

APPROVED BY ORDER # 9-06-332

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

MEETING OF SEPTEMBER 6, 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 Peter Boris, Chief Appraiser; Public Works Director Jim Buisman; Joel Gallob from the *News-Times*; Carol Lowe, store owner in Logsden; Dr. Bruce Mate, Director, Oregon State University's Hatfield Marine Mammal Program; and Kiera Morgan from KNPT radio.

ROLL CALL - ESTABLISHMENT OF A QUORUM

RECOGNITION/PROCLAMATION

Bruce Mate, Director, Oregon State University's Marine Mammal Program, presented a plaque to Commissioner Thompson for donating a fishing vessel to the university's marine research programs. Dr. Mate added that he intended to present the plaque several months ago, but had to reschedule due to an emergency medical procedure. Commissioner Thompson requested Dr. Mate explain more about the program. Dr. Mate stated that his research group has tagged five different species of endangered whales in four different oceans in the past year. The researchers are trying to figure out how human activities can become compatible with the recovery of natural resources. Commissioner Thompson described his relationship with Dr. Mate over the years, and how their partnerships together on research projects led to the donation of the vessel. Dr. Mate thanked Commissioner Thompson, adding that donations like that enable the research programs to continue. There was discussion concerning the effect of the future wave action generator on offshore marine mammals, and the importance of collaborative research within the marine scientific community and the technological community.

ADOPTION OF CONSENT CALENDAR

Chair Lindly introduced the Consent Calendar items. Commissioner Hall highlighted the contract between Lincoln County and NPC Research for evaluation services for the Lincoln County Drug Court. 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 SEPTEMBER 6, 2006**

CONSENT CALENDAR ITEMS

Minutes of the Board of Commissioners Meeting

9-06-325 BOC Meeting Minutes of August 30, 2006

Commissioner Appointments & Resignations

9-06-326 Reappointment of Walter Brucha and David Pickering to the Bicycle and Pedestrian Advisory Committee as voting members

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:

9-06-327 Satisfying a local improvement project ("LID") lien of assessment against certain real property due to payment in full

9-06-328 Approving a contract between Lincoln County and NPC Research for evaluation services for the Lincoln County Drug Court

9-06-329 Amending Order # 7-06-262, in the matter of the Boating Safety and Law Enforcement Services Contract

Recordation of:

9-06-330 Receipt of FY 06-07 Professional Services Agreement for Shelter Services between Lincoln County and Tillamook County

Execution of:

Grant agreement # 23329 between Oregon Department of Transportation Public Transit Division and Lincoln County Transportation Service District for general public transportation operations

PUBLIC HEARING

DECISION/ACTION

A reduction in value has been ordered by the Oregon Tax Court, # 05-0090, verified by the Assessor's JV(s)10083, dated 08/23/06. The correction is on Personal Property account 11-11-05-AB-03000, P486350, for the tax years 2002/03 – 2004/05. The Personal Property is owned by Fred Meyer, Inc. The reduced value has generated a refund in the amount of \$12,745.33.

Chief Appraiser Peter Boris mentioned that the refund of three years was due to bookkeeping practices by Fred Meyer, Inc. A number of items that the company didn't have had been included in their personal property; therefore, upon reviewing the taxes from previous years, a refund was ordered. Commissioner Hall made a motion to execute and record Order # 9-06-331 in the matter of refund of taxes paid. Commissioner Thompson seconded the motion. A vote was taken and the motion passed unanimously.

**MOTION TO EXECUTE AND RECORD ORDER #
9-06-331 IN THE MATTER OF REFUND OF
TAXES PAID**

Logsden Bridge Alternatives

After referring to photos with the subject property highlighted, Chair Lindly asked the commissioners if they had received public comment on this issue. Commissioner Hall had not, but Commissioner Thompson spoke with one person who was in favor of Alternative #1. Public Works Director Jim Buisman stated he had not received any public communication on the issue. Chair Lindly stated that he ran into one of the adjacent property owners who had concerns with Alternative #4, and he was also in favor of Alternative #1. The store owner had expressed concern to him over her water system and temporary parking issues.

Commissioner Hall made a motion to approve Alternative #1 for the Logsden Bridge replacement project, for reasons previously discussed, and direct the Public Works Director to move forward. Commissioner Thompson seconded the motion. Chair Lindly invited Carol Lowe, the Logsden store owner, to comment. She reiterated her concerns as they pertain to her store. A vote was taken and the motion passed unanimously.

**MOTION TO APPROVE ALTERNATIVE #1 FOR
THE LOGSDEN BRIDGE REPLACEMENT
PROJECT, FOR REASONS PREVIOUSLY
DISCUSSED, AND DIRECT THE PUBLIC
WORKS DIRECTOR TO MOVE FORWARD**

DISCUSSION/INFORMATION

Report on the vote for proposed Troller's Cove LID

Mr. Buisman recalled a proposed Local Improvement District for Troller's Cove and described the location. The proposal received a sufficient number of signatures on a petition, and the Public Works director sent ballots to the proposed assessed properties. A 45-day response period has expired. Mr. Buisman provided an abstract describing the results of the ballot. 19 properties would specially benefit from the LID. 14 ballots were returned. Nine voted in favor and five voted in opposition. Votes in favor are supposed to represent a greater amount of assessment than the opposition votes. In this case, the assessment came out equal, so it came to a simple majority vote. The Board can order the staff to proceed if it desires. Staff is prepared to move forward, if so directed. Commissioner Hall made a

motion to direct staff to move forward with the proposed Troller's Cove LID. Commissioner Thompson seconded the motion. A vote was taken and the motion passed unanimously.

**MOTION TO DIRECT STAFF TO MOVE
FORWARD WITH THE PROPOSED TROLLER'S
COVE LID**

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

REPORTS

Commissioner Hall reminded everyone that tomorrow afternoon at 1:00 at the Newport Presbyterian Church will be the official kickoff event for the development of the ten-year housing and homeless plan. Friday morning he will be in Salem for the second meeting of the State Advisory Council on Homelessness.

Chair Lindly stated that next week's Board of Commissioners meeting will be a night meeting, immediately following the Joint Session with the City of Toledo City Council. The Joint Session begins at 6:00 p.m. in the Toledo City Hall.

CONSTITUENT INPUT

EXECUTIVE SESSION

ADJOURNMENT

The meeting adjourned at 9:56 a.m. These meeting minutes were read and approved this 13th day of September 2006.

LINCOLN COUNTY BOARD OF COMMISSIONERS

DON LINDLY, Chair

BILL HALL, Commissioner

TERRY N. THOMPSON, Commissioner