

**APPROVED BY ORDER # 8-06-296**

**MINUTES OF THE  
LINCOLN COUNTY BOARD OF COMMISSIONERS  
MEETING OF AUGUST 2, 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 Public Works Director Jim Buisman; Chris Chandler-DiTorricce, Executive Director, Economic Development Alliance; Drew Foster, Benton-Lane-Lincoln-Linn Regional Investment Board Coordinator; Joel Gallob from the *News-Times*; Yachats City Councilor Ray Meehan; Kiera Morgan from KNPT radio; George Schoonover; Yachats Mayor Susanne Smith; Assessor Rob Thomas; and Bill Wagner, Executive Director, Oregon Cascades West Council of Governments.

**ROLL CALL - ESTABLISHMENT OF A QUORUM**

**RECOGNITION/PROCLAMATION**

**ADOPTION OF CONSENT CALENDAR**

Chair Lindly introduced the Consent Calendar items. Commissioner Hall noted that the second Drug Court contract is on the agenda for execution by the Board. The first contract was approved at last week's meeting. Commissioner Thompson made a motion to approve the Consent Calendar in its entirety. Commissioner Hall seconded the motion. The vote was taken and the motion passed unanimously.

**MOTION TO APPROVE CONSENT CALENDAR  
OF AUGUST 2, 2006**

**CONSENT CALENDAR ITEMS**

*Minutes of the Board of Commissioners Meeting*

- 8-06-284      BOC Meeting Minutes of July 26, 2006
- 8-06-285      Minutes of the Lincoln County Budget Committee meeting of April 13, 2006
- 8-06-286      Minutes of the Lincoln County Budget Committee meeting of April 17, 2006

*Commissioner Appointments & Resignations*

*License Applications or Renewals*

- 8-06-287      Approving an application for renewal of a DMV Business Certificate as a Dismantler of Motor Vehicles or Salvage Pool Operator for Lincoln City Towing, LLC

*Tax Foreclosure, Right-of-Way, Sales and Deeds*

General Budget Resolutions

Acting as Governing Body of County Wide Service Districts

Documents and Recording Matters in the Commissioners Journal

Execution and recordation of:

- 06-02-08A In the matter of adjusting the 2006-2007 adopted budget appropriations for Lincoln County
- 8-06-288 Measure 37 claim of Louis Woosley, claimant, Case File No. 2-LURCC-06
- 8-06-289 Measure 37 claim of Kenneth and Dawn Dutton, claimants, Case File No. 4-LURCC-06
- 8-06-290 Measure 37 claim of Caroline Stevens, claimant, Case File No. 5-LURCC-06

Recordation of:

- 8-06-291 Amendment 24 to Intergovernmental Agreement # 113007 between the Department of Human Services and Lincoln County Health and Human Services.
- 8-06-292 Contract for pharmacy services between Lincoln County and Wellpartner, Inc.

Execution of:

Grant Agreement from the Criminal Justice Commission for the Lincoln County Drug Court in the amount of \$100,000

Lease renewal with Lincoln County and the State of Oregon in the Juvenile Office for the Oregon Youth Authority parole and probation officers

**PUBLIC HEARING**

**First public hearing relating to a resolution to annex certain territory along the Siletz River into North Lincoln Fire and Rescue rural fire protection district**

Counsel Belmont stated that this is the first public hearing on this annexation request, which was initiated by the district as an extension to its current boundaries. He noted that the map is confusing, but it includes just the property as it is outlined. In holding the public hearing, the Board will need to make a determination whether the annexation would benefit the district. If the Board approves of the annexation, it will hold a second hearing on August 30, 2006, then an election on November 7, 2006. Chair Lindly stated that in this case, the district itself initiated the request, not the property owners.

Chair Lindly opened the public hearing and invited public comment in favor of the request. Seeing none, he invited comment in opposition. Seeing none, he closed the public hearing and invited the Board to

deliberate. Commissioner Hall recommended the Board move forward with this annexation. Counsel Belmont stated there is a draft Order in the Board's packet of materials which will set the process in motion. Commissioner Hall made a motion to approve Order # 8-06-293 regarding the annexation of territory along the Siletz River into North Lincoln Fire and Rescue Rural Fire Protection District. Commissioner Thompson seconded the motion. A vote was taken and the motion passed unanimously.

**MOTION TO APPROVE ORDER # 8-06-293  
REGARDING THE ANNEXATION OF  
TERRITORY ALONG THE SILETZ RIVER INTO  
NORTH LINCOLN FIRE AND RESCUE RURAL  
FIRE PROTECTION DISTRICT**

Chair Lindly added that since this will be a general election, there is no additional cost to the fire district.

**First public hearing relating to a petition to form NE San Marine Special Road District**

Counsel Belmont stated that this is the first hearing on this particular petition for formation. He discussed the statutory criteria. The proposed boundaries are on the map in the Board's packets. The proposed district would also like to put a permanent tax rate to accompany the formation of the district, at a rate of \$1 per \$1,000 assessed property value. The petitioners are also proposing to govern the district through an elected board.

Chair Lindly opened the public hearing and invited public comment in support of the petition. George Schoonover, resident of NE San Marine, commented on his maintenance of the informal road district for the past twenty years. He stated that the neighbors agreed the best course of action was to form a special road district. He described an undeveloped area of the road district, as shown on the map before the Board. Some of the neighbors have provided voluntary contributions for road maintenance in the past, and the formation of the district would require a tax base from each property owner that would be dedicated to road maintenance. Mr. Schoonover mentioned that there are people who would be willing to serve on the Board, if elected. A majority of the registered property owners have signed the petition for formation. In response to a question regarding compression about taxes in a certain area, Assessor Rob Thomas mentioned that compression is created on a property-by-property basis, and since the proposal is only \$1 per \$1,000 of assessed property value, very few properties will be affected with substantial financial impact.

Chair Lindly invited public comment in opposition, of which there was none, so he closed the public hearing and opened it to Board deliberation. Approval of the Order will set the process in motion to set the second hearing for August 30, 2006, and then call for an election in November. If elected this November, the district would not be eligible to receive tax funds for this year.

Commissioner Thompson made a motion to approve the formation of the NE San Marine Special Road District. Commissioner Hall seconded the motion. A vote was taken and the motion passed unanimously.

**MOTION TO APPROVE THE FORMATION OF  
THE NE SAN MARINE SPECIAL ROAD  
DISTRICT**

## **DECISION/ACTION**

### **Approval of four projects from the Benton-Lane-Lincoln-Linn Regional Investment Board for the 2005-2007 Regional Investment Strategy**

Drew Foster, Coordinator for the Benton-Lane-Lincoln-Linn Regional Investment Board, stated that the Board previously approved five projects, and the proposed four will use the remainder of the funds for this biennium. He reviewed each recommended project as submitted by the RIB. These four projects will commit \$213,000 in funding.

There was discussion regarding the proposed air service in Lincoln County. Chris Chandler-DiTorrice, Executive Director of the Lincoln County Economic Development Alliance, discussed jobs as associated with the air service. She clarified that Mouseworks, one of the companies on the recommended list, is located in the Toledo area.

Commissioner Hall made a motion to execute and record Resolution # 06-02-08B in the matter of approving projects for funding after recommendation by the Benton-Lane-Lincoln-Linn Regional Investment Board. Commissioner Thompson seconded the motion. A vote was taken and the motion passed unanimously.

**MOTION TO EXECUTE AND RECORD  
RESOLUTION # 06-02-08B IN THE MATTER OF  
APPROVING PROJECTS FOR FUNDING AFTER  
RECOMMENDATION BY THE BENTON-LANE-  
LINCOLN-LINN REGIONAL INVESTMENT  
BOARD**

### **Petition to vacate a portion of 117th Street (For Far)**

Public Works Director Jim Buisman stated that there were two questions raised at last week's meeting, one regarding ODOT and the access to the proposed vacation area, and the other regarding the properties that lie between the proposed vacation and Highway 101. He submitted a letter from the For Far Special Road District to Counsel Belmont for the record. In the letter, the district acknowledged the request for the vacation, and will defer to the State since it is the affected party. Mr. Buisman mentioned that ODOT prefers to minimize the number of accesses to the highway. He recommended the Board grant the request for the proposed vacation.

Commissioner Thompson stated that he called the Department of Administrative Services, and was told that they don't think they should have control of the property. Assessor Rob Thomas added that the two parcels abutting the subject portion of 117<sup>th</sup> Street at Highway 101 were originally owned by the State of Oregon General Services, which is now the Department of Administrative Services. DAS deeded the property to Oregon State Highway Division, which no longer exists (now ODOT). The record was never revisited since the last time any deeds were recorded were in 1943 and 1946. There has been no reason to revisit this since then. As a result, however, the Assessor's Office has done some research in that area,

and additional changes have occurred as a result of their findings. The new changes don't affect the fundamental issues surrounding the vacation request, and the Board agreed to move forward with the request.

Commissioner Hall made a motion to execute and record Order # 8-06-295 regarding the petition to vacate a portion of 117th Street (For Far). Commissioner Thompson seconded the motion. A vote was taken and the motion passed unanimously.

**MOTION TO EXECUTE AND RECORD ORDER #  
8-06-295 REGARDING THE PETITION TO  
VACATE A PORTION OF 117TH STREET (FOR  
FAR)**

**DISCUSSION/INFORMATION**

**City of Yachats Urban Renewal Plan presented by Mayor Susanne Smith**

Mayor Smith presented a hard copy of the Yachats Urban Renewal Plan to the Board and invited comment. There was discussion regarding the promotion of growth and development in property value; the construction of a new wastewater treatment plant; current limitations on new development; new restrictions on building permits; and the percentage of transient rentals vs. full time residents. The Board commended the plan and thanked the mayor.

**BOARD OF COMMISSIONERS AS GOVERNING BODY OF COUNTYWIDE SERVICE  
DISTRICTS**

**REPORTS**

**Bill Wagner, Executive Director, Oregon Cascades West Council of Governments**

Mr. Wagner discussed developments still "in the works" at Oregon Cascades West Council of Governments, including rideshare programs for clients. COG is working with Toledo Rural Fire District to find money for improvements that need to be made, and it is researching transit funding opportunities with the Lincoln County Transit District. Mr. Wagner stated that Senior and Disabled Services is experiencing inadequate funding for staffing programs, though Lincoln County is currently fully staffed in that area. There have been a few resignations outside Lincoln County that add to the deteriorating program. COG is trying to create a positive morale despite all the hardships. Mr. Wagner discussed bargaining and salary concerns. He discussed the improvements to the meal site funding, thanks in part to the leadership of Bruce Goldberg at the Department of Human Services. The rate of reimbursement for meals is expected to increase again this fall. The Board thanked Mr. Wagner for his report.

**Commissioners' Reports**

Chair Lindly announced the Commissioners' "Brown Bag Lunch" today at 12:00 in the Personnel Department's conference room.

**CONSTITUENT INPUT**

**EXECUTIVE SESSION**

**ADJOURNMENT**

The meeting adjourned at 10:30 a.m. These meeting minutes were read and approved this 9<sup>th</sup> day of August 2006.

**LINCOLN COUNTY BOARD OF COMMISSIONERS**

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**DON LINDLY**, Chair

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**BILL HALL**, Commissioner

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**TERRY N. THOMPSON**, Commissioner

APPROVED