

APPROVED BY ORDER # 6-07-610

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

MEETING OF JUNE 13, 2007

CALL TO ORDER

Chair Bill Hall convened the adjourned session of the Lincoln County Board of Commissioners. Present at the meeting were Commissioner Terry Thompson, County Counsel Wayne Belmont, and Recorder Liz Sample. Also present were Assistant County Counsel Rob Bovett; Environmental Health Program Manager Amy Chapman; Sheriff Dennis Dotson; Animal Shelter Manager Dee Kaminski; Health and Human Services Director Jan Kaplan; Kiera Morgan from KNPT radio; Lieutenant Jamie Russell; Planning Director Matt Spangler; Assessor Rob Thomas.

ROLL CALL - ESTABLISHMENT OF A QUORUM

Commissioner Lindly was excused.

RECOGNITION/PROCLAMATION

ADOPTION OF CONSENT CALENDAR

Chair Hall introduced the Consent Calendar items. Counsel Belmont removed items G1d and G1e pertaining to O&C Land Related Safety-Net Payments under P.L. 106-393. Commissioner Thompson made a motion to approve the Consent Calendar as amended. Chair Hall seconded the motion. The vote was taken and the motion passed unanimously.

**MOTION TO APPROVE CONSENT CALENDAR
OF JUNE 13, 2007 AS AMENDED**

CONSENT CALENDAR ITEMS

Minutes of the Board of Commissioners Meeting

6-07-603 BOC Meeting Minutes of June 6, 2007

Commissioner Appointments & Resignations

License Applications or Renewals

6-07-604 Issuance of an Oregon Liquor Control Liquor License to Roy and Magdalena Baker, dba Road House Bar and Grill

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

6-07-605 Quitclaim Deed to John F. Watkins, 13-12-36-DC-02900, purchase price \$2,501

General Budget Resolutions

Acting as Governing Body of County Wide Service Districts

Documents and Recording Matters in the Commissioners Journal

Execution and recordation of:

6-07-606 Satisfying a Local Improvement Project (Cedar Street) Lien of Assessment Against Certain Real Property Due to Payment in Full

6-07-607 Receiving Engineer's Report Relating to a Petition for Local Improvement Project to Replace Canal Creek Bridge on Aldersprings Road and Directing Notice Issue to Owner of Each Parcel of Land to be Assessed

6-07-608 Personal Services Agreement between Dr. Thomas DeBlois and Lincoln Count H&HS for provision of psychiatric consultation services

Execution of:

Coastal Management Grant Agreement # CZM-08-020 with the Department of Land Conservation and Development in the amount of \$30,000 to offset costs of administration

PUBLIC HEARING

DECISION/ACTION

Counsel Belmont stated that County Surveyor Tom Hamilton made a presentation to the Board several months ago pertaining to the Elk City Cemetery Project. He explained that Green Diamond Resources Company noticed that the legal description didn't fit where the graves and boundaries were actually located on the ground. The County Survey traced the history of this cemetery, and proposed a solution to the boundary problem. The solution entails a Quitclaim Deed and Boundary Line Agreement between Green Diamond and Lincoln County. The County also needs to provide access off Devils Well Road, a County road in the area, to the cemetery itself. Since that road crosses Green Diamond property, an easement is requested. Finally, the property on the northeast corner of the cemetery is property that Green Diamond owns and wishes to log. In order to access the portion for logging, they must cross the County cemetery. The County is proposing a temporary right to cross at that point. Green Diamond requested a permanent easement for that point, but the County is not ready to grant it. The County also wants to fence the delineated boundaries of the entire property in order to alleviate future confusion.

Counsel requested the Board's authorization to execute and record the Quitclaim Deed and Boundary Line Agreement, to accept the right-of-way easement from Green Diamond and record it in Deed Records, and authorize finalization and execution of the documents needed for the licenses or easement, which are still in negotiations.

Counsel Belmont stated that the oldest grave in this cemetery is dated, to his knowledge, 1884. Commissioner Thompson made a motion to execute and record Order # 6-07-609 authorizing the Board to execute or accept the following in conjunction with the Elk City Cemetery Project: (1) Quitclaim Deed and boundary line agreement, (2) Right of way easement from Green Diamond to Lincoln County, and (3) License (or alternatively easement) from Lincoln County to Green Diamond. Chair Hall seconded the motion. A vote was taken and the motion passed unanimously.

MOTION TO EXECUTE AND RECORD ORDER # 6-07-609 AUTHORIZING THE BOARD TO EXECUTE OR ACCEPT THE FOLLOWING IN CONJUNCTION WITH THE ELK CITY CEMETERY PROJECT: (1) QUITCLAIM DEED AND BOUNDARY LINE AGREEMENT, (2) RIGHT OF WAY EASEMENT FROM GREEN DIAMOND TO LINCOLN COUNTY, AND (3) LICENSE (OR ALTERNATIVELY EASEMENT) FROM LINCOLN COUNTY TO GREEN DIAMOND

DISCUSSION/INFORMATION

Proposed changes to the Lincoln County Fee Schedule for the 2007-2008 fiscal year

Assistant Counsel Rob Bovett stated that 15 years ago, he was tasked with gathering all department fees into one schedule so the Board of Commissioners could approve them all at once. The fee schedule is discussed at one meeting in June, then approved at the end of June so the public has the chance to review and comment on the schedule. There are usually changes within the Planning and Development Department, the Sheriff's Office, and Health and Human Services Department.

Planning Director Matt Spangler discussed fees pertaining to Planning and Development. The fees were reviewed by the Planning Commission of Lincoln County in a public hearing process, and the Commission provided recommendations to the Board of Commissioners. There were proposed changes to building code fees, on-site sewage disposal fees, and planning and zoning fees. For building codes, the objective is to recover 100% of costs, so the proposal is for an inflationary increase only, which is roughly 3-4%. A significant change is for on-site sewage disposal. Approximately 60% of the costs are recovered currently, and the goal is to achieve a higher level of cost recovery. After researching other county fee schedules, it was proposed to phase in some fee increases this year so the cost recovery eventually reaches 80-90%. Commissioner Thompson agreed that, though he doesn't like increases in fees, it is important for the County to maintain a level of self-sufficiency.

Environmental Health Program Manager Amy Chapman and Health and Human Services Director Jan Kaplan reported on fees for the HHS Department. Ms. Chapman mentioned that the department would like to recover 85% of the costs to run the Environmental Health program, which would be an inflationary increase of 3%. Fees are somewhat controlled by the State Health Division. The only fees above the State's requirement are the temporary food booth fees. Notices were sent to licensees regarding the proposed increase to fees, and no comments have been received yet. There was discussion

regarding the number of visits to public pools and saps. Chair Hall commented on County fee increases of the past. Mr. Kaplan added that the fees in health services are set by cost studies.

Sheriff Dotson and Lt. Jamie Russell discussed fee increases for the Sheriff's Office. Lt. Russell proposed an increase in the County jail, in which the inmates would have to pay a \$5 grievance-filing fee. She discussed the high number of frivolous grievances submitted by inmates. Multnomah County has been successful with this fee, noticing a 75% reduction in grievances filed. If the grievance is found to be substantive, the fee would be reversed. The fee would be taken directly out of an inmates' account. Chair Hall requested a report back to the Board after a few months of instilling this fee in the jail. Sheriff Dotson proposed three reductions in fees, as explained by Dee Kaminski, Animal Shelter Manager. She stated that the only proposed increase is a \$10 fee for all dogs that are in for a hearing or quarantine. The reductions in fees pertain to collection of fees that are difficult to retrieve. With reduction, the Sheriff's Office hopes to see a higher rate of revenue. There was discussion about lack of payment by the cities. Assistant Counsel Bovett discussed the reduction in the dog hearing fee.

Assistant Counsel Bovett stated that the fee schedule will be available for public comment for two weeks. Commissioner Thompson commented on Clerk's Office fees. The Board will take action on the County Fee Schedule at the June 27 Board of Commissioners meeting.

BOARD OF COMMISSIONERS AS GOVERNING BODY OF COUNTYWIDE SERVICE DISTRICTS

REPORTS

Commissioner Thompson attended the State Land Board meeting, during which an agreement was signed with Verizon Telecommunications to bring fiberoptic cables from China. Counsel Belmont mentioned the wave energy forum, which is on June 25, 6:30 p.m. at Newport High School in the Boone Center. There will not be a joint session with Lincoln City City Council next week, as planned. It was postponed and will be held at a later date. Next week's meeting will be in the commissioners' conference room.

CONSTITUENT INPUT

EXECUTIVE SESSION

ADJOURNMENT

The meeting adjourned at 10:10 a.m. These meeting minutes were read and approved this 20th day of June 2007.

LINCOLN COUNTY BOARD OF COMMISSIONERS

BILL HALL, Chair

TERRY N. THOMPSON, Commissioner

EXCUSED
DON LINDLY, Commissioner