



**Wednesday, August 23, 2017**

**9:30 a.m. Regular Meeting**

**Commissioner's Meeting Room  
Lincoln County Courthouse  
225 W. Olive Street, Room 108  
Newport, Oregon**

**I. CALL TO ORDER**

**II. ROLL CALL - ESTABLISHMENT OF A QUORUM**

**III. RECOGNITION/PROCLAMATION**

**IV. ADOPTION OF CONSENT CALENDAR**

**A. Minutes of Board of Commissioners Meeting**

1. Order #8-17-242 BOC Joint Work Session with the City of Siletz 8/16/17

**B. Commission Appointments and Resignations**

**C. License Applications or Renewals**

**D. Tax Foreclosure, Right-of-Way, Sales and Deeds**

**E. General Budget Resolutions**

**F. Acting as Governing Body of County Wide Service Districts**

**G. Documents and Recording Matters in the Commissioners Journal**

1. Order #8-17-243 Contract Agreement between Ecology and Environment, Inc. and Lincoln County Sheriff's Office for a Fuel Management Plan Development, Phase 1 – (Terms: Completion by June 30, 2017; not to exceed \$10,000)
2. Order #8-17-244 Interagency Professional Services Agreement between Oregon Family Support Network and Lincoln County Mental Health to work collaboratively together with families and youth to promote mental, behavioral and emotional wellness for other

families and youth through education, support and advocacy.  
(Terms: Effective 7/1/17 – 6/30/18; not to exceed \$53,250)

3. Order #8-17-245 Agreement between Oregon State University and Lincoln County Health and Human Services for Collaborative Educational Opportunities and Related Services (Terms: Effective for Three Years from date of Signature)
4. Order #8-17-246 Intergovernmental Agreement between Benton County and Lincoln County for Health Assessment Services (Terms: Effective 7/1/17 – 6/30/18)
5. Order #8-17-247 Lincoln County Employment Agreement with Dr. Beverley Phillipson to provide Medical Director Services
6. Order #8-17-248 Intergovernmental Affiliation Agreement between Oregon State University College of Public Health and Lincoln County Health and Human Services to provide Collaborative Experiential Educational Opportunities for Students Majoring in Degree Programs within OSU's College of Public Health and Human Sciences

**H. Execution of Documents**

1. Intergovernmental Agreement #5468 between the State of Oregon Department of Corrections and Lincoln County Parole and Probation for corrections services in Lincoln County. (Terms: Effective 7/1/17 – 6/30/19; not to exceed \$3,993,789.00)

**V. PUBLIC HEARING**

**VI. DECISION/ACTION**

**VII. DISCUSSION/INFORMATION**

- A. Ordinance#496 Relating to Tobacco, Smoke and Nicotine Free County Property; and Amending LCC7.550, 7.570 and 7.580 – (First Reading)**

**VIII. BOARD OF COMMISSIONERS AS THE GOVERNING BODY OF COUNTY-WIDE SERVICE DISTRICTS**

**IX. REPORTS**

- A. Elected Officials/Department Directors/Program Coordinators and Consultants**
- B. Commissioners**

**X. CONSTITUENT INPUT (Limited to five minutes per constituent)**

**XI. EXECUTIVE SESSION**

**XII. ADJOURN**

**XIII. OTHER SCHEDULED MEETINGS AND APPOINTMENTS OF THE BOARD**

**Monday, August 28, 2017 – 9:00 a.m. – Office Meeting and Board Briefing** in the Commissioner’s Small Meeting Room, Lincoln County Courthouse Room #110, 225 West Olive Street, Newport; meeting to cover office priorities, operations, procedures and workflow

**Wednesday, August 30, 2017 – 9:30 a.m. – Board of Commissioners Meeting** in the Commissioner’s Meeting Room, Lincoln County Courthouse Room #108, 225 West Olive Street, Newport.

***For special physical, language or other accommodations at Board's meeting, please contact the Board at 265-4100 (voice) or dial 7-1-1 Relay Service and include e-mail as soon as possible, but at least 48 hours before the meeting.***

1                                   **BEFORE THE BOARD OF COMMISSIONERS**  
2                                   **FOR LINCOLN COUNTY, OREGON**

3                                   ORDINANCE # 496

4 \_\_\_\_\_  
5  
6 **Relating to tobacco, smoke, and nicotine free county property; and amending LCC 7.550,**  
7 **7.570 and 7.580.**  
8 \_\_\_\_\_

9  
10                   The Lincoln County Board of Commissioners ordains as follows:

11                   **SECTION 1.**

12                   Sections 2 through 5 of this Ordinance are added to and made a part of LCC Chapter  
13 7, as indicated.

14                   **SECTION 2.**

15                                   *[SMOKING AT COUNTY FACILITIES]*

16                   **TOBACCO, SMOKE, AND NICOTINE FREE COUNTY PROPERTY**

17                   7.550 Definitions for LCC 7.550 to 7.580

18                   As used in LCC 7.550 to 7.580:

19                   (1)    “County *[building]* **property**” means any *[enclosed]* **property, building, or**  
20 **land** owned or leased by Lincoln County.

21                   *[(2) “Smoking instrument” means any cigar, cigarette, pipe, electronic cigarette or*  
22 *other smoking equipment.]*

23                   (2)    “**Tobacco, smoke, and nicotine free**” includes, but is not limited to,  
24 **cigarettes, cigars, pipes, marijuana, and any other smoking and/or nicotine containing**  
25 **product; dip, chew snuff, snus, and any other smokeless tobacco and/or nicotine**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing ordinance to be omitted. New sections are in **boldfaced** type.

1 **containing product; and nicotine delivery devices, such as electronic cigarettes or**  
2 **vaping instruments, excluding FDA-Approved nicotine replacement therapy products**  
3 **for the purpose of tobacco cessation.**

4 **SECTION 3.**

5 LCC 7.570 is amended to read:

6 *[7.570 Smoking Prohibited Except in Designated Areas*

7 *No person shall smoke or carry any lighted smoking instrument on any county*  
8 *property, except in areas designated as smoking areas pursuant to LCC 7.580.]*

9 **7.750 Tobacco, Smoke, and Nicotine Free Environment for County Properties**

10 **(1) Use of tobacco, smoke, and/or nicotine products is prohibited on County**  
11 **properties. No Lincoln County employee, volunteer, intern, client, visitor, or vendor,**  
12 **shall carry any lighted smoking or vaping instrument or use a tobacco, smoke, or**  
13 **nicotine product on any leased or owned Lincoln County property. There are no**  
14 **designated areas for the use of tobacco, smoke, and/or nicotine product use or**  
15 **exceptions to this policy outside of the cultural exemption related to the American**  
16 **Indian Religious Freedom Act and the areas identified in LCC 7.7580.**

17 **(2) This Section shall be further defined and enforced by Board policy**  
18 **contained in an adopted Board Order, which may be amended from time to time at the**  
19 **discretion of the Board.**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing ordinance to be omitted. New sections are in **boldfaced** type.

1           7.580 Designating Areas Where Smoking Permitted; [*Changing Areas;*] Posting  
2 Signs.

3           **(1) Use of tobacco, smoke and/or nicotine products is permitted in personal**  
4 **vehicles within County Parks and waysides.**

5           **(2) Use of tobacco, smoke and/or nicotine products is also permitted in areas as**  
6 **noted below in subparagraphs (a) through (c) in the County Parks identified in**  
7 **subparagraph (d) below:**

8                   **(a) Individual camp or RV sites with a fire ring or pit (not to include any**  
9 **county structures such as yurts or cabins or similar sleeping areas);**

10                   **(b) Group tent camp areas; and**

11                   **(c) Camp host sites.**

12                   **(d) County Parks:**

- 13                           • **Moonshine Park**
- 14                           • **Elk City Park**
- 15                           • **Jack Morgan Park**
- 16                           • **Don Lindly Park**
- 17                           • **Brown Memorial Park**

18

19           *[(1) The Lincoln County Board of Commissioners may designate areas in which*  
20 *smoking is permitted. In the following county parks, no person shall smoke within 25 feet of*  
21 *any building:*

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- 1 • *Cannon Quarry Park*
- 2 • *Five Rivers Launch*
- 3 • *Knight Park*
- 4 • *Moonshine Park*
- 5 • *Elk City Park*
- 6 • *Jack Morgan Park*
- 7 • *Ichwhit (Bear) Park*
- 8 • *Strome Park*
- 9 • *Twin Bridges Park*
- 10 • *Mike Miller Park*
- 11 • *Drift Creek Park*
- 12 • *Logan Road Wayside*
- 13 • *Seal Rock Wayside*
- 14 • *Don Lindly Park*
- 15 • *Brown Memorial*
- 16 • *Any other property designated a county park from the adoption of this*
- 17 *ordinance forward.]*

18

19 (2/3) The Lincoln County Public Works Department shall post appropriate

20 signs **to implement this Section.** *[indicating areas in which smoking has been permitted or*

21 *prohibited by the Board of Commissioners].*

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