

APPROVED BY ORDER # 4-09-78

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

MEETING OF APRIL 15, 2009

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, PIO Casey Miller, and Recorder Judy Eames.

ROLL CALL - ESTABLISHMENT OF A QUORUM

RECOGNITION/PROCLAMATION

Proclaiming April 26 – May 2, 2009 “National Crime Victims’ Week” in Lincoln County

Commissioner Hall read Resolution # 09-15-04A proclaiming April 26 – May 2 “National Crime Victims’ Week” in Lincoln County. District Attorney Rob Bovett, Victim Assistance Case Manager Marcia Thompson, and Volunteer Coordinator Jane Maines discussed statistics concerning victims of violent crime and addressed the importance of providing support to these victims. Events scheduled to be held during the week of April 26 through May 2 were highlighted, including the “1st Annual Victims’ Tree Ceremony” which will be held on the front lawn of the courthouse beginning at 1:00 p.m. on April 27. The commissioners thanked the volunteers in Lincoln County, who donated over 5,000 hours of time assisting the victims of crime in the last year, as well as the professionals who serve these citizens. Anyone interested in volunteering can contact the Lincoln County District Attorney’s Office. Commissioner Hall made a motion to approve Resolution # 09-15-04A proclaiming April 26 – May 2 “National Crime Victims’ Week” in Lincoln County. Commissioner Thompson seconded the motion. The vote was taken, and the motion passed unanimously by a vote of 3-0.

**MOTION TO APPROVE RESOLUTION # 09-15-04A
PROCLAIMING APRIL 26 – MAY 2 “NATIONAL
CRIME VICTIMS’ WEEK” IN LINCOLN COUNTY,
OREGON**

Proclaiming April 12-18, 2009 “Public Safety Telecommunicator Week” in Lincoln County

Chair Lindly read Proclamation # 09-15-04B proclaiming April 12-18, 2009 “Public Safety Telecommunicator Week” in Lincoln County. Lincoln Communications (LinCom) Director Richard Glasgow and LinCom Operations Manager Tami Atkinson described some of the characteristics of the “strong group of professionals” who handle emergency and non-emergency

calls in 9-1- dispatch centers located in Lincoln City, Toledo, and Newport. LinCom's telecommunicators handled over 35,000 9-1-1 calls and 2,000 non-emergency calls during the past year in Lincoln County, saving both lives and property. Commissioner Hall made a motion to approve Resolution # 09-15-04B proclaiming April 12-18, 2009 "Public Safety Telecommunicator Week" in Lincoln County. Commissioner Hall seconded the motion. The vote was taken, and the motion passed unanimously by a vote of 3-0.

**MOTION TO APPROVE RESOLUTION # 09-15-04B
PROCLAIMING APRIL 12-18, 2009 "PUBLIC
SAFETY TELECOMMUNICATOR WEEK" IN
LINCOLN COUNTY**

ADOPTION OF CONSENT CALENDAR

Chair Lindly 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 Hall seconded the motion. The vote was taken, and the motion passed unanimously by a vote of 3-0.

**MOTION TO APPROVE CONSENT
CALENDAR OF APRIL 15, 2009**

CONSENT CALENDAR ITEMS

Minutes of the Board of Commissioners Meeting

- 4-09-72 BOC Meeting Minutes of April 8, 2009
- 4-09-73 BOC Joint Session Meeting Minutes with City of Waldport City Council on April 9, 2009

Commissioner Appointments & Resignations

- 4-09-74 Appointment of Marlene Nelson to the Lake Point Special Road District Board

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

- 4-09-75 Quitclaim Deed from Lincoln County to Jonathan A. Briggs and Karen A. Boulton for Assessor's Map 14-12-23-CB Tax Lot 2199 (purchase price: \$500)
- 4-09-76 Land Sales Contract from Lincoln County to Kevin Caesar Davis and Danielle Leanne Davis for Assessor's Map 9-10-7-D Tax Lot 900 (purchase price: \$20,000)

Documents and Recording Matters in the Commissioners Journal

4-09-77 Approving Certain Recommended Expenditures from the Court Facilities
 Security Account

PUBLIC HEARING

Formation of Little Creek Local Improvement District

Chair Lindly opened the public hearing regarding formation of the Little Creek Local Improvement District. Public Works Director James Buisman reported that the project has been completed and the costs of improvements totaled \$62,753.03. In accordance with *Lincoln County Code (LLC) § 6.645*, Mr. Buisman advised that the proposed assessment against each lot will be \$3,922.06, considerably lower than the estimated cost per lot of \$4,949.63. Property owners will be able to pay in full within 30 days after the assessment is certified or make payments over a ten-year period. Assistant County Counsel Yuille will prepare an order complying with notification requirements for adoption by the commissioners on April 22, 2009.

DECISION/ACTION

Ordinance # 458 Amending the Lincoln County Comprehensive Plan and Zone Change

Hearing no requests to read Ordinance # 458 in full, Chair Lindly read the title, “Amending the Lincoln County Comprehensive Plan from Water Dependent/Water Related to Dispersed Residential and a Zone Change from M-P (Planned Marine) to RR-10 (Rural Residential) on property identified as tax lot 207, Lincoln County Assessor’s Map 11-11-27; and declaring an emergency,” Case File No. 1-LUPC-ZC-08, Patrick and Sylvia White, Applicants. Counsel Belmont noted that he prepared the ordinance approving the request, conditioned on the creation and filing of a restrictive deed covenant acceptable to the county and applicants, that will be filed in the Clerk’s Deed Records, and striking references to commercial fishing from the findings supporting the Board’s decisions. After the public hearing on March 25, 2009, Commissioner Thompson voted against the approval, expressing his concern with the impact on surrounding Planned Marine uses and the lack of sufficient Planned Marine zoned properties. Commissioner Thompson noted that with the provisions contained in the Ordinance that address these concerns, he will vote in favor of adopting Ordinance # 458. Commissioner Hall made a motion to adopt Ordinance # 458 amending the Lincoln County Comprehensive Plan from Water Dependent/Water Related to Dispersed Residential and a Zone Change from M-P (Planned Marine) to RR-10 (Rural Residential) on property identified as tax lot 207, Lincoln County Assessor’s Map 11-11-27; and declaring an emergency (Case File # 1-LUPC-ZC-08, Patrick and

Sylvia White, applicants). Commissioner Thompson seconded the motion. The vote was taken, and the motion passed unanimously by a vote of 3-0.

MOTION TO APPROVE ORDINANCE #458 AMENDING THE LINCOLN COUNTY COMPREHENSIVE PLAN FROM WATER DEPENDENT/WATER RELATED TO DISPERSED RESIDENTIAL AND A ZONE CHANGE FROM M-P (PLANNED MARINE) TO RR-10 (RURAL RESIDENTIAL) ON PROPERTY IDENTIFIED AS TAX LOT 207, LINCOLN COUNTY ASSESSOR'S MAP 11-11-27; AND DECLARING AN EMERGENCY (FILE # 1-LUPC-ZC-08; PATRICK AND SYLVIA WHITE, APPLICANTS)

DISCUSSION/INFORMATION

Local Agency Agreement # 25533 – 1R Paving of North Bank and Schooner Creek Roads

Public Works Director Buisman reported that Agreement # 25533 between Lincoln County and the State of Oregon Department of Transportation (ODOT) is the first project to be funded from the Federal Economic Stimulus Package and is for paving of North Bank Road and Schooner Creek Road. The federal funds will be included in ODOT's budget, and ODOT will conduct the bidding process. Commissioner Thompson made a motion to execute Local Agency Agreement # 25533 between Lincoln County and the State of Oregon Department of Transportation for paving of North Bank Road and Schooner Creek Road (amount: \$680,735). The motion was seconded by Commissioner Hall. The vote was taken, and the motion passed unanimously by a vote of 3-0.

MOTION TO EXECUTE LOCAL AGENCY AGREEMENT # 25533 BETWEEN LINCOLN COUNTY AND ODOT FOR PAVING OF NORTH BANK ROAD AND SCHOONER CREEK ROAD

City of Depoe Bay's Urban Renewal Plan

The Depoe Bay Urban Renewal Plan prepared for the City of Depoe Bay was presented by Depoe Bay City Recorder Pery Murray. Revenue will be used for a variety of improvements, including improvements to streets, storm drains, pedestrian walkways and the harbor. She noted that since the boundaries of the Urban Renewal District include a strip of land outside the city limits, the provisions of ORS Chapter 457 require adoption of a resolution or ordinance by the county. The Plan will expire in 2029. The proposed projects are described in detail in the Plan, as well as the cost impact to districts and the county.

The meeting recessed at 10:38 a.m. to allow a change in videotape. The meeting reconvened at 10:40 a.m.

Special Transportation Fund Allocations Recommendations for FY 2009-2010

The recommendations of the Lincoln County Special Transportation Advisory Committee (STAC) regarding allocations of \$70,913 in Special Transportation Funds were given by Coordinator Cynda Bruce and STAC Chair Mary Lou Boice. In a unanimous vote, STAC members recommended allocating \$3,000 to Senior and Disability Services; \$65,913 to Lincoln County Transit, and \$2,000 for an administrative allotment. The inadequate funding for transportation systems and the great disparity between the number of Lincoln County's general public and senior and disabled citizens to other transportation districts were discussed. An order allocating funds as recommended by the STAC committee will be drafted for adoption on the April 22, 2009 consent calendar.

ODOT Agreement # 25608 – Transit Bay Expansion

A second project funded under the Federal Economic Stimulus Package was discussed by Mr. Buisman and Ms. Bruce to expand the bus bays at Lincoln County Transit and to replace the in-ground hoist. The commissioners directed that the agreement be included for adoption as part of the April 22, 2009 consent calendar.

CONSTITUENT INPUT

The commissioners heard various concerns expressed by county resident Ed Johnston.

ADJOURNMENT

The meeting adjourned at 11:05 a.m. These meeting minutes were read and approved this 22nd day of April, 2009.

LINCOLN COUNTY BOARD OF COMMISSIONERS

DON LINDLY, Chair

BILL HALL, Commissioner

TERRY N. THOMPSON, Commissioner