

APPROVED BY ORDER # 4-06-139

**MINUTES OF THE
LINCOLN COUNTY BOARD OF COMMISSIONERS
MEETING OF APRIL 5, 2006**

CALL TO ORDER

Chair Don Lindly convened the adjourned session of the Lincoln County Board of Commissioners. Present at the meeting were Commissioner Bill Hall, Commissioner Terry Thompson, County Counsel Wayne Belmont, and Recorder Liz Sample. Also present were Karey Ammons and Tami Atkinson from LinCom; District Attorney Bernice Barnett; Investigator Ron Benson; Dave Cogswell from the State Department of Human Services; Joel Gallob from the *News-Times*; Kiera Morgan from KNPT radio; Sharon Phipps, sexual assault nurse examiner; Emma Velasco, Newport resident; Planning Director Matt Spangler; Volunteer Coordinator Marianne Swafford; Assessor Rob Thomas; Victims' Advocate Marcia Thompson; Terry Walker from My Sisters' Place; and Victims' Advocate Mary Weaver.

ROLL CALL - ESTABLISHMENT OF A QUORUM

RECOGNITION/PROCLAMATION

April 9-15, 2006 "National Telecommunicators' Week" in Lincoln County

Chair Lindly read the proclamation in full. Tami Atkinson and Karey Ammons from LinCom were present for the recognition. Ms. Atkinson mentioned that there are many people who perform behind-the-scenes work in emergency response who should be recognized with this proclamation. The Board commended the exceptional work of the emergency service telecommunicators. Ms. Atkinson described LinCom's new mobile support communications unit. Anything that can be performed at LinCom can also be performed in this mobile unit. She thanked the Board for its support. Commissioner Hall made a motion to adopt Resolution # 06-05-04A proclaiming April 9-15, 2006 "National Telecommunicators' Week" in Lincoln County. Commissioner Thompson seconded the motion. A vote was taken and the motion passed unanimously.

**MOTION TO ADOPT RESOLUTION # 06-05-04A
PROCLAIMING APRIL 9-15, 2006 "NATIONAL
TELECOMMUNICATORS' WEEK" IN LINCOLN
COUNTY**

"Sexual Assault Awareness Month" in Lincoln County

Chair Lindly read the proclamation in full. District Attorney Bernice Barnett, Terry Walker, sexual assault services coordinator for My Sisters' Place, and Sharon Phipps from Samaritan North Lincoln Hospital approached the Board. Ms. Walker thanked the Board for its continued support of sexual assault services in Lincoln County. She introduced people in the audience who were present to support the proclamation, and discussed statistics relating to the sexual assault services provided in the last two years. Though the number of incident responses has increased in the last year, it could be due, in part, to the increase in exposure for the services, community outreach, the Lincoln County Sexual Assault Response Team (SART), SANE, and the DA's Office. Ms. Walker thanked the DA's Office for its support for victims' assistance. She stressed the fact that it is the perpetrator who makes the choice to commit a crime, and it is not the victim's fault. Ms. Walker introduced Sharon Phipps, the County's first sexual assault nurse examiner.

Ms. Phipps works at Samaritan North Lincoln Hospital, where she was given the responsibility of developing and coordinating a program for sexual assault examinations in Lincoln County. She described her role at the hospital and how the examination process works. Ms. Phipps mentioned some of the programs that Lincoln County stands out as “the first” for developing. A supplement will be added to the *Newport News-Times* this week regarding the sexual assault services in Lincoln County.

District Attorney Bernice Barnett acknowledged Tami Atkinson as a member of SART, and discussed training for the rape victim advocates. Ms. Barnett mentioned others in her office who are part of the team of victims’ advocates. She commended and thanked all parties responsible for providing the sexual assault services throughout the county. Commissioner Hall expressed support for the services in Lincoln County, and inquired of the groups present if there are any areas of service that still need to be developed in the county. Ms. Walker responded that they always need the Board’s continued support. She discussed the new shelter that is being built.

Commissioner Thompson invited Dave Cogswell to approach the Board. Mr. Cogswell, the child and welfare manager for the State Department of Human Services for Lincoln and Benton Counties, described outreach and community education programs that help victims. Commissioner Thompson suggested the topic of sexual assault be brought forward at the next legislative session. Commissioner Hall made a motion to adopt Resolution # 06-05-04B proclaiming April 2006 “Sexual Assault Awareness Month” in Lincoln County. Commissioner Thompson seconded the motion. A vote was taken and the motion passed unanimously.

**MOTION TO ADOPT RESOLUTION # 06-05-04B
PROCLAIMING APRIL 2006 “SEXUAL ASSAULT
AWARENESS MONTH” IN LINCOLN COUNTY**

ADOPTION OF CONSENT CALENDAR

Chair Lindly introduced the Consent Calendar items. There were no items highlighted or deleted. Commissioner Hall made a motion to approve the Consent Calendar in its entirety. Commissioner Thompson seconded the motion. The vote was taken and the motion passed unanimously.

**MOTION TO APPROVE CONSENT CALENDAR
OF APRIL 5, 2006**

CONSENT CALENDAR ITEMS

Minutes of the Board of Commissioners Meeting

4-06-127 BOC Meeting Minutes of March 29, 2006

Commissioner Appointments & Resignations

4-06-128 Replacement of Dennis Williams with Leland Stuart on the Lincoln County Extension Service District Advisory Council

License Applications or Renewals
Tax Foreclosure, Right-of-Way, Sales and Deeds

4-06-129 Satisfying a local improvement project ("LID") lien of assessment against certain real property due to payment in full

General Budget Resolutions

Acting as Governing Body of County Wide Service Districts

Documents and Recording Matters in the Commissioners Journal

Execution and recordation:

4-06-130 Accepting security for post-monumentation, ORS Chapter 92, for "Rock Creek Villages," a portion of the Villages at Cascade Head

4-06-131 Agreement between Lincoln County and Thugz Off Drugz, Inc. to provide residential recovery support services for clients of Lincoln County Community Corrections

Recordation:

4-06-132 Amendment 17 to Intergovernmental Agreement # 113007 between Department of Human Services and Lincoln County Health and Human Services

4-06-133 Award letter from the Lincoln County Community and Economic Development Fund per BOC Order # 3-06-72 dated 3/1/2006 to City of Newport to help fund the NW Regional Air Service Initiative to Improve Rural Air Service Match

Execution:

Facility Grant # 1289 from the Oregon State Marine Board to Lincoln County for Siletz River Land Acquisition

Intergovernmental Cooperative Agreement from the Department of Justice, Child Support Program, State of Oregon, for child support enforcement services

Intergovernmental Agreement from the State of Oregon for Single Trip Permit Authorization

Grant application to receive Juvenile Accountability Block Grant funds for FY 2006-07, administered by the State of Oregon Criminal Justice Services Division

PUBLIC HEARING

DECISION/ACTION

Letter of agreement between Lincoln County and The Wetlands Conservancy regarding purchase of a Conservation Easement over property identified as 11-11-26, Tax Lot 1300

Counsel Belmont stated that this is a matter we are taking up through the Lincoln Land Legacy Program (LLLP). This is a partnership between LLLP and The Wetlands Conservancy to protect an area through a conservation easement, located halfway between Newport and Toledo on Bay Road. The Conservancy is able to access money to purchase a portion of the property. The remainder of the money will be a combination of LLLP funds and a partial donation from the County, which owns the property. This agreement sets the process in order. Counsel Belmont discussed the desire to stretch the LLLP funds as far as possible, instead of purchasing land outright. He requested a motion to authorize the chair to sign the letter of agreement. Commissioner Thompson made a motion to authorize Chair Lindly to sign the letter of agreement between Lincoln County and The Wetlands Conservancy. Commissioner Hall seconded the motion. A vote was taken and the motion passed unanimously.

MOTION TO AUTHORIZE CHAIR LINDLY TO SIGN THE LETTER OF AGREEMENT BETWEEN LINCOLN COUNTY AND THE WETLANDS CONSERVANCY

Measure 37 Claims

Chair Lindly reminded the Board that these claims were discussed at last week's meeting. The only changes that were made were minor corrections on a couple of the staff reports.

Commissioner Hall made a motion to approve Order # 4-06-134 regarding the Measure 37 claim of Margarie Patt, claimant, case file No. 29-LURCC-05. Commissioner Thompson seconded the motion. A vote was taken and the motion passed unanimously.

MOTION TO APPROVE ORDER # 4-06-134 REGARDING THE MEASURE 37 CLAIM OF MARGARIE PATT, CLAIMANT, CASE FILE NO. 29-LURCC-05

Commissioner Thompson made a motion to approve Order # 4-06-135 regarding the Measure 37 claim of Archie Glasscock, et al, claimant, case file No. 30-LURCC-05. Commissioner Hall seconded the motion. A vote was taken and the motion passed unanimously.

MOTION TO APPROVE ORDER # 4-06-134 REGARDING THE MEASURE 37 CLAIM OF ARCHIE GLASSCOCK, ET AL, CLAIMANT, CASE FILE NO. 30-LURCC-05

Commissioner Hall made a motion to approve Order # 4-06-136 regarding the Measure 37 claim of Jerry and Judith Kinney, claimants, case file No. 31-LURCC-05. Commissioner Thompson seconded the motion. A vote was taken and the motion passed unanimously.

**MOTION TO APPROVE ORDER # 4-06-136
REGARDING THE MEASURE 37 CLAIM OF
JERRY AND JUDITH KINNEY, CLAIMANTS,
CASE FILE NO. 31-LURCC-05**

Commissioner Thompson made a motion to approve Order # 4-06-137 regarding the Measure 37 claim of Raymond and Lorraine Walter, claimants, case file No. 32-LURCC-05. Commissioner Hall seconded the motion. A vote was taken and the motion passed unanimously.

**MOTION TO APPROVE ORDER # 4-06-137
REGARDING THE MEASURE 37 CLAIM OF
RAYMOND AND LORRAINE WALTER,
CLAIMANTS, CASE FILE NO. 32-LURCC-05**

Commissioner Hall made a motion to approve Order # 4-06-138 regarding the Measure 37 claim of Joseph and Charlotte Murray, claimants, case file No. 1-LURCC-06. Commissioner Thompson seconded the motion. A vote was taken and the motion passed unanimously.

**MOTION TO APPROVE ORDER # 4-06-138
REGARDING THE MEASURE 37 CLAIM OF
JOSEPH AND CHARLOTTE MURRAY,
CLAIMANTS, CASE FILE NO. 1-LURCC-06**

DISCUSSION/INFORMATION

Presentation on Assessment and Taxation Grant

County Assessor Rob Thomas and Vivian Baldwin, chief office deputy, approached the Board to deliver the annual Assessment and Taxation (A&T) grant presentation. The A&T grant is awarded once a year and involves all of the assessment and taxation functions, including tax collector, county clerk, computer services, and GIS. The presentation was divided into three sections: the first is the summary of expenses, the second is the 2005-2006 grant document summary, and the third is the history of grant funding and summary of expenditures. All staffing is status quo, with the exception of the Assessor's Office in the valuation section, where two positions have been added, as a direct result of budget meetings and direction from the State. Another large difference between last year and this year is the addition of a significant amount of money to Materials and Services under Segment E on page 1 of the presented document. The GIS director has received two separate grants for the opportunity to have Lincoln County aerially photographed for the GIS system. Mr. Thomas explained the Assessor's Office's use of the new aerial maps. Mr. Thomas explained that the section on history of grant funding explains how much money Lincoln County spends together for assessment and taxation functions, and breaks the spending down departmentally. He discussed expenditure projections for 2006-2007. The final section of the document outlines how much money Lincoln County gave to the State in years past, and noted that this past year the County received more back than it gave to the State.

Commissioner Thompson inquired why taxation in 2006 and 2007 is shown as decreasing, as compared to previous years. Mr. Thomas explained that that section entitled "Tax" on the document refers to the

Tax Office, showing the percent of total grant money that is given to the tax collector. He stated that percentage-wise, the tax total is decreasing between two positions were added to the Assessor's Office, as well the purchase of \$174K worth of aerial photographs. Commissioner Hall commented on unfunded mandates. Mr. Thomas addressed the decline in grant funding. Commissioner Thompson thanked Mr. Thomas for his and his staff's hard work. Chair Lindly stated that this grant will be up for adoption at the April 19 Board meeting.

Refund of Taxes Paid

Mr. Thomas announced the refund of taxes paid to General Electric Credit Corporation of Tennessee, the owner of the personal property in question, who leases medical equipment to Samaritan Hospital. Last year, Samaritan North Lincoln Hospital applied for an exemption as the user of the product, and received that exemption. The leasing company then reported that exemption on a different account. The refund was found to be accurate by the Tax Office, and requires Board approval. Chair Lindly reminded the Board that anything over \$10K requires Board approval. Counsel Belmont requested this item be put on next week's Consent Calendar for approval.

BOARD OF COMMISSIONERS AS GOVERNING BODY OF COUNTYWIDE SERVICE DISTRICTS

REPORTS

Commissioner Thompson mentioned that there is a team of four federal advisors coming to assist this week with a technical assistance plan to determine which areas will need to be approved for the upcoming Federally Qualified Health Center. Chair Lindly stated that he assisted with delivery of food boxes to seniors in Lincoln County. He added that Congresswoman Darlene Hooley and Congressman Peter DeFazio from the 4th Oregon Congressional District will be in Lincoln County on Monday, April 10 at 10:00 a.m. at the Yaquina Bay Yacht Club to discuss the salmon closure issue.

CONSTITUENT INPUT

Constituent Emma Velasco voiced her concern over the issue of illegal immigrants in Lincoln County, and the increasing occurrence of fraudulently used social security cards.

EXECUTIVE SESSION

The board held an executive session pursuant to ORS 192.660(2)(d) to discuss labor negotiations.

ADJOURNMENT

The meeting adjourned at 11:00 a.m. These meeting minutes were read and approved this 12th day of April 2006.

LINCOLN COUNTY BOARD OF COMMISSIONERS

DON LINDLY, Chair

BILL HALL, Commissioner

TERRY N. THOMPSON, Commissioner