

## Okanogan County Board of County Commissioners meeting

Monday, December 9, 2024 AM session

CB – Chris Branch, BOCC Vice-chair District 1

AH – Andy Hover, BOCC member, District 2

JN – Jon Neal, BOCC Chair, District 3

DH – Dan Higbee, Building Dept

MW – Mike Wordan, OCSO

PP- Pete Palmer, Planning Director

Nick – Fairground Manager

TL – Teagan Levine, Prosecutor's office

RG – Robert Grim, Superior Court Judge

These notes were taken by an Okanogan County Watch volunteer. Every attempt is made to be accurate. Notes are verbatim when possible, and otherwise summarized or paraphrased. Note takers comments or clarifications are in italics. These notes are published at <https://www.countywatch.org/bocc-boh-notes> and are not the official county record of the meeting. For officially approved minutes, which are normally published at a later time, click [here](#).

### Summary of Significant Discussion:

- *Update on building dept. inspection fees*
- *Discussion on zone code, conditional use permit process and funding of Methow Watershed Council.*
- *Discussion about waivers for fairgrounds rental, open positions on Fair Advisory Committee (FAC).*
- *Approval of rolls for Lake Management District*
- *Discussion of Zone code, focusing on District Use Chart and multi-family dwellings.*
- *Discussion with Judges about Electronic Home Monitoring (EHM)*

The time notations refer to the time stamp on video that is published on the county's AV Capture site. To watch the video for this meeting, click [here](#).

BOCC convenes at 9 AM. Says pledge of allegiance, goes straight into executive session. Sheriff Budrow joins Zoom while BOCC is in exec. session.

**20:30** – BOCC returns from executive session. Member of public, Noah Stewart appears in person to give public comment regarding request for a “no Jake Brake” sign up at Orchard Grade. There was a temporary sign for a while, but it's not there any more. There is a logging truck who goes by at 3 am and he uses his jake brake which is loud! It wakes you

up. The county noise ordinance addresses this, but the person Noah spoke to at the Public Works Dept (later determined to be someone named Gary), said that logging is considered to be agriculture, and therefore not subject to the noise rules. Noah is concerned because they are about to start a bunch of work on the dam up there and there is going to be a lot of traffic.

BOCC discusses the nuances of the rules that clearly exempt Ag from the noise regulations, and they find that the noise regulations do specifically say they apply to vehicles. Discussion about exactly where on the road the compression brake is being applied.

**27:30** Dan Higbee (building department) reports – it's time to renew inspection contracts with the towns. My question is about what our fees should be. Just wanted input from you. We don't expect a lot of work for them because most towns have their own inspectors. It only applies when we have to fill in for someone.

AH – suggests raising to \$150 (increased from \$120).

DH – explains how inspections can vary based on the size of the project.

BOCC discusses going to the 2014 evaluation rates (currently using 2002 rate). The goal is to just cover costs, not to make a big profit.

**35:00** - Mike Wordan from OCSO updates on new construction of building. City has approved, just waiting for final approval. Change order about fencing. Need to specify including a gate that aligns with the door. (\$1000 change order). MJ Neal has first payment due. It's proceeding as expected.

CB – asked about property exchange.

MW – has sent some emails, but no response as of yet.

CB – wonders if he should prompt them.

MW – says he wants to have a discussion about cost sharing with them.

**38:00** – Pete Palmer. Update on gravel pit that came up at the meeting last week. There is concern about how long the CU permit is taking.

AH – says PP doesn't need to continue as the situation is resolved. The individual who was complaining did not have all the information, but has their permit now.

AH – mentions that the Hearing Examiner takes care of some of this stuff, and the BOCC has never met him.

PP – says that the new Hearing Examiner seems to be pretty squared away and has a good relationship with staff.

AH and PP – reviews the process of applying for a CU permit. Conditions are set out, then forwarded to HE to assess whether those conditions have been met.

PP – says that it's important to understand that right in the middle of this particular CU application, we got a new HE. In fact, this CU was one of the main reasons that we got a new HE. The old HE delayed this project for one year.

PP explains that this application did have a couple of delays due to a study on sharp tailed grouse that was required.

PP – budget supplemental for Methow Watershed foundation has been submitted. Just waiting for public hearings to be scheduled. Need to do it soon so as to be covered by this year's vouchers.

BOCC discusses whether it could be accomplished during this year's budget cycle.

**48:30** – Nick (Fairgrounds Mgr) – has a waiver request for BOCC to sign. Also has a question about waivers for fairgrounds fees. How do they work?

AH – it's an adjustment to any fee based on each line item.

Nick – this last weekend we had to send some guys to move extra tables, plus they used the sound system which wasn't part of the original agreement.

CB – mentions that it's unclear whether it's just a blanket waiver, or if it's done individually.

Nick – I just need it to be spelled out clearly. Discussion follows, in which it is clarified that the fee waiver applies only to the base rental fee, not to any extras that renter is purchasing (tables, sound system, fuel for heating, etc.)

Nick mentions FAC members and a document that has been created about guidelines.

Discussion about whether the FAC will continue to run the fair, or are we going to have a non-profit do it? We only have 3 FAC members left. Nobody has seen any applications to fill the vacant spots. Should we do more advertising to fill the slots? The process for applying is unclear.

Nick – last thing on my list is about replacing a gate and fencing at the RV park. Chain link fence doesn't hold up. I have a source for some wrought iron panels that I think would be a great replacement.

**1:10:00** – Nick leaves and BOCC discusses schedule for tomorrow, and goes over a general outline of budget they are working on.

**1:30:00** – Teagan Levine (prosecutors office) arrives for public hearing on prosecutors budget supplemental. Discussion about need to fund the supplemental that will pay for positions that were approved by resolution earlier this year.

BOCC votes and approves the supplemental.

**1:35:00** - Public Hearing on Lake Management District Roll Certification. PP reviews the staff report on the rolls for assessment for the LMD. 2018 – identified need to control noxious weeds in Lake Osooyus, and pay for it by forming a LMD that could collect assessments. The original district was formed for 5 years, with a provision to get voter approval to extend for another 5 years. The voters approved the assessment for another 5 years (through 2029). The assessments are \$160 annually for primary lots, and \$80 for secondary lots. Veranda beach development is exempt. We did not receive any objections to the proposed rolls after advertising as required. The BOCC has the right to approve, deny or modify the proposed rolls. The planning department recommends that the BOCC approve the rolls.

BOCC votes and approves.

JN – talks about Okanogan County Tourism Council (OCTC) issue. Tree lighting ceremony in Oroville was a huge fiasco. The OCTC was responsible for getting the word out, but it turns out they just copied the details about time and place from a chamber of commerce website, that happened to be from Oroville, CA, rather than Oroville, WA. The dates and times were completely wrong and a lot of people were upset.

Discussion between CB and JN about past issues with people getting confused between the towns named Oroville in the two different states.

BOCC works on their computers, engages in some casual conversation about bike lanes, shares anecdotes with each other.

**2:02:00** – PP and BOCC hold work session on zone code. Following the public hearing last week, we are back at our work sessions. I forwarded our comment responses. I would like to go through the revisions to have you vote on which ones you want to move forward on, and look at the rest to see if you feel they are substantial changes that would require another 30 day comment period.

PP – I would like to start with the district use chart.

CB – asks about zone code prior to 2016.

PP – says she will send out a copy of what the code was in 2016.

BOCC shows the district use chart matrix on the Zoom. PP – notes that a lot of comments were regarding things in the DUC that were not changed from prior version. One main one is churches. BOCC agrees that they do not want to address items that are not changes. They can do that later.

AH – asks why in R1 and R5 multi family dwellings are a conditional use, when that is what we should be striving for. We should be directing development to the denser neighborhoods.

PP – the thought was that it could allow more commercial uses in residential areas.

CB – people in low density areas are very interested in what development is happening near them. Having conditional use allows them to be notified. What we did in the past (as a planner), was that we broke out things like duplexes and triplexes.

AH – I like that idea.

Discussion about how to prevent large apartment buildings from being considered the same as duplexes and triplexes.

CB – talks about the nuance between multi-family dwelling vs multi-family occupancy. (single building, vs many smaller buildings)

PP – one reason we use CU is that it is the only category that triggers review from other agencies.

In the past, MFD was permitted outright, in the first revision, we moved it to conditional use.

AH – I don't agree with it, but am not going to argue for it.

JN – we need more detail about what is considered a multi-family dwelling.

CB – I have looked at other areas and see what the issues are, especially when there is a lot of money to be made. I'm not making an argument, it's just based on what I have seen.

JN – the comments I heard were that by adding all these things to CU it bogs the process down.

CB – yes, it does, but my definition of bogged down means giving it the review it deserves.

JN – asks for definition of “parking facility”

CB – one thing I ask everyone is in R-20, what would you use a parking lot for? Would you want a public process to let people know about the proposed details? Gives example of park and ride lot. Would you want other agencies and departments to be informed and able to submit comments?

JN – I understand that. I hate to put in more and more restrictions, but I guess there are times when it is a necessity.

CB – it makes you think harder about why we have CU permits? What is our exposure to liability? What is our capacity to manage and enforce the conditions?

JN – that is what concerns me. Do we have the resources to enforce?

CB – the people who are concerned about it will let you know.

**2:36:00** – Superior Court Judge Grim (RG) and two others arrive to discuss electronic home monitoring.

AH – asks how the EHM works.

RG - Friendship Diversion is notified and they come down and get them hooked up.

AH – goes over the budget for this service. Says the county has a \$90K deficit for this program. Wonders how this program got set up this way? It started back when the jail was getting crowded. Detailed discussion about different pots of money that are used and how to track.

Sheriff Budrow comments that EHM should be a money maker for the county. When he was in Skagit county, the defendant paid for it. If they can't afford it, then they stay in jail.

Judge Short says that he just saw the contract from 2012 that says that in our county, if the defendant can't afford it, Friendship Diversion bills the county.

AH – OK now we are getting to the heart of it. We need to get a new contract that straightens this out. How would we derive revenue from it?

Answer – if the person can pay for it, then they do so. If they are indigent, then they would not be allowed to.

AH – agrees that there has to be a line item for some expenses from the county, but it's not going to be \$90K.

Discussion about how the county and Friendship Diversion church collaborate on this.

CB asks how much it costs to keep someone in jail vs paying a few hundred dollars a month for EHM. Also mentions the equity issue about people with money being able to buy their way out of jail while people in poverty have to stay there.

AH – my interpretation of the math shows that there is \$9 per day difference in our cost. That doesn't account for \$90K.

CB – mentions other indirect costs that should be factored in.

AH – asks how they came up with a cost of \$20/day to keep someone in the jail?

Discussion follows about how much it really costs.

Judge Grim - the court is not allowed to consider a person's financial status when making decisions about whether a person can go on EHM.

CB – mentions how it would help to have the data about EHM details when asking the state for funding.

AH – says he doesn't understand why the list of EHM he is looking at has every single one of them listed as only paying \$150. Not one of them is being billed the full amount.

Contract is reviewed and found to state various amounts for reimbursement.

AH – says that the contract needs to be renewed with new amounts.

CB – says that a helpful tool might be a template to use for figuring the cost of jailing someone.

AH – asks how the determination is made that someone is deemed indigent.

Judge Grim – a screening form is filled out where the person states income, etc.

Sheriff – the court does not make the determination. It goes to a third party for screening.

Judge Grim – I don't know if this 2012 contract was open ended with no termination date, but if we do a new one we should consider a termination date so that it has to be reviewed periodically.

**3:20:00** – conversation concludes and BOCC adjourns for lunch.