

**APPROVED BY ORDER # 8-06-313**

**MINUTES OF THE  
LINCOLN COUNTY BOARD OF COMMISSIONERS**

**MEETING OF AUGUST 16, 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 Assistant County Counsel Rob Bovett; Chris Chandler-DiTorricce from the Economic Development Alliance; Don Cohen from KCUP radio; Joel Gallob from the *News-Times*; Kiera Morgan from KNPT radio; and Jim Shaw, constituent.

**ROLL CALL - ESTABLISHMENT OF A QUORUM**

**RECOGNITION/PROCLAMATION**

**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 AUGUST 16, 2006**

**CONSENT CALENDAR ITEMS**

*Minutes of the Board of Commissioners Meeting*

8-06-307      BOC Meeting Minutes of August 9, 2006

*Commissioner Appointments & Resignations*

8-06-308      Issuance of an Oregon Liquor Control Commission Liquor License to Judy Joubert, dba Stone Crest Cellars

*License Applications or Renewals*

*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

Recordation:

- 8-06-309 Use Agreement between Lincoln County Solid Waste Disposal Service District and The Salvation Army for property to be used as a glass recycling collection site
- 8-06-310 Amendment #1 to Local Agency Agreement #19,428, Highway Bridge Replacement and Rehabilitation Project, Canal Creek Bridge
- 8-06-311 Amendment #1 to Intergovernmental Agreement # 22816 for Right of Way Services, Canal Creek (Alder Springs Road) Bridge
- 8-06-312 IGA between Lincoln County and Yamhill County to fund acute care psychiatric hospital alternatives

**PUBLIC HEARING**

**DECISION/ACTION**

**Execution and recordation of Ordinance #441 “Relating to energy; creating new provisions; and declaring an emergency.”**

Hearing no requests to read the proposed ordinance in full, Chair Lindly read it by title only, and requested Commissioner Thompson discuss this issue in detail. Commissioner Thompson stated that the County has been working with Central Lincoln PUD to come up with a plan for siting a wave action generator facility off the Lincoln County coast. He described the ideal coastline that Lincoln County offers, including its excellent deep water port and consistent wave action in all seasons. He discussed reasons why renewable wave power is advantageous to electrical energy through fossil fuels. Lincoln County is requesting authority over three miles - from the beach out to sea - all along the Lincoln County coastline. This partnership will collaborate with OSU for development of the new technology. Commissioner Thompson added that FERC – Federal Energy Regulatory Commission – has the authority over hydropower, and their regulations basically allow people to mark out a section of the ocean, and then start the communication process with potential partners and agencies who will be affected. It is Lincoln County’s goal to ensure proper channels of communication first and determine benefits and repercussions before the FERC process unfolds. The Board will be sending out a press release immediately upon approval of the proposed ordinance.

Commissioner Hall stated his opinion that this is the most important and far-reaching action the Board has taken in his time as commissioner. The Board does not anticipate doing the development itself or getting into the utility business. Rather, the Board wants to bring all the necessary players together to ensure timely and appropriate planning. Chair Lindly discussed the potential benefits of this plan, including economic development, job opportunities, and new technologies. Under the permit, the County will develop its own siting process that will involve all stakeholders, including commercial fishermen. Chair Lindly credited Commissioner Thompson for putting this plan together, meeting with various state agencies, PUD representatives, and others to make this possible. Commissioner Hall added his recognition of Commissioner Thompson, County Counsel Wayne Belmont, and Assistant Counsel Rob Bovett. Commissioner Thompson commented on Mr. Bovett’s background in energy law.

Mr. Bovett referred to the application for a preliminary permit from FERC, which will be posted on the County web site. For viewing, go to the County's home page, and there will be a link directly from there. He described the ordinance. In response to an inquiry from Chair Lindly, Mr. Bovett stated that there is no other government entity in the country that has made this effort for harnessing wave energy. However, a preliminary permit application has been submitted by a private party in Reedsport. Mr. Bovett described the Federal Power Act, which was in part designed to facilitate and encourage the development of electricity by municipalities. If granted by FERC, the permit will grant us a three-year window of time to research, explore best areas for a facility, and bring all the players together to create a plan for harnessing wave energy.

Counsel Belmont commended the Board's vision in this process. Commissioner Thompson discussed the ocean as a valuable resource.

Commissioner Thompson made a motion to adopt Ordinance # 441 "relating to energy; creating new provisions; and declaring an emergency." Commissioner Hall seconded the motion. A vote was taken and the motion passed unanimously.

**MOTION TO ADOPT ORDINANCE # 441  
"RELATING TO ENERGY; CREATING NEW  
PROVISIONS; AND DECLARING AN  
EMERGENCY"**

**DISCUSSION/INFORMATION**

**Declaring certain county-owned vehicles and other property to be surplus, and scheduling a "Super Auction" on Saturday, September 2, 2006, at 10:00 a.m., at the Lincoln County Sheriff's impound lot (on 7<sup>th</sup> Street in Newport, across from the Middle School)**

Assistant County Counsel Rob Bovett commented on the County's successful auction two years go. There are approximately ten vehicles ready for auction at this point. There will be a "super auction" on Saturday, September 2, 2006 at the Sheriff's Impound Lot at 10:00 a.m., with pre-viewing at 9:00 a.m. Commissioner Hall will be the auctioneer. The vehicles will be auctioned off "as is," with no warranties. In two weeks, Mr. Bovett will present to the Board a final list of items to be auctioned. A list of items can currently be viewed on the County's web site, but the photos have not been added yet. Only cash or earnest money (if higher-priced vehicle) will be accepted.

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

**REPORTS**

Commissioner Hall reported that Tom Hatley of Community Services Consortium and he brought the resolution supporting development of the County's long-range housing and homeless plan before the Yachats and Lincoln City city councils, who both voted unanimously to endorse it. These two councils add to the endorsements of the Newport and Waldport city councils.

Commissioner Thompson mentioned that he met with the Public Transportation Advisory Council and discussed the way the state will handle the transit system's competitive grants.

Chair Lindly stated, on a personal level, that Team Lindly/Oregon Coast Bank is currently in first place for raising funds for the American Cancer's Society's Relay For Life.

**CONSTITUENT INPUT**

**EXECUTIVE SESSION**

**ADJOURNMENT**

The meeting adjourned at 10:00 a.m. These meeting minutes were read and approved this 23<sup>rd</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**