

APPROVED BY ORDER # 3-06-121

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

MEETING OF MARCH 22, 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; Road Superintendent Jim Chambers; Chris Chandler-DiTorrice, for the Lincoln County Enterprise Zone Association; Bruce Durkee of Newport; Joel Gallob from the *News-Times*; Kiera Morgan from KNPT radio; Planning Director Matt Spangler; and Assessor Rob Thomas.

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 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 MARCH 22, 2006**

CONSENT CALENDAR ITEMS

Minutes of the Board of Commissioners Meeting

- 3-06-104 Joint Session meeting minutes of March 15, 2006 between the City of Waldport City Council and the Board of Commissioners
- 3-06-105 BOC meeting minutes of March 15, 2006

Commissioner Appointments & Resignations

Execution and recordation of:

- 3-06-106 Reappointment of Karla Bates as a member of the Lincoln County Public Health Advisory Committee
- 3-06-107 Changes in membership on the Lincoln County Special Transportation Advisory Committee

- 3-06-108 Reappointment of certain members and a change in membership of the Lincoln County Ambulance Service Review Committee
- 3-06-109 Reappointment of Pat Kearney as a member of the Cascades West Area Commission on Transportation
- 3-06-110 Reappointment of Niesa Chastain as a member of the Board of the Housing Authority of Lincoln County, Oregon

License Applications or Renewals

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

Execution and recordation of:

- 3-06-111 Quitclaim Deed from Lincoln County to Jerome Joseph Kluever, Map 7-11-34-DC, Tax Lot 3700, purchase price \$84,000
- 3-06-112 Satisfying a local improvement project "LID" lien of assessment against certain real property due to payment in full

General Budget Resolutions

Acting as Governing Body of County Wide Service Districts

Documents and Recording Matters in the Commissioners Journal

Recordation of:

- 3-06-113 Award letter from the Lincoln County Community and Economic Development fund per BOC Order #3-06-72, dated 3/1/2006, to Friends of the Newport Aquatic Center to help fund an Aquatic Center Planning and Design Study
- 3-06-114 Award letter from the Lincoln County Community and Economic Development fund per BOC Order #3-06-72, dated 3/1/2006, to Habitat for Humanity of Lincoln County to help fund building fees and permits for a Lincoln City Habitat home
- 3-06-115 Award letter from the Lincoln County Community and Economic Development fund per BOC Order #3-06-72, dated 3/1/2006, to Oregon Coastal Zone Management Association to help fund the Oregon Coast Regional Information and Database Initiative
- 3-06-116 Award letter from the Lincoln County Community and Economic Development fund per BOC Order #3-06-72, dated 3/1/2006, to Port of Alsea to help fund Waldport Youth Entrepreneurship

- 3-06-117 Award letter from the Lincoln County Community and Economic Development fund per BOC Order #3-06-72, dated 3/1/2006, to Port of Newport to help fund improvement of access to the Newport International Terminal Dock
- 3-06-118 Award letter from the Lincoln County Community and Economic Development fund per BOC Order #3-06-72, dated 3/1/2006, to Toledo Fire and Rescue Association to help fund a First Responder Class
- 3-06-119 Contract # 113007, Amendment 12, between Department of Human Services and Lincoln County Health and Human Services

PUBLIC HEARING

DECISION/ACTION

Ordinance # 438 relating to land use planning; amending Lincoln County Code 1.1115; and declaring an emergency.

Hearing no requests to read it in full, Chair Lindly read Ordinance # 438 by title only. The Board discussed this item with County Planning Director Matt Spangler at the March 8, 2006 Board meeting, and invited public comment over the following two weeks. No comment was received in the Board of Commissioners' Office nor the County Counsels' Office. Mr. Spangler heard from people who inquired when, if adopted, the ordinance would go into effect. Chair Lindly stated that if someone would qualify under this ordinance to have a home occupation, the person would have the ability to set up business without having to obtain a conditional use permit from the Planning Department. Mr. Spangler stated that, typically, a person would pay a \$535 application fee for the permit process, but with the approval of this ordinance, eligible people would not be required to pay that fee. Chair Lindly commented on the County's continued support of small businesses.

Commissioner Hall made a motion to adopt Ordinance #438 relating to land use planning; amending Lincoln County Code 1.1115; and declaring an emergency. Commissioner Thompson seconded the motion. A vote was taken and the motion passed unanimously.

MOTION TO ADOPT ORDINANCE #438 RELATING TO LAND USE PLANNING; AMENDING LINCOLN COUNTY CODE 1.1115; AND DECLARING AN EMERGENCY

The Oregon Tax Court-Magistrate Division No. 01-0328, 00-0255F, 01-0560F, and 02-0537F has ordered a reduction in value for the property owned by Jetty Associates, low income housing.

The correction is on account 07-11-15-DA-00600-00, R134507 for the year(s) 1998-99 through 2001-02. The reduced value has generated a refund for Jetty Associates in the amount of \$55,268.34. This correction is validated by the Assessor's JV 218-3/1/06. Counsel Belmont described the 34 low-income senior units that are located in Lincoln City. Assessor Rob Thomas stated that this is the last low-income housing unit pending a refund of taxes paid. The Board discussed the amount of the refund. Commissioner Thompson made a motion to execute and record Order # 3-06-120 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 #
3-06-120 IN THE MATTER OF REFUND OF
TAXES PAID**

DISCUSSION/INFORMATION

Discussion regarding proposed purchase and sale agreement for property along the Siletz River for a county park

Assistant County Counsel Rob Bovett commented on Road Superintendent Jim Chambers' success in obtaining grant funds for Lincoln County's parks. Mr. Bovett discussed the arrangement between a private timber company, the Oregon Department of Fish and Wildlife, and the Oregon State Marine Board to acquire a triangular parcel of land on the Lower Siletz River to convert into a boat launch facility. The private timber company will sell the property at a specified rate, appropriate names are being discussed with the Siletz Tribe, and some additional funding issues still need to be worked out. Commissioner Thompson commented on the State Marine Board's original goals of providing funding through grants for facilities such as this. He commended Mr. Chambers' continuous, successful work for the park resources of Lincoln County. Mr. Bovett added that Mr. Chambers ensured that the new public launch will not compete with private ones in the area. Commissioner Thompson mentioned the need to continue adding smaller boat launches so there isn't as much congestion at the few larger launches in the county. Commissioner Hall added his support for the park. The Board agreed to move this action to the Consent Calendar for approval at the 3/29/06 Board meeting.

Consideration of the E-Commerce Zone Application Resolution and Intergovernmental Agreement for the Lincoln County Enterprise Zone

Chris Chandler-DiTorricce discussed the six available e-commerce zones that are available, as created by last year's legislation. Six of Lincoln County's city councils have given their approval of both the resolution approving the application for an e-commerce zone and the intergovernmental agreement. There will be no impact on local revenues. Ms. Chandler-DiTorricce described e-commerce activities such as call centers and offices, and those businesses that are in commercial-zoned, not industrial, areas. She mentioned that Bob Repine is the new director for the Economic and Community Development Department, and she discussed the application review process that the ECDD will take. Though this item was placed as a discussion item, the Board agreed to make a decision today. Commissioner Hall made a motion to support the resolution for an application as an electronic commerce zone designation for the Lincoln County Enterprise Zone, and requesting said designation. Commissioner Thompson seconded the motion. A vote was taken and the motion passed unanimously.

**MOTION TO SUPPORT RESOLUTION # 06-22-
03A FOR AN APPLICATION AS AN
ELECTRONIC COMMERCE ZONE
DESIGNATION FOR THE LINCOLN COUNTY**

**ENTERPRISE ZONE, AND REQUESTING SAID
DESIGNATION**

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

Bruce Durkee announced the 8th Newport marathon, which will be held on the first Saturday this June, and requested that the Board approve closure of one lane on Bay Boulevard, 6.2 miles out to Toledo. Officially, 750 participants will be able to register for the race. Mr. Durkee discussed issues associated with large marathons; the level of course difficulty; the inclusion of Newport as a feature in this year's Fodor's marathon travel guide; amount of money raised in the past by the marathon; and scholarships available for high school students who want to participate, but cannot afford the registration fee. The Board commented on past experiences associated with the annual marathon, road closure signs, and issues associated with prize fees. Commissioner Hall made a motion to direct the County Road Department to work with Bruce Durkee and his committee, supporting the closure of Bay Road for the Newport marathon. Commissioner Thompson seconded the motion. A vote was taken and the motion passed unanimously.

**MOTION TO DIRECT THE COUNTY ROAD
DEPARTMENT TO WORK WITH BRUCE
DURKEE AND HIS COMMITTEE, SUPPORTING
THE CLOSURE OF BAY ROAD FOR THE
NEWPORT MARATHON**

REPORTS

Tom Clancey-Burns, Executive Director, Community Services Consortium (CSC)

Mr. Clancey-Burns distributed CSC's annual report to the Board. He discussed goals and achievements from last year. This is CSC's 25th year as an organization. Mr. Clancey-Burns discussed the following: the groups who track the types of budgets in which CSC would be interested; budget cuts to CSC programs; community action programs; energy assistance programs; and political debate between "hot states" and "cold states." The Board expressed confusion over some of the figures associated with the "hot and cold states." Mr. Clancey-Burns agreed to send a different version of the form to the Board so specific allocations could be clarified. Commissioner Thompson commented on poverty rations across the country. The Head Start building met its deadlines for the Community Development Block Grant, and expects to find out if it will get the grant by May 31, 2006. CSC raised over \$342,000 to match in to the CDBG, with approximately \$800,000 in pending grants. CSC had a clean audit for the 8th (or 9th) year running. Mr. Clancey-Burns also discussed Americorps Vista; weatherization and housing rehabilitation; Lincoln County Food share; yearly calendar; and more.

Board of Commissioners

Commissioner Hall mentioned that on March 28 from 6:00 p.m. - 8:00 p.m. at the Boone Center at Newport High, Lincoln County Health and Human Services and Partnership Against Alcohol and Drug

Abuse will sponsor a town hall meeting on underage drinking. Commissioner Hall will be the moderator, and there will be a panel of speakers to address the issue. He mentioned the national rise in underage drinking, with Lincoln County as one of the counties with the highest rate of underage drinking in Oregon.

Commissioner Thompson stated that he participated in an Ocean Protection Advisory Committee meeting to discuss issues regarding marine sanctuaries off the Oregon coast. He also went to an Oregon Department of Fish and Wildlife meeting to review its budget. There are currently no plans for fee increases this year for hunting and fishing licenses. He attended a meeting at Oregon State University with the stakeholders for the Marine Experiment Station budget and Department of Agriculture budget, and they discussed how they would work with the next legislative session, trying to keep agricultural budgets strong.

EXECUTIVE SESSION

The Board held an executive session pursuant to ORS 192.660(2)(d) to discuss labor negotiations.

ADJOURNMENT

The meeting adjourned at 11:00 a.m. These meeting minutes were read and approved this 29th day of March 2006.

LINCOLN COUNTY BOARD OF COMMISSIONERS

DON LINDLY, Chair

BILL HALL, Commissioner

TERRY N. THOMPSON, Commissioner