

1 **RECORD OF THE PROCEEDINGS**

2 **OKANOGAN COUNTY**

3 **FEBRUARY 28 2022**
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9 **9:00 AM Review Commissioners Agenda & Consent Agenda**
10 **9:15 AM Briefing Among Commissioners-Discuss Individual Weekly Meetings & Schedule**
11 **10:45 AM Legislative Update-Potts & Associates-Zac Kennedy**
12 **11:00 AM Update Fairgrounds-Naomie Peasley**
13 **1:30 PM Public Hearing-Ordinance 2022-2 Moratorium Cannabis Grows-Planning**
14 **2:30 PM Discussion-Assessor/Planning-Larry Gilman & Pete Palmer-Open Space/Open Space**
15 **3:00 PM Review Meeting Minutes**
16

17 The Okanogan County Board of Commissioners met in Regular session at 123 5th Avenue
18 North, Okanogan, Washington on February 28, 2022 with Chairman, Commissioner Andy
19 Hover; Vice-Chairman, Commissioner Chris Branch; Member, Commissioner Jim DeTro;
20 and the Clerk of the Board, Laleña "Lanie" Johns, present.

21
22 AV Capture provided recorded audio and video of the meeting held today, while ZOOM
23 provided best audio accessibility and public interaction.

24
25 Deputy Clerk of the Board, Crystal Hawley took down the meeting minutes.

26
27 **Review Commissioners Agenda & Consent Agenda**

28 Commissioners reviewed their agenda and consent agenda.
29

30 The Clerk of the Board presented items for commissioners' consideration that were
31 outside the consent agenda.
32

33 **Motion Accounting Software-Tyler Technologies**

34 Commissioner Branch moved to approve the Tyler Technologies Munis Accounting
35 Software Service Agreement that will replace EDEN. Motion was second. All in favor.
36 Motion carried.
37

38 **Motion Resolution 31-2022 Signing Authority Deputy Clerk of the Board**

39 Commissioner Branch moved to approved Resolution 31-2022 providing signing authority
40 to the Deputy Clerk of the Board. Motion second. All in favor. Motion carried.
41

42 **Motion CDBG Public Services Grant Request #7 Contract 21-62210-011**

43 Commissioner Branch moved to approved CDBG PS grant request #7 Contract 21-
44 62210-011 in the amount of \$4088.50. Motion was second. All were in favor. Motion
45 carried.
46
47
48

49 **Motion CDBG Public Services Request #13 Contract CDBG20-6221C-119**
50 Commissioner Branch moved to approve CDBG PS CV-1 request #13 regarding contract
51 20-6221C-119 in the amount of \$1,144.54 Motion seconded. All were in favor. Motion
52 carried.

53
54 **Briefing Among Commissioners-Discuss Individual Weekly Meetings & Schedule**
55 Commissioners briefly discussed their individual county activities.

56
57 **Legislative Update-Potts & Associates-Zac Kennedy**

58 Zac Kennedy went over legislative updates. Mr. Kennedy explained that there was only
59 ten days of session left. Fish and Wild Life Commission considers requests to open upper
60 Chelan River to fishing and make it unlawful to bait deer and elk. Mr. Kennedy explained
61 the senate bill report act relating to promoting salmon recovery through revisions to the
62 state's comprehensive planning framework. It requires the Department of Fish and
63 Wildlife to adopt rules that establish criteria for net ecological gain which certain counties
64 and cities must meet through adoption of comprehensive plans in counties west of the
65 crest of the Cascade mountains. As well it as adds salmon recovery as a goal under the
66 Growth Management Act (GMA).

67 .
68 **Update Fairgrounds-Naomie Peasley**

69 Naomie Peasley provided her update on the fairgrounds. The fairgrounds had another
70 theft over the weekend when a UPS package was taken. A police report was filed and
71 everything was taken care of.

72
73 Ms. Peasley explained that the grandstands need to be removed before the fairgrounds
74 first event, which is in May. Commissioner Hover would like Ms. Peasley to first get prices
75 on a mental roof and gravel.

76
77 Ms. Peasley expressed her concerns about a letter that was submitted to the Fair
78 Advisory Committee (FAC) back in November 2021 as the FAC has not responded to this
79 individual. (attached) Angie Morgan had also submitted a letter questioning the FAC
80 about why they made decisions they did for the Fair Youth Foundation. (attached)

81
82 Lalena Johns, Clerk of the Board present.

83
84 **Public Hearing- Moratorium Cannabis Grows-Planning**

85 Commissioner Hover opened the hearing to staff report. Ms. Palmer provided her staff
86 report and recommended the moratorium remain in place another 6-months. So far
87 Planning Department has met with 22 single operators, 32 sublet operators, 5 closed
88 operations, and with 32 who are non-compliant. The meetings with the marijuana
89 operators have been good however. She will continue discussions on reporting
90 requirements and the use of formal letters of enforcement that were approved last week
91 to relay the requirements and subsequent information. Then she will work on code
92 updates within that 6-month period. There were three written comments received.
93 (attached)

94

95 She feels this process will result in better working relationships with operators and the
96 state and she did not believe that was established before. This has led to expansion of
97 their operations without having to come before the planning department to ensure
98 compliance with county rules. She is aware of grows in the county that have not gone
99 through any permitting process and are not compliant with the county rules. When these
100 issues are addressed it will help the county regulate better the cannabis operations in the
101 county.

102

103 Commissioner Hover closed staff and opened up the hearing to public comment. No
104 comment

105

106 Commissioner Hover closed the hearing to the public and opened it up to commissioner
107 discussion.

108

109 Commissioner Branch asked what are the issues we would like to see resolved as a result
110 of the work? 1. Infinite use the word prolific, there is a dynamic going on. Whether they
111 are successful or not cannot be controlled. There being so many operations, what
112 corrects that if there is too much. Complaints are also about smell and lighting, as it is an
113 issue. He wants to ensure the issues brought forward are addressed. Growth of the farms
114 is an issue and can change the way a neighborhood looks. There is an aesthetic issue,
115 but then there is the living arrangement at the site that creates even more traffic impacts
116 etc... and he sees those issues that need to be addressed.

117

118 Commissioner Hover commented on the work plan. He felt the state was just handing out
119 licenses and some of these growers didn't even have the right address on their state
120 license, how can we know these are in the right zone. Tier III allows 30,000 sq. feet and
121 limits the amount of canopy, but the state did not limit the number under that canopy. The
122 state may not have expected major operations to result with the subletting etc.... He would
123 like to see what we have from inventory and what the continued dialogue with the state
124 is then go from there to determine what is appropriate for the county.

125

126 Commissioner DeTro stated several comments he received was concern over
127 unpermitted grows. He doesn't agree with the subletting of property.

128

129 Commissioner Branch explained the reasons for the moratorium and why the board
130 wished to extend it in order to sort everything out and deal with the fixes. It has to be very
131 clear as to what the board is trying to achieve.

132

133 Ms. Palmer feels a lot better about the direction this is going.

134

135 **Motion Ordinance 2022.3 Marijuana Moratorium**

136 Commissioner Branch moved to approve ordinance 2022-3 regarding extension of the
137 moratorium on new cannabis grows. Motion was seconded, Commissioner Branch stated
138 there is another issue in how we determine appropriate areas for siting residential
139 densities etc that he would like to address when we get there. all were in favor, motion
140 carried.

141 Commissioner Hover closed public hearing.

142

143 **Motion Special Occasions Liquor License-Elks Rocky Mt Elks Foundation**

144 Commissioner Branch moved to approve and authorize the chairman's signature on the
145 Rocky Mt Elk Foundations' Special Occasion's Liquor License for an event on March 3,
146 2022. Motion was seconded, all were in favor, motion carried.

147

148 **Motion Special Occasions Liquor License Water Conservancy Silent Auction**

149 Commissioner Branch moved to approve and authorize the chairman to sign the special
150 occasion liquor license for Methow Conservancy Silent Auction March 3-8. Motion was
151 seconded, all were in favor, motion carried.

152

153 **Discussion-Assessor/Planning-Larry Gilman & Pete Palmer-Open Space/Open Space**

154

155 Larry Gilman explained an open space issue has come up and he wanted to ensure
156 compliance with our process. Assessor Gilman explained we have two point systems and
157 we cannot have two systems according to RCW. Two other counties got audited and
158 Assessor Gilman learned from them there was an issue. Currently, the Planning Dept
159 handles this type of open space classification for tax reductions. There are 34 parcels
160 involved and he did not want to put more burden on the tax payer by making them through
161 another application process if they already had already applied. He would like to use the
162 points already established. If the board approves he is willing to go through all 64 parcels.
163 Now would be pertinent since 61 are in the current cycle for 2023. Use the existing score
164 to give the reduction under the new rules so there is only One reduction schedule. He
165 would do this himself. Ordinance 2002-4 originally adopted the plan, but the plan has not
166 been updated as it would take too much staff time to update at this time, said Assessor
167 Gilman.

168

169 Commissioner Hover asked if the Chief Civil Deputy was consulted about the situation.
170 The county commissioners have elected to have open space. Ag and timber open space
171 and those are managed by the Assessor's office. Assessor Gilman explained the value
172 differences that happen.

173

174 Assessor Gilman explained the issues with the two golf courses as those were special at
175 the time the county approved the scoring system. Golf courses are not scored the same
176 as other open spaces. The change isn't available right now to Gamble Sands due to that
177 resolution expiring, said Assessor Gilman.

178

179 The goal is to make everything equal and not put the burden on staff or tax payers.

180

181 Commissioner Branch said there is an appeal process for those who disagree with the
182 Assessor's determination. Assessor Gilman said there is a loop hole in certain
183 circumstances that allows a tax payer to get out from paying their seven years back taxes.
184 He explained the process.

185

186

187 **Motion**
188 Commissioner Branch moved to approve the Assessor's evaluation and authorization of
189 open space scoring for a one-time adjustment to the open open space that does not
190 currently comply with county code. Motion was seconded, all were in favor, motion
191 carried.

192
193 Commissioner Branch stated the Nespelem City Clerk contacted him regarding the City's
194 water tower as it is now being compromised due to erosion. The City is looking at available
195 funding for the repairs. Commissioner Hover thought she should get a hold of Carlene
196 Andres with Pateros because they had the same issues in that city.

197
198 The Clerk of the Board provided Community Action and Economic Alliance ARPA
199 requests to be discussed. These asks were follow-up clarifications that were previously
200 requested by the board when the entities originally requested county ARPA funds.

201
202 **Motion-Acknowledgement Methow Watershed Council Appointment.**
203 Commissioner Branch moved to acknowledge the appointment of Jean Bodeau to
204 position #6 on the Methow Watershed Council. Motion was seconded, all were in favor,
205 motion carried.

206
207 **Review Meeting Minutes**
208 Commissioners reviewed their meeting minutes.

209
210 The board adjourned at 3:00 p.m.
211