

RECORD OF THE PROCEEDINGS**OKANOGAN COUNTY****MAY 13, 2019**

The Okanogan County Board of Commissioners met in regular session on May 13, 2019, with Chairman, Commissioner Jim DeTro; Vice Chairman, Commissioner Chris Branch; Member, Commissioner Andy Hover, and Laleña Johns, Clerk of the Board, present.

Discussion – Therapeutic Courts Staffing

Dennis Rabidou, Judge Chris Culp and Judge Henry Rawson were present.

Mr. Rabidou stated he has been working with Tanya Craig on the resolutions to authorize a Judicial Assistant and a Court Program Manager. The commissioners thought it was only one employee adjustment not two. One is a stipend to a position and the other is to reclassify and give a raise. Yes, that right said Dennis Rabidou, Judge Rawson stated it was a combined position and would include case management coordination with law enforcement and courts.

With the Criminal Justice Treatment Account (CJTA) funds the county allocates to Okanogan Behavioral Health Care (OBHC), there is allowed 10% administration. That is only for management fees of what is expended.

Currently OBHC is allowed to use all the funds for OBHC except for the 10% administration portion, which the county keeps.

Commissioner Hover asked if the proposal is to provide the \$12,000 increase to the Court Program Manager and the \$400 monthly stipend for the Judicial Assistant for added duties, for a total of \$16,800, from the CTJA funds. This would limit OBHC's use of the funds. He asked whether this scenario been run through the Prosecutor's office and the CJTA program?

Judge Culp responded that the scenario has been run through the prosecuting attorney and CJTA program. He said as long as the funds are used for treatment then we are okay and these two positions are treatment related. Steve Wilson was part of the drug court team at OBHC and he has resigned. The courts are hoping to take the duties that Steve Wilson did and take those back in house and OBHC would then expect a decrease in those funds as a result. Judge Culp discussed this with Lisa Apple, Interim Director OBHC. Commissioner Hover stated he doesn't want these positions to be a burden on Current Expense, if the county agrees to it we are limiting what OBHC can receive. If everyone is on board with it, then the commissioners are okay with it. Mr. Rabidou discussed the need to create a plan for use of the funds and it is required to be sent to HCA. The plan would cover this scenario. Commissioner Hover asked how the funds are calculated for Okanogan County and if the money goes away, then we would have to figure out how to pay for it.

Judge Culp stated because this position would be a county position then OBHC would receive less Therapeutic Courts funds because they are not funding the position any longer. Commissioner Hover stated he is okay with that, but he would be more comfortable with a resolution that states the funding mechanism. Judge Culp stated he is comfortable with that means to pay for the position. He hopes it is indefinite and legislature doesn't change our tax rules. RCW 71.24.580 (5)(b) talks about the panel and the county plan.

Not asking the Sales Tax Oversight Committee (STOC) for funds this year, so OBHC's budget won't be reduced, but it was thought there would be money left over at the end of the year due to OBHC not having to pay for Steve Wilson due to resignation.

Commissioner Branch asked about the current OBHC Therapeutic Courts agreement which has termed, but slated to be redrafted for current services. Judge Culp explained the need to create accountability of the Therapeutic Court. There is a lack of knowledge and attributes of the user on OBHC end, but after Mr. Bauer's retirement, the accountability became lacking. Commissioner Branch said in his mind there is a separation with the legal side the courts are dealing with and then there is the treatment side of it. The court manages the legal side, and OBHC managing the therapeutic side. There is also the accountability side, which the court will take on with these two positions. Judge Rawson said Lisa Apple has been at the table and she has been spot on. She has started making adjustments and candid in the deficiencies in oversight in the Therapeutic Court, she said she doesn't know what they do. There was a failure of leadership. That is the part Commissioner Branch is trying to figure out, if it is being affected by the treatment process, the board should know that. Judge Rawson and Judge Culp is responsible for making it successful and efficient. It is an opportunity for the courts.

Commissioner Hover asked whether the position costs were calculated to use the 10% admin allowed in addition to the \$16,800. Tanya Craig is overseeing the OJTA funds and expenditures from that fund. How did the court come up with the \$400 per month stipend? Mr. Rabidou said they took the hourly wage of the person then multiplied by the extra hours the person would work and would be compensated for the extra duties. The increase in wage was \$8068 and is equivalent to court administrator. This would be a master's level position with increased duties for Therapeutic Courts administration. What is the measure of success that Therapeutic Courts is measured by? Judge Culp said it depends on who you ask, more successful if the population went up from 10 to 15, but that depends on which cases are eligible for drug court. Drug court is a 24 month intense supervision program, not everyone is going to be eligible. Drug free babies is a real goal to achieve and would be something to measure success by.

Mr. Rabidou stated he was alright with the clause in the resolution that if CJTA funds become nonexistent that the position be funded from Therapeutic Courts fund 143.

Resolution 122-2006 established the Therapeutic Court Program and it was read by Commissioner Hover.

Introduction – Derek Brian – Risk Pool Executive Director

Josh Thomson, Larry Gilman, Jan Million, Aaron Culp, Jamie Groomes, Cari Hall, Maurice Goodall, Dan Higbee, Anna Lyon and Kayla Moses were present.

Mr. Derek Brian, Executive Director Washington Counties Risk Pool introduced himself and provided a Power Point presentation and overview of the Risk Pool.

Mr. Brian discussed the WCRP mission statement saying that it provides counties cost effective insurance, drive down claims so there are less and overall claims cost less.

Mr. Brian discussed the pool's three departments: Admin & Finance, Claims, and Member Services. The slides showed comparisons of the different types of claims submitted of Okanogan County and other like counties. He said Okanogan County has been the poster child on driving costs and claims down due claims management to how closely we work with the pool to keep them down.

Review & Discuss Commissioners' Agenda and Consent Agenda

Briefing Among Commissioners – Discuss Individual Weekly Meetings & Schedules

Commissioner Hover updated the board on the fairgrounds arena, race track and bleacher projects. He received several bids for the arena and several bids for the racetrack material.

Three bids each were solicited for the different parts of the project. (attached) Commissioner Hover

read the specs for the arena and race track. Funded by \$80,000 grant and \$40,000 from our matching money from Capital Improvement fund. Resolution 302-2012 adopted the county's Capital Improvement plan which includes these items.

ARENA QUOTES

Commissioners reviewed the following quotes.

2-W Livestock Equipment Total \$77,403.98

Prifert Total \$98,547.81

Powder River Livestock Handling Equipment Total \$106,236.01

Motion Fairgrounds Arena Vendor

Commissioner Hover moved to approve the purchase of the fairgrounds arena equipment from 2-W Livestock Equipment in the amount of \$77,403.98 as it was a responsive submittal and the lowest cost. Motion was seconded, all were in favor, motion carried.

RACE TRACK QUOTES

Commissioners reviewed the following quotes.

Four prices for track rail system was obtained from Equinox Racing Inc for various quality rails and posts.

PVC Heavy Weight Rails \$26,779.50 including tax

Oval Medium weight Running Rails \$19,000 plus tax

Standard Running Rails \$21,391.14 including tax

Horsemen's Track and Equipment Inc

PVC Race Rail Total \$28,481 plus tax

These were the only US companies in USA that could be found.

Motion Fairgrounds Race Track Vendor

Commissioner Hover moved to approve the purchase of the race track rails from Equinox Racing for the Standard Running Rails in the amount of \$21,391.14 which was the lowest bid provided. Motion was seconded, all were in favor, motion carried.

Commissioner Hover explained he put together all the costs of the Fairgrounds race track soil assuming Public Works would haul the dirt in. The arena low bid was \$77400 for the full pen package, the racetrack rail specs were given to a company that recommended their middle priced rail because the width of the track and number of racers on the track at once. The bleachers that seat 48 persons and has two ADA stalls quote was \$6638. The quote for uncleaned sand was \$336 but is proprietary. Some materials are to be donated. The person that has the 2300 cubic yards of soil is close. He would like to get the arena and race track ordered so we can begin.

Bleachers

Commissioner Hover is checking on shipping costs before providing detail on vendor selection for the purchase.

Soil & Ancillary Materials

The soil that Public Works has was determined to be too heavy, so Commissioner Hover would like to

look as some dirty sand that would give it a softer texture.

Discussion – Annual Report Review – Auditor Cari Hall

Pam Johnson and Jamie Groomes were present.

The county's annual report, notes to financial statements are submitted by the county auditor. Auditor Hall explained the narrative, and she feels this is the best part.

She reports all miscellaneous and Special funds, Jr. Taxing Districts, Cities and Towns although minimally, and in addition to Current Expense. Interfund loans schedules are reported in the written side. Auditor. Hall reviewed the actual expenditures.

Auditor Hall explained the new section for OPEB Plans offered to Law Enforcement Officers and Fire Fighters (LEOFF 1) retirees called LEOFF Health and Welfare Trust. Roll-up funds were discussed and how those are done. Optional road fund report was discussed and apparently there are some calculations that don't get roll-up that we were actually rolling up. We cannot submit if any are off by \$1000 or more. The hope is that we will have a vehicle to do this and it will do away with the DOT report Engineer Thomson does.

Auditor Hall explained Schedule 01 and the work that goes into it. She stated it literally takes a month to complete. For her, it takes the longest outside of the schedule of federal awards report. Auditor Hall explained Schedule 06 and the balancing act involved. We are liable for our Trust Accounts so those are reported. The Interfund activities for 2018 was reviewed and discussed.

Schedule 07 is all disbursements, warrants, county AP, Hospital and School District AP, and outstanding balances which is a liability for the county. After one year a report is done that is turned into DOR. The funds are held and might be paid out years later.

Schedule 09 was discussed. It shows BOND payments and what we have still out there. We have East Lake Sewer payments, pension liability, and this year a new one is the capital lease for the tractor for fairgrounds and is a liability that should be reported. There could be justifiable differences due to id number changes, or because we had capital leases.

Schedule 11 is everything that runs through the county everything that has any kind of tax collection or revenues that come in as well as those expenditures that go out for all funds the county is treasurer for. These must balance all the time.

In order to create the reports a grant accountability work sheet is provided by the responsible department. It is a schedule of federal awards and has to do with the expenditures. Over the last three years she has requested more info from the department which cuts down the time it takes her to create the report. Two grants recorded as state revenue, but is actually federal money which means we had to open up for the third time to report accurately. Award letter showed the breakdown of funds that were state and federal payments. It was a checks and balance that worked the way it was supposed to. It worked out well. She really tries to spend adequate time preparing the Schedule of Expenditures of Federal Awards Schedule 16 because it must be accurate. Actual costs with 10% de-minimus reported.

Auditor Hall will sign a certification form before submitting. Balance to the optional schedule with a few additional tweaks, nothing material. She will discuss with Central Services how the report can be provided publically. It sounded like it was the direction the state auditor is going.

For the first time in three years, we did not have to report disaster expenses. The commissioners were good with fine tuning the report in order to submit. Ms. Hall stated this is the county commissioners' report as it reports all the actions of the board during the year. It is literally their report card.

Discussion – Two Farmland Preservation Projects – Jason Paulsen

Jeanne White, Land Program Manager and Christa Levine, taking hand written notes.

Mr. Paulsen Executive Director Methow Conservancy, thanked the board for time to discuss two new proposed farmland conservation easement projects. (attached)

Mr. Paulsen explained the RCW changed for WWRP program. This is what drove the need for a meeting today. Because there were RCO funds not allocated last year, the state board is allowing a special farmland conservation round and this is their attempt to put the money to good use. There are two projects for Conservation Easement Acquisition.

Woodward Hwy 20 project is project #1 and is located west of Come Road and South from the highway from Winthrop to Mazama and where horses have been run for a long time. Woodward Cattle operations since the 1950's and was a part of that operation for many years. It is irrigated agricultural land. High quality soils and irrigation are properties the conservation considers. This is a senior right. The size that would be encumbered would be around 88.3 acers, remove all development rights, and easement does encumber the water rights. The agreement ties the water necessary to conserve the ground, but they do work to ensure the water and soil is tied together. A discussion would be needed with conservation in order to put water in trust or beneficial use. It would not be sent down stream. This is language in the agreement.

There was an early easement done that didn't address the water and conservancy went back and worked with the landowner on the water oversite.

Fort Conservation Easement is project #2 and is located near Twisp in the Methow Valley and consists of 66.5 acres that would protect agricultural farmland.

The RCW gives the county commissioners an opportunity to comment on the project to RCO in an official letter. There is no requirement to comment.

Commissioner Hover discussed people's perception that state funds are offsetting poor agricultural practices. He asked why these projects are funded programs and not others that seem to be needed. These are through Farmland preservation program. Commissioner Hover said this goes back to keeping water on the ground here. If he is someone with a senior water right who doesn't have heirs to take over the alfalfa field and the water can technically first be transferred downstream to be used for a higher economic based agriculture such as cherries, how does it work to take away building spots that generate revenue for the county?

Mr. Paulsen said the state decided that farmland preservation was important enough to preserve and invest in if we want to continue to have farming in Washington. In the Methow people value the rural character of the Methow Valley that includes cattle and shared appreciation of the agricultural landscape that is in the valley.

That is why it is a focus of the conservancy. They invested in a staff person specifically dedicated to agricultural issues to ensure a critical mass of agriculture and education to those coming in to live and support it. In terms of taking away the tax base these are currently enrolled in open space tax classification. Every project is unique and not all take away from the economic base. They do consider home and development space the land owner would like to preserve. They try to accommodate both development and conservation, and take the long view and don't judge. They do recognize we need two things to grow anything, good soil and good source of water. They feel they can work with anyone and do not judge them one way or the other. Commissioner Hover stated that these could escalate development because lots created around conservations are more desirable than others and sell higher per acre than others because of the green space created by farmland conservations.

Commissioner Branch asked if the Board would like to consider letters of support for the two farmland conservation projects. Commissioner Hover said he would prefer to stay neutral on the matter and not block it. He said the county didn't offer letters of support for the other conservation projects recently discussed. It is a politically sensitive topic. Commissioner DeTro discussed why he supports some conservation easements over others. Each situation is considered on its separate merits, features, and public benefit. Okanogan County residents were upset with the blue tarp communities, but the concept Methow Conservancy is using is acceptable, he said.

Commissioner DeTro left at 11:45 a.m. for the monthly Horticulture Association meeting.

Commissioner Branch said the Commissioners should share their reasoning about easements, for or against. Commissioner Branch and Hover discussed their views on this subject.

Gina McCoy member of the public taking notes on her computer for Okanogan Watch Group and Christa Levine, member of Tonasket City Council were present.

Update – Planning Department – Perry Huston

Cortney Ingle and Angie Hubbard were present.

Request for Qualifications M Tank Ceiling Project

Director Huston provided Statement of Qualifications from Susan M. Driver and Beaman Architecture Ltd for the security ceiling improvement work to be done on the M Tank Ceiling in the Jail.

Commissioners commented that they did not believe Susan M. Driver's response was an actual response of the RFQ. She listed "Project Management" as a qualification for the project. Commissioner Hover said he doesn't see this as a hard decision to make. The request was for engineering and architect services. The timing of Ms. Driver's submittal was consistent with the RFQ, but makes no reference to the request at all in her letter. Director Huston stated he would follow up with her.

Motion M-Tank Ceiling Proposal

Commissioner Hover moved to go into negotiations with Beaman Architecture Ltd for the M-Tank Ceiling improvement project. Motion was seconded, all were in favor, motion carried.

Competitive bids should be marked on the outside of the envelope with the project number or some delineator on the envelope to state it is a bid for whatever they are submitting a bid for. The notice should state that.

WRIA 49 Watershed Plan

Director Huston provided an email from Craig Nelson Ok Co Conservation District that suggested that an Okanogan County Watershed Technical Team bolster the committee. Mr. Nelson recommended several names in his email: Amy Martin OCCD; Jay O'Brien, Oroville Tonasket Irrigation District; Jason Lundgren, Cascade Columbia Fisheries Group; and Okanogan Co Planning office either Director Huston or Ms. Hubbard. Commissioner Hover explained it should be a group decision. Director Huston said the technical team would not vote but they would offer the choices of projects that go with recommendations to the Planning Commission. The other money for additional assessments can be used if they ask for it. If any projects they would suggest have different funding requirements to develop them, they would need to ask. Commissioner Hover commented that all of the suggested names do projects within the fisheries. He wanted to know why these folks are specifically being requested for the team. Commissioners discussed why these names were suggested to understand the significance with the names associated with the fisheries. In the end the initiating governments decide. Commissioner Branch felt the decision should be made by the initiating governments. Projects noted for consideration for mitigation are recommendations and the technical

committee is not involved in the decision making.

Director Huston said the next thing is a meeting with the advisory group. Commissioner Hover thought perhaps those suggested names have projects in Okanogan County they want to move along, so it might benefit them to be seated at the meeting table and that might be why their names were suggested. Commissioner Branch is concerned about not providing for their participation at this level compromises the planning effort.

A training webinar was discussed with the location being in the commissioners hearing room. The projector could project the webinar on the screen and that way many can participate.

Code Enforcement Update

A new complaint off Poor Man Creek Rd about ground disturbing activity. There are two parcels shown on the screen. There were two levels of concern. There was a bunch of old junk, oil truck, farm equipment along a service drive. The guy intended to haul the stuff out so he did. There was brush and a culvert on the property. He issued a stop work order with no additional work to be performed until the court paperwork. It appears they planted trees and probably had the CAT by the culvert and tried to burn out the ditch on the bottom part of the property that collects seepage from the pond. It burnt over to the neighbor's boundary and up to the road. He has issued another stop order requiring a JARPA and an HPA to replace the culvert. The reason he went through it because of the way the shoreline master plan works. In order to restore the areas disturbed by the CAT they need to submit a JARPA for replanting. It is a complicated thing to fill out and that is where they appeared to get balky. JARPA is being used as a local code.

There are some old exempt segregations completed years ago, but the landowner wants Planning Director to get involved to allow him to keep his gate up. No one wants to go to court over pulling down a gate. There are some down falls to addressing these in our code.

Comprehensive Plan Update

The Director provided his interim report to the zone code. A draft ordinance was provided to the commissioners for review that would adopt amendments to the Rural-1, Rural-5, and Rural-20 zones changing how multi-family units are regulated. They are crafted as interim controls that would go into effect on adoption.

The ordinance would amend the district use chart and set a public hearing as required by RCW 36.70.795. Commissioner Hover asked if a Multi family dwelling unit maximum is three or greater. Where did we come up with the language for five multi family dwelling units? Director Huston wasn't sure if it came from the advisory group or not.

The draft ordinance has not yet been reviewed by legal. This draft was presented today for discussion purposes only.

Housing Authority NEPA

Lead Agency

A letter is going out to the Tribe on historical resources. Director Huston stated notices did go out to the tribe on the fairgrounds work.

Champerty Shores

Director Huston stated he is meeting this Thursday to discuss the sewer line extension. While he is up there he will address some code files to catch up on those. The task instructions was to get enough information for the bond. He doesn't have enough information yet for the PS&E. There are only two homeowners on site at this time, they are seasonal.

Public Hearing – Supplemental Appropriation – MARC Fund 504 - \$53,529

Commissioner DeTro opened up the hearing calling for staff. Auditor Hall explained the reason for the supplemental appropriation within the MARC fund was to provide budget.

Commissioners discussed the transfer in and transfer out budget supplementals with Auditor Hall. It was suggested that either the board request the Treasurer to move the cash related to the amendment at a later date or state that direction within the resolution. Commissioners thought it best if budget supplemental resolutions have language to move the cash rather than having to remember later in the year to give that direction to the Treasurer.

Motion Resolution 62-2019 Supplemental Appropriation MARC fund 504

Commissioner Branch moved to approve resolution 62-2019 a supplemental appropriation within the MARC fund in the amount of \$53,529. Motion was seconded, all were in favor, motion carried.

Stella Columbia came in briefly to receive direction on the arena purchase and what should be relayed to FAC. Commissioner Hover explained the project details to be relayed. Purchase the arena and rail within the next day or so.

Discussion - Emerging Opportunity - CERB Grant Match – Roni Holder Deifenbach

Mike Worden, Tanya Craig and Christa Levine a member of the public and Tonasket council member were present.

Methow study is important because the Twisp PDA did not include areas below or above the boundaries of the PDA charter. So the CERB grant may not cover that area if sponsored by Twisp PDA. The county intended to provide 50% match to the Methow Valley Twisp PDA CERB application but it was to include Brewster Pateros area. The county also intended to provide 50% match for the Tribe/County CERB application. The total amount to be matched was \$16,667. There are minimal connectivity issues in the Brewster Pateros area due to topography differences.

After the discussion last week the emerging opportunity for the total \$16667 with 50% going to tribe and 50% going to Twisp PDA. She discussed an example of an agreement the tribe needs to put together a broad band action team and if they contribute to the CERB grant they will need that. A draft example was provided for consideration. She explained what that agreement states. We must be awarded first before this is needed.

Mr. Worden asked how the county communications plan with parallel interests fit within the CERB study, will efforts be duplicated? Ms. Holder Deifenbach explained where some of the confusion on duplicity of this and what communications is doing. There is a lot of money available in the PWTF for rural communities for rural broad band. We need to ensure all parties are involved so all areas are covered.

The grant application is due May 28. Ms. Holder Deifenbach will check to see if the grant can be submitted by Economic Alliance on behalf of the county. She will find out if the CERB application must go through the county, there may be a need for an agreement with the county lay out the responsibilities.

Ms. Craig discussed needed direction from the board for posting the Human Resource position as Ms. Hilts resigned her position last week. She stated in reviewing the job description there were many changes needed to be in line with actual duties. Commissioners recommended a resolution be drafted to reclassify the position and adopt the new job description. She can post the job on the HR website so the job description should be ready and formalized.

Motion Direction of the Board HR Assistant posting

Commissioner Hover moved to direct Tanya Craig to advertise the Human Resource Assistant position in the paper. Motion was seconded, all were in favor, motion carried.

Commissioners wish to approve the resolution first thing Monday morning.

Joe Poulin updated the board on several courthouse maintenance issues with associated costs. He provided a quote for a reconditioned floor scrubber. He will look at the machinery and report back.

Mr. Poulin provided three quotes for the replacement compressor serving the Planning and Development offices. They were:

Cascade Mechanical \$11,406.51

Divco \$12,871.00

Kruse Electric \$12,202.97.

Motion Letter of Condolences Cody Desautel

Commissioner Hover moved to approve a letter of condolences to Cody Desautel. Motion was seconded, all were in favor, motion carried.

Motion Resolution 63-2019 Budget Amendment Auditor

Commissioner Branch moved to approve resolution \$72,811 a budget amendment within the Auditor's budget. Motion was seconded, all were in favor, motion carried.

Approve Commissioners' Proceedings April 29-30 & May 6-7, 2019

Commissioners required additional time for review.

Approve Consent Agenda

Commissioner Branch moved to approve the consent agenda items 1-12, excluding item 13. Motion was seconded all were in favor, motion carried.

1. Approve - Purchase for Steam Generator
2. Approve – Agreement for Removal of Sand & Gravel Material
3. Approve – Agreement Material Testing for Gravel Crushing & Supply Project
4. Approve – Easement Assignments from the City of Okanogan for the Elmway Levee
5. Memo of Agreement-Ok.Co. Sheriff's Employee Association Amendment
6. Appointment Letter-Whitestone Reclamation District-Gary Grillo
7. Agreement-Affordable Housing Funds -Housing Authority of Okanogan County
8. Public Works Contract – Hwy 7 (Bridge North) – Selland Construction Inc.
9. Public Works Contract – Cameron Lake Rd – RAP Funding Contract Amendment #2
10. Public Works Contract – Salmon Creek Rd Drainage – RAP Funding #2419-01
11. Public Works Contract – Old 97 – RAP Funding #2419-02
12. Resolution 60-2019 – Budget Adjustment – Veterans' Relief Fund 101
- ~~13. Resolution 61-2019 Emerging Opportunity Funding GERB Application Matches~~

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 \$596,508.25. 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 regular vouchers in the amount of \$3000.29. Warrant numbers as cited on the attached blanket voucher list. Motion was seconded, all were in favor, motion carried.

The board adjourned at 4:00 p.m.