

APPROVED BY ORDER # 7-08-221

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

MEETING OF JULY 23, 2008

CALL TO ORDER

Chair Terry Thompson convened the adjourned session of the Lincoln County Board of Commissioners. Present at the meeting were Commissioner Bill Hall, Assistant County Counsel Rob Bovett, PIO Casey Miller, and Recorder Judy Eames. Commissioner Lindly was excused.

ROLL CALL - ESTABLISHMENT OF A QUORUM

ADOPTION OF CONSENT CALENDAR

Chair Thompson introduced the Consent Calendar items. There were no items highlighted or deleted. Commissioner Hall made a motion to approve the Consent Calendar in its entirety. Chair Thompson seconded the motion. The vote was taken, and the motion passed unanimously by a vote of 2-0.

**MOTION TO APPROVE CONSENT
CALENDAR OF JULY 23, 2008**

CONSENT CALENDAR ITEMS

Minutes of the Board of Commissioners Meeting

7-08-212 BOC meeting minutes of July 16, 2008

Commissioner Appointments & Resignations

7-08-213 Changes in membership to the Westwood Village Special Road District Board

License Applications or Renewals

7-08-214 OLCC License to Lakeside Market (change of ownership: Pamela A. Williams)

Documents and Recording Matters in the Commissioners Journal

- 7-08-215 Intergovernmental Agreement for Law Enforcement Services between Lincoln County and the City of Waldport for FY 2008-2009
- 7-08-216 Contract between Oregon State Marine Board and Lincoln County Sheriff's Office to promote safe boating practices (7/1/08-6/30/09)

Execution Only:

2007 Juvenile Accountability Block Grant Award #2007-6357 for Juvenile Community Service Program (7/1/08-6/30/09)

PUBLIC HEARING

Annexation into the Lost Creek Park Special Road District

Assistant County Counsel Bovett briefed the commissioners on a petition from William H. Emery, CEO of Landwaves, Inc., to annex property owned by the petitioner into the Lost Creek Park Special Road District. One of the planning conditions imposed on the Cabot Run Subdivision, Phase 1, located on the subject property, is annexation into the Lost Creek Park Special Road District. The board members of the Road District have endorsed the petition. Chair Thompson opened the public hearing for comment. Hearing none, the hearing was closed. The commissioners directed that an order approving annexation into the Lost Creek Park Special Road District be placed on the consent calendar for adoption on July 30, 2008.

DECISION/ACTION

Rate Schedule for North Lincoln Sanitary Service – North County

Having heard a presentation on July 9, 2008 by Tina French, North Lincoln Sanitary Service, followed by a discussion regarding the proposed rate schedule for North Lincoln Sanitary Service, Commissioner Hall made a motion to approve Order # 7-08-217 adopting the rate schedule for North Lincoln Sanitary Service – North County effective September 1, 2008. Chair Thompson seconded the motion. The vote was taken, and the motion passed unanimously by a vote of 2-0.

**MOTION TO APPROVE ORDER # 7-08-217
ADOPTING RATE SCHEDULE FOR NORTH
LINCOLN SANITARY SERVICE-NORTH COUNTY
EFFECTIVE SEPTEMBER 1, 2008**

Ordinance # 454 “Relating to Forfeiture: Amending LCC 2.3005; Repealing LCC 2.3010 and 2.3015; and Declaring an Emergency”

Hearing no request to read Ordinance # 454 in full, Chair Thompson read the ordinance’s title. Mr. Bovett stated that the drafting of Ordinance # 454 was necessitated by the passage of Ballot Measure 53 in May. The ordinance was first presented to and discussed by the commissioners at their July 9 board meeting. Commissioner Hall made a motion to approve Ordinance # 454 “Relating to forfeiture: amending LCC 2.3005; repealing LCC 2.3010 and 2.3015; and declaring an emergency.” Chair Thompson seconded the motion. The vote was taken, and the motion passed unanimously by a vote of 2-0.

**MOTION TO APPROVE ORDINANCE # 454
“RELATING TO FORFEITURE: AMENDING LCC
2.3005; REPEALING LCC 2.3010 AND 2.3015; AND
DECLARING AN EMERGENCY”**

Establishing an Interest-Bearing LINT M-53 Forfeiture Trust Fund

Mr. Bovett noted that establishment of an interest-bearing LINT M-53 forfeiture trust fund will enable separation of Measure 3 forfeiture funds from Measure 53 forfeiture funds. Commissioner Hall made a motion to approve Order # 7-08-218 establishing an interest-bearing LINT M-53 Forfeiture Trust Fund. Chair Thompson seconded the motion. The vote was taken, and the motion passed unanimously by a vote of 2-0.

**MOTION TO APPROVE ORDER # 7-08-218
ESTABLISHING AN INTEREST-BEARING LINT
M-53 FORFEITURE TRUST FUND**

Awarding Title III Projects Related to Safety-Net Payments

Public Works Director James H. Buisman advised he had not received any comments or objections to the proposed Title III projects during the 45 days since public notice was given of the proposed projects. Chair Thompson and Commissioner Hall noted that neither had received comments concerning the projects. Commissioner Hall made a motion to approve Order # 7-08-219 awarding the Title III projects related to Safety-Net payments. Chair Thompson seconded the motion. The vote was taken, and the motion passed unanimously by a vote of 2-0.

**MOTION TO APPROVE ORDER # 7-08-219
AWARDING TITLE III PROJECTS RELATED TO
SAFETY-NET PAYMENTS**

DISCUSSION/INFORMATION

Little Creek Local Improvement District

Mr. Buisman stated that a petition has been filed with the county to form a local improvement district (LID) for the purpose of paving and provision of other related improvements to SW Nelson Drive and SW Nelson Place in the Little Creek Subdivision. Little Creek is located off of SW Wakonda Beach Road about 2.5 miles south of Waldport and 0.8 miles east of Highway 101. Mr. Buisman advised that he reviewed the petition and found it to be in order and containing the statutorily-required number of land owner signatures. As required under the provisions of Lincoln County Code 6.625, Mr. Buisman prepared and submitted his report to the Board finding that the street paving, installation of road humps, and other appropriate related improvements are feasible; his report also includes a list of properties benefited by the improvement. Mr. Buisman's total estimated cost of the project is \$79,194, although he stressed that because of uncertainty regarding prices of materials needed for the project due to the recent fluctuations in the cost of petroleum and petroleum-based products, he lacked his usual degree of confidence in the estimate. Mr. Buisman advised he was ready to issue notices and ballots to the land owners who would be affected by the LID formation. Commissioner Hall made a motion to approve Order # 7-08-220 receiving the engineer's report relating to a petition for a local road improvement paving project in the Little Creek Subdivision and directing that notice issue to the owner of each parcel of land to be assessed. Chair Thompson seconded the motion. The vote was taken, and the motion passed unanimously by a vote of 2-0.

**MOTION TO APPROVE ORDER # 7-08-220
RECEIVING THE ENGINEER'S REPORT
RELATING TO A PETITION FOR A LOCAL ROAD
IMPROVEMENT PAVING PROJECT IN THE
LITTLE CREEK SUBDIVISION AND DIRECTING
THAT NOTICE ISSUE TO THE OWNER OF EACH
PARCEL OF LAND TO BE ASSESSED**

REPORTS

100th Celebration of the Lincoln County Fair

Lincoln County Fair Board member Paul Joannides reported on the success of the 100th Lincoln County Fair held on July 18-20. A total of gate receipts and other funds generated by the event is not yet available, but Mr. Joannides anticipated that no financial deficit was incurred. He reported that the only complaint he heard from those attending the fair came from parents who experienced a hard time getting their children to leave the fair activities. Commissioner Hall noted that he attended the fair and the "spirit of fun" is back. Mr. Bovett echoed that sentiment and commended the Fair Board members for adding new, exciting elements to the fair while

keeping its traditional elements. He added that Lincoln County is not primarily an agricultural county and that making the fair a community celebration is crucial to its success. Mr. Joannides indicated that the Fair Board is hoping for participation by those in the fishing industry in future fairs, and that continued partnership with youth groups is essential. A video of highlights from the fair compiled by PIO Miller was played. Fair Board member Kiera Morgan credited the time and efforts of other fair board members, in particular Toni Johnson; other volunteers; and the fairgrounds staff for the success of the fair. The commissioners thanked and congratulated all those involved with the 100th Lincoln County Fair.

ADJOURNMENT

The meeting adjourned at 10:15 a.m. These meeting minutes were read and approved this 30th day of July, 2008.

LINCOLN COUNTY BOARD OF COMMISSIONERS

TERRY N. THOMPSON, Chair

EXCUSED

DON LINDLY, Commissioner

BILL HALL, Commissioner