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**RECORD OF THE PROCEEDINGS**

**OKANOGAN COUNTY**

**JULY 16, 2018**

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8 9:00 AM Review Commissioner' Agenda and Consent Agenda  
9 9:30 AM Briefing Among Commissioner' – Discuss Individual Weekly Meetings &  
10 Schedule  
11 11:30 AM Discussion – Dispatching Fees – Life Line, Aero Methow, Fire District #15  
12 1:30 PM Update – Planning – Perry Huston  
13 *Planning Dept Study Session*  
14 *Planning Dept. Administrative Session*  
15 4:00 PM Continued Public Hearing – Okanogan County Code 10.10 Illegal WATV Operations –  
16 Perry Huston  
17 4:55 PM Review Meeting Minutes

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20 The Okanogan County Board of Commissioner' met for its regular session on July 16, 2018,  
21 with Commissioner Jim DeTro, Chairman; Commissioner Chris Branch, Member;  
22 Commissioner Andy Hover, Member; and Laleña Johns, Clerk of the Board, present.

23  
24 Commissioner Hover was absent due to attending DNR Virginia Ridge Discussion.

25  
26 **Review Commissioner' Agenda and Consent Agenda**

27 Sheriff Rogers, Undersheriff Somday, Steve Brown, Mike Worden

28  
29 Commissioner DeTro asked the Sheriff to come discuss the Wolf situation that happened  
30 over the weekend.

31  
32 Steve Brown explain Jill Jones was contacted for Newick NE WA Communications is set up  
33 out of Colville and dispatching for several agencies. She got a call from FS employee, SAT  
34 phone, FS called Newick dispatch center and was given to officer Troutman. DNR  
35 helicopter was in place to get there and he said no this is a WDFW call and wolves doing  
36 what they do. Jill made several calls and had a disagreement with WDFW about helping  
37 with a wolf situation. Rick Avery was called and in route. A task force guy was called. There  
38 was a gal who needed help and they went. DNR did pick the girl up and went to airport was  
39 gone when Sheriff arrived. They went up to the location a week prior and was monitoring  
40 cross borders and 30 people were camping and recreating at that time. The following day at  
41 20 mile creek culvert and a game person was there. They flew the drone and came back  
42 and was looking at the trail and state ben maletski and USFW Greg Kurse and WDFW guy  
43 spoke the most. They found what she described but could not tell the sheriff what exactly it  
44 was and was told to stay out as the trail was not good and investigation was done. They  
45 recommended the sheriff not go in there, but they would not tell what was found.  
46 Harassment to an endangered species. There was a camera WSU FS wild life research  
47 camera. The Greg Kurse is a wildlife specialist. There is a camera set up in there and Greg  
48 explained it to the Sheriff and not exactly the way the trail is. He thought wolf scat was

49 found in the middle of the road. It is the rendezvous site with both male and female collared.  
50 The full story of the girl is not clear. He spoke to a wildlife biologist who did not  
51 communicate much between the agencies. They would not tell the Sheriff anything.

52  
53 The Sheriff was told several things about the research they were conducting. She was  
54 surveying ahead of another group. She was afraid of death threats if she reveals who she  
55 is. Frank Rogers said he has the recordings from Newick to our dispatch about the wolf  
56 incident. The sheriff does not pick and choose who they rescue it doesn't matter if it is for a  
57 wildlife issue or someone is lost.

58  
59 Commissioner Branch stated it is a federally listed species and why it is different. Sheriff  
60 Rogers asked how they are still being protected when in 2017 the population had been  
61 reached. The state and feds are not working well on the issue. The state won't  
62 communicate with the feds as to where the wolves are, stated Steve Brown. Commissioner  
63 Branch explained WA St Fish & Wild life has a new director who just go appointed and he  
64 wants to get in the middle of the issue.

65  
66 Sheriff Rogers said the wolf issue is not their issue, they have to work together. If everyone  
67 did work together this would not have blown up it is about communication. He isn't going to  
68 hunt wolves they are going to do their job. The commissioner' passed a resolution stating  
69 the county would respond. He is disappointed in how this was handled.

70  
71 Commissioner Branch noted that it appeared the Sheriff's office did the right thing.  
72

73 **Briefing Among Commissioner'–Discuss Individual Weekly Meetings & Schedule**  
74 Commissioner' discussed their individual weekly calendars. Commissioner Branch  
75 explained it would be good to attend the PNWER Summit July 22-25. The scheduled was  
76 provided. (attached)

77  
78 **Discussion – Dispatching Fees – Life Line, Aero Methow, Fire District #15**  
79 Fire District #15 Tonya Vallance; Methow Valley EMS Cindy Button and Byron Winter; Life  
80 Line Wayne Walker and staff, Mike Worden, Sheriff Frank Rogers, Undersheriff Joe  
81 Somday

82  
83 Commissioner DeTro noted the reason for today's meeting was to discuss the county's  
84 dispatching fees with the Emergency Medical Services providers of the EMS districts. The  
85 county drafted new Dispatch Services Agreements to formalize the existing relationship  
86 between the dispatch center and districts, identifies services provided by the dispatch  
87 center, authorizes use of OCSO radio frequencies and establishes a representative  
88 advisory board to have input as to the operation of the center and radio network.

89  
90 Mr. Worden explained in his staff report that he previously notified all non-city fire protection  
91 and EMS agencies that the county dispatch center would no longer provide dispatching  
92 services without a contract to ensure all consumers of dispatch services and resources are  
93 supporting the system used and have a voice in how services and systems are planned  
94 deployed and supported.

95  
96 Mr. Walker explained Chief Worden sent out a draft agreement notification about charging  
97 dispatching fees and a follow-up letter came stating that it would push off until later. Chief

98 Worden stated in the letter the target date was 2020 for budget and that was consistent with  
99 commissioner' direction on July 3<sup>rd</sup>. A reconsideration of methodology was relayed in the  
100 contract draft and established fees to those who do not currently pay and is volume based  
101 formula and is different formula than what cities pay. In the auditor's eyes it is not fair and  
102 equitable to assess fees. Fees must be put towards actual expenses not just collected for  
103 something. During the July 3<sup>rd</sup> asked can we figure out population, a taxing call volume?  
104 And looking at different strategies to apply to all agencies. The county is not able to  
105 proceed with the draft that was sent out this year. We can target 2020 but there is a lot to  
106 figure out in terms of approaching for that.

107  
108 Mr. Walker explained LL is dependent on the infrastructure and as a user of the system, LL  
109 stated for reference, they could not put the infrastructure in place to cover the vast area of  
110 the county. On one hand they are supportive, but on the other hand from their company  
111 stand point it would cost around \$50,000 for all three service areas. It is the question of  
112 where is that money coming from they have no way of getting reimbursed for that extra  
113 cost. There isn't a perfect formula. He encouraged the county to find other ways to fund the  
114 dispatch center rather than charging the districts for it. Mr. Walker said from LL perspective,  
115 it becomes Pandora's box. As the end user they have no ability to control the cost. The  
116 difference is that you have a choice with other products and with this you do not. Pay the  
117 fee or we don't dispatch for you. He asked to explore all funding opportunities to fund this  
118 where it is a combination of revenues and pool all opportunities and resources to bring  
119 together for the common good which could drive down the user fees. Commissioner Branch  
120 asked if there was ever a working group formed to address this. Chief Worden explained,  
121 historically, there was one. He further explained how disjointed the situation is with all  
122 involved, but his willingness to meet and discuss the options and choices. The state auditor  
123 is really driving this, but we are tasked with figuring out compliance. Commissioner Branch  
124 stated it has reached a point of ultimatum and brings everyone together for a conversation  
125 on impacts for either side.

126  
127 Mr. Walker responded that he sees if from an agency standpoint, but between Tonasket  
128 and Oroville he has an operation separated by 16 miles and if one critical piece goes down  
129 up there all goes dark.

130  
131 Cindy Button explained her perspective, one question is do you pay dispatch fees and how  
132 much is doubled up. She provided some cost analysis and explained the portion of  
133 Medicaid and Medicare that is reimbursed and it isn't covering all the costs.

134  
135 Mr. Walker discussed the system and the double jeopardy scenario as the commissioner'  
136 need to understand the challenges with this. He cannot get traction with ACH and they hold  
137 up payments. It costs LL more to process the payment than the actual payment, when  
138 mental health transports are needed.

139  
140 Sheriff Rogers explained at one time in the past the agencies dispatched and volunteers  
141 volunteered to work, and now after 2014/2015 fires, he said growing everything for a better  
142 center.

143  
144 Chief Worden explained the \$5 million the state previously was setting aside for the  
145 communications is no longer available as those funds can only be used for housing.

146

147 Mr. Walker explained grants are not sustainable and so that problem must be solved. What  
148 do other counties do? Utility tax? Sales tax? Commissioner DeTro thought if the public  
149 understood the situation fully, then they would be inclined to vote on a way to pay for it.

150  
151 When the districts met previously, Ms. Vallance stated everyone realized at that time there  
152 would be a cost to dispatch. The Fire District #15 realizes too and acknowledged that costs  
153 would be charged. Getting people's buy-in at the table from the advisory board is the  
154 expectation they get information together and then what is their authority to find funding.  
155 They will need to know what their authority is.

156  
157 Mr. Walker asked who pays the user fee when 911 dispatch is called for a tow truck. LL  
158 would rather pay no dispatch fee. In the long term plan, how does the end user control the  
159 costs?

160  
161 Chief Worden said KitCom tracks every transaction and that is what their charge is based on  
162 rather than on call volume. The group discussed an advisory committee and a narrow  
163 mission statement to work towards so that those signing up for the committee know what  
164 goals they are trying to meet identifying other funding mechanisms to push that out to solicit  
165 participation.

166  
167 Commissioner Branch asked whether Chief Bowling is part of the local county fire chiefs but  
168 it is not a formal organization although the chiefs have voted in a president.

169  
170 The work to create a work group will commence to address the issues outlined here today.  
171 Commissioner Hover in attendance at 1:30 p.m. from his earlier meeting with DNR.

172  
173 **Update – Planning – Perry Huston**  
174 Connie Item, Life Line, Lorah Super, Isabelle Spohn

175  
176 *Planning Dept. Study Session*  
177 *Continued Public Hearing Lake Management District*

178 Director Huston stated the resolution to adopt the boundaries of the district was provided for  
179 commissioner' consideration. Commissioner Hover asked about the returned ballots and  
180 how those will be handled. The structure of the ballot is very clear in the RCW and must  
181 bear the signature of the land owner in accordance with the assessor's record. They are  
182 mailed back to the planning department by a particular time. This is outside the regular  
183 elections. Director Huston explained the parcels included in the boundaries some of which  
184 are owned by the city and several owned by the same property owner. Commissioner  
185 Branch asked whether Director Huston had checked on other district like this to find out a  
186 way to vote, and he could not find case law. But it is clear that every owner of every parcel  
187 gets sent a ballot.

188  
189 The 1000 foot buffer was discussed with both Anna Lyon and Ford Waterstrat to put a finer  
190 point on whether those properties within the buffer may be treated. If there is other options  
191 to treat the area, such as a physical extraction, but no chemical treatments according to  
192 Department of Ecology.

193

194 A barrier of material within the buffer zone could be used, stated Mr. Waterstrat. If the  
195 conditions in the one letter are followed then that is the best program for the lake for cutting  
196 back the milfoil. The Canadians wished they could treat the milfoil with chemicals, because  
197 instead they use a harvester which has to be done annually and appears to create more  
198 milfoil problems down the lake because the plant is segmented.

199  
200 Commissioner Hover asked if we could provide a level of service through the fees that  
201 affectively removes aquatic weeds from coming down the lake. Ms. Lyon replied there were  
202 several options available but more costly than an herbicide application. It would not hurt  
203 based on existing program and get them all back at the table to discuss our pristine record  
204 as a result and would recommend removal of the barrier and mention their stuff is getting  
205 segmented and coming across the border.

206  
207 There are several things: fix the boundaries; ballot creation and sent, assessment proposed  
208 160 per parcel with 240,000 collected over five years. Does the board intend to issue  
209 revenue bonds that would be paid back by the district for weed management, but that has  
210 never been discussed. The board may wish to amend the draft resolution to include the  
211 items discussed today.

212  
213 Commissioner Hover asked if the Planning Department would be reimbursed for its  
214 expense. The district is formed how long it will take to collect the funds and when remedies  
215 could begin. Taxes are due April and October with the second half is when the assessment  
216 is paid. Ms. Lyon explained \$25,000 would take care of a significant amount then the fall  
217 would roll into spring and would allow better treatment.

218  
219 Commissioner Branch asked what the statute says in regards to adopting via resolution or  
220 ordinance. Director Huston said much of the language in the resolution before the board  
221 today is for the issuance of the ballots and adopts the boundaries.

222  
223 Then if the district is voted to be formed by the people then the ordinance would create the  
224 boundaries. Commissioner' discussed adding best practices to address drift and  
225 applications that would be aerial drift, but now since 2008 there is an injection of the  
226 chemical into the water so there is no aerial drift.

227  
228 **Motion Resolution 75-2018 Lake Management District Boundaries & Ballot Question**  
229 Commissioner Branch moved to approve resolution 75-2018 which puts the question to  
230 landowners by mailed ballot. Motion was seconded, all were in favor, motion carried.

231  
232 *Hard Cider Plat*  
233 Director Huston explained a proposed plat that is located in the Lake Osoyoos area. The  
234 hearing examiner heard the plat and development agreement has been signed by the City  
235 of Oroville. If the board disagrees with the hearing examiner approval of both the plat and  
236 the development agreement then set a public hearing, otherwise if the board agrees with  
237 the hearing examiner then the board may consider approval of the plat next week during his  
238 study session. The plat creates 8 lots leaving 35 acres of residual property. The sewer and

239 water connections were discussed and when those costs would be collected. It is unclear  
240 when the lots will be sold and the county recoups its hook-up fees. Director Huston will  
241 reschedule this continued discussion to his next study session.

242

#### 243 *Whistler Canyon*

244 Back Country Horsemen intend on coming up with a site plan for the trail and identify  
245 funding streams. They will come forward with proposals for ongoing maintenance. He isn't  
246 sure when the information will be provided, but they did seem excited to begin outlining the  
247 arrangement. Director Huston will consult with the Risk Manager on what agreements are  
248 needed to be in place.

249

#### 250 WRIA 49

251 Director Huston relayed the notice that requests applications for WRIA 49 Planning Unit.  
252 The list of water right holders, organizations and Interests groups was reviewed. Is the  
253 board trying to fill all the positions? If not which bases does the board want to ensure  
254 coverage? There is also the fact that not many people actually wish to serve and often it  
255 takes many months to find people willing to serve. Director Huston suggested coming back  
256 to this discussion.

257

258 Letters will go out to those interested and the notice will be posted to the Planning website.  
259 Commissioner Hover thought a published news release regarding the application would be  
260 good.

261

#### 262 *Comprehensive Plan*

263 Director Huston asked the board for further direction on resource lands. He discussed the  
264 policy designations. He suggested the three designations rural, ag resource, and forest  
265 resource be whatever is driving people in. It doesn't talk about tying in populations, does the  
266 board want him to do that. Commissioner Branch would feel more comfortable if the county  
267 knew what the city population projections were. The urban growth areas have not been  
268 reviewed yet by the commissioner'. Director Huston said the information from the cities  
269 might be outdated.

270

#### 271 **Motion Tonasket Ems District**

272 Commissioner Hover moved to adjourn as the BOCC and reconvene as the Tonasket EMS  
273 District. Motion was seconded all were in favor, motion carried.

274 Commissioner Branch moved to approve the Voucher certification and authorize the  
275 Tonasket EMS District vouchers to be paid in the amount of \$21,700. Motion was  
276 seconded, all were in favor, motion carried.

277 Commissioner Hover moved to adjourn as the Tonasket EMS and Reconvene as the BOCC  
278 Motion was seconded all were in favor, motion carried.

279

280 Wayne Walker and people with Life Line to discuss levy. The Tonasket Levy was  
281 discussed. The Oroville Levy and balancing the expenses of operations. The contract is  
282 fairly restrictive on level of services delivered.

283 Mr. Walker introduced Paul Blackney Finances, Jeff Lang CEO.

284

285 While looking into Oroville Rural EMS they thought they would look into Tonasket project  
286 outlooks for both District for past present and future. This is a combination outlook. Mr.  
287 Blackney explained the Tonasket project spreadsheets. He provided the financial results for  
288 5-months of 2016, 2017, 5-months in 2018. He went over the revenues and expenses. The  
289 loss noted includes what? Does the loss only have to do with levy or combined collections?  
290 This spreadsheet include all sources of revenue. It has to do with both through 2021 for  
291 both Tonasket and Oroville.

292

293 Mr. Walker recapped historically how we got to where we are today. He discussed the  
294 assumptions he looked at all the data available to them at the time of those things known to  
295 them at the time. Most were right on the money, but three were not correct but there wasn't  
296 good data. Those were total number of calls are correct and hold true today but private,  
297 third party and Medicare and Medicaid and that data is used and they found in both ems  
298 district there is a much higher of percentage of Medicare and Medicaid. The second is there  
299 wasn't good data on transports versus call for service. The call for service generates no  
300 revenue. The third is and no control over, was two factors one minimum wage increase and  
301 is killing them, second is that no one projected the L&I rate would move to the top in 2017  
302 and from 2016 to 2017 and again 2017-2018 with an average of 34% increase over the two  
303 years and they have no control over that. They cannot afford to lose the projected numbers  
304 they presented today. They would like to solve this in one fail swoop. Commissioner Hover  
305 said on the state website showing boundary maps response areas it shows Okanogan  
306 County is completely covered by EMS districts and he is trying to find out what that actually  
307 is. Does the Methow EMS District follow the boundaries of the trauma response  
308 boundaries? Mr. Walker said they could be different. Commissioner Hover noted that if  
309 someone within the boundaries calls for transport they have to pay both the assessment  
310 and the transport charge, and those that live outside the assessment boundaries don't have  
311 to pay the assessment they just pay the transport charge.

312

313 Director Huston explained this meeting showed good interagency cooperation and was a  
314 start to a future discussion. Commissioner Hover asked what the gross amount of money is  
315 for Life Line's breakeven point is in 2021. Mr. Lang and Blackney said yes that break even  
316 projection could be calculated. A map was requested that shows the trauma licenses of the  
317 entire area. Mr. Lang described what they thought would happen and then what actually  
318 happened. Call volume was consistent but the number of patients actually transported  
319 decreased from what LL predicted back in 2016. Mr. Walker discussed the geographical  
320 area in the north area is such that many calls take two hours and many of those type of  
321 calls do not result in a transports. He discussed what has been looked at in terms of  
322 location, but it will take some flexibility. There is no magic bullet in that not one thing will fix  
323 it, it will take many different approaches being considered. North end is a high population of  
324 Medicaid and if those dollars were realistic. Mr. Walker does not think the state or feds are  
325 looking into EMS because they are on a non-sustainable path under the current service  
326 delivery model. You cannot raise your most expensive model and expect a fixed model to  
327 pay for it. The Washington state system doesn't care what it actually costs. In 1997

328 Medicaid was set just over \$100 and it hasn't changed with the times. Life Line cannot  
329 continue to absorb the losses. Mr. Lang said there must be a way whether it is a  
330 combination of levies, lobbying for higher reimbursements from Medicaid, or some other  
331 type of revenue stream to make up the difference.  
332

333 **Motion Appointment Housing Authority of Okanogan County -Scalf**

334 Commissioner Hover moved to authorize the appointment letter of Kelly Scalf who will fill  
335 the unexpired term of Bonita Duncan on the Housing Authority Board of Commissioner' with  
336 a term ending May 2020. Motion was seconded, all were in favor, motion carried.  
337

338 **Motion Resolution 76-2018 Foreclosure Deputy**

339 Commissioner Branch moved to approve resolution 73-2018 approving a new Foreclosure  
340 Deputy to be hired before the position is vacant for training purposes. Commissioner Hover  
341 stated that the budget for the extra expense will need to be discussed at a later date since  
342 the resolution did not identify where those extra funds were coming from. Motion was  
343 seconded, all were in favor, motion carried. .  
344

345 **Continued Public Hearing – Okanogan County Code 10.10 Illegal WATV Operations –**  
346 **Perry Huston**

347 Engineer Josh Thomson, Angie Hubbard, and members of the public with four guys in back,  
348 Connie Iten w/ DOE, Isabelle Spohn taking notes on her computer, Lorah Super,  
349 Commissioner DeTro opened up the hearing stating this was a continued hearing to  
350 consider an ordinance adopting amendment to the Okanogan County Code 10.10 Off-Road  
351 Vehicles, making it a local class 1 civil infraction to operate any motorized vehicle except on  
352 designated roadways or other areas where they may be lawfully operated.  
353

354 Commissioner DeTro asked for the staff report. Director Huston discussed the draft  
355 ordinance to be considered and explained the changes made. Two documents in play, one  
356 is the ordinance and the other is the code section. Director Huston went through the code  
357 section revision from the last version to make it fairer. He took a tiered approach for the  
358 Penalty section and read the proposed section. One subsequent comment was about  
359 sensitive areas and critical areas was detected as having too much ambiguity. He explained  
360 his approach. Commissioner Branch suggested critical areas be as defined in our Critical  
361 Areas code and give the specific citation. Engineer Thomson explained if we had a road  
362 that had many critical areas in the same mile of the road then the list would have the mile  
363 posts where the area starts and stops, this would make for a very long list. Director Huston  
364 said if the critical area is not listed in our ordinance it is not a critical area. Commissioner  
365 Branch said we have to have something to what a critical area is and identifying that is key.  
366 The critical area should be defined. The draft was considered for review, but the board  
367 wished to amend by substitution the proposed language discussed today, in section  
368 10.10.080.  
369

370  
371  
372

373 **Motion to Amend**

374 Commissioner Hover moved amend the text of the code section the board reviewed today  
375 within OCC 10.10.080 to state critical areas are as defined in Okanogan County critical  
376 areas ordinance. Motion was seconded, all were in favor, motion carried.

377 Commissioner Hover moved to incorporate all code amendments discussed into the OCC  
378 10.10 sections. Motion was seconded, all were in favor, motion carried.

379

380 Director Huston noted that the board could adopt the ordinance.

381

382 **Motion Ordinance 2018-9 Off Road Vehicles**

383 Commissioner Hover moved to approve ordinance 2018-9 adopting amendment to OCC  
384 10.10. Motion was seconded, all were in favor, motion carried.

385

386 The board adjourned at 5:00 pm.

387