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**RECORD OF THE PROCEEDINGS**

**OKANOGAN COUNTY**

**JULY 30, 2018**

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8 9:00 AM Review Commissioners' Agenda and Consent Agenda  
9 9:30 AM Briefing Among Commissioners' – Discuss Individual Weekly Meetings & Schedule  
10 11:00 AM Public Hearing – Oroville EMS Ballot Issue  
11 1:30 PM Discussion – Wolf Incident After Action Report – Sheriff, USFS & WDFW Legislators  
12 3:00 PM Update – Planning – Perry Huston  
13 6:00 PM Public Meeting – Discuss Latest WATV Proposal – Perry Huston

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16 The Okanogan County Board of Commissioners' met for its regular session on July 30,  
17 2018, with Chairman Commissioner Jim DeTro, Commissioner Chris Branch, Commissioner  
18 Andy Hover Laleña Johns, Clerk of the Board, present.

19  
20 **Motion - Voucher Approval - Commissioners'**

21 Vouchers certified and audited by the Auditing Officer as required by RCW 42.24.080 and  
22 those expense reimbursement claims certified as required by RCW 42.24.090 have been  
23 recorded on a list, and made available to the Board. As of this date, the Board did vote, by  
24 unanimous vote, to approve the regular vouchers in the amount of \$7,152.02. Warrant  
25 numbers as cited on the attached blanket voucher list. Motion seconded and carried.

26 **Briefing Among Commissioners'–Discuss Individual Weekly Meetings & Schedule**

27 Commissioners' discussed the items to be discussed on their agenda today. The After  
28 Action Report discussion scheduled for this afternoon was particularly discussed to  
29 strategize the board's position on the wolf issue. Commissioner DeTro stated legislators  
30 Short, Kretz, and Maycumber were invited but it is uncertain if they will attend.

31  
32 **Motion Closed Session RCW 42.30.140–(4)(b) Union**

33 Commissioner Hover moved to go into closed session at 9:10 a.m. for 10 minutes to  
34 discuss Union strategies on the position to be taken during the course of negotiation. Motion  
35 was seconded, all were in favor, motion carried.

36  
37 Closed session ended at 9:20 a.m. no decisions were made.

38  
39 Member of the public Salley Bull attended the Oroville Rural EMS hearing.

40  
41 **Public Hearing – Oroville EMS Ballot Issue**

42 Wayne Walker, Perry Huston

43  
44 The audio recorder was turned on.

45  
46 Wayne Walker commented that the numbers presented of Life Line projected costs will

47 continue to go up with employee costs driving it. The ems levy should be able to provide for  
48 maintenance going forward.

49  
50 Commissioner DeTro opened the hearing up.

51  
52 Perry Huston explained division of labor COB operates Oroville Rural EMS. Levy is  
53 currently \$.25 and Tonasket is at \$.40 and Oroville has the luxury of reserves in the bank  
54 and Tonasket does not. Tonasket comes up a suggestion that it will need to be increased to  
55 cover the expenses due to level of service. Keeping in mind they are not in sync and will  
56 overlap with Tonasket. With question of parity now would be time to consider

57  
58 Commissioner Branch asked Wayne about the breakeven amount that included ambulance  
59 revenue and no projection with option to increase fee. They do have the ability, but one  
60 thing he pointed out was the Medicare and Medicaid discount and is the contractual write off  
61 they have no control over. Life Line contractual write off is what they call it, a fee they collect  
62 flat fee. They can raise their price but the write offs 60-70% call volume goes up when fee is  
63 raised. But private insurance at 25% would see an increase there. If Life Line raised their  
64 price by 5-7% they would only see about 1.5% of that. The other thing is if the projections  
65 included 2.5-3% call volume increase even though they don't have a lot of historical data.

66  
67 Commissioner Hover stated the amount needed to cover the county costs would need to  
68 raise the levy by \$.10 Commissioners' discussed the projections given by the assessor.  
69 Right now the District collects at \$.25 levy per \$1000 is approx. \$108,000 per year.  
70 Commissioner

71  
72 Director Huston commented on an option that the EMS districts operate differently than the  
73 cities operate for the same purpose as the city can operate it as a utility for billing etc...  
74 Interestingly enough one revenue option is a sales tax option not specific to EMS, as there  
75 is latitude with the laws and sharing it with the cities. This would be in the event the levy  
76 doesn't pass the voters or something.

77  
78 Commissioners' discussed the minimum amount of levy needed to cover the districts  
79 expenses. Mr. Walker stated Tonasket Oroville area has a much higher portion of Medicaid  
80 population than that which is in Methow area. Commissioner Branch explained the levy  
81 question may not pass at any rate. The level of service in the rural area has gone up after  
82 all the noise, and so it is up to the voters in that area as to the level of service they want. It  
83 seems the responsible thing to do is raise it to \$.50 with the facts in the numbers out there  
84 he feels we may accomplish that. Mr. Walker said even a volunteer service there is still  
85 costs to be covered and how would those be covered without the levy support. Even a  
86 volunteer services is not without costs.

87  
88 Commissioner DeTro said that the Tonasket District was given every chance possible to fix

89 the issues they had, and they could not. Some of those people were very dedicated, but  
90 without credentials, the liability was huge and the district could not take the chance.  
91 Requirements and risks have gone up. How can we justify the Methow at the max with a  
92 much higher valuation, and then have it so much less over here. It doesn't add up but we  
93 have an equal need for services.

94

95 Mr. Walker stated Life Line does utilize fire dept. volunteers to help with some of the special  
96 calls such as cardiac arrest where two people are needed.

97

#### 98 **Motion Oroville Rural EMS Levy 2019-2024**

99 Commissioner Branch moved to put the question to the voters of \$.50 on the ballot for  
100 November 6 election. Commissioners' discussed the pros and cons of the amount and how  
101 much it would impact those property owners in the area. Property tax would increase \$50  
102 for a valuation of \$100,000. Commissioners' discussed the level of service expected by  
103 those in need of the service. All were in favor, motion carried.

104

105 Commissioner Hover discussed the coverage area of the Methow EMS District, versus the  
106 coverage area for Oroville, Tonasket, and Brewster being about the same. The Life Line's  
107 geographic jurisdiction was summarized by Mr. Walker. The equity portion was discussed  
108 for those needing service on the Loup who aren't covered by the district there versus  
109 someone needing service within a district who pays a levy on property tax.

110

111 Mr. Walker commented on the sales tax idea and the struggle to balance who pays for the  
112 service that not everyone would paying would utilize.

113

#### 114 **Motion Resolution 80-2018 Oroville Rural EMS District Levy**

115 Commissioner Branch moved to approve resolution 80-2018 which places the question of  
116 raising the levy up to \$.50 per \$1,000 property value of properties within the unincorporated  
117 areas of School District #410 of the Oroville Rural EMS district on the November 6 ballot. All  
118 were in favor, motion carried.

119

120 Commissioner DeTro closed the public hearing and the recorder was turned off.

121

#### 122 **Discussion–Wolf Incident After Action Report–Sheriff, USFS & WDFW Legislators**

123 Member of the Public Katie Haven videotaping the meeting.

124

125 The audio recorder was turned on as commissioners' requested the meeting be recorded.

126

127 Present: County Sheriff Frank Rogers; Under Sheriff Joe Somday; Chief Criminal Deputy  
128 Steve Brown; WDFW Jim Brown; USFW, Donny Martorello; Tonasket Forest Service  
129 Ranger Matt Reidy, Jill Gardnier KOMW, Char, Gregg Kurz, Tim Ashburg, Special Agent  
130 Seattle, Brad Townsend WDFW, Salley Bull, Sheriff Rogers, Steve Brown, Howard, Darrell

131 Asmussen, Ann Christensen, Bob Haeberle, Casey Kuchenbuch, Mike Taylor and Jay  
132 Volunger. The sign-in sheet was circulated to capture who was in attendance.

133  
134 Commissioner DeTro opened the meeting up stating the purpose of the meeting was for the  
135 attending agencies and the county to come to some kind of protocol consensus in regards  
136 to rescues and/or wolves.

137  
138 An incident happened in Okanogan County regarding a search and rescue/wolf incident. A  
139 woman, who might have been a biologist, was in the field when she came across a wolf  
140 rendezvous site and became frightened when she saw the wolves coming closer. She  
141 climbed a tree and called for help using her SAT phone. It was unclear whether she was  
142 actually in danger or not or whether she needed to be rescued or not, or whether this was a  
143 wildlife issue or a law enforcement issue. The agencies involved were asked by the  
144 commissioners' to come to the table and discuss protocol.

145  
146 Sheriff Frank Rogers explained his frustration over the way this situation was handled. This  
147 is his county and no matter what, when he gets a call, he will go. He told to stand down as it  
148 was a wildlife issue. He feels he has worked well with the guys over the years, but right  
149 now, he is very frustrated with the way things went down. He asked Chief Criminal Dep.  
150 Brown to discuss the telephone transcripts.

151  
152 Chief Criminal Deputy Brown said it was Thursday July 12<sup>th</sup> when he became aware of the  
153 rescue situation. Okanogan County Search and Rescue agent, Rick Avery, was called and  
154 was told a female was in a tree surrounded by wolves, and he prepared to go to rescue.  
155 NEWICC Dispatcher Jill Jones, called our dispatch and said she spoke to Fish and Wildlife  
156 and they told her it was not a law enforcement issue and Okanogan County was told not to  
157 go. Deputy Josh Petker was to respond as it was still believed to be life and death issue.  
158 Chief Criminal Deputy Brown explained a back ground dialogue was overheard on the  
159 phone about not sending a helicopter as NEWICC was talking to Chief Criminal Deputy  
160 Brown.

161  
162 He explained that apparently the woman had already been picked up before the county's  
163 search and rescue got to the site, but no one would give her name. Chief Criminal Dep.  
164 Brown believed a WDFW report was created. Chief Criminal Deputy Brown said Mr. Kurz  
165 confirmed that later. When the Sheriff returned, a government vehicle was there and there  
166 were orange triangles and four wheeler tracks at the site.

167  
168 The government employees exchanged cards and discussed what was in there. It was a  
169 wolf rendezvous site. Mr. Kurz then explained what that was and then cautioned Chief  
170 Criminal Dep. Brown about going in there due to dangerous terrain from blow downs and  
171 said no one ever goes in there. Chief Criminal Deputy Brown wanted to ensure there was  
172 no longer a public safety threat, because no one wanted to talk to him about it or talk about

173 the person involved. He was told she was afraid she would be harassed and given death  
174 threats. Chief Criminal Deputy Brown said it was a failed attempt to keep the Sheriff out.  
175 There are many camp sites up there, fire pits, and the area is well used by people. So to  
176 say no one ever goes back there is not true. The Sheriff had been in there the week before  
177 and ran into 30 people. They also saw wolf scat up there. The Sheriff Deputies are not wolf  
178 killers or wolf hunters and he takes offense when someone tells him he will go to jail if he  
179 goes in there.

180  
181 Donny Martorello thanked everyone at the table. He echoed that he wished to see our  
182 entities partner together to work through this as it is an unusual situation with several  
183 agencies converging. He shared his involvement the day of the incident. He was on the  
184 phone around 1:00 pm. DNR had just gotten word of the miss information and the thought  
185 was that it was not the LOUP LOUP pack, but the other one.

186  
187 Commissioner DeTro interrupted Donny Martorello because he was disappointed in the  
188 timeline and said Jill Jones over rode the order to send the helicopter not Sheriff Rogers, so  
189 the helicopter was actually dispatched by Jill at NEWICC.

190  
191 The woman in the back ground was a wolf biologist who stated that. Gregg Kurz then gave  
192 the green light to send a helicopter and then he called Commissioner Hover.

193  
194 Wolf rendezvous site definition was discussed. Wolves den in early April in the ground and  
195 at the site through early summer. Mid-summer they go to a rendezvous site with the pups  
196 and they will stash the pups at the rendezvous site and move around the territory until the  
197 pups are big enough to fend for themselves. The wolves vocalize when danger is close by  
198 in order to distract away from pups. The biologist was recommending people move away  
199 from the site as she thought it was a rendezvous site. The woman was calling for help  
200 through a SAT phone.

201  
202 Commissioner DeTro stated he thought Jill overrode the order to send the Sheriff. The  
203 helicopter was dispatched by the lady at NEWICC. Mr. Martorello said he didn't know.  
204 Commissioner DeTro is deeply disappointed with how the timeline is now being relayed. Mr.  
205 Martorello said he isn't sure if the helicopter was in the air before or after he communicated  
206 with NEWICC. Why didn't the agency coordinate with the Sheriff? Mr. Martorello said he  
207 didn't know Sheriff Rogers, but the very next phone call was to commissioner Hover.  
208 Commissioner Hover said by that time the woman had already been extracted.

209  
210 Matt Reidy, Tonasket Forest Service Ranger, explained a seasonal Forest Service  
211 employee was doing stream surveys and encountered wolves on the west side of the  
212 Okanogan River. It is important to discuss the difference between federally and state listed  
213 species. Tonasket has the privilege of following two sets of rules. Commissioner DeTro  
214 asked when the woman was extracted, and the Sheriff said he is on his way and wanted to

215 speak to the individual, why was she whisked away. And not allowed to speak to anyone.  
216 Then everyone is on the defense and won't give the name or details of the situation. If you  
217 know the Sheriff wants to talk to her, why was she whisked away? Mr. Reidy replied his  
218 agency was unaware of the request. She was trying to settle after the incident so, he wasn't  
219 aware of the request had he been he would have ensured it was followed. FS appreciates  
220 the Sheriff's office search and rescue work. They had gotten approval for the helicopter  
221 from Mike Williams and the Sheriff was going to be the lead in the search and rescue with  
222 Forest Service providing assistance. The outcome was a positive outcome. Commissioner  
223 Hover asked if the employee had a SAT phone, yes. The employee called her supervisor  
224 who then called the Tonasket Ranger District who then call North East coordination center  
225 who then called the Sheriff on enforcements. The helicopter was a DNR helicopter to use  
226 for that mission. The plan was to rescue the person utilizing the Sheriff's office. Was the  
227 plan implemented? From Forest Service standpoint, they had a good plan and it was  
228 accomplished.

229  
230 Commissioner Hover explained there was a Forest Service employee lucky enough to have  
231 a SAT phone, if it was anyone else, without a SAT phone, they would have had to find cell  
232 service in order to make the call. Either way, the helicopter was secured.

233  
234 Chief Criminal Deputy Brown, said he wished Jill Jones was here because she was the one  
235 who did all the communicating. The first helicopter request was from NEWICC to Troutman  
236 and that was denied three times. It sounded, to him, like that officer Troutman was taking  
237 the position based on the biologist on the phone. The offer was given to WDFW and they  
238 said no rotors. He read from the transcript between NEWICC and WDFW. Erin Schmidt is  
239 the DNR lead on all risk team issues and who answers to Commissioner of Public Lands.

240  
241 Mr. Reidy discussed the management between west side and east side of the Okanogan  
242 River. Donny Martorello said wolves are colonizing and listed under state law. They are in  
243 recovery mode. Commissioner DeTro provided handouts showing the map called Part of  
244 the Insanity. (attached)

245  
246 Mr. Kurz gave the go ahead for rotors, but it was likely only after someone else gave the  
247 initial okay. Sheriff Rogers said, from his end, it was 45 minutes before anyone made a  
248 decision. There are helicopters attending fires all over and something got dropped and it  
249 wasn't on his end. Mr. Reidy said as the talk about the after action based on the action  
250 what would be changed. The right hand doesn't know what the left hand is doing, stated  
251 Commissioner Hover. The outcome was great, but how can the situation be addressed  
252 sooner. It took an hour to get the helicopter. What happens when someone doesn't have a  
253 SAT phone to call out a rescue? Sheriff Rogers said it started out as a search and rescue,  
254 then it wasn't. In the past, agencies worked it out together, he said if anyone calls for help  
255 the Sheriff goes. If guys had met them there and explained the issue right from the start,  
256 then he would have listened. There is a lack of trust, and now back to square one.

257 Commissioner DeTro stated the lack of trust was broken by the agencies in front of him.  
258 They are biased towards the wolves that the first thing out of their mouths is, "it wasn't the  
259 wolf". The after action review can be resolved if coordination is carried out, but the problem  
260 that comes out of that is the cattlemen are coming off the permitted leases with less and  
261 less cattle. Nothing has changed except the wolves. When agencies are in denial, then  
262 denial is where the trust breaks down because they are willing to protect the wolves at all  
263 cost. The Sheriff is tasked with human safety. It wasn't until they got death threats that their  
264 eyes were opened to this stuff happening. He is frustrated too. He previously spoke to  
265 someone on the game commission who is also frustrated with agencies not giving the full  
266 truth. Mr. Reidy added a piece regarding the permittee and the first time information was  
267 passed along to FS. Communication does go both ways, if there are losses FS needs to  
268 know in order to verify. They do take it seriously. He said sharing the information in a timely  
269 fashion is critical. If there is a loss out there, we must all be on the same page. It is hard for  
270 him to take action if they do not know of the depredations. When Commissioner DeTro  
271 talked to cattlemen producers, they say they do not want to be treated like everyone else is  
272 being treated (meaning death threats to their family). Mr. Reidy stated he is communicating  
273 with the producers about the need to communicate the issues when they happen. He is  
274 trying to get the word out so we don't run into the same circumstances.

275  
276 Commissioner Hover said he wants the Sheriff to be the first person you call. These wolves  
277 act differently than any other animal. People in the county using the trails have no idea they  
278 are at a rendezvous site, that there are wolves involved. We need to have some  
279 communication here to let people know the animals are territorial, whatever the signage  
280 might be, would allow people to know the dangers of a particular area. Mr. Kurz said many  
281 employees have gone over the information out there on wolf behavior and assembled  
282 something that can be available at the kiosks. He is trying to find a better way to get the  
283 information out there. Commissioner Branch said it might be an isolated place in a sensitive  
284 area, and people might not even know the wolves are there, and it might not be conducive  
285 to F&W to let people know about it. In this case, it is clear to him people are out there and  
286 should know the danger. Mr. Reidy said it is common for employees to have a SAT phone  
287 when working by themselves.

288  
289 To be worked out: 1) Critical communication protocol, 2) public safety with the bigger issue  
290 being wolf policy. Everyone in the room will need to be a participant. Commissioner DeTro  
291 explained the very act of what happened habitualized, and the next encounter will be  
292 different. He asked why and what motivated Mr. Kurz to say the Sheriff should not go in  
293 there. Mr. Kurz said he would "appreciate it if the Sheriff wouldn't go in there". The wolves'  
294 behavior seemed odd to him and they were pressed to see if they would react the same  
295 way. The wolves paralleled the people for some time, then they headed off without being  
296 aggressive. Mr. Kurz said the wolves were just trying to escort the woman away from the  
297 rendezvous site.

298

299 Chief Criminal Deputy Brown asked Mr. Kurz why he said what he said. He explained,  
300 during the incident, he heard Mr. Kurz threaten him with a fine and jail time if he went in  
301 there. Mr. Kurz said it was not his intent to threaten the deputy, his intent was to provide  
302 Chief Criminal Deputy Brown with the information about the wolves and provide him with  
303 some knowledge about the situation. The woman was saved regardless of the nuances.  
304 Commissioner Hover asked if the same process work used in this incident would work for  
305 mom and pop and their grandkids while on the trail. We need to make sure people are safe.  
306

307 Commissioner Branch wondered if the missing communication can be improved upon, how  
308 does that work between State and Federal agencies and the Sheriff to inform the general  
309 public before an incident occurs. The victim also has a story to tell. This incident has made  
310 everyone step back and consider how better way to react prior to a threat.

311  
312 Commissioner DeTro explained the craters of the moon wolf incident in Southern Idaho  
313 where two women and their dogs were killed by wolves and that Judge sealed the record.  
314 Commissioner DeTro doesn't want the same thing to happen here. Commissioner Hover  
315 said as wolf biologists know wolf behavior best, but the general public doesn't know what to  
316 do. That is the part where education and trust come into play. Mr. Martorello explained the  
317 information available to counties regarding the wolf collar data so that the county is aware.  
318 On the proactive side, raising awareness of the kinds of things people can expect from  
319 wolves and creating a higher awareness of the behavior and showing the territory wolves  
320 where live in so people have some self-awareness. Mr. Martorello said the black-out data is  
321 available to the county during the denning period. A lot of the education is built on  
322 relationships with people and he is hearing the message there is a need to develop the  
323 relationship between us to discuss our needs and move forward on all the things needing to  
324 be coordinated upon.

325  
326 Brad Thompson, Fish and Wildlife Services, said there is definitely some endangered  
327 species work to be improved upon. He shared some thoughts that provided additional  
328 insight. He is terribly sorry this happened. He apologized and owned up to the things that  
329 need to improve. He recognized if the situation is to be successful it is dependent on the  
330 partnerships among them. The mission starts with working with each other, and he doesn't  
331 think they did their best in this instance. He apologized to the Sheriff's office and said there  
332 is time when working with the other to use the information available and do the best you can  
333 when there is a perceived human safety issue then figure out later if there truly was. He  
334 believed that his agency did that. There were other things that do need to be improved. He  
335 is committed to working with the state. There is collectively a way to inform the public better  
336 and they are willing to do that. He hoped going forward he would like to see a willingness to  
337 contribute by all agencies.

338  
339 Commissioner Hover said the agencies have officer's boots on the ground and  
340 communication of the protocol must happen between them moving forward. Sheriff Rogers



341 said there is a lot of hierarchy that happens when people are just doing their job.

342

343 Mr. Martorello said this incident will get attached to every other incident, so the spirit we  
344 have here today, know that this touches every other piece of wolf information in the state.

345

346 Jill Gardiner of KOMW wished to ask some questions of the board. She asked if the  
347 legislators can do anything. Commissioner DeTro said even when federal agencies are  
348 involved the Sheriff is the law. She asked about collar data and if it is available to the  
349 Colville Tribe. Commissioner DeTro said he isn't sure but could find out. There are blackout  
350 periods where the collar data isn't available. Should the legislature investigate this situation  
351 and the untruths being told? Will they be able to fix it?

352

### 353 **Update – Planning – Perry Huston**

354 *Planning Dept. Study Session*

355

#### 356 1) *Wolf Management*

357 Director Huston asked the board what follow up would the commissioners' like. A follow-up  
358 letter could recognize that both agencies (USF&W, WDFW, and Forest Service) recognize  
359 the Sheriff is the chief law enforcement officer. Commissioner Branch said it would mean  
360 the most to him if the board first discussed the specific areas of concern and identify those  
361 points it wished to make in the letter. Commissioner Hover iterated the letter be about what  
362 was discussed here today. Director Huston said yes, but unless there is a renegade we  
363 should discuss the lack of policy.

364

365 Nichole Kuchenbuch Farm Bureau president said the woman biologist in the back ground  
366 telling them not to go was Helen and who you work with for the Collar data. She (Helen)  
367 made a judgement call. Ms. Kuchenbuch talked to Dan Christensen who is the supervisor of  
368 both and it was not his call. She asked the question was it because whoever orders the  
369 helicopter has to pay for it. WDFW is not going to pay for it. If we are trying to be proactive  
370 what are the protocols in place for the discussion. Did Matt Marsh know or did her employer  
371 put her in danger if her boss did not tell her she would be so close to a den site. As a  
372 cattlemen who runs cattle near the site would it not be good to let that producer know of the  
373 danger. Commissioner Hover stated Donny Martorello told him it was Helen. He doesn't  
374 care what the biologists think, it is about what is going on in the person's head who is calling  
375 for help. At what point is there a threat and at what point is there going to be help. What is  
376 weird is that it was a DNR helicopter helping a Forest Service employee. Ms. Kuchenbuch  
377 stated she brings her children into the woods two or three times a week and she doesn't  
378 want to come across a den she has no idea existed.

379

#### 380 2) *OCC 17A.400*

381 Director Huston explained the board previously went out for legal review of the plan as a  
382 result of comments from FutureWise. Mr. Gecas may have shared that review with the  
383 board. FutureWise specifically commented on the recitals in the ordinance, and made

384 suggested amendments to the code section itself. Commissioner Hover would like to take  
385 the advice of the attorney to leave the term “may” in the section for Special Provisions A.  
386 Adoption Criteria. In the Ordinance recitals, Director Huston reminded everyone that it isn’t  
387 as black and white as was suggested. He can simplify to the key points that directs the  
388 county to determine the legal and physical availability of water.

389  
390 In section E. 2-year review, the attorney looked at it and did not have issue.

391  
392 3) *OCC 17A.290 & OCC 17A.220 Cannabis Operations/District Use Chart*

393 Director Huston discussed the recommendations from the Planning Commission.  
394 Commissioner Hover stated there is no light usage code. There are indoor grow  
395 operations that turn their lights on at 2:00 a.m. and grow year round. That light pollution  
396 is not addressed in the code and is not part of the recommendation regarding lights.  
397 Director Huston explained there is some down shielding language. Comments had been  
398 received regarding this issue. Dark sky protection is different than the annoyance of a  
399 grower turning their lights on in the middle of the night thereby illuminating the  
400 neighbor’s property and house. Commissioner Branch discussed where that might fall  
401 under the code. Those kinds of nuisances could be everywhere.

402  
403 Director Huston explained the hearing is set before the commissioner August 27 to consider  
404 the recommendation of the Planning Commission. He said the board could accept the  
405 Planning Commission recommendation and adopt it as is or the board could hold a public  
406 hearing to receive comments on their changes. Commissioner Branch explained his  
407 previous employer held two public hearings and that gave the public additional opportunity  
408 to comment.

409  
410 Commissioner Hover explained a scenario where he would not wish to usurp the Planning  
411 Commission recommendation and make too many significant changes without providing the  
412 document back to them where they would review and incorporate into their recommendation  
413 those changes prior to the county commissioners’ adopting the document. Director Huston  
414 explained what the board can expect in terms of process.

415  
416 4) *Well tracking system*

417 The DRAFT Well Tracking system Grant application for financial assistance was submitted  
418 for commissioner’s preview. Director Huston apologized as it did not include the grant  
419 approval form. Commissioner Branch asked if the form was adopted via resolution or by  
420 some other means. Before the board approves the DRAFT they would like to see the grant  
421 preapproval form attached.

422  
423 The notice that is out for Planner I position was posted to be filled and in his budget. The  
424 Grant position will also be a Planner I position but that will be temporary for the duration of  
425 the grant money.

426 Commissioner Branch discussed representatives on the water committee request to be  
427 notated as Columbiana and follow the same protocol as others followed. A letter will be  
428 needed describing the organization. There was a general position noted, and he suggested  
429 changing environmental group and list Columbiana as an organization.

430

431 Comp Plan work session meeting will be held Wednesday.

432

433 *Planning Dept. Administrative Session*

434 1) *Methow Trails*

435 Commissioner Hover explained the history of the property swap that in order to finish up the  
436 RCO grant they told the Methow Trails they needed title insurance for the property. They  
437 actually don't need anything from the county. Ms. Craig will be writing a letter regarding the  
438 situation.

439

440 2) *Business Licenses*

441 Director Huston discussed the conditions imposed on land owner business activities and the  
442 business being in compliance with those. An annual review may be believed to be part of a  
443 more global discussion about regulating businesses.

444

445 Commissioner Branch explained his concern about sending the WSLCB letter regarding  
446 marijuana operator who had either not yet submitted their 2019 personal property items list  
447 or who had not yet paid their property tax. We have the mechanism for addressing certain  
448 issues.

449

450 Director Huston discussed a code enforcement issue he is working on and will relay the  
451 specifics at another time.

452

### 453 **Public Meeting – Discuss Latest WATV Proposal – Perry Huston**

454 Sign in sheet was circulated.

455

456 The area Director Huston introduced the subject to be discussed. Engineer Thomson  
457 explained the proposed WATV map shows roads proposed to be opened. The pink roads  
458 are eligible to be opened by the commissioners' have decided not to. There were only a few  
459 roads on the reservation close to the cities of Omak and Okanogan proposed to be opened.

460

461 Engineer Thomson read RCW 46.09.360 (2) which states for the purposes of the section  
462 that "off-road vehicles" does not include wheeled all-terrain vehicles. The dual license had  
463 an option for smaller counties to close. The group discussed the differences between ORV  
464 and WATV. Director Huston provided an email from Ted Jackson which describes the  
465 difference between the two codes. (attached) Ed Surrette explained the difference between  
466 ORV tags versus the WATV tags.

467

468 The commissioners' discussed the Danker Cutoff Road as it is partly 35 mph and partly 40  
469 mph and connects to Salmon Creek Road. Go by the definition instead of by the type of  
470 tires to make a determination about. Commissioner Branch said if the board gets stuck on

471 that road it will take that much longer. The speed limit would need to be changed to 35 mph  
472 if WATV's are allowed and that will take a public hearing. It was changed to propose to be  
473 opened.

474  
475 The commissioners' intent is not to close the roads but rather to open them. They have  
476 been working on it for a long time. A member of the public stated RS2477 type roads cannot  
477 be closed by any agency.

478  
479 Has the county done a feasibility study since this started to analyze the economic benefit  
480 since the ORV/WATV has been allowed? They would like roads to be opened that lead to a  
481 town one way and go out another way. It has benefitted the town in so many ways, and is  
482 not just the hotels and gas stations, they give money to the whole community and is a  
483 bigger part of the pie than what people realize.

484  
485 Commissioner DeTro explained some counties have considered placing a tax on the  
486 cyclists that ride through the county who do not purchase anything but bottled water and  
487 have caterers brought in to feed them.

488  
489 Larry Gilman thanked the commissioners' for considering opening up more roads for WATV  
490 use. Conconully is now packed with recreationists, before roads were opened the town was  
491 really struggling.

492  
493 In Ferry County on the east side of Curlew Lake they have a variable speed limit.  
494 Commissioner DeTro stated Ferry County fall's under the no more than 15,000 population  
495 rule and they were able to do that. We have tried it and could not. Director Huston replied  
496 that a public record must be built into the record so whatever can be provided in terms of  
497 facts then please submit for the record when the county schedules the public hearing.  
498 Accident rates, violations and economic impacts get it into the county commissioners' to  
499 consider. The statistical data just isn't available stated Ed Surrette. He said the  
500 commissioners' have the data available to them, they just need to ask the agency for it.  
501 Director Huston said each individual could comment on the number of accidents they've  
502 seen and submit that.

503  
504 Lumm Rd is shown in pink but don't make sense to open it is a very small segment that  
505 leads nowhere.

506  
507 Lorah Super suggested that Paradise Hill be added to be opened as it leads to the forest  
508 service and if the FS considers opening their road wouldn't it make sense for the county to  
509 open their road prior to the FS decision.

510  
511 Malott East Side road is on the reservation and a portion is 50 mph. The county would need  
512 to reach out to the Tribal council and ask.

513  
514 Paradise hill road to Hanford cut off road was also proposed to be opened and would solve  
515 connectivity issues.

516  
517 Commissioners' directed staff to arrange a discussion with the Colville Confederated Tribal  
518 council to discuss the requests the county received to open county roads on the reservation  
519 for WATV uses.

520 The commissioners' stated they wished to hear from people about the proposed, a  
521 conversation needs to happen.

522  
523 Mike said, to address complaints regarding too many WATV's on the roads, he suggested  
524 that if the number of roads opened to WATV was increased and WATV roads spread out  
525 across the county then people can go to different areas instead of congested to one area  
526 and there will be more problems.

527  
528 Director Huston explained the process for SEPA and when a public hearing for this area is  
529 held. Larry Gilman suggested the AG provide an opinion on the situation to avoid issues  
530 later on when they disagree.

531  
532 **Motion - Voucher Approval - Commissioners'**  
533 Vouchers certified and audited by the Auditing Officer as required by RCW 42.24.080 and  
534 those expense reimbursement claims certified as required by RCW 42.24.090 have been  
535 recorded on a list, and made available to the Board. As of this date, the Board did vote, by  
536 unanimous vote, to approve the regular vouchers in the amount of \$5,368.86. Warrant  
537 numbers as cited on the attached blanket voucher list. Motion seconded and carried.

538 **Motion Letter Re-Appointment LTAC Arnie Marchand**  
539 Commissioner Branch moved to approve the appointment letter of Arnie Marchand to the  
540 LTAC position #6 representing Borderlands as a receiver. Motion was seconded, all were in  
541 favor, motion carried.

542  
543 **Motion Sheriff's Employee Association Memorandum of Understanding**  
544 Commissioner Hover moved to approve the Sheriff's Employee Association Memorandum  
545 of Understanding regarding temporary implementation of 12-hour schedules for dispatch  
546 employees and authorized the chairman to sign. Motion was seconded, all were in favor,  
547 motion carried.

548  
549 The board adjourned at 7:30 pm.  
550