

**RECORD OF THE PROCEEDINGS****OKANOGAN COUNTY****MAY 19, 2020**

The Okanogan County Board of Commissioners met in regular session at 123 5th Avenue North, Okanogan, Washington on May 19, 2020, with Chairman, Commissioner Jim DeTro; Vice Chairman, Commissioner Chris Branch; Member, Commissioner Andy Hover and Laleña Johns, Clerk of the Board, present.

**Update Superior Court -Judge Culp, Dennis Rabidou**

Dennis said it is difficult to maintain public access to the courts. As they start to resume and get out of the modifications of orders and such has become challenging particularly the jury trials which bring people required to attend court. There are also challenges with dockets that are suspended.

There are some guidelines Mr. Rabidou said pertain to courts in figuring out these challenges. Suitable locations for jury selections will take maintenance support, sheriff support and a lot that must be done by July 8th. The point is Judge Culp said because they assume it will happen and must plan in advance so infrastructure things are in place. We are not the only county in this position. Some are exploring outside the box because normal courtrooms won't suffice and allow room for six feet distance between jurors. He has looked around the Omak area and have identified areas that would be adequate for recording. Security still needs to be discussed with the Sheriff. They have to prepare for the worst-case scenario but the Sheriff might have

There will be 48 trial days through the end of the year and will use that to prepare for the worst. Mr. Rabidou said we just have to understand the fiscal responsibility for these challenges. If the prosecutor works diligently maybe some of those will go away. Is there any funding coming into the courts to address these challenges? The state has put into for CARES act funding but will dry up quickly said Mr. Rabidou. There is minimal funds for PPE, but very limited funds. Commissioner Hover said the Agriplex would be the least expensive as the county authorized a \$75 fee for county departments. Judge Culp said it seems it could work. Is there internet on the grounds? Yes, but some groups bring in their own systems to boost due to low access. There is ample parking there as well. The biggest expense they found is the recording system. He has not spoken to Central Services to see if FTR can be extended but if not he is looking into verbatim recorders who would be very expensive. Reserved one for what is anticipated as a 10 day murder trial and that will cost about \$10,000. FTR was just upgraded during last budget system, said Mr. Rabidou. There is another system explored JABBS which is similar but he doesn't know what the cost of that would be. Still have ADA issues that have to be dealt with, renting a PA system will cost minimal. Commissioner Hover said we obviously have to do this but it would be nice to get a system that can be utilized by others too. Commissioner Branch said we are looking at upgrading our system in the hearing room. Maintaining public access, been open the whole time, but with modifications. This has shown the limitations we work with. Douglas County facilities has been redone with meeting video platform. Subcontract out for installation. He has the information if the board was interested. Commissioner Branch the Board is considering its system without overloading our storage ability. If the courts can make FTR work at the Agriplex, then it would be alright to make the Agriplex work. Omak might charge to use the PAC, the Armory doesn't have many chairs, and we just have limited places to go.

The Clerk of the Board mentioned that the quality of the sound system arrangement in the Agriplex isn't very good with the amount of sound reverberation due to ceiling height. Naomie Peasley stated the Rocky Mt. Elk Foundation had rearranged the speakers and stage and found it much better.

Judge Culp discussed the number of trials to get through stating it will take a year or more to get through it. They can do what they can to identify money for the courts. This was a heads up about the

expense.

Timesheets are going to close but court employees won't be able to close because the ADCO setting for employees that stay home due to COVID. She said this needs to be worked out. Judge Culp said he was done discussion

Mr. Rabidou requested about \$50,000 extra for court reporter and space rental. Mr. Rabidou will research the other equipment needed to relocate the court. He wanted to give the commissioners an idea of what to expect moving forward.

We cannot just let 20 people back into a small space, alternating work schedules for employees to work at home. Tanya needs something that authorizes the use of the code because that was shut off as are result of the commissioner's memo. Everyone else is back and the courts seem to be the only employees who continue to work at home.

Commissioner Hover said this cannot be done for just one department even if they are still working at home. ADCO was being used because the commissioner went above and beyond and paid employees to work from home during the time frame. We do not have anything in place that allows employees to work from home. Something needs to be addressed. Rabidou asked what a slow opening even means. Commissioner Branch said COVID has introduced different ways of doing business. The stay at home working for payroll must need something to allow it to be done. Rabidou said running programs and maintaining the statutory requirements. Tanya said is she is then to unlock the ADCO setting. The concern is we do not have adequate lap tops, but we need to ensure people are actually working. Commissioner Hover said why other employees then wouldn't be afforded the same exemption. Mr. Rabidou said his vision is that everyone be back in the office June 1st. He was concerned employees would congregate at the copier or in the halls. Processing paperwork is challenging. This is not standard work process, said Commissioner Hover we either get back to normal work operations, then

Ms. Craig discussed ADCO is to be used for those working from home due to some meeting the COVID-19 stay at home criteria, just because it is under the emergency funding and can be tracked more easily. Mr. Rabidou apologized for the situation and lack of coordination in relaying the information to his staff when the information was made available to him. Mr. Rabidou said his office was unique.

### **Motion Staff Direction ADCO Time Sheet Setting -Juvenile**

Commissioner Hover moved to allow HR to unlock the ADCO timesheet setting for use by Juvenile Employees only until June 1st, 2020. Motion was seconded, all were in favor, motion carried.

### **Commissioners' Staff Meeting**

Naomie Peasley stated 105 camping reservations, animal registrations, ten vendors, and premium books are out and delivered across the county and she wondered if the Fair is still going to happen. Projects working on is sheep barn and approved by fair committee to install a new sheep washing wrack being done by volunteers. Commissioners are alright with the wash wrack installation. To get water to the station the water line might need to cross the road, stated Mr. Poulin. We'll have to dig it up across the road to get to the irrigation line to tie into. There isn't an accurate as built to rely on. There are some heavier digging going on there. Horse bard repairs list was turned in that were not safety issues and volunteers willing to work on the list. Volunteer hours will be tracked on a spreadsheet, said MR. Peasley. The Little Beef Barn was approved to go forward and it will be gutted on June 4, then June 14 contractors will come in to do the work. A manure dump site for the beef barn is also being installed. Commissioner Hover said it was a good project and it sounds like FAC and beef barn folks figured it out. The Bottle babies didn't make it into the book. A FAC member resigned as a result of this. Resolution 25-2014 assigns the Fair manager as the FAC secretary, which will be resumed by her. All events have been cancelled to resume in 2021. She isn't sure why the Courts will

be allowed to gather July 7 in the Agriplex when all events even the small ones were cancelled. Commissioner Branch explained the courts are considered essential and so adjustments to allow them to operate while at the same time considering the guidelines for social distancing.

Depending on what the commissioners' decision is for the Fair this year, she will then cancel the rest of the events. When does the board intend to allow camping at the Fairgrounds? It was thought that Public Health is allowing overnight transient accommodations can open but she should check.

Would like to start exercising race horses on the grounds to prepare for Emerald Downs. The fee schedule will need to be amended by resolution. People wish to move into the race area offering to put two hot walkers in, but won't come until camping is open. They intend to fix things up, willing to do work so they have a place to exercise their horses. Commissioner Hover would like to see where the hot walkers will be placed prior to being installed as there is electrical installations needed and he wants to ensure proper planning on placement takes place so future projects are not limited there.

The size of the proposed barn with eaves was at 30x240 and the place suggested was near the trees. Peasley thought farther away from the race track would be better as barns close to the track increases horse anxiety. She will work on that have it available by next week.

Naomie stated she understands the commissioners must follow the governor but the community has spoken and they want a fair. Commissioner Branch understands how she feels about the situation. Stampede folks cannot put on the stampede and that isn't a justification that says its wrong or right for one but not the other. No one wants to cancel the fair, but we also don't want a bunch of kids to pump a bunch of money in to their animals only to cancel the fair later on.

Gwen Whitely said they will not go forward with market sale if there is not a fair. The Clerk of the Board reminded that the 20144 fair was delayed two weeks during the major fire. Kentucky Derby is not cancelled, but it was a state that didn't have lock down.

A number code is given to folks that are given a season pass to use the horse arena and track.

Joe Poulin stated two temps are needed at the fairgrounds for the daily activities. He would like to open up the second temp position. Commissioner Hover thought putting the money into a sprinkler system might be better since it takes 6 hours per day just to move the irrigation lines. Commissioner Hover and Commissioner DeTro said no on advertising the second temp employee.

Mr. Poulin stated Ameresco declined to submit a quote for the Annex system. A copy of the specs was sent to Salcido for response in addition to Kruse and Divco.

Palmer stated technical difficulties happened last night at Planning Commission and was continued to June 1st so there will be two meetings in June. She will announce that the Board of Directors did meet and did cancel the stampede this year as well as the encampment. Many funds are given by the community so many organizers didn't want to solicit businesses knowing that many would not be able to help.

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

Commissioner Hover moved to go into executive session at 9:50 a.m. for 20 minutes inviting Pete Palmer and David Gecas to discuss legal matters to which the county may become or is a party. Motion was seconded, all were in favor, motion carried.

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

### **Discussion Okanogan County Land Trust-Jerry Debacher**

Jerry DeBacker Stacy Shutts via ZOOM

Mr. DeBacker introduced himself. He said Ms. Shutts Executive Director of Okanogan Land Trust would be discussing and showing the slides. Ms. Shutts explained the several projects that have RCO funding. There are Three projects are in the Tunk Valley and one near Sitzmark.

Ms. Shutts went over application RCO 20-1619 with Brian and Cynthia Nelson. It is 445 acres in the highlands. The couple has been ranching there since 1950 and have a NRCS farm plan in place.

Ms. Shutts went over application RCO 20-1815 with Don and James Peterson. It is WWRP Forestland which is a new program offered by RCO. Commissioner Hover had a question about this one, but waited until the end of the presentation.

Ms. Shutts went over application RCO 20-1493 located in Synarep. It is in the Rangeland WWRP Farmland Category. Jim and Nancy Soriano are the operators and the couple already have other properties with conservation easements on them.

Ms. Shutts went over application RCO 20-1781 in the Sunny Okanogan. It is for 1050 acres of prime rangeland with Craig Vejraska. He is Estate planning for future ranch operations.

Commissioner Hover asked about the new Forestland program and with an agricultural easement, will it be kept in agriculture production and can timber still be harvested. They will need a timber plan and will need to have enough timber to harvest and continue to be harvested. This is the old Clough homestead. Mr. DeBacker stated he isn't sure what RCO category it is, as it has a small amount of money involved, and he is not certain what they are looking for. He said the Webinar showed it is to create healthy forests.

The meeting was intended to inform the commissioners. Letters of support for these projects can be drafted for projects the commissioners wish to support. Commissioner DeTro stated he was familiar with these projects. Craig Vejraska has a plan in place and in conjunction with the grouse. Mr. DeBacker stated both Vejraska and Soriano's have worked with agencies on these. There are additional acres that will be kept open for wildlife. Soriano's just purchased the property last year from the Figlenski's. These private land owners are voluntarily working on these projects with land trust, and the property will continue to pay taxes contributing to weed tax, school tax, etc... The good thing is the property will remain in either forest or agriculture production. The properties allow for connectivity due to being adjacent from each other.

Are the commissioners interested in letters of support? Commissioner DeTro stated for other conservation easements the Board had not submitted letters of support so the thought was the board would not do it this time. Mr. DeBacker stated he can submit to RCO that Okanogan County does not have any issues with any of the proposals. Commissioners did not have any issues with submitting to RCW the project applications discussed today.

Mr. DeBacker stated the Elis Farm easement near Shankers Bend will be wrapped up soon and complete. Commissioners thanked the group for the update.

**Update Finance Committee – Auditor Cari Hall**  
CANCELLED

**Update Public Works-Engineer Josh Thomson**  
Josh Thomson, Kent Kovalenko

*Solid Waste Temp Employee*

Mr. Kovalenko explained we are up to speed except for he leachate hauler mechanic part-time for the six-month season. Do we need to hire someone with a cdl or with experience? Commissioner DeTro

stated someone with experience would be best. Attached is guidance from FMCSA regarding operation of a CMV on private property without a cdl. Risk Manager Craig was consulted and she said it would be up to the commissioners. Commissioner Branch said the intent of the question is being met, but the wording it shows doesn't meet the specific situation.

### *Compactor*

A catastrophic disaster happened to the new compactor Incident with our new compactor tier three engines that is under warranty. There was white smoke from the diesel engine, and that is never good. The estimate for repairs is about 3-4 weeks. We did retain the old compactor, so business as usual there.

### *Landfill Cover Crushing Project*

This project will be presented for commissioner approval soon. Some projects were delayed this year such as the new building.

### *Maintenance & Road Conditions*

Engineer Thomson provided update on road maintenance and conditions.

### *Statler Bridge Replacement Project*

Low volume roads pretty much have to fail before they become eligible for funding. Whatever we take for match comes out of other projects later on.

### *Park City Loop Rd Bridge B-4*

Restrictions are still in place for this bridge.

### *Omak-Riverside Eastside Rd Paving Project*

First week of June and will be done by end of June

### *Revenue Projections*

Everyone just waiting for March fuel tax collections and a month or two before we see April's revenue. Ramping up to 50% in April 75% in June etc.... unless something really crazy happens. It was really busy in the Methow area over the weekend. It sounds like an announcement to clarify Phase II criteria, did that happen? Commissioner Branch said it had to do with health care allowing surgeries, dentistry's etc.... but it never moves fast enough.

After Public Works left the meeting Commissioners Hover and Branch discussed the Draft Capital Facilities Plan. Commissioner Hover suggested it be adopted as an optional element in order to use capital improvement funds, then if the Planning Commission wishes to adopt it then they go through the additional steps to do so. Commissioner Branch stated he has been involved with the adoption of other plans.

Commissioner Branch said he will draft the resolution that would adopt the Capital Facilities Plan for consideration.

Adjourned for lunch at 11:35 a.m.

Commissioners convened at 1:30 p.m. after the lunch hour.

Commissioners discussed the County Fair and options to consider. With the Stampede cancelled, there is a lot of questions about whether the county will hold its annual fair.

Commissioners discussed a revised capital facility plan resolution draft and discussed a more general notation to tie it together.



Commissioner Branch discussed the draft resolution for capital improvements as the previous director included language for use of .09 funds, which is a down side to including that in the resolution. He said refer to it in the comp plan to meet certain requirements, but then adopt it as a standalone plan.

### **Citizen's Comment Period**

Isabelle Spohn stated she was here to take notes for citizen comment period and asked if someone was going to comment.

She said she had a comment as well. She was reading the letter to the community and read it through and clicked on the link to Economic Alliance and could not get to it. She asked what exactly what people are being asked to do. What are the actions. Commissioner Hover said wearing masks, social distancing, sanitizing after someone goes through your shop. He said there are many different things. Ms. Spohn said people don't know what they are being asked to do. She noted that many do not wear masks and when people do they get weird looks. Many just don't know what they are being asked to do.

San Juan County is requiring people to wear masks now as there are many older community members. She said the link is vague on what people need to do. Commissioner Branch said the letter was speaking to opening up. He said the Economic Alliance website has the guidelines posted there. Ms. Spohn said it is confusing because many counties are requiring the wearing of masks. Commissioner DeTro stated we are not going to make people wear masks. They are relying on people to do it on their own if they feel they need to and understand why would do something like that. The masks are to protect other people, not necessarily the person wearing the mask. Ms. Spohn said people hear mixed messages from various resources on Facebook and websites. The commissioners cannot change that. Ms. Spohn said commissioners should state the county is requesting everyone wear masks. Commissioner DeTro said the Dept. of Health said it is each businesses choice whether or not they wear a mask. The county is not requiring mask. It is a choice. Ms. Spohn said she attends all commissioners' meetings and she is confused. Commissioners said there are links to the guidance the Board wishes people to consider. Commissioner Hover said Dept. of Health website lists much of the guidance Ms. Spohn is asking for. He thought the information should be linked on our webpage. Isabelle said going to stores where employees are not wearing anything then hearing we are encouraging people to wear a mask but not mandating it. She thought a list of those guidelines and why we are asking people to do those things.

Commissioner Branch thanked Ms. Spohn for her notification of the problems the board knows exists and that we have another agenda item.

### **Update Central Services-Karen Beatty**

Ms. Beatty said she has a short demo from AV Capture for streaming video. She read down the bullet points. Wireless access points are all set up and in network now. We also have the guest access. License for Microsoft are being reviewed and additional licenses will likely be needed. We are looking at going to Microsoft 365 and would bring customers in the cloud. We are meeting to discuss how that would change the cost, but it is inevitable.

Computer room has been remodeled with an as built. PC and server purchases are waiting for things to calm down. The purchases are within the current budget. She would like the servers before Mr. Rowe retires.

Assisted with the hooking the Extension office up for their drive by WiFi. Eric Fritts photo made it into the newspaper.

A public kiosk was installed in the Sheriff's lobby for those wishing to apply for pistol permits. Maintenance did a great job installing the counter.

Phil Bates is the new hire for Central Services. He is doing a great job tied to Eric's hip. He really wants to learn, but doesn't have a lot of formal training, so it will be easier to train him up to what we want him to do.

Ms. Beatty stated additional training may be available.

Dell has a program where employees get a discount on purchases.

Av Capture was a program she recommended and provided the commissioners with the information and cost. The sales person said there was 4 g data per hour because of file compression. Resolution of the video, secretary of state will accept the transfer of the MP4 file. Requests for public records have mostly stopped. If the county went to action minutes only then the video would provide the details of how the board came to the decision.

Cost for AV Capture would be \$399 per month or \$5,000 annually.

The AV Capture sales person Mr. Price was contacted and provided an overview of the program. He showed some examples of the work regarding county and then showed how the software worked. Examples of the software was shown. Searchable document on our website. Public isn't going to be required to download an app in order to be able to use the program.

It would take them installing remotely then work with us to get the audio and visual information for the system.

#### **Update Risk Management/HR-Tanya Craig**

Ms. Craig updated the board on several items. The Solid Waste Contract is ready and prepared for signature. She has reviewed and provided the board with the most up to date document. The subscription agreement is for the health and welfare.

Employment security appears to have stopped sending the letters. She has been mostly working on COVID related issues.

Ms. Craig explained some time off she would be taking.

#### **Motion**

Commissioner Branch moved to approve and accept the Teamsters Trust Subscription Agreement for Solid Waste employees and authorized the chairman to sign. Motion was seconded, all were in favor, motion carried.

#### **Motion Solid Waste Teamsters Union Agreement Solid Waste**

Commissioner Hover moved to approve the Teamsters Local Union 760 and Agreement for Solid Waste division. Motion was seconded, all were in favor, motion carried.

#### **Discussion- 2020 Fair -Extension Office Kayla Wells-Moses, Natasha Moffitt-Hemmer**

WSU Extension Kayla Wells-Moses and Natasha Moffitt-Hemmer, Fairgrounds Coordinator Naomie Peasley, and FAC members Tim Tugaw, and Laurie Caswell

This meeting was set to discuss the status of this year's fair. At the recent fair committee meeting, the question was asked if we were going to have one. Dr. McCarthy our Public Health Official did not believe it would be possible as we may not be into phase IV by September. It is the kids with beef cattle and swine who begin to put money into them around June 1. Natasha said the kids had already purchased their animals.

Natasha said 4-H won't be able to be back in person unless we are in Phase IV and that is coming

from WSU and all 4-Hers will be following that. Naomie said kids have a choice to enter the open classes instead of 4-H classes. Natasha said it was an option if we do have a fair. The actual 4-H programs won't be allowed so kids would need to show open if they do go. A committee has been put together for kids in case they need to put together an online virtual show platform. She has all the tool kits for the virtual fair. Will the same premium points going to be paid out if the fair is modified. She is willing to open up the showcase for everyone, not just the 4-H kids.

Naomie stated many counties are moving forward with their fair. Their only concern is that the governor takes away from the fair for next year. NCW is willing to team up in order to do the fair. An online private auction for animal sale is an idea. Marketing their animals separately from the fair might be a good idea too. Commissioner Branch

Tim Tugaw said the sale happens in his barn set up over 200 pens in his barn, the people he has helping to do it who put 2-3 weekends to set it up and tear it down. Local businesses are solicited for additional materials. If he goes through his then he expects there to be a fair. Natasha explained the virtual fair for those who can, then another option for those who are not able to do a virtual video by setting up an arena for that.

Laurie Caswell stated her family has been involved with fair forever. It is hard to make a call for something in September. Many have already paid for their animals.

None of the vendors have paid

Plan for the worst, don't cancel the fair now, but figure out how the animals sold and projects judged that are not market driven to somehow get that to the place there is a process. Then on the drop-down date decide.

Show Works has a virtual system for a virtual fair and we just spent \$1800 for Show Works option. Natasha said she is willing to help but wondered if the fair could support her work into it. Commissioner Hover stated the fair will either be a shift from the norm, or we cancel it.

Grant Franklin Ferry and NCW are a few counties moving their decision to August. We have a contingency plan, but commissioners do not want to pigeon hole us into making the decision. Naomie stated Pro West is moving forward as they only have five rodeos. Carnival hasn't contacted the Fair committee to inquire.

The 4-h mindset is geared towards all the learning that leads up to the fair and that is just a way to showcase what they have done and accomplished. Delayed gratification may provide time for community to come together to celebrate and make it just as special.

Commissioner Hover asked for the group to come up with a unified plan and strategy for fair this year and what it will look like should things fall apart and not be able to physically happen. Natasha is very glad to help develop the contingency plan.

The 2014 fair was delayed due to fires and it was thought it was the best fair in a long time because it brought everyone together through crisis, but the fair provided reprieve from the biggest fire in the state.

Commissioners thanked the group for their positive input today.

### **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 \$858,755.32 and Payroll vouchers in the amount of \$950,269.60. 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 \$416.43 and payroll vouchers in the amount of \$34,107.13. Warrant numbers as cited on the attached blanket voucher list. Motion was seconded, all were in favor, motion carried.

### **Consent Agenda**

Commissioner Hover moved to approve the consent agenda items 1-7 as presented. Motion was seconded, all were in favor, motion carried.

1. Appointment Letter Wells Ranch Irrigation District Director- Matt Jeffery
2. Appointment Letter Housing Authority of Okanogan County-Harry Best
3. Appointment Letter-Fair Advisory Committee-Bruce Duncan
4. Appointment Letter-Planning Commission-Phil Dart
5. Contract-Lodging Tax-LTAC20-014 Methow Trails Assoc.
6. Contract-Lodging Tax-LTAC20-013 Methow Trails Assoc.
7. Contract-Homeless Housing Funds-OBHC

### **Motion Staff Direction Video**

Commissioner Hover moved to direct staff to move forward with the process for securing technology such as the AV Capture type we saw today. Motion was seconded, all were in favor, motion carried.

The board adjourned at 5:00 p.m.