

APPROVED BY ORDER # 5-18-125

MINUTES OF THE  
LINCOLN COUNTY BOARD OF COMMISSIONERS

MEETING OF April 18, 2018

**CALL TO ORDER**

Chair Hall 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 Terry Thompson, County Counsel Wayne Belmont, Public Information Officer, Casey Miller, and Recorder Kristi Whitaker.

**ADOPTION OF CONSENT CALENDAR**

Item (H)(1) was pulled: proposed agreement for the pollinator corridor project.

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

**APPROVAL OF THE CONSENT CALENDAR  
OF April 18, 2018**

**CONSENT CALENDAR ITEMS:**

*Minutes of Board of Commissioners Meeting*

1. Order #4-18-93 Lincoln County Board of Commissioners Meeting Minutes February 7, 2018

*Commissions, Appointments, and Resignations*

1. Order #4-18-94 Changes in the membership to the Boulder Creek Special Road District Board

*Documents and Recording Matters in the Commissioners Journal*

1. Order #4-18-95 Community Opportunity Grant for Brown Park Grant
2. Order #4-18-96 Memorandum for Bid Award of Eckman Creek Culvert Replacement

*Execution of Documents*

1. 4<sup>th</sup> Amendment to Oregon Health Authority 2017-2019 Intergovernmental Agreement for the Financing of Mental Health, Substance Abuse Disorders, and Problem Gambling Services Agreement #153129
2. Extension of Commercial Lease between Lincoln County and Slape Investment Properties LLC (Terms: 5/1/2018 – 4/30/2022; \$18,539/mo.)

**DISCUSSION/INFORMATION**

1. *Agreement between Lincoln County and the City of Lincoln City for Building Official Services*

Wayne Belmont, County Counsel, stated there is a statewide issue with building code services. The issue is contracting for those services by cities (and some counties) rather than having the building official be a city employee. The state Department of Justice finds this practice an unconstitutional delegation of the city's

authority. The 2018 Legislature failed to address the issue. After the legislative session, the State of Oregon Building Codes Division sent out notices that require a building official to be an employee of the city or the city needed to contract with and appoint the county building official as its delegated representative. In our case, Lincoln County is required to enter into an agreement with Lincoln City for building official services or the city will be forced out of the business. In that case all Lincoln City's permits and services would automatically revert to the County.

Commissioner Thompson expressed concern over the current staffing levels at the county Planning Department. Wayne agreed that is of concern.

Wayne stated he has met with the planning director and building official; the county will provide oversight and Lincoln City will still have a contracted employee doing most of the day to day inspections; this agreement removes liability from the county. Details on oversight are still being worked out.

Commissioner Thompson referred to conflicts in building codes between the city and county and inquired as to how the agreement would work. Wayne stated the building official will make the calls on any conflict issues.

This item will be brought back for execution on the consent calendar of April 25<sup>th</sup>, 2018.

2. *Agreement between Lincoln County and City of Lincoln City to Allocate Jurisdiction for Dock Permitting to Lincoln County (Term: 5 years)*

Wayne Belmont, County Counsel, stated there is one place in the county with this issue, Devils Lake. Jurisdiction issues arise when applications to place docks in the lake where the dock starts on land and then ends in the water. The issue of responsibility for building permitting arises due to the county jurisdiction on the water side of the dock and the city's jurisdiction on the land portion. The agreement lays provides when the land side of the dock is within Lincoln City, they are responsible. If the dock starts on property under county jurisdiction then the county is responsible. The agreement clarifies who is in charge of the permitting workload.

This item will be brought back to the consent calendar on April 25<sup>th</sup> for execution.

## **REPORTS**

### **A. Elected Officials/Department Directors/Program Coordinators and Consultants 2018-2019 A&T County Assessment Function Funding Assistance Program (CAFFA) Grant**

Joe Davidson, Lincoln County Assessor, provided an update on Lincoln County's application. The grant program is funded by county revenue: delinquent taxes and recording fees collected on a quarterly basis then returned to the county based on application of filing expenditures.

Joe reviewed the grant application noting that there has been a change in staffing this year; there was an approved GIS position to facilitate the new assessment and taxation software, providing an additional .5 FTE claimed for this next year. The position is expected to be in place and functioning halfway through the next fiscal year. In addition, associated expenses include costs of the project implementation for the new assessment and taxation software.

Commissioner Bill Hall voiced concerns over the downward trend of the program's coverage and actual county expenditures.

Commissioner Terry Thompson agreed, inquiring as to interference and requirements with operations and procedures because of the funding. Wayne stated requirements and oversight have been reduced. Commissioner Thompson further inquired as to other counties staffing reductions and revenue's collected for the program, stating Lincoln County has had no decreases in staffing. Wayne stated Lincoln County's percentage of the statewide budget could go up since our expenditures are also a higher percentage.

Commissioner Thompson acknowledged that this downward trend should be brought to the Association of Counties' (AOC) attention prior to the next legislative session.

This item will be on the April 25, 2018 Board of Commissioner's meeting agenda for approval.

#### **B. Commissioners**

Commissioner Thompson stated he will be attending a roundtable on Friday, April 27<sup>th</sup> with Kurt Schrader.

Commissioner Hall read a statement he prepared in response to the Depoe Bay Board of Commissioners meeting. This statement is located online at <http://www.co.lincoln.or.us/commons/page/2018-commons-master-planning-process>.

#### **CONSTITUENT INPUT**

Chair Hall called for constituent input and none was received.

#### **ADJOURNMENT**

The next meeting of the Board of Commissioners will be held on April 25<sup>th</sup> at 9:30 a.m. in the Commissioner's Meeting Room, Lincoln County Courthouse Room #108, 225 West Olive Street, Newport.

The meeting adjourned at 10:10 a.m.

These meeting minutes were read and approved this 23rd day of May, 2018.

#### **LINCOLN COUNTY BOARD OF COMMISSIONERS**



DOUG HUNT, Chair



BILL HALL, Commissioner



TERRY THOMPSON, Commissioner