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RECORD OF THE PROCEEDINGS

OKANOGAN COUNTY

JUNE 28, 2022

8:15 AM Update Superior Court -Dennis Rabidou
9:00 AM Executive Session RCW 42.30.110 (1)(i)
9:30 AM Public Comment Period
10:00 AM Executive Session RCW 42.30.110 (1)(g)
10:15 AM Update Human Resources/Risk Management
10:30 AM Discussion Home Owned Businesses Rules-Economic Alliance
11:00 AM Update -Public Works Engineer Josh Thomson
1:30 PM Commissioners Set Wednesday Agenda
2:00 PM Department Head Meeting
3:00 PM Discussion Lake Management District-Planning & Noxious Weed Dept.s
4:00 PM Approve Commissioners Proceedings-June 21, 2022
4:05 PM Approve Consent Agenda

The Okanogan County Board of Commissioners met for a Public Hearing at 123 5th Avenue North, Okanogan, Washington on June 28, 2022 with Chairman, Commissioner Andy Hover; Vice-Chairman, Commissioner Chris Branch; and the Clerk of the Board, Laleña Johns, present.

AV Capture and Zoom provided audio and video accessibility for public interaction.

Member, Commissioner Jim DeTro was absent due to personal business.

~~CANCELLED Update Superior Court -Dennis Rabidou~~
Executive Session RCW 42.30.110 (1)(i)

Commissioner Branch moved to go into executive session at 9:03 a.m. until 9:30 a.m. inviting Planning Director Pete Palmer, Attorneys Esther Milner, Jenna Mendel-Rice and Tadas to discuss legal matters under RCW 42.30.110 (1)(i). Motion was seconded, all were in favor, motion carried.

Commissioners exited executive session at 9:33 a.m.

Public Comment Period

Ruth Hall via Zoom

Ms. Hall commented about Commissioner DeTro's absence who was on vacation. She thanked the commissioners for the Public Works having just paved another section of Chiliwist Road.

Executive Session RCW 42.30.110 (1)(i)

Commissioner Branch moved to go into executive session at 9:07 a.m. until 10:00 a.m. inviting Planning Director Pete Palmer, Attorneys Esther Milner, Jenna Mendel-Rice and Tadas Kisielius to discuss legal matters under RCW 42.30.110 (1)(i). Motion was seconded, all were in favor, motion carried.

Commissioners extended executive session at 10:00 for an additional 10 minutes.
Executive session ended at 10:09 a.m. no decisions were made.

55 **Executive Session RCW 42.30.110 (1)(g)**

56 Commissioner Branch moved to go into executive session at 10:13 a.m. until 10:30 a.m. inviting
57 Shelley Keitzman HR Analystist to discuss matters under RCW 42.30.110(1)(g) evaluation of the
58 qualifications of an applicant. Motion was seconded, all were in favor, motion carried.

59

60 **Update Human Resources/Risk Management**

61 Cancelled due to running over on executive sessions.

62

63 **Discussion Home Owned Businesses Rules-Economic Alliance**

64 Roni Holder Diefenbach and four businesses owners from Brewster, Sheriff Hawley

65

66 Ms. Holder Diefenbach thanked the BOCC for their time. She provided a Brewster Business
67 Association handout listing disadvantages and the concerns of the Brewster Business owners about
68 street peddlers and hawkers. (attached) She has been meeting with the association since last year.

69

70 Business owner Miguel stated the group belongs to the Brewster business chamber but since many
71 speak of his group only speak Spanish a Spanish speaking group was formed. It has 12 members.

72

73 Attendees individually expressed concerns about the South County area pop up businesses whose
74 businesses do not appear to be registered or regulated in anyway. This group has spoken to the city
75 of Brewster but the popup businesses happen in the unincorporated areas of the county outside the
76 city's jurisdiction. The popup's sell their wares including but not limited to clothing, tools, tires, food
77 and alcoholic beverages at H2A camps, alongside the road, weigh station and on private properties
78 undercutting legitimate businesses. These popups, peddlers, and hawkers' impact and cut into the
79 legitimate businesses sales and profits that they need to carry them through the winter when
80 agriculture isn't happening. Legitimate businesses pay sales taxes and contribute to the community.

81

82 The county does not regulate these types of businesses and it does not have a system for issuing
83 business licenses other than via the 1976 County Code 5.04.010 that requires a \$25 Hawker's License
84 Fee to be paid to the county treasurer.

85

86 Sheriff Hawley commented the landowners whose property these peddlers are popping up on could
87 be allowing this activity, but if not, then that is a different matter. Commissioner Hover said if this is
88 happening at H2A camps the owners should be notified that this is hurting local businesses.
89 Commissioner Branch stated food vendors would have to meet public health requirements.

90

91 Commissioner Branch discussed changes to our land use codes as one of the only ways to regulate
92 and enforce business license rules.

93

94 Sheriff Hawley stated pawn brokers and secondhand businesses do check in with his office regularly
95 to ensure goods are not stolen.

96

97 Planning Director Pete Palmer stated county code has specific permitted uses for fruit stands and
98 other types of business which require temporary use permits. As the administrator of the code she can
99 enforce a stop order if the use is not permitted in code and she believes these uses qualify because
100 H2A property is only permitted for housing not food establishments or goods sales. She thought this
101 could be addressed through that portion of the code. A shut down notice sent to these businesses
102 could make a difference and they may take steps to go through the proper process.

103

104 Commissioner Hover would like her to follow-up with those landowners and businesses where the
105 popup businesses occur. He asked Engineer Josh Thomson to contact the Weigh station manager
106 regarding this complaint to ask if this activity is being allowed.

107

108 **Update -Public Works Engineer Josh Thomson**

109 Kent Kovalenko, Mike Worden

110

111 *Fuel Surcharge*

112 Mr. Kovalenko provided a Solid Waste update and brought attention to the fuel cost impact to the
113 landfill. He provided a Fuel Surcharge Calculation support table showing 2021 cost was \$2.68 per
114 gallon versus 2022 cost at \$4.24 per gallon. Budget impact was estimated at \$86,163.13 through May
115 2022. He discussed whether or not the commissioners wished to charge a fuel surcharge or just
116 absorb the increase. Commissioner Hover stated he would rather absorb the impact for a while since
117 Fund 405 is so healthy.

118

119 Transfer Station load limits resolution was presented for consideration.

120

121 **Motion Resolution 96-2022 Transfer Station Load Limits**

122 Commissioner Branch moved to approve resolution 96-2022 providing commercial load limits for drop
123 box facilities at transfer stations effective August 1, 2022. Motion was seconded, all were in favor,
124 motion carried.

125

126 Engineer Thomson provided his agenda and discussed the items listed there.

127

128 The Halme construction bid for the two Public Works shops in Tonasket & Twisp, was recommended
129 to be rejected because the bid was double the engineer's estimate. Engineer Thomson discussed
130 various types of building made of steel versus stick built and the costs involved. The architect thought
131 there would not be much difference. The county might hold off on rebidding the projects until next fall.

132

133 **Motion Bid Rejection Public Works Shop Building**

134 Commissioner Branch moved to reject the bid (\$4,350,000) of Halme Builder, Inc. for Okanogan
135 County Public Works Shop Buildings for Tonasket and Twisp Shop buildings. Motion was seconded,
136 all were in favor, motion carried.

137

138 Commissioners discussed contacting other local businesses for material cost comparisons.

139

140 *Maintenance & Road Conditions*

141 Engineer Thomson discussed chip seal projects in the areas of Omak and Aeneas Valley being
142 bumped off to begin next week. There is also some agreement between cities and public works for
143 chip seal that will begin in August.

144

145 Engineer Thomson asked about the County 20-Year Master Plan because he had concerns with the
146 plan for building renovation to accommodate District Court with Public Works having no where to go
147 during the construction.

148

149 **Motion Resolution 95-2022 Budget Amendment Solid Waste**

150 Commissioner Branch moved to approve resolution 95-2022 a budget amendment within the Solid
151 Waste Fund 405 in the amount of \$272,263. Motion was seconded, all were in favor, motion carried.

152

153 The board recessed until 1:30 p.m.

154

155 **Commissioners Set Wednesday Agenda**

156 Commissioner Hover stated there was no county business to attend to on Wednesday.

157

158 **Motion - Voucher Approval - Commissioners**

159 Vouchers certified and audited by the Auditing Officer as required by RCW 42.24.080 and those
160 expense reimbursement claims certified as required by RCW 42.24.090 have been recorded on a list,

161 and made available to the Board. As of this date, the Board did vote, by unanimous vote, to approve
162 the regular vouchers in the amount of \$745,000.56. Warrant numbers as cited on the attached blanket
163 voucher list. Motion seconded and carried.

164

165 **Motion Public Health Voucher**

166 Commissioner moved to approve the Public Health Vouchers including regular vouchers in the amount
167 of \$45,456.52. Warrant numbers as cited on the attached blanket voucher list. Motion was seconded,
168 all were in favor, motion carried.

169

170 **Motion Tonasket EMS District**

171 Commissioner Branch moved to adjourn as the BOCC and reconvene as the Tonasket EMS District.
172 Motion was seconded all were in favor, motion carried.

173

174 Commissioner Branch moved to approve the Voucher certification and authorize the Tonasket EMS
175 District vouchers to be paid in the amount of \$1,833.60 to the State Auditor for Assessment Services.
176 Motion was seconded, all were in favor, motion carried.

177

178 Commissioner Branch moved to adjourn as the Tonasket EMS District and Reconvene as the BOCC.
179 Motion was seconded all were in favor, motion carried.

180

181 Commissioner Branch discussed \$1.5 million-dollar cost overrun to the City of Oroville's airport project.
182 Commissioner Hover asked if the city was aware the 30-year fixed loan and grant programs specifically
183 for airports. Commissioner Branch thought they knew about those.

184

185 **Approve Consent Agenda**

186 Commissioner Branch moved to approve the consent agenda items 2-6 except for item 1 which was
187 approved earlier. Motion was seconded, all were in favor, motion carried.

188

189

1. ~~Bid Award Recommendation Public Works Shops~~
2. **Contract Salmon Creek Drainage CRP No.9221-06-Selland**
3. **Ratify LOA Public Works Road Division-Teamster's Local Union #760**
4. **Ratify LOA Courthouse Employees Teamsters Local Union #760**
5. **Resolution 92-2022 Risk Pool Designations**
6. **Resolution 93-2022 Signing Authority Shelley Keitzman**

194

195

196 **Department Head Meeting**

197 Treasurer McCormack, Pam Johnson, Coroner Dave Rodriguez, Pete Palmer, Assessor Larry Gilman,
198 Josh Thomson, Judge Chauncy Crowell, Darla Schreckengast, Auditor Cari Hall, Lisa Schreckengost,
199 Larry Hudson, Sheriff Tony Hawley, Aaron Culp, Mike Worden, Clerk Charleen Groomes, Susan
200 Speiker, Karen Beatty, Tanya Everett, Dan Higbee, Maurice Goodall, Tammi Denney, Joe Poulin,
201 Naomie Peasley, Jan Million, Shelley Keitzman

202

203 Commissioner Hover welcomed everyone's thoughts and concerns regarding the county's 20-Year
204 Master Plan option #2 that Beaman architecture recommended and the board approved.

205

206 District Court Judge Crowell asked what the timeline was for implementation. Commissioner Hover
207 stated it was a 20-year plan with no exact timeline, it was about a sequencing of moves dependent on
208 county financing. Judge Crowell said it looked like it moved every department in the county. Was there
209 a less expensive plan discussed? Commissioner Hover explained his thoughts on functions of services
210 with one stop shopping for fee related services in one area. Judge Crowell said he and Judge Short
211 agree customer convenience would disappear and cause additional security issues due to the building
212 being located away from the jail and sheriff's office who currently provide dedicated security. The plan

213 would require more staff and more money. Additionally, the jail would have to transport inmate down
214 to the courts.

215
216 Treasurer McCormack said the jail is at the courthouse, why not provide court services at the
217 courthouse instead of elsewhere. Why not relocate permitting service offices to a different location to
218 free up parking for the courts at the courthouse. She would like to discuss relocation of service
219 departments. She thinks judicial services should be close to the jail as a criminal justice center
220 because it is connected and centralized. She said right now people needing to attend court at the new
221 building do not know where to go since the building is located south of town. She said the 20-year plan
222 provides too much space to the treasurer but not enough for the auditor. Ms. Johnson asked if the
223 courthouse could reconfigure spaces to accommodate the plan. Assessor Gilman stated some walls
224 are solid and cannot be moved.

225
226 Mike Worden said it was nice to have a plan, now we can work on making the plan better. There are
227 things he would like to see different.

228
229 Clerk Charleen Grooms said Superior Court had a lot to do with the courts moving to the new building.
230 Was there any discussion about moving the other services to the new building? If that happened the
231 courthouse would be able to accommodate the courts and provide the courts more room. District Court
232 Judge Crowell said parking is not optimal at the new building for the court offices. Assessor Gilman
233 said maybe the service departments should be moved down there since Public Health is already down
234 there. He thought it would be less money and there would be enough parking. Commissioner Hover
235 said the courthouse security is difficult at the courthouse. Ms. Johnson said the person who tried to
236 burn the courthouse down was upset because the treasurer had foreclosed on his house, not because
237 of a trial issue. The Assessor and Treasurer have both been threatened before because of property
238 taxes. Commissioner Hover said the commissioners support installation of security windows. Deputy
239 Clerk Susan Speiker said she does not understand why moving the courts further away from the
240 sheriff's office and jail corrections officers is a good idea. She is concerned that moving the courts isn't
241 a solution as Sheriff Deputies are preferred over a security staff. Metal detectors were purchased for
242 the courts but those aren't used. Superior Court Judge Grim said the superior court needed another
243 courtroom because the current rooms are not set up well nor adequate for witnesses, jury or attorneys.
244 Commissioner Hover asked the departments to email their comments to them. Treasurer McCormack
245 said all these issues were discussed when she met with the architect but were not considered. She
246 reiterated jury, witnesses and attorneys would have the space they need in the courthouse if the
247 service departments were moved out of the courthouse.

248
249 Commissioner Hover pointed out that a bid opening for public works shops came back at \$2.1 million
250 each and said the new building was purchased for \$1.6 million, comparatively speaking, it was a good
251 purchase for the county.

252
253 Commissioner Branch said the plan should be rolled back so the architect could explain the mechanics
254 of the plan because there were challenges meeting the needs of the courts in the courthouse. What
255 concerns him is that we need a good plan everyone can buy into. Any set of commissioners can turn
256 it upside down. Nothing came of other plans the architect created. One other thing is what does the
257 jail look like in the future? We have a big issue with the way jails are now and their requirements.
258 When we look at the future we need to look at that. The group should discuss their concerns at a
259 meeting with the architect.

260
261 Commissioner Hover said if there are comments, please submit those so they can be categorized and
262 talked about with the architect as he needs feedback. Commissioner Branch thought the architect
263 should attend a future department head meeting to be able to hear these issues then modify the
264 options.

265

266 Ms. Schreckengost said the budget letter will go out around July 11th with county budgets submitted
267 back to her by the second week in August. Commissioner Hover said he will not be here tomorrow for
268 Tanya Everett's going away reception and thanked Ms. Everett for her 11-years of service.

269
270 Maintenance Joe Poulin said with summer here the cooling issues are being addressed in the jail.

271
272 Fairgrounds Naomie Peasley said things won't be ready for fair unless shipping issues get addressed.
273 She said a big-name country band will be at the fair this year.

274
275 Sheriff Hawley explained work his with OBHC to provide a better mobile crisis team in the community
276 to specifically help address mental health situations. He is working with the Prosecutor on work permits
277 with the ability for trustee work crews to support fair grounds and public works.

278
279 Communications Chief Mike Worden said final Generator work at courthouse is scheduled on Friday
280 July 29. It will impact courts. He is also working on getting security cameras installed on the
281 courthouse.

282
283 Chief Corrections Tammi Denney provided a brief update on the jail.

284
285 Noxious Weed Larry Hudson provided a brief Noxious Weed update.

286
287 Clerk Charleen Groomes provided a brief update of her office.

288
289 Prosecutor Albert Lin provided a brief update of the prosecutor's office stating all support staff positions
290 are being fulfilled after losing all District Court staffing.

291
292 Central Services Karen Beatty said the county is going to Microsoft 365 which is more expensive for
293 those non-departmental departments. Rolling out a departmental tool to be able to transfer files via
294 file transfer links.

295
296 Auditor Cari Hall said budget letters are going out. Licensing fees are going up July 1 plates are scarce
297 due to staffing, aluminum supplies, and equipment failures with everyone in the state having a hard
298 time obtaining them. Paper shortages are happening too, but we are prepared.

299
300 Judge Robert Grim provided a brief update of Superior Court.

301
302 Commissioner Branch thanked the departments for coming and providing their departmental updates
303 and concerns about the future planning efforts.

304
305 **Discussion Lake Management District-Planning & Noxious Weed Dept.'s**

306 Larry Hudson, Pete Palmer, Leah McCormack, Pam Johnson, Diana Hartvig and several others
307 Deputy Clerk of the Board Crystal Hawley sitting in for Ms. Johns.

308
309 Planning Director Pete Palmer explained Special assessments and installments on any special
310 assessment shall be collected by the county treasurer. The county treasurer shall publish a notice
311 indicating that the special assessment roll has been confirmed and that the special assessments are
312 to be collected. Treasurer Leah McCormack explained role of the Treasurer's office is only the
313 assessment billing. Commissioner Hover said from now on, have any communications come through
314 the commissioners' office.

315
316 Diana Hartvig, a resident on Lake Osoyoos, expressed she doesn't want any milfoil treatment in the
317 lake and does not want to pay for the lake fees for it. The Canadians run their jet skis and power boats

318 that run off any wildlife and often smells like a gas station. She also does not believe they have a right
319 to charge her a fee that was voted in by non-resident non-citizens.

320
321 Ms. McCormack explained that if Ms. Hartvig does not pay at least 1 year of her taxes, her property
322 will go into foreclosure next week.

323
324 **Motion- Contract- HR Director/Risk Management Employment Contract Shelley Keitzman**
325 Commissioner Branch moved to approve the employment contract between Shelley Keitzman and
326 Okanogan County. Motion seconded all were in favor, motion carried.

327
328 **Approve Commissioners Proceedings-June 21, 2022**
329 Commissioner Branch moved to approve June 21, 2022 meeting minutes. Motion was seconded, all
330 were in favor, motion carried.

331
332
333 The board adjourned at 3:50 p.m.

334
335