

RECORD OF THE PROCEEDINGS**OKANOGAN COUNTY****AUGUST 25, 2020**

The Okanogan County Board of Commissioners met in regular session at 123 5th Avenue North, Okanogan, Washington on August 25, 2020, with Chairman, Commissioner Jim DeTro; Vice Chairman, Commissioner Chris Branch; Member, Commissioner Andy; and Clerk of the Board, Laleña Johns, present.

The pledge of allegiance was recited.

Commissioners' Staff Meeting

Naomie Peasley, David Gecas, Pete Palmer and Joe Poulin

Ms. Peasley updated the board as a camp host has agreed to be fairgrounds camp host. A contract has been prepared for commissioners' signature.

Ms. Peasley explained needed upgrades to security cameras for fair office and RV campgrounds. The system will need to be wireless with a router network outside. She contacted NCI Data who suggested other companies to install the security system as they do not offer that kind of service installation. Central Services has been consulted of this project. The system was recommended by the Sheriff's office. The cost would be around \$60 per month, plus initial installation.

The credit card project is underway through the Treasurer's office with about a 40-day set up schedule.

Upgrades to the Annex kitchen were discussed. Commissioners accepted the used commercial gas stove from the Eagles. There are code requirements to be addressed before installation. Ms. Peasley said renters wish to rent the kitchen for 2021 day use if the stove and ovens are upgraded.

Ms. Peasley is working on the 2021 LTAC grant applications. One is for fair advertising and promotion and the another is for Capital Improvements on the grounds.

Ms. Peasley discussed the progress of the online Fair livestock auctions. She is helping with the registrations and the office will be open that week. The online bidding program is very easy to use even for people who do not have computer skills. Ms. Peasley will be available to help. Joe Poulin discussed the required fire suppression system upgrades for the Annex Kitchen and will consult with the Building Official on the required code compliances. The fire suppression system is a hooded type system. An existing system is in place but it's not up to code. The used commercial stove will be picked up, cleaned and tested.

The lift is onsite for the installation work of the Agriplex sound baffle system.

Mr. Poulin stated the Courthouse Annex HVAC system installation is on time and will be completed by end of August. Carrier will make the final adjustments before it comes online.

Mr. Poulin said only one application was received for the custodian position at the fairgrounds. Hiring process has begun.

The fairgrounds arenator was purchased, and a depth gage will be improvised as the attachment is around \$600. The Massey tractor is being repaired as the rear gear box was full of water and the brakes were rusted. Once repaired the arenator can be attached to it and left on it.

Director Palmer stated the WRIA 49 plan comments are being reviewed with a meeting this Thursday and a regular meeting next Thursday. The plan is moving right along.

David Gecas provided his update. A couple items were submitted for signature such as a professional services agreement for administrative appeals before the hearing examiner where costs will be paid from the Prosecutor's budget. Commissioner Hover wants to ensure that budget has enough funds to prevent a negative on the line.

Motion Professional Services Agreement

Commissioner Hover moved to approve and sign the professional services agreement by Van Ness Feldman LLP and Okanogan County for land use cases involving Vaughn Jolley and Mark and Eden Ludwig. Commissioner Branch stated one attorney pleading the case. David Gecas replied the main attorney Tadas Kisielius and is not available to argue the case this Thursday, but his colleague Jenna Mandell-Rice is prepared to in his stead and would cost less. He is available afterward. Motion was seconded, all were in favor, motion carried.

David Gecas provided his legal update. All counties have received a subpoena for materials regarding opioid deaths. He explained how Okanogan County handled the subpoena. Additionally, Public Records requests have been pretty onerous this year with the last one from Miller and Chase.

Motion Settlement and Release Agreement

Commissioner Hover moved to approve and sign the settlement and release agreement between Okanogan County and Michael Lederer and Eldon Hunt for the consideration. Motion was seconded, all were in favor, motion carried.

David Gecas reviewed the Fairgrounds RV camp host agreement.

Ms. Palmer discussed the issues with the Aspect Consultant vouchers. Commissioner Hover asked that the costs be verified and documents indicate that staff has verified the costs to be reimbursed. Commissioner Hover requested a quick recess.

Dennis Rabidou updated the commissioners on several items just as the recorder was paused for recess.

Commissioners briefly discussed fading zoom out for the daily meetings and using it only for public comment and public hearings. There are still issues with the public's ability to use the AV Capture since some do not have adequate internet. Zoom allows for phone use and AV Capture doesn't.

Update-Human Resources/Risk Management-Tanya Craig

Ms. Craig requested an executive session under RCW 42.30.110 (1)(f).

Motion Executive Session RCW 42.30.110 (1)(f)

Commissioner Branch moved to go into executive session at 10:00 a.m. for 10 minutes inviting Risk Manager/HR Director, Tanya Craig, to receive and evaluate complaints or charges brought against a public officer or employee. Motion was seconded all were in favor, motion carried.

Executive session was extended ten minutes at 10:10 a.m.

Executive session ended at 10:20 a.m. no decisions were made in the session.

Motion

Commissioner Branch moved to notify the Prosecutor that the commissioners have received a complaint against him and to ask if the Prosecutor would like to request the option under RCW

42.30.110 (1)(f) to discuss the complaint in either a meeting open to the public or in executive session. Motion was seconded, all were in favor, Motion carried.

Motion

Commissioner Hover moved to direct the Risk Manager/HR Director Tanya Craig to outline in a letter the employee laws, policies and procedures the BOCC follows prior to meeting with the Prosecutor. Commissioner Branch noted that this be an expedited action item. Motion was seconded, all were in favor, motion carried.

Ms. Craig said she would begin drafting the outline.

Commissioner Branch warned about online phishing programs to be aware of that use credit card numbers and information and small sums of money to verify users for bad things. There are many spam texts that say you've won money and need to verify something in order to receive it. It is a scam also, don't respond.

Commissioners recessed for a few minutes.

Update-Public Works- Engineer Thomson

Solid Waste manager, Kent Kovalenko provided his update on Solid Waste.

The Leachate pond liner repair was discussed as the repairs were completed.

Department of Ecology update on the county's requirement to implement a plan on how it will reduce plastic pollution, litter and waste. The plan then gets adopted into the Solid Waste Comprehensive Plan. Okanogan County's population is such that this plan is required.

Mr. Kovalenko provided the Senate Bill 2323 that was signed into law about Bag Ban rules that go into effect January 1, 2021. Ecology won't suspend or delay the start date. Ecology is looking for lead agencies to communicate to the businesses what the requirements are. Customers will be charged \$0.08 plus tax. Paper bags must have at least 40% recycled content and plastic bags must be at least 2.5 mil. It sounds like there is a \$250 fine to stores for noncompliance. Violators may be reported via online. The onerous is on the stores to comply. Ecology will be sending letters and enforcing the rule. Food banks are exempt. For the communication of the rules, they are looking at Solid Waste to provide the communication to the communities and affected stores.

Mr. Kovalenko said he met with several to clear the air about recycling, but now Dept of Ecology Solid Waste division wants to meet again about the underground leachate tank absorbing instead of allowing liquid through. The tank is steaming woody debris.

Methow Recycling is looking for a variance for their facility. They are applying for a variance so they do not have to have a leachate container for their facility. Mr. Kovalenko did support their application. Engineer Thomson explained a notarized letter from the county is needed.

Motion

Commissioner Hover moved to authorize the county Engineer to draft and sign a letter to DOE acknowledging our acceptance of the Methow Recycling request for variance. Motion was seconded, all were in favor, motion carried.

Engineer Thomson provided his Public Works update.

Engineer Thomson explained materials for the bridge decking preservation are received will be applied in less than a month.

The Palmer Fire was discussed and how public works staff was involved running water trucks on our roads. Commissioner Branch explained how please Emergency Management was of the public works crews.

Commissioner DeTro stated the Tonasket airport runway was chip sealed recently, but he received complaints they tore up the road going to the airport. He wasn't sure if the city of Tonasket was responsible for that issue.

Engineer Thomson discussed the modified bases for the creek guards and drainage solutions. The materials will be confirmed through the HPA that fish and wildlife approve. This fall is the target for project implementation.

Engineer Thomson discussed the Levee inspections that went well with nothing to address.

Consent agenda items were discussed.

The Tonasket Airport road was discussed. It is designated primitive. It is a dirt gravel road. Engineer Thomson explained ADT's are run every two years and those must be over 100 in order to not be designated primitive. Engineer Thomson said he would need to look at the road again to determine the course of action. Engineer Thomson said grading a road 6-7 times per year is often cheaper than putting mag chloride on it.

Commissioner Hover gave thanks to Public Works staff Shasta Stidman for her work on the small works roster list, as it was exactly what he was looking for.

Motion

Commissioner Hover moved to sign a letter to Prosecutor Noma regarding the county's indemnification policy. Motion was seconded, all were in favor, motion carried. Commissioner Hover asked that the Clerk of the Board scan and send the letter to the Prosecutor in an email and set a time with him to discuss the matter.

Public Comment Period

Pete Palmer, Isabelle Spohn

Isabelle Spohn provided her comment regarding the comprehensive plan and past meetings of the neighborhood groups in 2009 through 2014 that were not incorporated into the current plan before the board. She went over the information she provided to help frame the history of the information and how it relates to the plan. She thought why reinvent the wheel if concerns were already provided in prior comments and documents that were not previously added or addressed to the plan. Director Palmer has not had a chance to review all the information and would need to before she could answer specific questions that Ms. Spohn asked.

The commissioners thanked Ms. Spohn for her input.

Motion

Commissioner Branch moved to approve the General Services agreement between Okanogan County Fairgrounds and Travis Cardello for Camp Host at the Fairgrounds RV park. Motion was seconded, all were in favor, motion carried.

Public Hearing Budget Supplemental Appropriation-Capital Improvement Fund 134

Commissioner DeTro opened up the public hearing to staff. The Clerk of the Board noted the supplemental was for the Courthouse Annex HVAC system upgrades as part of the courthouse energy project noted in the county's current capital improvement plan. Commissioner DeTro closed the hearing to staff and opened up for public comment, hearing no one who wished to comment he

opened up to commissioner discussion.

Commissioner Hover commented that the HVAC system project is actually a much lower cost than what was currently listed in the capital improvement plan.

Motion Resolution 104-2020 Budget Supplemental Appropriation

Commissioner Hover moved to approve resolution 104-2020 a supplemental appropriation in the amount of \$190,000 within the Capital Improvement Fund 134. Motion was seconded, all were in favor, motion carried.

The Clerk of the Board explained a missing motion in the August 2019 minutes of the BOCC that would have allowed an increase in the Board of Equalization pay.

Motion Board of Equalization Member Pay Increase

Commissioner Hover moved to increase the BOE members pay from \$50 to \$75. Motion was seconded, all were in favor, motion carried.

The Clerk of the Board will work with HR on the resolution language to provide the needed mechanism for the increase to the BOE members daily pay.

Approve Commissioners Proceedings August 10 and 11, 2020

Not approved due to incomplete.

Approve Consent Agenda Items

Commissioner Branch moved to approve the consent agenda items excluding item #11. Motion was seconded, all were in favor, motion carried.

1. Authorization to Call For Bids-2020 Gravel Crushing or Supply-Public Works
2. Authorization Final Prospectuses for Twisp River Rd 3R, Old 97 3R, and Loomis-Oroville Rd Drainage
3. Agreement-Dispatch Services-Okanogan County Fire District #11
4. Agreement-Dispatch Services-Okanogan County Fire District #15
5. Agreement-Dispatch Services-Okanogan County Fire District #16
6. JIS-Link Certificate of Eligibility-Randy Thies, Attorney at Law
7. Letter of Reappointment-Board of Equalization- Sara Carlberg
8. Letter of Reappointment-Board of Equalization-Fred Noyes
9. Letter of Appointment-Lodging Tax Advisory Committee-Janet Warner-Collector Representative
10. Agreement Amendment #1- Homeless Housing Funds-Okanogan Community Homeless Shelter
11. Agreement-Settlement and Release -Michael Lederer and Okanogan County and Eldon Hunt

Discussion Paid Expanded Family Medical Leave

Shelley Keitzman, HR Coordinator, updated the board on paid expanded family medical leave. Ms. Keitzman explained what the program requires. Commissioner Hover would like to have a department head meeting first to go over these rules and how departments with multiple employees would manage. Commissioners asked that a department head meeting be set as soon as possible and suggested next Monday.

Commissioners asked Maurice Goodall to work with HR to secure the necessary staff for his office.

Mr. Goodall explained grant funding that did not get spent for which an extension will be granted. A signature to accept the extension was requested on the documentation for the grant.

Motion

Commissioner Hover moved sign the request for extension for the Homeland Security grant with EM

grant no. E21-047 and authorized the chairman to sign. Motion was seconded, all were in favor, motion carried.

Additional paper work will be forthcoming for board signature.

A brief update was given on the Palmer Fire.

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 \$935,001.18. 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 \$23,824.70. Warrant numbers as cited on the attached blanket voucher list. Motion was seconded, all were in favor, motion carried.

Discussion with Prosecutor Noma regarding Complaints received by the Board of Commissioners.

Motion Executive Session RCW 42.30.110 (1)(f)

Commissioner Hover moved to go into executive session at 2:30 p.m. under RCW 42.30.110 (1)(f) for 20 minutes inviting Prosecutor Noma to the discussion. Motion was seconded all were in favor, motion carried.

Executive session ended at 2:50 p.m. no decisions were made.

Discussion CDBG CV-1 Grant

Lael Duncan, Donna Talbot, Dept of Commerce Genny Mattison, Kaaren Roe, Eric Guida, Jeff Hinckle

Okanogan County and its cities have been allotted CDBG CV-1 funds. The cities will need to work through the county's Okanogan Community Action Council. The application is open right now. Commissioner Branch stated OCCAC is better set up to administer those funds to deliver to the needs of the community.

The meeting was called to discuss the CDBG CV-1 grant funding. Commerce staff was invited to discuss how the funds allocated to the county and cities for low and moderate income could be handled.

Commerce, Kaaren Roe, clarified what these funds were to help address and the restrictions to be considered to eligible uses by low income people.

The original 2019 Public Services contract must be spent first and as soon as an executed contract is in place then the 2020 funds can be spent.

Commissioner Branch explained an email was received from the city of Brewster regarding the CDBG CV-1 funding to request to be included in the consortium. The cities are assumed to be part of the consortium unless they, in writing, ask to be removed.

The county assumes the cities wish to be part of the consortium. The cities have until the public hearing to decide to withdraw by informing the county and the Dept. of Commerce. The cities could comment at the public hearing whether or not they wish withdraw.

A notice will be prepared by the Clerk of the Board to publish the public hearing on Sept 8. Kaaren Roe suggested the application be submitted by Sept 9.

The board adjourned at 3:30 p.m.