

APPROVED BY ORDER # 3-07-494
MINUTES OF THE
LINCOLN COUNTY BOARD OF COMMISSIONERS
MEETING OF FEBRUARY 28, 2007

CALL TO ORDER

Chair Bill Hall convened the adjourned session of the Lincoln County Board of Commissioners. Present at the meeting were Commissioners Terry Thompson and Don Lindly, County Counsel Wayne Belmont, and Recorder Judy Eames. Also present were Barbara Dougherty and Wendy Rudy from Lincoln County Health and Human Services; Matt Spangler, Director of Planning and Development; and Kiera Morgan from KNPT.

ROLL CALL - ESTABLISHMENT OF A QUORUM

RECOGNITION/PROCLAMATION

Chair Hall read Resolution # 07-28-02A in full proclaiming March 5-11, 2007 "Lincoln County Problem Gambling Awareness Week." Wendy Rudy, Prevention Coordinator for Lincoln County Health and Human Services, noted that there are more forms of legalized gambling in Oregon than in almost any other state. Thirty-one clients have been treated in Lincoln County for gambling addiction: the average problem gambler is \$23,177 in debt, and an average of 37% have committed illegal activities to sustain their addiction. Barbara Dougherty, Program Coordinator for Lincoln Commission on Children and Families, stated that funding in Lincoln County for treatment services has increased by 1%, for a total of \$37,000, due to the increase of lottery funds received by the state. A new focus this year is to educate the county's youth in an effort to keep them from becoming involved in gambling activities. Chair Hall advised that Oregon is one of the few states that offers residential treatment for gambling addiction. Ms. Rudy noted that treatment is confidential, free, and works. Commissioner Lindly made a motion to approve Resolution # 7-28-02A proclaiming March 5-11, 2007, "Lincoln County Problem Gambling Awareness Week." Commissioner Thompson seconded the motion. The vote was taken and the motion passed unanimously.

MOTION TO APPROVE RESOLUTION # 7-28-02A PROCLAIMING MARCH 5-11, 2007 "LINCOLN COUNTY PROBLEM GAMBLING AWARENESS WEEK"

ADOPTION OF CONSENT CALENDAR

Commissioner Lindly made a motion to approve the Consent Calendar. Commissioner Thompson seconded the motion. The vote was taken and the motion passed unanimously.

MOTION TO APPROVE THE CONSENT CALENDAR OF FEBRUARY 28, 2007

CONSENT CALENDAR ITEMS

Minutes of the Board of Commissioners Meeting

2-07-482 BOC Meeting Minutes of February 21, 2007

Commissioner Appointments & Resignations

- 2-07-483 Appointment of David A. Bosnjak and reappointment of Richard Dahrens to the Lake Point Special Road District Board
- 2-07-484 Appointment of Sharron Kelley as an interim member of the Lincoln County Budget Committee

Documents and Recording Matters in the Commissioners Journal

Recordation of

- 2-07-485 Amendment # 33 to IGA # 113007 between the Department of Human Services and Lincoln County Health and Human Services updating general terms and condition language

**MOTION TO APPROVE CONSENT CALENDAR
OF FEBRUARY 28, 2007**

DECISION/INFORMATION

Measure 37 Claims

Chair Hall reminded the Board that these claims were discussed at the February 21, 2007 Board meeting. A few minor corrections were made on some of staff reports. The order for claimant George Westcott, Case File No. 18-LURCC-06, will be placed on a future agenda.

Commissioner Lindly made a motion to approve Order # 2-07-486 regarding the Measure 37 claim of Gerald and Barbara Smallwood, Gerald Smallwood Logging, Inc., claimants. Commissioner Thompson seconded the motion. A vote was taken and the motion passed unanimously.

**MOTION TO APPROVE ORDER # 2-07-486
REGARDING THE MEASURE 37 CLAIM OF
GERALD AND BARBARA SMALLWOOD,
GERALD SMALLWOOD LOGGING, INC.,
CLAIMANTS, CASE FILE NO. 07-LURCC-06**

Commissioner Thompson made a motion to approve Order # 2-07-487 regarding the Measure 37 claim of Vearyl E. Ray, claimant. Commissioner Lindly seconded the motion. A vote was taken and the motion passed unanimously.

**MOTION TO APPROVE ORDER # 2-07-487
REGARDING THE MEASURE 37 CLAIM OF
VEARL E. RAY, CLAIMANT, CASE FILE NO. 09-
LURCC-06**

Commissioner Thompson made a motion to approve Order # 2-07-488 regarding the Measure 37 claim of Robert Skauge and Debra Ison, claimants. Commissioner Lindly seconded the motion. A vote was taken and the motion passed unanimously.

**MOTION TO APPROVE ORDER # 2-07-488
REGARDING THE MEASURE 37 CLAIM OF
ROBERT SKAUGE AND DEBRA ISON,
CLAIMANTS, CASE FILE NO. 11-LURCC-06**

Commissioner Lindly made a motion to approve Order # 2-07-489 regarding the Measure 37 claim of Elton L. Wischnofske, claimant. Commissioner Thompson seconded the motion. A vote was taken and the motion passed unanimously.

**MOTION TO APPROVE ORDER # 2-07-489
REGARDING THE MEASURE 37 CLAIM OF
ELTON L. WISCHNOFSKE, JR., CLAIMANT,
CASE FILE NO. 12-LURCC-06**

Commissioner Lindly made a motion to approve Order # 2-07-490 regarding the Measure 37 claim of Elton and Kathy Wischnofske, claimants. Commissioner Thompson seconded the motion. A vote was taken and the motion passed unanimously.

**MOTION TO APPROVE ORDER # 2-07-490
REGARDING THE MEASURE 37 CLAIM OF
ELTON AND KATHY WISCHNOFSKE,
CLAIMANTS, CASE FILE NO. 13-LURCC-06**

Commissioner Lindly made a motion to approve Order # 2-07-491 regarding the Measure 37 claim of Kathy Wischnofske, claimant. Commissioner Thompson seconded the motion. A vote was taken and the motion passed unanimously.

**MOTION TO APPROVE ORDER # 2-07-491
REGARDING THE MEASURE 37 CLAIM OF
KATHY WISCHNOFSKE, CLAIMANT, CASE
FILE NO. 14-LURCC-06**

Commissioner Thompson made a motion to approve Order # 2-07-492 regarding the Measure 37 claim of Harriet Parsley, claimant. Commissioner Lindly seconded the motion. A vote was taken and the motion passed unanimously.

**MOTION TO APPROVE ORDER # 2-07-492
REGARDING THE MEASURE 37 CLAIM OF
HARRIET PARSLEY, CLAIMANT, CASE FILE
NO. 15-LURCC-06**

Commissioner Thompson made a motion to approve Order # 2-07-493 regarding the Measure 37 claim of Darrell Hunker, claimant. Commissioner Lindly seconded the motion. A vote was taken and the motion passed unanimously.

**MOTION TO APPROVE ORDER # 2-07-493
REGARDING THE MEASURE 37 CLAIM OF
DARRELL HUNKER, CLAIMANT, CASE FILE
NO. 17-LURCC-06**

Having heard no request to read the ordinance in full, Chair Hall read Ordinance # 446 by title only: "Ordinance # 446 relating to siting of ocean wave energy facilities, creating new provisions, and declaring an emergency." Counsel Belmont noted that the ordinance authorizes formation of an ad hoc committee, Fishermen Involved in Natural Energy, to assist in the process of developing ocean wave energy in Lincoln County. The ordinance sets the number of members to be appointed and outlines the duties of the committee. The committee will review and make recommendations on all applications for permits and licenses for the siting of ocean wave energy facilities. The committee is also charged with developing a comprehensive siting plan for ocean wave energy facilities which will extend out to 12 miles off shore. Commissioner Thompson noted that the ordinance gives those involved in the fishing industry a way to be informed and engaged in the county's wave energy process and provides them with a legal entity for entering into contracts and agreements. He advised that Assistant County Counsel Rob Bovett recently met with state officials and presented a House Joint Memorial to reopen the Federal Power Act to address and encourage development of wave energy. The House Joint Memorial will be reviewed by legislative counsel. Chair Hall stated that the committee provides a local voice and is a "FINE" idea. Commissioner Lindly made a motion to execute Ordinance # 446 "relating to siting of ocean wave energy facilities, creating new provisions, and declaring an emergency." Commissioner Thompson seconded the motion. A vote was taken and the motion passed unanimously.

**MOTION TO EXECUTE AND RECORD
ORDINANCE # 446 RELATING TO SITING OF
OCEAN WAVE ENERGY FACILITIES,
CREATING NEW PROVISIONS, AND
DECLARING AN EMERGENCY**

REPORTS

Commissioners Reports

Commissioner Thompson reported that two legislative bills have been proposed related to wave action, one of which would require 100% bonding from any entity applying for a wave energy facility. The bond would be used in the event the entity failed to clean up its facility site. The other bill would provide entities with a mechanism for tax relief for equipment and property placed in the ocean which is used for wave energy.

Commissioner Thompson also noted that on February 26, 2007, he received an award at the Capitol for his work in helping to promote school based health care clinics.

Commissioner Lindly advised that he will be attending the National Association of Counties in Washington DC during the week of March 5. He will also be attending the National Action Conference

in Washington that week, along with Community Services Consortium (CSC) Executive Director Tom Clancey-Burns, to discuss issues relating to Action programs and job training. CSC will be paying for Commissioner Lindly's trip expenses.

Commissioner Lindly noted that the county is in the process of finalizing the purchase of property which will be the site of the Newport Head Start Center. The county has applied for and been granted \$800,000 from the Oregon Community and Economic Development Department Block Grant Program to help build this facility.

Chair Hall reported that he, too, will be in Washington DC on March 7 and 8 to attend the Jurisdictional Leaders Summit sponsored by the Interagency Council on Homelessness.

CONSTITUENT INPUT

David Peltier presented a request for support in his effort to create an "Ocean of Peace Forest" on 110 acres of land owned by the United States Forest Service. Mr. Peltier is proposing that the subject property, which is located 1.2 miles up Legion Road north of Alsea Bay and Waldport, be used as a wildlife corridor and a habitat for threatened species. Chair Hall applauded Mr. Peltier's vision to preserve and restore the forest lands and asked that he keep the commissioners apprised of his progress with various groups, individuals, and the U.S. Forest Service.

ADJOURNMENT

After Chair Hall noted that the March 7, 2007 Board of Commissioners meeting has been canceled due to scheduling conflicts, the meeting was adjourned at 10:30 a.m. These meeting minutes were read and approved this 14th day of March, 2007.

LINCOLN COUNTY BOARD OF COMMISSIONERS

BILL HALL, Chair

TERRY N. THOMPSON, Commissioner

DON LINDLY, Commissioner