

APPROVED BY ORDER # 8-17-237

**MINUTES OF THE
LINCOLN COUNTY BOARD OF COMMISSIONERS
MEETING OF July 19, 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 Doug Hunt, Commissioner Bill Hall, County Counsel Wayne Belmont, County Counsel Jerry Herbage, Public Information Officer Casey Miller and Recorder Tanya Graham.

RECOGNITION/PROCLAMATION

Resolution #17-19-7A **Proclaiming July 16-22, 2017 as “Parole, Probation and Community Supervision Week” in Lincoln County – Presented by: Suzi Gonzales and RK Gascho**

Chair Hall read the proclamation and invited the presenters to come forward.

Suzi Gonzales explained that community supervision includes probation and parole for adults as well as juvenile offenders. By increasing offender accountability it decreases crime and enhances overall public safety. Suzi explained the difference between parole and probation. Probation is a common form of a criminal sentence and is often given in lieu of prison. Probation comes with special conditions that are monitored by a probation officer. Parole is a term of supervised release following a prison term.

The current trend in community supervision is “Result Driven Management” of offenders in a community, otherwise known as “Justice Reinvestment”. Justice reinvestment has changed some of the laws and shortened sentences of offenders. Recently Lincoln County opened their Transition Center. The Transition Center offers programs and services that help newly released inmates transition back into the community. Lincoln County currently has 551 adult offenders under supervision. Community Corrections has 8 Parole and Probation Officers, 2 supervising Parole and Probation Officers and 1 Director all certified within the State of Oregon to supervise the offenders. The Juvenile Division currently supervises 84 individuals as well as 20 Oregon Youth Authority individuals. Juvenile has 3 Probation Counselors and 1 supervising Probation Counselor.

RK Gascho explained how the Juvenile Department is a resource for kids to help make them successful. Juvenile has 8 detention beds and 12 shelter beds. There are fewer kids on average now at the juvenile facility than there were 10 years ago but the average age of juvenile offenders has dropped to about 12-13 years old.

Commissioner Hunt moved and Commissioner Hall seconded to approve the resolution proclaiming July 16-22, 2017 as “Parole, Probation and Community Supervision Week” in Lincoln County. The vote was taken and passed unanimously.

**APPROVAL OF RESOLUTION #17-19-7A
PROCLAIMING JULY 16-22, 2017 AS “PAROLE,
PROBATION AND COMMUNITY SUPERVISION
WEEK” IN LINCOLN COUNTY**

ADOPTION OF CONSENT CALENDAR

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

**APPROVAL OF THE CONSENT CALENDAR OF
July 19, 2017**

CONSENT CALENDAR ITEMS:

Minutes of Board of Commissioners Meeting

Order #7-17-210 Board of Commissioners Meeting Minutes May 17, 2017

Order #7-17-211 Board of Commissioners Meeting Minutes June 21, 2017

Documents and Recording Matters in the Commissioners Journal

Order #7-17-212 2017-2018 Work and Financial Plan for USDA APHIS Wildlife Services

PUBLIC HEARING

**Order #7-17-213 An Order Dissolving the Windy Bend Special Road District – Presented by: Jerry
Herbage**

Commissioner Thompson opened the public hearing. Jerry Herbage, Assistant County Counsel presented to the Board an order to dissolve the Windy Bend Special Road District. The District has not been active for over 15 years and has not filed Financial Statements for more than 3 years with the Oregon Department of Revenue.

Commissioner Thompson called for public testimony and none was given. Chair Thompson closed the hearing.

Commissioner Hall moved and Commissioner Hunt seconded to approve Order #7-17-213 an Order Dissolving the Windy Bend Special Road District. The vote was taken and passed unanimously.

**APPROVAL OF ORDER #7-17-213 AN ORDER
DISSOLVING THE WINDY BEND SPECIAL ROAD
DISTRICT**

DISCUSSION/INFORMATION

**Policy Update and Ordinance Recommendations for Tobacco/Nicotine Free County Properties –
Presented by: Wayne Belmont, Nicole Fields, Samantha Schafer ad Erin Parrish**

Wayne Belmont stated that the draft Tobacco/Nicotine Policy and Ordinance has been posted to the County website and has only received one written comment. The comment received expressed concern about the enforcement of the policy in County parks.

Erin Parrish reported that she reached out to other Counties across the state that have implemented similar policies and found that the majority of citizens follow the rule and it is very self-enforcing. Additionally, no loss of revenues or quantity of people in the parks with the policy has been noted.

Wayne Belmont reported that Lane County did a phase in policy and it helped minimize the impact on citizens. Wayne would like Lincoln County to consider doing a phase in policy.

Commissioner Hunt stated that we as a County need to lead by example and this new policy will provide a huge health benefit.

Wayne Belmont stated that he would bring the updated policy and ordinance to the August 9 Board of Commissioners meeting for a 1st reading.

Chair Thompson called for public input:

Gary Lahman – Gary handed out and read a written statement expressing support of the Tobacco/Nicotine Free County Policy and Ordinance.

Ordinance # _____ Relating to Small Gatherings, Outdoor Mass Gatherings and Extended Outdoor Mass Gatherings Permits – Presented by: Jerry Herbage and Roy Kinion

Jerry Herbage reviewed the suggested changes made to the draft Ordinance. After Jerry Herbage originally presented the Ordinance to the Board at their June 14, 2017 Board meeting, public and staff comments were received and reviewed.

A small gathering is defined as less than 3,001 persons but more than 300 persons for a period that continues or can reasonably be expected to continue for more than 6 hours but not more than 120 hours.

An outdoor mass gathering is defined as more than 3,000 persons for a period that continues or can reasonably be expected to continue for more than 24 hours, but less than 120 hours.

An Extended outdoor Mass Gathering is defined as more than 3,000 persons for a period that continues to be for more than 120 hours.

Chair Thompson called for public input:

Louise Solliday – Louise stated that she would like the Commissioners to consider limiting the time on the noise portion of the ordinance. She would like a longer period of quiet time written into the

ordinance. People who live in the city expect noise but people who live in the country to not expect noise at night.

The Commissioners discussed various hours that noise would be allowed and they were in consensus to allow noise from 9:00 am – 1:00 am, Sunday – Saturday.

Jerry Herbage will bring the Ordinance back before the Commissioners at their August 9 meeting for a second reading.

REPORTS

City of Newport Housing Proposal Report – Presented by: Derrick Tokos and Rachael Cotton

Derrick Tokos reported that affordable housing has been an issue in our area and the City of Newport is working on a package of changes to help make a difference. The City has been working on updating their system development charges methodology. System Development charges are fees collected upfront when new development permits are issued. These fees are used to help pay for future extension of roads, water, sewer, park acquisitions, and storm drainage structures that are needed to support growth. State law requires that the fees be formula based. The City has been evaluating this process and has been looking at future Capital projects that they have been collecting funds for. After reviewing the project list, they have trimmed it down so that the City is only collecting for what they reasonably believe they will build in the next 20 years. By reevaluating these charges, it has allowed the City to put together a proposal that in many ways significantly reduces the City's system development charges. Upfront development costs can be a barrier to projects moving forward. The City also adjusted that methodology so that smaller homes being developed will pay less than larger homes being developed.

In addition to system development charges modifications, the City is looking at a policy option for the Council to put into place a construction excise tax for affordable housing purposes. This option was made available by the Legislature in 2016. If the Council chooses to put the construction excise tax into place, it will be 1% on permit construction value for residential and commercial/industrial.

The City is also looking at three property tax exemptions to help facilitate multi-family rental housing. Due to Legislative changes, the vertical housing option has been put on hold until the City has more time to reevaluate the effects of SB310. The other two options are for, multiple unit property tax exemption which would apply to the City's commercial zones where you have residential allowed above retail as well as the multi-family zone. The other option is to allow nonprofit groups who are involved in the development of low income housing a property tax exemption.

Derrick Tokos reported that the City of Newport would like Lincoln County to partner in these options. The Board of Commissioners like the concepts presented and would like to have further discussion on the packages.

BOARD OF COMMISSIONERS REPORTS:

Commissioner Hall reported that he will be in Ohio next week for the National Association of Counties Annual Conference.

Commissioner Hunt reported that he will be attending a breakfast meeting on Swan Island concerning the Maritime Sector. Also, there will not be a Board of Commissioners meeting next week due to the Oregon Coastal Caucus scheduled in Portland, where he will be presenting remarks on the successes and challenges within the maritime sector and Lincoln County.

Chair Thompson reported that the Annual Meeting with Confederated Tribes of Siletz Indians went very well.

CONSTITUENT INPUT

Chair Thompson called for constituent input:

Heather Mann – Voiced concern about the closure of Going Green West Coast Dispensary.

EXECUTIVE SESSION

An executive session was convened at 11:25 a.m. pursuant to:
ORS 192.660(2) (h) to discuss litigation matters

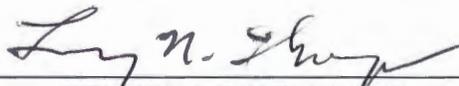
ADJOURNMENT

The next meeting of the Board of Commissioners will be held on August 2, 2017 at 9:30 a.m. in Room 108 of the Lincoln County Courthouse.

The meeting adjourned at 11:20 a.m.

These meeting minutes were read and approved this 16th day of August, 2017.

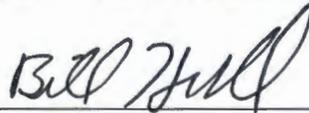
LINCOLN COUNTY BOARD OF COMMISSIONERS



TERRY N. THOMPSON, Chair



DOUG HUNT, Commissioner



BILL HALL, Commissioner