

APPROVED BY ORDER # 8-06-284

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

MEETING OF JULY 26, 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*; Tom Hatley from Community Services Consortium; Kiera Morgan from KNPT radio; Ken Riley of Thompson's Sanitary Service; Planning and Development Director Matt Spangler; and Rob Thompson of Thompson's Sanitary Service.

ROLL CALL - ESTABLISHMENT OF A QUORUM

RECOGNITION/PROCLAMATION

ADOPTION OF CONSENT CALENDAR

Chair Lindly introduced the Consent Calendar items. Commissioner Hall highlighted item G.2.a. on the Consent Calendar: *Grant Agreement from the Criminal Justice Services Division for the Lincoln County Drug Court in the amount of \$94,823*. He noted that, though the contract for the other Drug Court grant in the amount of \$100,000 has not yet been received, the County does have the award letter in hand. The County was anticipating an August 1 start date for Drug Court, but will more than likely begin in September. 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 JULY 26, 2006**

CONSENT CALENDAR ITEMS

Minutes of the Board of Commissioners Meeting

7-06-281 BOC Meeting Minutes of July 19, 2006

Commissioner Appointments & Resignations

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:

- 7-06-282 Amendment to Deferred Compensation Plans dated July 17, 2006
- 7-06-283 Intergovernmental Agreement # 113244, Amendment #8. The amendment provides additional funding to the Women, Infant and Children program.

Execution:

Grant Agreement from the Criminal Justice Services Division for the Lincoln County Drug Court in the amount of \$94,823. (Note: The contract for the other Drug Court grant in the amount of \$100,000 has not yet been received.)

Agreement # 117622 between Department of Human Services and Lincoln County Health and Human Services to provide an Alcohol and Drug Outreach Worker through the Child Welfare Office

PUBLIC HEARING

Public hearing regarding a request by Craig and Kathleen Kelson for the vacation of a portion of 117th Street (For Far) located in Section 6, Township 12 South, Range 11 West, Willamette Meridian, Lincoln County. File No. V-146

County Public Works Director Jim Buisman submitted an affidavit of service and posting to Counsel Belmont for the record. Counsel Belmont entered the proof of publication of notice into the record. Mr. Buisman referred to the subject property on a map before the Board, and described the request. He mentioned that two pieces of property lie between the subject property to the north and the south, and noted that those pieces are owned by the State of Oregon. This area is in the For Far Special Road District. Both the State of Oregon and the For Far Special Road District were sent notices of the vacation request, neither of which responded in writing. Mr. Buisman explained that the State of Oregon did not respond in any manner, but two members of the For Far Special Road District contacted Mr. Buisman via telephone, though nothing was submitted in writing. There was clarification regarding the exact location of the subject property. Mr. Buisman noted that he submitted a report for the record, and explained that the petitioners' reason for the request was so they could "gain additional square footage to accommodate a sand filter septic system with repair area." The subject property is undeveloped, according to Mr. Buisman. There was discussion regarding exact location of the subject property. Mr. Buisman mentioned that he did send out a certified notice of the request to the Department of General Services in Salem, the listed owner of the subject lots. No response has been received. Mr. Buisman stated that he will ensure that ODOT is aware of the request. Commissioner Thompson commented on the undeveloped section in this area, and his concerns with the Department of General Services' potential plans for that property. Mr. Buisman was in verbal contact with the For Far Special Road District, though its members did not submit anything in writing. Having not received any objections from the State or the Special Road District, Mr. Buisman recommended the Board grant the request for vacation.

Chair Lindly opened the hearing to public comment. Mr. Kelson, petitioner, referred to the map and the subject property. There was no opposition to the vacation request. Chair Lindly closed the public hearing. Commissioner Thompson mentioned he would do some checking with the State Department of General Services to ensure the State doesn't have any future plans with the subject property. The Board expressed agreement with the recommendation for approval, and will act on this item at next week's Board meeting. Counsel Belmont requested clarification of the specific lines of the vacation request, to which Mr. Buisman responded.

DECISION/ACTION

Tom Hatley from Community Services Consortium was present for the resolution to develop a Lincoln County Affordable Housing Plan With a Focus on Chronic Homelessness. Commissioner Hall read the resolution in full, and discussed how this resolution came to fruition. He explained that Lincoln County wants to focus in on specific actions it can take to develop an affordable housing plan. If a plan clearly defines the county's needs and presents specific goals and solutions, it will be in a better position to utilize existing resources and leverage new ones. The Governor recently appointed a State Ending Homelessness Advisory Council, for which Commissioner Hall is a representative. The adoption of this resolution will mark the formal start of this process, and it will be presented to each city council in Lincoln County, with a request that they adopt companion resolutions. The resolutions don't commit any resources, but prove that Lincoln County considers housing and homelessness important challenges in our community. There will be a formal kickoff event of the Lincoln County Housing Steering Committee Thursday, September 7 from 1:00 – 3:00 p.m. at the First Presbyterian Church in Newport. Philip Mongano, the National Coordinator of the United States Interagency Council on Homelessness, will be on hand for the event.

Tom Hatley introduced Hannah Rosenow, an Americorps Vista volunteer. He commented on the critical timing of a resolution such as this, and discussed the population decline in Lincoln County, the rise of housing costs, low wages, and the increase of homelessness. Commissioner Thompson commented on the need to identify the source of the funds needed for these programs. Commissioner Lindly discussed the need for affordable housing. Commissioner Hall made a motion to execute and record Resolution # 06-26-07A to develop a Lincoln County Affordable Housing Plan With a Focus on Chronic Homelessness. Commissioner Thompson seconded the motion. A vote was taken and the motion passed unanimously.

MOTION TO EXECUTE AND RECORD RESOLUTION # 06-26-07A TO DEVELOP A LINCOLN COUNTY AFFORDABLE HOUSING PLAN WITH A FOCUS ON CHRONIC HOMELESSNESS

DISCUSSION/INFORMATION

Rate report from Rob Thompson of Thompson's Sanitary Service, Inc.

Ken Riley and Rob Thompson presented the annual rate report for Thompson's Sanitary Service, Inc. Mr. Thompson stated that, since the report showed that the numbers fell inside the operating ratio, an adjustment is not required this year. He drew the Board's attention to the report, which stated that fuel is

still increasing, but the Agate Beach Landfill closure offers rate stability. Mr. Thompson discussed different aspects of the recycling program; the length of time it takes to service different types of accounts; and partnerships to adopt rivers for cleanup programs. The commissioners commended Thompson's for its dedication to cleaning up our community.

Consideration of Planning Director's report and recommendation for Land Use Regulation Compensation (Measure 37) Claims:

Case File No. 2-LURCC-06, Louis Woosley, claimant

Mr. Spangler described the claim and the location of the subject property, which is near Five Rivers Road. A map was provided. The property is currently zoned A-C (Agriculture-Conservation), prohibiting the location of a dwelling under current regulations. The claimant seeks compensation for, or removal of, the regulations in question that prohibit placement of a dwelling on the property. The date of acquisition dates back to 1977, when the zoning of the property did allow the placement of a dwelling. Staff recommended the removal of the restrictions concerning placement of a dwelling on the property. Mr. Spangler discussed the dwelling patterns in the surrounding area. The Board agreed to approve this recommendation at next week's Board meeting. Staff will prepare a Board Order.

Case File No. 4-LURCC-06, Kenneth and Dawn Dutton, claimants

Mr. Spangler described the claim and the location of the subject property in the Monroe Acres. The property is currently zoned R-1 (single family residential). The claimant seeks compensation for, or removal of, the regulations that prohibit any further divisions of this parcel. The date of acquisition dates back to 1977, when the zoning of the property was Marine-Residential, and allowed creation of parcels down to a minimum size of 7,500 square feet. Staff recommended the removal of the restrictions concerning minimum parcel size in the R-1 zoning to allow for the creation of three additional parcels. Mr. Spangler added that Marine-Residential no longer exists as a zoning designation. In response to questions concerning flooding on the property, Mr. Spangler noted that there is an exception under Measure 37 that regulations associated with health and safety are not subject to compensation or waiver. The Board agreed to approve this recommendation at next week's Board meeting. Staff will prepare a Board Order.

Case File No. 5-LURCC-06, Caroline Stevens, claimant

Mr. Spangler described the claim, location, and size of the subject property. The property is currently zoned R-1, with minimum parcel size requirements of five acres. The date of acquisition was 1972, when the property was zoned R-1 with minimum parcel size requirements allowing lots down to 7,500 square feet. Staff recommended the removal of regulations in the R-1 zone to allow the claimant to create up to three parcels (two additional). There was discussion regarding surrounding properties. The Board agreed to approve this recommendation at next week's Board meeting. Staff will prepare a Board Order.

Mr. Spangler stated that Lincoln County has received approximately 46 Measure 37 claims thus far.

BOARD OF COMMISSIONERS AS GOVERNING BODY OF COUNTYWIDE SERVICE DISTRICTS

REPORTS

Commissioner Hall acknowledged the work done by Chris Chandler-DiTorrice, Executive Director of the Lincoln County Economic Development Alliance, the Alliance Board, Ed Parker, and others for the development of the Lincoln County E-Commerce Zone. He commented on the Regional Investment Board meeting he attended this week, during which the Board voted to recommend \$183,000 for Lincoln County projects. He described the projects, and announced that Lincoln County is almost out of its last round of RIB allocations.

Commissioner Thompson provided an update on the Salmon Fishers Aid Program. The County has received one application for a vessel moored in Depoe Bay, and has allocated approximately \$40,000 to Newport commercial salmon fishermen thus far. The grant application deadline is September 1, 2006.

CONSTITUENT INPUT

EXECUTIVE SESSION

ADJOURNMENT

The meeting adjourned at 10:55 a.m. These meeting minutes were read and approved this 2nd day of August 2006.

LINCOLN COUNTY BOARD OF COMMISSIONERS

DON LINDLY, Chair

BILL HALL, Commissioner

TERRY N. THOMPSON, Commissioner