

APPROVED BY ORDER # 8-06-307

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

MEETING OF AUGUST 9, 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; Joel Gallob from the *News-Times*; Neena Goldberg, Lactation Consultant and Maternal Child RN for Lincoln County; Pat Lewis of the Lincoln County Breastfeeding Coalition; and Assessor Rob Thomas.

ROLL CALL - ESTABLISHMENT OF A QUORUM

RECOGNITION/PROCLAMATION

Chair Lindly read the proclamation for Breastfeeding Success Month in full. Pat Lewis of the Lincoln County Breastfeeding Coalition mentioned that Oregon is the #1 state for breastfeeding in America. There will be a tent at the Siletz pow-wow to promote breastfeeding education. Neena Goldberg, Health and Human Services Lactation Consultant, announced that there will be a radio talk show on the subject this Friday morning on KCUP. There was discussion regarding the legality of public breastfeeding in other states; public support needed for breastfeeding moms; and the nutrition that is brought to children through breastfeeding. In response to a question from Commissioner Hall, Ms. Goldberg stated that there is a great challenge in educating new moms to the benefits of breastfeeding, as well as in urging our culture to accept the practice.

Commissioner Hall made a motion to execute and record Resolution # 06-09-08A proclaiming August 2006 Breastfeeding Success Month in Lincoln County. Commissioner Thompson seconded the motion. A vote was taken and the motion passed unanimously.

**MOTION TO EXECUTE AND RECORD
RESOLUTION # 06-09-08A PROCLAIMING
AUGUST 2006 BREASTFEEDING SUCCESS
MONTH IN LINCOLN COUNTY**

ADOPTION OF CONSENT CALENDAR

Chair Lindly introduced the Consent Calendar items. There were no items highlighted or deleted. 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 9, 2006**

CONSENT CALENDAR ITEMS

Minutes of the Board of Commissioners Meeting

8-06-296 BOC Meeting Minutes of August 2, 2006

Commissioner Appointments & Resignations

License Applications or Renewals

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

Execution and recordation of:

8-06-297 Land Sales Contract from Lincoln County to Kelly Duane Kearns, Map 11-10-8-CD, Tax Lot 700, purchase price \$10,000

8-06-298 Quitclaim Deed from Lincoln County to Robert T. Morris, Map 6-10-26-DC, Tax Lot 103, purchase price \$5,000

8-06-299 Quitclaim Deed from Lincoln County to Charles and Barbara Rackham, et al, Map 13-12-13-DA, Tax Lot 4400, purchase price \$17,500

General Budget Resolutions

Acting as Governing Body of County Wide Service Districts

Documents and Recording Matters in the Commissioners Journal

Execution and recordation of:

8-06-300 Authorizing certain expenditures from the Court Facilities Security Account

Recordation of:

8-06-301 Accepting a grant agreement with the Oregon Criminal Justice Commission for \$100,000 for the Lincoln County Drug Court Program

8-06-302 Accepting a grant agreement with the Oregon Criminal Justice Services Division for \$94,823 for the Lincoln County Drug Court Program

8-06-303 2006-2007 grant agreement between the Oregon Department of Land Conservation and Development and Lincoln County

8-06-304 Cooperative Agreement for Federal Aid in Sport Fish Restoration Act Funds, Motorboat Improvement Project, Yaquina River, Cannon Quarry Park

PUBLIC HEARING
DECISION/ACTION

Public Works Director Jim Buisman stated that this item was presented to the Board in the past, but had one requirement that still needed to be made concerning insurance of an easement access to “anglers’ walk” in the subdivision. He described the location of the subdivision. It is mostly an undeveloped plat, which includes the walk. Mr. Buisman referred to the legal description and map of the subject property. There was discussion concerning the 15-foot easement to the trail. Mr. Buisman stated that the 15 feet was chosen in order to maintain consistency of what was already there.

Commissioner Hall made a motion to execute and record Order # 8-06-305 regarding a petition filed by Cheryl Tinder to vacate Oceanview Circle, Rod and Reel Lane, and Cozy Lane, located in Section 23, Township 6 South, Range 11 West, Willamette Meridian, Lincoln County, File V-145. Commissioner Thompson seconded the motion. A vote was taken and the motion passed unanimously.

**MOTION TO EXECUTE AND RECORD ORDER #
8-06-305 REGARDING A PETITION FILED BY
CHERYL TINDER TO VACATE OCEANVIEW
CIRCLE, ROD AND REEL LANE, AND COZY
LANE, LOCATED IN SECTION 23, TOWNSHIP 6
SOUTH, RANGE 11 WEST, WILLAMETTE
MERIDIAN, LINCOLN COUNTY, FILE V-145**

A reduction in value has been ordered by the Oregon Tax Court, Magistrate Division Order #(s)05143A & 060262A, verified by Assessor’s JV(s) 47 & 48, dated 6/08/06. The correction is on account 07-11-02-B0 TL 606 & 701, for tax years 2004-05 & 2005-06. The property is owned by Lighthouse Square, LLC. The reduced value has generated a refund in the amount of \$52,378.25.

Assessor Rob Thomas stated that this order involves Lighthouse Square in Lincoln City, and he described the location. There have been refunds on this property before, and this particular case involves an improvement to the property. When the Assessor’s Office valued the property, the real market value was added to the tax roll. However, it should have been considered a Measure 5 exception and processed as such, but this did not occur. This refund is a technicality on the manner in which the County processed it. The law allows the County to add omitted property to the tax roll. After the money is refunded, the County will put omitted property back on the roll for the same property. Mr. Thomas discussed the process that will occur, and the interest that will need to be paid by the County.

Commissioner Thompson made a motion to execute and record Order # 8-06-306 in the matter of refund of taxes paid. Commissioner Hall seconded the motion. A vote was taken and the motion passed unanimously.

**MOTION TO EXECUTE AND RECORD ORDER #
8-06-306 IN THE MATTER OF REFUND OF
TAXES PAID**

DISCUSSION/INFORMATION

BOARD OF COMMISSIONERS AS GOVERNING BODY OF COUNTYWIDE SERVICE DISTRICTS

REPORTS

Commissioner Hall mentioned that the Waldport and Newport City Councils unanimously adopted companion resolutions to the County's resolution supporting development of the ten-year housing and homelessness plan.

Commissioner Thompson mentioned that he met with OPAC's subcommittee on wave action generators.

CONSTITUENT INPUT

EXECUTIVE SESSION

ADJOURNMENT

The meeting adjourned at 9:50 a.m. These meeting minutes were read and approved this 16th day of August 2006.

LINCOLN COUNTY BOARD OF COMMISSIONERS

DON LINDLY, Chair

BILL HALL, Commissioner

TERRY N. THOMPSON, Commissioner