

APPROVED BY ORDER # 10-17-324

MINUTES OF THE
LINCOLN COUNTY BOARD OF COMMISSIONERS

MEETING OF October 4, 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, Public Information Officer Casey Miller and Recorder Kristi Whitaker.

RECOGNITION/PROCLAMATION

Employee Recognitions:

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

1. Carol Hall – Health and Human Services – 5 years
2. Paul Hernandez – Sheriff's Office – 5 years
3. Danny Tam – Sheriff's Office – 5 years
4. Teresa Canfield – District Attorney's Office – 10 years
5. Nancy Hilton – Clerk's Office – 10 years
6. Deborah Howard – District Attorney's Office – 10 years
7. Mark Saelens – Solid Waste – 10 years
8. Charles Stowell – Sheriff's Office – 10 years
9. Sara Wynveen – Sheriff's Office – 10 years
10. Priscilla Bradley – Clerk's Office – 20 years
11. Julie Kay – Transit – 20 years

New Hire Introductions:

Bridget Robertson, Personnel Assistant, introduced two new employees to the Commissioners.

ADOPTION OF CONSENT CALENDAR

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

**APPROVAL OF THE CONSENT CALENDAR
OF OCTOBER 4, 2017**

CONSENT CALENDAR ITEMS:

Minutes of Board of Commissioners Meeting

Order #10-17-287 Board of Commissioner's Meeting Minutes September 20, 2017

Order #10-17-288 BOC Joint Work Session with the City of Toledo September 20, 2017

Commission Appointments and Resignations

Order #10-17-289 **Appointment of Members of Pools of People Willing to Serve on the Lincoln County Board of Property Tax Appeals**

Tax Foreclosure, Right-of-Way, Sales and Deeds

Order #10-17-290 **Satisfying a Local Improvement Project Lien of Assessment Against Certain Real Property Due to Payment in Full – Map 11-11-15-DC Tax Lot 3200 Yaquina View Drive**

Order #10-17-291 **Satisfying a Local Improvement Project Lien of Assessment Against Certain Real Property Due to Payment in Full – Map 11-11-15-DC Tax Lot 03200 Bay Hills Water**

Documents and Recording Matters in the Commissioners Journal

Order #10-17-292 **Amendment to Intergovernmental Agreement #148517 between the State of Oregon and Lincoln County for Oversight and Care Coordination of the Adult Mental Health Program (Terms: Effective 7/1/17 – 9/30/17; \$25,680.62)**

Order #10-17-293 **Training & Dissemination Contract between Lincoln County Health and Human Services and the Center for Child & Family Health (Terms: Effective 8/1/16 – 12/31/17; Not to exceed \$50,000)**

Order #10-17-294 **Amendment to Service Agreement between Advantage Dental Clinics LLC and Lincoln County Health and Human Services (Terms: Effective 10/1/16)**

Order #10-17-295 **Agreement #154970 between the Oregon Health Authority and Lincoln County Health and Human Services for substance abuse prevention and treatment. (Terms: Effective 7/1/17 - 7/30/19; not to exceed \$372,500)**

Order #10-17-296 **Agreement #154733-0 between the State of Oregon Acting through its Oregon Health Authority and Lincoln County Health and Human Services for the tourist facility program, pool facility program and the restaurant, bed and breakfast facility, commissary, mobile unit, warehouse and vending machine licensing programs. (Terms: Effective 7/1/17 – 6/30/18)**

- Order #10-17-297** **Amendment to Services Agreement between ColumbiaCare Services, Inc. and Lincoln County Health and Human Services (Terms: Effective 7/1/16)**
- Order #10-17-298** **AmeriCorps Vista / OR Public Health Partnership Project Host Site Agreement between the Oregon Health Authority and Public Health Division and Lincoln County Public Health (Terms: Effective 8/18/17 – 8/26/18)**
- Order #10-17-299** **Agreement between Managed Health Network, Inc. and Lincoln County Health and Human Services for Behavioral Health Providers for the Tricare Region (Terms: Effective: 9/5/17)**
- Order #10-17-300** **Memorandum of Agreement between Lincoln County Public Health and Partnership against Alcohol & Drug Abuse to Support Community Substance Abuse Prevention (Terms: not to exceed \$10,000)**
- Order # 10-17-301** **Amendment PO0001 between Department of Veterans Affairs and Lincoln County Health and Human Services for Providing Services to VA Clients (Terms: 9/1/16 – 8/31/17; Not to Exceed \$749,604.57)**
- Order #10-17-302** **Agreement between Lincoln County and Reconnections for Addiction Services for Qualified Indigent Clients (Terms: Effective 7/1/17 – 6/30/18; Not to Exceed \$30,000)**
- Order #10-17-303** **Agreement between the Association of Oregon Community Mental Health Programs and Lincoln County to Administer Mental Health First Aid Oregon – Instructor: Samantha Schafer (Terms: Effective 7/1/17-6/30/18)**
- Order #10-17-304** **Agreement between the Association of Oregon Community Mental Health Programs and Lincoln County to Administer Mental Health First Aid Oregon – Instructor: Jessica Palma (Terms: Effective 7/1/17-6/30/18)**
- Order #10-17-305** **Agreement between the Association of Oregon Community Mental Health Programs and Lincoln County to Administer Mental Health First Aid Oregon – Instructor: Jennifer Versteeg (Terms: Effective 7/1/17-6/30/18)**

Order #10-17-306 **License Amendment Agreement between American Medical Association and Lincoln County Health and Human Services for User Proxy Model Payments, EMR, and Compliance (Terms: Effective 12/22/16 for \$400)**

Order #10-17-307 **Agreement between Lincoln County and Reconnections to Host Parents as Teachers Program (Terms: Effective 9/25/17-6/30/18 Not to Exceed \$39,896)**

PUBLIC HEARING

Order #10-17-308 **Annexation of Certain Property (Ellis) into the Yachats Rural Fire Protection District – Presented by: Jerry Herbage**

Assistant County Counsel, Jerry Herbage, explained that the petition for the property annexation into the Yachats Rural Fire Protection District (YRFPD) had been signed off by both the district and the land owner and requires one hearing. Jerry recommended approval with no public comment. Commissioner Hall moved and Commissioner Hunt seconded to approve. A vote was taken and passed unanimously.

Order #10-17-309 **Annexation of Certain Property (Esler) into the Yachats Rural Fire Protection District – Presented by: Jerry Herbage**

Assistant County Counsel, Jerry Herbage, related the Esler property to the prior consent annexation with no public comment. Commissioner Hall moved and Commissioner Hunt seconded to approve. A vote was taken and passed unanimously.

DECISION/ACTION

Order #10-17-310 **Transfer of Agreement between Cogan, Owens, Greene and Lincoln County to 3J Consulting and Lincoln County for the Lincoln County Commons Master Plan – Presented by: Wayne Belmont**

County Counsel, Wayne Belmont, stated that he received a letter from Cogan, Owens, Green informing the county that they would be ceasing existence as a firm and requesting the agreement for the refinement plan for the Lincoln County Commons, currently held with Cogan, Owens, Greene, be assigned to the subcontractor, 3J Consulting. Moving forward, 3J consulting would be the primary responsible party. All the original consultants will still be involved in the project. Commissioner Hall moved and Commissioner Hunt seconded. A vote was taken and passed unanimously.

Order #10-17-311 **Master Services Agreement between Soyring Consulting,**

**Inc. and Lincoln County Health and Human Services for
an Assessment of the Health & Human Services Department (Terms:
Effective 10/4/17 – 10/31/18; \$75,000 plus expenses) – Presented by:
Jerry Herbage**

Assistant County Counsel, Jerry Herbage, stated, in regards to the prospective Lincoln County construction of a new health care services building, a proposal for an expertise analysis is advised. Jerry stated that of the 6 different firm's proposals and interviews, Soyring Consulting was chosen. Continuing that they were selected because of their extensive experience in the Health and Human Services field.

Commissioner Thompson expressed concern about the sizable amount of money for the proposed contract. County Counsel, Wayne Belmont, responded that the proposed construction project would range from 18 to 20 million dollars and with such uncertainty on the horizon within the healthcare field, the firm would bring some clarity to the future. The county would be performing due diligence prior to such a large investment.

Commissioner Hall stated that the firm would help the county make unbiased, critical decisions for the investment. Continuing that the proposed construction would be the largest capital project of the county thus far and engaging in such a contract prior to construction is prudent.

Commissioner Thompson inquired about what was included in the analysis and how such information would be obtained. Jerry Herbage stated that the firm would look at the current organization and provisions of services offered. The firm will also look at the number of patients and procedures, recommend services to provide and prioritization, as well as, an analysis of finances, trends, projected volumes of business, use of space, current and future needs, and forecast potential obstacles. Concluding that the firm will obtain such information through a series of studies, data review, and surveys.

Commissioner Hall inquired about the prospective date of delivery of the product. Jerry Herbage responded that if the county accepted the proposal the firm would be here on October 9th and plan to have a report prepared before the end of the calendar year.

Commissioner Hall moved for approval, Commissioner Hunt seconded. A vote was taken and passed unanimously.

DISCUSSION/INFORMATION

Ordinance #498

**Ordinance #498 Relating to Special Road Districts; Amending LCC
6.480 to Convert Starr Creek Special Road District from Appointed to
an Elected Governing Board (*First Reading*) – Presented by:**

Jerry Herbage

Assistant County Counsel, Jerry Herbage, stated that this is the first reading of Ordinance #498 and it is open for public comment. There being no request from the Commissioners that the ordinance be read in full, County Counsel, Wayne Belmont, read the title of the ordinance only. Continuing that, a number of special road districts in the county are elected versus appointed. After receiving complaints during the February 22, 2017 Board of Commissioners Meeting, the board considered adding Starr Creek to the list of districts that have elected board members and would explain the process to the district.

Karen Heere stated that she was present at the February 22, 2017 meeting and since the meeting with the district there have been improvements. Continuing that, she supports the election process; it is an incentive for the board to improve performance and provides an avenue of recourse if performance deteriorates.

Commissioner Thompson stated that he supported the transition to an elected board. Commissioner Hall stated the board has adopted the policy that any new district would have elected boards and supports the direction to maintain a government closest to its people. Commissioner Hunt stated that a Commissioner's role is to oversee the composition of the district boards and maintains no responsibility beyond that. County Counsel, Wayne Belmont, added that it would be the 6th district to convert to an elected board. A special district presentation will take place on December 2 2017, providing information on elections, budgets, authority, and public law along with other items. It will take place in the Board of Commissioner's large conference room and an agenda will be provided shortly.

Jerry Herbage stated the second reading is required to be 13 days apart and will be scheduled for the Board of Commissioners meeting on October 18, 2017. Consensus is to move forward.

Consideration of County Participation with the City of Newport on Tax Incentive Programs for Qualified Low Income Housing & Multiple Family Housing – Presented by: Wayne Belmont

County Counsel, Wayne Belmont stated the Commissioners received a presentation from the city of Newport regarding two ordinances that deal with housing, affordability, and homelessness to target programs toward multi-family and low income housing. The city subsequently discussed and adopted two different ordinances that provide property tax exemptions for those who meet certain criteria. Currently, the exemptions apply only to city taxes unless 51% of the governing bodies in the area subject to taxation approve the program in which case it's entirely exempt. Wayne Belmont continued, that Lincoln County has utilized these provisions in past in the case of The Ridge apartments in Lincoln City and Sa Da Munn apartments in Waldport.

Wayne Belmont explained the first ordinance would provide tax exemptions to qualified non-profit organizations that provide housing to low income persons. Low income is classified as 60% of the median family income. To continue to receive the exemptions after the initial application requirement, the organization would have to maintain an 80% income level to recertify annually. These exemptions would be ongoing as long as the organization continues to qualify. Wayne proposed drafting

appropriate municipal legislation in concert with the city to take advantage of the full exemption in order to encourage growth of low income housing units. Commissioner Bill Hall asked if the legislation would provide a blanket approval for any project or require a need to review on a project by project basis. Wayne Belmont proposed a blanket for the city to mirror the ordinance and apply to any qualifying project within the boundaries of the city and applies to the entire property, land and structure.

The second ordinance applies to multi-family housing, which the county has not yet participated in. Properties have to be rental housing and the exemption applies only to the structure. Requirements include: 3 units for new construction, 2 units for add-ons, has a 10 year duration, and land and commercial development are still subject to tax. In addition, the units are limited to areas zoned R3 and R4 and must be within a quarter of a mile of transit routes. 20% of the units have to be affordable (80% or less than the median household income) and meet the standards of being a green building.

Commissioner Thompson inquired if we knew of anyone who was interested in taking advantage of the tax emptions. **Lola Jones**, Executive Direction of the Samaritan House Transitional Housing, stated their qualified 501(c)(3) was an applicant to the state last year and would be able to take advantage of the proposed tax exemptions. Continuing that, creating these tax reliefs, in conjunction with Local Innovation and Fast Track (LIFT) 2018 funding, would incentivize and attract out of area non-profit developers to partner in developing units.

Commissioner Hall asked what the foregoing property tax revenue amount would be. Wayne Belmont responded that it would be in the range of \$1,500-\$2,000 annually per structure, with a limited number of properties. Commissioner Hunt asked who would be responsible for monitoring the income criteria. Wayne Belmont responded that the city would be the one responsible for providing a tenant income verification process.

The board expressed interest in participating in these programs. Mr. Belmont will draft documents after consulting with the city.

REPORTS

A. Elected Officials/Department Directors/Program Coordinators and Consultants

1. Update on Tobacco 21 Legislation and What it Means for Lincoln County

- Presented by: Sam Schafer, Erin Parrish and Nicole Fields

Senate bill 754 passed in August, increasing the age requirement to purchase cigarettes from 18 to 21. The bill is effective immediately, but will not be enforced until January 1, 2018. The bill simply changes previous law's legal age from 18 to 21, aligning tobacco sales with alcohol and marijuana. Oregon is the fifth state to enact this legislation aimed at reducing consumption. Currently, the goal is to inform retailers so they are able to become compliant before the New Year which includes: signage, employee training, and actively enforcing the law.

CONSTITUENT INPUT

Chair Thompson called for constituent input and none was given.

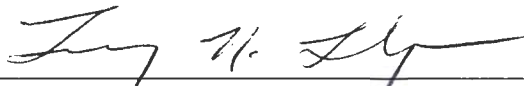
ADJOURNMENT

The next meeting of the Board of Commissioners will be held on October 11, 2017 at 9:30 a.m. in Room 108 of the Lincoln County Courthouse.

The meeting adjourned at 10:45 a.m.

These meeting minutes were read and approved this 18th day of October, 2017.

LINCOLN COUNTY BOARD OF COMMISSIONERS



TERRY N. THOMPSON, Chair



DOUG HUNT, Commissioner

Excused

BILL HALL, Commissioner