

APPROVED BY ORDER # 3-07-503

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

MEETING OF MARCH 14, 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, Commissioner Don Lindly, County Counsel Wayne Belmont, and Recorder Liz Sample. Also present were Deputy Rick Ballentine; Assistant County Counsel Rob Bovett; Steve Card from the *Newport News-Times*; Parks and Road Maintenance Supervisor Jim Chambers; constituents Chris and Karen Cornwell; Sheriff Dennis Dotson; Kiera Morgan from KNPT radio; Planning and Development Director Matt Spangler; and numerous staff from the Sheriff's Office.

ROLL CALL - ESTABLISHMENT OF A QUORUM

RECOGNITION/PROCLAMATION

Presentation of Life-Saving Award to Deputy Rick Ballentine by Sheriff Dennis Dotson

The Board was pleased to welcome Sheriff Dotson and a dedicated audience of supporters from the Sheriff's Office staff to honor Deputy Rick Ballentine with a life-saving award. Sheriff Dotson described the events that transpired on May 19, 2006 at the Summit Empire Swimming Pool in Seaside, Oregon. Students had been participating in swimming exercises for the Oregon Marine Law Enforcement Academy when a fellow student collapsed in cardiac arrest. Deputy Ballentine was one of three law enforcement students who immediately proceeded to perform the necessary lifesaving techniques on the student and fellow officer. The student, a lieutenant from Multnomah County, is back to work and doing well. Deputy Ballentine was awarded the Oregon State Marine Board's Law Enforcement Life Saving Award, the Lincoln County Sheriff's Office Life Saving Award, and a lifesaving pin to wear on his uniform.

Sheriff Dotson commended the men and women in law enforcement for the sacrifices they make for their communities. The Board added its congratulations and appreciation for Deputy Ballentine's service.

Proclaiming March 17, 2007 "Mike Holmgren Day" in Lincoln County

Chair Hall read the proclamation in full. He added that the Seafood Cookout will be this Saturday night at Newport Middle School, put on by the Newport Fishermen's Wives. Tickets are \$20 each, or \$35 per couple, and are selling quickly. Tickets can be purchased through the Fishermen's Wives. Chair Hall will be presenting the proclamation to Mr. Holmgren and his wife at the cookout. Mike Holmgren is the coach for the Seattle Seahawks, and will be participating in numerous community events in Lincoln County this weekend.

Commissioner Lindly made a motion to execute and record Resolution # 07-14-03A proclaiming March 17, 2007 "Mike Holmgren Day" in Lincoln County. Commissioner Thompson seconded the motion. A vote was taken and the motion passed unanimously.

**MOTION TO EXECUTE AND RECORD
RESOLUTION # 07-14-03A PROCLAIMING
MARCH 17, 2007 "MIKE HOLMGREN DAY" IN
LINCOLN COUNTY**

ADOPTION OF CONSENT CALENDAR

Chair Hall 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 Lindly seconded the motion. The vote was taken and the motion passed unanimously.

**MOTION TO APPROVE CONSENT CALENDAR
OF MARCH 14, 2007**

CONSENT CALENDAR ITEMS

Minutes of the Board of Commissioners Meeting

3-07-494 BOC Meeting Minutes of February 28, 2007

Commissioner Appointments & Resignations

3-07-495 Appointment of Ed Simon to the Lincoln County Local Public Safety Coordinating Council

3-07-496 Appointment of Herman Welch as a member of the Benton-Lane-Lincoln-Linn Regional Investment Board

License Applications or Renewals

3-07-497 Issuance of an Oregon Liquor Control Commission liquor license to the Depoe Bay Chamber of Commerce

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

3-07-498 Land Sales Contract from Lincoln County to David A. Tankersley, Map 14-12-2-AA, Tax Lot 5600, purchase price \$28,500

General Budget Resolutions

Acting as Governing Body of County Wide Service Districts

Documents and Recording Matters in the Commissioners Journal

Recordation of:

- 3-07-499 Amendments 6 and 7 to Intergovernmental Agreement # 117539 between Department of Human Services and Lincoln County Health and Human Services
- 3-07-500 State/Local Project Agreement, County Parks Assistance Grant Program, Moonshine Park Restroom and Paving, Lincoln County RVG #135

PUBLIC HEARING

Public hearing regarding a petition to vacate a portion of Clark Loop, County Road No. 567

Public Works Director Jim Buisman who was originally scheduled to present this item was called away to Salem at the last minute, so Assistant County Counsel Rob Bovett stepped in. Chair Hall opened the public hearing, and stated that Mr. Buisman's staff report had been entered into the record. Mr. Bovett submitted the Affidavit of Service and Affidavit of Posting into the record. He suggested that the public hearing be continued until next Wednesday if the Board has any questions for Mr. Buisman.

Chair Hall called for testimony in favor of the request. Applicants Chris and Karen Cornwell discussed their reasons for vacating the property. There was discussion about exits and entrances on the loop as used by other residents. Commissioner Lindly asked if an easement would be granted from their property. The applicants were not aware of this as an option, and stated their willingness to grant an easement.

Commissioner Thompson recommended the public hearing be continued to next week so the easement issues could be researched. Chair Hall called for public testimony in opposition, of which there was none. Chair Hall called for a motion to continue the hearing. Commissioner Lindly made a motion to continue the public hearing until March 21, 2007 so additional information could be researched. Commissioner Thompson seconded the motion. A vote was taken and the motion passed unanimously.

MOTION TO CONTINUE THE PUBLIC HEARING UNTIL MARCH 21, 2007 SO ADDITIONAL INFORMATION COULD BE RESEARCHED

Commissioner Lindly noted that some of the photos on the submitted documents were tough to read and requested the color version for the continuation of the hearing.

DECISION/ACTION

Possible execution and recordation of Order # 3-07-501 updating Page 17 of the 2006-2007 Fee Schedule for Departments of Lincoln County, relating to fees for use of Lincoln County Parks

Mr. Bovett stated that normally, the Board reviews all the County's fees in the spring so the changes can be adopted once annually. However, fees pertaining to the County parks are the exception since the

parks season begins prior to budget approval. Mr. Chambers' proposal for adjusting the parks fee schedule was submitted to the Board for their approval.

Jim Chambers, Parks and Road Maintenance Supervisor, described the proposed fee changes as they relate to the County parks. Proposed changes include the fees for overnight camping at Moonshine Park, Elks City Park, and Morgan Park, all of which have had extensive renovations in the past. The fees have not been revised since 1993. Mr. Chambers stated that the fees do not raise enough revenue to allow the parks to run themselves, but they help considerably. The proposed increase will raise the overnight camping fee at these parks from \$10 to \$15. Mr. Chambers also proposed an increase to the group camping site fees from \$50 to \$65. He proposed a winter camping fee of \$10 since there is currently no fee charged from November to April 1.

Mr. Chambers stated that Cannon Quarry Park is going into Phase 2 for parking lot improvements, for which he will be advertising for bids. The Board approved renovations to Moonshine Park today, including a new restroom to serve the group sites, and new asphalt paving at some of the campsites.

The Board thanked Mr. Chambers for his work on the County's parks. Commissioner Thompson commented on the quality of Lincoln County's parks. Chair Hall added that since this is the first fee increase since 1993, with the increases in inflation over the years, it is a justified request. Commissioner Lindly made a motion to execute and record Order # 3-07-501 updating Page 17 of the 2006-2007 Fee Schedule for Departments of Lincoln County, relating to fees for use of Lincoln County Parks. Commissioner Thompson seconded the motion. A vote was taken and the motion passed unanimously.

**MOTION TO EXECUTE AND RECORD ORDER #
3-07-501 UPDATING PAGE 17 OF THE 2006-2007
FEE SCHEDULE FOR DEPARTMENTS OF
LINCOLN COUNTY, RELATING TO FEES FOR
USE OF LINCOLN COUNTY PARKS**

Measure 37 claim of George Westcott, claimant, case file # 18-LURCC-06

Planning and Development Director Matt Spangler reminded the Board that this claim was covered at a previous meeting. There were no comments by the commissioners. Commissioner Thompson made a motion to execute and record Order # 3-07-502 approving the Measure 37 claim of George Westcott, claimant, case file # 18-LURCC-06. Commissioner Lindly seconded the motion. A vote was taken and the motion passed unanimously.

**MOTION TO EXECUTE AND RECORD ORDER #
3-07-502 APPROVING THE MEASURE 37 CLAIM
OF GEORGE WESTCOTT, CLAIMANT, CASE
FILE # 18-LURCC-06**

DISCUSSION/INFORMATION

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

REPORTS

Commissioner Lindly mentioned that he and Chair Hall joined a number of officials at Spencer Creek for an official groundbreaking for the new Spencer Creek Bridge. He thanked Mr. Spangler, who has served on the technical committee for the bridge. The new bridge will be completed by November 2008. He added that the ocean bank and highway continue to fall away at a rate of one foot a year due to erosion. The additional approach work needs to be completed, and is an estimated \$25 million project. The County is working on possible funding options (such as the STIP) to complete that project, but no funding has been identified as yet.

Commissioner Thompson testified before the House Committee on Emergency Services and Ocean Policy. He noted that the buzz around wave generators off Lincoln County's coastline is building momentum with the public.

Chair Hall added that he and Commissioner Lindly were in Washington D.C. last week. Chair Hall attended a two-day national summit on homelessness, and returned to Lincoln County with new ideas that could be useful for Lincoln County's ten-year plan on reducing homelessness. Commissioner Lindly met with the Oregon delegation on several issues, including the reauthorization of the county payments bill. He noted his appreciation of Congresswoman Hooley's assistance in getting the waiver approved for Lincoln County's new Head Start building.

CONSTITUENT INPUT

EXECUTIVE SESSION

ADJOURNMENT

The meeting adjourned at 10:15 a.m. These meeting minutes were read and approved this 21st day of March 2007.

LINCOLN COUNTY BOARD OF COMMISSIONERS

BILL HALL, Chair

TERRY N. THOMPSON, Commissioner

DON LINDLY, Commissioner