

APPROVED BY ORDER # 3-06-88

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

MEETING OF MARCH 8, 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, Assistant County Counsel Rob Bovett, and Recorder Liz Sample. Also present were Dr. Bart Boyer, executive director, Community Development Corporation; Tracey Cummings from My Sisters' Place; Joel Gallob from the *News-Times*; Tom Hatley from Community Services Consortium (CSC); Stephen Howard from CSC; Health and Human Services Director Jan Kaplan; Kiera Morgan from KNPT radio; Planning Director Matt Spangler.

ROLL CALL - ESTABLISHMENT OF A QUORUM

RECOGNITION/PROCLAMATION

ADOPTION OF CONSENT CALENDAR

Chair Lindly introduced the Consent Calendar items. Commissioner Hall highlighted the resignation of Cliff Wamacks from the Local Public Safety Coordinating Council, and the Board acknowledged his, and his wife Naomi's, years of service on different boards in Lincoln County. 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 MARCH 8, 2006**

CONSENT CALENDAR ITEMS

Minutes of the Board of Commissioners Meeting

3-06-80 BOC Meeting Minutes of March 1, 2006

Commissioner Appointments & Resignations

3-06-81 Reappointment of (Jess) Chris Morrison as a member of the Gleneden Beach Special Road District Board

3-06-82 Confirmation of the appointment of Debbie McCullough as representative for DHS on the Region 4 Workforce Investment Board

- 3-06-83 Appointment of a representative and alternate of Lincoln County to the Region 4 Workforce Investment Board
- 3-06-84 Resignation of Cliff Wamacks as a member of the Local Public Safety Coordinating Council

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:

- 3-06-85 Agreement between Lincoln County School District and the Lincoln County Commission on Children and Families

Recordation of:

- 3-06-86 Amendment #4 to Intergovernmental Agreement # 113244 between the Department of Human Services and Lincoln County Health and Human Services
- 3-06-87 Amendment #14 to Intergovernmental Agreement # 113007

Execution of:

Bridge Maintenance Agreement # 22,095 with Oregon Department of Transportation, for work done on Otter Crest Loop Frontage Road and Ben Jones (Rocky Creek) Bridge Road in Lincoln County

PUBLIC HEARING

Lincoln County is preparing an application for a 2006 Community Development Block Grant for the Newport Head Start Child and Family Care Facility to be located in Newport, Oregon, which will serve low-income children in Newport. A public hearing is being held to obtain citizen views and to respond to questions and comments about this application and community development and housing needs, especially the needs of low and moderate income persons, as well as other needs in the community that might be assisted with a CDBG Project.

Chair Lindly opened the public hearing, and noted that notice has been published with block grant requirements, soliciting comments on program and project participation in this hearing. One written comment was entered into the record by Theresa Wisner, executive director of My Sisters' Place. Tom Hatley and Stephen Howard from Community Services Consortium (CSC) approached the Board to discuss the CDBG. Mr. Hatley stated that the State has approximately \$13 million available for block

grants for qualifying cities with fewer than 50,000 residents. For information on the grant, people can visit the CSC web site at www.econ.state.or.us. CSC's proposed project is to build a Head Start center in Newport, expanding an existing building. CSC would be applying for approximately \$800K in funding. Mr. Hatley explained the application process. The application is due March 31, with the awards being announced some time in May. If CSC wins the grant, the project must commence within six months, and the administrative side completed within two years. At least 15% of the grant must be matched. CSC has successfully raised approximately \$350K thus far, and they can increase the size of the project if more foundation funding comes in to CSC. He discussed the present lack of a "sign, purchase, sale" agreement, though both parties have agreed to terms of the sale of the property. Mr. Hatley requested the Board support this application.

Commissioner Thompson inquired about the property signing agreement. Mr. Hatley responded that ODOT has concerns with the appraisal and it is being reviewed. Commissioner Lindly is looking into the situation with ODOT. Mr. Howard clarified that, if approved, the State wants to see activity commencing in four, not six, months. He thanked the BOC for its support of CSC's projects. He reminded everyone that people can contact CSC with project ideas for the future. Chair Lindly commented on the timing of this project, and commended CSC for the amount of time it has put forth on this project. Commissioners Thompson and Hall applauded the contributors to the project, and the timely manner in which the project has progressed. Chair Lindly commented on the overcrowding of the Toledo center. Commissioner Hall added his desire to see a Head Start presence in Waldport.

Chair Lindly invited public comment. Tracey Cummings from My Sisters' Place shared stories of people who will be impacted by this project. She raved about the Head Start program and the skills that it gives parents and children. The Board commented on its family-oriented stance, and stressed the importance of a centrally-located facility. Assistant County Counsel Rob Bovett added that a report came out regarding the rising use of methamphetamines, and the work that Head Start does has been proven to cut crime and future drug use.

Chair Lindly closed the public hearing. Commissioner Hall made a motion to approve the CSC application for a Community Development Block Grant. Commissioner Thompson seconded the motion. A vote was taken and the motion passed unanimously.

**MOTION TO APPROVE THE CSC
APPLICATION FOR A COMMUNITY
DEVELOPMENT BLOCK GRANT**

DECISION/ACTION

DISCUSSION/INFORMATION

Discussion regarding draft ordinance that defines an "accessory home occupation" for purposes of permitted use in a residential building

Chair Lindly reminded everyone that the topic of home occupations was presented to the Board in the past, and County Planning and Development Director Matt Spangler had been asked to research the County's ordinance on the matter. Mr. Spangler described the County's current standards, and the process that was taken to re-evaluate the ordinance. There are certain types of home businesses that are

not subject to separate regulations. It was determined that most of the codes that define regulations for home businesses include four factors: number of employees; amount and type of customers; use of accessory buildings or structures; and nature of business activities. Assistant County Counsel Rob Bovett drafted a proposed ordinance for the Board's review. The Planning Commission came up with a definition of the accessory home occupation. Mr. Spangler described the definition and criteria as outlined in the draft ordinance. He noted that home occupations that exceed the thresholds as outlined in the draft ordinance won't necessarily be turned down; rather, they would be subject to a review process for conditional use. He noted, also, that the Planning Commission held three work sessions to review the ordinance, and held a public hearing on the matter. There was no testimony in opposition of the draft ordinance.

There was discussion regarding whether or not a person using a computer as a means of gaining business (ebay sales, for example) is subject to the regulations. Mr. Spangler mentioned that there were issues presented by the Planning Commission, and the recommendation that emerged from the work sessions was unanimously agreed upon by the Commission members.

Commissioner Thompson expressed concern over the lack of flexibility for particular home businesses, including commercial fishermen. Mr. Spangler described regulations for home businesses in residential areas versus rural areas. Chair Lindly inquired about the specific numbers chosen for the regulations, i.e. number of employees, square feet, etc. Mr. Spangler responded that the Commission extracted information from other counties' codes, reviewing ranges within the codes that would work for Lincoln County. He described specific occupations and how the threshold was determined for those types of businesses. Chair Lindly described areas of ambiguity within the draft ordinance.

This item will be placed on the March 22 Board agenda for action, when the ordinance will be read in full for the public. The Board thanked Mr. Spangler, his department, and the Planning Commission for their follow through on this issue.

Annual Ridge Apartments ("The Ridge") Tax Exemption review and Community Development Corporation report

Chair Lindly mentioned that this tax exemption began in 1995, and is good for 15 years, which carries it to 2010. The status is reviewed every year by Dr. Bart Boyer, executive director of the Lincoln County Community Development Corporation, and presented to the Board of Commissioners. Dr. Boyer mentioned that there is 100% occupancy at The Ridge, and described the newest resident services program, called Healthy Start, in which mothers can learn how to deal with raising children. He described the Ridge Exploration Team, an after school program for 10-12 year olds. Other programs include the following: English as a Second Language; nutritional food education; community gardening; and new home buyers' education. He mentioned that Assistant County Counsel Rob Bovett found money in the HUD Dollar Homes program a few years ago, and Alder Hill Group Home in Toledo was able to be built and opened as a result of this money. He described the group home, which is managed by Shangri-La Corporation. CDC is planning the development of an additional four-plex on the other side of the Alder Hill property. Dr. Boyer discussed the Yaquina Breeze housing unit which houses people with mental disabilities. He spoke of the housing summit that occurred this past year, and commented on the progress that is being made in the county as a result of exposure to the topic. He added that it is difficult to entice employees in our county due to the high cost of housing. Dr. Boyer thanked the County for its support of CDC.

Commissioner Hall thanked Dr. Boyer for his, and CDC's, assistance in making the housing summit a success. He added that the projects CDC has initiated have become community assets. Chair Lindly added that The Ridge apartments' tax exemption exists as long as the CDC complies with the requirements of the statute. A letter will be sent to the Assessor's Office regarding the annual report. Commissioner Hall made a motion authorizing the chair to send a letter to the County Assessor concerning The Ridge apartments' tax exemption. Commissioner Thompson seconded the motion. A vote was taken and the motion passed unanimously.

**MOTION AUTHORIZING THE CHAIR TO SEND
A LETTER TO THE COUNTY ASSESSOR
CONCERNING THE RIDGE APARTMENTS' TAX
EXEMPTION**

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

REPORTS

Presentation of 2004-2005 Health and Human Services Annual Report

Jan Kaplan, director of the Lincoln County Health and Human Services Department, was present to deliver his second annual departmental report. Mr. Kaplan highlighted some key areas of the department. He stated that this report covers July 2004 through June 2005, and HHS is the second largest department in terms of staff, and third largest in terms of budget. He discussed some of the major accomplishments, including the start of the Federally Qualified Health Care Center, whose goal is to begin delivering primary care services by June 2006. Also, the Mental Health Children's Care Initiative is underway to develop, with the assistance of community partners, a different approach for children with serious mental illnesses. Mr. Kaplan discussed the Behavioral Health Network of Care web site which was created last year and has been very successful. Two other sites have been developed in Oregon since Lincoln County's Network of Care site launched.

Mr. Kaplan briefly discussed the following: 7.9% of the department's budget comes from the County's general fund; the report depicts information on the department's advisory committees; the South Beach facility that offers services for adults has been remodeled and expanded; there is an increase in care to pregnant mothers in their first trimester; the department did well in maintaining the pertussis outbreak last year; the department received recognition from the state for the quality of its gambling treatment program; and the department is placing emphasis on providing services to those who most seriously are affected by mental and behavioral health issues.

The board commended Mr. Kaplan for the work his department has accomplished, and for the services it continues to provide. Commissioner Hall requested Mr. Kaplan discuss the 7.9% funding in more detail. Mr. Kaplan explained that the department's base funding shouldn't fluctuate from year to year, so having this general fund allotment stabilizes it to some degree. He commented on the federal government's limited knowledge of the workings of counties' health and human services programs. His department is aggressive in going after grants. The annual report will be posted on the County's web site, and will receive media coverage, as well. Mr. Kaplan discussed long-term planning for the department.

EXECUTIVE SESSION

The Board held an executive session pursuant to ORS 192.660(3)(d) to discuss labor negotiations.

CONSTITUENT INPUT

ADJOURNMENT

The meeting adjourned at 11:05 a.m. These meeting minutes were read and approved this *15th* day of *March 2006*.

LINCOLN COUNTY BOARD OF COMMISSIONERS

DON LINDLY, Chair

BILL HALL, Commissioner

TERRY N. THOMPSON, Commissioner