing Fairgrounds Access Rd. They are also considering connections to Tribal Trails from Rodeo Trail due to mill site. Engineer Thomson explained other options for pedestrian flow on Hwy 97 over the bridge to Walmart. There is an RV park at Stampede grounds and people cannot walk across the bridge to walk to shopping. Mr. Thornton commented that there are a lot of bicyclists on the road and going across that bridge is scary. A pedestrian bridge would be bringing more business to the shopping center.

Engineer Thomson explained he has been reviewing the road log book of 1897. It appears many have not referred to the road log, he would like to dive into that book more before the board addresses the reconciliation of the road log any further. Commissioner Branch explained some comments he received on the road log reconciliations and road upgrade requests on reservation. Kartar road was one of them. Engineer Thomson explained what road maintenance data base.

Commissioners discussed sharing commissioners' proceedings for research purposes with Public Works Engineer. Commissioners thought it most efficient to provide the access as "read-only". The Clerk of the Board being responsible for the commissioners' records agreed that if the Engineer had access to the information that it would provide the needed efficiency.

The Fairgrounds arena and track, the portion paid for with grant funds, must be completed by June 30, 2019. Commissioner Hover discussed the tribe's possible use of the fairgrounds race track for horse racing events.

George Thornton and Christa Levine, members of the public were present.

Citizens Comment Period – May call-in 509-422-1700

Because there aren't many callers, Commissioner Hover thought cutting the time back to 15 minutes from 30 would be best. Commissioner Branch said yes, it is quite and there aren't very many. It is good to keep it open for 30 minutes.

Discussion – Treatment Services Manager – Dennis Rabidou

Judge Rawson, Judge Culp and Tanya Craig were present.

Judge Culp explained recently a resolution was approved. They interviewed a person who is exceptionally qualified, but they would like to start her at step five instead of step one. He cannot think of a more qualified person for the position. Last Friday was the closing date of the employment notice and only one application was received. The difference would be an \$11,000 difference. Ms. Craig explained the positions preferred qualifications are more than met. Judge Culp said she has a Master's Degree in counseling in relevant social work, experience dealing with youth and families, and is on the short track on qualifying chemical dependency certificate. Commissioner Hover said because she does meet and exceed the preferred qualifications, he believes the board has approved up to step 4 but because she exceeds both minimum and preferred qualifications she should start at step 5.

Motion Treatment Services Manage/Therapeutic Court Coordinator at Step 5
Commissioner Hover moved to authorize the combined position of Treatment Services Manage/Therapeutic Court Coordinator to start at step 5 based on the person exceeding both minimum and preferred qualifications. Motion was seconded, all were in favor, motion carried.

Judge Culp and Rawson thanked the commissioners for their consideration.

Annual Briefing - WSAC – Executive Eric Johnson - President Scott Hutsell

Perry Huston was present.

Executive Director Johnson provided a briefing document brochure. (attached) Director Johnson explained how Washington State Association of Counties (WSAC) has tried to reach every county in the state. They wish to cover the association's services and engage in conversation about our organization.

Okanogan County currently provides about \$20,000 in dues. The dollars help with policy and legislation, events, affiliates and contract services, and annual conferences. Participation throughout the state has been strong.

Director Johnson explained support of affiliates and those folks being responsible for carrying out the day to day work as WSAC provides support for many groups in addition to counties. He explained business partners of WSAC as listed in the brochure.

Director Johnson stated WSAC is involved with two laws suits and have filed Amicus Briefs on both. The first one is for Spokane County due to recent law change requiring the county to change from a three member commission to a five member commission.

The second lawsuit is about indigent defense that is currently over burdening counties. Pacifica Law Group was secured as it is a McCleary like lawsuit. Previously, ACLU sued the state as they were not doing their duty to adequately fund indigent defense. The state said it is the county's duty to tax its citizens in order to provide the funds for indigent defense. Director Johnson said it is the state's constitutional duty to adequately cover the costs.

An AGO was requested to clear up HB 1537 but it is out for comment right now.

Director Johnson relayed the four areas of concern that have a lack of state funding associated with the mandate: funding for trial court public defense services, fish passage barrier removal, foundational public health services, and opposition of new unfunded mandates.

These four areas were summarized in the brochure and individually discussed as the issues relate to the county.

Group B water systems and environmental health funding was discussed as it has to do with ensuring

clean drinking water in rural and remote areas and was completely unfunded in the state budget. It is unclear how counties will fund the program through local revenues or more likely the local programs will close and operations responsibilities go back to the state.

The commissioners discussed the status of the various bills of interest where some died and others will be redone for the next legislative session.

Approve Commissioners' Proceedings May 13 and 28, 2019

Commissioner Hover moved to approve the commission's proceedings of May 13 and May 28, 2019. Motion was seconded all were favor, motion carried.

Approve Consent Agenda

Commissioner Hover moved to approve the consent agenda items 1-5, as presented. Motion was seconded, all were in favor, motion carried.

1. Acknowledge Fairgrounds Facility Use Agreements – See List
2. Appointment Letter – LEOFF Board, Mayoral Council Elect Position – Nattalie Cariker
3. Agreement – Sand & Gravel Material – Duff Pit Expansion
4. Contract Amendment – DVA Contract No. 305E-15-114, Amendment No. 3
5. Resolution 70-2019 Authorizing Temp Maintenance Worker

Motion Methow Valley EMS District

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

Commissioner Branch moved to approve the Voucher certification and authorize the Methow Valley EMS District vouchers to be paid in the amount of \$56,797.83. Motion was seconded, all were in favor, motion carried.

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

The board adjourned at 4:00 p.m.