

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50

**RECORD OF THE PROCEEDINGS**

**OKANOGAN COUNTY**

**OCTOBER 18, 2021**

---

**9:00 AM** Review Commissioners Agenda and Consent Agenda  
**9:30 AM** Briefing Among Commissioners-Discuss Weekly Meeting & Schedule  
**11:30 AM** Update Fairgrounds- Naomie Peasley  
**1:30 PM** Presentation- Destination Marketing Organization RFQ-OCTC  
**2:30 PM** Public Hearing Ordinance 2021-9 Marijuana Moratorium- Director Pete Palmer  
**To Follow** Update-Planning Dept-Director Pete Palmer  
**4:30 PM** Review Meeting Minutes

---

The Okanogan County Board of Commissioners met in Regular session at 123 5<sup>th</sup> Avenue North, Okanogan, Washington on October 18, 2021, with Chairman, Commissioner Chris Branch; Vice-Chairman, Commissioner Andy Hover; Member, Commissioner Jim DeTro and the Clerk of the Board, Laleña Johns, present.

AV Capture provided audio and video of the meetings held today, while ZOOM provided best audio accessibility and public interaction.

**Review Commissioners Agenda and Consent Agenda**

Commissioner Hover requested a 10-minute closed session.

Commissioner DeTro stated John Hubbard identified the fairgrounds well problem and raised the pump up to 15 feet as part of the solution.

**Motion Closed Session RCW 42.30.130 (4)(b)**

Commissioner Hover moved to go into closed session at 9:10 a.m. for 10 minutes inviting Tanya Everett to discuss union negotiations and strategies. Motion was seconded, all were in favor, motion carried.

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

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

Commissioner Branch mentioned the City of Tonasket is still trying to secure access from highway 97 to the sports fields at the south end of Tonasket.

Commissioners discussed a tour of the Forest Service Building to identify infrastructure needs such as internet and what is needed for those services either underground or via other conduits.

Commissioner Hover suggested a letter go out to the county auditor regarding redistricting. The proposed boundaries expand District #12 but keeps with the district's existing lines. Commissioner Hover said he will email the auditor to discuss the details.

Ms. Tanya Everett reported that Superior Court signed an order regarding their compliance with the vaccine mandate. Ms. Everett suggested, as an accommodation, that affected Superior Court/Juvenile employees be allowed to use up their leave banks i.e. sick leave, annual leave

51 and floating holidays order to receive a paycheck. Use of the sick leave was part of their  
52 accommodation. Would the commissioners allow them to use their sick leave bank?  
53

54 The group discussed how fairground's invoices would be handled when submitting for use of  
55 ARPA funds.  
56

57 **Motion**

58 Commissioner Hover moved to direct the HR Director to draft a resolution that allows employees  
59 affected by the judge's order to use of their sick leave when the county cannot provide  
60 accommodation in regards to vaccine mandates affecting Superior Court and Juvenile  
61 employees. Is the resolution applicable to countywide employees, no because the mandate is not  
62 countywide? Motion was seconded, all were in favor, motion carried.  
63

64 Commissioner Branch stated he attended the retreat for economic development where the group  
65 discussed strategies, prioritized local level projects and discussed the kinds of support.  
66

67 The county's ARPA report is due January 31, 2022. The board discussed their wish to hire  
68 someone temporarily for 3-4 years to manage the ARPA funds for the county. Will the person be  
69 a contracted person or a company? The board discussed going out for proposal.  
70

71 Commissioner Hover said he will meet with Public Works and Solid Waste on their 2022 budgets  
72 and report back to the board since their budget work session had to be cancelled. Commissioner  
73 Branch thought that was a good way to catch up on that strategy.  
74

75 Commissioners discussed laying out uses of the Bond for the things that need to be done around  
76 \$9-10 million. The commissioners still need to meet with the Superior Court Clerk and Court  
77 Administrator on what things the court needs initially for the Forest Service building.  
78

79 **CANCELLED Update Fairgrounds- Naomie Peasley**  
80 **Presentation- Destination Marketing Organization RFQ-OCTC**

81 Members of Lodging Tax Advisory Committee (LTAC) present: Arnie Marchand, Cyndi Thompson,  
82 Janet Warner. Okanogan County Tourism Council Chair Terri Leap, Administrator Carolyn Davis  
83

84 Okanogan County Tourism Council Chair, Ms. Terri Leap, introduced herself and read from her  
85 prepared introduction.  
86

87 Commissioner Branch explained this meeting was set to review responses to the county's request  
88 for qualifications for a Destination Marketing Organization under a three-year contract. (attached)  
89 The contract work would be paid from the county's Lodging Tax funds. One response was received  
90 from Okanogan County Tourism Council. Jen Tate of Earth and Sky Studio is contracted with  
91 OCTC to provide professional marketing and promotion services. Ms. Tate talked about the  
92 following but did not present anything in response to the RFQ:

- 93 • New marketing and promotional videos and commercials for 2022.
- 94 • OCTC to hire an assistant to help with VIC training and help Ms. Davis carry out the work  
95 of the DMO as she is overwhelmed and she feels OCTC isn't doing what it can to market  
96 the county.
- 97 • Joined the DFWDMO, and applied for a \$50,000 grant for economic development as a  
98 DMO and just received the \$50,000 award.
- 99 • Collaboration with Fish and Wildlife on kiosk signs, newsletters, collaboration with city  
100 chambers and others on marketing tourist events and venues.

101 Commissioner Hover explained when the LTAC met there was a consensus to really market the  
102 north county and relieve the Methow from so many tourists. Commissioner Hover said the LTAC  
103 wanted OCTC to make that a significant push. Commissioner Hover asked, how do we get more  
104 advertising and promotion going in the north county area? Ms. Tate replied, that area is mostly  
105 Agriculture and things like that. She said most of the lodging tax money comes from Methow  
106 therefore the money should stay in the Methow. Ms. Tate explained an ad was created to push the  
107 Sitzmark ski area, but she said really the Methow has the most draw and then said ads target what  
108 people want to see in the Methow instead of promoting the North County area. Ms. Tate suggested  
109 more frequent meetings between the DMO and the County to ensure OCTC is promoting the right  
110 areas.

111  
112 LTAC member Arnie Marchand stated the Golden egg in the North county is the trails, ice fishing,  
113 art, hiking, lakes, etc... and the maps are being developed for those activities this year by TOTA.  
114 Once the package is put together the trails of North Central Washington will be featured. It will be  
115 a big deal for Stevens, Ferry and Okanogan Counties.

116  
117 Commissioner Hover asked if OCTC is awarded, would there be work done with the TREAD map?  
118 Yes, absolutely, said Ms. Tate. The TREAD map is a huge thing and it will allow other trails to be  
119 pushed out. Commissioner Branch asked which wineries were open in the winter in the north  
120 county? Ms. Tate did not know.

121  
122 Ms. Davis explained it took a long time for Gamble Sands to become a member of OCTC. Now  
123 that they are, more ads will include Gamble Sands. OCTC will finally have the majority of the  
124 county area photographed. The only activities not photographed is Sitzmark and Grand Coulee as  
125 those photos have been more difficult to obtain.

126  
127 Does the LTAC have any concerns with OCTC continuing as the DMO. No one had concerns.

128  
129 Lodging Tax Advisory Committee allocated \$270,000 to the DMO as OCTC was the only qualified  
130 applicant to submit a response. Their original ask was \$270,624.

131  
132 **Motion Designating DMO for Three-year Contract**  
133 Commissioner Hover moved to accept OCTC as the qualified Destination Marketing Organization  
134 applicant for a three-year contract and directed the Clerk of the Board to draft the agreement for  
135 future approval. Motion was seconded, all were in favor, motion carried.

136  
137 **Motion 2022 LTAC Applicant Award Allocation**  
138 Commissioner Hover moved to accept the Lodging Tax Advisory Committee's recommendation  
139 for the allocation of lodging taxes to the 2022 lodging tax applicants. If we really want to keep the  
140 north county moving give it some money. Motion was seconded, all were in favor, motion carried.

141  
142 **Public Hearing Ordinance 2021-9 Marijuana Moratorium- Director Pete Palmer**  
143 Planning Director Pete Palmer, Salley Bull

144  
145 Commissioner Branch opened the public hearing stating the options the board will consider  
146 regarding ordinance 2021-9. Commissioner Branch stated three-minutes would be allowed for  
147 public testimony. He called on staff to report. Director Palmer provided her staff report along with  
148 the comments gathered so far. (attached)

149  
150 Ms. Palmer said this hearing is on Ordinance 2021-9, a moratorium on the permitting of new or  
151 expanded marijuana grows. She described an opportunity was given to permit anything that was

152 expanded between the time the ordinance was adopted and now. The extra time allowed the  
153 Planning Department to match our planning records with the states records and provided time to  
154 growers to provide their records to the county for reconciliation. Letters were sent to every grow  
155 site that Okanogan County has permitted. There are only three operators that have come in so far.  
156

157 Ms. Palmer said out of 125 sites permitted by the state only 80 have been permitted by the county.  
158 They were given time to become compliant and we've only heard from three. We did not receive  
159 written comments from the any of the others.  
160

161 Ms. Palmer explained issues with subletting as those agreements are not seen by the planning  
162 department and with 12 different operators on one property it can become a big thing when grows  
163 encroach on homesites and long-time ranchers.  
164

165 Vesting and what Okanogan County constitutes as vesting of marijuana operations was discussed.  
166 Chelan County has specific zones where these operations are allowed, requires a minimum lot  
167 size, and are required to obtain a CUP or binding site plan that way the site would be vested in the  
168 plan and details of the site would be known.  
169

170 Commissioner Branch asked for testimony.  
171

172 Kelsie Taylor provided her comment. She gave some background of having sat on the advisory  
173 committee. She expressed her concerns about keeping the moratorium in place, which makes it  
174 difficult for growers to plan for the future. She felt this moratorium was sneaky and has eroded the  
175 trust of the growers as many are so busy with harvest right now and unable to attend this hearing  
176 to comment. She did not think Okanogan County should adopt similar rules as Chelan County  
177 because they just lost the Supreme Court case.  
178

179 Scott Burka a 502-producer processor since 2016, echoed the sentiment of Kelsie Taylor. Lots of  
180 time and effort was put into forming the county's plan. Harvest time is at the most critical time of  
181 the year for growers and to have this hearing now during their busiest time, is bad timing on the  
182 county. He feels the moratorium was put into place to address those 40-50 operations that are out  
183 of compliance. He requested the moratorium be put off till next year during a time when the growers  
184 can participate. He feels it is the wrong time.  
185

186 Alexis Hartwell-Gobeske commented about the moratorium process because it is unclear what  
187 enforcement actions will result when a grower tries to become compliant. He wondered whether  
188 the county will issue enforcement actions with fines etc. and hopes this isn't a way for the county  
189 to make money.  
190

191 Commissioner Branch asked Ms. Palmer to speak to the comments and answer questions. She  
192 said the county isn't doing enforcements right now, it is just trying to open a line of communication  
193 with growers to share what they have going on on their site and be part of the process to make our  
194 regulation better than what it is. We are lacking in several areas, and we do need to have our  
195 records straight. If, the growers are in compliant, the moratorium provides them a chance to  
196 become compliant. There is one enforcement action in place as it shed light on what the county  
197 was not been aware of in terms of subletting of property. The moratorium does not allow expansion  
198 or permitting of new property for marijuana. We are finding addresses used on the WSLCB notices  
199 are either made up or not addresses in our E911 system addressing.  
200

201 Commissioner Hover said the county is not stymieing anyone right now. At the public hearing four  
202 years ago, he questioned the growers about subletting and he heard growers say that would not

203 be a problem. He trusted what they said, and now here we are with these very same problems. He  
204 wants only the person who owns the parcel to be able to grow on it, no subletting. Commissioner  
205 DeTro agrees with Commissioner Hover's comment. He understands when a certain segment of  
206 growers are doing everything right, then we have the others who are thumbing their nose at us.  
207 We have growers trying to beat the system and jeopardize the ones trying to comply. The board  
208 is not trying to interfere with harvest, but there are holes in the situation the board is trying to rectify.

209  
210 Commissioners discussed extending the January 1, 2022 date for growers to become compliant.  
211 Commissioner Hover thought the growers should be given more time to become compliant. This  
212 will show who is vested and who is not. He said going forward, that the moratorium will provide the  
213 time to address any other issues that may crop up. There may be things not serving the intent of  
214 the moratorium that may come to light. He suggested, if issues do arise that are not fair he would  
215 like to be able to modify the ordinance and make sure we fix the problems we create.

216  
217 Member of the public explained the state licenses are tiered by the WSLCB and are based on  
218 canopy space. Most places are going to be over 30,000 sq. ft. No matter how they were measured  
219 the state puts a maximum space allowed on the grows.

220  
221 Kelsie Taylor provided further clarification on Commissioner Hover's statement. If she is required  
222 to own her land to run her marijuana business on she does not see how this will be possible. It  
223 was very disheartening to hear his comment. She said growers are setting up now for when the  
224 feds allow consolidation of licenses and growers are putting in the infrastructure now to set up for  
225 success, it takes a while to complete.

226  
227 Ms. Palmer asked to hear from the growers about what is working and what isn't working and for  
228 them to teach us what is going on. Because, so far, the last three growers have alluded they got  
229 into trouble because they do not control their sites or they get so big that they just pay the fine and  
230 do it anyway. The property owners have voiced their concerns about keeping control of their land  
231 when leasing and subletting to other growers.

232  
233 Commissioners discussed the January 1, 2022 compliance date and the possibility of moving it  
234 out further. The six-month moratorium runs out in February. Commissioner Hover suggested  
235 running the date to become compliant to February 15, 2022.

236  
237 **Motion**  
238 Commissioner Hover moved to continue the moratorium with an extended date to growers to  
239 provide compliance of their grow operation to the Planning Dept. by February 15, 2022. Motion  
240 was seconded, all were in favor, motion carried.

241  
242 **Update-Planning Dept-Director Pete Palmer**  
243 Director Palmer explained she has the authority to sign a ten-year extension of the Development  
244 Agreement between the County and State Parks, but wanted to discuss first with the Board.

245  
246 Ms. Palmer discussed the applicant for the sr. planner position declined the job offer due to the  
247 wage of the position being too little. There was another applicant who did not meet the Washington  
248 State driver license requirement, but if that is waived could be offered the job. Reasons for not  
249 having a driver's license are not always by choice. Commissioners discussed a waiver and  
250 commissioners all agreed the non-bargaining pay scale needed to be addressed.

251

252 The Draft Interlocal agreement for the Watershed Council administration work was discussed at  
253 \$1650 per month. The contract total would be around \$42,900 for about 45 hours per month with  
254 allowable expenses such as the monthly website hosting, zoom subscription etc.....  
255

256 The Comprehensive Plan draft was forwarded to the Planning office for the Planning Commission  
257 workshop. The draft is being shared and provided to the public.  
258

259 **Review Meeting Minutes**

260 Commissioners reviewed their meeting minutes.  
261

262 The board adjourned at 4:00 p.m.  
263  
264