

1 **RECORD OF THE PROCEEDINGS**

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3 **OKANOGAN COUNTY**

4
5 **MAY 1, 2023**
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8 **9:00 AM Review Commissioners Agenda and Consent Agenda**
9 **9:15 AM Public Comment Period**
10 **9:30 AM Commissioners' Staff Meeting**
11 **10:00 AM Executive Session RCW 42.30.110 (1) (g)**
12 **10:30 AM Discussion- Zone Code Revision-Pete Palmer**
13 **To Follow Briefing Among Commissioners-Discuss individual Weekly Meetings and**
14 **Schedules**
15 ~~**1:30 PM Tentative Discussion Opioid Abate Funds Budget CANCELLED**~~
16

17 The Okanogan County Board of Commissioners met for a regular meeting at 123 5th Avenue
18 North, Okanogan, Washington on May 1, 2023 with; Chairman, Commissioner Chris Branch;
19 Member, Commissioner Jon Neal; and the Deputy Clerk of the Board, Crystal Hawley, present.

20
21 AV Capture and Zoom provided audio and video accessibility for public interaction.

22
23 The pledge of allegiance was recited.

24
25 **Review Commissioners Agenda and Consent Agenda**

26 The commissioner reviewed their agenda and consent agenda.

27
28 Commissioner Branch was able to finish the county's ARPA report this last Sunday.

29
30 Commissioner Neal talked with Ms. Jones from the Triangle Group regarding Enloe Dam public
31 input.

32
33 **Public Comment Period**

34 Emily Sisson, Bob Eubanks and Cheryl Curtis was present for public comment

35
36 Bob Eubanks stated that under the new rezoning code, Ms. Palmer would shut down his well and
37 septic because of the water flow and his property was under two-acres. He wanted to know what
38 is the point to shut down something that wasn't broken.

39
40 Commissioner Branch said that the Planning Director, Pete Palmer, doesn't decide codes on her
41 own, it is the commissioners that direct her.

42
43 Commissioner Hover explained that the Washington State Health Codes has a minimum acreage
44 which is two acres to order to build a new well or septic.

45
46 Commissioner Neal explained, in Oroville, you can use your own septic until it fails and then you
47 would have to use the city's sewer system.

48
49 **Commissioners' Staff Meeting**

50 Maintenance Manager, Joe Poulin, Emergency Manager, Maurice Goodall, Planning Director,
51 Pete Palmer, Fairgrounds Manager, Naomie Peasley, Clerk of the Board, Lanie Johns were
52 present for staff.

53 Planning Department

54 Planning Director, Pete Palmer, explained that there is an opening in the Planning Commission.
55 She will provide a link to the Planning Commission's webpage. The site will have agendas, past
56 meetings and videos. There is a special planning commission meeting on May 8. The Planning
57 Department received an application from the Copperstone project consultant.
58

59 Emergency Management

60 Emergency Manager, Maurice Goodall, updated the commissioners with his department updates.
61 He explained, there were several areas that were flooding and DNR is aware of them. Gary
62 George from Public Works called and they discussed the following roads.

- 63
- 64 • Wolf Creek Road, Winthrop WA is impassable due to a washout at milepost 6.9 and the
65 road is CLOSED between milepost 4.5 and 7.5
66
- 67 • 221 Bonaparte Lake Road, Tonasket WA has water over the roadway.
68
- 69 • Cecile Creek Road, Loomis WA near Redman Creek is impassable at milepost 2.8
70
- 71 • North Fork Salmon Creek at the cattleguard is impassable due to flooding.
72

73 Fairgrounds

74 Fairgrounds Manager, Naomie Peasley said she will be having interviews today, other than that
75 she had no updates.
76

77 Vice-Chairman, Commissioner Andy Hover arrived at 10:10 a.m.
78

79 Commissioners' Office

80 Clerk of the Board, Lanie Johns, let the commissioners know that the county was awarded
81 \$670,000 from Department of Archeology and Historical Preservation Grant that she applied for.
82 There will be 5%-7% taken out for DAHP administration. She explained that the county is going
83 to need a courthouse envelope assessment preformed and engineering services for on-call work.
84

85 Clock tower window encasements have deteriorated cracked and weathered wood which allows
86 Inclement weather to penetrate clock areas. Currently windows are a plexiglass material.
87

88 Currently Annex has white vinyl windows that really contrast with the courthouse new historically
89 correct looking window. A cohesive look to both buildings would bring back the historical look for
90 whole the courthouse.
91

92 The Courthouse halls are currently carpeted. Funds would provide an assessment to identify
93 historical flooring and restore to original historical.
94

95 Ms. Johns will be meeting with Gov Deal on May 10th to go over the surplus items at the
96 Fairgrounds.
97

98 Ms. Johns explained she updated the ARPA expenditure list.
99
100
101
102

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

104 Commissioner Hover moved to go into executive session under RCW 42.30.110 (1) (g) at 10:12
105 a.m. inviting the Clerk of the Board, Lanie Johns until 10:40 a.m.. Motion was seconded. All were
106 in favor. Motion carried.

107
108 Executive session ended at 10:40 with no decisions made.

109
110 **Discussion- Zone Code Revision-Pete Palmer**

111 Destiny Ruiz, Marcy Stamper, Bob Eubanks, Cheryl Curtis, Emily Sisson was present.

112
113 The Commissioners and Planning Director, Pete Palmer discussed the County Zone Code under
114 chapter 17A.200 regarding planned developments.

115
116 Commissioner Hover read the following:

117 Legal right to the water it is proposing to use, that the water is sufficient to support the
118 development including required fire flow with reducing water supplies required for the other lots,
119 uses and senior water rights holders, that the water and source meets drinking water standards.
120 WAC 173-549

121
122 Commissioner Neal had some concern on section 17A.200.090 H. Visual Impacts. Which states:
123 Planned development applications shall show that design and construction standards will
124 minimize the aesthetic impact of the proposal on the site. The application shall include provisions
125 which assure that no artificial lighting is directed off site. The application shall also describe what
126 steps are being taken to maintain integrity of the terrain (native vegetation, plantings, streams)
127 and to maintain architectural and building clusters compatible with the surrounding area.

128
129 Fire and Emergence Services. Planned development applications shall submit evidence docs that
130 fire and emergency services providers can service proposed development and meet the adopted
131 level of service standards.

132
133 Code Publishing/General Code is suggested to remove B. Agency Review 3. Lack of comment
134 by an agency with the time period specified by these provisions shall be construed as lack of
135 objection to the proposal. Any consulted agency that fails to submit a response in the time period
136 specified by these provisions shall thereafter waive the option of alleging any defects relative to
137 compliance with this chapter.

138
139 Ms. Palmer explained she would like to leave this section. The commissioners agreed.

140
141 Chapter 17A.220.10 OSHA added a new section E. Each permitted and conditional use identified
142 by the chapter shall demonstrate that sufficient water is both legally and actually available to serve
143 the proposed use and activities including providing water necessary for fire protection.

144
145 Added in the purpose of the chapter in Chapter 17A.250

146
147 17A.255 Special Uses was considered.

148
149 17A260.50 Health Code Applicability was highlighted for review.

150
151 The board recessed at 12:25 until 1:30

152
153 17A.270.30 Amortization period was highlighted for review.

154
155 17A.290.35 (C) 1 &2 was highlighted for review.
156
157 17A.310.070 Standards and criteria was highlighted for review.
158
159 17A.330.010 Legal preexisting lots was highlighted for review.
160
161 Commissioner Hover read the current County Code Chap17A.310.070 Standards and criteria.
162 The hearing examiner or board of adjustment shall consider the following standards and criteria in
163 evaluating the conditional use permit:
164
165 A. That the conditions imposed are reasonably calculated to insure the proposed conditional use
166 is and will remain compatible with the comprehensive plan, zoning for the subject area, other land
167 use actions including but not limited to plats, planned developments, and other conditional use
168 permits; and
169
170 B. That the proposed activity is and will remain compatible with current and future uses on the
171 subject property; and
172
173 C. That such conditions are not unnecessarily onerous; and
174
175 D. That the proposed conditions will protect the public health, morals and general welfare.
176
177 The commissioners discussed and reviewed the new recommendations with Ms. Palmer
178 commissioner Hover purposed that they stick to the original wording.
179
180 Commissioner Hover discussed the following chapter and proposed to remove it.
181
182 17A.310.120 Administrative conditional use permits.
183
184 The authorized zoning adjuster shall review and subsequently approve, approve with conditions,
185 or deny applications for administrative conditional use permits.
186
187 A. Applications for administrative conditional use permits shall be processed in accordance with
188 administrative application procedures in accordance with OCC Title 20, Development Permit
189 Procedures and Administration.
190
191 B. The types of administrative conditional use permit which are authorized by this chapter include:
192
193 1. Emergency Family Hardship. The administrator shall consider applications for an
194 emergency family hardship in the event that an additional residential unit would not comply
195 with the density requirements of the zone district in which the proposal is located. It shall
196 be the applicant's burden to adequately demonstrate a legitimate emergency family
197 hardship exists. Such information provided shall be reviewed by the administrator in order
198 to determine whether to approve such applications on the basis of the facts presented.
199 Any residential units approved in accordance with this section shall be strictly limited in
200 duration to the period of the hardship. The administrator may require such periodic
201 reporting and/or documentation as deemed necessary to validate the existence and
202 continuation of the hardship. Upon the expiration of any permit, it shall be the applicant's
203 duty to abate and remove such residential unit within 90 days. If at any time during the
204 duration of a permit the administrator determines that the emergency hardship no longer

205 exists, the permit shall be summarily revoked and the permitted residential unit shall be
206 abated and removed, at the permittee's expense, within 90 days of the administrator's
207 revocation order.

208
209 Commissioner Hover explained that he would email Ms. Palmer the highlighted version he had
210 for her to follow up on.

211
212 **Briefing Among Commissioners-Discuss individual Weekly Meetings and Schedules**
213 The commissioners briefed among themselves, discussing their weekly meetings and schedules

214
215 The board adjourned at 3:05 p.m.

216
217 Laleña Johns, CMC Clerk of the Board Jon Neal, Member