

APPROVED BY ORDER # 12-06-420

**MINUTES OF THE
LINCOLN COUNTY BOARD OF COMMISSIONERS
MEETING OF DECEMBER 20, 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 Animal Control Deputy Jackie Beckstead; Mayor Scott Beckstead; Assistant County Counsel Rob Bovett; Lieutenant David Carey; Environmental Health Program Manager Amy Chapman; Sheriff Dennis Dotson; and Kiera Morgan from KNPT radio.

ROLL CALL - ESTABLISHMENT OF A QUORUM

Chair Lindly called the meeting to order and wished everyone a merry Christmas.

RECOGNITION/PROCLAMATION

ADOPTION OF CONSENT CALENDAR

Chair Lindly introduced the Consent Calendar items. Commissioner Hall made a motion to approve the Consent Calendar in its entirety, and expressed appreciation for those who volunteer on local committees and boards. Commissioner Thompson seconded the motion. Chair Lindly mentioned that the Planning Commission members being reappointed today are Roger Grady, Steve Morrill, Andrea Bobbit, and Judith Pelletier. The vote was taken and the motion passed unanimously.

**MOTION TO APPROVE CONSENT CALENDAR
OF DECEMBER 20, 2006**

CONSENT CALENDAR ITEMS

Minutes of the Board of Commissioners Meeting

12-06-412 BOC Meeting Minutes of December 13, 2006

Commissioner Appointments & Resignations

12-06-413 Reappointments of members to the Lincoln County Planning Commission

12-06-414 Reappointment of Michael E. Mulligan on the Lost Creek Special Road District board

12-06-415 Reappointment of Darren Sample to the Silver Sands Special Road District board

12-06-416 Reappointment of Glen Morris to the Bayshore Special Road District board

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

Execution and recordation of:

- 12-06-417 In the matter of canceling non-existent real property taxes for the tax year 1998-1999
- 12-06-418 Agreement between Lincoln County Health and Human Services and Lincoln County School District for food service inspections

PUBLIC HEARING

DECISION/ACTION

Execution and recordation of Order # 12-06-__ regarding a lease for Health and Human Services, Addictions Abuse Treatment Services, consisting of a building and grounds known and numbered as 605, 607, and 609 Hurbert Street, Newport

Counsel Belmont removed this item from the agenda as a result of changes to the Health and Human Services' space needs. The department is looking at another option for office space, which may in turn free up additional space in the current Nye Street building.

Execution and recordation of Order # 12-06-419 regarding a lease for Health and Human Services, Lincoln Community Health Center (FQHC), in the Devils Lake Office Park, Devils Lake Boulevard, Lincoln City

Counsel Belmont stated that the County has finalized almost all terms of this agreement. He recommended the Board authorize execution and recordation of this lease, subject to County Counsel's final approval. Commissioner Hall made a motion to execute and record Order # 12-06-419 regarding a lease for Health and Human Services, Lincoln Community Health Center (FQHC), in the Devils Lake Office Park, Devils Lake Boulevard, Lincoln City. Commissioner Thompson seconded the motion. A vote was taken and the motion passed unanimously.

**MOTION TO EXECUTE AND RECORD ORDER #
12-06-419 REGARDING A LEASE FOR HEALTH
AND HUMAN SERVICES, LINCOLN
COMMUNITY HEALTH CENTER (FQHC), IN
THE DEVILS LAKE OFFICE PARK, DEVILS**

**LAKE BOULEVARD, LINCOLN CITY, SUBJECT
TO COUNSEL APPROVAL**

DISCUSSION/INFORMATION

Discussion of draft ordinance “Relating to dogs; creating new provisions; and declaring an emergency.”

Chair Lindly announced that this draft ordinance would require veterinarians to report rabies vaccinations to the County Health Department. Sheriff Dennis Dotson stated that this idea was presented to him by a local veterinarian a few years back, with the goal of increasing dog licensing in the area. There were comments regarding the wording of “declaring an emergency” on ordinances, which is a way of expediting the process. Sheriff Dotson stated that this draft ordinance is being addressed specifically for the issue of dog licensing, though there are other issues worth addressing.

Animal Control Deputy Jackie Beckstead and Environmental Health Program Manager Amy Chapman discussed the importance of keeping records of animals with rabies vaccinations in our area. Deputy Beckstead commented on the need for a database that keeps track of all rabies inoculations in the county, with the possibility of adding cats to the list, as well. Ms. Chapman expressed her support for the ordinance, which would provide her department with immediate access to information about rabies control in our county. She expressed her desire to see cats added to the list since rabies is often spread by bats, and cats often catch and eat bats. She stated that the incidence of rabies increased this past year.

Sheriff Dotson expressed his support of adding cats to the ordinance. Ms. Chapman discussed an incident of a rabid cat many years ago. Commissioner Thompson discussed changes in bat population over the years as a result of timber harvesting. Chair Lindly commented on the veterinarians’ support of this program and requested the Sheriff’s Office look into how the veterinarians’ workloads would be affected if cats were added to the ordinance. Ms. Chapman explained how her understanding of the process would work.

Commissioner Hall requested an update on the compliance of dog licensing in the county. Deputy Beckstead stated that the program has been going well, which makes it easier for her to return missing dogs to their homes. She added that there is currently no requirement for licensing cats, though the Sheriff’s Office encourages it.

Discussion of draft ordinance “Relating to exotic animals; creating new provisions; and declaring an emergency.” This draft ordinance would prohibit keeping certain exotic animals, namely: (1) any member of the family Felidae not indigenous to Oregon, except the species *Felis catus* (domestic cat); (2) any nonhuman primate; (3) any wolf (*Canis lupus*); (4) any nonwolf member of the family Canidae not indigenous to Oregon, except the species *Canis familiaris* (domestic dog); and (5) any bear, except the black bear (*Ursus americanus*).

Counsel Belmont stated that the authority to adopt this draft ordinance is available under state law, in ORS 609. Deputy Beckstead mentioned that there are many web sites that offer purchase of exotic animals without limitations on where the animal is going. Exotic animals can be a danger to the community if they are non-native species, can spread diseases, and have limited resources available for medical or shelter needs. Certain species require a special permit, such as a white wolf sanctuary, or public aquarium, etc. Deputy Beckstead discussed the State ordinance on exotic species.

Mayor Scott Beckstead requested the list of exotic species be expanded beyond wild members of the cat, dog, and bear families, since the State ordinance already includes those. He discussed other animals that have high health, safety, and environmental concerns.

There was discussion regarding whether or not the State requires permits for people to own certain exotic animals, and the process in which people can obtain these animals.

The Board will bring this draft ordinance back next week for action.

Discussion of draft ordinance “Relating to noise control; amending LCC 2.2025; and declaring an emergency.”

Chair Lindly stated that this draft ordinance would add another means of determining if there is a violation of the County noise control ordinance. Counsel Belmont added that the manner that we currently enforce this ordinance is by taking sound measurements. This addition to the ordinance would provide another method for officers to take to determine violations of the ordinance. Commissioner Thompson commented on the success within the Sheriff’s Office and the officers’ ability to enact the ordinance.

Sheriff Dotson commented on the level of practicality of the current language in the ordinance. Lt. Carey discussed chopping wood and loud music as they relate to the ordinance. Counsel Belmont noted that this does not change what is allowed and prohibited as far as noise; rather, it is a way to measure whether a violation has occurred. Lieutenant Carey clarified that barking dog noise does not fall under this ordinance, since there is a “dog as a public nuisance” ordinance that already exists.

The Board expressed confidence in the Sheriff’s Office staff in enforcement of this ordinance. Industrial noise laws remain the same, as covered in the current ordinance.

The Board will bring this draft ordinance back for action at next week’s meeting. Counsel Belmont noted that one spelling error was found in the draft ordinance, so the draft brought back next week will reflect the amended spelling error.

BOARD OF COMMISSIONERS AS GOVERNING BODY OF COUNTYWIDE SERVICE DISTRICTS

REPORTS

Chair Lindly mentioned that at the Oregon Transportation Commission’s meeting in November, there was a decision by the commission to remove the West Eugene Parkway Project from the 2006-2009 STIP. This action will free up \$11.7 million, and the Region 2 manager Jeff Scheick has a proposal that will be acted upon by the representatives of the various Area Commissions on Transportation. The recommendation is to use the money to backfill existing projects that need additional financial support. Chair Lindly listed those projects.

CONSTITUENT INPUT

EXECUTIVE SESSION

ADJOURNMENT

The meeting adjourned at 10:20 a.m. These meeting minutes were read and approved this 27th day of December 2006.

LINCOLN COUNTY BOARD OF COMMISSIONERS

DON LINDLY, Chair

BILL HALL, Commissioner

TERRY N. THOMPSON, Commissioner