

APPROVED BY ORDER # 8-16-233

MINUTES OF THE  
LINCOLN COUNTY BOARD OF COMMISSIONERS

MEETING OF August 3, 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 Doug Hunt, Commissioner Terry Thompson, County Counsel Wayne Belmont, 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  
AUGUST 3, 2016**

**CONSENT CALENDAR ITEMS:**

Minutes of Board of Commissioners Meeting

**Order #8-16-204                      BOC Meeting Minutes of July 27, 2016**

Commission Appointments and Resignations

**Order #8-16-205                      Changes in membership to the Lincoln Community Health Council**

**Order #8-16-206                      Changes in membership to the Lincoln County Mental Health Advisory Committee**

**Order #8-16-207                      Changes in membership to the Local Alcohol Drug Abuse and Planning Committee**

License Applications or Renewals:

**Order #8-16-208                      The Issuance of an Oregon Liquor Control Commission Liquor License to the Silver Surf Motel**

**Order #8-16-209                      The Issuance of an Oregon Liquor Control Commission Liquor License to Stone Crest Cellars Catering**

Documents and Recording Matters in the Commissioners Journal:

**Order #8-16-210                      Amendment to State of Oregon Intergovernmental Agreement (148517-1) for Mental Health Services. Effective 7/1/15-6/30/17; \$102,722.51)**

**Resolution #16-3-8A                      In the Matter of Authorizing Disposal of Public Works Fleet Vehicle #381 Totaled out in a Single Vehicle Accident**

**DECISION/ACTION:**

**Order #8-16-211**      **Bid Award: 2016 Overlay with Asphalt Concrete - Presented by: Roy Kinion**

Roy Kinion, Director of Public Works, reported that on July 20, 2016 bids were received for the overlay of two miles of asphalt within Lincoln County. The project requires the application of 3,385 tons of asphalt concrete and other associated tasks on Bear Creek Road. Three qualified contractors submitted bids for the work with the low bid submitted by Road and Driveway. The bids were examined and no irregularities were found. The low bid is approximately 15% less than the engineer's estimate of \$292,223. This variance is primarily due to the range of the unit cost of asphalt. Road and Driveway's unit cost, while competitive, is within the range awarded for similar work completed in the past couple of years. As Public Works Director, Roy Kinion recommends that the contract be awarded to Road and Driveway in the amount of \$248,847.38.

Commissioner Thompson moved and Commissioner Hunt seconded to approve Order #8-16-211 In the Matter of Awarding Bid for 2016 Asphalt Concrete Overlays. The vote was taken and passed unanimously.

**APPROVAL OF ORDER #8-16-211 IN THE MATTER OF AWARDING BID FOR 2016 ASPHALT CONCRETE OVERLAYS**

**Ordinance #487**      **Relating to Short Term Rentals of Dwelling Units; Creating New Provisions (second reading and adoption)**

Commissioner Hall asked if anyone would like the ordinance read in full, hearing no request that the Ordinance be read in full, Chair Hall conducted the second reading of Ordinance 487 by title only.

Sheriff Landers reported that the Sheriff's Office is prepared to move forward with the enforcement of Ordinance #487.

Media notice will go out informing the public that Ordinance #487 will be in effect as of December 1, 2016.

Commissioner Thompson moved and Commissioner Hall seconded to approve Ordinance #487 Relating to Short Term Rentals of Dwelling Units; Creating New Provisions. The vote was taken and passed with a vote of 2-1. Commissioner Hall and Commissioner Thompson were in favor with Commissioner Hunt opposing the vote based on occupancy language.

**APPROVAL OF ORDINANCE #487 RELATING TO SHORT TERM RENTALS OF DWELLING UNITS; CREATING NEW PROVISIONS**

**Ordinance #488**      **Relating to Taxes Imposed on the Recreational Sale of Marijuana Items; Creating New Provisions Beginning with LCC 5.305; and Referring the Ordinance to the Voters for Approval. (second reading and adoption)**

Commissioner Hall asked if anyone would like the ordinance read in full, hearing no request that the Ordinance be read in full, Chair Hall conducted the second reading of Ordinance #488 by title only.

Wayne Belmont explained that Ordinance #488 would refer out a 3% tax on the sale of recreational marijuana. Once the Ordinance is approved, then a resolution needs to be approved that makes the actual referral of the ordinance to the voters and sets the ballot measure. The Ordinance will not take effect unless the voters approve it in the November 2016 election. Chair Hall asked for public input and none was given.

Commissioner Hunt moved and Commissioner Thompson seconded to approve Ordinance #488 Relating to Taxes Imposed on the Recreational Sale of Marijuana Items; Creating New Provisions Beginning with LCC 5.305; and Referring the Ordinance to the Voters for Approval. The vote was taken and passed unanimously.

**APPROVAL OF ORDINANCE #488 RELATING TO TAXES IMPOSED ON THE RECREATIONAL SALE OF MARIJUANA ITEMS; CREATING NEW PROVISIONS BEGINNING WITH LCC 5.305; AND REFERING THE ORDINANCE TO THE VOTERS FOR APPROVAL**

**Resolution #16-3-8B**                      **Approving Referral to the Electors of Lincoln County the Question of Imposing a Three Percent Tax on the Sale of Marijuana Items by a Marijuana Retailer within the Unincorporated Areas of Lincoln County**

Commissioner Hunt moved and Commissioner Thompson seconded to approve Resolution #16-3-8B Approving Referral to the Electors of Lincoln County the Question of Imposing a Three Percent Tax on the Sale of Marijuana Items by a Marijuana Retailer within the Unincorporated Areas of Lincoln County. The vote was taken and passed unanimously.

**APPROVAL OF RESOLUTION #16-3-8B APPROVING REFERRAL TO THE ELECTORS OF LINCOLN COUNTY THE QUESTIONS OF IMPOSING A THREE PERCENT TAX ON THE SALE OF MARIJUANA ITEMS BY A MARIJUANA RETAILER WITHIN THE UNINCORPORATED AREAS OF LINCOLN COUNTY**

**Order #8-16-212**                      **Rate Schedule for North Lincoln Sanitary Service (North County)**

Commissioner Hall noted that North Lincoln Sanitary presented the rate increase at the last Board of Commissioners meeting. Wayne Belmont stated that the increase is .48% (less than ½ of a percent).

Commissioner Hunt moved and Commissioner Thompson seconded to approve Order #8-16-212 in the Matter of Rate Schedule for North Lincoln Sanitary Service (North County). The vote was taken and passed unanimously.

**APPROVAL OF ORDER #8-16-212 RATE  
SCHEDULE FOR NORTH LINCOLN SANITARY  
SERVICE (NORTH COUNTY)**

**REPORTS**

**Bill Hall** reported that he attended the NACO Conference in Long Beach California. For the second year in a row, NACO adopted a resolution supporting the Toxic Exposure Research Act. The Toxic Exposure Research Act encourages the Federal Government to research and conduct educational outreach concerning the impacts toxic substance exposure has on our combat soldiers.

**Terry Thompson** reported that all three Commissioners will be attending the Economic Summit next week in North Bend. The Summit is hosted by Senator Arnie Roblan.

**CONSTITUENT INPUT**

Commissioner Hall called for constituent input none was given.

**ADJOURNMENT**

The next meeting of the Board of Commissioners will be held on August 10, 2016 at 9:30 a.m. in Room 108 of the Lincoln County Courthouse.

The meeting adjourned at 7:10 p.m.

These meeting minutes were read and approved this 17<sup>th</sup> day of August, 2016.

**LINCOLN COUNTY BOARD OF COMMISSIONERS**



**BILL HALL, Chair**



**TERRY N. THOMPSON, Commissioner**



**DOUG HUNT, Commissioner**