

**RECORD OF THE PROCEEDINGS****OKANOGAN COUNTY****NOVEMBER 2, 2020**

The Okanogan County Board of Commissioners met for a Regular session at 123 5th Avenue North, Okanogan, Washington on November 2, 2020, with Chairman, Commissioner Jim DeTro; 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.

**Motion Closed Session RCW 42.30.140(4)(b)**

Commissioner Hover moved to go into executive session at 10:00 a.m. for five minutes to discuss collective bargaining regarding Union Contracts inviting Tanya Craig Risk Manager to the discussion. Motion was seconded, all were in favor, motion carried.

**Budget Work Session – Public Works**

Josh Thomson, Kent Kovalenko, Jerry Paul, Delainya Piper, Lisa Schreckengost

Commissioners reviewed fund 501 ER&R. Engineer Thomson explained the expenditures. The largest portion of the budget was for parts.

The group reviewed Solid Waste fund 405 and discussed revenues and expenditures.

The landfill development cashflow analysis was reviewed and discussed. (attached)

The group reviewed fund 123 activities and made some adjustments.

Projected ending fund balances were reviewed and discussed.

Engineer Thomson explained the Road Fund 102 revenue and expenditures.

Fees were discussed for land use review and planning purposes.

Flood control fund 116 was reviewed.

**Briefing Among Commissioners Review Agenda and Consent Agenda**

Commissioners used this time for Public Works budget.

**Planning Update-Director of Planning Pete Palmer**

Director Palmer provided her Agenda and discussed the items listed there.

Director Palmer noted a letter received from the State of Washington Energy Facility Site Evaluation Council requesting release of information they are seeking about protected wildlife habitat, Economic Development areas among various other types of plans of the county including comprehensive plan for early notification of siting for mitigation delays and preserving military mission viability. (attached) She asked commissioners' direction on addressing the request.

Commissioners discussed the Department of Defense (DOD) grant for \$52,000 per year as well as other costs that amount includes such as work station and fuel. There is actually more things they are asking the county to do. If there is too much being requested, commissioners were in favor of having a

discussion with them. They said since military department doesn't really use our airport, they wanted to see what their benefit would be for helping them. If they are pushing they may be more work than what it is worth, said Commissioner Branch. With only a half time employee there may be more work requested than that part time person would be able to do. Commissioner Branch explained his concern with their implications in regards to a natural gas line and the fact we have airports that tie into the scenario. Tying in migration corridors and that is WDFW work that has been done in the past. Compiling the information and updating it is something they can pay for.

### **Department Update**

The front office position is being advertised since it is vacant.

Director Palmer listed the upcoming Projects – Comp Plan, CAO, Clearing and Grading Ordinance, Fee Schedule, Continued Watershed Planning, Enforcement, District Use Chart (Interim pertaining to multifamily housing requiring a CUP). Commissioners discussed the timelines and processes for these projects and which commission they would like to hold the official public hearing.

Director Palmer explained her plan to come up with a process based on the laws for the public hearings with regards to land use policies. She said it is causing a lot of extra work for her staff to ensure all public hearing are scheduled and the cost of advertising is high. She would like to have a solid process.

Commissioner Hover mentioned that it is often difficult for citizens to contact Planning Commission members, whereas they can pick up the phone and talk to a county commissioner much easier. The commissioners represent the people and Planning Commission member do not. If the Comprehensive Plan was taken out of that, it would be best. Director Palmer stated if no more law suits happen she intends to have it adopted by the end of the year. Commissioner Hover suggested taking care of it the first of the year.

Will know if Critical Areas Ordinance is ready this week and if so that will begin the process for adoption. Working with Prosecutors office on a partnership to help with enforcements and compliance issues and a process that provides some teeth and a buffer to those who are not compliant before seeing a judge.

Requiring a Conditional Use Permit for multiple housing.

Commissioner Hover asked about the Clearing and Grading ordinance and whether it would affect agriculture and creation of new fields, roads to feed cattle, and orchard ground for planting trees. It cannot be a blanket statement. Director Palmer stated it depends on how deeply the grading goes and the impacts created.

Commissioner Branch explained some of his experiences of agricultural activities and outfits that have done a lot of it in order to generate ideas to discuss and why we would want one.

Commissioner Branch said we should bring forward at least the ten cases the county has experienced resulting in enforcement action to drive the discussion.

Commissioner Hover asked about the marijuana operations that are growing along Old Hwy 97. Director Palmer replied she has done site visits for the grows going in and it appeared 8 more were being prepared. Commissioner Branch explained the expansions of grows on Green Acres and appears to be the prevailing land use there. We have zoning that allows mixed use so it is hard to say one area is good for one thing only. There's not been an attempt to separate it or make it more compatible and it is hard to do considering the pattern. Director Palmer said the more marijuana grows that go in the more complaints come in about water use. It isn't until certain applications trigger the notice to the neighbors that they know exactly what is going on.

## Public Hearing -Lower Methow Zoning Map-Planning Pete Palmer

Commissioner DeTro opened up the public hearing calling for the staff report. A recommendation from the Planning Commission recommended full adoption.

Seeing no public in attendance who wished to comment Commissioner DeTro opened up the hearing to commissioner discussion.

Director Palmer stated that public Testimony taken at the Planning Commission public hearing was in favor of the full adoption of the ordinance. Commissioners reviewed the map and attachments to be adopted. Commissioner Branch explained the board should revisit minor deviations at a later time because short plats are administrative decisions and some requirements may be onerous for certain properties needing clear direction on options for the administrator. Commissioner Hover agrees that the board should revisit what those decisions would include to establish what the line is. Director Palmer would really like that to be laid out well.

### **Motion Ordinance 2020-7 Lower Methow Zoning Map**

Commissioner Hover moved to approve ordinance 2020-7 with findings of fact, conclusions of law and adoption of the official zone map of the Lower Methow. Motion was seconded, all were in favor, motion carried.

Commissioner DeTro closed the public hearing.

Commissioner DeTro explained complaints and concerns he has heard about marijuana grows. He asked if there were any rules about aesthetics that should be considered for grows on a hillside where people driving by can see everything. When do rules get triggered? Director Palmer said the Tribe entered a compact with the federal government and a marijuana store is going in at Tribal Trails. Within the next 20-60 days that store will open. They are regulating themselves in terms of their compact. They have a hemp farm in Ferry County but not around here.

Commissioner Branch questioned the Planning Commission adoption of a resolution of their recommendation because he is unfamiliar with Planning Commissions adopting resolutions. Director Palmer said it duplicates the action twice and it gets too confusing and is extra work for staff. Commissioner Hover stated a motion of the commission to recommend the commissioners approve would be sufficient. It would be more consistent that the transmittal and recommendation be a memo rather than a resolution.

Commissioners moved the budget work session with District Court from 4:00 p.m. to 3:00 p.m.

Budget Work Session-District Court-Judge Robert Grimm, Darla Schreckengast  
Judge Robert Grim, Darla Schreckengast, Leah McCormack, Lisa Schreckengost

District Court revenue was reviewed and discussed. The civil fees and small claims filings revenue was reviewed. Commissioner Hover commented that the courts are not pulling in revenue sufficient to cover expenses of the court. He asked that it could be looked into as far as our indigent population versus the costs involved.

Expense budget was reviewed and discussed. The judge pro tem budget was not used much this year due to COVID. The judge pro tem salary is set by state law RCW 3.34.130 and by BOCC resolution 2-1995 and shall be 1/250 of the full-time judge annual salary for eight hours work or the hourly fraction thereof for partial days.

Ms. Schreckengast explained jury costs that increased due to being billed for processing. She thought District Court would continue to do the mail outs and jury processing, but then she found out Superior court Jury Facilitator was doing it and costs increased, but she hasn't seen the invoices yet. Commissioners would like to know if the postage costs increase so the commissioners can have a

discussion with Superior Court administrator. Zoom subscriptions were discussed, they pay for two. Those should be billed to AOC CARES Funds.

Probation fund 111, was briefly reviewed. Treasurer McCormack stated there is a cash flow issue with this fund

Trial Court Improvement funds were discussed. Blinds were only purchased for one courtroom, but blinds are needed for both courtrooms. Commissioners believe the costs should be paid from Trial Court Improvement fund and a budget for the purchase provided there. Judge Grim thought only costs related to the court's functions be paid from the fund, not necessarily building improvements. ADA upgrades are needed stated Judge Grim.

The board adjourned at 4:30 p.m.