

APPROVED BY ORDER # 7-16-190

MINUTES OF THE  
LINCOLN COUNTY BOARD OF COMMISSIONERS  
MEETING OF June 22, 2016

**CALL TO ORDER**

Chair Hall called to order the regular session of the Lincoln County Board of Commissioners.

**ROLL CALL - ESTABLISHMENT OF A QUORUM**

Also present at the meeting were Commissioner Terry Thompson, Commissioner Doug Hunt, County Counsel Wayne Belmont, Assistant County Counsel Kristin Yuille, Public Information Officer Casey Miller and Recorder Tanya Graham.

**ADOPTION OF CONSENT CALENDAR**

Chair Hall introduced the Consent Calendar and the items were reviewed. Commissioner Hunt moved and Commissioner Thompson seconded to approve the consent calendar. The vote was taken and passed unanimously.

**APPROVAL OF THE CONSENT CALENDAR OF  
June 22, 2016**

**CONSENT CALENDAR ITEMS:**

*Minutes of Board of Commissioners Meeting*

**Order #6-16-168** Minutes of the Joint Work Session with Depoe Bay City Council and Lincoln County Board of Commissioner Meeting Minutes April 6, 2016

**Order #6-16-169** Board of Commissioner Meeting Minutes April 6, 2016

*Documents and Recording Matters in the Commissioners Journal*

**Order #6-16-170** Professional Service Agreement for Juvenile Detention Services between Lincoln County and Tillamook County (Terms; \$145 per day, agreement expires 6/30/17)

**Order #6-16-171** Professional Service Agreement for Juvenile Shelter Services between Lincoln County and Tillamook County (Terms; \$80 per day, agreement expires 6/30/17)

**Order #6-16-172** Extension of Lease between Sheila Swadell, (Broker-Yaquina Bay Property Management, Inc.) and Lincoln County Board of Commissioners for property located at 611 SW Hurbert, Suite C., Newport (Terms; \$664 per month, agreement expires 6/30/17)

**Order #6-16-173** Agreement between Lincoln County and Day Wireless Systems to provide annual maintenance to Lincoln County's Communication system. (Terms; \$29,640 per year, agreement expires 6/30/17)

**PUBLIC HEARING:**

Chair Hall reported that the County and Budget Committee have held five public meetings concerning the 2016-2017 proposed budget.

**Resolution #16-22-06A      Adopting the 2016-17 Budget, Making Appropriations, Levying Taxes, and Categorizing the Levy (Extension Service District Fund) – presented by Janice Riessbeck and Kaety Jacobson**

Chair Hall opened the public hearing. No changes have been made since the Budget Committee approved the proposed budget. Chair Hall called for public input and none was given. The hearing was closed. Commissioner Hunt moved and Commissioner Thompson seconded to adopt the resolution adopting the 2016-17 Budget, Making Appropriations, Levying Taxes and Categorizing the Levy for the Lincoln County Extension Service District, as approved by the Lincoln County Budget Committee, and to authorize a property tax levy at the permanent tax rate of \$0.0451 (4.51 cents) per thousand and that these taxes be imposed and categorized for the tax year 2016-17 upon the assessed value on all taxable property within the county in accordance with law as of 1:00 a.m., July 1, 2016. The Certificate of Appropriation of Funds supporting the Extension Programs was also authorized for signing. The vote was taken and passed unanimously.

**APPROVE RESOLUTION #16-22-06A ADOPTING THE 2016-17 BUDGET, MAKING APPROPRIATIONS, LEVYING TAXES AND CATEGORIZING THE LEVY**

**Resolution #16-22-06B      Adopting the 2016-17 Budget and Making Appropriations (Solid Waste Disposal District Fund) – presented by Janice Riessbeck**

Chair Hall opened the public hearing. No changes have been made since the Budget Committee approved the proposed budget. Chair Hall called for public input and none was given. The hearing was closed. Commissioner Thompson moved and Commissioner Hunt seconded to adopt the resolution adopting the 2016-17 Budget and Making Appropriations for the Lincoln County Solid Waste Disposal Service District, as approved by the Lincoln County Budget Committee. The vote was taken and passed unanimously.

**APPROVE RESOLUTION #16-22-06B ADOPTING THE 2016-17 BUDGET AND MAKING APPROPRIATIONS**

**Resolution #16-22-06C      Adopting the 2016-17 Budget, Making Appropriations, Levying Taxes, and Categorizing the Levy (Transportation Service District Fund) – presented by Janice Riessbeck and Cynda Bruce**

Chair Hall opened the public hearing. No changes have been made since the Budget Committee approved the proposed budget. Chair Hall called for public input. Cindy George asked if the busses do medical transports. Cynda stated that the bus routes include medical facilities. The hearing was closed. Commissioner Hunt moved and Commissioner Thompson seconded to adopt the Resolution Adopting the 2016-17 Budget, Making Appropriations, Levying taxes and categorizing the levy for the Lincoln

County Transportation Service District, as approved by the Lincoln County Budget Committee, with changes as submitted at this hearing, and to authorize a property tax levy at the permanent tax rate of \$0.0974 (9.74 cents) per thousand and that these taxes be imposed and categorized for the tax year 2016-17 upon the assessed value on all taxable property within the county in accordance with law as of 1:00 a.m., July 1, 2016. The vote was taken and passed unanimously.

**APPROVE RESOLUTION #16-22-06C ADOPTING THE  
2016-17 BUDGET, MAKING APPROPRIATIONS,  
LEVYING TAXES, AND CATEGORIZING THE LEVY**

**Resolution #16-22-06D**      **Adopting the 2016-17 Budget, Making Appropriations, Levying Taxes, and Categorizing the Levy (Animal Services District Fund) – presented by Janice Riessbeck and Laura Braxling**

Chair Hall opened the public hearing. No changes have been made since the Budget Committee approved the proposed budget. Chair Hall called for public input and none was given. The hearing was closed. Commissioner Thompson moved and Commissioner Hunt seconded to adopt the Resolution Adopting the 2016-17 Budget, Making Appropriations, Levying taxes and categorizing the levy for the Lincoln County Animal Services District, as approved by the Lincoln County budget Committee, and to authorize a property tax levy at the permanent tax rate of \$0.11 (11 cents) per thousand and that these taxes be imposed and categorized for the tax year 2016-17 upon the assessed value on all taxable property within the county in accordance with law as of 1:00 a.m., July 1, 2016. The vote was taken and passed unanimously.

**APPROVE RESOLUTION #16-22-06D ADOPTING THE  
2016-17 BUDGET, MAKING APPROPRIATIONS,  
LEVYING TAXES, AND CATEGORIZING THE LEVY**

**Resolution #16-22-06E**      **Adopting the 2016-17 Budget, Making Appropriations, Levying Taxes, and Categorizing the Levy (Siletz Area Enhanced Law Enforcement Service District Fund) – presented by Janice Riessbeck**

Chair Hall opened the public hearing. No changes have been made since the Budget Committee approved the proposed budget. Chair Hall called for public input and none was given. The hearing was closed. Commissioner Hunt moved and Commissioner Thompson seconded to adopt the Resolution Adopting the 2016-17 Budget, Making Appropriations, Levying taxes and categorizing the levy for the Siletz Area Enhanced Law Enforcement Service District, as approved by the Lincoln County budget Committee, and to authorize a property tax levy at the permanent tax rate of \$01.3100 per thousand and that these taxes be imposed and categorized for the tax year 2016-17 upon the assessed value on all taxable property within the county in accordance with law as of 1:00 a.m., July 1, 2016. The vote was taken and passed unanimously.

**APPROVE RESOLUTION #16-22-06E ADOPTING THE  
2016-17 BUDGET, MAKING APPROPRIATIONS,  
LEVYING TAXES, AND CATEGORIZING THE LEVY**

**Resolution #16-22-06F**      **Adopting the 2016-17 Budget, Making Appropriations, Levying Taxes, and Categorizing the Levy (Lincoln County) - presented by Janice Riessbeck**

Chair Hall opened the public hearing. Janice reviewed with the Board changes that have been made since the Budget Committee approved the proposed budget. The changes made are primarily with the Public Health and Mental Health revenue funds. Chair Hall called for public input. Cindy George asked for clarification on various line items within the general fund. The hearing was closed. Commissioner Thompson moved and Commissioner Hunt seconded to adopt the Resolution Adopting the 2016-17 Lincoln County Budget, Making Appropriations, Levying taxes and categorizing the levy, as approved by the Lincoln County Budget Committee with the changes as submitted by the Budget Officer at this hearing, and to authorize a property tax levy at the permanent tax rate of \$2.8202 per thousand for general operations and that these taxes be imposed and categorized for the tax year 2016-17 upon the assessed value on all taxable property within the county in accordance with law as of 1:00 a.m., July 1, 2016. The vote was taken and passed unanimously.

**APPROVE RESOLUTION #16-22-06F ADOPTING THE  
2016-17 BUDGET, MAKING APPROPRIATIONS,  
LEVYING TAXES, AND CATEGORIZING THE LEVY**

**DISCUSSION/INFORMATION:**

**Proposed Changes to Lincoln County Fee Schedule for the 2016-17 Fiscal Year – presented by Kristin Yuille and Amy Chapman.**

Kristin Yuille presented a packet of proposed changes to the fee schedule that will go into effect July 1, 2016 if approved by the Commissioners. Community Corrections is proposing a decrease in the County work crew daily fee from \$550 per day to \$450 per day. Public Health is proposing a 3% increase to all fees. Amy Chapman stated that Public Health is focused on increasing revenue so money isn't taken away from direct client services that are funded by general fund support for Health and Human Services. The Board was in consensus to move forward with Kristin Yuille presenting an updated fee schedule for approval at the next Board of Commissioners Meeting.

**Lincoln County Commons Update – presented by Jim Buisman, Roy Kinion, Wayne Belmont and Bill Hall**

Commissioner Hall reported that he and Wayne Belmont have met with Jim Buisman and Roy Kinion to discuss ways to accelerate the schedule for the Lincoln County Commons project. Currently a request for proposal (RFP) is begin drafted to hire an Architectural firm to put together a final master plan.

Jim Buisman reported that with the passing of the Transient Room Tax, the County is proceeding with making the Commons a more useable area until substantial changes can be made.

Wayne Belmont reported that he has met with the City Manager of Newport to discuss the City of Newport's potential commitment of funds from the Urban Renewal Funds. These potential funds will be used to help with the development of the Lincoln County Commons project. Jim Buisman and Wayne Belmont will be making a presentation to the City of Newport in the near future updating them on where the County is on the Commons development project and how the City and County can work together through this process and what the expectations of each entity is.

Commissioner Hall reported that the County Finance Director is looking at what our options are concerning a Revenue Bond. This would help generate funds that would allow the Commons project to move forward sooner. The Board of Commissioners are in consensus to move forward with the RFP process to hire an architecture and engineering services for the development of the Commons project to be paid for out of the Fair Facilities Fund.

**Vacation Rental Dwellings (VRDs) – presented by Wayne Belmont**

Wayne Belmont reported that written submittals from various parties have been received concerning VRD's and submitted for the record. Several public meetings have been held giving people an opportunity to be heard on this issue. Legal Counsel has also received some legal arguments concerning VRDs and has been reviewed and is not found to be an impediment to move forward.

Wayne Belmont reviewed the following decisions points concerning the Vacation Rental Dwellings/Business Licensing Program:

- Local Contact
- Contacts
- Response Time
- Garbage Service
- Occupancy Limits
- Miscellaneous Changes
- Fees

Chair Hall called for public comment.

**Bill Tenpas** – Thanked the Board and Legal Counsel for the work they have done on this process. Bill fully supports a VRD ordinance being implemented as soon as possible. He would like the response time to be more clearly defined and prefers the occupancy limits be left at the recommended amount of 16 without “grandfathering” in current VRDs.

**Peter Leor** – Does not support the proposed occupancy limits and would like higher limits considered.

**John Heagle** – Is in support of the lower occupancy limits as proposed.

**Fran Ferder** – Would like the Board to review closely the “grandfathering” in of current VRDs.

**James Nordell** – Is concerned with the occupancy limits. Houses built prior to 2010 should be considered for exemptions. The surrounding cities have “prior use” acceptations within their VRD ordinances. Land use rights need to be considered.

**Denna Rudd** – Would like to make comment via written submission.

**Carol Neivert** – Would like to see the garbage cans moved off of the street. Are infants included in the occupancy limit? Wayne Belmont stated that children 2 years and under are not considered as part of the occupancy number. Carol is concerned with the notification of neighbors within 250 feet of the VRD and does not agree with “grandfathering” in current VRDs.

**David Nepom, Attorney representing Peter and Anna Sam** – Voiced concern with “grandfathering” in properties and has concerns with occupancy limits. David stated that this is a land use matter and the fair housing act does apply.

**John Oksenholt** – Stated that a well-managed vacation rental is an asset to the county. The key to a successful VRD is the upfront screening process. There is a huge demand for large VRDs and currently there are very few in the county. John would like to see no occupancy limits just better management and screening. If the County is going to put an occupancy limit in the ordinance, then “grandfathering” in current large sleepers would be appreciated.

**Richard Pedergrass** – Voiced concern that the mega house in Gleneden Beach has been operating in violation since 2010.

**Ardys Schimmel** – Does not agree with “grandfathering” in current VRDs and is concerned with Air BnBs. She would also like to see this ordinance implemented right away.

**Cindy George** – Voiced concern about making people homeless.

**Aaron Linfoot** – Thanked the Board for all of the efforts that have gone into developing a VRD licensing program.

The Board discussed the vacation rental dwellings business licensing program and decision points. They are in consensus to have County Counsel draft an ordinance for reading and review at the next Board of Commissioners meeting.

## **REPORTS**

Commissioner Hall called for reports none was given.

## **CONSTITUENT INPUT**

Commissioner Thompson called for constituent input.

**Cindy George** - Voiced concern about the County budget.

**John Oksenholt** – Thanked the Commissioners for the work they do for the County.

**Carol Neivert** – Reiterated her concerns with VRDs and grandfathering in certain properties.

**Bill Tenpas** – The VRD program needs to move forward.

**Peter Leor** – Management companies need to follow the rules. The VRD issues are not an occupancy issue they are management issues.

**EXECUTIVE SESSION**

An executive session was convened at 11:45 a.m. pursuant to:  
ORS 192.660(2) (e) to discuss Real Property Transactions and  
ORS 192.660(2) (d) to discuss Labor Negotiations

**ADJOURNMENT**

The next meeting of the Board of Commissioners will be a joint session with the City of Lincoln City held on June 29, 2016 at the Lincoln City - City Hall beginning at 5:00 p.m.

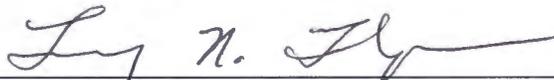
The meeting adjourned at 11:40 a.m.

These meeting minutes were read and approved this 6<sup>th</sup> day of July, 2016.

**LINCOLN COUNTY BOARD OF COMMISSIONERS**



**BILL HALL**, Chair



**TERRY N. THOMPSON**, Commissioner



**DOUG HUNT**, Commissioner