

1 **RECORD OF THE PROCEEDINGS**

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3 **OKANOGAN COUNTY**

4
5 **FEBRUARY 12, 2018**

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7 9:00 AM	Review Commissioners Agenda & Consent Agenda
8 9:30 AM	Legislative Update Call – Zack Kennedy
9 9:45 AM	Briefing Among Commissioners – Discuss Individual Weekly Meetings & Schedule
10 11:00 AM	Discussion – Courthouse Energy Project – Kurt Lundgren, Kirsten Wilson
11 1:30 PM	Update Planning – Perry Huston
12 4:00 PM	Executive Session – RCW 42.30.110 (1)(g)
13 4:30 PM	Review Meeting Minutes

14

15 The Okanogan County Board of Commissioners met in regular session on February 12, 2018,
16 with Chairman Commissioner Jim DeTro, Commissioner Chris Branch, Commissioner Andy
17 Hover, and Laleña Johns, Clerk of the Board, present.

18
19 Commissioners convened the board at 9:00 a.m.

20
21 **Review Commissioners Agenda & Consent Agenda**

22 Commissioner Hover explained the Fair Advisory committee was informed at their last meeting
23 about the rental fee increase from \$5,000 to \$9,000 per day for lease of the fairgrounds. It
24 amounts to \$45,000 for five days and is all inclusive including costs like personnel, security, and
25 rent would be covered.

26
27 **Legislative Update Call – Zack Kennedy Jim Potts**

28 Mr. Kennedy called in and discussed the legislative news. He explained some items of interest
29 regarding SHB2276 wildlife transfers and SHB 2271 wolf translocation. (attached) He asked the
30 commissioners if there was something specific to focus on. Mr. Kennedy believes that things will
31 really heat up in the end right before cutoff.

32
33 **Motion Contract Amendment**

34 Commissioner Hover moved to allow the chairman to sign the amendment to the PEBB contract
35 K2146-01 regarding Health Care Authority for AFME union group. Motion was seconded, all
36 were in favor, motion carried.

37
38 **Briefing Among Commissioners–Discuss Individual Weekly Meetings & Schedule**

39 Commissioners briefed each other on their schedule.

40
41 **Discussion – Courthouse Energy Project – Kurt Lundgren, Kirsten Wilson**

42 Kurt Lundgren, Ameresco; Kirsten Wilson DES; Joe Poulin, Okanogan Maintenance

43
44 The contract is not over until final completion of energy savings. End of October November
45 saving will be verified. The goal is to identify any missed savings and Ameresco would pay us

46 the difference. The total project buildout was \$1.4 million over budget and the county did not
47 have to pay

48
49 Mr. Lundgren provided the closeout documents. The O&M manuals were provided to Joe
50 Poulin. Digital versions were provided two copies of the manual, two volumes of O&M for all
51 trades. All product info, as built drawings and plans were provided both in paper and digital
52 form.

53
54 The commission reports have a lot of information to refer to.

55
56 The project closeout summary was read, by Mr. Lundgren. The summary included the upgraded
57 work that was performed.

58
59 The extraction well has plenty of water available for adding buildings to the system. The Jail
60 originally had the heat pump locations but now moved into the building but it did take up more
61 space. The HVAC had extra charges but Ameresco was able to receive a grant to cover most of
62 those. The wood windows were very costly too.

63
64 There were a handful of change orders related to the HVAC and windows, the rest were for
65 contingencies. The final PUD incentives were estimated at \$128,000 value, he spoke to Greg
66 Sarton EPA who is above the OK PUD, and he indicated they complete their analysis one year
67 after it is completed and they base the incentive on the savings and compare it to the 2012
68 period. Mr. Lundgren will facilitate that. Rob Wiley will be in contact with us for M&V in October.

69
70 The Ameresco energy savings guarantee estimated energy costs increase in electrical
71 consumption in the courthouse with estimate of \$38,000 in fuel oil cost savings. Ameresco goes
72 with 90% of energy estimates. Additional lighting fixtures were replaced with energy efficient
73 upgrades.

74
75 Mr. Lundgren discussed the performance of the system will be greater than estimated as the
76 windows have increased U value.

77
78 Ms. Wilson explained the project was first proposed under an Executive order by state and
79 reviewed by DAHP and DAHP insisted we replace the wood clade windows with wood clade
80 windows not the vinyl. DAHP provided a grant to help the difference between the costs, then
81 through in the seismic clock tower stabilization. They believed it was necessary.

82
83 Section III provide the completion dates of each measure. It also includes the letter of
84 substantial completion.

85
86 Mr. Lundgren listed items that should be fixed with a lot in the Jail. There is duct work that do
87 not have good access, but dampers appear and coils need to be cleaned. There are pneumatic
88 controls to the dampers and those are limiting the lower end levels, and about 10 out of the 40
89 boxes have leaking diaphragms, but it does not affect the system performance. He wouldn't

90 mind adjusting those at a later date. He doesn't mind helping out with those. It would be good to
91 have some on the shelf.

92
93 Mr. Lundgren went through the transmittal files. He said it will run in automatic mode until
94 something goes wrong. The ATS contract will include maintenance and has some inherent
95 benefits and would not be a bad idea to ensure it has the proper maintenance.

96
97 Mr. Lundgren explained that all forms are included, all set points have been noted for heating
98 and cooling, every sequence of operation is written out in detail and includes information for
99 future.

100
101 Commissioner DeTro left at 11:45 to attend the Hort Meeting.

102 Commissioner DeTro returned from the Hort meeting at 1:40 p.m.

103

104 **Update Planning – Perry Huston**

105

106 *Marijuana Advisory Committee*

107 Kelsie, Jeremy Moberg, Mr. Gray

108

109 Director Huston explained the marijuana advisory committee is here to introduce to the
110 commissioner the draft 17A.290 regarding Cannabis Operations. The hearing is to consider the
111 moratorium as it expires March 5.

112

113 The options are:

114 Repeal moratorium-adopt interim controls, transmit to PC for review & recommendation; extend
115 moratorium-transmit to PC for review and recommendation; extend moratorium-remand to CAC
116 for further work; or repeal moratorium –operate under existing regulation. The memo will be
117 updated with these observations. The code enforcement section may well have taken care of
118 the issues previously testified to.

119

120 Director Huston explained the vesting issues and measurable impacts. The idea was to present
121 the recommendation and the commissioners review in preparation of the hearing.

122

123 Mr. Gray recommended the county consider a code enforcement officer for the county. Mr.
124 Moberg said that was one of the first things the group discussed as needing to be addressed.
125 All the team can do is recommend language for the code. The contentious history of a proposed
126 code enforcement officer was discussed where the opposition was expressed especially in
127 District #1. Commissioner Branch said in District #1, marijuana has been produced illegally for
128 many years which likely one concern was regarding a code enforcement officer at the time.
129 Another issue to be addressed is the lack of compliance enforcement of building and health
130 codes over many years; it would generate code violations everywhere. Commissioner Branch
131 said anyone labeled as a code enforcement officer should be paid as much as a judge because
132 of the risk they take on. We have planning and building departments but it is a enforcement is a
133 challenging subject. We must have a level playing field for marijuana production and

134 processing rules which takes enforcement. Commissioner DeTro explained the state code
135 enforcement officer is spread thin. Director Huston replied that the state code enforcement
136 officer is more involved with the county's permit review and offers comments.

137
138 Member of the public Isabelle Spohn, arrived at 2:00 to take notes on her computer.
139

140 Commissioner DeTro asked Mr. Moberg about the distance allowed between 502 growers and
141 industrial hemp when operations are close to the reservation where the potential exists for
142 industrial hemp grows. Mr. Moberg explained that they talked about this and went into great
143 detail regarding the incompatibility of the crops suggesting that cross pollination can come from
144 a very long ways away. Director Huston stated it is accurate. The discussion among the
145 advisory committee member about the two, was that industrial hemp would generate the same
146 kinds of impacts as the 502 operations. Mr. Moberg said the native tribes are signing compacts
147 with the feds to allow this and may be dealt with that way. He explained some compacts that
148 allow access to the retail markets.

149
150 Commissioner Hover would like to see a map of the locations of the proposed permitted
151 operators. Director Huston said the high density areas have not been identified it is not an
152 overlay, they created the definitions. Mr. Moberg mentioned that there is a recent decision in
153 Kittitas that sided with the county against LCB regarding zoned areas. LCB has taken the
154 position they should not be issuing new licenses in those areas that have local regulation.

155
156 Mr. Moberg explained a different dispersion of money is something to be addressed for counties
157 that do not have much retail space and who are more impacted by producers and processors.

158
159 Commissioner DeTro asked about a rumor that the recreation and medical community doesn't
160 see eye to eye. Can the retail businesses sell medical product too? Yes, the retail businesses
161 can sell both. Mr. Moberg explained laws were created for medically certified products.
162 Commissioner Branch asked about the Kittitas County issue, he believed it was a growth
163 management issue there. The Director explained there would be some question as to whether
164 or not it could be applied to us.

165
166 Commissioner DeTro suggested that the industry work toward policing itself and explained how
167 the ATV clubs have worked with the county to help enforce the rules provide signage, and
168 develop the local laws.

169
170 **Motion Authorize the Chairman to Sign**

171 Commissioner Hover moved to allow the chairman to sign the WA St. Enterprise Services
172 Energy Project Completion Notice for our Courthouse Energy Project. Motion was seconded, all
173 were in favor, motion carried.

174
175 *Comp Plan*

176 Commissioners discussed water issues, local process, WRIA 48 & 49 and language to consider
177 adopting in the interim. Commissioner Branch said he doesn't wish to be the Guinea pig. The

178 board discussed how to address public health and safety such as Critical Areas Ordinance,
179 flood management, SMP, and Wildfire.

180

181 *Mt. Hull Restoration Project*

182 The commissioners discussed the decommissioning of roads and how it might affect/restrict
183 how logging can be done, and affect public access. Commissioner Branch acknowledged the
184 concerns expressed in comments by the industry including the extension of log skids to the
185 loader/truck which compromises the profit margins.

186

187 Director Huston provided the application status report to the board on permitting.

188

189 **Executive Session – RCW 42.30.110 (1)(g)**

190 Commissioner Hover moved to go into executive session at 4:02 p.m. for 20 minutes inviting
191 Tanya Craig, risk manager, to discuss the performance of a public employee. Motion was
192 seconded, all were in favor, motion carried.

193

194 Executive Session ended at 4:20 pm no decisions were made.

195

196 Commissioner Hover left at 4:20 due to personal things he had to attend to.

197

198 Review Meeting Minutes

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200 The board adjourned at 5:00 p.m.

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