

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

The Okanogan County Board of Commissioners met for a Regular session at 123 5th Avenue North, Okanogan, Washington on October 19, 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 not captured via AV Capture video and is not available to the public on the county's website due to the file being corrupt.

**Executive Session RCW 42.30.110(1)(b)**

Commissioner Hover moved to into executive session at 9:05 for 10 minutes under RCW 42.30.110 (1)(b) inviting Chief Civil Deputy David Gecas. Motion was seconded, all were in favor, motion carried.

Commissioner Hover amended his motion to invite Leah McCormack County Treasurer. Motion was seconded, all were in favor, motion carried.

Executive Session ended at 9:15 am no decisions were made.

**Budget Work Session-Sheriff**

Auditor Cari Hall, Lisa Schreckengost, Treasurer Leah McCormack, Pam Johnson, Sheriff Toney Hawley, Undersheriff Aaron Culp, Chief Communications Mike Worden, Chief Criminal Deputy Laura Wright

Mr. Culp began with the Sheriff's budget. Current Expense Sheriff's Revenue was reviewed and budgets adjusted to allow for projected revenue receipts in the Sheriff's budget.

The Current Expense Sheriff budget was reviewed. The Stone Garden Grant revenue did not match the projected expenditures. Adjustments were made to the expenditure portion to be in line with the revenue to be received.

Commissioners discussed keeping surplus sales of Sheriff vehicles separate from other current expense surplus sale revenue. A new bars line was added for current expense departments for the overall Sale of surplus vehicles.

Friendship Diversion revenue and expenditure lines were reviewed. It appeared the expenditures were around \$70,000 with no revenue having been received for the services. Commissioners would like to explore where the revenue comes from. Commissioner DeTro stated it was the Judge's discretion.

Commissioners would prefer a section be created for SAR within 001.017. There is also another section within 124 for SAR that is used for the Title III funds expenditures and reimbursement.

Commissioner DeTro left to attend a personal matter at 11:50 a.m.

Seven vehicles for 2021 was requested with an interfund loan from Solid Waste. It was \$54,000 per vehicle with 1 detective vehicle going to auction at \$15,000. Treasurer McCormack explained the return on investment as we would pay out 3.25% more interest by borrowing from Solid Waste. Commissioners would rather use the \$700,000 in reserve as our cushion. We would have to use that to pay off the current loan then refinance the principal of \$184,000 and keep the reserves.

The group reviewed the Communications budget. Lisa asked if bars codes could be converted over from 001.024 to fund 161. The budget was reviewed by the Dispatch committee and was recommended to the commissioners for approval.

Compile a list of Jail Commissary (109) Repairs and Maintenance costs and submit to Maintenance to determine the specific expenses. Machinery & Equipment

Fund 160 was reviewed. Law Library was discussed.

November 9 at 3:30 was scheduled to review the rest of the Sheriff's funds.

Aaron explained the sales tax was not included with the Body cameras.

### **Motion**

Commissioner Hover moved to approve and authorize the Sheriff's office to purchase the body cameras at the quoted price including the sales tax \$291,132.69. Board discussion: The quote was still the lowest of the three submitted. Commissioner Branch stated reference to the previous motion to include the previous contingencies. Motion was seconded, all were in favor, motion carried.

Briefing Among Commissioners-Discuss Individual Meeting Schedules & Action Items  
No time.

### **Public Hearing Watershed Plan Addendum-Planning- Director Pete Palmer**

Present in person: Pete Palmer, Angela Hubbard, Craig Nelson, Rod Haeberle, Trinity Stucker

Commissioner DeTro opened up the public hearing to staff.

Director of Planning Pete Palmer provided her staff report for the Watershed Plan addendum. She read from written comments submitted by Dick Ewing and others such as from the initiating governments.

Because there is only a few wishing to provide verbal testimony, Commissioner DeTro did not time anyone.

Chris Johnson, Dick Ewin, Rob Inlow

Rod Haeberle testified. He is a WRIA 49 as part of the minority report. There are discrepancies and how it proceeded. His group has written a minority report. He asked if the commissioners received the report and is it going to be part of the commissioners' program. Commissioners asked him to submit the report to the clerk of the board. He also submitted to the planning unit but it was kicked out and his group was disappointed. A lot of the protocol that was hashed out at the start has not been carried out and the reason for the report. Once details on the tributaries was given his group was supposed to have time to meet and be able to pick and choose the overset of future water use. He hasn't had a meeting where all 34 sat down to choose. Has always been led by Aspect for that meeting. It is disappointing. He also found out that Ecology was given several million dollars to purchase water rights between the 39 counties and Okanogan County's portion was 29 million of that. Where he lives there were two men who were shot over water in the 1900's He understands the importance of water and the issues will get more intense and more priorities. In all we have marched through in his group, at the end of the offset 206-acre feet from Okanogan county. Would that water be appropriated for other uses and the answer was sketchy? Now through the years we have divorced it and made it a per acre foot value and now being traded as a commodity and there is something wrong with that. He said people were not concerned when Ecology can in and said how to commit the water. Some people sell their water rights to retire on the money. Mr. Haeberle said watching that happen no one seemed concerned that 10 acres of water were being sold down stream what if it was 10,00 or 20,000. He has

lived here is whole life and he sees hundreds of acres that used to be farmed are now dry. Now we have a dollar amount attached to it and Okanogan County has excess water and people down stream are ready and waiting for it down stream. Okanogan County is on the path to becoming dry like an Ethiopian desert. People need to hear the other side of the story and some very important things that need to be paid attention to. He has concerns. Commissioner Branch stated the minority report is attached to the packet already.

Mr. Rod Haeberle submitted the minority report for the record the clerk stamped it in.

Chris Johnson testified that he was part of the group as well. He appreciates Rods concerns as they worked through this. Majority of the time they went with the majority. Moved things forth to the county commissioners for considerations and adopting. Written by and in Okanogan county as apposed to for Okanogan County. The majority review is to off set project as we are required to do. It is not that the projects are possible it is that there are so many 10x as many listed than what will ever be implemented. The adaptive management plan to fully fund and fund and maintain the process of the planning unit. Water will be safeguarded through that process. The Planning Unit did support a water bank and would like it adopted. Water does stay in the county and support the county. On behalf of Okanogan city, the plan helps them meet future water growth and identifying a mechanism for mitigation and mitigation credit. It extends primarily to an endangered stream salmon creek. We take a lot of burden off the rest of the county to mitigate burdens. A lot of that was done by Aspect. He urged the commissioners to pass this forward and minority report as a comment but not part of the addendum.

Dick Ewing testified that the key thing behind the minority report represents the Farm Bureau for WRIA 49 and they have been adequately represented on the unit. The addendum does achieve the purpose, to create available water as the offset of consumptive use in terms of exempt wells. The report was focused on finding those problems of potential water beyond the 203-acre feet per year could be exceeded if all those projects were done as it doesn't take too much from those to provide the 203-acre feet. Antoine valley ranch could be done shortly. There is potentially 1000 excess feet that should capture. The report highlighted this, so legislators could resolve some of the conflicts. His point is to encourage the commissioners to adopt the Minority Report as part of the addendum as it includes the critical issues to be resolved.

Rob Inlow testified White stone Reclamation also participated in the planning unit and echoed what Dick and Rob stated. There were gray areas causing concern. It has no teeth in that he can see, so if AFR goes through and there is 1000-acre water we do not have a means of holding in our county. Holding water in the county should be implemented. Possibility of having 900 areas of agriculture leaving this county should create a panic when we could lose that tax base. Those are taxes for schools and funding for things in the area. Most of the water we are telling about is north of riverside, and has slowly losing water over the years and it creates a hardship for the rest of us who are here. Find a way to hold the water in the county.

Trinity Stucker testified WRIA 49 committee, her concern about the process and recommends to move the minority report with the addendum. When making decisions in Olympia we have a task force that needs all the information. Make it part of the addendum.

Commissioners DeTro closed the hearing to verbal testimony and opened it up to the board.

Commissioner Hover stated a few of his concerns about the plan addendum and it does address many things. He is concerned about stream flow restoration dollars used to purchase water for the projects, that there is a mechanism to put the water back in the ground. Many of the projects are water-based projects and provide flow the sub. He thinks in our resolution we should point to RCW that says state agencies comply with comp plans. Because we do plan partially in our agriculture of long-term significance and is part of customs and cultures in our county and a state agency is profiling

water to dewater property it is no different than a developer doing it. He did not want to change anything as it does speak to the water issues we have and it will go to the ecology as a comment. In the resolution he would like it to say those two things. If they are allowed to walk it to the projects listed without the knowledge of the county and it should state the requirement of plan for coordination with the county on those.

Commissioner Branch stated he agrees with him in terms on integrating the comp plan connection with the Watershed Plan but he isn't sure about making the point 36.70A since we do not fully plan under 36.70A. He doesn't think it would apply to this work and disagreed with the approach of citing laws that have uncertain application. We do not plan entirely under 36.78 only parts of it.

Commissioner Hover and Commissioner Branch discussed Adaptive Management and pointed it out in the chapter exactly what Commissioner Hover is looking for. Commissioner Branch said he could point to the statement to bring it up to a higher level. Agricultural land is important to us so much so we do not plan to dewater it. Commissioner Branch said he had no idea the state bought water from Okanogan County in the Pine Creek subbasin. He was down in the Columbia Basin and he saw projects that? He felt that the office of Columbia River project to "make water" in the Columbia Basin drove the water rights purchase in the Okanogan.

That water should be able to be utilized from the main stem, stated Commissioner Hover. He wants Ecology to understand to find different funding sources to get the water to the mainstem and use other funding from something else so we can use it for water banking. Commissioner Branch challenged him to put that language in the comprehensive plan. He thinks the biggest problem and issues identified was that the law was created to offset domestic exempt water and there are expectations that it would do more. Put really good language in there and give it to ecology and legislature that lays out the issues of the law. Commissioner Branch said put in the comp plan and then look at those agricultural land designations and make them work for the farmer. Commissioner Hover said he knows there are tools for farmers to split their property and maintain as much water as possible. Need for coordination when ecology is looking at the projects. Come up with language the board can agree with. Commissioner DeTro agreed with the comments. One of his greatest concerns is that Ecology was sitting there on the WRIA 49 and leading the charge and knew they had that water write. There are so many people who absolutely do not trust the process and ecology is running the meetings and offering recommendations and the trust is broken. He doesn't trust they will represent our customs and cultures and economic stability is. Commissioner DeTro read from a draft we know the document doesn't get us to where we want to go with water banking. Commissioner Hover said most counties do not have things they can do to create extra water and address big growth. We didn't even meet all the economic projects that were going to happen anyway. He wants to see Ecology not take the big dollars they need to spread across the state and then just buy our water only. Use the water again once it is taken out of the smaller tributaries.

Commissioner Branch noted that the Hirst fix had unintended consequences. We cannot use this plan to make them stop. There are great expectations of this plan but they won't be addressed until we do more deliberate planning. It isn't a regulatory document. If those listed projects do happen we want credit for it. We want to keep the water here.

Commissioner Branch read the draft Joint Resolution out loud. (attached)He noted for the record that he actually sent an email to the Director asking that the minority report accompany the addendum.

Commissioner Hover suggested where language should be placed in the recitals. Director Palmer asked if changes are made to the resolution would the others party to the resolution need to readopt. Commissioner Branch said the county approves the plan. Another resolution could state our role in the act. The county is pointing out to the state of Washington and Ecology what we are going to do. Commissioner Hover would be fine with signing the resolution and then signing another one stating the county's points discussed today.

The addendum plan is due on October 30th. Commissioner Hover would like to send the subsequent resolution with this one. Commissioner Branch wants to ensure adequate discussion among the commissioners as it is an important statement. Address our legislature with the many things we agree on. Commissioner DeTro is not comfortable approving the resolution today because he wants to read the minority report again and think more about it. It is sometimes enough to point out the issue the BOCC sees and to state what we want.

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

No time for the update.

### **Presentation-Housing Study Results-Brian Points Consulting-Housing Coalition**

Attendants By Zoom Consultant Brian Points, Lael Duncan, Jennifer Short, Nancy Nash-Mendez, Lisa Apple, Margo Amelong, Sue Edick, Ashley La Grange, Oroville Housing Authority

Brian Points provided a PowerPoint presentation on Zoom of the results of the housing study he performed of the county.

Nancy Nash-Mendez Okanogan Housing Authority was thankful for the tool created. WE have a lot of statistics gathered within the agency. Some of the results were surprising. Farm Worker housing is one area not addressed. Not seeing more crying need for homeless shelter and in line with solutions. Senior housing needs are seen throughout the county. Tend to go towards higher units as it helps house more people.

Mr. Points was surprised about the farm worker housing outcomes too. But he thought perhaps he did not interview enough of them to understand their need. Some other housing that was completed last year could have saturated those housing units. Homelessness data is notoriously hard to tract. There were a lot of folks eager to obtain the report. Do the commissioners wish to digest first before distribution. Commissioner Branch explained how rentals are freed up when farmworker housing is built. There are many things people can do in the private and public sectors. The cities and towns could come together to discuss themselves through OCOG to talk about similarities and differences they have with zoning and the effect on affordable housing.

Commissioner Hover was good with the study and didn't believe adjustments were necessarily needed before it is distributed. It did seem contradictory from what he is hearing the Methow should look like. Getting all the studies and putting them together would be good.

Ashley LaGrange is the new Oroville Housing Authority Director who was hired after Sue Edick resigned.

Commissioners continued a vigorous discussion about the watershed planning addendum.

### **Review Commissioners Proceedings October 12 & 13, 2020**

Commissioners reviewed their meeting minutes.

The board adjourned at 3:40 p.m.