*NOTE: THE JOINT SESSION WITH THE CITY OF YACHATS TO BE RESCHEDULED*

Wednesday, March 18, 2020

9:30 a.m. Regular Meeting

Commissioner’s Meeting Room
Lincoln County Courthouse
225 W. Olive Street, Room 108
Newport, Oregon

I. CALL TO ORDER

II. ROLL CALL - ESTABLISHMENT OF A QUORUM

III. RECOGNITION/PROCLAMATION

IV. ADOPTION OF CONSENT CALENDAR
   A. Minutes of Board of Commissioners Meeting
      1. Order #3-20-  BOC Meeting Minutes 2.12.2020
      2. Order #3-20-  City of Newport Joint Work Session Meeting Minutes 2.12.2020
   
B. Commission Appointments and Resignations

C. License Applications or Renewals

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

E. General Budget Resolutions

F. Acting as Governing Body of County Wide Service Districts

G. Documents and Recording Matters in the Commissioners Journal
   1. Order #3-20-  Amendment #7 to Intergovernmental Agreement #159820 between Oregon Health Authority and Lincoln County for the Financing of Public Health Services (Effective 10.1.19-6.30.19; not to exceed $3,199.75)
   
   2. Order #3-20-  Agreement between Lincoln and Benton Counties fulfilling Oregon Health Authority Intergovernmental Agreement #155918 (Effective 1.1.20 12.31.20; not to exceed $90,786.76)
3. Order #3-20- Amendment #1 to State of Oregon Personal/Professional Services Contract #159344 (Effective 7.1.19-6.30.20; no funding changes)

4. Order #3-20- Bridgeview Lease Renewal and Extension between Lincoln County and QA Enterprises for the 1010 Building ($5,265/mo. through 2.28.21)

**H. Execution of Documents**

1. Amendment #9 to Intergovernmental Agreement #159820 for the Financing of Public Health for COVID Response (Effective: 7.1.19-6.30.20; not to exceed $60,442)

**V. PUBLIC HEARING**

**VI. DECISION/ACTION**

1. Order #3-20- Ratification of Declaration of a State of Emergency within Lincoln County

2. Order #3-20- Ratification of Temporary Amendments the Lincoln County Personnel Rules

3. Order #3-20- Ratification of Temporary Amendments the Lincoln County Personnel Rules

4. Order #3-20- Ratification of Temporary Amendments the Lincoln County Personnel Rules

5. Order #3-20- Temporarily Closing to Public Access Lincoln County Facilities

**VII. DISCUSSION/INFORMATION**

1. COVID 19 Response

2. Homeless Hotel Vouchers

3. County Services/County Services

4. Future BOC Meetings

**VIII. BOARD OF COMMISSIONERS AS THE GOVERNING BODY OF COUNTY-WIDE SERVICE DISTRICTS (see above)**

**IX. REPORTS**

A. Elected Officials/Department Directors/Program Coordinators and Consultants

B. Commissioners

**X. CONSTITUENT INPUT (Limited to five minutes per constituent)**

**XI. EXECUTIVE SESSION**

**XII. ADJOURN**

Updated: March 17, 2020, 4:22 PM
XIII. OTHER SCHEDULED MEETINGS AND APPOINTMENTS OF THE BOARD
Monday, March 23, 2020 – 9:00 a.m. – Office Meeting and Board Briefing in the Commissioner’s Small Meeting Room, Lincoln County Courthouse Room #110, 225 West Olive Street, Newport; meeting to cover office priorities, operations, procedures and workflow

Tuesday, March 24, 2020 – 8:00 a.m. – M-Team Budget Meeting Hatfield Marine Science Center – Guin Library Seminar Room, 2030 SE Marine Science Drive, Newport *NOTE: MEETING LOCATION MAY CHANGE*

Wednesday, March 25, 2020 – 9:30 a.m. – Board of Commissioners Meeting in the Commissioner’s Meeting Room, Lincoln County Courthouse Room #108, 225 West Olive Street, Newport

For special physical, language or other accommodations at Board's meeting, please contact the Board at 265-4100 (voice) or dial 7-1-1 Relay Service and include e-mail as soon as possible, but at least 48 hours before the meeting.
BEFORE THE BOARD OF COMMISSIONERS
FOR LINCOLN COUNTY, OREGON

In the Matter of Declaring )
A State of Emergency within ) RESOLUTION #______________
Lincoln County )

DECLARATION OF STATE OF EMERGENCY

This matter came before the Board of Commissioners on March 18, 2020, involving an
emergency situation created by the COVID-19 pandemic which is threatening life and property;
and

WHEREAS, ORS 401.305 provides authority for Lincoln County to act as an emergency
management agency, including authority to establish policies and protocols for defining and
directing responsibilities during time of emergency; and

WHEREAS, Lincoln County has enacted an Emergency Operations Plan (Order No. 8-
18-206) pursuant to the authority granted by ORS Chapter 401, which provides for executive
responsibility in times of emergency to be placed with the Board of Commissioners; and

WHEREAS, the following conditions have resulted in the need for a state of emergency:

Oregon announced its first presumptive case of Coronavirus (COVID-19) on February 28,
2020. The individual resided in Washington County. Through March 12, 2020, there were
30 confirmed COVID-19 cases in Oregon. The Oregon numbers are expected to continue
to rise moving forward through the event; and

WHEREAS, the following damage to life and property can be expected from the following
conditions:

COVID-19 is an emerging disease and requires a great deal of resources at the local level
for response in order to keep the public informed and safe as possible. Resources related
to contract tracing, disease investigation, community information and funding are expected
to be exhausted; and

WHEREAS, the entire County is in a state of emergency; and

WHEREAS, this declaration is in support of COVID-19 public health response, this is not
a public health emergency and the residents of Lincoln County are encouraged to follow standard
hygiene protocols and stay at home when ill, otherwise go on with daily life; and

WHEREAS, Lincoln County Order No. 8-18-206 and ORS 401.309 authorize certain
action to be taken during a state of emergency when necessary for public safety or for the efficient
conduct of activities to minimize or mitigate the effects of the emergency; and

WHEREAS, ORS 401.055 provides that upon request of Lincoln County, the governor
may declare a state of emergency by proclamation; and

WHEREAS, all individuals within this County are at risk as a result of this pandemic; and

WHEREAS, a preliminary assessment of property damage or loss, injuries or death is set
forth hereinabove; and

WHEREAS, all local resources have, or will likely be, expended, and there is need of the
following additional resources from the State:

Assistance regarding consistent messages to the public, disease investigation, and scarce
resources, such as N95 masks, gowns, and other personal protective equipment (PPE),
personnel and resources to respond to the public health aspects of the situation.

BE IT RESOLVED that the Board of Commissioners, under the emergency powers granted
by ORS 401.305,

1. Declares that a State of Emergency exists within Lincoln County because local
resources have been or will be exhausted. Further, Lincoln County's Emergency
Services is hereby directed to take all necessary steps authorized by law to secure the
persons and property of the citizens of Lincoln County.

Resolution # ______________ Page 2 of 4
2. Upon this declaration of a state of emergency the County Emergency Services is empowered to carry out the appropriate functions and duties identified in Lincoln County Order No. 8-18-206 during times of emergency and shall implement the Lincoln County Emergency Operations Plan.

3. Incident command shall take all necessary steps authorized by law to coordinate response and recovery from this emergency, including, but not limited to, requesting assistance from the State of Oregon. If this declaration is not ordered by a majority of the Lincoln County Board of Commissioners, it shall be taken before the Board at its next available meeting for ratification.

4. Emergency procurements of goods and services are authorized pursuant to ORS 279B.080, ORS 279C.335(6), ORS 279C.380(4), and LCC Contract Review Board Rules 7.060-7.085.

IT IS FURTHER RESOLVED THAT:

5. Whenever a state of emergency has been declared to exist within unincorporated Lincoln County, or on the request of a municipality’s governing body, the Lincoln County Board of Commissioners is empowered to order and enforce the measures listed herein below. However if circumstances prohibit the timely action of the BOC, the Chair of the board may order emergency measures, provided that approval from a majority of the Board is sought and obtained at the first available opportunity, or else the Chair’s order will be come invalid if such approval is not granted.

6. The following measures are necessary, or may become necessary as determined by incident Command, for public safety or for the efficient conduct of activities to minimize or mitigate the effects of the emergency (incident selected measures):
   A. Commit to mutual aid agreements.
   B. Redirect funds for emergency use.
   C. Order such other measures as are found to be immediately necessary for the protection of life and/or property.
7. This declaration shall be effective upon signature of the Chair, and pursuant to Section 1.7.2 of the Lincoln County Emergency Operations Plan, shall be in effect for two weeks.

LINCOLN COUNTY BOARD OF COMMISSIONERS

Chair

Commissioner

Commissioner

March 13, 2020

Date

Date

Date
BEFORE THE BOARD OF COMMISSIONERS

FOR LINCOLN COUNTY OREGON

In the Matter of: ) ORDER NO. ___________

) ______

Temporarily Amending the Lincoln County )
Personnel Rules )

WHEREAS, Lincoln County adopted Personnel Rules last updated on December 30, 2019;
and

WHEREAS, the rules may be amended by the Board as needed; and

WHEREAS, the current conditions surrounding the novel coronavirus (COVID-19) require
adoption of temporary amendments to the Lincoln County Personnel Rules to address situations
not currently covered under the rules.

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

(1) The Lincoln County Personnel Rules are hereby amended for a period of 90 days from
the date of this order. Unless otherwise provided in these temporary changes, the
Personnel Rules and Collective Bargaining Agreements provisions for leave shall
continue to apply.

(2) For the period of March 16, 2020 through April 1, 2020, Lincoln County shall allow
employees with dependent children in Oregon public and private schools and childcare
facilities to request COVID-19 Misc leave to provide care for children excluded from
school (or by closure of childcare options) by the Order of the Governor of the State of
Oregon if no other alternative care option is available. The employee shall be required
to file a form prepared by the County attesting to the need for the leave. The employee
will be paid his/her/their regular wage without utilizing leave accruals. **This leave will
not be counted towards eligibility for overtime.** This temporary policy does not
replace the essential employees reporting requirements as set forth by Offices and
Departments and in the County Personnel Rules, or temporary work from home options
if those are deemed appropriate and available by the County.

(3) This policy may change as the Oregon Legislature is currently meeting to consider
statewide changes to the sick leave laws affecting the County as an employer. This
policy may also change as state and federal orders, directives, laws and rules may
change.

Order # ______________ Page 1 of 2
(4) The County is currently working on additional policies to address leave, work from home, and other absences related to COVID-19 issues. Those will be put in place as soon as possible.

(5) Copies of this Order shall be distributed to County Department Heads and Elected Officials and notification of the changes to employees in accordance with Order 8-18-203. ¹

DATED this ________ day of ____________, 2020.

LINCOLN COUNTY BOARD OF COMMISSIONERS

______________________________
Kaety Jacobson, Chair

______________________________
Claire Hall, Commissioner

______________________________
Doug Hunt, Commissioner

¹ This Order has been reviewed and initialed by the Board of Commissioners in accordance with Order 8-18-203. It will be ratified at the Board’s meeting on March 18, 2020 or the next available Board meeting. Order # _____________ Page 2 of 2
BEFORE THE BOARD OF COMMISSIONERS
FOR LINCOLN COUNTY OREGON

In the Matter of: ) ORDER NO. __________
)
Temporarily Amending the Lincoln County )
Personnel Rules )
)

WHEREAS, Lincoln County adopted Personnel Rules last updated on December 30, 2019; and

WHEREAS, the rules may be amended by the Board as needed\(^1\); and

WHEREAS, the current conditions surrounding the novel coronavirus (COVID-19) require adoption of temporary amendments to the Lincoln County Personnel Rules to address situations not currently covered under the rules.

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

(1) The Lincoln County Personnel Rules are hereby amended for a period of 90 days from the date of this order. Unless otherwise provided in these temporary changes, the Personnel Rules and Collective Bargaining Agreements provisions for leave shall continue to apply.

(2) During the period these temporary amendments are in place, the County will be adhering to recommendations of the Oregon Health Authority (OHA), Lincoln County Public Health (LCPH), the Governor of the State of Oregon, and the federal Centers for Disease Control (CDC) regarding preventative measures including social distancing, isolation, quarantines, and possible temporary interruptions of county employment. This temporary leave policy is currently available but may be interrupted or eliminated at any time by the County. The length of the time a person may use this leave shall be determined by the County. It may be granted intermittently.

(3) These policies apply to employees falling into one of the following categories:

   a. An employee or an employee’s dependent who, as requested by public health officials (state or local), is under observation, being monitored or has been diagnosed with COVID-19.

\(^1\) The Board adopted amendments concerning school closures in Board Order # __________.
Order # ___________ Page 1 of 3
b. An employee or a member of employee’s household who falls into one of the categories identified by the CDC or OHA as being at high risk for serious complications from COVID-19 and has been advised by a medical professional or LCPIH not to leave their home or come to work. The current list of high risk persons is attached as Exhibit A.

c. School or childcare center for an employee’s dependent has closed due to COVID-19 or upon the order of the Governor or local school board.²

d. Supportive services (such as medical transportation or in-home care) for an employee’s dependent are unavailable due to COVID-19 which requires the employee to care for that dependent.

e. A CDC or OHA directive due to COVID-19 to the County to take steps such as isolation, quarantine or curtailment of non-essential County Services that requires an interruption in employment for certain non-essential employees.

(4) Employees who fall into one of the five categories identified in paragraph 3 above may request COVID-19 Misc leave related to the qualifying COVID-19 situation to cover absences from the county during the effective time of this temporary rule amendment. Employees shall be required to file a form prepared by the County attesting to the need for the leave and the policy category which applies to the request. Employee will be paid his/her/their regular wage without utilizing leave accruals. This leave will not be counted towards eligibility for overtime. This temporary policy does not replace the essential employees reporting requirements as set forth by Offices and Departments and in the County Personnel Rules, or temporary work from home options if those are deemed appropriate and available by the County.

(5) Lincoln County is adopting temporary work from home / telecommuting policies and options that will be available and applicable to certain employees. If an employee is eligible for leave but also can work from home/telecommute as determined by the County, the employee will be required to work from home and not be eligible for the COVID-19 pay noted above. An individual employee may have a combination of work from home and COVID-19 Misc pay during the employee’s absence if direct care of a spouse or dependent or an employee’s own illness is involved. In all situations the intent is to keep the employee financially whole for the time away from work caused by the qualifying COVID-19 situation but, for the employee to continue work where possible.

(6) Employees who do not fall into one of the five categories listed above must utilize their accruals of leave (sick, vacation or Personal Time Off (PTO)) as set forth in the County’s existing Personnel Rules or applicable collective bargaining agreement if they wish of their own accord to be absent from work because of concern with COVID-

² As noted Order #___________ addresses school and daycare closures.
Order #___________ Page 2 of 3
19. All other requests for leave shall be required to meet Personnel Rules, Departmental Rules, and Collective Bargaining Agreements as applicable.

(7) This policy may change as the Oregon Legislature is currently meeting to consider statewide changes to the sick leave laws affecting the County as an employer. This policy may also change as state and federal orders, directives, laws and rules may change.

(8) Copies of this Order shall be distributed to County Department Heads and Elected Officials and notification of the changes to employees be made in accordance with Order 8-18-203. 3

DATED this ________ day of ____________, 2020.

LINCOLN COUNTY BOARD OF COMMISSIONERS

__________________________________________
Kaety Jacobson, Chair

__________________________________________
Claire Hall, Commissioner

__________________________________________
Doug Hunt, Commissioner

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3 This Order has been reviewed and initialed by the Board of Commissioners in accordance with Order 8-18-203. It will be ratified at the Board’s meeting on March 18, 2020 or the next available Board meeting.
Order # ____________ Page 3 of 3
BEFORE THE BOARD OF COMMISSIONERS

FOR LINCOLN COUNTY OREGON

In the Matter of: 

ORDER NO. ____________

Temporarily Closing Lincoln County Facilities

WHEREAS, Lincoln County adopted Personnel Rules last updated on December 30, 2019; and

WHEREAS, the rules may be amended by the Board as needed; and

WHEREAS, the current conditions surrounding the novel coronavirus (COVID-19) require adoption of temporary amendments to the Lincoln County Personnel Rules to address situations not currently covered under the rules; and

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

1. The Lincoln County Personnel Rules are hereby amended for a period of 90 days from the date of this order, unless otherwise extended by order of the Board, as follows:

Working from Home/Telecommuting Temporary Policy. The County will institute a work from home/telecommuting policy on a temporary basis for eligible county employees. This policy is subject to change as needed by County Personnel Office in consultation with County Counsel’s Office without further action required by the Board. A copy of the policy will be maintained in the County Personnel Office and provided to all county staff and managers. No overtime is approved under this policy unless expressly authorized by an elected official or a department head.

2. The length of the time a person may work from home/telecommute and the work assignments that will be authorized or required shall be determined by the County. This is a pilot policy in response to the COVID-19 emerging situation and therefore is subject to amendment, revocation or extension as may be determined by the County.

3. Copies of this Order shall be provided to Wayne Belmont, County Counsel; to Mike Hereford, Personnel Director; and to the Clerk’s Office for recording in the Commissioners’ Journal.

Order # ____________ Page 1 of 2
DATED this ________ day of __________, 2020.

LINCOLN COUNTY BOARD OF COMMISSIONERS

Kaety Jacobson, Chair  Claire Hall, Commissioner  Doug Hunt, Commissioner
BEFORE THE BOARD OF COMMISSIONERS

FOR LINCOLN COUNTY OREGON

In the Matter of: ) ORDER NO. ____________

) )
Temporarily Closing to Public Access )
Lincoln County Facilities )

WHEREAS, Lincoln County Declared an Emergency due to the COVID-19 crisis by Board
Resolution adopted March 13, 2020 and ratified this date; and

WHEREAS, pursuant to that Emergency Declaration and authority under (but not limited
to) ORS 203.035, ORS Chapter 401, and the Lincoln County Emergency Operations Plan adopted
by Board Order # 8-18-206 the Board will take steps in accordance with local and state guidance
and best practices to stop the spread of the COVID-19 virus.

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

(1) The Lincoln County Board of Commissioners shall close to public access all
Lincoln County Buildings and Facilities except for the Lincoln Community Health Centers
and Behavioral Health beginning on March 18, 2020 at 12:00 pm and continuing until lifted
by the Board. This does not apply to state court and district attorney services which may
allow limited authorized access as determined by the Presiding Judge and the District
Attorney.

(2) County services remain open and available during this time. Phone, email and
website communication will be available and utilized and access by appointment can be
accommodated where feasible and appropriate. The Board encourages all citizens to use
these alternatives while this temporary action is in place.

(3) This situation may change on short notice, and further actions may be taken by the
Board to respond to local, state and national guidance recommendations. These actions
may be authorized by the Board Chair, or a Board Member, or their delegee as provided in
the County Emergency Operations Plan.

(4) Copies of this Order shall be provided to Wayne Belmont, County Counsel and to
the County Management Team
DATED this _______ day of __________, 2020.

LINCOLN COUNTY BOARD OF COMMISSIONERS

Kaety Jacobson, Chair          Claire Hall, Commissioner          Doug Hunt, Commissioner