APPROVED BY ORDER # 5-20-119

MINUTES OF THE
LINCOLN COUNTY BOARD OF COMMISSIONERS
MEETING OF April 20, 2020

CALL TO ORDER
Chair Jacobson called to order the regular session of the Lincoln County Board of Commissioners.

ROLL CALL - ESTABLISHMENT OF A QUORUM
Present at the meeting were Commissioner Hunt, Commissioner Hall, County Counsel Wayne Belmont, Public Information Officer Casey Miller and Executive Assistant, Kristi Peter.

ADOPTION OF CONSENT CALENDAR
Chair Jacobson introduced the Consent Calendar and the items were reviewed.

Commissioner Hall moved and Chair Hunt seconded to approve the consent calendar; a vote was taken and passed unanimously.

APPROVAL OF THE CONSENT CALENDAR
OF April 20, 2020

CONSENT CALENDAR ITEMS:
Commission Appointments and Resignations
1. Order #4-20-103 Changes in Membership to the Alcohol Prevention and Recovery Committee
2. Order #4-20-104 Changes in Membership to the Mental Health Advisory Committee

Documents and Recording Matters in the Commissioners Journal
1. Order #4-20-105 Timekeeping Systems, Inc. Master Sales Agreement for Software and Services
2. Order #4-20-106 OCHIN Statement of Work #6413 for MyChart Activation Improvement Program
3. Order #4-20-107 Agreement between SpiralFX Interactive LLC. and Lincoln County Sheriff’s Office HealthSecure EMR

Execution of Documents
1. Order #4-20-108 Professional Services Agreement between Lincoln County and Otak for Beaver Creek (Wolkau Road) Bridge Replacement, Project No. 019182.100
2. Order #4-20-109 Letter to Urge Oregon Federal Delegation to Provide Direct and Flexible Funding to Counties in Next Round of COVID-19 Relief
3. Order #4-20-110 Repealing Order #4-20-90 Regarding Clarification of Leave Policies Regarding COVID-19 in County Personnel Rules
4. Resolution #20-4-20A Application for the Property Tax Program Grant for Fiscal Year 2020-2021

5. 2020 Fund Exchange Agreement No. 34137 between Oregon Department of Transportation and Lincoln County (not to exceed: $1,697,539.66)

REPORTS

A. Lincoln County Public Health COVID-19 Update

Nicole Fields, Lincoln County Public Health Deputy Director, reported there are currently 1,910 positive cases of COVID-19 in the State of Oregon with 5 in Lincoln County. Governor Brown’s recommendations for reopening include a slowed growth of positive cases of the virus, acquiring adequate stockpiles of personal protective equipment (PPE) for healthcare workers and first responders, increasing testing capacity, developing a robust contact tracing program, and establishing an isolation and quarantine program. Nicole noted the need to maintain social distancing measures and wear a mask while in public areas. Nicole reported the call center is open and staffed with behavioral health personnel to assist with crisis calls and Health and Human Services (HHS) is working with the Sheriff’s Office to dispatch the prescription delivery service available to vulnerable populations. HHS has focused efforts on outreach to vulnerable populations and long-term care facilities.

B. Reports from Senator Arnie Roblan and Representative David Gomberg

Senator Arnie Roblan reported a Joint Committee on the Coronavirus meeting took place a few weeks ago with a goal of discovering immediate items for legislative action. Roblan reported being in constant conversation with the four Caucuses and is expecting a meeting to review issues that have not yet been addressed on a federal level, from housing to small businesses. Roblan noted the need to be prepared for the upcoming fire season as well. Roblan commended County leadership of the North and Central Coast during Spring Break. Roblan is on the Economic Advisory Committee for the Governor which meets twice a week and is currently reviewing reopening from a regional level.

Representative David Gomberg acknowledged all parts of Oregon have not been infected or economically affected the same and the Central and Northern coasts have been severely impacted, demonstrated by significantly higher rates of unemployment. Chambers of Commerce anticipate that as much as 1/3 of businesses may not recover from the shutdown. Gomberg noted the potential to be called into meeting of the Emergency Board as early as this week. The Emergency Board is a subset of the legislature that is empowered to spend money when the legislature is not in session. There is a limited amount of money, roughly 50 million, and proposals are moving forward to spend about 30 million on small businesses, worker support, housing, and other related needs. Gomberg acknowledged the need for Emergency Board funds to reach areas of Oregon suffering the most. Gomberg noted discussions of regional rollout of recovery efforts, which needs to be done carefully at the beach due to the level of crowds it could attract from other parts of the state.

Commissioner Hall reported a conference call to take place on Wednesday afternoon; State Parks will participate and has an interest in reopening part of their system as soon as mid-May. Claire reported the 5th positive COVID-19 community acquired case was confirmed this morning and commented that now is not the time to loosen restrictions.

Commissioner Jacobson voiced concern with State Parks reopening and noted the need to coordinate reopening efforts and follow reopening requirements prior to the opening. Commissioner Hall clarified, via an email received
from AOC, that State Parks is considering a phased reopening of day visits as soon as mid-May, but they will look to Counties to provide criteria and conditions to be met prior to reopening. Commissioner Jacobson reported CARES Act funding from Federal Government is to be directly used for COVID related functions and noted the need for those restrictions to be relaxed; the County is in a loss revenue state, employees have been re-tasked to emergency management and with restrictions, the County cannot claim their time. Senator Roblan noted state frustration with that guidelines as well and that conversations are continuing.

Commissioner Hunt voiced concern with State Parks reopening, due to the level of attraction to the remainder of the state, and interest in not doing so until the Governor’s requirements have been met.

**DECISION/ACTION**

**A. Order #4-20-111 Second Addendum to Declaration of State of Emergency**

Wayne Belmont, County Counsel, reported State and National framework and criteria for reopening has been set, but there are no timeframes yet. Lincoln County adopted a Declaration of Emergency on March 13th of this year and at the next full board meeting the declaration was extended to April 30th by Resolution #20-18-3B. With the expiration date nearing, to continue emergency related activities, the declaration must be extended. State Declaration has not yet been extended; but Counsel Belmont recommend extending the Declaration of Emergency to May 8, 2020, unless terminated, modified, or extended. Commissioner Jacobson, Hall, and Hunt verbally agreed with aligning County declaration with the Governors.

Commissioner Hunt moved to approve the second addendum to the declaration of emergency, Commissioner Hall seconded; a vote was taken and passed unanimously.

**DISCUSSION/INFORMATION**

**A. Extension of Order #3-23-85 Short-Term Rental Restriction**

Wayne Belmont, County Counsel, reported, pursuant to authority under the emergency declaration, the County joined the cities in restricting operations of short-term rentals, hotels, and motels. The original adoption date of the restriction order was March 23, 2020 which is set to expire on April 30, 2020. Counsel Belmont reported discussions need to happen regarding lapsing, extending, or modifying the order. The County has scheduled a special meeting on Monday, April 27, 2020 at 1:30 p.m. to discuss this issue with the cities. This meeting will be live broadcasted from the City of Newport City Council Chambers. Commissioners Jacobson, Hall, and Hunt agreed renewed discussion is appropriate.

Commissioner Hall inquired to the Sheriff of the level of compliance and enforcement of this restriction and resources allocated. Sheriff Landers reported the restrictions have been enforced and deputies have followed up on complaints; no citations have been issued. Sheriff reported he would compile statistics and additional information for the upcoming meeting. Commissioner Jacobson requested the Sheriff’s Office coordinate efforts with local law enforcement partners.

**B. Update: Resolution #20-4-3B Short Term Rental License Suspension**

County Counsel, Wayne Belmont, reported this matter is not directly related to COVID but has been impacted by COVID. On March 4, 2020, a week prior to the Declaration of Emergency, the Board adopted Resolution #20-4-3B which instituted a suspension of the processing of new STR licenses to allow time for the County to
work on interim recommendations for changes to code provisions that regulate short term rentals and program requirements. This suspension was scheduled to last for 60 days until May 7, 2020. Due to the COVID emergency, the County has not had sufficient time to work on the program. With the suspension expiring soon, the Board needs to discuss options to lift or extend the suspension, as well as other modifications, as desired.

Commissioner Jacobson acknowledged lack of resources to address the program while managing the state of emergency. Public input is currently available to received via email at boc@co.lincoln.or.us.

Counsel Belmont noted receiving public input requesting the moratorium be lifted, this input will be added to the record.

Commissioner Hunt agreed with need to extend the suspension due to the lack of County resources available at this time.

Commissioner Hall reported being in favor of extending the suspension while the County acquires a second enforcement position and implementing new program management software.

This item will be on the agenda for the Board of Commissioners meeting on April 27, 2020; public input may be received via email.

C. Appointment to Lincoln County Planning Commission

Lincoln County Planning Director, Onno Husing, referred to a memorandum dated 4.17.2020 (available online in the meeting packet at www.co.lincoln.or.us/boc) explaining the appointment process. To provide broad representation, seats on the Commission are allocated to the North, Central and Southern sections. There are currently 7 Commissioners serving and Onno recommended 3 be reappointed: Terry Buggenhagen (North), Robert Porch (Central), and Richard Cutler (Central) and appointing Marsha Stratton (North) and Scarlett Kier (South), both vacant positions. The County received 9 applications in total.

Jerry Herbage, Assistant County Counsel, discussed the diversity requirements for the appointments and the necessity of a full planning commissions compliment for a quorum requirement.

Commissioners Jacobson, Hall, and Hunt endorsed the appointments as recommended. The order establishing the appointments will be placed on the BOC agenda for April 27, 2020.

ADJOURNMENT
The next meeting will be held on March 27, 2020.

The meeting adjourned at 11:56 a.m.
These meeting minutes were read and approved this 4th day of May 2020.

LINCOLN COUNTY BOARD OF COMMISSIONERS

CLAIRE HALL, Chair

KAETY JACOBSON, Commissioner

DOUG HUNT, Commissioner