

**RECORD OF THE PROCEEDINGS****OKANOGAN COUNTY****NOVEMBER 17, 2020**

The Okanogan County Board of Commissioners met for a Regular session at 123 5th Avenue North, Okanogan, Washington on November 17, 2020, with; Vice Chairman, Commissioner Chris Branch; Member, Commissioner Andy Hover; and Clerk of the Board, Laleña Johns, present.

The full detail of the commissioners' proceedings was captured via AV Capture video and is available to the public on the county's website.

Chairman, Commissioner Jim DeTro attending via zoom.

**Commissioners' Staff Meeting**

Carrie Port, Kyle Haugen, Maurice Goodall, Naomie Peasley, Pete Palmer, Dennis Rabidou

Mr. Rabidou OBHC President. Notification from Chief Executive was resigning and started the process for hiring a new executive. Stake Holder notifications will go out. David McClay from long view has a lot of chief executive experience and appears to be a good fit for the agency. It is all about maintaining services for the community. Everything is in place for a smooth transition. OBHC financial situation is being evaluated for the agency for the transition. Commissioner Hover briefly discussed the millage funds for Mental health and is split between three funds. It may streamline things if the funds are allocated to one fund the Mental Health fund instead of receiving in Mental Health and Developmental Disabilities then splitting it between the three funds.

Naomie Peasley provided her fairgrounds update. Commissioner Hover asked for the actual cost of the chairs and tables from Pape to show their value before approving the agreement for the exchange for the tables and chairs for the advertising.

The Christmas basket organization would like to put together the Christmas basket drive through with a small amount of people who are putting together the baskets. Drive through services are not excluded so the basket disbursement to needy families is not an issue with the Governor's rules due to new COVID-19 measures. December 14-22 is the date range.

Superior Court Contract amendment is being processed that will allow the Courts to pay for the propane use. A new agreement will also provide an extended timeframe. Sound system update for the Courts is being looked into for reimbursement use of CARES ACT funds due to COVID-19 measures.

FAC policy and procedures were signed and approved by the FAC and it includes drastic changes with regards to use of maintenance employees.

Maurice Goodall updated the board on Emergency Management request to purchase the portable tents previously requested. Commissioners will know by the end of the day whether they will approve two of the units or not.

Commissioner Branch explained the prioritization projects that Economic Alliance processes and commissioners approve. He further explained the last project of City of Tonasket that was approved from the Infrastructure funds. He said their project on the south end town may be annexed which potentially could generate income for the city. It wasn't something he thought the county paid much attention to those areas or looked into it much. He thinks a conversation with the city would be good about their infrastructure project that should include services to those properties annexed.

**Discussion-Infrastructure Projects-Economic Alliance-Roni Holder Diefenbach**

Roni Holder Diefenbach provided the list of Economic Alliance Recommendation for the 2021 Infrastructure prioritization lists. The list was separated into categories and ranked by the Infrastructure Committee. She read from the list and ranked projects that were submitted. (attached) A resolution will be prepared to adopt the list.

The Infrastructure Committee ranked these projects and at this time there is no money to allocate funds to the projects and for now this is just an annual prioritization listing and ranking process for lobbying of funding in Olympia for grant funding and projects funded by grant funds through EDA and USDA are required to be listed and prioritized by the county for those grant applications that the entity may submit.

Commissioner Hover is looking at the Infrastructure fund that is running a balance of around \$1 million dollars. There are two bond payments in the account as required by the Treasurer which will be paid off in 2022 and we have the PWTF comes from that as well and the Economic Alliance operations allocation and the Omak Stampede Bond payment. There had been a moratorium on the account until the debt was paid off. No projects were to be funded by the fund. The last time dollars were allocated to ranked projects was in 2013. Looking forward to the freeing up of the fund in order to fund projects.

Commissioner Branch said it just occurred to him that when the bond is paid off the designation of the accounts goes away and language is the bond agreement and was a part of it. We should be prepared when that happens. Ms. Holder Diefenbach will look into that. She explained the last resolution that divvied up the ration process for prioritized projects and emerging opportunity projects awards. That process stopped during the 2009 recession. Commissioner Branch explained some of the rules changed under the .08-time frame and the .09-time frame. A conversation should happen in 2021 to discuss some changes to the current process for prioritization.

**Motion 2021 Infrastructure Prioritization List**

Commissioner Branch moved to approve the prioritized list submitted by Roni Holder Diefenbach and directed the Clerk of the Board to create the resolution to formalize the approval. Motion was seconded, all were in favor, motion carried.

**Public Hearing Budget Supplemental Appropriation-Public Works Solid Waste & Road Fund**

Commissioner DeTro opened up the public hearing to staff.

Engineer Thomson explained the supplemental was needed to correct an ER&R invoice between funds into Solid Waste and would have typically been paid in 2019 but was paid in 2020 without having budget to pay it. The available budget will now be available for planned expenditures in 2020 and there is no penalty involved. It mostly affected the plowing and sanding lines and we need that budget for this year.

Commissioner Hover explained beginning fund and ending fund balances for future consideration when these types of supplementals are needed.

Commissioner DeTro closed to staff and opened up to the public, seeing/hearing none he opened the hearing to commissioner discussion.

**Motion Resolution 156-2020 Supplemental Appropriation Public Works ER&R Solid Waste**

Commissioner Hover moved to approve resolution 156-2020 a supplemental appropriation within Public Works ER&R and Solid Waste funds in the amount of \$231,912.58. Motion was seconded all were in favor, motion carried.

**Public Hearing Budget Supplemental Appropriation-Public Works Solid Waste & Road Fund CARES**

Commissioner DeTro opened up the public hearing to staff.

There is two parts to the supplemental for CARES Funds and includes Public Works CARES ACT reimbursement.

Commissioner DeTro closed to staff and opened up to the public, seeing/hearing none he opened the hearing to commissioner discussion.

Commissioner Hover discussed the supplemental to understand the distribution of the request.

### **Motion Resolution 157-2020 Supplemental Appropriation Funds Public Works/Solid Waste**

Commissioner Hover moved to approve resolution 157-2020 a supplemental appropriation within Public Works Solid Waste and Road Fund in the amount of \$322,683. Motion was seconded, all were in favor, motion carried.

Commissioner DeTro closed the public hearing.

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

Gary George, PW Road Maintenance Supervisor

Engineer Thomson provided the Public Works agenda and discussed the items listed there.

#### *Maintenance & Road Conditions*

Engineer Thomson discussed the primitive McLaughlin Canyon Road to Chiwilican Road area where the route is divided between Tonasket Route crew and Tunk Route crew as a complaint was received by the Commissioners. He explained that the school bus routes are prioritized for plowing and that area is divvied between two Public Works routes. Gary George explained there is no way to feasibly get in front of the traffic. There is a portion of the route that is really rocky. Most residents are on the north side of it but it is not a bus route but does get regular maintenance. Commissioner Hover explained a scenario based on his route which gets a lot of traffic and has seen a 4-inch minimum and it leaves a hump that freezes and it takes a long time to cut out. Mr. George stated a crew meeting it was discussed how the temperatures can affect how issues are addressed in the future and keep overtime down and preventing long term issues. Due to yesterday's snow storm there is currently 12 inches of snow accumulation in the Methow.

#### *COVID Precautions & Plan*

Engineer Thomson explained the protocol for addressing separation of COVID exposed staff who work alone and who are asymptomatic. There will be a few extra people to load plow trucks with sand to ensure none exposure for anyone.

#### *Kermel Grade*

The Kermel Grade road repairs were discussed.

#### *Sinlahekin Road*

### **Consent Agenda**

Engineer Thomson provided an overview of the Public Work items listed in the consent agenda.

Commissioners recessed for lunch at 12:00 p.m.

### **Public Comment Period**

Isabelle Spohn commented on her value change notice and she was appalled by it because the deadline was very confusing. The card with the value change was very confusing for this year's notice and it is sent by the County Assessor's office.

Mary McHugh stated most of our budget is about expenses of the county and one way is from property taxes. She was concerned about her property value increase and thought her taxes would go up at the same rate. She is concerned about the affect this value increase will have on the taxes she will owe in 2021. Commissioners will inquire of the income level for eligibly in the senior exemption program. RCW 84.36

### **Update-Risk Manager and Human Resources-Tanya Craig**

Tanya Craig

Ms. Craig provided her staff report and explained work she has been doing and departments involved with those tasks. 82 applications for Air Flight and additional Life Flight services were received. Ms. Craig explained when the service would be used and which one will escort in a situation.

Still negotiating Union Contracts. Public Defense service provider can be the recipient of Grant funds passed through the county for services specific to preliminary calendars that are scheduled due to COVID-19. An addendum the Public Defense services agreement will be provided later for consideration.

Noxious Weed board oversees the Noxious Weed manager employee not the commissioners and the situation and RCW that outlines that was reviewed by the county's Deputy Prosecutor and he agrees.

The budget for Public Defense Improvements has a good balance that probably wont be taped into by the end of the year, whereas last year that budget went over by around \$11,000.

### **Motion Resolution 158-2020 Overtime Deputies Seatbelt Emphasis Traffic Safety Commission**

Commissioner Hover moved to approve resolution 158-2020 for creation of BARS codes in Fund 124 for overtime and benefits for the seatbelt emphasis program grant. Motion was seconded, all were in favor, motion carried.

### **Motion Resolution 159-2020 Central Landfill Temp Position Conversion**

Commissioner Hover moved to approve resolution 159-2020 regarding the conversion Solid Waste temporary labor position to a full-time position. Motion was seconded, all were in favor, motion carried.

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

Equipment reserve fund will be the fund to purchase new servers from. Additional equipment has been purchased for departments due to COVID-19.

County new website was discussed. Each department discussed what their individual site should include and what the design will look like.

Does the board wish for Karen Beatty to go forward with the purchase of the hearing room mics. The cost estimate was about \$8,000. Commissioner Branch discussed essential business discussions by the Governor's office and the use of ZOOM and the thought the public still had the suspicion that the government wasn't acting transparently without being able to see what was actually going on.

Commissioners wish to move forward with the purchase of the mic installation.

Power outages have happened. Maurice Goodall provided generators outside the server rooms for this purpose and worked with Kruse Electric for the necessary parts and pieces to hook into them. The generator project is being coordinated with Communications.

Ms. Beatty mentioned for 2022 that we will need to replace our core switch and that cost will be around \$60,000-\$70,000. This is critical piece for our system.

**Budget Work Session Prosecutor, Vitim Witness Etc...**

Arian Noma, Cari Hall, Lisa Schreckengost, Leah McCormack, Pam Johnson, Christa Teagan Levine, Felicia Chandler, someone else??

Treasurer McCormack provided the rest of the needed information for several budgets to finish those up.

Commissioner Hover explained the revenue sections are reviewed first then the expenditure budget is reviewed. The group reviewed the revenue sections in CE Revenue regarding the Prosecutor's 2021 budget requests.

DSHS Federal Support Enforcement grant revenue was reviewed. Current expense department should be charged rent.

In the Support Enforcement section, the Maintenance & Utilities recoup budget line item where Support Enforcement rent was paid was taken out and zeroed. Commissioner Hover asked if the Deputy Prosecutor in this section could be used in other areas where attorney work could be covered. Mr. Noma stated that position is funded by the state so most of the work done by that attorney is for state. If the state is cutting revenue for the program we need to find out from them how we can split the time with this person to realize benefit for that portion. Mr. Noma explained other duties the attorney covers. Commissioner Hover said the civil side of the Prosecutor's office we are getting a lot more public records requests from Departments and to balance the budget it would be good to provide assistant with attorneys we have especially if the state is cutting the revenue they provide. Ms. Hall calculated the states shortfall at about 40%. Mr. Noma state a lawyer would still need to supervise the work even if the public records employee was really good. Commissioner Hover explained the county is in the red at \$1,786,996 until we know what the ending fund balance is. Treasurer McCormack stated the Support Enforcement does not support it self and the county will need to consider whether or not to keep the division fully supported especially if those staff are only working 5 hours per month and county is funding a full time staff. Another attorney would cost around \$100,000. The Planning Department needs people too so the commissioners will need to consider that as they consider the Prosecutor's requests.

Professional Service costs relating to specialized Land Use services for Co Litigation expenses was discussed.

Witness fees have not been used in many years. Mr. Noma explained the states burden regarding murder witness costs that will need budget. Justware costs were adjusted from \$50,000 to \$12,000 for support costs. Law books budget is for research and Westlaw. Each office pays its portion of the cost per login user.

The prosecutor requested 8 new positions to be funded. Commissioners reviewed the professional services budget. Prosecutor asked that the line be broken down for general criminal and civil type services for outside council. In order for the Prosecutor's staff to handle some of the land use issues that attorney must be very well versed in what they are dealing with. An attorney would cost \$100,000 versus funding outside council as needed and that costs less. Commissioner Hover explained why the county cannot fund 8 new attorneys. They are trying to balance the budget so they are not cutting positions and can provide funding for. Commissioner Branch stated some of the costs involved with Land Use cases need specific and timely response.

Commissioner Hover trusts 100% David Gecas ability to represent the county and he trusts when he says he cannot. Mr. Noma advises the attorney to take on more, but he cannot take it all on and so he wishes to provide him support. He spends 30% of his time addressing public records requests and commissioners suggested the attorney in Support Enforcement be split to help out the Chief Civil Deputy.



Mr. Noma discussed further the staffing issues and staff work loads of the Prosecutor's office and himself. Commissioner Branch asked questions to understand whether the case loads are unprecedented? Mr. Noma said it is a reason for the high turnover in his office. Burn out happens quickly and it's difficult to sustain. Commissioner Branch said up to this time has there been a big change that happened now that wasn't there before? Mr. Noma said one or two people should have been added each year for the last 18 years. Commissioner Branch asked if the last couple years have overwhelmed the office with caseloads. No, the caseloads have not been dramatically higher, said Mr. Noma. He said many are under reviews and not being charged due to COVID-19 shutdown. Commissioner Branch said he will need to see the comparison in order to feel comfortable in making a budget decision without know things have changed in the Prosecutor's office. Mr. Noma said his style is different because he wants all work in house. Civil issues are important. Criminal cases are just sexy, but he does need people. Commissioner Branch relies on the information he requested that shows things have significantly changed. Commissioner Hover said the requests of all departments will be prioritized and given to the two other board members for consideration.

Pam Johnson asked if there was a way for Prosecutor to charge an additional fee that would help pay for the requests. If the person is indigent, the state has now made rules on the amount that can be charged. Rich people you can apply a fine, but the problem is rich people don't commit crimes.

#### Discussion-Methow Ranger District Land Acquisitions Coordination -Chris Furr

Chris Furr wanted to bring to the board's attention and get some feed back as they work through a billing issue. Having a cooperation issue with regards to winter sports. Snowmobiles and newer models can get into high avalanche areas and wasn't an issue in the past. Seasonal a closure of motorized use in some discreet areas in the Hwy 20 corridor near cut throat and not a long term solution. Talking with those user groups. Emergency closure right now with a process to follow with public comment. In talking with local clubs it is not something that is a local issue it is more from people coming into the valley who are going into the high basins. It may be a low likelihood event but a very impactful one if one happens. High potential for something going wrong. Will continue to discuss with user groups. He didn't want to press forward without first discussing this with the commissioner to hear any concerns of the county.

Commissioner Hover asked how he came up with those areas. A map was provided by Chris Furr of the areas. (attached) Commissioner DeTro appreciates the Ranger coming to the commissioners and he backs whatever the decision is in identifying the problem, providing a temporary solution to be followed up with a long term solution. Commissioner Branch enjoys the coordination and heads up but he knows some that like back country skiing who may not feel the same way in terms of the closure.

Commissioner DeTro mentioned a previous situation that became convoluted with a towing company being left with the bill. Mr. Furr and the towing company did come to an understanding on that situation and how future situations like that will be handled.

Chief Worden explained the need to create additional BARS lines within Fund 161 for necessary payments via resolution.

#### **Motion Resolution 160-2020**

Commissioner Branch moved to approve resolution 160-2020 creating necessary BARS codes for overtime and benefits in Emergency Communications Fund 161. Motion was seconded, all were in favor, motion carried.

#### **Approve Consent Agenda**

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

1. Professional Services Agreement -Cultural Reconnaissance-Courthouse Curvilinear Project
2. CDBG Public Services Grant Request #15
3. CDBG Public Services Grant Request #16
4. MOU -Fairgrounds Dump Truck Purchase RE: Res. 91-2019
5. Agreement-Supplement #2 Driskel to Verestar -State RATA Funding
6. Resolution 150-2020 PEBB Insurance Medical Cap Increase
7. Resolution 151-2020 LEOFF Trust Medical Insurance Rate Cap increase

The board adjourned at 5:00 p.m.