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**RECORD OF THE PROCEEDINGS**

**OKANOGAN COUNTY**

**JANUARY 10, 2022**

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**9:00 AM Okanogan County Commissioners' Meeting**  
**9:05 AM Review Commissioners Agenda & Consent Agenda**  
**9:15 AM Briefing Among Commissioners-Discuss Weekly Meetings & Schedule**  
**9:30 AM Legislative Update-Potts and Associates-Zac Kennedy**  
**10:00 AM Discussion-Sheriff's Vehicle Purchase Request FY23-Undersheriff Aaron Culp**  
**10:30 AM Discussion-MOU 4-H/MG Coordinator-Kayla Wells-Yoakum**  
**11:00 AM Discussion-Code Publishing/General Code Processes-Margaret Bustion**  
**1:30 PM Update Planning-Pete Palmer**  
**3:00 PM Review Meeting Minutes**

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The Okanogan County Board of Commissioners met in Regular session at 123 5<sup>th</sup> Avenue North, Okanogan, Washington on January 10, 2022 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 meeting held today, while ZOOM provided best audio accessibility and public interaction.

Several public joined via zoom this morning, Isabelle Spohn, Katie Haven, Michelle Randolph, FindtherightPassion.

**Okanogan County Commissioners' Meeting**

Commissioner DeTro read from Governor Inslee's possible COVID measures to involve the Sheriff to uphold a vaccine mandate. Commissioner Hover stated he doubted the Sheriff would do something like that. Commissioner DeTro stated 46% of the population has been vaccinated so that leaves 54% that isn't. Commissioner Hover stated the States of Washington and Hawaii have the worst laws for emergency powers. Commissioner DeTro has concerns over feedback from citizens that think it could possibly start an insurrection.

Commissioner Branch mentioned that the Fairgrounds Agriplex roof was leaking badly. Mallett Roofing put heat strips and deicer on the roof to melt the snow off of it.

Commissioners' reviewed the redistricting descriptions that were prepared by GIS. Adjustments may still need to be made.

**Review Commissioners Agenda & Consent Agenda**

Commissioner Hover asked for changes to the commissioners' agenda and consent agenda.

The Clerk of the Board explained she had received a somewhat informal online petition from Rose Isler to install guard rail on Aeneas Valley road at Round Lake. The petition showed 27 people had signed it, but no actual signatures printed.

**Briefing Among Commissioners-Discuss Weekly Meetings & Schedule**

Commissioners discussed their meeting schedule.

**Legislative Update-Potts and Associates-Zak Kennedy**

54 Zak Kennedy provided a legislative update. He stated he doesn't expect a lot being done right now.  
55 Commissioner Branch asked about WAC on quarantines and who has authority. Mr. Kennedy stated  
56 it is part of the planned discussion on Wednesday as to whether it is a state or local issue. Implications  
57 are very scary. Addressing the long-term care act requirements because it is a horrible bill but they  
58 don't learn from the process, said Mr. Kennedy. There isn't much motivation to do very much this year.  
59 Anything that comes through for carbon tax is being watched and he's tagging it. Commissioner DeTro  
60 asked about assessor's pushing legislation a year ago, but it died, on indigent defense on getting  
61 cannabis money back to the county to pay for it. Mr. Kennedy said he had not heard about it this year,  
62 but will check it out.

63  
64 Legal descriptions for the precincts. When it comes down to the "Town or Nespelem", we need to  
65 change the word "or" to "of".

66  
67 **Motion to Reconsider**

68 Commissioner Branch moved to reconsider the previous motion of Monday, January 3, 2022, based  
69 on information from the assessor, to send a letter to the applicable agencies to address the personal  
70 property taxes in the county. Motion was seconded, all were in favor, motion carried.

71  
72 Commissioner Hover asked the other commissioners if they received the email from the State Auditor  
73 regarding the administration of CARES ACT funds that the Clerk of the Board received. He stated he  
74 had a question he talked with the Clerk about at the time it was being considered. The Clerk provided  
75 the justification she was asked to provide to the chairman. The resolution (166-2020) the board  
76 previously approved did not have enough recitals to justify in the State Auditor's eyes. The CARES  
77 ACT administration was above and beyond what the Clerk was responsible for.

78  
79 Commissioner Branch will provide an update of the conversation he, Dennis Rabidou and Beaman  
80 Architect had on Friday.

81  
82 **Discussion-Sheriff's Vehicle Purchase Request FY23-Undersheriff Aaron Culp**

83 Auditor Hall

84  
85 Undersheriff Culp provided a copy of the FY22 vehicle reserve 197 fund that shows the actual  
86 approved budget for the fund. The fund transfer was not adequate for the vehicles ordered for 2021  
87 arriving in a couple weeks in addition to the vehicles planned in 2022. Geico insurance payment was  
88 to supplement the fund but neither showed up. The total amount needed for the six approved sheriff  
89 vehicles is \$397,602 but only \$321,280 was approved in the budget for the vehicles a difference of  
90 \$76,322. Commissioner Hover discussed a couple options for purchase of the vehicles in the future  
91 that we either leave the funds and roll them over to next year purchases and cut down on the transfers  
92 in or does the board wish to address with budget supplementals to transfer the funds.

93  
94 Auditor Hall explained it hasn't been an issue lately with cash, but in the past, it has. Since surplus  
95 money isn't earmarked for anything that it is a good way to build up the fund. Be specific in the  
96 resolution to be clear whose vehicle sales will stay committed to the sheriff or department the vehicle  
97 was sold from. She explained how this would be done. Commissioner Hover said the county would  
98 need to clarify what the intent of roll over funds would be used for like major accidents

99 Auditor Hall explained the Assessor's office was rolling funds over each year for his vehicle purchases  
100 in the fund, and so the supplemental might be more to make both departments whole. The sales of  
101 surplus vehicles funds would be in an ending fund balance.

102  
103 Commissioner Hover stated we had waaay more carryover than what the board thought. Unanticipated  
104 revenue totaled over \$2 million. He suggested the board approve the purchase of new accounting  
105 software in order to get it going. Auditor Hall will get on the agenda to discuss that and receive a more  
106 formal direction. Commissioner Branch stated the board did approve a road levy shift. Everyone looked

107 at the revenue, but it is difficult to know the exact number that will carryover. Commissioner Hover  
108 suggested the whole expense be taken from Current Expense. Public Works is expecting to pay for a  
109 part of it. Modules that are not required for what we need for, then those can be added at a later date  
110 and either another fund or current expense can pay for it. Auditor Hall stated it will take about 18  
111 months to get the core going.

112  
113 Move out of current expense to reserve, said Auditor Hall.

114  
115 Undersheriff Culp would like to be able to order 3<sup>rd</sup> and 4<sup>th</sup> vehicle to get those into the system and on  
116 the way.

117  
118 **Discussion-MOU 4-H/MG Coordinator-Kayla Wells-Yoakum**

119 Ms. Wells-Yoakum provided the annual document appendix A to the original MOA. An outline of an  
120 updated MOA drafted by WSU was provided as well for consideration.

121  
122 She requested the board approve the two appendix A which approves the budget for the program for  
123 2022.

124  
125 **Motion Appendix A-WSU Contribution**

126 Commissioner DeTro moved to approve the appendix A of the MOA to provide funding in the amount  
127 of \$41,351 for 2022. Motion was seconded, Commissioner Branch asked if other counties were using  
128 ARPA Funds to help the 4-H program and work with WSU, because some things we do at the  
129 fairgrounds is justified. Motion was seconded, all were in favor, motion carried.

130  
131 If our document showed we are serving emergency services and populations that are underserved in  
132 the Agriplex/Fairgrounds along with some other things we need to justify in that respect, said  
133 Commissioner Branch. If the capstone work could encompass something like that, it would be good.

134  
135 Ms. Wells-Yoakum discussed the updated MOA between Okanogan County and WSU for funds. Last  
136 year's discussion included an updated template for the MOA which the county was going to have  
137 reviewed by the county attorney. Where are we at with the document review process? Commissioner  
138 Hover asked that the current MOA and the updated WSU version be provided to David Gecas, the  
139 board, and the clerk for review.

140  
141 Commissioner Hover responded to a public question posted on zoom that it was a supply chain issue  
142 for parts for the public works grader plowing the Lost River and Goat Cr. Roads.

143  
144 Strategic plan for the Justice Center is being looked at with the thought District Court would also move.  
145 Commissioner Branch discussed the current tenants leasing a portion of the building.

146  
147 **Discussion-Code Publishing/General Code Processes-Margaret Bustion**

148 Marcia Clifford; Scott Murphy; Tina LoVerde, Planning Director Pete Palmer  
149 Margaret Bustion with Code Publishing was asked to provide an update as Code Publishing is joining  
150 General Code and the Board wanted to review their offerings and learn about the process to publish  
151 the county code. (attached)

152  
153 Ms. Bustion explained services and they do legal reviews of the code as well. It is an optional service,  
154 and commissioner Hover asked what it would cost to do a legal review of the entire code. She will  
155 prepare and will submit a formal proposal for legal review. Search engines were discussed. The Legacy  
156 platform is what we use, and is not gender neutral. SML platform does take awhile to convert although  
157 it is much more robust and enhances the code. General Code offered enhancements to planning areas  
158 and they have the resources to make it happen, and is one reason Code Publishing considered joining  
159 them.

160  
161 Ms. Clifford explained what General Code offers; map link integrates GIS mapping links to the zoning  
162 ordinances and allows filter by land use, address, parcel number, and filter and find information from  
163 the zoning code. Changes get integrated with International Code Council code, and color codes it to  
164 see changes etc... to help builders and contractors see what pertains to the code.

165  
166 Tina said State of Washington has its own custom codes and those get integrated along with anything  
167 the county has done, which allows one place.

168  
169 Pete Palmer explained capabilities of current software and the need to be able to search land use  
170 codes and where those rules apply. General Code will send the information in an email to the board.

171  
172 Commissioner Branch asked if they saw entities that are not Okanogan County, but could their rules  
173 be linked to the county code for rules that apply over several agencies. Ms. Bustion explained  
174 Snohomish County has some connections like that. The modern platform allows searches not just in  
175 the county code but also integrates other agency code where there is reference to that.

176  
177 Commissioner Branch knows it is an interactive process to update the code.

178  
179 Cost estimate on legal review of entire code for consistency. Will give an idea of what recodification  
180 would cost. Then they would provide a recommendation as to whether this was recommended.

181 The process to codify will not change and the same level of service will remain the same, said Ms.  
182 Bustion. The editor's have been with Code Publishing a long time and they know our code.

183  
184 Commissioner Branch asked how moratoria are suggested in the code without fully codifying it? Ms.  
185 Bustion replied that they don't typically codify moratoriums, and sometimes on a case by case basis.  
186 Most want it in a place that makes the most logical sense. Chapter 14 section 14 of the county code  
187 should be reviewed.

188  
189 Commissioners adjourned at 11:30 a.m. until 1:30 p.m.

190  
191 **Update Planning-Pete Palmer**  
192 Planning Director Palmer provided her

193  
194 *MWF Invoice for December 2021*

195 The invoice for Methow Watershed Council was submitted for \$577.50 for administrative hours was  
196 discussed. Water quality fund was suggested for payment. Commissioner Hover thought a resolution  
197 should be created to summarize the use of the funds. Commissioner Hover to draft some language  
198 for that purpose Mazama Water Quality fund 122?

199  
200 *Employee Promotion*

201 Planning Director stated a resolution was drafted to promote GIS Tech Camden to GIS Analyst based  
202 on the work, training, and certification he has done. The commissioners did not remove the position,  
203 they just did not fund it.

204  
205 **Motion Resolution 4-2022 GIS Promotion Camden Erwin**

206 Commissioner Branch moved to approve resolution 4-2022 to promote Camden Erwin effective  
207 January 6, 2022. Motion was seconded, all were in favor, motion carried.

208  
209 *Moratoriums*

210 *Marijuana*

211 *Building Permits Expires Feb 10, 2022*

212 *Subdivisions*

213 *Tunk Basin Land Divisions*

214  
215 Director Palmer explained expired moratoriums that had previously been codified that need to be  
216 considered since they are expired. She said wasn't able to see if decisions made addressed the water  
217 issues. Commissioner Hover said in Tunk there wasn't a project identified in that basin. The whole  
218 question was about physical water. We do need to look at the zoning in Tunk. Commissioner Hover  
219 suggested Planning Director get a hold of Nancy Soriano for the previous water study and water  
220 master report. Mark Schuppe.

221  
222 Director Palmer explained the well tracking software is in place. Commissioner Hover asked if the  
223 appeal period is done. An exact date wasn't given. He asked that David Gecas join the meeting to  
224 clarify some questions the board has. Mr. Gecas said he believed the appeal period was up.  
225 Commissioner Hover would like to move forward with repeal of the building permit moratorium if  
226 possible.

227  
228 Commissioner Hover discussed all lots created and any in the cue are now vested for water, and  
229 means for the lower reach first come first served because there are more lots in the lower reach than  
230 there is water to serve those using the 2cf reservation. If the county or that person mitigated for the  
231 water, or go to legislature to get the rule changed to say "and group domestic".

232  
233 Commissioner Branch asked why no one appealed? It was a compromise, and it was just hopefully  
234 the compromise on the table was something they could live with.

235  
236 Needed clarifications were discussed by Director Palmer. Commissioner Hover suggested a  
237 discussion at the watershed council meeting regarding a draft agreement for water banking and it had  
238 a list. Break it into two parts, one for WRIA 48 and one for WRIA 49 and list mitigation measures for  
239 both and he thought the council would be instrumental.

240  
241 The group had a vigorous discussion about the above noted moratoriums. Heidi Dunn is a good  
242 example of a subdivision issue when she was told by health that she had adequate water.

243  
244 Director Palmer discussed and read the building permit moratorium which expires on February 10,  
245 2022. Commissioner Hover stated that one could be repealed. He'd like to repeal it today.

246  
247

248 **Motion Repeal of Ordinance 2021-8**

249 Commissioner DeTro moved to repeal ordinance 2021-8. Motion was seconded, Commissioner  
250 Branch said it supposed to expire in 30 days, 30-days to get the story together. Commissioner Hover  
251 said if there are questions those would be brought to the board because the board is in contact with  
252 people. He doesn't believe it will be that difficult. Commissioner Branch doesn't want to make people  
253 feel good about what they can do then the board hasn't addressed that particular thing and then they  
254 are stymied. It expires in 30-days. Commissioner Hover said all the subdivisions required water  
255 adequacy and he thought the majority had their well dug and physical water was available.  
256 Commissioner Branch said he isn't going against it. Commissioner Hover said the contractors are  
257 booked and there are many waiting this out and he'd like to give them this. No further discussion with  
258 Commissioner Branch stated nay, and Commissioner DeTro, and Commissioner Hover stated Yeah.  
259 Motion carried.

260  
261 Commissioner Hover said he understood Commissioner Branch's concern.

262  
263 Director Palmer stated the District Use Chart ordinance expired. It was ordinance 2020-4 on multiple  
264 dwellings. Commissioner Hover asked about the Critical Areas as someone said he didn't feel the

265 work groups were a priority when that isn't what he said. His priority is critical areas and zoning  
266 because they have regulations attached.

267  
268 Director Palmer explained six different things that need attention that were identified by the  
269 commissioners. Strategic planning would then put these areas into a priority timeline. DFW has offered  
270 technical assistance and are chomping on the bit. Commissioner Hover would like DFW to abide by  
271 the county's critical areas ordinance.

272  
273 Ordinance 2021-9 regarding the Cannabis moratorium expires Feb 24, 2022. Director Palmer will pull  
274 a report together on how many have met with her and how many are sublets. One thing she would  
275 like to look at is what kind of code changes this will warrant. One thing is an annual renewal where the  
276 marijuana operators come meet with her.

277  
278 Commissioner Branch discussed the concept of setting a level of service or growth in the area we  
279 have something that guides us.

280  
281 Director Palmer said the Colville Tribes is planning to put in another casino south of Pateros either in  
282 Okanogan County or Chelan County, not sure yet. She would like to be ahead of the game.

283  
284 Director Palmer said clearing and grading ordinance should also be addressed. It is prepared.

285  
286 The Clerk of the Board stated the fee schedule was received from Beaman Architecture for the  
287 *Okanogan County 20 Year Master Plan*. She asked the commissioners where the invoices were to be  
288 paid from. The Board has not yet approved moving forward with the 20-year plan. Either way,  
289 Commissioners would like to review the invoices before they are paid. It will help the board understand  
290 where the project is at.

291  
292 **Review Meeting Minutes**

293  
294 The board adjourned at 3:30 p.m.

295