

**RECORD OF THE PROCEEDINGS****OKANOGAN COUNTY****JANUARY 26, 2021**

The Okanogan County Board of Commissioners met in Regular session at 123 5th Avenue North, Okanogan, Washington on January 26, 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.

Due to the county's computer system issues, access to needed files and calendars were not available at the time of agenda creation therefore some items on the agenda are cancelled or inserted.

**Staff Meeting**

Joe Poulin was told there would not be sufficient time for maintenance update.

Cari Hall, Lisa Schreckengost

Cari Hall updated the board on payroll. Eden is not up and running for everyone. Public Health payroll is finished, but paper checks will be issued for all employees for next payroll. Sending email to users to update them on where it is at.

Maurice Goodall provided a brief update on Emergency Management Everbridge contract that needs to be approved and signed. Everbridge is aware of our computer issues and the contract will be provided later today for approval.

There is shared space right now in the corner offices vacated by Planning Staff and Emergency Management moved into. Planning still has all their boxed files in the space, but it is causing a problem as EM needs a place to put their stuff. The Coroner has moved out of his old space and into the previous Emergency Management space. The planning files need to be moved. Commissioner Branch would like to meet with the two offices to figure out the situation and come up with a plan.

Commissioner Hover asked if Northwest Vital Records was contacted for storage of Planning files. Ms. Palmer stated the records won't fit into the coroner's old office and no she has not contacted NW Vital Records for file storage and scanning.

Larry Gilman invited the Director Palmer to attend a meeting at 11 am this Friday that he has with the scanning company the Auditor's office used.

Naomie Peasley briefly updated the board on Fairgrounds explained the vaccination drive happened over the weekend. For the next one more line space will be needed so that will be arranged.

Events scheduled before April 1 have been cancelled. It is about \$10,000 worth of revenue that is being reimbursed. A request for spring races from owners has been received for the fairgrounds. It is an outdoor event. Spring Vintage Faire is also being discussed as an outdoor event.

Arena sponsor letter was drafted as they pay \$225 per year. The letter and a contract were created for each business to sign since we were unable to uphold our end of the verbal agreement for 2020. (attached)

FAC members do not wish to sign the entertainment contracts because they are volunteers so those

contracts will need to be signed now by the BOCC. How does the BOCC wish to handle from now on. Commissioner Hover stated the BOCC will sign them as long as the FAC approves them in their meeting minutes and minutes provided to the BOCC along with the contract. David Gecas stated he would like to review the contracts. Ms. Peasley said the entertainers have their own contracts instead of use of the county's format. Commissioners were alright with use of the entertainer contracts as long as David Gecas reviews those first.

Ms. Peasley has questions about use of LTAC funds as the contract was for billboards and races advertising. That can be discussed at a later date.

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

Commissioner Hover moved to go into executive session at 9:25 for 45 minutes under 110(1)(i) on land use issues inviting Tadas Conselius Larry Gilman, Jan Million, Pete Palmer, David Gecas, Angela Hubbard, Char Schumacher

Executive session was extended at 10:10 a.m. for another 35 minutes.

Executive session ended at 10:45 a.m.

Commissioner DeTro discussed that he has had more and more pressure from the surveyors that short and long plats are getting hung up in WRIA 49. He is hopeful that Director will come up with leadership strategies to get the road blocks out of the way so the people applying have a better idea of what to expect. There is a 2019 application in process at Veranda Beach that hasn't been completed due to these issues. There is a list of people wanting to build multi-million-dollar homes right now and he would like Planning to provide input on what the board can do to help this along. The development will affect the sewer connections and revenue the county relies on. He wants to help as best as he can and wants to know what can be done. Director Palmer replied she has been fielding the calls and sees a lot of miscommunications between the surveyor and the land owners. Then people call staff to ask about status and then it isn't relayed back to those involved. What happens in subdivisions is the preliminary approval then have 4 years to meet those conditions and is 2-3 pages plus. The veranda beach there was an infraction due to a rock slope that held things up. Was it the Army Corp deal or Dept of Ecology? It was Dept of Ecology. Char provided the delineation which it was felt was met which must be verified, it was just received. Commissioner DeTro asked about a development agreement that was in place in 2014. The agreement was to work for all future developments at Veranda Beach. Director Palmer explained it does not waive the permit requirements those are still needed. She explained what we have is a PD, but staff didn't know that we had a Long Plat application and building permit application in the office. Knowing the Long Plat had to be completed first to move lines around they questioned the building permit for a model home but they are required to draft an indemnification statement and then it has to be a statement to deem it as a model home. It is in the shoreline and in the flood plain which also requires certain things. Part of it requires them to do the flood plain analysis. They are in the process of long plat approval and submittal of verifications of the conditions. There is a meeting with Perry Huston who is Jim Hammond's representative. Just because they had the PD did not mean the other requirements would be waived. Commissioner DeTro asked if there was anything the BOCC could do to help with the miscommunications. Director Palmer stated it is them trying to push this through the process faster and not communicating between the realtors and surveyors and land owners. She is aware of the situation and working through those as they come in.

Commissioner Hover asked if the Development Agreement was in place during a time where shoreline requirements were different are they grandfathered in. Ms. Hubbard stated the home would have to be reviewed against the shoreline in plan. The lots exist, but when building happens they need to follow rules that are in place at that time. Ms. Hubbard said that their phase IV was supposed to be a lodge but since then it has been redone and changed. Director Palmer stated another issue was that until the LP was completed many other things could not be done. The boundary line adjustment was

questioned and the application was asked for in order to meet with the surveyor on those boundaries in question.

Director Palmer will meet again with the board after public comment period today.

### **Update Assessor**

Larry Gilman provide a map. In 2008 the commissioners did a rescoring of open space open space and is being used. At that time the properties prior to 2008 were not rescored. A dilemma on an unfair scoring system exists now. Mr. Gilman Arrowleaf property map showed four parcels in blue with 50% reduction in 2008 and worth millions and the two in red across the river that were scored later creates inequities. The scoring criteria is more stringent then what it was in the 1990's said Ms. Hubbard. Criteria has changed and some of the 64 parcels in the plan that were done after 2008 which gave the max of 50% need to be addressed. Open space Open space is administered by BOCC where the others are administered by the Assessor. It would be equitable to bring them back into parody. It requires the BOCC to approve a resolution providing direction to the rescoring of those properties involved. The Planning Commission would also be involved with recommendation.

The Assessor explained the balancing of the budget and what was affected by the computer system issues. An appraiser was hired to fill a vacancy, he had two appraiser positions. Brandon Barton was hired who was maintenance custodian. Dustin Rider was hired to filled the second appraiser position. Hired as appraiser I then complete six months then appraiser II after passing the course and can go into appraiser III. A resolution already addresses the promotion. School is in September.

### **Update Public Works**

Engineer Thomson provided his agenda and discussed the items listed there.

#### *Solid Waste*

This morning Solid Waste can now accept credit/debit cards and use the system.

#### *Maintenance & Road Conditions*

It has been very icy so a lot of sand is being used. Commissioners have received good comments about the roads.

Commissioner Branch stated a comment he received about a private road where a school bus turns around and a request to plow the private road. Legally we cannot plow private road with public dollars and cannot compete with private plows. Public Works already goes beyond the county road due to the snow park the county is contracted to maintain.

#### *System Recovery*

The CAMS is still operating but cannot pull data from 2014. Working to get payroll time uploaded in order to run a real payroll. Paper Checks will be issued for all employees for this next payroll but will be real actual time. Central Services and Auditor's office has been great to work with on these issues.

Public Works website is accessible.

#### *Projects and Advertisements*

The ad was extended another week since the office was not accessible for responses during the time frame in the notice.

Architect SOQ is now on the website it is for a two-year period.

The B-4 bridge project is hoped to start in August, but the environmental parts will need to be completed by then. We do not need right a way so Engineer Thomson feels it is doable. He explained there will be piles driven in.

Corrupt files are being identified and solutions discussed with Central Services. Much of the dated items have all one date which creates some issues for the department.

Commissioners adjourned until 1:30 p.m.

### **Public Comment Period**

Morgan Davis involved in a land use lawsuit. He expressed some concern about the heavy caseloads in the prosecutor's office. He suggested a solution would be to have a survey at point of purchase and not just written descriptions with a declaration of easement which would prevent the courts involvement. Rural land should be surveyed at point of purchase. He isn't sure what the turnaround is for real estate but filing fees could be collected for this to offset any court expense.

Making sure disclosure laws are provided at point of sale would also help decrease caseloads of the county. He'd like the county to generate interest. Commissioner Branch explained somethings require the state's authorization in terms of disclosures with regards to real estate transactions. The man talked about prescriptive easements that were established over a ten-year period by someone over his property. He would like all rules to be considered as he moves forward with his appeal. Commissioner Branch explained exempt subdivisions which are more lenient in some of the rules to be followed.

He wished the state would provide more public defense funding. Commissioner Branch explained he feels the state should help more to pay for the cost to provide public defense and recommended the legislators be called upon for this. Mr. Davis said people are suffering here because cases are not attended. Role calls get extended and people cannot work a steady job knowing role calls can happen when ever. In Chelan County they deal with things within 6-months and not drag people around for 16-18 months. Employers do not want employees dealing with that, it is not justice. Many buy into the county then have to fight their neighbors on boundaries. He thought Judge Rawson was going to address this, but we still haven't gained on that. He'd like to see 500 of the 800 cases that are just hanging out there dealt with.

Commissioners discussed the previous issue about how to require a survey in the real estate purchase process as a requirement does not exist right now.

Commissioners reviewed the January 11, 12 and 19, 2021 meeting minutes and made some corrections.

Asked for agenda and Commissioner Branch gave her one. She then asked if Naomie was coming in. Commissioner Hover explained that Naomie had cancelled due to do being able to get on her computer.

### **Fish and Wildlife**

Commissioner Branch asked if Commissioner Hover received Fish and Wildlife's letter. Commissioner Hover said he had received it and thought there was some discrepancies. Commissioner Branch agreed.

### **Discussion Draft Ordinance Adopting interim land use controls applicable to Water Resource Inventory Area #48.**

Commissioner Hover explained they received a comment letter from the Department of Ecology regarding the Mitigated Determination of Non-Significance for the large lot segregation proposed by Jerry Smith, and he'd like to look more closely at it. (attached)

Commissioners reviewed a draft ordinance regarding subdivisions within WRIA 48 which would repeal ordinance 2020-6 and adopt a work plan with objectives, no new subdivision which depend on

domestic exempt wells, subdivision that do no require a determination of water adequacy, and shall apply to state building codes for property division.

Ms. Palmer explained what changes were made to the ordinance. All Commissioners expressed concern that there were a lot of changes. They discussed various water issues, water metering and high-water consumptive use periods and how to address those factors to be considered. They reviewed ordinance 2020-6.

### **Motion Ordinance 2021-1**

Commissioner Hover moved to approve Ordinance 2021-1 adopting interim land use controls applicable to water resource inventory area #48 with the exception of the Columbia River influence that prohibits the subdivision of land according to the provisions of OCC Title 16 and RCW 58.17 repealing Ordinance 2020-6 and schedules a public hearing in accordance with Revised Code of Washington 36.70.795 for February 22, 2021 at 2:00 p.m. Motion was seconded, all were in favor, motion carried.

### **Motion Commissioners Proceedings**

Commissioner hover moved to approve the commissioners' proceedings of January 11, 12, and 19, 2021. Motion was seconded, all were in favor, motion carried.

The board adjourned at 3:25 p.m.