

RECORD OF THE PROCEEDINGS

OKANOGAN COUNTY

DECEMBER 21, 2020

The Okanogan County Board of Commissioners met in Regular session at 123 5th Avenue North, Okanogan, Washington on December 21, 2020, with; Chairman, Commissioner Jim DeTro; Vice Chairman, Commissioner Chris Branch; Member, Commissioner Andy Hover; and Clerk of the Board, Laleña Johns, present.

Review Commissioners Agenda and Consent Agenda

Commissioners reviewed their agenda and consent agenda.

Briefing Among Commissioners-Complete Performance Evaluation Forms & Schedule!!
Commissioners discussed some follow up that happened regarding a guard rail request that Commissioners DeTro and Engineer Thomson made a site visit on.

Public Health nurse Lauri Jones updated the board on several public health issues. Completed community testing in Oroville and Tonasket and notified several about COVID. It is affecting many families and businesses. Would like to continue doing testing up to December 30. Life Line is providing additional test sites. Vaccines have been issued to the North Valley Hospital and they are helping Ferry County with those. They are getting health care providers vaccine. She received her first dose vaccine recently as have other first responders. With additional Moderna vaccines being released, she is hopeful more people will be vaccinated, especially the jail.

Commissioner Branch thought Public Health should discuss concerns with businesses having COVID populations and suggested Lauri Jones discuss with Human Resources and update the commissioners later.

Discussion-Pest Control District-Dan McCarthy and Pest Board

Assessor Larry Gilman, Al Secom, Roland Smith, Bill Lockwood, Al Secomb

Commissioner Hover discussed the Pest Board Agent position with regards to changes in the position from exempt to an hourly rate with overtime. He explained as an exempt employee the cost would exceed the revenue. Budget is \$63,000 with \$118,000 in reserves that was obtained through the removal of fruit trees and those funds should to be used for that purpose.

Dan McCarthy provided an information packet that included his resignation letter effective today and asked if the board had a job description for the reclassification the board was considering. Al Secomb asked what the plans of the Commissioners after the Pest Board is dissolved. The Pest Control is mandated for the county and the Pest Board is an integral part of that. He asked if the Commissioners are familiar with the Moth situation and possibility of whole county going into quarantine. Commissioner Hover stated the Commissioners do not intend to dissolve the Pest Board. The Commissioners discussed the Pest Agent Position stating a reclassification to an hourly position would be considered.

The group also discussed Ordinance 95-1 that formed the pest district in 1995 but seemed to be operating under RCW 15.09. A previous Board of Commissioners decided to pull the Pest District out from the General Fund and made its own special fund 119 which is the current operating fund. The district does not receive enough revenue to fund the expense of the district and what it is mandated to do.

Under RCW 17.12 the county created a pest district and it includes many other types of pests. A public hearing of the BOCC then said the boundaries could be changed or divide. The amount of acreage that makes up the commercial orchard acres the current assessment is based on, but doesn't include non-commercial orchard acres, and those are the acres where most of the pest issues come from. The BOCC must consider imposing a new or different tax on the people in order to cover the costs. He is asking where do we go from here, do we impose more taxation on orchard growers by creating additional district boundaries or..... Al Secomb said it is a tough situation in light of the economic situation, but if a new bug comes along and quarantine happens then what. Right now, what is the 6,000 acres gets shipped out and that is a little more than 1/3 of the crop. David Ramos took out over 300 acres. Legally is that still orchard ground or is it open for alfalfa? Larry Gilman explained how the commercial acreage is identified and removed or added into the assessed acres. He leaves the acreage on the assessment until he hears from the orchardist otherwise.

A map was shown of the current orchard acres. Lands on fee simple lands still pay taxes, but there are some that are exempt on deeded lands. Gebbers lands is not exempt as it is not tribally owned. Larry Gilman explained when land is considered exempt. A new law says if it is fee land used by tribe it is exempt as long as there is not a fair market loan on it.

Commissioner Hover said in looking at the map showing commercial lands currently being assessed, the BOCC would need to consider other lands for assessment. For the weed board to assess the whole county it has its merits. The orchards are a big part of the county, but it is hard to assess people who do not have trees or live around trees to benefit someone else. Dan McCarthy said the industry pays for what he does, but someone with a back-yard cherry tree full of maggots they don't pay anything. The RCW says either you get a complaint from someone or he can physically see it himself and respond. Commissioner Branch said the Hawthorn berry bush is all over and it hosts the apple maggot.

What service is provided for the assessment. Mr. McCarthy said property that adjoins his has suckers on it and those suckers are a problem, but are no longer assessed because the commercial orchard is removed. Commissioner Hover thought an evaluation of the property benefited would add additional acres. There are no longer many commercial orchards in the Methow up to Winthrop. Al Secomb clarified that noxious weed is based on parcel number plus an amount added depending the amount of acreage you have. Is the weed assessment fair to a business on main street? Commissioners said no its not however it is an inverse relationship between weed board and pest if you look at benefit. Weed board staff go out and tell people about their weed and then provides a way for them to get rid of the weed. Commissioner Branch explained everybody spreads weeds so that service provided to address.

Larry Gilman said there are 2,147 parcels in the pest assessment with 26,000 acres being assessed at \$2.25. The Pest Budget is about \$61,000. Bumping up the assessment to \$3.50 would cover the costs.

Roland Smith commented that economically every apple acre disappeared and ownership went away, the rest of the county tax based would have to pay more for taxes. Agriculture is a big piece of Okanogan County economics. Commissioner Hover stated under RCW 17.12 we already deal with starling pests. Commissioner Branch explained it costs more to deal with the green waste due to apple maggot. Chelan County had talked about the impact of those with the pests on their land. Typically, we pay to have the infrastructure. There are many people who have apple trees that are not sprayed even though they are a detriment to the commercial crops. The commissioners are tasked with coming up with a way to keep the pest board viable and not over tax people. Dan McCarthy stated he does get calls about pests other than insects which he does take care of. Commissioner DeTro asked if a quarantine assessment be applied to everyone? A good definition would be needed. Larry Gilman said only 46,000 parcels in the county are taxable. A \$0.50 per parcel assessment would generate around \$23,000. This would need to be decided by August 1 in order to affect 2022 revenue.

Commissioner Hover stated this is just the beginning of the process to begin thinking about this. Al Secomb asked when the county knew about the L& I exempt pay change. The commissioners are in the preliminary process. The position could be kept as exempt and the Pest revenue and reserves could cover that, but eventually as the exempt wage increases the cost will come out of the reserves. Al Secomb stated the reserves are there in case the board has to take an orchard out. It would cost about \$300 per acre.

Larry Gilman explained anything the BOCC does now would be for 2022.

Dan McCarthy said he thought Labor & Industries did an outrageous thing with their required exempt employee mandate. Al Secomb reflected on the position and what an exempt status is. Commissioner Hover stated there is a test that L&I has that establishes if a position is exempt or not.

Commissioner Hover read from the RCW 17.12 as it pertains to Ordinance 95-1 regarding the district issue. A solution won't be decided now. Dan McCarthy said he just doesn't see how the position could be classified exempt with the amount of revenue collected now.

Commissioner DeTro congratulated Dan McCarthy on his retirement and said he has done such a great job. Al Secomb stated with that the county will need to find someone to fill the position. Dan McCarthy stated he will be on vacation until the end of February and technically when he would be complete. He could contract with the county and do contract pest work.

Roland Smith stated he was retiring from the Pest Board and requested the county not send him an appointment letter. Al Secomb stated he retired from the Pest Board as well. Bill Lockwood also requested that he not be reappointed as he has wanted to retire for a while also. The Pest Board must continue as is required. The warehouses make the largest amount from the crops.

If the group knows of anyone willing to fill the Pest Board positions please have them send a letter of interest.

Public Hearing Budget Supplemental Appropriation-CARES ACT Funds

Auditor Cari Hall

Commissioner DeTro opened up the public hearing to staff. The Clerk of the Board explained the BARS codes for the budget supplemental had not yet been received from the various Departments for the resolution. She suggested the board continue the hearing to 3:00 p.m. today in order for the necessary BARS codes to be prepared. Auditor Hall said if departments do not provide their BARS codes then funds should be applied to the Contingency Reserve fund.

Commissioner Hover moved to continue the public hearing to Monday, December 21 at 3:00 p.m. Motion was seconded, all were in favor, motion carried.

Discussion Juvenile Probation Manager Stipend Resolution-Dennis Rabidou, Cari Hall

Mr. Rabidou explained where the Uniform Guardianship act is at in its adoption. There are costs associated with this that have not been provided for. Commissioner Hover stated a discussion with the county's lobbyist would be good about this bill.

Mr. Rabidou discussed set up of the University of Washington stipend and payroll change notice and asked the Board if the payment could be made in 2020 rather than 2021 since there is enough budget in the Juvenile Department. The reimbursement would not arrive until 2021. Commissioner Hover stated it affects the county carryover going into 2021. Auditor Hall stated the cost is in the 2021 budget as well as the revenue budget pay now instead of January and there is plenty of budget to expend it now anyway. Payroll does not have a problem processing the stipend.

Mr. Rabidou also discussed architect Beaman's availability to assess the building and provide a pre-walk through of the proposed uses as they were primarily for Juvenile purposes. Has the county contacted the seller, asked Commissioner Branch. Commissioner Hover would like to go along on the building tour.

Commissioner DeTro asked the Clerk of the Board to send the departments another email requesting their BARS codes for the CARES Act funds budget supplemental resolution.

Motion

Commissioner Hover moved to authorize payment of the Stipend to Mike Beaver for the University of Washington Homeless Youth project from 2020 budget instead of 2021. Motion was seconded, all were in favor, motion carried.

Continued Public Hearing Okanogan County 2021 Budget Resolution 183-2020

Commissioner DeTro opened up the public hearing to the public and asked for public comments. Marcy Stamper and Emily Sisson were attending via zoom, but had no public comment.

The group reviewed the budget and made some minor changes to several line items in current expense non-departmental. A budget supplemental will be needed to consider remaining allocations not accounted for in this budget.

Commissioners discussed restricted ending fund balance within the Emergency Management budget in fund 121. A reserve is just extra cash you have. An investment account can be created that only that money goes into, said Treasurer McCormack then they can track that. The only way to put more money into it would be to not spend everything that has been budgeted. Commissioner Hover said departments could then over inflate their budget in order to have money left over.

Commissioner Hover moved to approve resolution 183-2020 adopting Okanogan County 2021 Budget including Current Expense, Public Works, and Jr. Taxing Districts. Motion was seconded, all were in favor, motion carried.

Planning Update-Director of Planning Pete Palmer

Pete Palmer provided research on water metering program requested from MVCC. Meter reader staff would needed, meters run on a 10-year battery so sitting around could run them down. Installation of 12 on the program right now, waiting for a \$100,000 grant to purchase more meters, averaging 60-70 building permits annually.

Amy Martin, Okanogan CD provided a presentation on Voluntary Stewardship Program. (attached) the five-year report is due December 28, 2020 and currently the group is working on that. Goals and work plan was discussed as well as the timeline.

Continued public Hearing Budget Supplemental Appropriation CARES ACT Funds

Final BARS codes were provided by the auditor for the supplemental transfer in's and out lines to ensure Probation received it portion of the funds so they have enough funds for the beginning of the year. Commissioners noted that adjustments to the overall budget will be needed in January to account for the correct carryover. Commissioner DeTro opened up the public hearing to public comment, seeing no one to comment he closed the hearing to public and opened up to commissioner discussion.

Motion Resolution 173-2020 Budget Supplemental Appropriation CARES ACT Funds

Commissioner Branch moved to approve resolution 173-2020 a budget supplemental appropriation of CARES ACT funds to several budgets in the amount of \$2,228,822. Motion was seconded, all were in favor, motion carried. (Note: this resolution attachment was amended on 12/22/2020)

Legislative Update-Jim Potts & Associate Zak Kennedy

Judge Henry Rawson

Judge Rawson wanted to relay to Potts and Associates the need to address, in the next legislative session, the Guardian Ad Litem Act Zak Kennedy stated they will keep the group informed. The presiding judges have been working with Senator Pederson to stall off the implementation till July 1. Short term funding will be made available to the courts for the first six months to help.

Zak Kennedy provided an update stating that the session would likely be done online but the system hasn't been tested fully and mostly need to lean on legislative aids. There will be some big changes. As lobbyists they usually hang around in session and catch legislators as they are going by in person, and now they won't have that kind of access. Mr. Kennedy stated they have prepared for this and thinks it will be alright. Governor's agenda is really big on carbon, and new taxes in capital gains tax to cover substantial shortfall. May require Sheriff's office to go through special training wear body cams, and be accountable or liable for conduct outlined by the department as well as costs for additional training that will be required and perhaps additional insurance. It will hit hard on the local level. A carbon tax will impact us and disproportionately compared to urban people. Many don't know what it is like in Okanogan County.

Senator Scheffler has step down from the appropriations committee.

Commissioners said it is a wait and see, in terms of what they would like to be pushed. Zak Kennedy said it will be especially important to let them know as things will happen fast. Jim Potts said with virtual, the commissioners can testify on a bill right from their office without going to Olympia. There are still details to work out in terms of bandwidth.

Review Commissioners Proceedings of December 14 & 15, 2020

The board adjourned at 3:30 p.m.