

## RECORD OF THE PROCEEDINGS

### OKANOGAN COUNTY

**JUNE 16, 2020**

The Okanogan County Board of Commissioners met in regular session at 123 5th Avenue North, Okanogan, Washington on June 16, 2020, with; Vice Chairman, Commissioner Chris Branch; Member, Commissioner Andy Hover and Laleña Johns, Clerk of the Board, present.

Chairman, Commissioner Jim DeTro absent today due to attending Forest Ranger and grazing lessees meeting to go over Forest Service maintenance challenges.

#### **Update Superior Court- Dennis Rabidou**

Joe Poulin, Naomie Peasley, Christina Ortiz, Kyle Haugen

Mr. Rabidou explained the challenges with use of the Agriplex. Mr. Rabidou said there are two units being considered but noise could be an issue. Commissioner Hover asked about the Forest Service Building and whether it could be used from start to finish. We would still need to do jury duty somewhere else. Mr. Rabidou said a place for selection then move to FS building to conduct the trial. The only site that can be used from start to finish is the Agriplex.

Mr. Poulin stated he looked into using water through the floor system with the piping that is there. There are units that do both, but system would need to be changed to glycol. He isn't sure what the cost would be. Commissioner Branch asked what the timing is for cooling the room if it is off. When it's activated, it will take about 1.5 days to cool completely. There isn't much insulation in the building either. The coolers could be on during the night to cool the building then the system could be on low during the day to keep it cool. There are some insulation sheets for the windows that would help keep the cool in. Commissioner Branch noted that cold air does not rise questioning the efficiency of that method.

Commissioner Hover asked if the cost could be paid from Trial Court Improvements with a supplemental from ending fund balance to cover the cost. Then pay that fund back. This is COVID-19 created issue that Superior Court has to use the larger room to order to ensure proper social distancing for the courts. Mr. Rabidou stated he could bag the interpreter project that is budgeted in the TCI fund so there would be budget for the cooling expense.

What has been the conversation with Emergency Management and use of the building, Commissioner Branch asked. Mr. Rabidou explained he was to meet with Lauri Jones, but had to cancel the meeting.

Rotary Club has donated some curtains and blinds that came in yesterday. Sound baffling ideas were discussed for \$300-400 that could come from the Fairgrounds budget. The cost for the foam baffling is \$14,000 and does not include shipping, installation or the cost for brackets to hang them. Because there is no temp Clerk on the grounds, there is some extra money due to that.

Ceiling and wall quote was \$35,000, she suggested that only the ceiling be done. Sound quality must be good in order to hold court in the room. Commissioner Hover said he isn't sure how much and verify. The Public Work part of the job is the installation.

All expenses for the court to be held in Agriplex will be coming from the Trial Court Improvement fund. WE do not have a large enough budget to pay for everything without a supplemental appropriation.

Commissioner Hover requested that three bids be solicited for the project as the total cost of the project could exceed \$40,000. Ms. Peasley will gather the quotes and information. Commissioners encouraged the expeditious path be taken by the Fairgrounds Manager.

### **Commissioners' Staff Meeting**

Ms. Peasley explained the bill boards need a location to post. The project may be sole source, but commissioners suggested she talk with Dave Gecas and Josh Thomson.

The facilities are being rented by race horse owners, so the county should consider the facilities to be used even more next year because the renters are very happy with the situation. Commissioner Hover asked if anyone would help with the rotovator. No, no has any money. The money from the rentals would pay for the rotovator. We have \$2200 so far. It is needed over there and would be good to have it. He would like to see if we could use one to see how it works, he'll take care of that.

Kyle Haugen explained the rail road ties have shifted and are no longer holding the soil back on the track. Commissioner Hover will take a look. Mr. Haugen suggested some ideas that would be cost effective. He would like to see Public Works come to grade the track, because it needs to be leveled.

Commissioner Branch read from a proclamation he drafted in response to comments he received from the public that makes a statement against racism and violence and acknowledges the second and first amendment rights. The document commits to discussion regarding such matters as an alternative to the use of excessive force. Commissioner Hover said he has issues with the information so the conversation will take a lot more time than what we have right now. Commissioner Branch agreed to move the discussion to a later time on the agenda.

### **Motion RCW 42.30.110 (1)(i)**

Commissioner Hover moved to go into executive session at 9:40 for 20 minutes inviting David Gecas and Pete Palmer to discuss with legal counsel legal matters to which the county may or may become a party and where public knowledge of such discussion could result in an adverse legal or financial consequence to the agency. Motion was seconded all were in favor, motion carried.

Executive session was extended at 10:00 a.m. for another 15 minutes.

Commissioners extended the executive session at 10:15 for another 15 minutes.

Executive Session ended at 10:30 a.m. no decisions were made.

### **Finance Committee Meeting-Treasurer McCormack, Auditor Hall**

Cari Hall, Pam Johnson, and Lisa Schreckengost

The Clerk of the Board informed the Finance Committee that the commissioners were attending an executive session that appeared to need the whole hour and suggested the information for the finance meeting be left for them to review later. Auditor Hall stated she would be attending the budget supplemental hearing at 2:30 p.m. The Finance Committee information packet was left for the board.

Commissioners returned to the conversation regarding issues of racism and violence. Commissioners discussed their views on matters with regards to people demonstrating their first and second amendment rights. The show of force is interesting and fine to a certain degree, but we didn't know if we had peaceful protestors or if there would be a problem. It was thought the city would need assistance from private individuals, but there is a question as to whether this represents a well-trained militia that could interact safely with the police. If people come to a peaceful demonstration and they feel intimidated by those showing up with firearms, it has been suggested that it is problematic to a peaceful assembly. There lies a conflict. The presence of many of guns, makes them feel uncomfortable to a peaceful demonstration. Commissioner Hover said there are areas in Seattle that

make him uncomfortable. The part that pits first against second amendment to determine which is more right than the other. When a person carries a gun it could intimidate someone to speak, so my right to carry a gun hampers the ability of someone else to speak their mind. He goes back to the science of things. Commissioner Branch said that is why all the law enforcement agencies came here, the proclamation stated in the recitals that ample law enforcement was present. Commissioner Hover said that is because those agencies spoke to each other. Commissioner Branch agreed to remove the recitals that Commissioner Hover did not agree with as the actual statement about violence and racism was what was most important.

### **Public Hearing -Waterline Franchise-Brooks Tracts Rd-Colville Confederated Tribes**

Commissioner Branch opened up the hearing and asked for staff input.

Jo Ann Stansbury provided her staff report. An existing 10 year franchise is expired. This would extend it 50 years. The public notice was published for two weeks which generated no comments, posted in various places.

Commissioner Branch asked if anyone joined in the meeting via zoom had comments. No comments were given.

### **Motion Resolution 70-2020 Franchise Agreement CCT**

Commissioner Hover moved to approve resolution 70-2020 and approve the franchise agreement between Okanogan County and Colville Confederated Tribes for a waterline franchise extension for the Brooks Tracts Rd. for 50 years. Motion was seconded all were in favor motion carried.

### **Update-Public Works – Engineer Josh Thomson**

Leachate pond fixes are on course.

Many ditches and culverts are full and many ditches moved, with no serious damage to county roads. Commissioner Hover stated Perrigin Peak has snow on it right now, in June.

Commissioner Hover discussed a lease program for all county vehicle needs. Commissioner Branch asked that the benefits of local purchasing be considered in the analysis of this program.

Engineer Thomson discussed COVID-19 feedback and road projects. Phase III is still a challenge for Okanogan County said Commissioner Branch. We would need to check with Public Health for them to tell us what the requirements are. Phase III is when they consider reopening public offices. Right now many things are being handled remotely by PW staff and then appointments are made to take care of things physically.

The Statler Bridge project status indicates the bridge will reopen tomorrow for the morning commute.

A few people spoke to him about the timeline of the project, there were no costs to the county due to the delay. The detour sign now says the bridge will reopen May 61st.

Omak Riverside Eastside project paving will start tomorrow finish Thursday and be done the following week with striping.

Still tracking budget and tracking costs. There are four contractors that spray our county dirt roads and it will be on a call out basis for the dirt roads. Site distance and control of noxious weeds will happen.

### **Sheriff Hawley on Peaceful Demonstrations**

Sheriff Hawley was invited by Commissioner Branch to discuss the draft proclamation that is meant to make a statement about racism and violence that he hopes does not pit people against each other. It plays into some constitutional issues. Peaceful demonstrators felt intimidated by those with firearms.

Some were concerned that those with the firearms were not properly trained.

Sheriff Hawley said he looked over the document. He has been having some of the conversations with people. When people recognize their biases then we can have a conversation. There are some misconceptions and some are false. He pointed out that his department was there assisting the Omak Police Dept. Some discussions have been about where the sheriff stands on what is legal and what is not legal. Some people presented things that were not violations. A letter or an open public forum might be necessary to get the correct information out. He stated there were many family members with some marching for their first amendment rights and others demonstrating their second amendments.

Sheriff Hawley explained there were talks about buses parked at Walmart with the letters ANTIFA down the side, but when looked into that was simply untrue. Commissioner Branch does have concerns about what it means to carry a firearm. There are many reasons why people carry them, and many times it is not their intention to get into an altercation. Sheriff Hawley stated both sides were demonstrating their right to assemble, sheriff is not going to step in and say one is more right than the other, they both have equal rights to be there. He doesn't want to open the county to that.

Commissioner Hover doesn't want to have to choose one issue over another when both sides should be able to express their right. Sheriff Hawley said his staff worked together to help the city of Omak in case the situation warranted. Sheriff Hawley explained the training his staff has attended with regards to using excessive force. He said he supports the training and required certification. He explained how that board is set up. Commissioner Branch thanked Sheriff Hawley for his discussion acknowledging that it was helpful in finalizing the proclamation.

Commissioners adjourned for lunch at 12:00 pm.

### **Citizens Comment Period**

Commissioner Branch limited comments to two minutes, commissioner Hover stated time was limited in the past to three minutes.

Susan Speiker would like the commissioners to include the values of the people. The chairman of the Board and people who represent the chair at the public health board should not be the same.

Pat Leigh is concerned about leadership treating people with dignity and respect. It is important to learn to work together as a community. Thanked the board for being able to observe how the commissioners operate.

Isabelle Spohn commented that the conversation this morning, was hard to hear.

Brian Drye commissioner DeTro's' posts and requested a special meeting where the public can discuss.

Susan Tomassi, echoed the previous comments about actions and behaviors of Commissioner DeTro and called for his resignation.

Gina Montverde asked if the commissioners were working on a proclamation of tolerance at the county level. Commissioner Branch said a proclamation to address racism and violence is intended to denounce racism and violence, which is why the conversation with the sheriff was requested.

Michael Koerner echoed what was said previously.

Mary commented on Commissioner DeTro and supports what has been said, she also believes the other commissioners have a responsibility to keep each other accountable put the burden on the citizenry is insult to injury and further exacerbates the horrible nature of commissioner DeTro's

comments. She asked them both to do the right thing, and for his own sake commissioner should resign for his own sake.

Lynnette Westendorff said she echoed the previous comments.

Commissioner Branch thanked the callers for their comments.

### **Update-Human Resources/Risk Management-Tanya Craig**

Ms. Craig provided her update. She noted the jail ceiling project is completed with inmates now occupying the space.

There will be seven openings in the jail and we have not received any applications.

We also have resolutions that address the Clerk, Prosecutor and Noxious Weed departments for consideration and approval.

Commissioners discussed the protocol for changing the meeting minutes before considering adoption. Commissioner Branch said changes he makes are to clarify what he said at the time. If it isn't in the minutes it's like it never happened. There are things the Clerk may not capture that were important to the person speaking.

Commissioner Hover believes the board's meeting minutes should be action minutes with video. Commissioner Hover explained he likes not being the chairman because he likes bringing motions to the floor. He likes being a member and not having the gavel. He likes the excellent discussions between himself and Commissioner Branch having heated debates about things. It is what has to happen. When Commissioner Branch brings something to the table and if not noted in the minutes he has been promoting the concept of meetings being televised via video and action minutes for quite some time now.

### **Public Hearing Supplemental Appropriation-Crime Victims Fund 129**

Arian Noma, prosecutor; Cari Hall, auditor

Commissioner Branch opened up the hearing for a budget supplemental appropriation and asked for staff comment or report or elected officials explanation.

Christa Levine explained a budget supplemental request for Crime Victims fund 129 in the amount of \$19,698. Auditor Hall said the budget was allocated based on current year award for grants and did not consider grant funds received in 2020 for 2019. The revenue goes up, and the ending fund balance goes up. It was a reimbursable grant that was reimbursed in 2020 for 2019 expenses making 2019. This supplemental will then show an accurate account of the situation.

Jennifer Ward public asked for more clarification on the amount and the bars to be supplemented. Commissioner Hover explained the resolution would increase the ending fund balance and not any expenditure line.

Commissioner Branch closed the public comment for the hearing.

### **Motion Resolution 71-2020 Budget Supplemental Crime Victims**

Commissioner Hover moved to approve resolution 71-2020 a budget supplemental within the Crime Victims fund 129 in the amount of \$19,698. Motion was seconded, all were in favor, motion carried.

Commissioner Hover discussed that he would like to discuss with Public Health official exactly what contract tracing is. Lauri Jones will be invited to discuss with the board.



**Quarterly Update-Okanogan Behavioral Healthcare-Bill Snyder, Dennis Rabidou**

Dennis Rabidou stated he is president of OBHC board. Bill Snyder is the main contact for providing the quarterly report. Commissioners reviewed the report Bill Snyder Chief Executive officer of OBHC. This is his first quarterly meeting with the board. He intends on sending the reports to the board then will give general updates on what he is participating in around the state.

Commissioner Hover said there is so much cost to COVID that people should realize the unintended consequences. Mr. Snyder stated those with less than optimal internet really struggle to obtain services during this time when remote appointments are the only provisions. Mr. Snyder said they did provide some technology to some and heavy attempts to provide support for the clients even approaching "hot spots". Budgeted plans for clinicians doing work from home don't have enough bandwidth. There is hurdle after hurdle to provide the services.

Other programs reported on were relative to the Washington Health Care Authority staff, Marianne Lindeblad. She opened up an RFP for more MCO (managed care organizations) so we have additional MCO wanting to contract to increase capacity. It will impact organizations that manage the dollars coming from patients for managed care. Commissioner Branch acknowledged that one MCO, Beacon, plays a different role than other MCO's in the system integrating mental health with physical health.

Mr. Snyder explained he created a template for members to reach out to their representatives to engage support for one another, and a means to introduce himself personally to senators and representatives. Commissioner Hover suggested he contact Senator Hawkins. Commissioner Branch stated a Chelan County commissioner is interested in establishing a facility there and suggested Mr. Snyder have a conversation about that.

Mr. Snyder said a lot of work has happened for those who need to talk with someone for 15-20 to assess risk. They have been at over 90% per day even with the transition to virtual world. Commissioner Branch asked if we have a contracted crisis line. We do, after hours, and part of the Beacon collaborative. He explained how that works. If an evaluator is needed in our county one is dispatched through a 24/7 after hour's crisis line.

Mr. Rabidou stated Mr. Snyder is doing an excellent job, it has been a pleasure working with him so far. Mr. Snyder said the community was very welcoming.

Licensed therapist clinical with masters in psychology, intensive outpatient therapist, program manager in schools, group homes for 10 years prior to master's work, with a lot of direct service in the field. He keeps his certifications up to date. There is an alternative service and program that is provided for people with mental health issues.

Mr. Rabidou said the OBHC Board thought communications with the community as important enough to assign someone to provide for that purpose.

Commissioners thanked Mr. Snyder and Mr. Rabidou for the update. Commissioner Hover would like a board member to attend future meetings.

**Discussion Fairgrounds**

Commissioner Hover said he received three quotes from Naomie Peasley for the Agriplex sound mitigation. He will clarify those then bring them to tomorrow's meeting for the board's consideration.

**Approve Commissioner Proceedings**

Commissioner Hover moved to approve the commissioners meeting minutes of June 8 and June 9, 2020 as presented. Motion second, all were in favor, the motion carried

**Consent Agenda**

Commissioner Hover moved to approve the consent agenda items 1-4, as presented. Motion was seconded, all were in favor, motion carried.

1. Agreement Amendment-Lodging Tax Revenue-LTAC#20-009-Methow Arts Alliance
2. Agreement Amendment -Lodging Tax Revenue-LTAC#20-010-Methow Chamber Music Festival
3. Agreement Amendment -Lodging Tax Revenue-LTAC#20-006-Grand Coulee Dam Chamber
4. Agreement Dispatch Services-Life Line Ambulance

**Motion Appointment Letter Fair Advisory Committee**

Commissioner Hover moved to approve the appointment letter of Bonnie Theis to position #10 on the Fair Advisory Committee. Motion was seconded, all were in favor, motion carried.

**Motion Resolution 72-2020 Signing Authority David Gecas**

Commissioner Hover moved to approve resolution 72-2020 providing signing authority to David Gecas for the Prosecutor's office. Motion was seconded, all were in favor, motion carried.

**Resolution 73-2020 Signing Authority Christa Levine**

Commissioner Hover moved to approve resolution 72-2020 providing Christa Levine signing authority for the Prosecutors office. Motion was seconded, all were in favor, motion carried.

**Resolution 74-2020 Clerk's Office**

Commissioner Hover moved to approve resolution 74-2020 authorizing the use of a BARS code by two employees for the purpose of training. Motion was seconded, all were in favor, motion carried.

The Clerk of the Board presented a letter from Cyndi Thomson that she recently received that was dated September 6, 2019 and requested appointment to the LTAC.

Commissioners requested an appointment letter be drafted for Cyndi Thomson to fill the vacant At Large position on the Lodging Tax Advisory Committee representing County Commissioner District #2.

Commissioner Hover mentioned that a resolution would be needed to authorize the hiring of another position that is going to be vacant. He asked what that process should look like. Ms. Craig explained she would like to see a resolution approved. Commissioner Hover said the conversation is needed prior to back filling positions. With unknown impacts to the county's revenue, it might be good for departments to think about the hiring for cross training. Commissioner Hover thought a standard operating process be applied for that.

Commissioners would like a cheat sheet created that would help inform departments of the different processes for the various employment situations.

The board adjourned at 5:00 p.m.