

RECORD OF THE PROCEEDINGS**OKANOGAN COUNTY****JANUARY 19, 2021**

The Okanogan County Board of Commissioners met in Regular session at 123 5th Avenue North, Okanogan, Washington on January 19, 2021, with; Chairman, Commissioner Chris Branch; Vice-Chairman, Commissioner Andy Hover; Member, Commissioner Jim DeTro and the Clerk of the Board, Laleña Johns, present.

The county's computer system received a critical security breach over the weekend disabling all computer systems on the network. The Board of County Commissioners' declared an emergency on January 17, 2021 in order to deal with the situation. County departments provided minimal public services as the county servers and computer systems were completely down and inaccessible for use. AV Capture audio and video was not accessible. ZOOM was used as usual to provide public access to commissioners' meetings.

Staff Meeting

David Gecas, Naomie Peasley, Pete Palmer, Angela Hubbard

Ms. Peasley explained the Long-Term Recovery group is building sheds on the fairgrounds. Commissioner Hover asked if it is appropriate language for that is in the contract in terms of liability language etc... Ms. Peasley replied a contract is in place for use of the grounds. Commissioners asked her to discuss the contract with the county's civil attorney, David Gecas, to ensure terms of indemnification and other legal issues are covered in the contract. Ms. Peasley replied the group does have insurance.

Motion Executive 42.30.110(1)(i)

Commissioner Hover moved to go into executive session at 9:05 a.m. for 20 minutes inviting Pete Palmer, Angela Hubbard, and David Gecas to discuss potential litigation to which the county may be or may become a party and when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the agency. Motion was seconded, all were in favor, motion carried.

Executive session was extended at 9:25 for 20 minutes. Executive session was extended another 25 minutes at 9:45 a.m.

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

Discussion Superior Court Budget-Dennis Rabidou, Judge Rawson, Judge Culp

Judge Chris Culp was noted to be the presiding judge for 2021.

Mr. Rabidou explained adjustments to the courts due to the current emergency situation are being made. The Superior Court Budget was discovered as court commissioners budget line did not receive an adjustment for the court commissioners increase that was discussed during budget work session. There has been no increase to their rate in over ten years, explained Judge Rawson. There were notes in the budget margin but no adjustment was made to the line item to increase to the \$120 per hour. Other employees in the same timeline had received increases but not the court commissioners. At the time Judge Rawson took inflation of the ten-year period of time and spread it out to calculate and justify the increase. Commissioner Hover asked how the court commissioners wage gets set, is it legislative or what. Judge Rawson stated it is a judicial decision and no statute specifically addresses it. There was a rationale to the increase that was previously discussed with the board and that was proposed during the budget process. Court Commissioner hours are calculated at least 4 hours on

Tuesday's and Wednesday's then depending on several other needs it does vary, said Judge Culp, less than 50 hours per month or less than 500-600 hours per year. The Board was reminded that most attorney's charge between \$250-350 per hour. Commissioner Hover replied he'd like to use conservative numbers then if more budget is needed later due to more hours, than the budget will be adjusted per the regular process.

Mr. Rabidou stated he'd like to include the adjustment in this week's timesheets which are due tomorrow. Mr. Rabidou asked if the new rate can be applied. Right now, the rate is \$89.96 per hour. Commissioner Hover does not disagree with the \$120 per hour proposal, but the right channels of approval must be followed. Commissioner DeTro stated the board relies on what the judges expressed need is.

Motion Superior Court

Commissioner Hover moved to authorize the change in hourly rate of the court commissioners to \$120 per hour. Motion was seconded, all were in favor, motion carried. A resolution will be needed to attach to the Payroll Change Notice.

Commissioner Hover asked that the department work with Tanya Craig on the necessary payroll change notice and to provide calculation for the increase based on estimated hours of work annually.

Mr. Rabidou discussed the court facilitator request for stipend for being bilingual. Commissioners said if a resolution was previously approved by the board regarding the position, then it would provide the authority to process it. A budget supplemental appropriation may be needed later on for the stipend and the court commissioner rate change.

Judge Culp explained that on the architect's own dime Architect Michael Beaman met with him and Mr. Rabidou to discuss a feasibility study. Mr. Beaman did not come across any road blocks to the proposed project. It will take about 60-days to complete the study. Commissioner Hover explained the county is going out again for advertisement for architectural services. The previous notice covered only 2020. Once the new 2021 notice requirement for RFQ is completed, Mr. Beaman is ready to sign a contract if he is chosen for services.

Commissioners discussed alternatives for the Forest Service building located near the Public Works administration building. The feasibility study should come first, thought the commissioners.

Update Public Works-Engineer Josh Thomson

Engineer Thomson provided his agenda and discussed the items listed there. The Solid Waste operations and computer systems status was discussed. Much of the operations will need to be done manually and disposal payments of cash or checks only. They are unable to access their website. Commissioner Branch offered to talk to Emergency Management to include the information in the county's daily public message.

Copies of the 2020 responses for Architectural services were requested.

Commissioners adjourned for lunch at 11:35 a.m.

Public Comment Period

No public wished to comment.

Update Building Official-Dan Higbee

Building Official Dan Higbee provided the Building Department application trends spreadsheet. (attached) The department collected \$70,106.45 more in 2020 over 2019 from building permit fees.

Building Official Higbee has some concern about the Ecology single family water rules and how

developments in the county will be affected. There is a 235-lot subdivision deemed illegal by Ecology as well as the projects associated with those lots. He isn't sure how many projects will be turned in. He thought there were 68 stick framed single family houses applied for in the Methow in 2020. The definition goes down through the Methow, but commissioners thought it should be different and should end where the Columbia river influences. Yurts were placed under single family dwellings which are considered a prefab round house but most are not occupied year-round.

Building Official Higbee stated he was going to offer the open position in his office to someone interviewed but now he isn't sure. Commissioners thought there will be an uptick in development and building even with Ecology's restrictions on water and single-family dwellings. He won't do anything with the permits until he knows if they are affected since it may cut permit revenue in half if the Methow isn't allowed to buildout. There have been some developments in process at various levels of approvals in the Methow but he isn't sure if they are affected. The Building was approved the purchase of another truck, but he hasn't purchased one yet until he knows it is absolutely necessary. A new hire would need a truck. He will work on making the purchase once the county systems are back up.

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 \$74,696.64 and Payroll vouchers in the amount of \$1,036,394.98. 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 \$441,40 and payroll vouchers in the amount of \$38,113.85. Warrant numbers as cited on the attached blanket voucher list. Motion was seconded, all were in favor, motion carried.

Approve Consent Agenda

Commissioner Hover moved to approve the consent agenda items 1-13, as presented. Motion was seconded, all were in favor, motion carried.

1. Certificate of Appointment-Prosecuting Attorney Melanie Bailey
2. Determination of Exemption SEPA&NEPA Certification CDBG CV-1 Grant
3. Voucher Certification A19 CDBG Oroville Housing Sewer Project Request #1
4. Cattle Guard Renewals 2020: CCT-CGF#34-98; BIA-CGF#N-74A; Fancher-CGF #N-228
5. Reappointment Letter-Pest Board -Roland Smith
6. Agreement -LTAC 21-019 Winthrop Ice & Sports Rink-Capital Improvements
7. Agreement-LTAC 19-016 DMP Amendment #1 OCTC
8. Agreement -LTAC 21-003 Grand Coulee Dam Area Chamber VIC
9. Agreement-LTAC 016 Twisp Visitor Center

Public Comment-Late

Mr. Bruce Jones asked why commissioner DeTro isn't wearing a mask. Commissioner DeTro explained due to having asthma all his doctor told him he should not.

Update Noxious Weed Department - Larry Hudson

Mr. Hudson updated the board about restructuring staff in his office. He will be doing some rehiring. He will leave some positions vacant

Training of noxious weed staff and board was discussed. If people attend the Noxious Weed board meeting they can receive credits during the early spring and late fall time.

The county phone system went down in the middle of the Noxious Weed meeting.

Update Emergency Management

Mr. Goodall explained a department Head elected official meeting is scheduled for Wednesday, January 20 at 9:00 a.m. He and Central Services is working to get the phones back up again as they are down once again. District Court and Superior Court would like phones so Track Phones are an option for them. A press release will be issued to the public everyday around 5:00 p.m. so the public understands the county's limitations. The Facebook page allows too many comments so the press release is not posted there. Commissioner Hover asked if the county should secure a radio spot for the press release. We are at the mercy of the system issues.

Update TV District #1- George Thornton

Ernie Rasmussen member, Maurice Goodall

Thornton brought the board up to date on the issues the district is having and provide some resolve of those issues.

Mr. Rasmussen explained the TV Districts timeline on the loss of signal. He talked with KSPS and they recommended a site visit. Contacted CCT and mountain top crew got him up there about a week ago to assess the situation and he saw the tower had broken in half and fell down the districts own structure without causing any other damage to anyone else's equipment. KSPS was contacted and received information and status. They asked that the system be turned off, but it will require technicians to do so. Damages are unknown and so the system will need to be assessed. Mr. Thornton stated KSPS will provide an estimate of costs. There are certain conditions to be met. Commissioner Hover asked if this cost falls under infrastructure or emerging opportunities. Commissioner Branch thought it would be worth taking to the committee. The system needs an estimate of \$175,000, but we are working on antiquated equipment and doesn't make sense to fix only this issue without considering bringing in the system upgrades to smarter standards which would make everything compatible and that would require less maintenance later on. Commissioner Hover asked what the impact was to those who lost TV. Ernie stated about 2000 but that number could grow if the system is brought up to a better standard. The cost could allow expansion with the investments. It could be as high as 10,000 as signal spills over into areas we do not collect from. How do we get beyond this point and to the infrastructure? The TV District can dedicate \$20,000 of its reserves to get started but it would require \$30,000-40,000 for insurance. Impacted tribal members and tribal members have lost FNX programming Open Road Alliance has sent an application for \$90,000 in funding along with WA State Commerce Safe Start Fund that will continue to support economic activities to stay home in the face of the pandemic and the fund applies to this crisis. The signal with the provisions of FNX is an economic generator for the tribe. Commerce feels they will dedicate \$75,000 to the project so there is about \$190,000 pooled funds, but there is a chance not all those funds will be realized. He is about 80-90% sure of the success of the grant, but there is some real work ahead with KSPS to work out on the ground issues to clear the snow and secure details that will allow repairs and upgrades. It will depend on solid numbers of impacted users. Our county has one of the lowest median income in the state and the possibility of this changing that rates. This project could grow subscribers. Digital subscriptions are predicated on broad band and access to internet, but this system is not dependent on broadband. For people making minimum wage the cost of digital subscriptions is not possible even if they have the lowest cost per month subscription. The TV District provides a service for \$40 per year, which is affordable even to the lowest income people. George said it is important for the county to show commitment. George thought it would be good to have \$250,000 for the project. Ernie stated a planning effort would also be smart and infrastructure planning for that would be good. Grants can be difficult and competitive. Bridge loans could help get the project kick started. George stated there are people ready and waiting to hear the word go, it would take 3-4 weeks to get those manufactured, once the funding is secured.

Commissioner Branch said if the Economic Alliance and the Infrastructure Fund could help fairly

quickly, but he isn't sure what is available in the account. Commissioners thought \$50,000-60,000 could be possible if the committee approves. Maurice Goodall stated the TV District is a way to push emergency information out to people. Commissioners in favor of the county exploring commitments.

The last thing the investment would like to see is a legacy affect to the community, talking about a business plan, and come up with a sustainability of the system and forward thinking they want to see. If the county also has that in mind it will only improve the benefit. The signal on Omak Mt is omni directional. The crisis is providing an opportunity to improve the situation. The Tribe would also like space on the Mountain. Ernie recognizes it is a difficult time for the subscribers and many are afraid being without information. The Board chairman fields the calls and hears the fear. There is a sense of urgency. The county has limitations at the moment to moving quickly on this.

A letter from the county would be best showing its level of financial commitment and equipment support could help. Commissioner Hover asked if a letter could be drafted with the particulars for commissioners' consideration. Commissioner Branch stated a meeting of the Infrastructure fund could be pulled together to discuss. The county does anticipate a firm financial commitment.

Commissioners will meet at 9:00 a.m. for a department head meeting under the emergency declaration and meet at 1:30 p.m. for a regular meeting to address the letter of support for the TV District.

The board adjourned at 4:00 p.m.