

APPROVED BY ORDER # 2-17-57

MINUTES OF THE  
LINCOLN COUNTY BOARD OF COMMISSIONERS  
MEETING OF February 1, 2017

**CALL TO ORDER**

Chair 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 Bill Hall, County Counsel Wayne Belmont, Assistant County Counsel Kristin Yuille, Public Information Officer Casey Miller and Recorder Tanya Graham.

**RECOGNITION/PROCLAMATION**

**Employee Recognitions:**

Chair Thompson presented the following Lincoln County employees with service pins and certificates:

1. Kelly Ardinger – Clerk's Office - 5 Years of Service
2. Sara Birman – Juvenile Department - 5 Years of Service
3. Jeremy Gautney – Sheriff's Office - 5 Years of Service
4. Stephen Larsen – Health and Human Services - 5 Years of Service
5. Melissa MacDonald – Clerk's Office - 5 Years of Service
6. Kasey Postlewait – Clerk's Office - 5 Years of Service
7. Krista Lauer – Parole & Probation - 10 Years of Service
8. Deanna Gravelle – Finance Department - 20 Years of Service
9. Michael Wheeler – Sheriff's Office - 25 Years of Service

**ADOPTION OF CONSENT CALENDAR**

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

**APPROVAL OF THE CONSENT CALENDAR OF  
February 1, 2017**

**CONSENT CALENDAR ITEMS:**

**Minutes of Board of Commissioners Meeting**

**Order #2-17-40      Board of Commissioner Meeting Minutes January 11, 2017**

**Commission Appointments and Resignations**

**Order #2-17-41      Changes in Membership to the Public Health Advisory Committee**

**Order #2-17-42      Changes in Membership to the Planning Commission**

**Order #2-17-43      Changes in Membership to the Mental Health Advisory Committee**

**Order #2-17-44**      **Changes in Membership to the Local Alcohol & Drug Abuse Planning Committee**

General Budget Resolutions

**Resolution #17-01-02A**      **Adjusting the 2016-2017 Adopted Budget Appropriations for Lincoln County**

**Resolution #17-01-02B**      **Adjusting the 2016-2017 Adopted Budget Appropriations for Lincoln County**

Documents and Recording Matters in the Commissioners Journal

**Order #2-17-45**      **Sub recipient Grant Agreement Between the State of Oregon acting by and through its Department of State Police, for the benefit of its Office of State Fire Marshal and Lincoln County Sheriff's Office for the Purpose of Emergency Planning and Preparedness Measures. (Terms; Effective 10/1/2016 – 09/30/2017; Not to Exceed \$7,750)**

**Order #2-17-46**      **Collective Bargaining Agreement Between The Lincoln County Deputies Association and the Lincoln County Board of Commissioner and the Lincoln County Sheriff (Terms; Expires June 30, 2019)**

**Order #2-17-47**      **Correction to 2015-2018 Collective Bargaining Agreement Between Lincoln County Employees Association – Roads and Lincoln County Board of Commissioners – Article 12, Section 1 to reflect the original language agreed upon by all parties**

**Order #2-17-48**      **Correction to 2015-2018 Collective Bargaining Agreement Between Lincoln County Employees Association – Transit and Lincoln County Board of Commissioners – Article 12, Section 1 to reflect the original language agreed upon by all parties**

**Order #2-17-49**      **Correction to 2015-2018 Collective Bargaining Agreement Between Lincoln County Employees Association and Lincoln County Board of Commissioners – Article 13, Section 1 and 2 to reflect the original language agreed upon by all parties**

**DECISION/ACTION**

**Order #2-17-50**      **Fixing a Hearing Date to Consider the Boundaries of Proposed People's Utility District (PUD) converting the existing Southwest Lincoln County Water District to a PUD - Presented by: Wayne Belmont**

Wayne Belmont reported that Southwest Lincoln County Water district would like to convert to a People's Utility District for the purpose of delivering water. They have filed a petition and it has been certified by the Lincoln County Clerk. This is the second attempt to convert the Water District to a PUD. The first attempt was initiated in 2016 and placed before the voters where it was defeated. The Board of Commissioners needs to set a public hearing date as does the State Department of Energy. Once both public hearings are completed, then the District can move forward with placing the conversion on the May ballot. There will be no tax levy attached to this formation. Wayne Belmont stated that the Board of Commissioners public hearing is currently scheduled for February 22, 2017.

Commissioner Hall moved and Commissioner Thompson seconded to approve Order #2-17-50, Fixing a hearing date to consider the boundaries of a proposed people's utility district (PUD) converting the existing Southwest Lincoln County Water District to a PUD. The vote was taken and passed unanimously.

**APPROVAL OF Order #2-17-50 FIXING A  
HEARING DATE TO CONSIDER THE  
BOUNDARIES OF A PROPOSED PEOPLE'S  
UNITLITY DISTRICT (PUD) CONVERTING THE  
EXISTING SOUTHWEST LINCOLN COUNTY  
WATER DISTRICT TO A PUD**

**DISCUSSION/INFORMATION**

**Proposed changes to Lincoln County Fee Schedule for the 2016-17 Fiscal Year – Presented by:**

*Kristin Yuille*

Assistant County Counsel Kristin Yuille presented a request to make an adjustment to the 2016-2017 Lincoln County Fee Schedule. The proposed change is to the Community Corrections – County Work Crew Daily fee. Currently the fee schedule states “up to \$450 per day” and the change requested would list it as “\$175 to \$450 per day”.

Suzi Gonzales, Community Corrections Director, stated that the change request is so there can be flexibility in the fees charged to organizations for work performed by the work crews. With the flexibility, the fee charged can be based on work crew size, job type and the organization's ability to pay.

The Board was in agreement to move forward with the fee change. Kristin Yuille stated that she would have an order prepared for next week's meeting that the Board could vote on.

**REPORTS**

**Commissioner Bill Hall** reported that the Board of Commissioners Office has received approximately 75 emails requesting that the Board make a proclamation declaring Lincoln County to be a welcoming, nondiscriminatory, inclusive place.

Wayne Belmont stated that the County is seeking to get clarity from funding sources on the impacts the current Federal Administration will have on the services provided by Lincoln County.

Wayne Belmont noted that Lincoln County is a welcoming community and that the County has taken actions that reflect our commitment to an open, respectful and collaborative environment. The County has, and will continue, to support a diverse set of ideas, individuals and groups that welcomes all viewpoints and allows for disagreement and discourse. In the past year, the County has taken actions reflecting that course of action, including but not limited to declaring World Aids Day in Lincoln County (as they have done for many years), to bring awareness to the fight against the HIV/AIDS public health problem; declaring “Upstander Week” in April of 2016, taking a stand against bullying in schools and in our community, joining with the Central Coast PFLAG (Parents and Friends of Lesbians and Gays), the Lincoln County School District and Oregon Coast Community College, local churches and community groups to raise awareness of, and improve responses to, bullying across all age groups and in all settings; and proclaiming October 2016 as Domestic Violence Awareness Month in Lincoln County noting that domestic and sexual violence crosses all social groups, including highest rates for women, LGBTQ, poor, immigrants, young, elderly and other identified groups.

Wayne Belmont stated that Lincoln County’s policy on the United States Immigration and Customs Enforcement (ICE) agency follows state law as well as constitutional law.

Sheriff Landers reported that there are no planned changes in local practices, which have always followed the law as set forth by the State of Oregon (ORS 181A.820) and the United States Constitution as interpreted by the federal courts. Under Oregon law, the County is prohibited from spending public resources or using personnel, including Lincoln County law enforcement officers and deputies, to locate or arrest a person whose only violation of law is that they are in the country in violation of federal immigration laws. That law has been in effect in Oregon since 1987. County law enforcement personnel are not immigration enforcement officers. Furthermore, a federal court in Oregon has ruled that if a county jail holds a person in jail at the request of the United States Immigration and Customs Enforcement (ICE) agency (so called ICE detainer requests) past his or her local release date solely on the basis of that detainer request, the county is violating that person’s constitutional rights and the county and jail are subject to serious civil liability. County jails will hold a person subject to a federal warrant signed by a magistrate, just as we would honor a valid warrant from another local government or state. It is important to note that if a person is illegally in the country, and commits another violation of law, Oregon police officers are specifically allowed by Oregon law to cooperate by exchanging information with ICE, and Oregon jails including Lincoln County’s do so routinely. Lincoln County also prosecutes persons for criminal acts, no matter what their immigration status, and penalties are imposed regardless of that status.

**Chair Terry Thompson** reported that today is the first day of the Legislative session and he has participated in various conference calls with different state departments concerning their budgets.

**Commissioner Bill Hall** reported that Veteran's Service Officer, John Reed has retired and Devin Whitaker has been promoted as the new Veteran's Service Officer.

Commissioner Bill Hall also reported that he attended the Confederated Tribes of Siletz Indians reception; the Tribes hosted a reception thanking everyone for their support and advocacy for a *Bill* that will make it easier for them to requests land placement into Federal Trust.

**CONSTITUENT INPUT**

Chair Thompson called for constituent input and none was given.

**ADJOURNMENT**


The next meeting of the Board of Commissioners will be held on February 8, 2017 at 9:30 a.m. in Room 108 of the Lincoln County Courthouse.

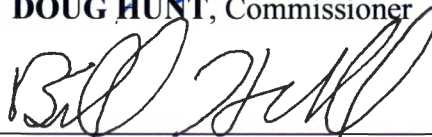
The meeting adjourned at 9:55 a.m.

These meeting minutes were read and approved this 15<sup>th</sup> day of February, 2017.

**LINCOLN COUNTY BOARD OF COMMISSIONERS**

  
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**TERRY N. THOMPSON, Chair**

  
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**DOUG HUNT, Commissioner**

  
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**BILL HALL, Commissioner**