APPROVED BY ORDER # 1-17-13

MINUTES OF THE

LINCOLN COUNTY BOARD OF COMMISSIONERS

MEETING OF December 14, 2016

CALL TO ORDER

Commissioner Thompson 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, County Counsel Wayne Belmont, Public Information Officer Casey Miller and Recorder Tanya Graham.

ADOPTION OF CONSENT CALENDAR

Commissioner Thompson 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 December 14, 2016

CONSENT CALENDAR ITEMS:

License Applications or Renewals:

Order #12-16-321 **The Issuance of two (2) Oregon Liquor Control Commission Temporary Liquor Licenses to the Flying Dutchman Winery**

Documents and Recording Matters:

Order #12-16-322 **Amendment #1 with Agreement #148072 Between the State of Oregon and Lincoln County for Financing the Community Development Disability Services (Terms: Effective 07/01/2015 – 06/30/2017)**

Order #12-16-323 **Intergovernmental Agreement Between Lincoln County and Confederated Tribes of Siletz Indians for Enhanced Law Enforcement Services (Terms; 80 hours per week for 52 weeks)**

Order #12-16-324 **Jurisdictional Transfer No. 759; US20: Pioneer Mountain – Eddyville Project, (MP 16.41-24.02) Section; Corvallis – Newport Highway (State Highway No. 033) Lincoln County**

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Execution of Documents

Marijuana Tax Collection Agreement Between the State of Oregon Through its Department of Revenue and Lincoln County Authorizing the Department of Revenue to Collect Taxes Related to Marijuana Sales on Behalf of the County and Distribute the Proceeds to the County For a Fee to be Calculated

Grant Agreement No: 16-521 Between the Oregon Military Department Office of Emergency Management and Lincoln County (Terms: Effective 7/1/16 through 6/30/17; $75,327)

DECISION/ACTION

Order #12-16-325 **An Order Adopting a Financial Statement for the Dissolution of The Olalla Acres Subdevelopment Sanitary District and Setting a Hearing on the Question of Dissolving the District** – *Presented by: Jerry Herbage*

Jerry Herbage reported that in a letter dated August 31, 2015 from the Oregon Department of Revenue, it states that the Olalla Sanitary District (also known as Olalla Acres Subdevelopment Sanitary District) had failed to provide the Oregon Department of Revenue with the required financial documents as set forth in ORS 294.458, for more than three consecutive years. The letter also directed the Lincoln County Board of Commissioners to initiate the dissolution procedures under ORS 198.335 to ORS 198.365, which it did on September 14, 2016.

The District was formed in March 1, 1978 for the purpose of providing a means of repair and maintenance for the newly constructed sanitation system. Jerry Herbage also stated that upon further research, the Olalla Acres Subdevelopment Sanitary District has not been active since its formation and they do not have any current assets and/or debts. A public hearing on the question of dissolving the District will be held on January 11, 2017 at 9:30 am during the regular Board of Commissioners meeting. Commissioner Hunt moved and Commissioner Thompson seconded to approve Order #12-16-325 adopting a financial statement for the dissolution of the Olalla Acres Subdevelopment Sanitary District and setting a hearing on the question of Dissolving the District. The vote was taken and passed unanimously.

APPROVAL OF ORDER #12-16-325 AN ORDER ADOPTING A FINANCIAL STATEMENT FOR THE DISSOLUTION OF THE OLALLA ACRES SUBDEVELOPMENT SANITARY DISTRICT AND SETTING A HEARING ON THE QUESTION OF DISSOLVING THE DISTRICT

DISCUSSION/INFORMATION

2016 – Lincoln County Community Economic Development Grant Recommendations – *Presented by: Julie Kay and Caroline Bauman*

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Julie Kay reported that 20 applications where received for a total request of $218,210. The Economic Development Alliance Board reviewed the applications and recommended 8 for funding totaling $100,000.

Caroline Bauman explained that the Economic Development Alliance Board scores each application based on a set criteria and the more points an application receives the higher the score. All of the applications were good and the top scores received recommendations. Caroline also gave a brief explanation of each application to the Commissioners. Commissioner Thompson noted that the Port of Alsea's application ranked second but was recommended at a reduced amount. Commissioner Thompson would like the Port of Alsea's application be funded in full. There was a consensus to move forward and an order will be prepared for approval at the December 21, 2016 Board of Commissioner's Meeting

REPORTS

Wayne Belmont, County Counsel, reported that the Short Term Rental Licensing program is now in place. Applications are being received and as a reminder the deadline for "grandfathering" is December 31, 2016.

Wayne Belmont also reported that on behalf of the coastal counties, his office filed an Amicus Brief in regards to the litigation with the Territorial Sea Plan. The litigation concerning the process that the state used in allowing renewable energy facilities in the area of the ocean within 3 miles from shore.

David Allen, attorney to the petitioners as well as a member of the Ocean Policy Advisory Council (OPAC) reported that he recently gave oral argument to the Court of Appeals concerning the decisions made by the Department of Land Conservation and Development Commission back in 2013 over the Territorial Sea Plan. The argument made by Mr. Allen is that the state should have used OPAC's original recommendations. Mr. Allen and his client would like the court to invalidate the decision by the commission and send it back to the commission to either adopt OPAC's recommendations or have OPAC look at it for additional review and revision. Mr. Allen estimates that it will take approximately one year to receive a decision from the State Court of Appeals.

Doug Hunt reported that Commissioner Hall is now the President of the Association of Oregon Counties and that Commissioner Hall chaired his first meeting of the legislative committee and the Board of Directors. Currently Commissioner Hall is in Salem running meetings in preparation for the upcoming legislative session.

Commissioner Hunt also reported that he is the Co-Chair of the Governance Steering Committee, a member of the Resilience Steering Sub-committee and he serves on the legislative committee and the Board of Directors.

Terry Thompson reported that Salem is very busy and there will be a number of items come forward during the upcoming legislative session.

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CONSTITUENT INPUT
Commissioner Thompson called for constituent input and none was given.

ADJOURNMENT
The next meeting of the Board of Commissioners will be held on December 21, 2016 at 9:30 a.m. in Room 108 of the Lincoln County Courthouse.

The meeting adjourned at 10:25 a.m.

These meeting minutes were read and approved this 11th day of January, ~~2016~~ 2017.

LINCOLN COUNTY BOARD OF COMMISSIONERS

TERRY N. THOMPSON, Chair

DOUG HUNT, Commissioner

BILL HALL, Commissioner

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