

# RECORD OF THE PROCEEDINGS OKANOGAN COUNTY

**FEBRUARY 8, 2021**

The Okanogan County Board of Commissioners met in Regular session at 123 5th Avenue North, Okanogan, Washington on February 8, 2021, with; Chairman, Commissioner Chris Branch; Vice-Chairman, Commissioner Andy Hover; Member, Commissioner Jim DeTro and the Clerk of the Board, Laleña Johns, present.

AV Capture provided audio and video of the meetings held today, while ZOOM provided best audio accessibility and public interaction.

## **Review Commissioners Agenda and Consent Agenda Items**

Commissioner Hover moved to approve the changes to the Agenda with changes to

## **Briefing Among Commissioners**

Commissioners discussed and how the Oroville Planner resolution was initiated and how that may have related to Reman and Reload. A Planner would know what was going on with the City of Oroville planning as well and would provide the County Commissioners and the Planning Commission updates on those plans.

The Well tracking software was reviewed by Commissioner Hover and he thought the water usage report and numbers should be to be utilized. He met with MVCC and discussed the science and data information gathering and brought up that ASPECT did their well report for WRIA 48 and 710 gallons was used on average per household and they sampled that data according to yard size and it was a specific withdrawal rate. It was not set up as an average use as it must be set up based on highest instantaneous use data .

Commissioner Hover discussed his wish to have good rules and good planning and the uncertainty of the process and the changes that DOE makes and how tough it is to deal with that. He is hopeful the county can put into place good rules and good planning. Commissioner Branch agreed 100% and said he isn't sure the courts should define.

## **Legislative Update -Potts & Associates -Zak Kennedy**

Zak Kennedy provided his legislative update on several bills being considered. He explained some things get missed and some could be detrimental to our eastern counties, but there is no malus involved it is just they don't know how these things really affect our small rural counties. He provided some timelines for commissioners to consider. He is seeing and watching out for bills that sound good then go sideways and requires amendment or to be incorporated in planning codes for non-GMA planning counties. If there is a fiscal note attached to something those are having a hard time

moving forward such as the gas tax. We are number four highest gas tax in the nation. Mr. Kennedy is also monitoring HB1477 which is the mental health line 988-line mandate. A whole new call center would be required. This bill was not put together well and stakeholders were not consulted.

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

Director Pete Palmer provided her agenda and discussed the items listed there.

### **Motion Contract Amendment**

Commissioner Hover moved to approve the contract amendment between Okanogan County and ASPECT Consulting to allow funds to be spent under a different category than original contract stated in the amount of \$23,900 and authorized the chairman to sign. Motion was seconded, all were in favor, motion carried.

Shared Planner Agreement was discussed and David Gecas reviewed. Question 2.66 Oroville planning regional planning commission code talked about the county assigning a county planner to assist with urban planning rather than within the city so that needs to be addressed. She was alarmed to find out we had another planning commission and has tried to find adopted rules she did not find any work that commission has done since 1986. They last time they met was on the airport planning around the city of Oroville. Director Palmer thought that might be looked at. Commissioner Hover proposed a change in that section of the code as the whole county should be treated equal and not have different regional planning commissions. Commissioner Branch thought similarly. He thinks it should be gone through and cleaned up. The code ordinance was read and explained references to be satisfied. He thought it created a regional planning commission and authorized but doesn't say what is required. He thought it might be rescinded it was adopted by resolution not ordinance.

Commissioner Branch thought departments should review their portions of the published codes to see if those sections are still relied upon. Director Palmer stated an error was found in the codification and that was the Shoreline Master Plan was not published and an error on the Cannabis Code. Commissioner branch asked that research be done on the last Shoreline Master Program codification.

Zone Map Amendment was discussed as it is affecting about 6 properties on Hwy 20 where the zoning change didn't follow the line. She would like to revisit and do a zoning map amendment. Research found that one section of the code talks about a section of mapping that should be changed. Director Palmer explained the procedural amendment to be in line with RCW 36.70.800 requirement.

Cannabis Code Text amendment was discussed. All legal pre-existing had to follow the code and state codes with regarding to permits. She isn't sure why odor and signage were not included. The big thing is a text change to fix the error in B10 as it references

appeals and B8 addresses fencing requirements. If it is a Code Publishing error they should fix it, if it is in the actual Ordinance then the county should fix. Director Palmer will check.

Director Palmer stated the Planning Commission is holding a Special meeting and it is published on the Planning website. DRAFT DEIS addendum is being reviewed. Dates on the fact sheets will be addressed all correct dates were sent to 2019 commenters. A lot of feed back is expected. They will go over the Comp Plan and dates reviewed and alternatives reviewed and discussed to prepare for the March 8 hearing. Commissioner Branch explained option one is do nothing and number two we are being challenged over, so three and four are on the table and not stepping over the legal process. Option four was proposed by MVCC.

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

Commissioner Hover moved to go into executive session at 11:00 a.m. for 1-hour inviting Chief Civil Deputy David Gecas, Attorney Tadas Kisielius from VN Feldman, Director of Planning Pete Palmer and Planner Angie Hubbard to discuss legal matters to which the county may or may become a party where public knowledge regarding the discussion may result in an adverse legal or financial consequence to the agency. Motion was seconded, all were in favor, motion carried.

Commissioners exited executive session at 12:00 p.m. no decisions were made.

### **Motion**

Commissioner Hover moved to adjourn at 12:00 p.m. for the day. Motion was seconded, all were in favor, motion carried.

The board adjourned at 12 p.m.