

APPROVED BY ORDER # 8-10-251
MINUTES OF THE
LINCOLN COUNTY BOARD OF COMMISSIONERS
MEETING OF JULY 28, 2010

CALL TO ORDER

Acting Chair Don Lindly convened the adjourned session of the Lincoln County Board of Commissioners.

ROLL CALL - ESTABLISHMENT OF A QUORUM

Also present at the meeting were Commissioner Terry Thompson, County Counsel Wayne Belmont, PIO Casey Miller, and Recorder Judy Eames.

RECOGNITION/PROCLAMATION

Proclaiming August 2010 the “Month of the Oyster” in Lincoln County

A cluster of “oysters” in support of the Oregon Community Coast College (OCCC) Aquarium Science Program’s Oyster Cloyster Benefit were on hand to hear Commissioner Lindly read Resolution #10-28-07A proclaiming August 2010 the “Month of the Oyster” in Lincoln County. Over \$250,000 has been raised by the annual benefit since its inception 10 years ago. A.T. Ronan, Executive Director of the OCCC Foundation, and Bruce Koike, Director of the Aquarium Science Program, discussed the benefit scheduled on August 7, 2010. Commissioner Thompson made a motion to approve Resolution #10-28-07A proclaiming August 2010 the “Month of the Oyster” in Lincoln County. Commissioner Lindly seconded the motion. The vote was taken, and the motion passed unanimously by a vote of 2-0.

**MOTION TO APPROVE RESOLUTION #10-28-07A
PROCLAIMING AUGUST 2010 THE “MONTH OF THE
OYSTER” IN LINCOLN COUNTY**

ADOPTION OF CONSENT CALENDAR

Commissioner Lindly introduced the Consent Calendar items. Counsel Belmont advised that items IV.G.2 and IV.G.3 were being removed from the “Consent” portion of the agenda and being placed under “Decision/Action.” Commissioner Thompson made a motion to approve the Consent Calendar, minus items IV.G.2 and IV.G.3. Commissioner Lindly 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 28, 2010**

CONSENT CALENDAR ITEMS

Minutes of the Board of Commissioners Meeting

Order #7-10-238 BOC Meeting Minutes of July 21, 2010

Commissioner Appointments & Resignations

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Order #7-10-239 Reappointment of Larry Henson as a Member of the Board of the Housing Authority of Lincoln County, Oregon

License Applications or Renewals

Order #7-10-240 Issuance of an OLCC License to Olalla Valley Golf Course

Documents and Recording Matters in the Commissioners Journal

Order #7-10-241 Designation of Newspaper for Publication of the 2009-2010 Lincoln County Foreclosure List

Order #7-10-242 Approving Certain Recommended Expenditures from the Court Facilities Security Account

Order #7-10-243 Amendment #3 to Agreement #125630 between the State of Oregon Department of Human Services and Lincoln County (extends term to 6/30/2012 and increases compensation up to \$117,398.60)

Order #7-10-244 Agreement between Lincoln County and Road and Driveway Company for Overlay of Wakonda Beach Road-Crestline Drive and a Portion of South Beaver Creek Road (completion by 8/31/10 - \$554,997.60)

Order #7-10-245 Agreement between Lincoln County and Road and Driveway Company for Overlay of Slick Rock Creek Road #5 (completion by 8/31/10 - \$178,995.50)

Order #7-10-246 Agreement between Samaritan Health Plans, Inc. and Lincoln County (Health & Human Services/FQHC for Provision of Medicare Healthcare (Term 5/1/10-4/30/11)

Order #7-10-247 Extending Memorandum of Understanding between Lincoln County Board of Commissioners and the Lincoln County Sheriff's Office for Emergency Services (through 8/31/2011)

DECISION/ACTION

Award of Bid for Overlay of Newport Heights County Road #576

County Engineer and Public Works Director Jim Buisman reported that two bids were received for the overlay of Newport Heights County Road #576, both of which were found to be in order. Mr. Buisman recommended that the bid be awarded to the lowest bidder, Road and Driveway Company of Newport, in the amount of its bid of \$165,527.50. The engineer's estimate for the project was \$167,900.00.

Commissioner Thompson made a motion to award the bid for overlay of Newport Heights County Road #576 in the amount of \$165,527.50. Commissioner Lindly seconded the motion. The vote was taken, and the motion passed unanimously by a vote of 2-0.

**MOTION TO AWARD BID FOR OVERLAY OF
NEWPORT HEIGHTS COUNTY ROAD #576 TO ROAD
AND DRIVEWAY IN THE AMOUNT OF \$165,527.50**

Award of Bid for Overlay of a Portion of Logsdan County Road #410

County Engineer and Public Works Director Buisman reported that two bids were received for the overlay of a portion of Logsdan County Road #410, both of which were found to be in order. Mr. Buisman recommended that the bid be awarded to the lowest bidder, Knife River of Tangent, in the amount of its bid of \$198,895.00. The engineer's estimate for the project was \$227,540.00. Commissioner Thompson made a motion to award the bid for overlay of a portion of Logsdan County Road #410 in the amount of \$198,895.00. Commissioner Lindly seconded the motion. The vote was taken, and the motion passed unanimously by a vote of 2-0.

**MOTION TO AWARD BID FOR OVERLAY OF
LOGSDEN COUNTY ROAD #410 TO KNIFE RIVER OF
TANGENT IN THE AMOUNT OF \$198,895.00**

Refund in Taxes to Trendwest Resorts, dba Trendwest Depoe Bay

Counsel Belmont advised that construction defects at Trendwest Resorts in Depoe Bay resulted in a reduction in valuation of the properties and that \$205,109.51 in taxes is being refunded for fiscal year 2005. There will be additional refunds for subsequent years in the future. Mr. Belmont noted that the refund will be paid from the unsegregated tax account. Commissioner Thompson made a motion to approve Order #7-10-248 refunding \$205,109.51 for tax year 2005 to Trendwest Resorts, dba Trendwest Depoe Bay. Commissioner Lindly seconded the motion. The vote was taken, and the motion passed unanimously by a vote of 2-0.

**MOTION TO APPROVE ORDER #7-10-248 REFUNDING
\$205,109.51 FOR TAX YEAR 2005 TO TRENDWEST
RESORTS dba TRENDWEST DEPOE BAY**

Collective Bargaining Agreement - Lincoln County Deputies Association

Counsel Belmont thanked the parties involved in the negotiations that resulted in the Collective Bargaining Agreement (CBA) between the Lincoln County Deputies Association (LCDA), the Lincoln County Board of Commissioners, and the Lincoln County Sheriff, which will be in effect from July 1, 2010 through June 30, 2013. Last year, LCDA members agreed to take no COLA increase and no step increases, and, in addition, agreed to take 10 furlough days. Salaries for the next three years under the new CBA will include cost-of-living increase adjustments of 2% the first year, 2.5% the second year, and 2.5% the third year. LCDA also agreed to implement an 11-step pay plan for members hired after July 1, 2010, which will help keep the cost of step increases at a lower level than under the 6-step pay plan in place for employees hired before July 1, 2010. Personnel Director Gina Tapp advised that new LCDA hires will contribute 10% toward the cost of medical health insurance, which is at the same level as all other county employees' contributions.

Memorandum of Understanding - LCDA Collective Bargaining Agreement

Counsel Belmont noted that the Memorandum of Understanding for Attachment to the CBA between the LCDA, Board of Commissioners, and Sheriff addresses concerns recognized by both management and union members regarding the appropriate staffing of gender-specific deputies and establishes a “first to call” procedure.

Commissioner Thompson made a motion to approve Order #7-10-249 adopting the Collective Bargaining Agreement between LCDA, the Lincoln County Board of Commissioners, and the Lincoln County Sheriff for the period July 1, 2010 through June 30, 2013. Commissioner Lindly seconded the motion. The vote was taken, and the motion passed unanimously by a vote of 2-0.

MOTION TO APPROVE ORDER #7-10-249 ADOPTING CBA BETWEEN LCDA, BOARD OF COMMISSIONERS AND LINCOLN COUNTY SHERIFF

Commissioner Thompson made a motion to approve Order #7-10-250 adopting the MOU regarding First to Call Back to be attached to the Collective Bargaining Agreement between LCDA, the Lincoln County Board of Commissioners, and the Lincoln County Sheriff for the period July 1, 2010 through June 30, 2013. Commissioner Lindly seconded the motion. The vote was taken, and the motion passed unanimously by a vote of 2-0.

MOTION TO APPROVE ORDER #7-10-250 ADOPTING MOU REGARDING FIRST TO CALL BACK TO BE ATTACHED TO CBA BETWEEN LCDA, BOARD OF COMMISSIONERS AND LINCOLN COUNTY SHERIFF

REPORTS

Update on Emergency Services Activities

Lincoln County Emergency Services Manager Curtis Landers provided the commissioners with a variety of activities undertaken by his office in the past year, including: planning and preparedness for emergencies and natural disasters; the upgrading of repeater equipment and the addition of Euchre Mountain and Cape Perpetua as communication sites; the completion of a community resources director; the implementation of Reverse 911; and training and education being conducted throughout the county.

Commissioners

Commissioner Thompson reported on a recent Near Shore Action Task Force meeting in Portland.

Commissioner Lindly advised that an Executive Board meeting of the Lincoln County Communications Agency was held on July 27 to discuss the future of the agency. The agency’s executive director, Rich Glasgow, recently resigned, and Tami Atkinson, a long-term LinCom employee, has been named as the Interim Director. The possibility of consolidation with Lincoln City and the City of Toledo was discussed, and an invitation to enter into talks concerning consolidation will go out to those cities later in the day.

The meeting was recessed at 10:31 a.m. to allow for tape changes. The meeting reconvened at 10:34 a.m.

CONSTITUENT INPUT

Don Dockter, a local resident, expressed concerns over difficulties in obtaining a septic permit for his property. He was advised to follow the process in place through the Planning Department and DEQ.

EXECUTIVE SESSION

There was no executive session held.

ADJOURNMENT

The meeting adjourned at 10:47 a.m. These meeting minutes were read and approved this 4th day of August, 2010.

LINCOLN COUNTY BOARD OF COMMISSIONERS

BILL HALL, Chair

TERRY N. THOMPSON, Commissioner

DON LINDLY, Commissioner